

THE CABINET
Monday 20 November 2023

Present:- Councillor Read (in the Chair); Councillors Alam, Allen, Roche and Sheppard.

Apologies for absence were received from Councillors Cusworth and Lelliott.

79. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Agenda Item	Councillor	Interest Type	Nature of Interest
13 – Scrutiny Review Recommendations – Selective Licensing	Councillor Sheppard	Non-pecuniary	Personal property is within Parkgate which is within a Selective Licensing designated area.

80. QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no members of the public present at the meeting and no questions submitted in writing.

81. MINUTES OF THE PREVIOUS MEETING

Resolved:-

That the minutes of the Cabinet meeting held on 16 October be approved as a true and correct record of the proceedings.

82. EXCLUSION OF THE PRESS AND PUBLIC

The Chair advised that appendices to Minute numbers 89, and 90 contained exempt information, however, the meeting remained open to the public and press throughout.

83. SEPTEMBER 2023-24 FINANCIAL MONITORING REPORT

The report set out the financial position as at the end of September 2023 and forecast for the remainder of the financial year, based on actual costs and income for the first six months of 2023/24. As at September 2023, the Council estimated an overspend of £4.2m for the financial year 2023/24. This was largely due to demand led pressures on Children’s residential placements and home to school transport as well as the impact of inflationary pressures in the economy, particularly on food prices, and the legacy impact of lockdown restrictions on some directorate’s services,

especially in Regeneration and Environment.

The economic climate remained turbulent, with challenges in projecting where inflation would move and the pace at which it would move. Inflation was slowing although there were variances below the headline rate: food prices were starting to fall but petrol and diesel prices were increasing. The overall reduction would help support the Council's Budget for 2023/24 but the position would be closely monitored.

As the Local Government Financial Settlement was only for one year, it would lead to uncertainty for local government beyond 2023/24. There would be significant challenges regarding funding of social care. This was illustrated by the volume of Local Authorities having to issue S114 notices which indicated that a council's forecast income was insufficient to meet its forecasted expenditure for that year.

The Local Government Association (LGA) Pay Award had been agreed and the full financial impact was £4m greater than was assumed within the Budget for 2023/24. However, it was anticipated that this could be funded through temporary savings within Treasury Management.

In order to support improved levels of new foster carers and greater retention of existing foster carers, a series of amendments and new foster care fees and allowances were proposed. The financial impact of these would be mitigated by the cost avoidance that they would generate by creating new foster carers or retaining them and therefore limiting the need for more expensive external placements. The table at paragraph 2.74 of the report outlined the new and amended proposals to fostering allowances and payments to support Rotherham in the recruitment and retention of in-house foster carers.

Following the flooding event within the borough on the 21 October 2023 and the significant impact on a number of households, the Council was providing immediate financial support to those residents most impacted. The Council's financial support to help residents impacted by Storm Babet would include a £350 grant direct to each flooded household and a promise that those households would not have to pay any Council Tax for the period from 21 October until at least the end of March 2024. Further information relating to the flooding event and the support being offered was set out in paragraph 2.76 to 2.81 of the report.

A further report would be presented to Cabinet in January 2024 which could present a more certain picture of the Council's Directorate financial position and the impact on the Council's Medium Term Financial Strategy.

During the meeting, the Strategic Director of Finance and Customer Service confirmed that a significant number of residents impacted by the floods had already received the grant. The Strategic Director of Children and Young People's Services confirmed that the amendments and new foster care fees and allowances were necessary to stay abreast of local

competition and match other local authorities. Changes were already having a positive impact on the level of foster carers.

Resolved:-

That Cabinet:

1. Note the current General Fund Revenue Budget forecast overspend of £4.2m.
2. Note that actions will continue to be taken to reduce the overspend position but that it is possible that the Council will need to draw on its reserves to balance the 2023/24 financial position.
3. Approve the proposed changes to In-House Fostering Fees and Allowances as set out in section 2.74.
4. Note the local flood recovery financial support and the wider Government funded schemes, as set out in section 2.76.

84. MEDIUM TERM FINANCIAL STRATEGY UPDATE

The Council's Medium Term Financial Strategy (MTFS) 2023/24 through to 2025/26 was approved at Council in March 2023. Since approval of the MTFS there had been continuing financial challenges as a result of global factors, with inflation remaining high and impacting costs, in particular impacting food prices and the costs of materials/goods and so impacting repairs, maintenance and transport costs. Although inflation had been reducing during the year it had not been at the pace projected in the Council's MTFS that mirrored Governments and the Bank of England assumptions. In addition, the Local Government Association (LGA) Pay Award for 2023/24 was agreed on 1 November 2023. The impact of this pay offer was estimated to be £4m above the position built into the Council's Budget for 2023/24 and would be funded during 2023/24 through temporary savings from Treasury Management factored into Central Services. The ongoing impact would be factored into the Council's Medium Term Financial Strategy.

