

THE CABINET
Monday, 21st September, 2020

Present:- Councillor Read (in the Chair); Councillors Alam, Allen, Beck, Hoddinott, Lelliott, Roche and Watson.

Also in attendance Councillor Steele (Chair of the Overview and Scrutiny Management Board)

40. DECLARATIONS OF INTEREST

There were no declarations of interest.

41. QUESTIONS FROM MEMBERS OF THE PUBLIC

(1) A question was received from Mr. Cawkwell who asked:-

On the 14th September, 2020 the joint Assistant Director of Commissioning, Performance and Quality confirmed in an e-mail to the Chair of the Improving Lives Select Commission that there were errors in a report presented to the meeting of the 3rd March, 2020. He asked what those errors were.

The Leader, without knowing the full details, was unable to speculate and would so investigate and report back to the member of the public in writing.

In a supplementary question, Mr. Cawkwell asked if important errors had been made what actions would the Leader take to deal with that particular issue.

The Leader confirmed it would depend very much on the nature of the mistake. If it were simply administrative error this would be corrected at the meeting. However, if it was believed Members were being misled then the Council's complaints procedure could be followed through and investigated. However, as already indicated this would be looked into and a response provided in writing.

(2) A question was received from Mr. Harron who asked:-

How was the Council going to ensure that the voices of the most vulnerable would be heard in the year specifically on the run up to the Council elections next May.

The Leader referred to the Year Ahead (on the agenda) and referenced particular strand assisting with residents' mental and physical health and addressing health inequalities. This was a big challenge and had been for some people over the last six months and was likely to continue.

The Council would continue to use the methods of engaging people to make sure their voices were heard with a process of formal consultation. People would be listened to, but there would be particular challenges for some sections of the community, which services were acutely aware.

In a supplementary question Mr. Harron asked if the Leader was aware of the number of obstacles put in the way of an adult survivor just to get a petition on to the agenda of the next Council meeting next week. Despite it being said in writing that the petition was uploaded onto the e-petition site it was not there and asked if the Leader would ensure it was uploaded as a matter of urgency.

The Leader was not aware of the specific issue, but would investigate and speak to Democratic Services.

Mr. Harron followed by confirming this was about scrutiny and checking the process was followed correctly. He was in receipt of an email confirming the petition was uploaded and ready for people to sign. He stressed the importance of the democratic process with questions and petitions so would be grateful if the Leader could look into this further.

(3) A further written question was received from Mr. Rodgers who asked In relation to Section 2.65 of item 7 (Update on the Council Response to the COVID -19 Emergency), please could you advise residents of when the refunds will be processed for the PAID FOR Garden Waste Collections that were not provided in April and May?

A reply in writing would be provided to Mr. Rodgers.

42. MINUTES OF THE PREVIOUS MEETING

Resolved:-

That the minutes of the Cabinet meeting held on 20th July, 2020 be approved as a true and correct record of the proceedings.

43. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:-

That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for Agenda Item 14 on the grounds that Appendix 4 involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to Information) (Variation) Order 2006.

44. THE YEAR AHEAD

Consideration was given to a report which outlined the Council's Year Ahead Plan with the purpose of supporting residents and businesses in these uncertain times, helping them to build resilience and adapt.

The Year Ahead document would effectively be the Council Plan for operating within and recovering from the Covid-19 pandemic in that it would capture the key actions through to May, 2021 and provide a basis for the development of a longer-term plan for the borough.

The changing nature of the pandemic meant that the Council would need to continue to respond in a flexible way. Many of the impacts of the pandemic were not yet understood and have the potential to be profound and long lasting, therefore, the Council would need to continue to learn and adapt to new and emerging situations. As such, the approach through recovery planning would be an iterative process, necessarily building a picture of and responding to emerging needs and challenges.

The Year Ahead plan was based around five themes:-

- Thriving neighbourhoods.
- Better health and wellbeing.
- Economic recovery.
- New ways of working.
- Confidence and hope in Rotherham.

