

**OVERVIEW AND SCRUTINY MANAGEMENT BOARD**  
**Wednesday 12 March 2025**

Present:- Councillor Steele (in the Chair); Councillors Baggaley, Blackham, A. Carter, Keenan, Marshall, McKiernan, Tinsley and Yasseen.

Apologies for absence:- Apologies were received from Councillors Bacon and Pitchley.

The webcast of the Council Meeting can be viewed at:-  
<https://rotherham.public-i.tv/core/portal/home>

**92.           DECLARATIONS OF INTEREST**

In relation to Minute Number 98, Councillor Baggaley declared a Disclosable Pecuniary Interest as he lived in one of the pilot areas in relation to Item 8, the Waste Policy Pilot and Consultation Update.

In relation to Minute Number 95, Councillor Steele declared a Non-pecuniary interest as a member of the Trans-Pennine Trail in relation to Item 6, Transport Capital Programme 2025/2026.

**93.           QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS**

There were no questions from members of the public or press.

**94.           EXCLUSION OF THE PRESS AND PUBLIC**

There were no items of business on the agenda that required the exclusion of the press and public from the meeting.

**95.           CALL-IN STRATEGIC COMMUNITY INFRASTRUCTURE LEVY (CIL)  
(LISTED AS ITEM 12 ON THE 10 FEBRUARY 2025, CABINET  
AGENDA)**

Councillor Steele declared a Non-pecuniary interest as a member of the Trans-Pennine Trail in relation to this item.

The Chair noted that this item had been brought forward on the agenda to enable the Leader of the Council to be in attendance. The Leader, Strategic Director for Regeneration and Environment and the Assistant Director, Planning, Regeneration and Transport were welcomed.

At the Chairs invitation Councillor A Carter put forward the reasons for calling in this decision. It was noted that twelve projects were put forward for consideration, five were by the Integrated Care Board (ICB) and seven by the Council. It was felt that the discussion during the Cabinet meeting on 10 February 2025 did not explain the allocation of council resources in deciding which projects the council prioritised in progressing forward

through the use of the strategic Community Infrastructure Levy (CIL). The discussion was limited to what the prioritise were. It was queried what the vision for transport was within the borough, as it was felt that places such as the Todwick roundabout were a big priority because the majority of people travel by car or bus in the more rural areas of the borough. It was felt that the Council prioritised projects that involved cycle lanes and used a large amount of funding and would not provide benefits for the residents.

The Chair invited Councillor Yasseen to present her reasons for supporting the call-in request. It was noted that CIL was not an unrestricted funding stream for desirable projects. It should be used for must-have projects such as schools and GP surgeries. The funding was intended to address the real demand of pressures from aspects such as new housing developments. There was a lack of understanding in how some of the decisions had been made. It was indicated that this was a community led selection process therefore what was the methodology behind which projects were chosen. In Councillor Yasseen's opinion, if the gateway tests were applied to Trans Pennine Trail Community Access scheme, it would not fulfil the second test regarding responding to the impact of growth. If Councillor Yasseen were to pick a project, that was community led, it would be the Broome Lane Crossing. This project had a large number of pressures due to the school and the issue regarding children's safety, however it was noted that it had not been selected.

Councillor Yasseen wanted to understand the distribution of benefits, for example, whilst the investment in the 5 GP surgeries were welcomed, it was queried how they were chosen and was that based upon the distribution of benefit? Was it to address the impact of growth in those communities?

Councillor Yasseen felt that CIL was very defined statutory funding, and the Trans Pennine Trail Community Access scheme did a disservice to purpose of CIL funding. There was a real impact if aspects such as school expansions, or dental practices were not funded, however it would not affect essential public services if the Trans Pennine Trail Community Access scheme were not funded.

At the Chair's invitation the Leader clarified the previous actions, noting that the Strategic CIL was adopted in July 2024 and was published for members information. The policy set out a series of gateway tests that considered aspects such as whether they were infrastructure projects that were funded, if they supported growth delivery, if they had been identified in the local plan or the brownfield register or could be included in the local plan infrastructure delivery plan. It was explained that around 10-15 years ago a document setting out several billion pounds worth of infrastructure requirements in the borough was created. This document included things such as railway bridges, access to service roads, and other projects and included more potential infrastructure need than funding was available for. It was clarified that more weight would be given to projects where match

funding was available. There needed to be a clear project delivery plan, and the project was deliverable within five years. At the very least, annual consideration was given to which infrastructure schemes could be brought forward, taking into account, what was developed enough, what could not be funded elsewhere, what potentially had match funding, leading to what was deliverable in the current circumstance.

