

# SHEFFIELD CITY COUNCIL

## EXECUTIVE FUNCTIONS DECISION RECORD

The following decision was taken on Wednesday 26 September 2012 by the Cabinet.

Date notified to all members: 28 September 2012

The end of the call-in period is 4:00 pm on 4 October 2012

The decision can be implemented from **5 October 2012**

### **Agenda Item**

#### **8. A CITY FOR ALL AGES - MAKING SHEFFIELD A GREAT PLACE TO GROW OLDER**

8.1 The Cabinet received a joint report of the Chief Executive, the Executive Director, Communities, Executive Director, Place, Executive Director, Resources and Executive Director, Children, Young People and Families outlining the 'City for All Ages' framework in Appendix A to the joint report and which set out a vision for the future of the City where individuals, society and organisations respect and meet the needs of people throughout their lives.

8.2 **RESOLVED:** That Cabinet:-

- (a) confirms its commitment to making Sheffield an age-friendly City and endorses the strategic approach set out in 'City for all Ages';
- (b) authorises a three-month consultation exercise to gain public endorsement for the approach and to develop further with partners the key priorities for action;
- (c) delegates responsibility for finalising the Sheffield's City for all Ages action plan to the Executive Director, Communities (in consultation with the Cabinet Member for Health, Care and Independent Living, Cabinet Member for Culture, Sport and Leisure and the Chair of the City for all Ages Board).

#### **8.3 Reasons for Decision**

8.3.1 To provide a framework that complements the Joint Health and Wellbeing Strategy by looking at improving some of the more tangible issues which undermine our aspiration to be an age-friendly City.

#### **8.4 Alternatives Considered and Rejected**

8.4.1 No alternatives were put forward or considered to be appropriate in

the circumstances.

**8.5 Any Interest Declared or Dispensation Granted**

8.5.1 None.

**8.6 Reason for Exemption if Public/Press Excluded During Consideration**

8.6.1 None.

**8.7 Respective Director Responsible for Implementation**

8.7.1 Richard Webb, Executive Director, Communities.

**8.8 Relevant Scrutiny and Policy Development Committee If Decision Called In**

8.8.1 Healthier Communities and Adult Social Care.

**9. OLDER PEOPLE'S ACCOMMODATION - STOCKSBRIDGE**

9.1 The Executive Director, Communities, submitted a report containing proposals for the future of Newton Grange residential care home and sheltered accommodation at Balfour House and Sweeney House. The report also referred to the development of approximately 50 units of new build development for older people.

9.2 **RESOLVED:** That Cabinet:

- (a) agrees to decommission Newton Grange Care Home to facilitate the development of purpose built lifetime standard older people's accommodation;
- (b) acknowledges that the Council will secure appropriate alternative provision of long term care from the independent sector;
- (c) agrees that approval granted on 28 February, 2007 to the proposals for the long term closure of 6 sheltered housing schemes be rescinded insofar as it relates to Balfour House;
- (d) agrees that priority for re-housing be awarded to all residents at Sweeney House, in accordance with the Council's Lettings Policy;
- (e) agrees that discretionary home loss (under section 32 of the Land and Compensation Act 1973) be paid to tenants of Sweeney House who have been in occupation for 12 months at the time of displacement, and discretionary payments be made to

all tenants to cover any removal expenses (under Section 26 of the Housing Act 1985);

- (f) agrees that the site shown edged in red at Appendix 7 be declared surplus to the Council's requirements and leased to the Sanctuary Housing Group for a period of 250 years at nil consideration for use as social housing;
- (g) notes that the aforementioned site will be used for the development that has approved funding from the Homes and Communities Agency;
- (h) authorises the Director of Property and Facilities Management (i), in consultation with the Director of Housing, Enterprise and Regeneration, to negotiate and agree terms for the disposal of the site for the purpose set out in the report and (ii) to instruct the Director of Legal Services to complete the necessary legal documentation;
- (i) authorises the Director of Property and Facilities Management to vary the exact extent of the land disposed of to facilitate the development set out in the report; and
- (j) agrees that consideration can be given to residual funding, as a result of the decommissioning of Newton Grange, for two care provider manager posts to focus on care home and domiciliary care provider leadership and quality (including, for example, direct support where there is market failure)