The plan outlined the outcomes that each theme would be focussed on as well as the key activity that would take place between September, 2020 and May, 2021 to deliver on these outcomes.

Councillor Roche confirmed the role of the Health and Wellbeing Board was to address health inequalities and as part of this work a revamp of the Health and Wellbeing Board would take place. This was also discussed as part of the workshop with the LGA at the last meeting.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-scrutiny process who were in support of the recommendations, subject to a sub-group of the Improving Places Select Commission being established to in order to feed into the planned review relating to the return to, and use of Council buildings, and that the Chair of the Overview and Scrutiny Management Board be invited to be a member of the sub-group, that the sub-group of the Overview and Scrutiny Management Board on Communications be re-established in order to review how customers access council services and that a sub-group of the Overview and Scrutiny Management Board be established to feed into the Council's review of its approach to Equalities.

The Cabinet were happy to accept those recommendations.

Resolved:-

- (1) That the Council's Year Ahead Plan be approved.
- (2) That the proposed governance arrangements be endorsed.

45. UPDATE ON THE RESPONSE TO AND RECOVERY FROM THE COVID 19 PANDEMIC

Consideration was given to the report which provided an update on how the Council was currently responding to the COVID-19 global pandemic.

An overview also provided how the Council was responding to the crisis, what this meant for critical services and the critical issues being addressed.

The Cabinet Member wished to formally place on record his thanks and appreciation to staff for their hard work throughout this Pandemic.

Governance arrangements have been reviewed and streamlined to reflect current priorities as the Council moved into recovery. This included merging the Workforce, PPE and Accessible Areas workstreams into a single workstream (Corporate Incident, Continuity Management, PPE, Workforce and Recovery Cell.)

Gilly Brenner, Public Health Consultant, gave a short presentation via Powerpoint on the COVID-19 Surveillance Board and how the current situation was being monitored:-

The presentation drew attention to:-

- England Comparisons – Maps.
- Cases over the Pandemic.
- Weekly Cases by Local Area.
- Summary Epidemiology.
- Local Outbreak Control Plan.
- Consistent Key Messages.

Cabinet Members welcomed the update, but sought assurances how the situation was being monitored when surrounding areas were subject to restrictions with cases starting to rise and whether there was anything in particular that should be done to avoid those sort of local lockdown situations.

Whilst it was noted Rotherham was not on the "Watch List" this week the numbers were still of concern. Messages about testing had been successful with the communications campaign and public engagement. It was important to keep up those consistent messages especially when some of the cases identified were actually transmitted outside of the

Borough.

Further information was sought on the details from Central Government about funding for those on low incomes suffering financial hardship when having to self-isolate and thus unable to work as well as the fines for those breaching the restrictions. This was of significant concern and the importance of staying home would continue to be promoted. All age groups continued to be affected by this virus so the public could not afford to be complacent and must, regardless of age or location, work together to keep the infection rates down.

The Chief Executive also confirmed the Council continued to operate within its major incident plan and had continued to participate in the South Yorkshire Resilience Forum co-ordinating actions and aid across the sub-region.

The number of business support grants the Council had issued was very positive and the delivery high with 3,928 business support grants paid and a further 276 grants being delivered. Rate relief had also been issued to 1,150 business across the borough along with 3,834 requests for support since its launch. The Council also had 305 volunteers who were cleared to provide support and the Food Crisis Support Service continued to deliver over 2,397 food parcels, a service which still remained available.

Adult Social Care was continuing to work with G.P.'s to support care home providers and on Friday last week a new National Scheme was launched which would see the extension of the infection control grant which actually supported local providers over the winter period. This would ensure everything was being done to support the most vulnerable elderly population and reduce the transmission.