The Leader explained that the Council approached a number of different partners, agencies, and organisations to ask for their submissions, which were assessed against the set of criteria. As a result of the selection process there would be infrastructure schemes put forward for progress that did not bear any obvious relationship to others. The Leader queried the language used by Councillor A Carter, who had mentioned ineligible schemes including the Todwick roundabout scheme and noted that these were schemes that were not ready for progression at that moment in time. Schemes such as the Todwick roundabout scheme was not in a position to receive funding were placed on a holding list, they were not regarded as ineligible.

The report listed a couple of schemes, which could potentially meet the requirements set out in the policy however it was not proposed to fund those at this time for reasons such as they had not been through a full public consultation process and therefore it would be pre-emptive to agree it ahead of that consultation.

The Leader explained that the presumption in law from the Government that active travel schemes would be given priority and consideration. The Council did not want to build roads between places without the infrastructure to help people move more, which was reflected in the Council's policies and priorities. Whilst it did not mean that those roads would not get funded, it did mean that priority would be given to active travel schemes. It was clarified that for larger developments that Section 106 funding would be the method through the normal process.

In terms of the GP surgeries, the set of investment in those specific GP surgeries was at the request of NHS colleagues. The Council's officers had inspected many GP surgeries to create a view about what investment may look like and partners had been asked to consider where their investment priorities would be. Health partners had indicated those surgeries and available funding. The Council had then assessed that package of GP surgery improvements through the process.

The Strategic Director for Regeneration and Environment explained that documentation had been sent to over one hundred people representing the various infrastructure providers as set out in the July 2024 Cabinet report. Applications were invited. The planning service conducted an appraisal of those because they were independent of delivery. The Council also submitted proposals, and it was clarified that the planning service were independent of delivery structures so carried out an assessment and made recommendations. The process had been

reviewed since the initial round and a second round of CIL applications would be progressed in the future. The Council had, had extensive contact with a range of infrastructure providers, which included telecoms, utilities companies, internal council services, and health services.

It was acknowledged that more could be done to inform providers of upcoming application rounds. In order to increase transparency and increase involvement of a wider range of people, the next round of decision making would progress through the Council's capital programme board which was chaired by the Section 151 Officer. This meant a wider range of people would appraise the schemes prior to submission to Cabinet.

It was clarified that the Trans Pennine Trail Community Access scheme was deemed to be eligible because there was a policy within the Local Plan promoting access to recreational opportunities and healthy living. The wider purpose of Strategic CIL was to support and enable growth within the borough and a key component of that, as well as the provision of education services, health services, and transport improvement was to enable people, in light of future housing growth, to live healthier lives and to have access to better recreational opportunities. The Trans Pennine Trail Community Access scheme was deemed to do that through providing more people with opportunities to access leisure facilities.

The other projects were not deemed to be suitable to proceed, as previously stated they were not at the right stage of readiness and could be considered in future application rounds when the technical details and funding packages had been worked up to a greater extent.

The Head of Planning and Building Control explained that CIL had been in place for nine years and the funding available had increased over that time. Over the past five years, since the Sites and Policies document was adopted and there was sufficient land available for housing growth, the Council had collected around £2 million a year. Assuming that level of growth continued it created the opportunity for further funding rounds to come forward. It was noted that it was not a significant amount of money and unless used wisely, one scheme could use most of the available funding. Cabinet approved the matrix, gateway tests and scoring and when bids were submitted, the planning service were open, fair and transparent in how it scored against those projects, to indicate the same tests were applied independently to each of those schemes.

The Chair invited members of the Overview and Scrutiny Management Board (OSMB) to raise questions and queries on the points raised earlier. From the information provided Councillor A Carter felt the Council and its partners decided which schemes to progress and then went out to consultation. One of their concerns was how residents were able to input into a decision. There was no link between residents and ward members suggesting schemes to getting those schemes brought forward to be progressed by the Council. There was no clarity regarding how a GP or

dental surgery would be able to access this funding as it seemed the Council was relying on the ICB to determine that a GP surgery was in need. It was queried how projects got their priority and how the public could become engaged in that process?

The Leader explained it started with the infrastructure necessary for the delivery of homes and employment opportunities in the infrastructure delivery plan. The Council started with a large number of schemes, the Council then developed those schemes, it is partners or private companies. As those schemes attracted core funding from either the Council, the health service, the South Yorkshire Mayor Combined Authority (SYMCA) or private investment, they could then be consulted upon, and the CIL could be used to supplement those schemes upon meeting the relevant criteria.

In terms of GP surgeries, the Council was dependent on health service partners to guide it on where they wanted the investment to be used. Those priorities were formulated against an infrastructure plan against all the other things the Council did. He noted that the Broom Lane crossing may be funded through some of the active travel work undertaken but it would be an interesting test about the requirement of all the funding, the other infrastructure that would need to be build in that location. At some stage following public feedback that scheme may proceed or not, but it was not eligible for the CIL funding at this time.