### **9.3 Reasons for Recommendations**

- 9.3.1 The City Council no longer provides long term residential care and Newton Grange is the last remaining Council run home. The City Council has given a commitment to secure alternative care services within improved facilities and services which will deliver better value for money and better outcomes for people.
- 9.3.2 Older people, their families and carers have told the City Council that they want to be supported in their own homes or as close to home as possible. Furthermore they have indicated that they want high quality care and support services that treat them with dignity and respect at all times.
- 9.3.3 The City Council has given a commitment to secure alternative care services within improved facilities and services which will deliver better value for money and better outcomes for people.
- 9.3.4 Balfour House has the potential to be brought up to the Sheffield Decent Homes Standard (Capital Programme funding has been identified from the Investment Plan and subject to approval of a

Capital Approval Form (CAF). Work will commence to upgrade the scheme in 2013.

9.3.5 Sweeney House, due to the poor layout and nature of the structural problems affecting the building should be decommissioned as planned. (Capital Programme funding has been identified from the Investment Plan and is subject to approval of a Capital Approval Form (CAF).

9.3.6 Newton Grange is well-located in terms of accessibility to local facilities and the site is the best available to the Council in Stocksbridge for the provision of housing for older people.

#### 9.4 **Alternatives Considered and Rejected**

##### 9.4.1 Victoria Road site -

- Planning has advised... The site is part of Bracken Moor Playing Fields. It is designated Open Space and there is currently a shortage of open space in the area. If evidence can be provided that it is not contrary to open space policies after full consultation, then acceptability in principle is subject to certain policy requirements. In addition to this the site is not large enough for the 50 units required – the density for the site would be 29 units.
- The site is opposite residential owner occupied properties, some of which are bungalows. As the site is on an incline any development would rise above these properties.

##### 9.4.2 Victoria Street -

- Planning has advised... The land is zoned as part of the District Shopping Centre and is currently used as two separate car parks. Development Services have previously suggested that the use of the site should be retained as such. Housing development may well be acceptable in principle but the loss of these important shoppers car parks, without replacement in the immediate vicinity or within the principle shopping area is contrary to policy. The loss of these two car parks to housing development will have a detrimental affect on the long term vitality of the primary shopping area in conflict with Core Strategy policy CS33 and is not recommended. In addition there is insufficient space for 50 units of accommodation – the maximum number would be 18.

##### 9.4.3 Outokumpu sites at Stocksbridge -

There are two Outokumpu sites at Stocksbridge which lie adjacent to each other – the residential site and the mixed use site:

- Residential site (previously indicated as being within a flood plain) -  
A planning application has been lodged by the Stocksbridge Regeneration Company (SRC) which is pending a decision. (Ref: 11/00384/FUL)
- Mixed use site - The majority of this site is owned by SRC (the remaining land is owned between the Duke of Norfolk, Outokumpu and various other companies). SRC have planning approval to develop the site which is valid up to 22/07/12 – after this date they will have the opportunity renew the approval which it is believed they will do. (Ref: 08/02703/FUL).

**9.5 Any Interest Declared or Dispensation Granted**

9.5.1 None.

**9.6 Reason for Exemption if Public/Press Excluded During Consideration**

9.6.1 None.

**9.7 Respective Director Responsible for Implementation**

9.7.1 Richard Webb, Executive Director, Communities.

**9.8 Relevant Scrutiny and Policy Development Committee If Decision Called In**

9.8.1 Healthier Communities and Adult Social Care.

**10. PROPOSED SHEFFIELD CITY COUNCIL (FORMER STEEL WORKS, STOCKSBRIDGE) COMPULSORY PURCHASE ORDER**

10.1 The Executive Director, Place, submitted a report seeking authority to make a Compulsory Purchase Order (CPO) to acquire the interests and new rights in the former Steelworks land in Stocksbridge to enable the comprehensive regeneration of the site with a mixed use scheme for retail, office and leisure with associated infrastructure and car parking and land prepared for residential development (the Scheme).