Children's Social Care continued to make contact with all vulnerable children and had been heavily engaged with working with local schools and Public Health England. 990 laptops had also been delivered as part of the vulnerable Children's Technology Scheme by the DFE.

Libraries were also starting to re-open in a managed way with a reduced offer and covert secure arrangements in place.

The situation, however, still remained volatile and would continue to be monitored on a daily basis within the national Government's guidance. Special thanks were offered to all who had worked so hard over the course of the last six months and which would continue with the challenges ahead during Winter.

Resolved:-

(1) That the COVID-19 management and control arrangements that are in place be noted.

(2) That the COVID-19 workstreams and the action being taken be noted.

(3) That feedback be provided in relation to the workstreams and current actions.

46. CHILDREN'S COMMISSIONER'S TAKEOVER CHALLENGE - YOUNG CARERS' UPDATE

Consideration was given to the report which provided an update on the actions that were able to be progressed from June, 2020 during the current Covid-19 lockdown restrictions period.

Since June 2020, the Assistant Director for Early Help, Family Engagement and Business Support was assigned to lead this work and convened a fortnightly Task and Finish Group to expedite action and to oversee process.

Updates have been provided against each of the Overview and Scrutiny Management Board (OSMB) recommendations and these were clearly detailed as part of the report.

The outbreak of Covid-19 continued to hamper progress made against some of the review recommendations and this was likely to be the case for some considerable time. However, this work would be progressed virtually where possible to ensure recommendations continued to be progressed.

Resolved:-

That the updates within the report be noted.

47. RESPONSE TO RECOMMENDATIONS FROM CHILDREN'S COMMISSIONER TAKEOVER CHALLENGE – HATE CRIME

Consideration was given to the report which detailed how Rotherham Youth Cabinet included Hate Crime as one of the four key aims in their 2020 manifesto after it emerged in the top three issues following the annual "Make Your Mark" consultation with young people.

Subsequently a spotlight scrutiny review was undertaken by a group of young people from Rotherham Youth Cabinet on 12th March, 2020 when they took over an Overview and Scrutiny Management Board meeting.

As part of their evidence gathering Rotherham Youth Cabinet participated in a short interactive session with the Community Safety Team and a planning meeting followed to develop the young people's key lines of enquiry and broad questions and to determine who they wished to invite as witnesses.

The Early Help and Family Engagement Team facilitated this work with support from Councillor Steele, Chair of the Overview and Scrutiny Management Board, and the Governance Unit.

An update was, therefore, presented on the response to each of the recommendations arising from this review, which would also be referred back to the Overview and Scrutiny Management Board for information.

Cabinet Members welcomed the update and thanked the Youth Cabinet for presenting their concerns to the Safer Rotherham Partnership. This was a good opportunity for the partners to hear about the work being undertaken.

Resolved:-

That progress updates on the recommendations from the review be received and noted.

48. VOLUNTARY SECTOR INFRASTRUCTURE

Consideration was given to the report which detailed progress after a review and renewed approach to the delivery of Voluntary Sector Infrastructure Services and which subsequently led to the award of a three-year service level agreement (SLA) with Voluntary Action Rotherham (VAR) running from April, 2018 to March, 2021.

The service level agreement had, within the generality of infrastructure services, umbrella support and communications, been prioritised to provide support and promote a number of activities.

In doing so, the SLA brought together working with both VAR and Rotherham Ethnic Minority Alliance (REMA) into a single service level agreement.

Recommendations were, therefore, made for the next three-year Infrastructure service level agreement for the period April, 2021 to March, 2024, taking forward the commitments set out in the Rotherham Compact, building on experience gained through the current agreement, taking account of research on the impact of COVID 19, and setting out a aspirational strategic approach for the future of the voluntary and community sector in Rotherham.

The report also took account of seeking to achieve “excellent” accreditation under the Equality Framework for Local Government and address the equalities implications arising from the COVID 19 emergency. This would be completed undertaking a review and course of action that would be set out in a further report to Cabinet.

