

SHEFFIELD CITY COUNCIL

EXECUTIVE FUNCTIONS DECISION RECORD

The following decisions were taken on Wednesday 17 July 2013 by the Cabinet.

Date notified to all members: 19 July 2013

The end of the call-in period is 4:00 pm on 25 July 2013

The decision can be implemented from 26 July 2013

Item No

8. MONTH 1 CAPITAL APPROVALS

8.1 The Executive Director, Resources submitted a report outlining a number of schemes for approval in line with the Council's agreed capital approval process.

8.2 **RESOLVED:** That Cabinet:-

- (a) approves the proposed additions to the Capital Programme, listed in Appendix 1 of the report, including the procurement strategies and authority be delegated to the Director of Commercial Services or Delegated officer, as appropriate, to award the necessary contracts following stage approval by Capital Programme Group;
- (b) approves the proposed variations and other procurement strategies in appendix 1 of the report;
- (c) notes the variations approved under EMT and the Cabinet Member for Finance and Resources' delegated authority in Appendix 1 of the report; and
- (d) notes that no Directors have exercised their delegated authority to vary capital expenditure this month and there had been no emergency approvals since the previous report to Cabinet.

8.3 Reasons for Decision

8.3.1 The proposed changes to the Capital Programme will improve the services to the people of Sheffield.

8.3.2 To formally record changes to the Capital Programme and gain Member approval for changes in line with Financial Regulations and to reset the Capital Programme in line with latest information.

8.4 Alternatives Considered and Rejected

8.4.1 A number of alternative courses of action were considered as part of the process undertaken by officers before decisions were recommended to Members. The recommendations made to Members represented what officers believed to be the best options available to the Council, in line with Council priorities, given the constraints on funding and the use to which funding was put within the Revenue Budget and Capital Programme.

8.5 **Any Interest Declared or Dispensation Granted**

None

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

None

8.7 **Respective Director Responsible for Implementation**

Laraine Manley, Executive Director, Resources

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

Overview and Scrutiny Management Committee

9. SHEFFIELD MOORS PARTNERSHIP AND MASTERPLAN

9.1 The Executive Director, Place submitted a report seeking support for the Sheffield Moors Partnership (SMP), a unique partnership with the purpose of leading an innovative approach to deliver the vision of the SMP area as the UK's leading model on how the uplands should be managed in the future and securing the long term sustainability of this wild and open landscape. The report also sought formal support from the Council as a key land owner for the recently developed Sheffield Moors Masterplan.

9.2 **RESOLVED:** That Cabinet:-

- (a) supports the work of the Sheffield Moors Partnership and agrees that the City Council should continue its collaborative work within the Partnership;
- (b) endorses the Sheffield Moors Masterplan and as a major land owner and partner in the area agrees it as a statement of the City Council's vision for the Sheffield Moors; and
- (c) authorises the Director of Capital and Major Projects, provided the disposal has been advertised and no objections received, to negotiate a lease with the RSPB and National Trust for Burbage, Houndkirk and Hathersage Moors on terms that meet the requirements set out in the report and to instruct the Director of Legal and Governance to complete the necessary legal documentation.

9.3 Reasons for Decision

9.3.1 The recommendations were made to ensure the improved coordinated management of a locally, nationally and internationally important landscape. This partnership and masterplan provided the best opportunity for partnership working cross a landscape scale area of land that was fundamental to Sheffield's identity and success.

9.4 Alternatives Considered and Rejected

9.4.1 Alternative options for visioning work across the SMP area had been considered, including continuing with the current approach where individual land owners and managers continued to focus generally on their own land holdings, with a degree of partnership working with adjoining land managers/owners. This option was not considered appropriate going forward because of the missed opportunities to develop a much greater 'joined-up' approach to the landscape as a whole, whether it be to take up opportunities to improve access into and across the whole area in a strategic way for example, or to maximise the use of available resources and secure future funding streams to deliver conservation and access management.

9.5 Any Interest Declared or Dispensation Granted

None

9.6 Reason for Exemption if Public/Press Excluded During Consideration

None

9.7 Respective Director Responsible for Implementation

Simon Green, Executive Director, Place

9.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Economic and Environmental Wellbeing

10. A NEW APPROACH TO ENGAGING AND INVOLVING COMMUNITIES

10.1 The Executive Director, Communities submitted a report seeking to reshape the Council's current local partnership arrangements and community engagement work with our geographic communities. These replace the previous Community Assembly arrangements.

