

Cabinet

Wednesday 18 October 2017 at 2.00 pm

**To be held at the Town Hall,
Pinstone Street, Sheffield, S1 2HH**

The Press and Public are Welcome to Attend

Membership

Councillor Julie Dore	(Leader of the Council)
Councillor Olivia Blake	(Cabinet Member for Finance and Deputy Leader)
Councillor Ben Curran	(Cabinet Member for Planning and Development)
Councillor Jackie Drayton	(Cabinet Member for Children, Young People & Families)
Councillor Jayne Dunn	(Cabinet Member for Neighbourhoods and Community Safety)
Councillor Mazher Iqbal	(Cabinet Member for Business and Investment)
Councillor Mary Lea	(Cabinet Member for Culture, Parks and Leisure)
Councillor Bryan Lodge	(Cabinet Member for Environment and Streetscene)
Councillor Cate McDonald	(Cabinet Member for Health and Social Care)
Councillor Jack Scott	(Cabinet Member for Transport and Sustainability)

PUBLIC ACCESS TO THE MEETING

The Cabinet discusses and takes decisions on the most significant issues facing the City Council. These include issues about the direction of the Council, its policies and strategies, as well as city-wide decisions and those which affect more than one Council service. Meetings are chaired by the Leader of the Council, Councillor Julie Dore.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

Members of the public have the right to ask questions or submit petitions to Cabinet meetings and recording is allowed under the direction of the Chair. Please see the website or contact Democratic Services for further information regarding public questions and petitions and details of the Council's protocol on audio/visual recording and photography at council meetings.

Cabinet meetings are normally open to the public but sometimes the Cabinet may have to discuss an item in private. If this happens, you will be asked to leave. Any private items are normally left until last. If you would like to attend the meeting please report to the First Point Reception desk where you will be directed to the meeting room.

Cabinet decisions are effective six working days after the meeting has taken place, unless called-in for scrutiny by the relevant Scrutiny Committee or referred to the City Council meeting, in which case the matter is normally resolved within the monthly cycle of meetings.

If you require any further information please contact Simon Hughes on 0114 273 4014 or email simon.hughes@sheffield.gov.uk.

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**CABINET AGENDA
18 OCTOBER 2017**

Order of Business

- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**
Note: (i) Item 12 – ‘Devonshire Quarter’, appendices 1a and 2 to item 11 – ‘Month 5 Capital Approvals’ and appendices to items 10, 13 and 14 – ‘Step up to Social Work’, ‘Westfield FA Hub Project’ and ‘Olympic Legacy Park: Future Strategy’ are not available to the public and press because they contain exempt information described in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) relating to the financial or business affairs of any particular person.
- 4. Declarations of Interest** (Pages 1 - 4)
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting** (Pages 5 - 18)
To approve the minutes of the meeting of the Cabinet held on 20 September 2017.
- 6. Public Questions and Petitions**
To receive any questions or petitions from members of the public
- 7. Items Called-In For Scrutiny** (Pages 19 - 26)
Oral and Dental Health in Sheffield

Report of the Healthier Communities and Adult Social Care Scrutiny and Policy Development Committee
- 8. Retirement of Staff** (Pages 27 - 30)
Report of the Executive Director, Resources
- 9. Commission of Alternative Provision** (Pages 31 - 40)
Report of the Executive Director, Children, Young People and Families
- 10. Step up to Social Work** (Pages 41 - 106)
Report of the Executive Director, Children, Young People and Families
- 11. Month 5 Capital Approvals** (Pages 107 - 128)

Report of the Executive Director, Resources

- 12. Devonshire Quarter** (Pages 129 - 134)

Report of the Executive Director, Place

- 13. Westfield FA Hub Project** (Pages 135 - 148)

Report of the Executive Director, Place

- 14. Olympic Legacy Park: Future Strategy** (Pages 149 - 166)

Report of the Executive Director, Place

NOTE: The next meeting of Cabinet will be held on Wednesday 15 November 2017 at 2.00 pm

ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest (DPI)** relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either -
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Audit and Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

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Cabinet

Meeting held 20 September 2017

PRESENT: Councillors Julie Dore (Chair), Olivia Blake, Ben Curran, Jackie Drayton, Jayne Dunn, Mazher Iqbal, Mary Lea, Bryan Lodge, Cate McDonald and Jack Scott

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1. APOLOGIES FOR ABSENCE

1.1 There were no apologies for absence.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 The Chair, Councillor Julie Dore, reported that the Appendix to item 13 – ‘SCC to act as Accountable Body for Grant for the Connection of the E.ON District Energy Network to the SCC District Energy Network with Associated Funding Agreements and Heat Purchasing Agreement’ was not available to the public and press because it contained exempt information described in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) relating to the financial or business affairs of any particular person. Accordingly, if the contents of the Appendix were to be discussed at the meeting, the public and press would be excluded from the meeting at that point in the proceedings.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the previous meeting of the Cabinet, held on 19 July 2017, were approved as a correct record.

5. PUBLIC QUESTIONS AND PETITIONS

5.1 Public Question in respect of Devolution

5.1.1 Nigel Slack asked what the Council’s future plans were in respect of the Devolution Deal? Would the Council work to stop the potentially costly election in May 2018? If the election of the Mayor went ahead, will that Mayor have a vote that could force Barnsley and Doncaster to accept the deal or is a unanimous vote by Constituent Councils required?

5.1.2 In response, the Leader of the Council, Councillor Julie Dore, commented that at the Sheffield City Region Combined Authority meeting on Monday 18 September she had asked for a letter from the Secretary of State to be read out which confirmed the current position. Following this two South Yorkshire authorities stated that they would not be proceeding with consultation on the Devolution Deal.

The Government had made it clear that there would be a South Yorkshire Mayor. So, if the City Region did not agree the Deal on offer, there would be a Mayor in place who would not have the powers that had previously been agreed. There was a need, therefore, to work closely with the Government to establish what powers the Elected Mayor would have. Councillor Dore would be working closely with the Government, the City Region and local businesses in Sheffield to progress the economic plans for Sheffield and the City Region.

5.2 Public Question in respect of the Old Town Hall

5.2.1 Nigel Slack commented that, following a conversation with a member of the 'Friends of the Old Town Hall', he understood that the money for the urgent repairs to the roof of the building had been received by the Council. What was the timescale for the repairs, with the onset of Autumn and the potentially damaging weather to come over the winter?

5.2.2 Councillor Mazher Iqbal, Cabinet Member for Business and Investment, responded that the Council had moved forward with the regeneration of Castlegate and the Old Town Hall was a part of that. The Council was looking to see how the money designated for this could be best used. The Council would be carrying out repairs on the Old Town Hall to ensure it was secure and vandal proof and the cost of this would be put on the property. It was hoped that this would be progressed as quickly as possible.

5.3 Public Question in respect of Hyperloop One Challenge

5.3.1 Nigel Slack stated that, along with local entrepreneur, Jonny Douglas, he had met with the Cabinet Member for Transport and Sustainability to discuss the lack of any Sheffield involvement in the Hyperloop One Challenge, despite 3 UK proposals reaching the semi-final stage. At that meeting it was agreed that we should at least be part of the conversation and the Cabinet Member tasked Creative Sheffield with contacting one of the bidding teams (London to Edinburgh) to begin that conversation with an invitation to the City and a visit to the Advanced Manufacturing Research Centre (AMRC).

5.3.2 Mr Slack added that today, 8 weeks later, he had finally seen an email that was proposed to be sent as an initial approach. The bid team involved was now already in the final with their proposal and would no doubt be inundated by such approaches. What can the Cabinet do to make sure we do not miss out on the chance to be in on this conversation and the potential good news for some supply chain investment in the City?

5.3.3 Councillor Jack Scott, Cabinet Member for Transport and Sustainability, commented that, when he had met with Mr Slack, it had been agreed to wait until the outcome of the current stage which had only finished two weeks ago. The scheme was not the top priority for the Council. Councillor Scott was sceptical of the technology. This was not, however, a lack of ambition. It was about a clarity of focus and it was important to prioritise getting projects such as HS2 and HS3 right.

5.4 Public Question in respect of Review of Council Meetings

5.4.1 Nigel Slack commented that, in his view, the results of the Council Meetings Review had been mixed. In his opinion, the guillotining of public questions at the Full Council meeting was poorly handled and left many people with the impression of an intentional curtailing of public questions. The purpose of the review was commented on as aiming to make meetings more accessible for the public, this display seemed to contradict that aim. What were the next stages for the review and how could the public express their thoughts on the issue?

5.4.2 In response, Councillor Olivia Blake commented that, in reference to public questions, all public questions were allowed, the questioner concerned was making a statement rather than asking a question and had not come to the question despite being asked a number of times by the Lord Mayor. The Council was continually reviewing any changes made and were welcoming feedback. The Review Group had met once to review how successful the changes at the first meeting had been and would meet again shortly. There would be a survey on Citizenspace for the public to express their views.

5.5 Public Question in respect of Questions asked at a Scrutiny Meeting

5.5.1 Nigel Slack commented that, at the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee meeting on the 13th of this month, the Cabinet Member for Environment and Streetscene was in attendance to give an initial response to the Committee's report on the Western Road War Memorial and to take questions from the Committee Members.