In Councillor Yasseen's view the Trans Pennine Trail Community Access scheme did not meet the requirements. It had been completed in 2004 and had received a lot of funding already. Councillor Yasseen felt that the funding would be better spent for the outcomes of local people, for parks and recreational spaces, Herringthorpe Playing Fields for example. The Council had promised a master plan for there since 2022. There were a lot of recreational areas, green spaces and parks that were more local to where residents lived that would make a bigger difference than on the Trans Pennine Trail Community Access scheme. Councillor Yasseen felt the Council was not engaging with those who represented the local communities. Councillor Yasseen queried if the surgeries chosen would provide a greater health outcome or meet higher demand needs? Councillor Yasseen indicated the Trans Pennine Trail Community Access scheme was a bad use of public funds and advised the Council to see it from the perspective of local residents, who experienced gridlocked roads, schools at full capacity, issues accessing GP surgeries and dental surgeries.

Councillor A Carter expressed his support for progression of the GP Surgery schemes but queried if the ICB was a good source of information on where the need was. The Chair asked the Leader to provide assurances on which bodies it consulted with on public infrastructure and how often schemes were reviewed?

The Trans Pennine Trail Community Access scheme ran directly past

resident's homes and was used as a local recreational facility, every bit as much as Herringthorpe Playing Fields were, or Rother Valley Country Park and other green spaces within the borough. It was the Council's responsibility to maintain it. The Leader felt this was just as important as transportation and the scheme was in line with the priorities set out. Regarding Broom Lane, there was no other way of funding at this time, and it did not have a prepared proposal. The Council would need to consider that it looked like, conduct public engagement, how extensive it could be along with the costs before the Council could determine the appropriate way to progress it.

The Leader indicated the Council could not commit to writing to all GP surgeries but would look at what the best way to engage with various parts of the NHS regarding access to GP's or other elements that may fall within future rounds. The Strategic Director for Regeneration and Environment highlighted some of the bodies who were engaged, which included water companies, such as Yorkshire Water, Seven Trent, broadband telecoms providers, gas and electric providers, green infrastructure providers, such as Wildlife Trust and Environmental Agency and Natural England. Specifically in relation to health, as well as the Council's internal public health team, it included the ICB, Sheffield Health, Social Care, Rotherham NHS Foundation Trust, Rotherham NHS primary care and NHS property services. The Strategic Director for Regeneration and Environment committed to looking to widen engagement with the health service and would look to conduct pre-application engagement with infrastructure providers.

Councillor Tinsley queried what was being done to ensure improvements, funding for GP practices was being picked up at a planning stage? The Head of Planning and Building Control explained that the Council had adopted the Developer Contributions Supplementary Planning Document which looked at healthcare provision in more detail.

In relation to the Trans Pennine Trail Community Access scheme Councillor Keenan noted that OSMB was scrutinising decisions for the whole borough and the whole of the borough needed access to wildlife and it was understood that supporting this scheme did not mean that other schemes could not come forward. Councillor Keenan expressed a desire to ensure that engagement was undertaken with different wards to consider infrastructure projects in those areas.

In response the Leader noted that the strategic CIL funding was not a never-ending pot of money however the Head of Planning and Building Control had already explained that more funding was received with each development. The Leader noted that the Trans Pennine Trail was well used by local residents and those from further away.

In a response to Councillor Carter's questions, the Leader noted that the project list referred to earlier was part of the Local Plan, which was a suite of where development would take place and what infrastructure needed to

accompany it. The Local Plan will be reviewed over the coming years and as part of that process, submissions for inclusion would be welcomed. The Head of Planning and Building Control explained the Local Plan was a 15-year document, but an infrastructure delivery funding statement was required every year. There was no requirement to publish the infrastructure delivery list. A new Local Plan would be required due to the increased housing targets. In response to a query from the Chair the Head of Planning and Building Control explained that the Local Plan would be for public consultation, which included all residents and elected members.

Councillor Blackham believed that CIL was becoming more important, therefore it was important that the information was processed and presented in clearer method to indicated where the priorities had come from and what was driving them. The Leader felt there was clarity, in so much as the Council had a Local Plan with a list of infrastructure requirements. It had a policy that said how the Council would apply CIL against those requirements. There was an annual scheme of assessing bids. This process would become clearer as further funds were undertaken. The process was transparent, but consideration would be given as to how it could be presented in the future.

In summary the Leader indicated he had explained the origins of the process, the policy, the relationship to the Local Plan and the need for infrastructure. Two of the schemes had been paused pending further engagement and a decision would be made as to whether they were progressed or not in the future. The Leader stood by the recommendations presented to Cabinet, which were agreed and would not like to change course at this stage of the first allocation of funding and could set back the Council's ability to fund further infrastructure projects.