This update of the MTFS included resource forecasts based on estimated increases to core funding streams that were inflated annually by CPI. These resource assumptions would be reviewed again when the Provisional Local Finance Settlement 2024/25 was released in December 2023, which would set out the specific amounts of Government funding to be provided to the Council or should Government make any clear announcements before then. Government could clarify their expectations for inflating core funding streams in their announcement on the 22 November 2023.

This update of the MTFS also included the Council's latest financial assumptions, taking into account estimated income from Business Rates

and Council Tax, impact of inflation on service cost and demand pressures and the Council's timeline for the delivery of agreed savings across the MTFs. This update would support and inform the detailed budget setting process for 2024/25, alongside taking into account the outcomes of the Finance Settlement and Members' policy choices and decisions on Council Tax levels.

The current MTFs forecasts identified that the Council was able to provide a balanced budget for 2024/25 but faced a significant financial challenge in setting a balanced budget for 2025/26. Therefore, it was expected that additional use of reserves would be required for 2023/24 and likely for 2025/26. This position was subject to review when the Finance Settlement for 2024/25 was received. The key challenge for 2025/26 was that there was significant uncertainty as to how Government's Financial Settlement for 2025/26 would look, as Government were only releasing single year Financial Settlements and where there were multiple year grants, they only run up until 2025/26. In addition, there was due to be national Government elections prior to the 2025/26 financial year.

Paragraph 2.6 of the report set out the financial challenges that had been identified and would need to be considered as part of the Council's Budget and MTFs setting process for 2024/25. These were:

- Placement pressures within Children and Young People's Services and Adults Social Care.
- Home to School Transport pressures within Regeneration and Environment and Children and Young People's Services.
- Inflationary costs impacting the cost of food in Schools Catering and contractual and provider inflation impacting Children and Young People's Services.

The report was considered by the Overview and Scrutiny Management Board (OSMB), who advised that the recommendations be supported. They also requested that an all Member Seminar on Council Finances including Treasury Management and Investments be arranged. This request was supported by Cabinet.

Resolved:-

1. That the Medium Term Financial Strategy update be noted.
2. That Cabinet note the potential requirement to use reserves in order to balance the Council's outturn position for 2023/24.
3. That an all Member Seminar on Council Finances including Treasury Management and Investments be arranged.

85. POLLING DISTRICTS AND POLLING PLACES REVIEW 2023 - APPROVAL OF POLLING DISTRICTS AND POLLING PLACES SCHEME

Consideration was given to the report which detailed the responses and final proposals following the Polling Districts and Polling Places Review 2023 that had been undertaken between 2 October and 30 October 2023. Cabinet had agreed the timetable for the review in September 2023 as per Minute 55. Twenty responses had been received commenting on 27 polling districts. A summary of the responses and the Returning Officer's comments were provided in Appendix 3.

As a result of the representations made during the consultation, the final proposals contained four changes in addition to the initial proposals:

- a. Brinsworth Ward: It is proposed to amend the polling district boundary between BWD and BWC to move numbers 69 to 83 Whitehill Lane and four properties on Orchard Way from polling district BWD to BWC.
- b. Brinsworth Ward: It is proposed to move the polling district boundary between BWD and BWB to move 58 to 68 Brinsworth Lane from BWD to BWB.
- c. Brinsworth Ward: It is proposed to move the polling district boundary between BWD and BWE to move 56 Brinsworth Lane from BWD to BWE.
- d. Greasbrough Ward: It is proposed that Greasbrough Library is designated the polling place for GRA polling district, instead of Greasbrough Primary School.

Further details of the final proposals and the polling place scheme were set out in Appendix 2.

At the meeting, the Elections Manager confirmed that, due to the introduction of Voter ID requirements, the Electoral Commission had lowered the recommended maximum number of polling station electors that should be allocated to a polling station. The recommended maximum had reduced from 2,500 to 2,250. Currently seven polling districts exceeded this new lower maximum station electorate figure; therefore, changes were proposed as part of the Returning Officer's proposals.

If agreed by Cabinet, the recommendations would be presented to full Council in November 2023 for approval.

Resolved:-

That Cabinet recommend to Council that: -

1. The submissions made in respect of the review of polling districts and polling places for the Borough of Rotherham be noted.
2. Approval of the adoption of the polling district boundaries as outlined in Appendix 2 and the maps found in Appendix 5.
3. Approval of the final proposals for polling places as detailed in Appendix 2 to this report.
4. The Electoral Registration Officer is requested to make the necessary amendments to the polling districts to take effect from publication of the revised register on 1 December 2023.
5. The Electoral Registration Officer is requested to make the necessary amendments to the RVB and RVD polling district boundaries to take effect from publication of the revised register following the next UK Parliamentary General election.
6. Power to designate polling places in accordance with section 18B of the Representation of the People Act 1983 is continued to be delegated to the Chief Executive.