To this end, it was recommended that the equalities component of the current service level agreement be separated from the future VCS Infrastructure arrangements and incorporated into the equalities review.

This recommended approach would protect the services currently provided by REMA around increasing capacity of ethnic minority organisations for at least a year, whilst the Council undertook a wider piece of work to improve equalities and consider how that grant funding might contribute.. At the same time funding of the wider VCS infrastructure work would continue based on the remaining funding available.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-scrutiny process who were in support of the recommendations.

Resolved:-

(1) That the progress arrangements for VCS Infrastructure Services in Rotherham be approved, including:-

- a. Co-design with voluntary sector organisations for services to be delivered through an SLA for three years commencing from April, 2021;
- b. Invitation to bid and appointment of a VCS organisation to lead on the co-design process.

(2) That as part of the Council's work to review equalities in Rotherham, the future arrangements for working with, and for support for REMA, be excluded from the Infrastructure SLA and included in the review.

(3) That the terms of the current SLA, so far as they apply to REMA, be extended for one year pending the review of equalities.

49. ADVICE REVIEW AND ADVICE SERVICES SLA

Consideration was given to the report which detailed how the provision of advice across a range of topics, and especially in relation to benefits and debt, both through Council services and the voluntary sector, continued to provide essential support to thousands of vulnerable people in Rotherham each year.

Demand for advice services remained high, and was expected to continue to rise, particularly as the economic impact of the COVID emergency and end of furlough created more financial difficulties for people.

Experience from the advice review showed that further improvements could be made, particularly around referrals and this built on the developments to date in implementing the "single advice model" adopted

by Cabinet at its meeting in October 2017.

Lessons learnt from operating the Community HUB throughout the COVID emergency were also assisting in improving referral pathways.

An update was provided on the provision of advice services across Council inhouse and Voluntary and Community Sector (VCS) providers and a process was set out for a new three-year Service Level Agreement (SLA) through co-design with VCS advice providers for the period 2021/22, 2022/23 and 2023/24. It was, therefore, proposed that this be done through inviting a lead VCS organisation to work with the Council.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-scrutiny process who were in support of the recommendations.

Resolved:-

(1) That arrangements be approved and progressed for advice services in Rotherham, including:-

- a) Co-design with voluntary sector organisations for services to be delivered by voluntary sector advice providers for three years commencing from April 2021.
- b) Invitation to bid and appointment of an advice services VCS organisation to lead on the co-design process.
- c) That the scope of services to be delivered by the voluntary sector focus on provision in levels two and three of the advice model through core service level agreements to a total value of £240k per annum, with the provision for additional project based arrangements covering specific advice service demands and developments over the medium term.
- d) That the SLA be a "partnership" SLA with each partner a signatory to the SLA and direct receipt of grant.

(2) That improvements to referral processes from other services to create person centred client pathways be built into the new service specification, in line with the Single Advice Model agreed by Cabinet in October 2017.

(3) That progress made since the implementation of the Advice Review phase 2 be received.

50. JULY FINANCIAL MONITORING 2020/21

Consideration was given to the report which set out the financial position as at the end of July 2020 and was based on actual costs and income for the first four months of 2020/21 and forecast for the remainder of the

financial year.

Financial performance was a key element within the assessment of the Council's overall performance framework and was essential to achievement of the objectives within the Council's Policy Agenda.

To that end, this was the second financial monitoring report of a series of monitoring reports for the current financial year which would continue to be brought forward to Cabinet on a regular basis.

As at July 2020, the Council had a forecast year-end overspend of £21.9m on the General Fund, this was mitigated in part by the Government's provision of COVID-19 support grant of £18.9m, providing a net forecast outturn of £3m overspend.

It was also noted that the time of the report being written the guidance had not been received in terms of the support grant and mitigating income, but this would now be worked through. It was uncertain how long the implications of the Pandemic would go on for and estimates were based on real issues and how this played into next year and future years. This would also have a substantial impact on delivery of savings this and there were lots of interrelated issues and the non-delivery of savings that also needed to be worked through.