In summary Councillor A Carter indicated there was a need to have more of an understanding of where and how projects got to this stage and how the Council prioritised. It was felt further engagement was needed to ensure the strategic CIL was better attuned to residents needs, as the items on the Local Plan might not meet the need to residents. Councillor A Carter asked the OSMB supported the call-in request and asked Cabinet to look again at the decision because appropriate engagement had not taken place, and the current projects did not meet the needs of the residents.

The Chair noted that OSMB had three options available with regard to the call-in. The first was that OSMB did not support the call-in request and therefore the original decision could be implemented. The second was to refer the decision back to the decision maker, Cabinet, for reconsideration, with OSMB setting out the reasons in writing. The third was that OSMB referred the matter to Council for consideration.

Before moving to the vote, the Chair suggested requesting that a Member Seminar be arranged to provide information on the what the Strategic

Community Infrastructure Levy was, and the process used for prioritising schemes.

The Chair moved to a vote for those in favour of supporting option two, to refer the decision back to the decision maker, Cabinet, for reconsideration with the additional recommendation for a member seminar. Four members of the Board voted in favour of supporting option two. Five members of the Board voted against supporting option two, therefore it fell.

Resolved: that the Overview and Scrutiny Management Board

1. Did not support the request for call-in, therefore the original decision can be implemented.
2. Agreed that a Member Seminar be arranged to provide information on the what the Strategic Community Infrastructure Levy was, and the process used for prioritising schemes.

## **96. MODERN SLAVERY TRANSPARENCY STATEMENT - ANNUAL REFRESH**

At the Chair's invitation the Assistant Director, Community Safety and Street Scene introduced the report highlighting that the Co-operative Party's Charter against Modern Slavery was adopted by the Council on 25 July 2018. This was the seventh year of delivery against that Charter. The Charter set out standards over and above any legal or statutory requirements, in terms of actions the Council would take to seek to address issues relating to modern slavery.

The charter focused on the procurement activity of the local authority ensuring that sufficient actions were taken to mitigate the risk of modern slavery through its supply chains.

A requirement of the charter was that the modern slavery transparency statement was republished yearly. This provided the latest national picture, in terms of the number of referrals to the national referral mechanism and how it compared to previous statements. There had been 126 local referrals to the national referral mechanism.

The Council took the opportunity to strengthen its approach to modern slavery each time a policy was reviewed or updated, for example the newly developed Child Exploitation Strategy included aspects around modern slavery.

Modern slavery was discussed, and awareness raised to over 450 general practitioners and health professional who attended an open learning event and members were engaged during Safeguarding Awareness Week. In addition, the team had worked across the rented sector, social landlords as well as private rented landlords through the licensing areas to raise awareness and how to spot the signs of modern slavery and understand how to refer people on for support.



The Council continued to work with South Yorkshire Police who had a specific modern slavery and organised crime unit. In particular to enhance reporting pathways and further encourage partners, council officers and community members to provide intelligence and information that could identify modern slavery and address it.

It was noted at an additional section had been included in the safeguarding children's partnership manual, specifically at children from abroad, those that may be victims of modern slavery, trafficking and exploitation.

The Council continued to operate a number of single points of contact across the organisation, within different directorates. Eight officers had been trained and provided with additional information in order to support colleagues to continue to raise awareness within their directorates in relation to modern slavery.

The Chair invited members of the Overview and Scrutiny Management Board (OSMB) to raise questions and queries on the points raised earlier. Councillor Yasseen welcomed the policy and noted that training was being delivered. How the Council was working with the police to dismantle the root causes of modern slavery was queried along with asking if the policy was helping to contribute to that? The Assistant Director, Community Safety and Street Scene indicated this was an excellent example of where members established a policy and the policy drove the activity both within the Council and across the partnership, more widely. The report highlighted the unit that sat within South Yorkshire Police, which worked across the regional footprint. It spent all its time looking at how to impact organised crime. Largely where individuals were trafficked it related to organised crime, therefore both the modern slavery agenda and the organised crime agenda overlapped.

Over a number of years, the Council had continued to work with the police through the Safer Rotherham Partnership and it had been noted that as awareness was raised both of modern slavery and organised crime there was an increase in the national referrals. In terms of the prevention work, there had been an increase in the identification of organised criminal networks across the region. This increase suggested that there was more awareness of this and gained the ability, with partners, to interfere with and disrupt that organised crime. It was clarified that the police were responsible for bringing criminals to justice, but the Council had significant powers and abilities, in terms of entering properties.