86. BOROUGH WIDE PUBLIC SPACE PROTECTION ORDER

Consideration was given to the report which detailed the proposals to redesignate the Borough Wide Dog Fouling Public Spaces Protection Order. On 21 September 2020, Cabinet had agreed to implement a new Dog Fouling Public Spaces Protection Order to come into effect from 1 October 2020. Such an order could only be in place for three years, meaning the Council had to consider whether to make a further Order.

A public and stakeholder consultation took place between 26 June 2023 and 6 August 2023. This took the form of an online public consultation via the Council's website, and direct invitations to key statutory agencies, such as the Police and Community groups, such as RotherFed. Consultation on any proposed order was a statutory requirement and following a review of the level of feedback received, it was decided a further period of consultation should be delivered in order to increase responses. This also included additional face to face engagements and took place between 2 and 16 October 2023.

Appendix 2 provided an overview of the Consultation responses. In total:

- 103 responses were received.
- 43% of respondents were in support, with 17% preferring not to say. This meant there was a majority of respondents in support of the proposed order.

- When asked if the proposed conditions were aligned to respondents priorities, 83% agreed.
- Comments received suggested that Dog Fouling remained a key community concern.
- Some responses alluded to issues with resourcing and visibility of officers enforcing the Order.

Following the review, it was recommended that the new Order be on the same terms as the previous Order which was to make it an offence for an individual to fail to remove dog faeces if they were in charge of the dog.

It was acknowledged that levels of enforcement were lower than desired, and this needed to be further considered as it could directly impact the effectiveness of any order and any potential scope to increase the number of offences covered by the order. As a result of low levels of enforcement across PSPO's in general, officers would lead a review of the enforcement capacity and capability as it related to PSPO's in order to inform future orders. In light of this, it could be appropriate to deliver a shorter duration PSPO to allow for enforcement to be reviewed and any further conditions to be properly considered.

Appendix 1 to the report was the draft final order for the Borough wide PSPO. Prior to the meeting, it was confirmed that the incorrect map had been included in Appendix 1 and did not show the correct location for the designation. The correct map was circulated during the meeting and Members made their decision based on this map which showed the designation as covering the whole Borough.

Resolved:-

1. That Cabinet approves the designation of a new Public Spaces Protection Order in the Borough as detailed in Appendix 1 (as corrected during the meeting), for a period of one year.

87. TOWN CENTRE/CLIFTON PARK PUBLIC SPACE PROTECTION ORDER

Consideration was given to the report which detailed the proposals to renew the Town Centre and Clifton Park Public Spaces Protection Order (PSPO.) On 21 September 2020, Cabinet agreed to the implementation of a Public Spaces Protection Order for the Town Centre and Clifton Park to come into effect from 1 October 2020. The relevant statute dictated that such Orders could only be in place for a maximum of three years at a time, and, therefore, the Council had to consider whether to make a further order.

A public and stakeholder consultation took place between 26 June 2023 and 6 August 2023. This took the form of an online public consultation via the Council's website, and direct invitations to key statutory agencies, such as the Police and Community groups, such as RotherFed.

Consultation on any proposed order was a statutory requirement and following a review of the level of feedback received, it was decided a further period of consultation should be delivered in order to increase responses. This also included additional face to face engagements and took place between the 2 and the 16 of October 2023.

Appendix 2 provided an overview of the Consultation responses. In total:

- 151 responses were received.
- 58% of respondents were in support of the proposed Order (11% preferred not to say), with strong support for the suggested Clauses – 83% confirming that they felt the Clauses matched key priorities for all stakeholders.
- Comments were received suggesting that there were common issues in the Town Centre with anti-social behaviour, which match the requirements of the Order.

Following public and stakeholder consultation, the preferred option was to renew the Order formally, with an additional clause regarding vehicle nuisance, due to the significant evidence presented. In addition, and in acknowledgement of the enforcement challenges, it was proposed that the order be made for one year only to allow for a review of the enforcement approach and any wider variations that may be required in future.

The renewed order would cover the same area, with largely the same conditions as previously included in the Order. This included making it an offence for an individual to be found to be:

- Continuing to consume alcohol when required to stop doing so by any authorised officer.
- Behaving in such a way or using language that causes, or is likely to cause, harassment, alarm or distress to another person.
- Approaching people for marketing or fund-raising purposes without an appropriate Licence.
- Urinating or defecating in public, other than within designated public toilets.
- Spitting saliva or any other product from the mouth.
- Being in charge of a motor vehicle and using it in a way to cause a nuisance to others or anti-social behaviour.