5.5.2 Mr Slack submitted a number of questions to the Committee and specifically phrased them in a way that emphasised they were questions for the Committee. Mr Slack believed that the Chair could have asked those questions on his behalf. Instead the Chair chose to indicate that the questions would be replied to in writing which, considering the decision on the report was to be made today and answers in writing were taking weeks to be sent out, did not seem to make sense. Would the Cabinet Member therefore respond to Mr Slack's questions 1 and 4 from that meeting?

5.5.3 Councillor Bryan Lodge, Cabinet Member for Environment and Streetscene, responded that the questions Mr Slack had asked at the Scrutiny meeting had been of a technical nature and a technical report had been published in April on the Council's website. Members of the community could see the facts and the response of the Independent Tree Panel. Mr Slack's second question asked at the Scrutiny meeting would form part of today's meeting and the recommendations in the report.

5.6 Public Question in respect of Legal Injunction

5.6.1 Nigel Slack submitted a screenshot from Social Media which he said showed a person encouraging another member of the Sheffield Tree Action Group (STAG) to break the legal injunction which was in place which prevented protesters stopping lawful highway work. Would the Council be proceeding against this

individual for contempt of court?

5.6.2 Councillor Bryan Lodge commented that the Council will continue to monitor activities for any potential breaches of the Court Order. If people were in breach of this the Council would not hesitate to take action. Councillor Lodge would ask Legal Services to respond on the specific example submitted by Mr Slack.

5.7 Petition in respect of Sheffield Eagles and the Olympic Legacy Park

5.7.1 Graham Allan and Liz Efleet submitted a petition, containing 1033 signatures requesting that the Council grant permission for the Sheffield Eagles RLFC to play their matches at the Olympic Legacy Park. Mr Allan commented that, since the closure of the Don Valley stadium in 2013, the Eagles had had to play in four different venues, two of which were not in Sheffield. As a result, crowds had dropped from 1200 to 300.

5.7.2 Mr Allan added that this, along with a loss of sponsorship and other revenue streams, had put the Club in serious financial jeopardy and had had to raise £20,000 to stop the Club going out of business. Mr Allan had heard that the Park had been given to the Scarborough Group and questioned why this was, when Sheffield United FC already had two venues. He therefore sought assurances that the Eagles would be allowed to play at the Park.

5.7.3 Councillor Julie Dore commented that the Sheffield Eagles were very important to Sheffield, as all clubs were, and it was the wish of the Council to have a first class rugby club in Sheffield. The reasons for closing Don Valley Stadium were made clear at the time and, following the closure the Council needed to ensure that the land was put to good use for sporting activity as well as health and wellbeing use.

5.7.4 The land had not been handed over to the Scarborough Group. Discussions had been held with the Group, as they had been with the Sheffield Eagles. There was an Olympic Legacy Board who made decisions on the Council's behalf.

5.7.5 Councillor Mazher Iqbal added that he was involved in the discussions with the Sheffield Eagles when they had come forward with a developer and architect. However, due to the wish to purchase the recycling site, these did not move forward at that stage. The Olympic Legacy Board had made it clear that there would be a home for the Sheffield Eagles and also there would be women's football played, so there would be a lot of sporting activity at the Park.

5.7.6 Councillor Julie Dore commented that a wider discussion with the Eagles was needed which should involve Councillor Mazher Iqbal and Councillor Mary Lea. Councillor Iqbal would contact the petitioner in due course.

6. ITEMS CALLED-IN/REFERRED FROM SCRUTINY

6.1 Western Road Scrutiny Working Group Report

6.1.1 The Policy and Improvement Officer submitted a report of the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee outlining

the findings of the Task and Finish Group in respect of the Western Road First World War Memorial and submitting recommendations to Cabinet.

- 6.1.2 Councillor Lodge thanked the Scrutiny Committee for the work they had done. He had carefully considered the recommendations of the Scrutiny Committee, and had also taken into account the professional and objective analysis of the Council officers, which had been available on the Council's website for some time, and had concluded that these trees on the City's War Memorial streets deserved a final and further review before the Council made a final decision. Therefore, whilst he accepted the analysis of officers in relation to what was possible and could be funded within the contract, he had asked officers and Amey to review the options and additional costs of solutions that sat outside the PFI contract and to report back in due course. No felling, apart from any dangerous trees, would take place on these War Memorial streets until the further work was concluded.
- 6.1.3 Councillor Lodge stated that Officers had confirmed that two of the trees for replacement on Western Road were in a dangerous condition and therefore posed a threat to public safety. He added that these trees would have to be replaced and the public would expect the tree protestors to allow this important work to take place without hindrance.
- 6.1.4 Whilst Councillor Lodge was sure that this request for further work was the right approach, he needed to be honest with the residents by highlighting a number of issues that would be pertinent to any final decisions. For example, the funded engineering solutions within the PFI contract had been exhausted on all these trees, so any further options would require additional funding, which was potentially hundreds of thousands of pounds, and this could not be assumed to be available from the Council. Residents on these streets would need to be consulted about some of the alternatives to tree replacement.
- 6.1.5 In conclusion, Councillor Lodge stated that he had asked officers to assess further options, including the costs and impacts on residents. He hoped that the additional work would give assurance that the Council understood that these War Memorial trees were different from others in the City.
- 6.1.6 **RESOLVED:** That Cabinet:-
- (a) thanks the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee for its work in relation to the Western Road First World War Memorial;
 - (b) notes the Western Road First World War Memorial Report that is attached as Appendix A to the report;
 - (c) notes that the Cabinet Member for Environment and Streetscene provided a verbal response to the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee's September 2017 meeting;
 - (d) agrees that a written report on progress on actions in response to the recommendations be provided to the Economic and Environmental

Wellbeing Scrutiny and Policy Development Committee for October 2017;

- (e) agrees that the Scrutiny Task and Finish Working Group report be shared with all members of Council, as requested by the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee; and
- (f) commissions Amey to carry out outline design work to identify solutions to retain as many highway trees on memorial streets as soon as possible to sufficient detail to enable an estimate of the additional funding needed to be provided to Cabinet.

6.1.7 Reasons for Decision

- 6.1.7.1 For expediency the Scrutiny Committee requested an initial response to their recommendations for September 2017, and the Cabinet Member for Environment and Streetscene provided a verbal update at the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee meeting on 13th September 2017.
- 6.1.7.2 In order to make it clear to the Scrutiny Committee what actions the Council is committing to, the Committee requests a formal written response report to its Western Road First World War Memorial Scrutiny Working Group Report by October 2017, within the Streets Ahead core investment period.
- 6.1.7.3 The Economic and Environmental Wellbeing Scrutiny and Policy Development Committee would like to share the report with all members of Council as an appropriate course of action, to close the circle on the referring of the petition to the Committee from Full Council.

6.1.8 Alternatives Considered and Rejected

- 6.1.8.1 An alternative option in relation to the recommendations would be to do nothing with the Task Group Report. However, given the time and effort spent by the Task Group and contributions to the work from residents and interested parties, and the expectations raised by the resolution of full Council in January 2017, this is not deemed a viable option.
- 6.1.8.2 An alternative option in relation to the recommendations would be to respond to the Committee's report over a much longer timescale. However, the Scrutiny Committee would welcome a fast response to its recommendations. The Committee believes an initial reporting to its September 2017 and a formal report to its October 2017 meetings strikes an appropriate balance between speed and allowing sufficient time for Cabinet Members and officers to consider the recommendations in the Western Road First World War Memorial Scrutiny Task and Finish Working Group's report, accommodating as far as possible the timeline of the Streets Ahead core investment period.

6.2 Frecheville WW2 Memorial Trees Petition

- 6.2.1 Cabinet considered a petition, containing 637 signatures, referred from the

Environmental and Economic Wellbeing Scrutiny and Policy Development Committee meeting held on 27 July 2017, requesting that the Council did not remove the trees planned for removal on Heathfield Road.

- 6.2.2 Mr Hinchcliffe and Mr Wallis attended the meeting to speak on the issue. They commented that, if the trees needed to be removed, they should all be replaced. They would expect the trees to be maintained and asked if the Council would allow the community to raise money to maintain them?
- 6.2.3 Councillor Bryan Lodge commented that he was aware of the history of the trees and why they were planted. An interpretation board had been erected to recognise this. It had been recognised that the trees needed to be replanted. A proposal had been to replace all 19 trees with an additional one to recognise those who had died serving the country.
- 6.2.4 Councillor Lodge added that this proposal had the support of local community groups. However, this had been in abeyance due to the Court injunction regarding the felling of trees. The proposal had been amended to now only replace the trees that were diseased. Although Councillor Lodge would like to replace all the trees that he believed needed to be replanted this was not possible. If the community wished to see all the trees replaced the Council could look at what was possible.
- 6.2.5 **RESOLVED:** That the Cabinet Member for Environment and Streetscene would continue to liaise with the petitioners as to future plans for the trees.