In response to a query by Councillor Marshall, the Assistant Director, Community Safety and Street Scene explained that in terms of monitoring compliance there was a couple of different stages. At an early stage when procuring goods and services the Council provide advice and guidance to ensure those suppliers were responsible in the context of modern slavery. The publication of a modern slavery transparency statement by those

organisations, was an initial check, which set out their own commitment, actions and efforts to address modern slavery. It then featured as part of the ongoing, routine contract management.

Councillor Marshall then asked what action the Council took to identify and hold unscrupulous employees accountable for exploitation practices? The Assistant Director, Community Safety and Street Scene explained there were a number of different things. The report referred to some of the changes to the way that intelligence and information was provided to the police that was then shared, where appropriate, with the partnership. That information was triaged and used to direct some of that operational activity that could lead to direct interventions with particular employers. Businesses such as car washes, for example, had often become commonly linked to issues around modern slavery so a joint operation, between the police and immigration, would be established to identify any issues in terms of compliance or modern slavery risk.

The Chair highlighted that Action 1c of Appendix 2 noted that training for taxi drivers was being considered for delivery in early 2025 and sought clarification if this had taken place? The Assistant Director, Community Safety and Street Scene indicated it was still on track in terms of delivery but would provide written confirmation outside of the meeting.

In response to a query by the Chair the Assistant Director, Community Safety and Street Scene explained that since 2018 there had been a steady, year on year increase in the number of referrals made to the national referral mechanism. The increase did not indicate a growing problem, but it suggested a growing level of awareness and reporting as a result of the training provided.

Resolved: That the Overview and Scrutiny Management Board supported the recommendations that Cabinet:

1. Note the progress made to date.
2. Approve the Modern Slavery Transparency Statement 2025/26 and its publication on the Council's website.

Further actions that arose from discussions were that:

- Confirmation would be provided in relation to action 1C 'To the public and targeted businesses such as letting agencies' in the Modern Slavery Steering Group Action Plan, as to whether the training for taxi drivers had taken place and if not when it was scheduled for.

## **97. TRANSPORT CAPITAL PROGRAMME 2025/2026**

At the Chairs invitation the Assistant Director, Planning, Regeneration and Transport introduced the report highlighting this was the annual update on the Transport Capital Programme. It was year four of a five-year programme which had £6 million allocated between 2022 and 2027 and was the local neighbourhood complimentary transport programme. This

was the year-to-year programme of local schemes which included projects such as the pedestrian crossing programme, minor works programme and the local neighbourhood's road safety programme, which was developed in consultation with local member to identify local road safety and traffic projects in each ward.

The report sought to allocate the funding for 2025-2026 as indicated in table one. This would leave just over a million pounds to be allocated in the final year, 2026-2027. The report mentioned other stands of funding, £426k for highway structures plus some elements of RMBC capital and Section 106 contributions that had previously been allocated.

The report reflected upon some of the successful delivery, most notably, the first of five South Yorkshire authorities to complete the Transforming Cities programme and delivered two significant highway structure projects and three new pedestrian crossings.

The third recommendation was to re-profile funding for collision investigation and prevention into the following year. This was funding that was specifically for engineering improvements that would address patterns in the collision data. Recent studies had not identified any treatable patterns so that work would be reviewed over the course of the year and seeking to allocate funding to the following year.

The Chair invited members of the Overview and Scrutiny Management Board (OSMB) to raise questions and queries on the points raised earlier. Councillor Yasseen sought clarification on the location of the crossings identified in the report. The Assistant Director, Planning, Regeneration and Transport explained the scheme allocated for in table one was Wath Road in Brampton and there was a further £100,000 allocated to identify a further crossing in 2026-2027. This would go through the prioritisation process to assess new crossings. Councillor Yasseen felt it was hard to understand the prioritisation process. The Assistant Director, Planning, Regeneration and Transport explained there were two stages in terms of identifying and prioritising crossings. The first stage was identification, which came from requests from members of the public, sometimes suggestions came forward as a result of planning applications with Section 106 contributions. The new requests for crossings were then assessed and prioritised according to a set process, which could be shared with members. The next element was the budget considerations, which inevitably there were far more requests for crossings than budget provision, which was where the prioritisation process and appraisal helped to formulate the recommendations.

Councillor A Carter raised concern that the recommendations to delegate authority to the Strategic Director, Regeneration and Environment, in consultation with the Cabinet Member for Transport, Jobs and the Local Economy did not lead to enough transparency and democratic oversight of the decision. Councillor A Carter felt the process how the requests were submitted, how they were assessed and then implemented was ad

hoc. Views should be sought from ward members; parish councils and other organisations and the final decision should be submitted to Cabinet rather than being taken as a delegated decision. The Chair understood the point made but indicated that this was normal practice. The Assistant Director, Planning, Regeneration and Transport noted that high volumes of requests came from the public into transport and infrastructure. There was a substantial data set that sat behind that and the way schemes were prioritised, and process was not ad hoc. There was an agreed procedure for each process, scoring criteria as to how they were assessed and prioritised for funding before they were subject to a Cabinet decision to officer delegation. That officer delegation process would involve consultation with the cabinet member and would consult board members on any projects which provided transparency.