The order would also require individuals to keep dog on a lead (other than in the designated dog exercise areas in Clifton Park).

Appendix 1 to the report was the draft final order for the Town Centre and Clifton Park Public Space Protection Order.

Resolved:-

That Cabinet approves the designation of a Public Space Protection Order in the Town Centre and Clifton Park, as detailed in Appendix 1, for

a period of one year.

88. CANKLOW DEVELOPMENT – ADULT CARE AND HOUSING DELIVERY PROGRAMMES

Consideration was given to the report which sought approval from Cabinet to further develop the Council-owned Warden Street/Castle Avenue site in Canklow. It was stated that it would provide much needed housing and social care provision on a site that had been dormant for many years. The proposals included two adult care apartments and one larger property providing accommodation with support, along with 13 new homes for council rent. It was also proposed that the finalised capital investment required for the Castle View Day Centre be approved.

Cabinet approved the construction of a new day centre facility in Canklow to replace the existing Learning Disability Day Service on 17 October 2022. The new service would offer modern accessible day opportunities with multi-functional fit for purpose facilities that promoted independence, wellbeing and social inclusion. Cabinet previously agreed an investment of £2.1m capital funding for the development of Castle View. However, the report at that time stated that this was only indicative build costs. Updated formal detailed estimated costed plans had now been provided by the procured contractor which totalled £5,917,386 for the ground works and build costs. Including an additional £500,000 cost for fitting out and furnishing the building upon handover, the total capital investment by the Council's Adult Social Care Service would be £6,417,386. An additional breakdown of the costs was set out in paragraph 2.5 of the report.

It was proposed that the accommodation with support solutions for people with complex needs be split into one seven-bed property and two two-bed apartments. Investment in accommodation with support within the borough would address known gaps within the care sector, enable people to remain closer to home and maintain relationships which were important to them, ultimately enabling people to age and live well. The indicative funding requirement equated to a total of £1,902,690 and would be funded from the Council's Adult Social Care Capital Fund. Full and accurate costings would be confirmed by March 2024 in accordance with the build programme plan.

The proposed new homes at Warden Street had been included in previous Housing Delivery Programme reports to Cabinet, meaning that use of the site for the purpose of new housing development had been approved. The report therefore sought approval from Cabinet to build a projected 13 new homes on Warden Street. Original forecasts for the site indicated potential for up to 25 new homes. However this had since been revised down because pre-application advice from the Planning Service identified that 25 homes could be considered over-development of the available area and the Housing service had been directly commissioned by the Adult Care service to build two large, specialist supported dwellings which would reduce the land area available for these homes.

Given the absence of any local Council provision for older people or acute needs, the proposed scheme design comprised 12, two-bed apartments for older people along with a four-bed wheelchair user dwelling, designed to make best use of the available space.

Parts of the land at Castle Avenue/Warden Street were separately held in the General Fund and Housing Revenue Account respectively. To support the planned developments, appropriation of land between the General Fund and HRA would therefore be necessary. Appendix 1 identified the specific areas of land which were to be appropriated between the General Fund and HRA.

During the meeting, the Strategic Director of Adult Care, Housing and Public Health confirmed that the current building used for the day service did not belong to the Council. By moving to a purpose-built, Council owned facility it would provide security for residents going forward.

Resolved:

That Cabinet:

1. Approve the finalised capital investment proposals for Castle View Day Centre.
2. Approve the development of the proposed supported accommodation model for Adult Social Care which includes two apartments, a larger property, and the required capital investment.
3. Delegate authority to the Strategic Director of Adult Care, Housing and Public Health, in consultation with the Cabinet Member for Adult Social Care and Health, to progress and formalise the commissioned care model for the adult social care supported living properties, to ensure compliance with statutory and regulatory requirements.
4. Approve the development of 13 new homes for council rent, on Warden Street, to be funded from resources approved as part of the Council's Housing Revenue Account.
5. Approve the appropriation of land between the General Fund and Housing Revenue Account, as identified in Appendix 1, subject to Secretary of State consent.
6. Delegate authority to the Strategic Director of Adult Care, Housing and Public Health, in consultation with the relevant Cabinet Member to make amendments to the scheme design, where this is necessary to comply with Planning or other statutory consultee requirements, or where site conditions otherwise prescribe a design alteration.

89. DISPOSAL OF LAND AT DONCASTER GATE ROTHERHAM

Consideration was given to the report which sought approval to dispose of the Council's freehold interest in the land at Doncaster Gate. The Council acquired the freehold of the entire site of the former Doncaster Gate Hospital and grounds in 2009 to facilitate the then Civic Core regeneration and to provide temporary accommodation for Council staff prior to the completion of Riverside House.

The majority of the land at Doncaster Gate had been leased or sub-leased to different parties since the Council had acquired it. The University College Rotherham (UCR) had been developed on part of the site and a further plot of land was sold to facilitate potential future expansion of the UCR.