7. RETIREMENT OF STAFF

- 7.1 The Executive Director, Resources submitted a report on Council staff retirements.
- 7.2 **RESOLVED:** That this Cabinet :-

(a) places on record its appreciation of the valuable services rendered to the City Council by the following staff in the Portfolios below:-

<u>Name</u>	<u>Post</u>	<u>Years' Service</u>
<u>Communities</u>		
Pauline White	Neighbourhood Support Officer	31
<u>People Services</u>		
Alice Batty	Primary School Assistant, St Wilfrid's Catholic Primary School	27
Susan Byrne	Teacher, Intake Primary School	21
Catherine Fitzsimmons	Teacher, Talbot Specialist School	41

Anne Giller	Housing Independence Commissioning Manager	29
Pat Grayhurst	School Manager, Stannington Infant School	21
Gillian Hewish	Teacher, Talbot Specialist School	26
Anita Riley	Teacher, Intake Primary School	29
Anne Rogers	Educational Psychologist	31
Philippa Rushforth	Teacher, Talbot Specialist School	26
Margaret Vaughan	Administration Manager, Birley Spa Primary Academy	31
Brenda Williams	Supervisory Assistant, Totley Primary School	20

Place

Peter Gait	Principal Planning Officer	42
David Nicholson	Team Leader, Streetforce	31
Ian Wright	Transport Maintenance Manager, Parking Services	34

Resources

Shona Cook	Personal Assistant to the Chief Executive	33
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(b) extends to them its best wishes for the future and a long and happy retirement;
and

(c) directs that an appropriate extract of this resolution under the Common Seal of
the Council be forwarded to them.

8. SOCIAL CARE RECOVERY AND IMPROVEMENT PLANS

- 8.1 The Executive Directors, Resources and People Services submitted a joint report advising of the financial outlook for both Adult and Children's Social Care in Sheffield against the budget available over the period of the medium term financial strategy (up to 5 years)

8.2 RESOLVED: That Cabinet:-

- (a) notes the challenges facing both Adults and Children's Social Care and the consequent impact on the Council's overall financial position;
- (b) approves the approach set out in the attached reports and that further work will take place as part of the Medium Term Financial Plan and 2018-19 budget;
- (c) requires the Cabinet Member for Finance, in conjunction with the Cabinet Members for Children, Young People and Families and Health and Social Care, to report back on further actions as part of the budget process; and
- (d) requests that the report be circulated to all local Members of Parliament with a request for a meeting to discuss how national funding issues can be raised with the Government.

8.3 Reasons for Decision

These are outlined in the report.

8.4 Alternatives Considered and Rejected

None.

9. ADDING LIFE TO YEARS AND YEARS TO LIFE: DIRECTOR OF PUBLIC HEALTH REPORT FOR SHEFFIELD 2017

9.1 The Director of Public Health submitted a report outlining the Annual Report of Public Health in Sheffield for 2017.

9.2 RESOLVED: That Cabinet:-

- (a) notes the contents of the report of the Director of Public Health and the recommendations it makes;
- (b) requests that the report be presented to full Council on 3 January 2018; and
- (c) agrees that the report be published on the Council's website.

9.3 Reasons for Decision

It is good practice for DPH reports to contain recommendations aimed at improving the health of the local population, addressed to a number of partners and stakeholders as required. This year's report includes three such recommendations addressed to the Council and the Clinical Commissioning Group. This year, the recommendations are based on areas for further research.

9.4 Alternatives Considered and Rejected

The Joint Strategic Needs Assessment (including detailed health needs assessments) and an analysis of our performance against the 159 indicators that make up the national Public Health Outcomes Framework were used to identify the three main priorities for improving health and wellbeing in the local population and these formed the basis of the report accordingly.

10. SCC DIGITAL INCLUSION STRATEGY

10.1 The Executive Director, Resources submitted a report presenting a Digital Inclusion Strategy for the Council and an accompanying action plan, setting out how the Council and its partners intend to tackle digital exclusion in the City.

10.2 **RESOLVED:** That Cabinet:-

- (a) approves the Digital Inclusion Strategy shown at Appendix 1 to the report as a statement of the Council's strategic approach to digital inclusion;
- (b) approves the accompanying Digital Inclusion Action Plan;
- (c) delegates authority to the Director of Business Change and Information Solutions, in consultation with the Cabinet Member for Finance, to make amendments to the action plan on the basis of further development and consultation with stakeholders; and
- (d) notes that the implementation of any of the proposed actions may be subject to further decision making in accordance with the Leader's Scheme of Delegation.

10.3 Reasons for Decision

10.3.1 The introduction of a Digital Inclusion Strategy and action plan will provide the City with an opportunity to build on the excellent work that is already being done to improve the digital inclusiveness of its residents by organisations such as 'The Good Things Foundation', 'Heeley Development Trust', 'Barclays Digital Eagles' and in-house activity led by Council teams and Portfolios such as Lifelong Learning, Libraries and Children's Services.

10.3.2 The strategy is designed to recognise that whilst the Council cannot and does not have the resource to deliver against this agenda on its own, it is uniquely placed as a community and city leader to co-ordinate and provide the strategic leadership necessary to co-ordinate both existing and planned activity across the city. It also acknowledges that there is a need for greater links to be made at the strategic level e.g. with the Digital Skills Action Plan current development by Creative Sheffield.

10.3.3 Increasing the number of residents who are digitally active and included will have significant benefits from an economic and social perspective, as outlined in the strategy in Appendix 1 to the report.

10.4 Alternatives Considered and Rejected

- 10.4.1 The 'As-is' option: this would see no new strategy for digital inclusion adopted for the city. Much of the valuable work that currently takes place across the city to support people to access and benefit from using the internet would continue. However, the new opportunities for working together with Google Garage, Good Things Foundation, and businesses for example, to raise awareness of digital inclusion, provide digital skills training and target support more effectively would be lost. As would the potential to embed digital inclusion within the Council's approach to tackling wider social injustice such as fairness and financial inclusion.
- 10.4.2 Indeed the Council's Financial Social Inclusion Strategy makes specific mention of digital inclusion as an important enabler in addressing poverty and financial inclusion "local intelligence also points to digital exclusion being closely linked to financial exclusion".
- 10.4.3 No alternative options were therefore considered, however the Council's approach to digital inclusion should be seen in the context of the overarching digital agenda and the Council's ambitions and priorities in this area.

11. REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING 2017/18 MONTH 3 AS AT 30/6/17

- 11.1 The Executive Director, Resources submitted a report providing the Quarter 1 monitoring statement on the City Council's Revenue Budget and Capital Programme 2017/18.

11.2 RESOLVED: That Cabinet:-

- (a) notes the updated information and management actions provided by this report on the 2017/18 Revenue Budget position; and
- (b) approves the request for revenue funding in Appendix 7 of the report.

11.3 Reasons for Decision

To record formally changes to the Revenue Budget and 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.

11.4 Alternatives Considered and Rejected

A number of alternative courses of action are considered as part of the process undertaken by Officers before decisions are recommended to Members. The recommendations made to Members represent what Officers believe 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 is put within the Revenue Budget and the Capital Programme.

12. MONTH 4 CAPITAL APPROVALS

12.1 The Executive Director, Resources submitted a report providing details of proposed changes to the Capital Programme as brought forward in Month 04 2017/18.

12.2 **RESOLVED:** That Cabinet approves the proposed additions and variations to the Capital Programme listed in Appendix 1, including the procurement strategies and delegates authority to the Director of Finance and Commercial Services or nominated Officer, as appropriate, to award the necessary contracts.

12.3 **Reasons for Decision**

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

12.3.2 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.

12.3.3 To obtain the relevant delegations to allow projects to proceed.

12.4 **Alternatives Considered and Rejected**

A number of alternative courses of action are considered as part of the process undertaken by Officers before decisions are recommended to Members. The recommendations made to Members represent what Officers believe 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 is put within the Revenue Budget and the Capital Programme.

13. SCC TO ACT AS ACCOUNTABLE BODY FOR GRANT FOR THE CONNECTION OF THE E.ON DISTRICT ENERGY NETWORK TO THE SCC DISTRICT ENERGY NETWORK, WITH ASSOCIATED FUNDING AGREEMENTS AND HEAT PURCHASE AGREEMENT.

13.1 The Executive Director, Place submitted a report requesting approval for the City Council to act as Accountable Body for grant for the connection of the E.ON district energy network to the SCC district energy network, with associated funding agreements and heat purchase agreement.

13.2 **RESOLVED:** That Cabinet:-

(a) approves the drawdown of the grant funding, totalling £2,231,250 (via a commercialisation grant for £417,500 and a construction grant for £1,813,750) from the Department for Business, Energy and Industrial Strategy (BEIS), via Salix (its agent), for commercialisation and construction of the connection between the E.ON Lower Don Valley (LDV) Heat Network and the SCC District Energy Network (DEN);

(b) delegates authority to the Executive Director, Place, in consultation with the Director of Finance and Commercial Services and Director of Legal and

Governance, to negotiate final terms and approve entry into:

- (i) back to back funding agreements for the commercialisation grant for £417,500 and for the construction grant for £1,813,750 with E.ON, with SCC acting as the Accountable Body for the funding; and
- (ii) a Heat Supply Agreement with E.ON for the purchase of a minimum of 7.5GWh of heat from E.ON's LDV Heat Network with the possibility for both the purchase of further heat beyond the initial 7.5GWh and the sale of heat from the Sheffield DEN to the E.ON LDV Heat Network; and
- (c) subject to the terms of any agreements with E.ON being approved by the Executive Director, Place in accordance with the delegation above, authorises the Head of Waste Management, to administer the grant agreements with BEIS and the agreements with E.ON in accordance with their terms.