In response to a query from Councillor McKiernan the Assistant Director Community Safety and Street Scene explained the improvements to the bridge at Catcliffe was a separate scheme that had its own capital bid supported as part of the budget. In response to another query from Councillor McKiernan, the Interim Head of Transportation Infrastructure Service explained the Clean Air Fund for supporting the electrification of the bus fleet was administered by Sheffield City Council, but the Council was jointly mandated with Sheffield as part of the Clean Air Plan by the Joint Air Quality Unit. The project was to support buses that ran along Fitzwilliam Road corridor where there was the greatest risk of non-compliance.

Councillor A Carter wanted to express his view that it was important to ensure the right decision strategically was being made for the borough and that it had the right priorities. It was understood that it may be accepted practice at this Council that, that was how decisions were made but it was not something that Councillor A Carter could support.

Councillor Yasseen welcomed the monitoring and evaluation for the Sheffield Road Cycleway but did not support it. Councillor Yasseen noted that there was already an existing active travel route between Sheffield and Rotherham but asked if the Sheffield Road Cycleway was being compared with an existing route to ensure it was having a difference? The Interim Head of Transportation Infrastructure Service noted the Council did have comparison sites agreed with the Department for Transport (DfT) as part of the programme as part of the programme wide monitoring and evaluations, both in Rotherham, across South Yorkshire and across the country to enable the government to understand what the difference had been on the schemes relative to places where no schemes had taken place. Regarding the Collision Investigation Prevent Programme, it was explained that where schemes had been introduced and there was a need to consider the impact of those schemes on collision record, that would be picked up, either in the monitoring of those schemes on collision records or picked up in the monitoring and evaluation work for all those projects or as part of stage four road safety audit process.

The Interim Head of Transportation Infrastructure Service explained that the collision investigation and prevention activity was for schemes where locations were identified where there had been a number of collisions in the same location, on the same street. The Council was looking to review its road safety practices to understand what the best process for improving the casualty performance going forward.

Resolved: That the Overview and Scrutiny Management Board supported the recommendations that Cabinet:

1. Approves the schemes and allocations of funding outlined in Section 2 of this report.
2. Delegates authority to the Strategic Director, Regeneration and Environment, in consultation with the Cabinet Member for Transport, Jobs and the Local Economy, to determine the type and location of pedestrian crossing to be designed per paragraph 2.2.4 following the prioritisation process.
3. Approves the reprofiling of £175,000 previously allocated to the Collision Investigation & Prevention workstream, to enable these funds to be allocated, subject to subsequent Cabinet decision, in the 2026/27 Transport Capital Programme as set out in paragraphs 2.2.11 and 2.2.12.
4. Delegates authority to the Strategic Director, Regeneration and Environment, Page 39 Agenda Item 6 Page 2 of 11 in consultation with the Cabinet Member for Transport, Jobs and the Local Economy, to determine the schemes to be delivered with the Structures and Minor Works allocations.
5. Delegates authority to the Strategic Director, Regeneration and Environment, in consultation with the Cabinet Member for Transport, Jobs and the Local Economy, to determine new schemes for delivery in Rawmarsh West and Wath wards, within budgets approved in March 2024, as part of tranche 2 of the Local Neighbourhood and Road Safety programme.

Further actions that arose from discussions were that:

1. Information on the process of how new crossings were assessed and prioritised be provided to member of OSMB.

## **98. LICENSING ACT 2003 - STATEMENT OF LICENSING POLICY**

At the Chair's invitation the Assistant Director Community Safety and Street Scene introduced the report which was regarding the Licensing Act 2003. The report covered licensing on aspects such as bars, pubs and clubs and the sale of alcohol. It covered regulated entertainment such as music, indoor sports etc and it covered late night refreshments. The Council had to produce a statement of licensing policy. which had to be reviewed every five years. Licencing officers had undertaken informal consultation with various partners, local license holder and taken account of feedback and information that had feed into the policy. It was an ambitious policy in terms of setting out the Councils standards and expectations for how those kinds of regulated provisions were delivered

across the borough along with promoting and supporting the licensing objectives. The report was seeking approval of the draft policy for a period of consultation.

The Assistant Director Community Safety and Street Scene explained that in terms of the Licensing Act objectives that were embedded within the Licensing Act 2003. This was about the prevention of crime and disorder and was about the promotion of public safety, protection of children from harm, the prevention of public nuisance.