10.2 **RESOLVED:** That Cabinet:-

(a) approves the creation of a Ward Pot Budget of £300,000 to be

allocated between the City's 28 electoral wards as described in paragraph 3.3 of the report;

- (b) notes that the appointment of the Lead Ward Member for each ward and their resulting appointments to sit on an appropriate Local Area Partnership, will be matters for the Full Council to determine, and that the Council had now appointed the 7 Local Area Partnership Chairs;
- (c) recommends to the Council that, in view of the role profile attached to the report now submitted, it confirms that the role of the Local Area Partnership Chair be established with a Special Responsibility Allowance included in the new Band C (old Band B2) of Schedule 1 to its Members' Allowances Scheme, and that the payment of this allowance be backdated to 16th May 2013 in recognition that the Chairs had been operating in shadow form since that date, helping to lay the foundations for the new ways of locality working;
- (d) requests that the Chief Executive establishes a pool of 14 senior officers and allocates them to an area/s to support the work of each Local Area Partnership;
- (e) authorises the Director of Community Services:-
 - (i) to determine how the Ward Pot Budget for each ward is spent, subject to the proviso that this authority must be exercised in close consultation with all the elected Members for the ward concerned with a view to wherever possible achieving consensus over the use of funds, and to determine the terms on which such expenditure is incurred including authorising the completion of any related funding agreement or other legal documentation, subject to compliance with Contracts Standing Orders and Financial Regulations;
 - (ii) to determine the composition of and settle the terms of reference and rules of procedure for the Local Area Partnerships, in consultation with the Cabinet Member for Communities and Inclusion;
 - (iii) agrees the detailed arrangements for the Local Area Team, subject to Council policies and procedures and due consideration of the outcome of any related consultations, and provided the arrangements were within the maximum available initial budget; and
- (g) requests that the Chief Executive make appropriate arrangements, in consultation with the Chair of the Scrutiny Management Committee and the Chair of the LAP Chairs' Group to facilitate the consideration of issues of local concern through the Council's scrutiny arrangements.

10.3 **Reasons for Decision**

10.3. The proposed model is recommended on the basis that it:

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- targets support to communities where engagement and involvement was most needed and where capacity for self-support may be limited;
- develops the community leadership role of Councillors in working with communities to support their interests;
- makes the ward and neighbourhood the focus of most activity rather than the much larger former Community Assembly area/meetings which few residents identified with, while acknowledging that some partnership working was required at a wider area level;
- would enable the ward pot arrangements to be up and running before the summer to ensure that the small investments that make a big difference can enhance provision during the summer holidays. These proposals would establish the Ward Pot guidance and decision making process as soon as possible;
- has taken into account the consultation and equalities impact assessment; and
- is within the budget set by the Council.

10.4 **Alternatives Considered and Rejected**

10.4. No alternative options were put forward for consideration.

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10.5 **Any Interest Declared or Dispensation Granted**

None

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

None

10.7 **Respective Director Responsible for Implementation**

Richard Webb, Executive Director, Communities

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

Safer and Stronger Communities

11. ADULT AND COMMUNITY LEARNING FEES 2013/14

11.1 The Executive Director, Children, Young People and Families submitted a report describing the fees policy for Adult and Community Learning, funded by the Skills Funding Agency (SfA) and organised by Lifelong Learning, Skills and Communities (LLSC).

11.2 **RESOLVED:** That Cabinet:-

(a) notes the contents of the report now submitted; and

(b) approves the fees policy set for LLSC for the academic year 2013/14.

11.3 Reasons for Decision

11.3. The recommendations will allow the City to secure its adult learning funding and allow the engagement into learning of as many vulnerable adults as possible.
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11.4 Alternatives Considered and Rejected

11.4. The option of halting the delivery of those courses for which the charging of fees was now required was rejected as it would not allow equal access for those very vulnerable learners, particularly from the BME communities who needed language support to help them to play a positive role in their community and to contribute to the local economy.
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11.5 Any Interest Declared or Dispensation Granted

None

11.6 Reason for Exemption if Public/Press Excluded During Consideration

None

11.7 Respective Director Responsible for Implementation

Jayne Ludlam, Executive Director, Children, Young People and Families

11.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Children, Young People and Family Support

12. COUNCIL RESPONSE TO FAIRNESS COMMISSION

12.1 The Chief Executive submitted a report setting out the Council's response to the report of the Fairness Commission 'Making Sheffield Fairer'.

12.2 RESOLVED: That Cabinet:-

- (a) notes the Fairness Commission's report 'Making Sheffield Fairer' and thanks Professor Alan Walker and all the other Commissioners for all their hard work in producing a comprehensive document;
- (b) agrees the response attached to the report; and
- (c) agrees to incorporate the 10 principles of the Sheffield Fairness Framework within the Council's next Corporate Plan.