13.3 Reasons for Decision

- 13.3.1 The grant funding through the Heat Networks Investment Project (HNIP) pilot is the only means of attracting the funding necessary to make the connection between the E.ON LDV Heat Network and the SCC DEN viable at this time.
- 13.3.2 This is a unique opportunity to use the grant funding that SCC has applied for to deliver a project with significant opportunities for Sheffield, and at minimal risk and cost to the Council. All funding agreements with E.ON seek to 'back off' and 'flow down' most risks, obligations and liabilities to E.ON. SCC will only draw down funding from HNIP when requested by E.ON and based on agreed milestones. The risk of any clawback is therefore minimal, but in any case that risk is also backed off to E.ON. SCC's only costs will be in administering the 'Accountable Body' role to pass HNIP funding through to E.ON who will deliver the project, but these costs will be covered by E.ON through a direct annual payment.

13.4 Alternatives Considered and Rejected

- 13.4.1 The Business Case attached to the report show that the alternatives investigated involved either SCC funding the scheme's gap or E.ON fully funding the scheme, neither being commercially viable.
- 13.4.2 In the situation that the project was not funded, the SCC DEN would continue to rely on gas and oil boilers to provide back-up and top-up heat into the network at times of peak demand and during the Energy Recovery Facility (ERF) shut-down periods.
- 13.4.3 The opportunities for carbon savings and air quality improvement would be lost and the SCC DEN would remain unable to achieve significant development and expansion.

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Author/Lead Officer of Report: Emily Standbrook-Shaw, Policy & Improvement Officer

Tel: 0114 27 35065

Report of: *Healthier Communities and Adult Social Care Scrutiny Committee*
Report to: *Cabinet*
Date of Decision: *18th October 2017*
Subject: *Oral and Dental Health in Sheffield*

Is this a Key Decision? If Yes, reason Key Decision:-	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
- Expenditure and/or savings over £500,000	<input type="checkbox"/>	
- Affects 2 or more Wards	<input type="checkbox"/>	
Which Cabinet Member Portfolio does this relate to? <i>Health and Social Care</i>		
Which Scrutiny and Policy Development Committee does this relate to? <i>Healthier Communities and Adult Social Care</i>		
Has an Equality Impact Assessment (EIA) been undertaken?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If YES, what EIA reference number has it been given? <i>(Insert reference number)</i>		
Does the report contain confidential or exempt information?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-		
<i>"The (report/appendix) is not for publication because it contains exempt information under Paragraph (insert relevant paragraph number) of Schedule 12A of the Local Government Act 1972 (as amended)."</i>		

Purpose of Report:

This report sets out the findings of the Healthier Communities and Adult Social Care Scrutiny Committee's work on oral and dental health in Sheffield.

Recommendations:

Cabinet is asked to

- a) Note the findings of the Healthier Communities and Adult Social Care Scrutiny Committee on Oral and Dental Health in Sheffield that are being taken up with NHS England and Sheffield's Director of Public Health.
- b) Request the Director of Public Health, in consultation with the Cabinet Member for Health and Social Care, to re-examine the issue of water fluoridation and set out his findings and any proposals in a future executive report, keeping the Scrutiny Committee informed of progress.

Background Papers:

Report to the Healthier Communities and Adult Social Care Scrutiny Committee, 19th July 2017, Oral and Dental Health in Sheffield, Director of Public Health, Public Health England, University of Sheffield and NHS England

Report to the Healthier Communities and Adult Social Care Scrutiny Committee, 20th September 2017, Oral and Dental Health in Sheffield – Follow Up, Policy & Improvement Officer

Lead Officer to complete:-	
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.
	Finance: <i>Pauline Wood</i>
	Legal: <i>Andrea Simpson</i>
	Equalities: <i>Adele Robinson</i>
	<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>
2	EMT member who approved submission: (N/A – Scrutiny Committee Report)
3	Cabinet Member consulted: (N/A Scrutiny Committee Report)
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.

Lead Officer Name: <i>Emily Standbrook-Shaw</i>	Job Title: <i>Policy & Improvement Officer</i>
Date: <i>9th October 2017</i>	

1. PROPOSAL

- 1.1 The Healthier Communities and Adult Social Care Scrutiny Committee considered oral and dental health in Sheffield as a single item agenda at its meeting on the 19th July 2017. The Committee received a report and presentation and heard from a range of witnesses, including NHS England, Sheffield's Director of Public Health, Public Health England, University of Sheffield, the Oral Health Promotion Team and dental practitioners.

Following the meeting the Committee decided to meet as a working group to consider areas for recommendations or where further information was required. This group met on the 9th August to review the information. Their findings and recommendations were then agreed by the Scrutiny Committee at its meeting on the 20th September 2017, and the Committee added an additional recommendation on re-examining water fluoridation. This report sets out the findings and recommendations of the Committee.

- 1.2 This first section highlights issues that are aimed at NHS England as the Commissioners of dental services. The Committee will take up these issues with NHS England directly in accordance with their health scrutiny powers under the National Health Service Act 2006.
- a. Data around access to services – the Committee is concerned that there is a gap in knowledge about accessibility of NHS dental services. We don't currently know how many people are unable to access an NHS dentist near them, and as a result are accessing private dentistry or not using dental services at all. The Committee will ask NHS England to look at whether there is any other information available that could inform our knowledge of service accessibility.
 - b. NHS England is currently trialling prototype contracts for dental services across the country with a view to introducing a new contract in 2018 – although this is likely to be delayed. The Committee would like the new contract to have a focus on prevention, with appropriate incentives that will encourage improvements to oral health rather than solely reward treatment (as is the case currently). The Committee will ask NHS England to keep them up to date with the progress on developing and implementing the new contract, including the experiences of Sheffield practices trialling prototype contracts.
 - c. Fluoride varnish can reduce decay by 33% in primary teeth and 46% in adult teeth. It should be applied in general dental practices twice a year to all children aged 3-16. The report received by the Committee showed that only 56% of child dental treatments in

Sheffield include fluoride varnish application – which the Committee feels is too low. NHS England advised that this may, in part, be due to low recording rates. In Barnsley, audits carried out by the Local Dental Committee helped raise awareness and increased fluoride varnish applications. The Committee will ask NHS England to consider working with Sheffield’s Local Dental Committee to carry out a similar exercise. The Committee will also ask NHS England to investigate whether low application rates may be due to the fact that individual practitioners must meet the cost of the varnish themselves.

- 1.3 This section sets out findings around oral health promotion which is part of the Council’s Public Health responsibility. The Committee has forwarded these to the Director of Public Health for consideration as part of the development of the draft Oral Health Strategy.
- a. Given the increasing use of food banks in some areas of the city, the Committee recommends that we explore ways fluoride toothpaste and toothbrushes could be made accessible through food banks, free of charge.
 - b. Tooth brushing packs are distributed by health visitors for all children at 12 months, and again at 2 years in the most deprived areas. The Committee recommends that these contacts are used to provide more support and information about good oral health, and registering with a dentist, including providing details of local NHS dentists currently accepting patients. The Committee also recommends that we explore how existing mechanisms could be used to further promote oral health – for example using MAST teams, Health Champions etc to give information and guidance about good oral health and support individuals and families to register with dentists.
 - c. Toothbrushing clubs have been set up in schools and nurseries across the city, and an evaluation of these clubs is planned. Depending on the outcome of this evaluation, the Committee recommends that the Council explores how it can use its links with schools and early years settings to expand the clubs further across the city.
 - d. The Committee was pleased to hear that the University of Sheffield’s School of Clinical Dentistry supports its students to get involved in oral health promotion, and that it is keen to develop its civic mission within the wider city region. The Committee would like to hear more about what changes are planned, and recommends that the Council and School explore how we could work together to improve oral health in the City.

- 1.4 The Committee recognises that despite all the hard work that goes into oral health promotion, inequality persists in levels of child tooth decay across the city, with a fourfold difference between areas with the highest and lowest levels. There is also a clear link between deprivation and levels of child tooth decay. The report presented to the Committee clearly indicated the importance of increasing children's exposure to fluoride in fighting decay, and the effectiveness of water fluoridation in ensuring all children benefit from fluoride. The Committee noted the action in the draft oral health strategy that a review of the appropriateness of water fluoridation in Sheffield be conducted. It is 12 years since the Council last debated water fluoridation - the Committee believes that it is time the issue be re-examined and recommends that the Cabinet Member and Director of Public Health take this forward in the appropriate forum, reporting back to the Committee on how they plan to do this.

2. HOW DOES THIS DECISION CONTRIBUTE?

- 2.1 The Committee undertook this work with the aim of developing recommendations that will lead to better health and wellbeing, one of the Council's key aims as set out in the corporate plan. Poor oral health has a significant impact on both the individual and wider society including pain, discomfort, time off work and school, self-consciousness and low self-esteem.
- 2.2 Tackling inequality was another key aim of the Committee in undertaking this work. The Committee was very aware of the inequalities across the city both in the prevalence and impact of dental diseases and in access to dental services. The Committee's recommendations are focussed on finding ways to reduce these inequalities.