The Assistant Director Community Safety and Street Scene explained the specific aspects included were around counterterrorism, such as Martins Law and the development in relation to that along with further information about the safeguarding of children and vulnerable adults. The document sought to set out good practice in a range of different areas which included making adequate provision around the welfare of customers, management of issues like smoking and vaping, minimisation of waste, rehearsal of written contingency plans and enhanced safeguarding practices. The policy sought to recognise that it would cover a range of different premises and aimed to support those premises to think about their bespoke individual needs and how that related back to the policy. It was looking to promote equality and inclusion in licensed venues. It looked to further improve the experiences of communities that used licensed venues for any particular purpose. It included aspects such as an inclusive transport policy, procedures, making sure venues were accessing regular training for staff. It sought to promote environmental best practice. The policy sought to set out core hours that would be applicable to each individual different types of premises, but the changes would not mean that license applications would automatically be refused if it fell outside of those hours, but it provided an understanding of what the guiding principles were.

The Chair invited members of the Overview and Scrutiny Management Board (OSMB) to raise questions and queries on the points raised earlier. In response to a query from Councillor Yasseen the Assistant Director Community Safety and Street Scene explained the policy was trying to set a standard of expectation. It would not necessarily drive any particular enforcement against venues although it would provide a guide to the Council of what it believes was appropriate in those circumstances. On the issue of alcohol, which was the most obvious to pick out, was the pervasive impact of the misuse of alcohol across the communities, both in terms of individual health and outcomes as well as the issues in terms of community safety and crime and disorder and the impacts and prevalence of alcohol in terms of driving those activities.

In response to a query from Councillor Marshall the Assistant Director Community Safety and Street Scene explained the Council had been robust in its approach, which involved regular training along with conducting dip sampling / testing to ensure licensed premises were remaining compliant with those types of policies, such as Ask for Angela.

It was noted that some planning applications contained a condition which stipulated that a business could only operate within certain hours, but a licensing application was received for additional operating hours. Councillor Baggaley queried if one of those permissions had seniority over the other? It was clarified by the Assistant Director Community Safety and Street Scene that neither of those permissions would have seniority over the other, they would work in conjunction and co-exist.

The Assistant Director Community Safety and Street Scene explained to Councillor McKiernan that he was not aware that the Council had a separate policy on licensing enforcement, however it did have an overall enforcement policy that set out its approach to all enforcement matters.

Councillor Yasseen felt the wider social causes of some behaviours that were deemed undesirable were not being addressed in the first instance before enforcement action was undertaken. Councillor Yasseen then sought clarification that there was no conflict with Rotherham's focus on economic development goals. The Assistant Director Community Safety and Street Scene explained the Council sought to consider the whole life cycle of where those challenges began, in relation to antisocial behaviour or criminal activity, which could stem from challenges such as deprivation in local areas. The Council worked closely across the whole organisation and the wider partnership to use information and intelligence to advocate for improved services and improved interventions and to increase aspirations across the borough. It was hoped that the policy struck the right balance in terms of protecting the public and delivering the licensing objectives whilst supporting economic growth to the benefit of the communities.

Councillor Tinsley noted there was a much local businesses could do to adopt environmental best practice however nothing was mentioned around what happened after someone purchased the takeout. Concern was expressed in relations to cash-in-hand delivery drivers in relation to modern slavery and queried if the Council was ensuring those businesses addressed those risks when hiring people. The Assistant Director Community Safety and Street Scene noted the points highlighted the value of consultation, which helped to shape the policy. It was a reasonable expectation that, takeout businesses for example, would help to maintain the local environment and the Council did have some powers to help enforce that.

Resolved: That the Overview and Scrutiny Management Board supported the recommendations that Cabinet:

1. approve the draft Licensing Act Statement of Licensing Policy attached to this report as Appendix 1 for consultation in accordance with the requirements of the Licensing Act 2003.

**99. WASTE POLICY PILOT AND CONSULTATION UPDATE**

At the Chair's invitation the Assistant Director Community Safety and Street Scene introduced the presentation and confirmed that engagement had been undertaken with the ward members who represented the Waste Policy pilot areas of Ferham and Waverly. Ferham was picked because it showed high levels of waste contamination with eight of the thirteen loads that were sampled as part of the data monitoring period being contaminated. Three of nine loads sampled in Waverly were contaminated. The two areas were chosen due to the differences in the nature of the urban landscapes and properties, meaning they would provide more valuable information at the conclusion of the pilot.