12.3 Reasons for Decision

12.3. The recommendations demonstrated the Council's commitment to fairness and tackling inequalities in the City. The proposed response included the action the Council was taking on each of the recommendations that were relevant to the organisation.

12.4 Alternatives Considered and Rejected

12.4. An alternative option in responding to the Fairness Commission report would be to make fewer commitments on the Council's approach to implementing the Commission's recommendations. However, the Council wanted to make a real impact on unfairness in the City.

12.4. At the other end of the spectrum an option would be to commit to implementing all of the Fairness Commission's recommendations immediately. However, this option would have significant financial implications. The Fairness Commission recommendations were deliberately aspirational and some could only be achieved over the longer term.

12.4. The response provided a balance between beginning the implementation process and the financial implications. The Council will be feeding the Commission's work in to future budget planning discussions to ensure that the fairness agenda and the recommendations were part of those budget discussions.

12.5 Any Interest Declared or Dispensation Granted

None

12.6 Reason for Exemption if Public/Press Excluded During Consideration

None

12.7 Respective Director Responsible for Implementation

John Mothersole, Chief Executive

12.8 Relevant Scrutiny and Policy Development Committee If Decision

Called In

Overview and Scrutiny Management Committee

13. DARNALL SHOP FRONT IMPROVEMENT SCHEME

13.1 The Executive Director, Place submitted a report seeking approval for a proposed Shop Front Improvement Scheme to be delivered under the Successful Centres Programme. The Scheme formed an important part of a wider regeneration strategy for Darnall District Centre. The Scheme will contribute to the overall attraction and confidence of the area by improving the street scene, helping boost the image and reputation of the centre and encouraging private investment in shops and housing.

13.2 **RESOLVED:** That Cabinet:-

- (a) approves the proposed Shop Front Improvement Scheme detailed in this report and set out in the appendix to the report;
- (b) authorisation be given to the Head of City Regeneration to finalise the procurement process, evaluate tenders and select the contractor to deliver the works under the above scheme, in accordance with the Council procedures;
- (c) authorisation be given to the Head of City Regeneration, in consultation with the Director of Legal Services, Director of Commercial Services and the Director of Finance to negotiate and agree the terms of appointment with the Contractor selected to deliver the works for the scheme; and
- (d) authorisation be given to the Head of City Regeneration to amend the Designated Area under the Scheme.

13.3 Reasons for Decision

13.3. 1 The Successful Centres strategy approved by the East Community Assembly in 2012 identified that Darnall Centre was in great need of investment to improve the overall quality, appearance and environment with some buildings in disrepair and a high number of poorly maintained vacant units.

13.3. 2 The scheme will support independent traders and help to boost the confidence and image of the centre, and increase footfall to improve the local economy.

13.4 Alternatives Considered and Rejected

13.4. 1 Do nothing – This would mean leaving any improvement to the market. However, the current economic climate was not conducive to this, as there

was already widespread market failure and there was a strong risk of Darnall District Centre falling into further decline.

13.4. As proposed – The Scheme aimed to deliver a project that will deliver the
2 agreed objectives for Darnall District Centre outlined in the Successful
Centres Strategy to improve the viability, use and appearance of the centre.

13.4. Another option was a scheme providing loans to owners to carry out the
3 shop front improvements. In order for the scheme to be successful, the
majority of independent traders need to participate so that a sufficient
impact can be made on the street scene. In the current economic climate,
owners will find it difficult to make substantial payments to fund the whole
costs of shop front improvements.

13.5 **Any Interest Declared or Dispensation Granted**

None

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

None

13.7 **Respective Director Responsible for Implementation**

Simon Green, Executive Director, Place

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

Economic and Environmental Wellbeing

14. **THE HILLSBOROUGH PARK CHARITABLE TRUST: FORMER PUBLIC
CONVENIENCES, PARKSIDE ROAD**

14.1 The Executive Director, Place submitted a report seeking Cabinet approval
to declare the redundant public conveniences within Hillsborough Park,
facing on to Parkside Road, surplus to requirements. Hillsborough Park was
held on charitable trust and therefore consent from Cabinet Members acting
as Charity Trustees was required. This disposal, by way of a long lease for
a term of 400 years via a private treaty sale and this disposal will generate
a capital receipt. This will be reinvested by the Council, as Trustee of the
Charity, back into the upkeep of Hillsborough Park subject to a Charity
Commission approved scheme.