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 The Committee heard from a range of people during the course of this work (see 1.1) however no formal consultation activity has been undertaken. If there are any changes to service delivery or policy arising in response to scrutiny recommendations, consideration will need to be given as to whether consultation is required/appropriate.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

- 4.1.1 As a Public Authority, we have legal requirements under section 149 of the Equality Act 2010. These are often collectively referred to as the 'general duties to promote equality'. We have considered our obligations under this duty and found that there are no direct equality of opportunity implications arising as a result of this report. However, any specific changes to service delivery or policy arising in response to scrutiny

recommendations will need to include the consideration of equality implications.

4.2 Financial and Commercial Implications

4.2.1 There are no direct financial implications arising from this report. The implementation of any of the recommendations from the Committee's report may be subject to further decision making in accordance with the Leader's Scheme of Delegation. This would include any financial and commercial implications.

4.3 Legal Implications

4.3.1 There are no direct legal implications arising from this report. The implementation of any of the recommendations from the Committee's report may be subject to further decision making in accordance with the Leader's Scheme of Delegation, and the legal implications of any proposal would be fully considered at that time.

4.3.2 By section 111 of the National Health Service Act 2006 the local authority has certain functions in relation to dental public health, as prescribed under the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012, including oral health promotion programmes. By section 73A of the Act the Director of Public Health is responsible for the exercise of these functions. The activities described at paragraph 1.3 of this report fall within the prescribed functions.

4.3.3 The Water Industry Act 1991, as amended by the Water Act 2003, provides that a water company must increase the fluoride content of the water supply if requested to do so by the Secretary of State for Environment, Food and Rural Affairs. The local authority must first make a fluoridation proposal to the Secretary of State, following a statutory consultation process as set out in the Water Fluoridation (Proposals and Consultation) (England) Regulations 2013. The requirements will be considered during the examination of the issue and the implications will be fully set out in any future executive report.

4.3.4 Under the Local Government Act 2000, (section 21, clause 2(b)), and Sheffield City Council's Constitution, there is an explicit power for Scrutiny Committees to make reports or recommendations to the Executive.

5. **ALTERNATIVE OPTIONS CONSIDERED**

5.1 The Committee heard and discussed many issues during the course of this work. This report sets out the issues that the Committee wanted to see progress on.

6. **REASONS FOR RECOMMENDATIONS**

- 6.1 Having carried out this work, the Scrutiny Committee felt that it was appropriate to make these recommendations to Cabinet, with the aim of improving oral and dental health in Sheffield, and reducing inequalities in oral health and access to services.



Author/Lead Officer of Report:
Simon Hughes/Principal Committee Secretary

Tel: 27 34014

Report of: *Acting Executive Director, Resources*

Report to: *Cabinet*

Date of Decision: *18th October 2017*

Subject: *Staff Retirements*

Is this a Key Decision? If Yes, reason Key Decision:-	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
- Expenditure and/or savings over £500,000	<input type="checkbox"/>	
- Affects 2 or more Wards	<input type="checkbox"/>	
Which Cabinet Member Portfolio does this relate to? <i>N/A</i>		
Which Scrutiny and Policy Development Committee does this relate to? <i>N/A</i>		
Has an Equality Impact Assessment (EIA) been undertaken?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If YES, what EIA reference number has it been given? <i>(Insert reference number)</i>		
Does the report contain confidential or exempt information?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-		

Purpose of Report:

To report the retirement of the following staff from the Council's Service and to convey the Council's thanks for their work.

Recommendations:

To recommend that Cabinet:-

- (a) place on record its appreciation of the valuable services rendered to the City Council by the above-mentioned members of staff in the Portfolios stated;
- (b) extend to them its best wishes for the future and a long and happy retirement; and
- (c) direct that an appropriate extract of the resolution now made under the Common Seal of the Council be forwarded to those staff above with over 20 years' service.

Background Papers: None

(Insert details of any background papers used in the compilation of the report.)

1. PROPOSAL

- 1.1 To report the retirement of the following staff from the Council's Service and to convey the Council's thanks for their work:-

<u>People Services</u>		<u>Years' Service</u>
Jane Last	Teacher, Specialist Support Service	33
Maureen Lawless	Senior Private Sector Housing Officer	29
Catherine Stenton	Supervisory Assistant Shooters Grove Primary School	32
<u>Place</u>		
Stephen Beech	Supervisor, Sheffield Botanical Gardens	50

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**Author/Lead Officer of Report: Emma Beal,
Assistant Director, Lifelong Learning, Skills
and Communities**

Tel: 0114 266 7503

Report of: Jayne Ludlam
Report to: Cabinet
Date of Decision: 18th October 2017
Subject: Commission of Alternative Provision

Is this a Key Decision? If Yes, reason Key Decision:-	Yes <input type="checkbox"/>	No <input type="checkbox"/>
- Expenditure and/or savings over £500,000	<input checked="" type="checkbox"/>	
- Affects 2 or more Wards	<input checked="" type="checkbox"/>	
Which Cabinet Member Portfolio does this relate to? People Directorate		
Which Scrutiny and Policy Development Committee does this relate to? CYPF		
Has an Equality Impact Assessment (EIA) been undertaken?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If YES, what EIA reference number has it been given? 54		
Does the report contain confidential or exempt information?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-		
<i>"The (report/appendix) is not for publication because it contains exempt information under Paragraph (insert relevant paragraph number) of Schedule 12A of the Local Government Act 1972 (as amended)."</i>		

Purpose of Report:

The intention of this report is to seek cabinet approval to:

- Re-commission existing Alternative Provision beyond February 2018
- Improve the existing framework to enable dynamic purchasing and increased diversity of provision that better meets the needs of young people in Sheffield

This provision is of particular significance to young people who are in need of an education offer away from usual school based learning providing services for some

of our most vulnerable young people who are often permanently excluded and/or at risk of becoming NEET post 16.

Recommendations

1. Approves the re-commissioning of the Alternative Provision Framework as detailed within this report.
2. Delegate authority to the Executive Director, People Services, in consultation with the Director of Finance and Commercial Services and the Director of Legal Services to:
 - i. agree a procurement strategy for a framework arrangement for the Alternative Provision for the academic years 2018-19, 2019-20 and 2020-21, as set out and in line with this report.
 - ii. award such contracts following the procurement process.
 - iii. take all other necessary steps not covered by existing delegations to achieve the outcomes outlined in this report.

Background Papers:

(Insert details of any background papers used in the compilation of the report.)

Lead Officer to complete:-	
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.
	Finance: <i>Paul Jeffries</i>
	Legal: <i>Henry Watmough-Cownie</i>
	Equalities: <i>Bashir Khan</i>

	<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>	
2	EMT member who approved submission:	<i>Jayne Ludlum</i>
3	Cabinet Member consulted:	<i>Cllr Jackie Drayton</i>
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
	Lead Officer Name: <i>Emma Beal</i>	Job Title: <i>Assistant Director, Lifelong Learning</i>
	Date: <i>4th October 2017</i>	

1. PROPOSAL

(Explain the proposal, current position and need for change, including any evidence considered, and indicate whether this is something the Council is legally required to do, or whether it is something it is choosing to do)

- 1.1 Lifelong Learning Skills and Communities leads an extensive, established Alternative Provision provider network drawn from the private, public and voluntary and community sectors which has successfully engaged learners at Key Stage 4 in off-site vocational and employability related studies including substantial numbers of those at risk of becoming NEET (Not in Education, Employment or Training) post 16 since its inception in 2004.

The programme is entirely demand led and does not incur a cost to the Council as it is completely funded by participating schools as a fee paying service. The programme continues to attract national recognition as an exemplar of good practice.

1.2

The following drivers mean that we are seeking to re-procure the programme and diversify its delivery cohorts:

People Portfolio Alternative Provision Strategy and Plan

Cross service working has resulted in an agreement to joint commissioning of Alternative Provision from 2017 onwards. The strategic plan for Alternative Provision focuses on prevention, the development of local partnerships, devolved funding to schools and the

restructure of Local Authority support.

Alongside this, a refresh of the pathways for pupils will form the foundations of our approach. The Alternative Provision network is part of the vehicle through which we will bring about the developments needed and therefore needs to be refreshed to ensure it can support:

- Reductions in the incidence of fixed term and permanent exclusions and an increase in attendance.
- A greater focus on support for pupils exhibiting exclusion risk factors. This will include ensuring family working is a focus.
- A more focused model of service delivery; one which ensures children and young people are ready to learn, able to succeed in their learning at every key stage and have developed the skills they need to progress into work or further education.
- Earlier investment in prevention. To do this we must ensure that whenever need arises assessment will be completed holistically, in a timely manner and at the earliest stage, referrals will be efficient and thresholds consistently applied.
- Greater local control over resources and greater local accountability.
- A greater focus on transition work between primary and secondary schools and secondary to Post 16.