10.2 **RESOLVED:** That, on the understanding that (a) the Tata Agreement referred to in paragraph 2.8 is signed before the next meeting of this Cabinet on 17th October 2012 and (b) there are no changes made to the Agreement that would materially affect the Statement of Reasons supporting the Compulsory Purchase Order and (c) if either of these conditions are not met, further consideration of the issues by this Cabinet is required, before a decision is made to compulsorily purchase the land now reported:-

- (i) authority be given for the Council to make a Compulsory Purchase Order under the powers conferred by Section 226 (1) (a) of the Town and Country Planning Act 1990 Act, and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 Act, to acquire the land and rights over the land shown on the Order Map displayed at the meeting of Cabinet on 26th September 2012 and marked Map referred to in the Sheffield City Council (Former Steelworks, Stocksbridge) Compulsory Purchase Order 2012;
- (ii) the Director of Legal Services be authorised to (A) make the CPO, to take all necessary procedural steps prior to and after the making of the CPO, to enable the CPO to be submitted to the Secretary of State for confirmation including:-
  - (1) finalising the attached draft Statement of Reasons;
  - (2) finalising the Schedule of Interests;
  - (3) serving notices of the making of the CPO on all persons entitled to such notice and placing necessary press notices;and (B) submit the CPO to the Secretary of State for confirmation.
- (iii) the Director of Legal Services be authorised to sign and serve any notices or documents necessary to give effect to these recommendations and to take all other actions necessary to give effect to these recommendations;
- (iv) as soon as the Order is confirmed by the Secretary of State to advertise the confirmation of the CPO and serve all necessary notices of confirmation and once the CPO becomes operative, the Director of Legal Services, in consultation with the Director of Finance be authorised to execute General Vesting Declarations under the Compulsory Purchase (Vesting Declarations) Act 1981;
- (v) the Executive Director Place, in consultation with the Director of Legal Services, be authorised to manage the compulsory purchase process in accordance with the terms of the CPO Indemnity Agreement;
- (vi) Cabinet confirms that such parts of the land at the former Steelworks Stocksbridge as are already owned by the Council, but not currently held for planning purposes, are appropriated for planning purposes and as from today's date are held for planning purposes;
- (vii) if necessary, the Council will use its powers contained in section 237 of the Town and Country Planning Act 1990 in order to override any rights or covenants which would otherwise impede the delivery of the Scheme;

- (viii) the Director of Legal Services, in consultation with the Executive Director Place, be authorised to ensure that all private rights enjoyed and required by Tata over the land included in the Order are not extinguished by either :-
- (A) making a Direction under section 236 of the Town & Country Planning Act 1990, or
  - (B) entering into an Agreement with Tata.
- (ix) the Executive Director Place, in consultation with the Director of Legal Services, be authorised to support the application for a Stopping Up Order for various highways and footpaths that are necessary to enable the Scheme to be carried out and the creation of new highway, footpaths and bridleways, and to provide support for these proposals at any public inquiry

### **10.3 Reasons for Recommendations**

- 10.3.1 The use of a CPO to assemble the land required for the Scheme is possible under section 226 (1) (a) of the 1990 Town and Country Planning Act, and would be justified in light of the compelling case in the public interest for the implementation of the Scheme, as it will boost employment opportunities in the area, secures the improvement of, and future investment in, the Tata Stocksbridge Steelworks, and transforms the town's retail offer.
- 10.3.2 The proposed Stocksbridge Regeneration Company Scheme provides a real opportunity to secure the regeneration of a large area of underutilised land alongside a key district centre and it is considered that there is little prospect, if a CPO is not used, of securing this regeneration
- 10.3.3 Where the Council propose to make a CPO under these statutory provisions, the Council must also be satisfied that the development is likely to contribute to the achievement of one or more of the following objects, namely the promotion or improvement of the economic, social or environmental well-being of their area.

### **10.4 Alternatives Considered and Rejected**

- 10.4.1 Following the report to Cabinet on the 29th February 2012 the Council has been in negotiation to acquire the land required to deliver the Scheme with the remaining known land owners. These owners do appear to be willing to sell in principle but unfortunately terms have not to date been agreed.
- 10.4.2 The funding package for the development of the Scheme by SRC is dependant upon both ERDF grant funding and the pre sale of the proposed superstore to Tesco

10.4.3 Both of these are time limited and if the Councils CPO powers are not used to enable the site to be assembled it is considered that there is little prospect of this regeneration project proceeding.

10.5 **Any Interest Declared or Dispensation Granted**

10.5.1 None.

10.6 **Reason for Exemption if Public/Press Excluded During Consideration**

10.6.1 None

10.7 **Respective Director Responsible for Implementation**

10.7.1 Simon Green, Executive Director, Place.

10.8 **Relevant Scrutiny and Policy Development Committee If Decision Called In**

10.8.1 Economic and Environmental Wellbeing.