The remaining land was surplus to operational requirements of the Council and there was no benefit to holding the interest. The disposal of the asset would produce a capital receipt and contribute towards the Council's Medium Term Financial Strategy. The sale would also alleviate the Council from managing the service charge provision as this would be passed to the new owner to manage. The Council would engage appropriate specialist property agents to manage the disposal process to ensure best value, should Cabinet agree to the proposals.

Appendix 1 to the report was a plan that showed the freehold interest in the site edged in red. Appendix 2 was a restricted document that contained the financial information relating to the disposal.

Resolved:

1. That Cabinet approve the disposal of its freehold interest in the land as shown edged in red at Appendix 1.
2. That Cabinet agree that the Assistant Director of Planning, Regeneration and Transport negotiates the terms and conditions of the disposal and that the Assistant Director of Legal Services completes the necessary documentation.

90. DISPOSAL OF 1 TREEFIELD CLOSE ROTHERHAM

Consideration was given to the report which sought approval to dispose of 1 Treefield Close at market value which would be determined independently by the District Valuer. The Council had determined that the property was no longer required for operational purposes and as such, was surplus and proposed for disposal.

The property, identified edged red within the attached Appendix 1, had been used previously by Adult Social Care services for a Respite Centre. Following Cabinet Approval on 21 May 2018 for the transformation of the

Learning Disability Service over the period 2018-2020, Treefield Respite Centre was decommissioned, and services were relocated from the existing building to alternative care and support provided within the local community. As a result of this, Treefield Respite Centre became surplus to the service requirements.

The valuation of the property when it is to be disposed of is to be determined by the District Valuer which was detailed in exempt Appendix 2.

Resolved:-

1. That Cabinet approves the disposal of 1 Treefield Close at Market Value.
2. That the Assistant Director of Planning, Regeneration and Transport negotiates the terms and conditions of the disposal on the basis set out within exempt Appendix 2.

91. CUMULATIVE IMPACT ASSESSMENT (LICENSING ACT 2003)

Consideration was given to the report which presented the findings of the review and consultation on the Cumulative Impact Assessment. The Council published a Cumulative Impact Assessment for the first time in 2020, alongside a full review of the Council's Statement of Licensing Policy and Cumulative Impact Statement, as part of the Licensing Act 2003. Although the Council's Licensing Policy was not required to be reviewed until 2025, the Cumulative Impact Assessment had to be reviewed every three years. The Council's current Cumulative Impact Assessment impacted part of Wickersley North, and Thurcroft and Wickersley South wards.

In 2020, the Council implemented a Cumulative Impact Policy, as part of the Statement of Licensing Policy, which outlined the Council's approach to Cumulative Impact within the Borough. The Policy included a cumulative impact assessment for an area of Wickersley, as the Council believed that the number of licensed premises within the area was such that any further premises would be inconsistent with the promotion of the licensing objectives.

The current Cumulative Impact Assessment had been reviewed and consulted upon. In total, there had been 53 responses to the consultation, 47 of which related to Wickersley. The key findings from the consultation were set out in paragraphs 2.4 to 2.12. As a result of the consultation, the Council was not proposing to introduce a Cumulative Impact Assessment in any other part of the borough as there was limited evidence that it was required or would be appropriate. The Council also thought it inappropriate to amend the current Cumulative Impact Assessment and therefore it should remain in place until the next review.

The Cumulative Impact Assessment was attached to the report at Appendix 1 with a summary of the consultation responses attached at Appendix 2.

Resolved:-

1. That Cabinet adopts the Cumulative Impact Assessment that is attached to this report as Appendix 1.

92. GAMBLING ACT 2005 STATEMENT OF LICENSING POLICY

Consideration was given to the report which outlined the review process and presented an unamended but reviewed Gambling Act 2005 Statement of Policy. The Policy had been adopted in 2020 and was required by law to be reviewed every three years. The review process, which included a period of public consultation that commenced in July 2023, had concluded and the outcome of the review consultation had informed a finalised Statement of Licensing Policy.

The Gambling Act regulated arcades, betting, bingo, casinos, gambling software, gaming machines, lotteries and remote gambling. Licensing authorities were responsible for issuing gambling operators with premises licences; issuing gambling operators with permits (which allow low stakes gambling in venues which were not primarily for gambling); registering societies (enabling them to hold small lotteries); and compliance and enforcement of the Gambling Act 2005 locally.

Licensing authorities were required to review and publish a statement of the principles which they proposed to apply when exercising their licensing functions, every three years. The Council had undertaken a consultation process outlined in Section 4 of the report, with a particular focus on the appropriateness of the current requirements. In total, there were 34 responses to the consultation. Of these 34 responses, the overwhelming majority were in favour of maintaining the current policy requirements. A full summary of the consultation responses was attached to the report as Appendix 2.