Developmental work with Primary Pupils and Key Stage 5 learners (including High Needs)

In 2015 at the request of the Primary Inclusion Panel the 14-25 Progressions Team also began an early intervention Alternative Provision pilot. These young people are exhibiting high risk factors for permanent exclusion and require a holistic education support approach which in some cases includes Alternative Provision. Intelligence gathered from the piloting of this work indicates some key successes in helping primary age young people return make an early return to school/mainstream settings

In 2014-15 the 14-25 Progressions Team began testing the framework to commission places for high needs young people with SEND at post-16. These young people present complex cases for education requiring bespoke packages in order for them to be able to access provision within Sheffield. This programme is proving successful and may be expanded to support programmes for other vulnerable groups such as children in care/care leavers, teenage parents or new arrival young people.

The current commissioning arrangements for these placements are on an individual learner basis where placements are matched to the learner's needs and interests and arranged through individual waivers as appropriate. Introduction of Primary and KS5 to the new framework will

reduce the number of waiver requests for this type of provision.

Additionally, value can be added by creating a single commissioning framework for all strands from Primary to KS5 rather than creating separate commissioning frameworks. This improves coherence in our offer, standardisation of quality and better alignment of our strategies in this area of work.

Curriculum Diversification

The current framework has been in existence for twelve years and whilst there are many positive elements of a largely stabilised group of providers the changing nature of the City and the new strands of Alternative Provision been sought mean we wish to consider the market once more.

The Government proposal for the introduction of Technical Level qualifications starting from Key Stage 4 (as set out in the Post 16 Skills Plan) provides an opportunity to renew the Sheffield Vocational Skills Programme. This would be developed in consultation with post 16 organisations who are able to offer pathways to progression within the 15 sector route ways outlined by the Government.

Flexible commissioning that enables rapid response to emerging demand

The delivery model is to be co-designed with the heads of participating schools and specialist services to ensure provision effectively targets resources to meet the specific needs of groups or individuals.

The procurement of a framework will be arranged in accordance with the Public Contract Regulations 2015, Contract Standing Orders and EU regulation by means of an open tender process undertaken by Finance & Commercial Services.

In order that delivery arrangements retain the flexibility required to respond to emerging needs in both a thematic and geographical sense and the adaptability to ensure that the AP evolves to remain relevant and valuable to those schools using its services for the duration of the framework, a “pseudo-dynamic purchasing system” under the “light touch” regime permitted by the Public Contract Regulation 2015 will be adopted as the basis on which the AP is procured. Selection of suitably experienced suppliers with a track record demonstrating capacity and capability in the delivery of similar services will be made on a range of criteria based around price and quality.

2. HOW DOES THIS DECISION CONTRIBUTE ?

(Explain how this proposal will contribute to the ambitions within the Corporate Plan and what it will mean for people who live, work, learn in or visit the City. For example, does it increase or reduce inequalities and is the decision inclusive?; does it have an impact on climate change?; does it improve the customer experience?; is there an economic impact?)

2.1 This is an area of work that contributes in a number of ways to the priorities outlined in the Council's Corporate Plan:

- **An in touch organisation** – understand the increasingly diverse needs of individuals in Sheffield so the services are designed to meet these needs
- **Strong economy** – local people to have the skills they need to get jobs and benefit from economic growth
- **Thriving neighbourhoods and communities** – access to great, inclusive schools, people feel safe, and local people and communities are able to get involved
- **Better health and wellbeing** – helping people to be healthy and well by promoting and enabling good health whilst preventing and tackling ill health. Provide early help and look to do this earlier in life to give every child the opportunity to have a great start in life.
- **Tackling inequalities** – making it easier for individuals to overcome obstacles and achieve their potential, supporting individuals and communities to help themselves and each other, so the changes they make are resilient and long lasting. Enable fair treatment, taking account of disadvantages and obstacles that people face

3. HAS THERE BEEN ANY CONSULTATION?

(Refer to the Consultation Principles and Involvement Guide. Indicate whether the Council is required to consult on the proposal, and provide details of any consultation activities undertaken and their outcomes.)

3.1 The re-commission and improvement of the Alternative Provision framework is based on intelligence gathered through evaluation with providers, schools, young people and specialist services.

The main aim of the framework is to assess and approve suitably experienced and qualified providers who have the rights to respond to specific tenders for the delivery of Alternative Provision.

There will be a need for greater consultation at the point of specific tenders for work as the tenders will need to be designed in partnership with the purchasing stakeholders ie schools or specialist services. It is at this stage that further consultation will be introduced.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

4.1.1 Decisions need to take into account the requirements of the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010. This is the duty to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The Equality Act 2010 identifies the following groups as a protected characteristic:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

An Equality Impact Assessment has been carried out and highlights several areas of positive impact, specifically on age, for BME, disabled and SEN young people and also boys. There are positive impacts on longer term health and wellbeing, tackling poverty and community cohesion. The voluntary, community and faith sector and other partners also have a positive impact on account of Alternative Provision.

4.2 Financial and Commercial Implications

4.2.1 The financial risks attached to the Alternative Provision Programme are primarily associated with a lack of demand from participating schools.

This is predicated on the basis that the programme will be funded entirely by fees received from schools based on a “per student per day rate”. Therefore whilst a lack of demand may impact on the delivery of the programme it will not pose a risk to the Council. This will be ensured by contracts with providers which will be framed so that all payments are made retrospectively on the basis of the actual number of learner days

delivered in a given claim period. Minimum levels of business will not be guaranteed.

The programme was subject to Sheffield City Council audit in 2015 which confirmed robust financial monitoring processes continue to be applied to the programmes by the Grants Administration Unit within Lifelong Learning Skills and Communities. Officers within this Unit have significant knowledge and expertise as a result of several years of experience in administering programmes of this nature.

Current gross spend is £1m per year, mainly paid out to third parties but also includes recharges from other training units to cover the Alternative Provision delivery.

This is funded mainly through charges for services, plus £137k directly from DSG and £65k DSG pass-ported through Children Missing in Education

4.2.1 There is also a wider financial impact should this request not be approved as follows:

- **Schools** – as our largest customer base, schools would be forced to make their own arrangement for alternative provision. This would mean a loss of income to Sheffield City Council and potential for the creation of competitor provision of varying quality.
- **Specialist services** – services, such as Youth Justice Service, may be required to broker their own arrangements with providers which could result in a higher cost as they would not have the purchase power achieved through competitive tender. Additionally, they may not have the skills and/or capacity to quality assure the provision
- **Young people** – pupils engaging on the existing Alternative Provision programmes will not be able to continue their planned programme of study for the whole academic year if it is not possible to agree further provision beyond February 2018
- **External funding** – Lifelong Learning, Skills and Communities is actively applying for complementary funding to further support the development of the Alternative Provision and the diversity of provision made available through these frameworks. These funding streams include (but not limited to) the Government Life Chances Fund and the ESF Pathways to Progress (provision for 14-25 year olds who are NEET or at risk of becoming so). Failure to establish a network of providers who are able to support the delivery of Alternative Provision through these and other future funding streams will impact on externally funded contract performance.

4.3 Legal Implications

Such Alternative Provision is required for pupils who cannot attend

mainstream school for a variety of reasons, such as school exclusion, behavioral issues, short- or long-term illness, school refusal or teenage pregnancy.

The Education Act 1996 places a duty on the Council to arrange suitable full-time education for such pupils who would not receive suitable education without such provision. The Secretary of State for Education has published statutory guidance about these duties, and the Council must have regard to it. The statutory guidance covers issues such as the quality of the provision and commissioning of providers and as long as Officers have regard to this guidance when using the dynamic purchasing system the Council will be acting lawfully and within its powers.

- 4.3.1 Existing providers are contracted through a waiver arrangement until February 2018. Sufficient notice will need to be given regulations addressed (where applicable) should it not be possible to continue delivery of services beyond February.
- 4.3.2 There should be fewer requests for ad hoc waivers for Alternative Provision as the new dynamic purchasing commissioning framework will provide the mechanisms and flexibilities required to respond quickly to market need without the need for waivers.
- 4.3.3 It is essential that all commissioning is compliant with Council Standing Orders and EU regulations when undertaking procurement and any subsequent contracting. Any contingent risk will be mitigated by using the services of a Procurement Professional, taking advice from Commercial Services and consulting the Council's Legal Service.
- 4.4 Other Implications
(Refer to the Executive decision making guidance and provide details of all relevant implications, e.g. HR, property, public health).

5. ALTERNATIVE OPTIONS CONSIDERED

(Outline any alternative options which were considered but rejected in the course of developing the proposal.)

- 5.1 Consideration was given as to whether there should be a separate commission for each of the key cohort groups. This option was rejected as:
 - It would be time consuming for applications to make several similar applications if they delivery services to more than one cohort group
 - Commercial and Legal services are confident that the commission can be designed to satisfactorily accommodate all cohorts without need for multiple commissions or contracts
 - Quality is maintained and risk is reduced by standardising practice (where applicable) across all contracts.

6. REASONS FOR RECOMMENDATIONS

(Explain why this is the preferred option and outline the intended outcomes.)