A further report would be submitted to Cabinet in November where more would be known about income grant and how this could be built into plans in order to move forward. The Government settlement would not be received until late in the year and this would then play through into the budget. It was hoped plans would remain on track with the uncertainty more around the medium term than the current year in a financial sense.

Resolved:-

- (1) That the current General Fund Revenue Budget forecast of £3m overspend be noted.
- (2) That actions, continuing to be taken to mitigate the forecast overspend, be noted.
- (3) That the Capital Programme update be noted.

51. COUNCIL PLAN Q4 2019/20 PERFORMANCE REPORT

Consideration was given to the report which detailed how the Council Plan, the core document that underpinned the Council's overall vision, set out the headline priorities, outcomes and measures that would demonstrate its delivery.

This report was the fourth and final report in the 2019-2020 reporting cycle covering Quarter 4 (1st January, 2020 to 31st March, 2020) and

year-end. Due to the COVID-19 crisis and reallocation of resources there had been a delay in the production of the Quarter 4 Performance Report for 2019-20.

The report content had also been slimmed down and did not include a detailed narrative for each priority. The Quarter 4 Report (Appendix A) consisted of performance scorecards for each priority to provide an analysis of the Council's performance against the thirteen key delivery outcomes and sixty-nine measures, including whether the 2019/20 targets have been achieved and how performance compared to 2018-19.

At the end of the fourth and final quarter (January to March 2020), thirty-eight measures (57%) had either met or had exceeded the target set in the Council Plan.

This was a higher number than 2018-19 when thirty-four measures met or exceeded the targets set, but was 1% lower than the 58% of measures that hit their targets in 2018-19.

This was also an improvement in performance over previous quarters, as only 55%, 52% and 49% of measures hit their targets in quarters one, two and three respectively.

The priority area with the highest proportion of targets met was Priority 3 (a strong community in a clean safe environment) where 75% of measures were marked as target met or exceeded.

The direction of travel was positive for thirty-seven (60%) of the indicators measured in the final quarter. This was the same number of positive measures when compared to thirty-seven last quarter, although a lower percentage when compared to 66% in Quarter 3. However, this was a significant improvement in comparison to Quarter 4 2018-19 when thirty-two (51%) had a positive direction of travel.

Cabinet Members were invited to each give an overview of progress in their respective areas:-

Councillor Alam confirmed seven out of thirteen measures had hit the target and four others within 3% of the target set. Targets were hit for the completion of PDR reviews, agency costs and response to complaints given the challenges facing the Council. Performance was strong revenue collections and sickness.

This provided from a good foundation for future years now the Plan had come to an end in its current form.

Councillor Beck was pleased to report that target for new homes being delivered in the borough had been achieved with 51 being delivered from a target of 50. Homes delivered directly through Council intervention had achieved 177 from a target of 175 which meant about a third of the new

homes delivered last year were delivered as a direct result of the Council getting involved with the market delivering largely affordable housing and Council housing.

On track was the measure of decency national standards for Council stock which was 100% the same as last year. The outcome compliancy of selective licensing scheme was at 97.5% of the licence holders being compliant at the end of the year.

Councillor Watson reported on the progress made with the safe and sustainable reduction in the number of children on child protection plans, children in need plans and looked after children, which as a result of lockdown had seen a reduction in progress with families and the resultant creeping back up of the numbers.

The service was bracing itself for referrals now schools had returned so whilst the numbers looked good they did come with a health warning that they may increase over the next few months and reflected how this pandemic had affected some aspects of the Council's work.

Councillor Roche reported on the steady progress of the reduction of numbers of smoking during pregnancy and successful completion of covert drug treatment and hospital discharges which was going in the right direction but had not quite met its target.