The current Policy had been reviewed by licensing officers and it had been determined that it complied with all relevant requirements and therefore required no amendment. The final unamended version of the Policy was now brought before Cabinet for consideration for recommendation to Council for adoption. The proposed Policy was attached to the report as Appendix 1.

Resolved:-

1. That Cabinet recommend to Council that the proposed Gambling Act 2005 Statement of Licensing Policy 2023 (Appendix 1) be adopted.

93. SEX ESTABLISHMENT POLICY

Consideration was given to the report which outlined the findings of the review and subsequent consultation on the Sex Establishment Policy. The Policy had been introduced in 2019 and its effectiveness was assessed in 2020. It was found to deliver the aims and a commitment was made to undertake a further review within three years.

On 22 May 2019, the Council passed a resolution adopting the powers contained within Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended). The adoption of Schedule 3 powers allowed the Council to more effectively regulate establishments where adult activity would take place and introduced the ability to licence venues such as lap dancing clubs which previously had been ineffectively regulated under the Licensing Act 2003. The current Sex Establishment Licensing Policy applied to sexual entertainment venues, sex shops and sex cinemas.

Council officers took into consideration the aims of the current Policy and the Council's priorities prior to producing the draft Policy for consultation and have confirmed that the current Policy requires no amendment, except where required due to changes in legislation due to the UK's exit from the EU. In addition, a full public consultation had been conducted, details of which were in section 4 of the report.

In summary, there were 63 responses to the consultation. Of the 63 responses, the overwhelming majority were in favour of maintaining the current Policy requirements. Consultation had also taken place with Members of the Council's Licensing Board, who were generally in agreement that the Policy delivered on the intended aims and that it would not be appropriate to make amendments to it. Key aspects of the Policy were set out in paragraphs 2.8 to 2.20 of the report.

The proposed Policy was attached to the report at Appendix 1.

Resolved:-

1. That Cabinet adopt the Sex Establishment Licensing Policy that is attached to the report as Appendix 1.

**94. CABINET'S RESPONSE TO SCRUTINY REVIEW
RECOMMENDATIONS - IMPACT OF SELECTIVE LICENSING**

Consideration was given to the report which set out the response of Cabinet to the recommendations of the scrutiny review into the impact of the selective licensing scheme in Rotherham at its halfway point. The recommendations had been presented to Cabinet in September 2023. All eight recommendations had been accepted:

- a) That reinspection be prioritised for landlords whose properties have

required action previously.

- b) Consideration be given to how the Council may support retention of experienced inspectors already in the Council's employment.
- c) That consideration be given to incentivising responsible landlords, and, where there is a proven track record, empowering landlords to self-assess, provided that the service can still obtain assurances that decent standards are maintained.
- d) That consideration be given to managing expectations around selective licensing as a measure focused on the health of residents, rather than aesthetics or regeneration.
- e) That consideration be given to how uptake of the cost-of-living support offer among families in selective licensing areas may be further promoted and monitored, with a view to identifying gaps and promoting financial inclusion.
- f) Given the complexity of measuring impact on deprivation and difficulty in improving relative levels of deprivation, that consideration be given to how internal measures may better reflect the real impact of the scheme.
- g) That a joined-up approach be sought with relevant Council strategies and services, with partner and voluntary sector organisations and with resident-led initiatives prior to any future selective licensing declaration.
- h) That engagement with landlords and with tenants be considered alongside any response to the above recommendations, and that the response to the above recommendations be subject to the learning derived from continued engagement with landlords and tenants.

An update in relation to proposed actions was provided at paragraph 2.1 of the report. During the meeting, the Deputy Leader advised that five of the recommendations were in progress and the other three would be considered as part of any future schemes.

Resolved:-

1. That the Cabinet response to the Scrutiny Review recommendations in respect of Impact of Selective Licensing, as set out in Section 2 of the report, be approved.

95. TRANSFER OF POLICE AND CRIME COMMISSIONER FUNCTIONS TO SOUTH YORKSHIRE MAYOR - MAY 2024

Consider was given to the report which gave details of the proposals to transfer the functions of the Police and Crime Commissioner (PCC) in South Yorkshire to the Mayor of South Yorkshire with effect from May 2024. The Government were proposing making the Order and Cabinet were therefore asked to recommend to Council approval of that order. The text of the draft Order had not been provided by the time of the Cabinet meeting. A summary of what the Order would do had however been included in the report:

1. Provide for all functions presently exercised by the PCC to be functions exercisable by the Mayor for South Yorkshire with effect from the [] May 2024;
2. Transfer all property, rights, liabilities of the PCC to the Mayoral Combined Authority (MCA), with future decisions on such matters being vested in the Mayor;
3. Provide for the continuity of the operation by substituting the MCA for the PCC in any legislation/instruments/contracts etc;
4. Deal with financial year end issues; and
5. Reduce the current Mayoral term in order to align the Mayoral and PCC election cycles from May 2024.