- 6.1 Lifelong Learning, Skills and Communities request that Cabinet uphold the recommendations made earlier in the report to ensure business continuity is achieved and to provide a futureproof framework that will allow for the continued development of Alternative Provision in Sheffield



Author/Lead Officer of Report: *(Insert name and job title of officer)*

Tel: 0114 2736976

Report of: *Jayne Ludlam*

Report to: *Cabinet*

Date of Decision: *18th October 2017*

Subject: *Step Up to Social Work Programme Cohort 5*

Is this a Key Decision? If Yes, reason Key Decision:-	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
- Expenditure and/or savings over £500,000	<input checked="" type="checkbox"/>	
- Affects 2 or more Wards	<input type="checkbox"/>	
Which Cabinet Member Portfolio does this relate to? <i>People Portfolio</i>		
Which Scrutiny and Policy Development Committee does this relate to? <i>Children, Young People and Family Support</i>		
Has an Equality Impact Assessment (EIA) been undertaken?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If YES, what EIA reference number has it been given? <i>EIA1244</i>		
Does the report contain confidential or exempt information?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-		
Appendix One is not for publication by virtue of Regulation 20(2) Local Authorities (Executive Arrangements) (Meeting and Access to Information) (England) Regulations 2012 because, in the opinion of the proper officer, it contains exempt information under Paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended) and the public interest in maintaining the exemption outweighs the public interest in disclosing the information."		

Purpose of Report:

The Step Up to Social Work programme is a Department for Education wholly funded initiative to promote people to change or start their careers in children and families social work by funding a 14 month degree in social work. Sheffield City Council is the lead authority for the Yorkshire and Humberside Regional Partnership (the Partnership) which consists of 10 local authorities. This programme started in 2010 and this report updates Cabinet on the progress of the programme whereby Sheffield City Council acts as a lead authority for the Partnership and administers the external funding on its behalf. The report seeks approval for a number of agreements to facilitate the continuation of the programme.

The Step Up to Social Work programme is a national initiative which is wholly funded by the Department for Education by way of a grant. This funding includes a bursary payment for each successful student on the degree programme, funding of the University course, funding for training and supervision of each student whilst they are placed in their host authority across the region and administration of funding by the lead authority.

The programme has been running since 2010 and has flagship status both regionally and nationally. The Yorkshire and Humberside Regional Partnership is the largest of the 22 national partnerships participating in the Step up to Social Work programme. This initiative has produced 158 high calibre graduates since its initiation and 98% of these graduates have been successful in gaining employment as social workers in authorities across this region. This initiative has proven to be highly successful in resolving recruitment difficulties in social work in children and families.

This year the DfE have approved funding for the Yorkshire and Humberside region to host 37 students which means that external funding awarded will be £1.3m for the 14 month programme which will start in January 2018. Admissions recruitment is taking place in June/July 2017. Sheffield is the lead authority and acts as the broker for the grant funding with the responsibility of distribution of funding to each authority as directed by the Department of Education and oversees the success of the programme. Sheffield City Council is also supporting the recruitment process for the new West Yorkshire and North Yorkshire regional partnership consisting of 4 local authorities: Leeds City Council, Bradford MBC, North Yorkshire County Council and Wakefield Council.

The 10 local authorities in the Partnership include: Barnsley MBC, Doncaster Children's Services Trust, Calderdale County Council, East Riding of Yorkshire Council, Hull City Council, North Lincolnshire Council, North East Lincolnshire Council, Rotherham MBC, City of York Council and Sheffield. Letters of Commitment from all these authorities were received at the point of submitting the bid and Inter Authority Contracts have been prepared in accordance with the DfE template. The Grant Offer Letter from the Department for Education was received on 15 June 2017. Salford University has been procured to deliver the 14 month post graduate degree programme and the relevant extension to the contract terms have now been agreed (Appendix 1). The grant will be paid on a monthly basis and any underspend on funding as at March 2019 will be repaid to the DfE.

Recommendations:

Cabinet is recommended to:

- (a) note the contents of this report;
- (b) note that the Council has entered into the Grant Funding Agreement for the Step Up To Social Work Programme as the lead authority for the Yorkshire and Humberside Regional Partnership;
- (c) approve that Inter Authority Contracts between the authorities of the Partnership, which have been agreed in principle, are now executed;
- (d) approve that the Council enters into an extension of contract with Salford University for Cohort 5; and
- (e) delegate authority to administer the DfE funding awarded to the Partnership to Sheffield City Council Assistant Director of Children and Families Fieldwork Services.

Background Papers:

Salford University Extension to Contract (Appendix 1)

Lead Officer to complete:-		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: <i>Sonya Oates</i>
		Legal: <i>Tim Hoskin</i>
		Equalities: <i>Bashir Khan</i>
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>		
2	EMT member who approved submission:	<i>Jayne Ludlam</i>
3	Cabinet Member consulted:	<i>Councillor Jackie Drayton</i>
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
	Lead Officer Name: <i>Dorothy Smith</i>	Job Title: <i>Senior Manager Workforce Development Team</i>
	Date: <i>5th September 2017</i>	

1. PROPOSAL

- 1.1 The Step Up to Social Work programme is a DfE initiative which is grant funded to encourage the general public to either start or change their career into social work.
- 1.2 The national initiative is aimed at resolving recruitment and retention of social workers and as a means of training existing graduates to become high calibre social workers.
- 1.3 Sheffield City Council has been the lead authority for the Yorkshire and Humberside Step up to Social Work Regional Partnership since 2010. The number of places hosted by the authorities within the Partnership is 37 and therefore the amount of funding to be received exceeds £1.3m.
- 1.4 The region has been successful in its bid for funding to support the future cohort of 37 students within 10 local authorities to graduate as Children and Families social workers.

2. HOW DOES THIS DECISION CONTRIBUTE?

- 2.1 This fast track 14 month programme produces high calibre social work graduates who are able to gain employment into frontline child protection work. Evidence shows that Step up graduates progress through their first year in social work at a faster pace than other graduates due to the intensity of the training they receive on the Step up programme.
- 2.2 The programme is highly successful on a national level, so much so that the national demand for places has superseded the number that the DfE can fund. As a consequence, the number of places allocated to each regional partnership has reduced from previous cohorts.
- 2.3 This partnership values service user engagement and the recruitment admissions process includes interviews by foster carers and young people who have been fully trained by officers in Sheffield City Council. We have now extended this training to the new partnership hosted by Leeds City Council. Service users are part of the process from student admissions up to gaining a job as a social worker and beyond into management. Service users enjoy this process as they feel included in the social worker journey and career pathway.
- 2.4 Foster carers use this process for their development portfolios and young people use their experiences for their CV's and to develop confidence. Many young people have been assisted in gaining employment and/or travel opportunities as a result of this experience.

3. HAS THERE BEEN ANY CONSULTATION?

The Step up to Social Work programme is a national initiative which has been fully consulted and has been running since 2010. The DfE website

explains the detail of the programme and the entry requirements. The programme was advertised locally and regionally and FAQ were provided. An EIA has been completed.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

4.1.1 Decisions need to take into account the requirements of the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010. This is the duty to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

4.1.2 The Equality Act 2010 identifies the following groups as a protected characteristic: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation.

4.1.3 An Equality Impact Assessment has been carried out and highlights that the training programme will increase the supply of high standard social workers across the Yorkshire and Humberside region.

4.2 Financial and Commercial Implications

4.2.1 There are no financial implications to Sheffield City Council to engage in this programme. However, all funding must be spent and accounted for by the end of the financial year in 2019; any underspend must be repaid to the DfE.

4.2.2 The value of the DfE grant is £1.3 million. It will be paid in equal instalments and must be spent by the end of March 2019. Any unspent grant will be repaid back to the DfE. Failure to comply with the terms and conditions of the grant will mean that all or part of the grant will have to be repaid. The latest grant agreement terms and conditions for the grant have been received and there are no material changes from previous years funding allocations.

4.3 Legal Implications

4.3.1 Sheffield, on behalf of the Partnership has procured Salford University to deliver the post graduate programme. DfE funding includes payment for the procurement of an HEI.

4.3.2 Procurement has been carried out in accordance with Sheffield City Council Contract Standing Orders and the Contract Award approval was signed off at the end of 2014 to allow for the bidding process with the DfE. The contract itself has been awarded to Salford University with the option of an extension should a further cohort be agreed. The extension has been activated and a contract waiver been completed by procurement in December 2016 and signed by Sheffield City Council.

4.3.3 The purpose of the Inter Authority Contracts is to safeguard the relationships between the local authorities within the Partnership and to support the role of Sheffield City Council as the lead authority, with the responsibility for entering into a number of contracts on behalf of the Partnership. These contracts are not legally binding between the parties until they are executed.

4.4 Other Implications

There are no other implications.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 Sheffield City Council has been the lead authority for the Step up to Social Work programme since its inception at a pilot stage in 2010. The Regional Partnership is the largest in the country and is highly praised by the DfE for its success. The DfE looks upon Sheffield for expert guidance and we are currently providing support and advice to the new West Yorkshire and North Yorkshire Regional Partnership.

5.2 Sheffield City Council has been invited to join a DfE advisory group of research into the retention and progression of social work graduates from the Step Up to Social Work and Frontline.