Information on the proposed pilot schemes would be sent out by post to all of the affected residents and would explain the intentions of the pilot scheme. During the pilot, officers would speak with residents face to face. Support and engagement with residents would be increased during the pilot scheme. This would entail officers working with waste colleagues and having conversations with residents to understand what contamination may have been found in the waste bin, along with the provision of education and guidance. Additional resources were available to support the delivery of these schemes.

The pilot scheme would take place over a three-month period. Recycling took place on a four-weekly cycle; therefore, the scheme would take place over three stages to understand what the impact was at each stage. There was no intention to hold face-to-face consultation events at this stage. Community groups and local media channels would be utilised as part of the consultation.

The Assistant Director Community Safety and Street Scene confirmed that the maximum level of fines would be £80, which could be set lower at the discretion of the Council. The amount would be part of the consultation to ascertain what the appropriate sanction would be if residents had not been able to address the contamination issues at the end of the twelve-week cycle.

The Chair invited members of the Overview and Scrutiny Management Board (OSMB) to raise questions and queries on the points raised. Councillor Keenan queried how wide the consultation would be, and how the leaflets would be produced to work with the varied communities noting that Ferham was a diverse area. The Assistant Director Community Safety and Street Scene clarified that fines would not be issued as part of the pilot scheme. The Council would consult with schools, and it recognised the challenges in terms of diversity in the different languages spoken across the communities. Speaking with the residents face-to-face was important to understand the challenges faced as part of the pilot. Consulting through community groups and online would help to remove some of the barriers to ensure information was presented in the correct way. Councillor Keenan noted that the Council needed to ensure this



service was accessible and carried out in the right way.

Councillor Yasseen raised objections regarding the areas chosen for the pilot, expressed concerns regarding the consultation. The Assistant Director Community Safety and Street Scene assured members of OSMB that the consultation would be accessible, not biased and genuinely sought the views of the public, elected members and partners to inform the policy decision.

Councillor A Carter noted that information regarding what constituted contaminated recycling should be made clearer on the Council's website. Councillor A Carter also sought clarification on what the process would be if residents could not pay the fine. The Assistant Director Community Safety and Street Scene explained that the annual bin calendar which was circulated annually contained information on what items could be placed in each bin. The staged approach was being followed to ensure residents had multiple opportunities, through the provision of additional information and support to ensure they recycled effectively. The fines were the same as civil penalties and could be pursued civilly. It was noted that not all bins could be secured so there was a risk of others putting contaminated waste in the bin however it would be the officer's responsibility to satisfy themselves that the individual was responsible beyond all reasonable doubt. However, a lot of engagement with that resident would take place in the first instance.

The Assistant Director Community Safety and Street Scene clarified that residents would not be fined on the first instance of contamination as this would be undertaken over a twelve-week period on each collection cycle.

Councillor Baggaley queried what was being done in terms of communication between now and the launch of the pilot? The Assistant Director Community Safety and Street Scene confirmed that the plans for the pilot and consultation were being finalised, but reassured OSMB that nothing would happen prior to engagement with the ward members, including sharing the publication of written materials. The support that local ward members could add to the pilot was recognised. Councillor McKiernan noted that having a dedicated person to liaise with during the pilot would be welcomed and to be provided with regular updates during the pilot. Councillor McKiernan sought assurance that the Council's call centre, and housing officers were made aware of this pilot to ensure they could direct queries to the right person. The Assistant Director Community Safety and Street Scene committed to arranging monthly meetings with the ward members to keep them updated and appraised on progress.

The Assistant Director Community Safety and Street Scene could not commit to ensuring that all issues regarding missing bins etc would be addressed prior to the commencement of the pilot. The data gained during the pilot would help to inform the policy.

Resolved: That the Overview and Scrutiny Management Board:

1. Noted the presentation detailing the update on the Waste Policy Pilot and Consultation.
2. Agreed that following the pilot and consultation exercise, a further report would be submitted to OSMB ahead of its consideration by Cabinet which included the outcome of the relevant processes and a revised Policy, based on the learning.
3. Acknowledged that the Assistant Director Community Safety and Street Scene agreed to hold monthly meetings, throughout the Waste Policy pilot with the relevant ward members to update on progress.

**100. FORWARD PLAN OF KEY DECISIONS - 1 MARCH 2025 TO 31 MAY 2025**

The Board considered the Forward Plan of Key Decisions - 1 March 2025 to 31 May 2025. The Chair urged members of OSMB to consider this document and suggest topics for future pre-decision scrutiny.

In response to a query, it was noted that a joint session would be arranged with members of OSMB and Improving Places Select Commission to consider Selective Licensing.

The Chair also urged members to attend the pre-meetings.

Resolved: That the Overview and Scrutiny Management Board:

1. Noted the Forward Plan of Key Decisions - 1 March 2025 to 31 May 2025.

**101. URGENT BUSINESS**

There were no urgent items.