The Combined Authority was established in 2014. In 2018, the first elections for a Mayor were held with a second election being held in 2022 for a mayoral term of 4 years. The Local Democracy, Economic Development and Construction Act 2009 required, amongst other matters, for the consent of each district in the area of the MCA to the making of the Order. This would be required in writing prior to the Order being laid.

Cabinet could refuse consent to the making of the Order. However, the legislation stated that, where there was an existing combined authority, the consent of the combined authority and the majority of the constituent authorities was all that was required to approve the Order. As such, the matter may proceed in any event should the required number of other organisations approve the Order.

The second and recommended option was that the Council approve the Order as set out in the report. This was in alignment with the requirements of the legislation and aligned with the position of the MCA.

If approved, an election would be held in May 2024.

Resolved:-

1. That Cabinet recommend to Council that consent be given to the draft Order that will provide for the Mayor of South Yorkshire to exercise the functions of the Police and Crime Commissioner.

96. COVID RECOVERY FUND

Consideration was given to the report which set out proposals for further use of the Council's Covid Recovery Fund reserve. Taking into account approved use for 2023/24 to support the Council's revenue investments, the reserve had a remaining balance of £0.8m. Proposed uses for the balance were to provide support with a local charity and to fund the provision of financial support to assist residents impacted by Storm Babet.

The first proposal was for an allocation of monies from the Covid Recovery Fund to support the local charity, Rotherham Abuse and Counselling Services (RothACS) following an unsuccessful bid for continued funding from the Ministry of Justice. The funding application sought to secure continued funding for the remainder of the 2023/24 financial year and the 2024/25 financial year, with a total value of £210k. Following the unsuccessful bid, RothACS had been able to secure funding for the current financial year of around £40k, leaving an in-year shortfall of £40k and circa £130k for the 2024/25 financial year. The RothACS service provided free specialist counselling to anyone over the age of 13 who had experienced trauma and abuse, including domestic abuse, sexual abuse, child sexual exploitation or child sexual abuse. The loss of funding to the service would result in a direct impact for service users, with a loss of 36 counselling sessions per week.

Following the flooding event within the borough on 21 October 2023 (Storm Babet) and its significant impact on a number of households, the Council was providing some immediate financial support to those residents most impacted. This was in the form of a £350 flood support payment for properties flooded or where the property was unliveable for a period of time as a result of this flood incident. In addition, the Council would also be making a £20k contribution to the South Yorkshire Community Foundation Appeal that had been set up to provide support to residents across the region that had been impacted by Storm Babet.

Resolved:-

That Cabinet agree that:

1. A funding allocation of £170k is provided from the Covid Recovery Fund, via a grant agreement, to support RothACS for the remainder of the 2023-2024 financial year and the full 2024-2025 financial year.

2. A funding allocation of up to £120k is provided from the Covid Recovery Fund to support the Council's £350 flood support payments along with a £20k contribution to the South Yorkshire Community Foundation (SYCF) Appeal.

97. CRISIS SUPPORT 2024 - 2027

Consideration was given to the report which set out proposals for a more sustainable crisis support system with the aim of supporting people to move from being in crisis towards independence and resilience. Crisis support services in Rotherham were currently delivered through a partnership agreement between the Council, FareShare, Voluntary Action Rotherham (VAR) and LASER Credit Union. The ongoing level of demand together with available supplies of food had led to the need to develop a more sustainable system.

To develop the new model, including the elements funded by the Council, a co-design process had been followed, engaging with a range of providers and referring organisations. A key element of the revised wider model was ensuring it was aligned with holistic and wider support services, which would work to ensure that fewer people experienced crisis on a repeated basis. This would be supported through a new referral system to better co-ordinate information for front line staff, offering a broader range of food types that made up crisis food parcels, flexible to the requirements of different organisations and utilising a revised definition of crisis support to enable this.

If the recommendations were approved, bids would be invited from partner organisations to finalise the implementation details and to then deliver the model. This would be via service level agreements covering the years 2024/25 to 2026/27.

Crisis support (Local Welfare Provision), provided by the Council, started in 2013 following abolition of the Government's Discretionary Social Fund. The current model for the provision of this support was agreed by Cabinet in October 2019 and commenced in April 2020. It funded arrangements for the delivery of crisis loans, provision of food and support for the Food in Crisis Partnership (FIC.) The annual funding of £100k provided for three separate service level agreements (SLA) to be entered into on an annual basis for:

- Crisis Loans (£60k) currently provided via LASER Credit Union.
- Infrastructure provision to enable a supply of ambient food to foodbanks (£30k), currently provided via FareShare Yorkshire. It was noted that this did not include the costs of purchasing the food itself, but rather the underpinning infrastructure.
- Support for co-ordination of the Food in Crisis (FIC) Partnership and collection and dissemination of data (£10k), currently provided via Voluntary Action Rotherham (VAR).