Good progress was also being made with targets hit for safeguarding adults and the number of carers assessments completed.

Councillor Hoddinott confirmed that most of the measures were on target and despite the challenging conditions the service managed to complete the number of on the spot inspections of taxis with compliance in terms of the driver and the vehicle. Of the 110 carried out last year not all of them were compliant – 83% of drivers and 70% of vehicles were compliant and the majority of issues resolved within 24 hours.

An area that had suffered due to COVID-19 had been missed bins and whilst numbers had reduced and missed the target this was due to the Waste Service being hit by staff absence. Thanks and appreciation were recorded for those staff who kept most of those services going.

Further improvements were made in the road network and a decrease had been made in the number of roads rated as red and amber with emphasis placed on the unclassified road network.

There had also been positive outcomes for hate crimes which had improved with better handling and reporting by the Police. It was hoped this would continue and improve further.

It was also good news for enforcement with over 2,00- fines being issued for various enforcement issues such as littering and in particular 82 for fly

tipping. 12 cases had been prepared for prosecution, but this had been delayed due to the pandemic. A small minority continued to fly tip and allow their dogs to foul, but action would continue against them.

Councillor Lelliott reported on the extended opportunities in planning for the future which showed the progress where businesses were supported to grow with employment opportunities being expanded across the borough.

This was really important during the challenging economic times, but with the expansion of successful business centres the direction of travel was positive.

There were several reasons for those measures that did not hit the target with the percentage of working age population being missed by 0.4% below the national average. This was not surprising given the economic imbalance. The other measure was the number of new businesses started which was 2% lower than the 2018/19 target. Hopefully Rotherham could look to buck the trend and move this forward.

Councillor Allen was pleased to report that the direction of travel for all three measures were going in the right direction. In terms of culture and leisure facilities the target was not only achieved, but exceeded by over 5% on the previous year. Visitors were coming to culture and leisure facilities to learn and develop the skills towards obtaining employment and over 17,000 more people had taken advantage of those opportunities which was a 4% increase on the year before.

The customer satisfaction ratings for the Council's culture and leisure facilities remained high with a 92% highly satisfied rating for libraries, heritage sites parks, open spaces and sports and leisure facilities.

In terms of the Year Ahead report some of 77 actions also tied into this area moving forward.

Resolved:-

(1) That the overall position and direction of travel in relation to the Council Plan performance for 2019-20 be noted.

(2) That measures which did not achieve their targets and the actions required to improve performance, including future performance clinics be discussed.

(3) That the future reporting arrangements for 2020-21 be noted.

52. ANNUAL HOUSING DEVELOPMENT REPORT

Consideration was given to the report which set out how the delivery of new housing played a critical role in both Rotherham's overall economic

growth, and the health and wellbeing of Rotherham's residents.

The Council had an ambitious Housing Revenue Account (HRA) funded housing growth programme, including the Site Clusters Programme which had delivered 217 new homes across the borough, Bellows Road which had delivered 58 homes in Rawmarsh, Rothwell Grange which would add a further 44 homes in Broom before the end of the financial year and most recently a commitment to build 171 new homes in Rotherham town centre.

This major investment would be transformational to the town, alongside the Forge Island and other key town centre masterplan projects. The 2020/21 HRA Business Plan, approved by Council in February 2020, included an additional £65m for housing growth over the next five years using existing reserves and HRA borrowing, bringing the total forecast HRA investment in the development of new homes to around £130m.

Each year, a report would be presented to Cabinet that set out the programme for the year ahead, and this was the first. Each report would identify the Council-owned sites proposed for inclusion in the annual programme, to be delivered through a combination of direct delivery by the Council, transfer of land to Registered Provider (Housing Association) partners, and sale of land on the open market. While the majority of these sites were small garage and infill sites within existing neighbourhoods and capable of delivering small numbers of homes, they were an important part of the programme. These are often located in more deprived areas and where there was a strong need for affordable housing, and due to viability issues the market would not deliver without Council intervention.