14.2 **RESOLVED:** That Cabinet acting as Charity Trustees and in accordance
with the powers given to the Council as Trustee under the provisions
contained in the Trusts of Land and Appointment of Trustees Act 1996:-

- (a) declares the former public convenience building on Parkside Road
surplus to the Hillsborough Park Charity's requirements;

- (b) as Trustee of the Hillsborough Park Charitable Trust approves the disposal by long lease of the former public convenience building on Parkside Road. In accordance with the terms of the report and a Surveyor's Report in compliance with Section 119(1) Charities Act 2011;
- (c) authorises the Director of Capital & Major Projects to negotiate the terms of the lease and instructs the Director of Legal and Governance to prepare and complete all the necessary legal documentation in accordance with the agreed terms and Charity Commission requirements to conclude this disposal;
- (d) authorises the Director of Legal and Governance to contact the Charity Commission and take such steps and enter into such documents as required by the Charity Commission in order to give its consent to the disposal.

14.3 Reasons for Decision

14.3. The disposal of the surplus property will convert this current liability into an asset and will benefit the Charity and the local community by:-
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- removing a long term maintenance liability/eyesore;
- providing a new local business opportunity;
- generating a capital receipt for reinvestment back into the Park; and
- obtaining the Best Price overall.

14.4 Alternatives Considered and Rejected

14.4. The property is surplus to the Council's and Charity's requirements.
1 Demolition would incur further costs to the Charity. The property had previously been advertised on the open market to attract expressions of interest and seek suitable alternative uses.

14.5 Any Interest Declared or Dispensation Granted

None

14.6 Reason for Exemption if Public/Press Excluded During Consideration

None

14.7 Respective Director Responsible for Implementation

Simon Green, Executive Director, Place

14.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Economic and Environmental Wellbeing

15. THE GRAVES PARK CHARITABLE TRUST: COBNAR ROAD COTTAGE

15.1 The Executive Director, Place submitted a report seeking approval from Cabinet in their capacity as the Graves Park Charity's Trustees to declare Cobnar Cottage on Cobnar Road surplus to the Charity's requirements. It is proposed to dispose of the freehold interest in Cobnar Cottage on the open market to obtain best market price for the Charity. This will result in a capital receipt to be reinvested by the Council, as Trustee of the Charity, in Graves Park in accordance with the objects of the charity. This will allow for the continued use of the premises.

15.2 **RESOLVED:** That Cabinet acting as Charity Trustees in accordance with the powers given to the Council as Trustee under the provisions contained in the Trusts of Land and Appointment of Trustees Act 1996 resolve to:-

- (a) declare Cobnar Cottage on Cobnar Road surplus to the Graves Park Charity's requirements;
- (b) approve the freehold disposal of Cobnar Cottage;
- (c) authorises the Director of Capital and Major Projects to determine the best marketing strategy for the property in order to achieve the best price reasonably obtainable, having regard to the advice contained in the Surveyor's Report and to take all necessary steps to market the property in accordance with that strategy;
- (d) authorises the Director of Capital and Major Projects to negotiate the terms of any sale and instruct the Director of Legal and Governance to prepare and complete all the necessary legal documentation in accordance with the agreed terms and Charity Commission requirements to conclude this disposal;
- (e) authorises the Director of Legal and Governance to contact the Charity Commission and take such steps and enter into such documents as required by the Charity Commission in order to give its consent to the disposal; and
- (f) authorises the Director of Capital and Major Projects or the Director of Legal and Governance to give public notice in accordance with Section 121 Charities Act 2011, in the local press, to notify people within the beneficial area of the proposal to dispose of the freehold interest in Cobnar Cottage, Cobnar Road.

15.3 Reasons for Decision

15.3. The disposal of this surplus property on the open market will convert a
1 current liability into an asset for the benefit of the Charity and the local community. It will:

- provide an opportunity for an investor to bring the dwelling back into use;
- remove a long term maintenance liability in need of refurbishment;
- generate a capital receipt for reinvestment back into the Park; and
- achieve the best price reasonably obtainable.

15.4 Alternatives Considered and Rejected

15.4. The empty property is now surplus to the Council's and Charity's
1 requirements and is incurring on-going maintenance and rating liabilities to the Charity. It is no longer possible to let/habit the property without significant investment and a full refurbishment.

15.5 Any Interest Declared or Dispensation Granted

None

15.6 Reason for Exemption if Public/Press Excluded During Consideration

None

15.7 Respective Director Responsible for Implementation

Simon Green, Executive Director, Place

15.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Economic and Environmental Wellbeing