

Matters to raise with the Department for Communities and Local Government

Proposed Intervention - Rotherham Metropolitan Borough Council

Having considered:-

- The report of Louise Casey CB, submitted 27th January 2015
- The covering letter to the Secretary of State of Louise Casey CB
- The letter of P Rowsell to Rotherham MBC dated 4th February 2015

Rotherham Metropolitan Borough Council (the Council) raises the following matters for urgent consideration by the Department for Communities and Local Government:-

Budget and related financial reports

- The Council's budget is due to be considered by the Cabinet on 25th February, with a view to it being recommended for consideration by Council on 4th March.
- The four remaining members of the Cabinet have indicated that they **do not** consider it appropriate that they are involved in any decisions other than consideration of urgent but routine matters, which do not include recommending the budget to Council.
- As you will be aware, as part of the budget setting process, the Cabinet is required to recommend the budget to the Council. If Cabinet is not able or willing to make such a recommendation the Council is in danger of not being in a position to set a lawful budget.
- The Council is mindful of the imminent recession of Parliament.

Bearing in mind in particular the potential difficulties set out in relation to the budget setting process, when is it anticipated that the Commissioners, or at least a Commissioner with appropriate powers, will be appointed?

In the above circumstances the Department is requested to give its urgent consideration to the process for setting a lawful budget for the Council.

Additional points for consideration by the Department:-

- There is an on-going process for the appointment of the Chief Executive and the closing date for applications has passed. The process has been halted following confirmation from the Department.
- There is an on-going process to appoint to the vacancy when the Director of Public Health leaves the Authority on 31st March 2015. The post has been advertised nationally and the closing date of 6th February has now passed. Shortlisting is due to take place on 24th February and an assessment centre/interviews are planned for 5th March.
- There are other appointments to director posts to take place shortly, in particular to the statutory post of Director of Adult Social Service, which will also be affected by the intervention. The Council also has a vacancy for the Independent Chair of the Adult Safeguarding Board, which will need to be filled.

The Department is asked to indicate whether each of the appointment processes should continue and, if so, in what manner.

- The Council would wish to know the scope of the Commissioners' powers?
- What procedures will the Commissioners follow to take decisions?
- With the proposed removal of the executive functions of the Council, what role does the Department envisage for the Leader?
- With Commissioners undertaking executive functions, how is it proposed that members can be involved in the oversight and scrutinising of those decisions?
- Has the possibility of a shadow Cabinet being appointed been considered, to provide new Cabinet members with experience and guidance to support the return of powers to the Council?

Jacqueline Collins
Director of Legal and Democratic Services.
9th February 2015.