Alongside Council delivery, the strategic acquisition of Section 106 properties from private developers also formed an important part of the programme, as a key route to replacing Council stock sold through the Right to Buy.

As well as setting out the sites proposed as priorities for 2020/21, this report also sought some new delegated authorities with strict parameters. This was to ensure key opportunities were not missed when they arose, including for example, where unforeseen opportunities may arise to acquire homes from the private sector (which were often time limited due to competition from other social housing providers), or where there was an opportunity to complement other key corporate projects such as the Towns Deal where the agility was needed to either utilise or levy HRA resources.

Robust governance arrangements were in place, to ensure each individual scheme complied with strategic, legal, procurement and financial requirements. Consultation with Ward Members was key to ensuring the right housing interventions were made in the right areas and this was built into the process and an update would be provided every quarter.

The strategic pipeline/annual programme approach set out in this report was primarily intended to facilitate the agility and flexibility needed to deliver against the Council's challenging housing delivery ambitions and to meet local strategic housing need. However, separate individual Cabinet reports would be required where, for example, there were specific local challenges, more than ten homes would be delivered on a site, and/or where a completely new approach to delivery was being proposed as transparency and scrutiny was essential to ensuring the wider housing development programme is right for Rotherham's residents.

Since the publication of the agenda it had emerged that an error had been made within Appendix 3b and that the last two sites were, inadvertently, wrongly added. These were to be removed and Appendix 3b would be updated.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-scrutiny process who were in support of the recommendations.

Resolved:-

(1) That the release of the Council owned sites listed in Appendix 3a for early residential development, subject to development being undertaken directly for Council stock with the Council retaining ownership of the land and homes, or by a registered social landlord with the Council retaining tenancy nomination rights where this is deemed to offer better value, and subject to written confirmation of agreement by the relevant Ward Members, be approved.

(2) That proposals be noted to deliver more than ten homes on any individual site, will continue to require a separate Cabinet report.

(3) That delegated authority to the Assistant Director for Housing, with agreement from the Section 151 Officer, Cabinet Member for Housing and local Ward Members, to substitute or accelerate sites from the list included as Appendix 3b (strategic pipeline), if any of the primary sites in Appendix 3a prove to be unviable or if additional resources are identified to bring forward more housing.

(4) That the programme of strategic acquisition opportunities listed in exempt Appendix 4 be approved and that authority be delegated up to a maximum value of £1.118m, to the Assistant Director for Planning, Regeneration and Transport to purchase homes from private developers or the open market to add to the Council's stock, upon confirmation of support by the Assistant Director for Housing with agreement from the Section 151 Officer and Cabinet Member for Housing, and subject to the governance processes set out in Section 5. This delegation is sought for a period of twelve months and subject to an annual review.

(5) That a quarterly report to update on progress of delivery and any changes made as a result of these delegations be agreed.

53. TRANSPORT AND HIGHWAYS CAPITAL PROGRAMME 2020-21

Consideration was given to the report which outlined the Transport and Highways Capital Programme for 2020/21 identifying the specific schemes to be delivered during 2020/21 and those schemes to be developed and assessed for potential future delivery.

The programmes contained in Appendix B related to the maintenance and improvement of critical transport and highway infrastructure and were, therefore, key to supporting the Council's priorities for a strong community in a clean, safe environment by providing safe, accessible transport networks and public places. They supported the priority of extending opportunity, prosperity and planning for the future by supporting growth and access for businesses and housing.

The programme also covered Active Travel which would contribute to the Council's wider public health agenda by improving active travel options.

A condition of the SCRMCAs approval for the Greasbrough LGF Scheme was acknowledgement of the award of this funding and the entering into of a funding agreement. Such conditions included a requirement for funded authorities to accept any unforeseen project costs, should they arise above the level of funding granted. Should the need arise this would be accommodated within the management of the capital programme.

