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Commissioner Manzie

3<sup>rd</sup> September 2015

Mr Robert Foulds  
Clerk to the Parish Council  
Bramley Parish Council  
101a Bawtry Road  
Bramley  
Rotherham  
S66 2TW

Dear Mr Foulds,

**Conduct and Culture of Rotherham Council Officers**

Thank you for your letter dated 17<sup>th</sup> July on behalf of Bramley Parish Council. I apologise for the delay in providing you with a response but I am sure you will appreciate that it has taken some time to consider all the issues that you have raised. For ease I will provide a response in number order as set out in your original correspondence:-

- 1. Supertram Proposal** – I understand that the proposals for extension of the Supertram network were promoted by the SYPTC and feasibility work would have been undertaken in accordance with guidance at the time. I am unable to comment further on an officer of the Council making untrue statements regarding consultation as there are no currently employed staff who were involved with the proposals.
- 2. Removal of Car Parking in the centre of Bramley village –“considered to be illegal due to the fact that the Highway Code advises that it is “illegal to park within 10 meters of a junction”** – I arranged for reports relating to the Bramley Traffic Management Scheme presented to the Economic and Development Services Matters meetings of 2<sup>nd</sup> July, 2001, 22<sup>nd</sup> April, 2002, 19<sup>th</sup> January, 2004 and a report to the Cabinet Member for Regeneration and Development Services dated 30<sup>th</sup> March, 2009 to be reviewed to identify what context this issue was raised. Unfortunately, it has not been possible to evidence where any comment of this nature was specifically reported and therefore, I can only assume that it was a verbal comment made. Unfortunately, a large number of the officers involved in this scheme have now left the organisation and I am therefore, unable to investigate this further. However, I can confirm that you are correct to suggest that parking within 10 meters of a junction is permissible, providing it is within an authorised parking space.

I am advised that the introduction of a mini-roundabout fronting the shopping parade made it necessary to remove the original parking spaces; as I am sure you can appreciate it

would not be appropriate to have parking spaces directly adjoining a roundabout. To compensate for this loss, additional parking was provided on Main Street which had not previously benefitted from any parking provision as waiting restrictions were in place there. I am aware that parking at the original location was a condition on the original planning permission granted for the shopping parade, however I am satisfied that the Council acted within its powers in making the changes.

- 3. Parish Council request to plant trees on the central reservation of the A631 Bawtry Road refused because “trees cannot be planted within 15 feet from the centre of any carriageway”** – I note your comments that in fact the requested trees would have been within 22 feet of the made-up carriageway and therefore you feel that the response provided by the Council at the time was not fully in compliance with the Highway Act. However, the decision would have been made taking a balanced view of a number of factors including, but not limited to, the continued maintenance of any trees within the central reservation and liability as a result of any potential accident that could occur following planting. I understand that it is not so long ago that a fatality occurred as a result of a traffic collision with a tree on the A631 West Bawtry Road. In hindsight, I do accept that a better rationale for the refusal of the Parish Council's request should have been provided.
- 4. Zebra Crossing Facility - Flash Lane** – I understand that the planning application submitted by Ben Bailey Homes for 59 dwellings at Progress Drive identified on their layouts a zebra crossing on Flash Lane. However, the Section 106 Agreement between the developer and the Council only defined the requirement for a “Pedestrian Crossing Contribution” of £10,000 without specifically referencing a ‘zebra’ or any other type of formal crossing. The subsequent site investigation showed that Flash Lane didn't meet the criteria for either a zebra crossing or a light controlled crossing therefore the road safety team proposed alternative measures to reduce vehicle speeds in the area of the proposed crossing point. The measures proposed were traffic calming measures in the form of road humps. A public consultation exercise was undertaken in the autumn of 2010 a further report (13/12/2010) was submitted to the then Cabinet Member and advisors for Regeneration and Environment recommending that due to the number of objections received to the proposal that the scheme should not be progressed.
- 5. Removal of Dog Waste Receptacle** – As a result of a decision by the Council to reduce the amount of support offered to Parish Councils relating to grounds maintenance and street cleansing services only those Parish Councils paying for these services would continue to receive them. This decision was taken to meet the budget pressures faced by the Council. The impact in Bramley was that, because the Parish Council did not enter into an agreement with the Council to continue providing services, it ceased emptying dog waste bins and litter bins on Parish Council land at Flash Lane along with providing grounds maintenance services to some locations. I am advised that prior to any changes being implemented the Parish Council were invited on a number of occasions to meet with council officers but the invitations were declined. I further understand that once these services were ceased the Council received a request from the Chair of Bramley Parish Council advising that “if the council were not able to continue to empty the dog waste bins on Parish Council land without a cost to the Parish Council they should be removed”. Therefore, the bins were removed but, at a later date, and following a request from the then Leader, Roger Stone a dog waste bin was relocated from another area of Bramley and installed on Flash Lane.
- 6. Formal Complaint relating to a comment made by a senior member of staff** – I understand that this issues relates to a comment made by a former Executive Director of Environment and Development Services, Adam Wilkinson. The complaint was investigated and resolved at the time and therefore, I do not feel that it is necessary for me to comment on the specifics of this case. However, I would advise that one of the key roles of the Commissioners is to ensure that the manner in which Council officers deal with Elected Members, Parish Councils, members of the public and residents must be

professional and responsible at all times ensuring that any statements made on behalf of the Council are correct and can be backed up if required.

- 7. Bramley Traffic Management Scheme provision of Trees, Landscape features, public benches and decorative paving none of which was instated during the scheme's implementation** – The council's Highways Design Team have confirmed that when the initial scheme for Bramley was designed documents were produced for illustrative purposes and one of the patterns used on publicly available plans appeared to show block paving. Whilst the Council did try to secure additional funds from the developer for enhanced paving materials there was never a requirement to use enhanced materials. At this time the Council could not afford to contribute towards the scheme and hence the scheme was implemented as it appears today. Further proposals were considered by Cabinet Member and advisors in 2009 and funding was identified from the Local Transport Plan (LTP) Integrated Transport budget to undertake environmental enhancements, which were duly consulted upon. However, due to significant in year and subsequent years budget cuts (by central Government) in 2010 which resulted in a reduction in LTP Funding this project was removed from the programme of works as projects had to be prioritised against the objectives of the LTP. Unfortunately alternative funding has not been identified and therefore no further progress has been made.

In closing I would advise you that the Commissioners are keen to work closely with all of the Council's key stakeholders, and we do consider the working relationship with Parish Councils to be very important. It is clear that some miscommunication has been evidenced during previous contact with the council but it is also clear that decisions have also been made following due process with the correct democratic procedure.

I can assure you that the Commissioners have clearly set out their expectations with regard to the standards that should be met by both Elected Members and Officers of the Council, and this is encompassed in the "Fresh Start" Improvement Plan which has been drawn up by Commissioners and against which progress will be reported to Ministers by the end of this month.

This plan sets out how it will work to change and move forward; it captures all of the key actions that we will need to take to ensure that Rotherham is a fit for purpose authority and to demonstrate that the need for Government intervention is no longer required. The Improvement Plan can be found on the Council's website at:

<http://www.rotherham.gov.uk/downloads/id/2313/rotherhamimprovementplan.pdf> and once it is fully implemented I am sure that officers will become more effective and deliver excellent services, within a more positive and open culture.

Yours sincerely



**Stella Manzie**  
Commissioner and Managing Director