During November and December 2022, the Council invited bids for the development of a new three-year SLA to operate from April 2023. However, no bids were received, with informal feedback indicating that this was linked with the crisis food element of the SLA. As a consequence, the existing SLA was extended by a year and was due to expire at the end of March 2024. As part of the extension it was agreed that a new model would be developed through a codesign process to provide a more sustainable solution for crisis food and holistic support, which would work to ensure that fewer people experienced crisis on a repeated basis. This would include the Council-funded elements of the model. Whilst this work was undertaken, food supply into the borough was maintained through additional Council funded investment by FareShare in ambient food provision.

The report was considered by the Overview and Scrutiny Management Board (OSMB) and they supported all of the recommendations.

Resolved:-

That Cabinet agree:

1. The future provision of crisis support and grant allocations of:
 - a. £60k for Crisis Loans.
 - b. £34k for infrastructure and transport to enable the supply of crisis food to foodbanks (Community Food Members).
 - c. £10k for supporting co-ordination of the Food in Crisis Partnership, collection and dissemination of data and provision of a referrals process.
2. That bids be invited from organisations to work in partnership with the Council, to finalise the implementation details and deliver the provision outlined at recommendation 1.
3. To delegate authority to the Assistant Chief Executive in consultation with the Cabinet Member for Social Inclusion to enter into a service level agreement with partner organisations to provide crisis support for the years 2024/25 to 2026/27.

98. ADVICE SERVICES AND VOLUNTARY AND COMMUNITY SECTOR INFRASTRUCTURE SERVICE LEVEL AGREEMENTS 2024-2027

Consideration was given to the report made recommendations for the next three years of Voluntary and Community Sector Infrastructure and Advice Services service level arrangements (SLA's) for the period of April 2024 to March 2027. The recommendations incorporated the results of a recent co-design process and progressed the commitments as set out in the Rotherham Compact, building on experience gained through the current SLA's. It also took into account local and national research and set out an aspirational strategic approach for the future of the Voluntary and Community Sector and Advice Services in Rotherham.

At their meeting on 21 September 2020, Cabinet gave approval to award two three-year service level agreements (SLAs) running from April 2021 to March 2024. One SLA was for Voluntary and Community Sector (VCS) Infrastructure Services, which was awarded to Voluntary Action Rotherham (VAR) and the second SLA was for Advice Services, which was awarded to Citizens Advice Rotherham and District (CARD).

The current infrastructure services SLA provided the following support to voluntary and community groups:

- Writing a constitution
- Managing Meetings
- Registering as a charity
- Developing financial processes
- Applying for funding
- Managing staff and volunteers
- Having good governance arrangements

The current advice services SLA provided the following support to advice services:

- Welfare benefits
- Debt
- Immigration
- Generalist advice

If the proposals were approved, CARD would explore innovative ways to address the increase in demand in relation to advice on the cost of living crisis, including the potential for additional community advice venues across the borough and online advice from home, as well as video outreach to support digitally excluded clients.

For the VCS infrastructure SLA, it was proposed that there would be an ongoing asset-based approach, recognising that the sector added value to public services and to local communities. There would be an increased focus on bringing further investment into the borough, a renewed drive on sub-regional partnership working and additional work to address inequalities, in line with the Council's ambitions.

The recommendations provided the grant approvals to enable the service level agreements to be progressed and for the services to continue without interruption to clients in the borough for the next three years.

Resolved:-

1. That approval be given to progress arrangements for VCS Infrastructure Services in Rotherham, including:

- a. the proposed model to be delivered through a standard SLA for three years commencing from 1 April 2024 and continuing to 31 March 2027, which is based on the findings of a co-design exercise;
 - b. the recommendation that the funding amount of £378,000 is awarded as a grant to Voluntary Action Rotherham in annual payments of £126,000 to deliver the three-year SLA.
2. That approval be given to progress arrangements for Advice Services in Rotherham, including:
- a. The proposed model to be delivered through a standard SLA for three years commencing from 1 April 2024 and continuing to 31 March 2027, which is based on the findings of a co-design exercise;
 - b. The recommendation that the funding amount of £720,000 is awarded as a grant to Citizens Advice Rotherham and District in annual payments of £240,000 to deliver the three-year SLA.

99. 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.

100. DATE AND TIME OF NEXT MEETING

Resolved:-

The next meeting of the Cabinet would take place on Monday 20 November 2023 at 10.00am in Rotherham Town Hall.