This also fed into the Council's 2020 Roads Programme and would come to an end at the end of March. The focus had been on the unclassified road network with money being invested locally. There was still more to do and the new 2024 Roads Programme would invest £24 million on roads identified as in need and included in the report now submitted. Members had had the opportunity to feed in their areas of concern and suggestions had been welcomed.

In addition, the last of the LED street lighting had been completed saving over £1 million in energy costs for the Council and the pedestrian crossing investment was seeing key crossings being completed like the ones on Bawtry Road, Brinsworth, Fenton Road and the A57.

Resolved:-

(1) That the decision of the Strategic Director Regeneration and Environment to approve the Transport and Highways Capital Programmes for 2020/21 be noted.

(2) That the addition to the 2020/21 programme of the Greasbrough Local Growth Fund junction improvement scheme following Mayoral Combined Authority approval on 27th July 2020 be approved.

(3) That the addition of the Transforming Cities Fund (TCF) programme of active travel measures to the capital programme for 2021-23 be approved.

54. TOWN CENTRE PUBLIC SPACES PROTECTION ORDER, AND A DOG CONTROL PUBLIC SPACES PROTECTION ORDER

Consideration was given to the report which detailed how the current Town Centre Public Spaces Protection Order and the transitioned borough-wide dog fouling Public Spaces Protection Order expired in September and October, 2020 respectively and detailed the response to the full public consultation.

The implementation and performance on the Orders would continue to be closely monitored.

The production of the report in July 2020 with proposals for consultation were delayed significantly due to Covid-19 pandemic work taking priority within the service. On this basis a request was made for this decision to be exempted from call-in to prevent a potential gap between the old and any proposed new Order. Any delay caused by the call-in process would seriously prejudice the Council's or the public's interests.

The Chair of Overview and Scrutiny Management Board and the Leader of the Opposition were consulted and have agreed that a decision to exempt this decision from call-in was, therefore, reasonable in the circumstances and have agreed to it being dealt with as an urgent matter.

This report had been considered by the Overview and Scrutiny Management Board as part of the pre-scrutiny process who were in support of the recommendations.

Resolved:-

That the two draft Public Space Protection Orders attached as Appendix 2 and 3 contain the following restrictions/requirements be approved:-

2. Town Centre and Clifton Park PSPO

- a) Behaving in such a way or using language that causes, or is likely to cause, harassment, alarm or distress to another person.
- b) Making unsolicited approaches, in the open air, for the purposes of face-to-face fundraising and marketing of commercial products, carried out by organisations without prior written permission from the Council.
- c) Failing to keep a dog on a leash and under control (otherwise than within the designated area within Clifton Park, where dogs may be off leads but must remain under control, see attached maps)
- d) Littering

- e) Urinating or defecating in a public place, other than within designated public toilets.
- f) Spitting saliva or any other product from the mouth
- g) Consuming alcohol other than on licensed premises or at a licensed event

3. Borough Wide Dog Fouling PSPO

- a. If a dog defecates on any land to which this Order applies and the person who is in charge of the dog at the time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless:-
 - i. That person has reasonable excuse for failing to do so; or
 - ii. The owner, occupier or other person or authority having control of the land has consented (generally or specifically) to that person failing to do so.
- b. This Order does not apply to a person where:-
 - i. that person is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
 - ii. has a disability as defined by the Equality Act 2010 or its successor and who relies upon an accredited assistance dog trained by an accredited member of Assistance Dogs International (ADI) or the International Guide Dog Federation (IGDF) or other prescribed charity.

55. RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY MANAGEMENT BOARD

Consideration was given to the circulated report, the contents of which were included as part of the relevant items and the details included accordingly.

56. DATE AND TIME OF NEXT MEETING

Resolved:-

That the next meeting of the Cabinet be held on Monday, 19th October, 2020, commencing at 10.00 a.m.