5.3 Sheffield City Council wishes to continue to act as the lead authority for Step up to Social Work within the Yorkshire and Humberside region as it raises the profile of the authority not only for the workforce across the region but nationally.

5.4 Sheffield City Council continues to be the lead authority for the trailblazer Teaching Partnership for the South Yorkshire region providing expert advice for new Teaching Partnerships. The South Yorkshire Teaching Partnership allows Sheffield City Council to contribute nationally to the future and raising of standards of social work education which includes Step up to Social Work and the future Social Work Apprenticeship degree programme.

6. REASONS FOR RECOMMENDATIONS

6.1 The Step Up to Social Work programme is a national initiative which is wholly funded by the Department for Education by way of a grant. This funding includes a bursary payment for each successful student on the degree programme, funding of the University course, funding for training

and supervision of each student whilst they are placed in their host authority across the region and administration of funding by the lead authority.

- 6.2 The programme has been running since 2010 and has flagship status both regionally and nationally. The Yorkshire and Humberside Regional Partnership is the largest of the 22 national partnerships participating in the Step up to Social Work programme. This initiative has produced 158 high calibre graduates since its initiation and 98% of these graduates have been successful in gaining employment as social workers in authorities across this region. This initiative has proven to be highly successful in resolving recruitment difficulties in social work in children and families and raising standards in social work education.
- 6.3 This year the DfE have approved funding for the Yorkshire and Humberside region to host 37 students which means that external funding awarded will be £1.3m for the 14 month programme which will start in January 2018. Admissions recruitment takes place in June/July 2017. Sheffield is the lead authority and acts as the broker for the grant funding with the responsibility of distribution of funding to each authority as directed by the Department of Education and oversees the success of the programme.
- 6.4 The 10 local authorities in the Partnership include: Barnsley MBC, Doncaster Children's Services Trust, Calderdale County Council, East Riding of Yorkshire Council, Hull City Council, North Lincolnshire Council, North East Lincolnshire Council, Rotherham MBC, City of York Council and Sheffield. Letters of Commitment from all these authorities were received at the point of submitting the bid and Inter Authority Contracts have been prepared in accordance with the DfE template. The Grant Offer Letter from the Department for Education was received on 15 June 2017. Salford University were procured to deliver the 14 month post graduate degree programme for Cohort 4 with an agreed extension for Cohort 5 and the relevant contract terms have been agreed (Appendix 1). The grant will be paid on a monthly basis and any underspend on funding as at March 2019 will be repaid to the DfE.

7. REASONS FOR EXEMPTION

Appendix 1 to this report contains exempt information under paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended) i.e. it contains information relating to the financial or business affairs of the Salford University and of the Council. In considering this exemption the proper officer has decided that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information

8. RECOMMENDATIONS

Cabinet is recommended to:

- (a) note the contents of this report;
- (b) note that the Council has entered into the Grant Funding Agreement for the Step Up To Social Work Programme as the lead authority for the Yorkshire and Humberside Regional Partnership;
- (c) approve that Inter Authority Contracts between the authorities of the Partnership, which have been agreed in principle, are now executed;
- (d) approve that the Council enters into an extension of contract with Salford University for Cohort 5; and
- (e) delegate authority to administer the DfE funding awarded to the Partnership to Sheffield City Council Assistant Director of Children and Families Fieldwork Services.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Author/Lead Officer of Report:

Damian Watkinson,
Finance Manager

Tel: 0114 273 6831

Report of: *Eugene Walker*

Report to: *Cabinet*

Date of Decision: *18th October 2017*

Subject: *Capital Approvals for Month 5 2017/18*

Is this a Key Decision? If Yes, reason Key Decision:-	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
- Expenditure and/or savings over £500,000		<input checked="" type="checkbox"/>		
- Affects 2 or more Wards		<input type="checkbox"/>		

Which Cabinet Member Portfolio does this relate to? <i>Finance and Resources</i>
Which Scrutiny and Policy Development Committee does this relate to? <i>Overview and Scrutiny Management Committee</i>

Has an Equality Impact Assessment (EIA) been undertaken?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If YES, what EIA reference number has it been given? <i>(Insert reference number)</i>				

Does the report contain confidential or exempt information?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-				
<i>“The Appendices 1a and 2 are not for publication because they contain exempt information under Paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended).”</i>				

Purpose of Report:
<i>This report provides details of proposed changes to the Capital Programme as brought forward in Month 5 2017/18</i>

**Background Papers:
Appendix 1, Appendix 1a, Appendix 2 -**

Lead Officer to complete:-	
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.
	Finance: <i>Marianne Betts</i>
	Legal: <i>Sarah Bennett</i>
	Equalities: No
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>	
2	EMT member who approved submission: <i>Eugene Walker</i>
3	Cabinet Member consulted: <i>Councillor Olivia Blake Cabinet member for Finance and Resources</i>
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.
	Lead Officer Name: <i>Damian Watkinson</i>
	Job Title: <i>Finance Manager Business partner Capital</i>
	Date: 4 th October 2017

MONTH 05 2017/18 CAPITAL APPROVALS

1. SUMMARY

- 1.1 A number of schemes have been submitted for approval in line with the Council's capital approval process during the Month 5 reporting cycle. This report requests the relevant approvals and delegations to allow these schemes to progress.
- 1.2 Below is a summary of the number and total value of schemes in each approval category:
- 21 variations to the capital programme creating a net increase of £1,935k
- 1.3 Further details of the schemes listed above can be found in Appendix 1 and Appendix 1a.
- 1.4 Appendix 1a is a closed appendix due to the commercial sensitivity of this item.

2. WHAT DOES THIS MEAN FOR SHEFFIELD PEOPLE

- 2.1 The proposed changes to the Capital programme will improve the recreational leisure facilities, schools, roads and homes used by the people of Sheffield, and improve the infrastructure of the city council to deliver those services.

3. BACKGROUND

This report is part of the monthly reporting procedure to Members on proposed changes to the Council's capital programme.

4. OUTCOME AND SUSTAINABILITY

- 4.1 By delivering these schemes the Council seeks to improve the quality of life for the people of Sheffield.

5. OTHER IMPLICATIONS

5.1 Finance Implications

The primary purpose of this report is to provide Members with information on the proposed changes to the City Council's Capital Programme further details on each scheme are included in Appendix 1 in relation to the schemes to be delivered and Appendix 2 in relation to grants to be accepted.

5.2 Procurement and Contract Award Implications

This report will commit the Council to a series of future contracts. The procurement strategy for each project is set out in Appendix 1. The award of the subsequent contracts will be delegated to the Director of Financial and Commercial Services.

5.3 Legal Implications

Any specific legal implications in this report are set out in Appendix 1 and Appendix 2 in relation to grants to be accepted.

- 5.4 Appendix 2 is a closed appendix due to the commercial sensitivity of this item.

5.5 Human Resource Implications

There are no direct Human Resource implications for the Council.

5.6 Property Implications

Any specific property implications from the proposals in this report are set out at Appendix 1.

6. ALTERNATIVE OPTIONS CONSIDERED

- 6.1 A number of alternative courses of action are considered as part of the process undertaken by Officers before decisions are recommended to Members. The recommendations made to Members represent what Officers believe 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 is put within the Revenue Budget and the Capital Programme.

7. REASONS FOR RECOMMENDATIONS

- 7.1 The proposed changes to the Capital programme will improve the services to the people of Sheffield
- 7.2 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.
- 7.3 Obtain the relevant delegations to allow projects to proceed.

Recommendations

Cabinet is recommended to:

- Approve the proposed additions and variations to the Capital Programme listed in Appendix 1 and 1a, including the procurement strategies and delegate authority to the Director of Finance and Commercial Services or nominated Officer, as appropriate, to award the necessary contracts;
- Approve the acceptance of the grant funding detailed at Appendix 2

Finance and Commercial Services August 2017

VARIATIONS:

Scheme Description	Variation Type	Value £000	Procurement Route
THRIVING NEIGHBOURHOODS AND COMMUNITIES			
<p><u>Communal Area Low Rise Flats</u></p> <p>This project is to deliver improvements to the communal areas of low rise flats within the council housing stock. The budget for this programme has been re-set following the assessment of contractor Cost Reports by the Quantity Surveyor which indicates costs are lower than anticipated, reprofiling £1.559m from 17/18 and realigning the rest of the budget to the expected spend. There is the potential for this project overall to deliver savings which will be able to be confirmed when surveys are complete.</p> <p>This is funded by HRA</p>	Re-profile	-1,559 17/18 60 18/19 499 19/20 1,000 21/22	N/A
<p><u>Broomhall Cycle Route (Hallam University)</u></p> <p>The Council has a corporate objective of increasing active travel as part of its overall transport strategy designed to improve travel choice and tackle congestion. The objective is to reduce traffic congestion and improve air quality by providing a range of high quality travel choices including safe cycle routes.</p> <p>This proposal will provide a new pedestrian and cycle route linking Broomhall with Sheffield City Centre, connecting residential areas to employment, education, leisure and other trip generating sites/ locations.</p> <p>Costs: Feasibility (already approved) £28k Fees £75k</p>	Variation	882	Works to be undertaken by Amey under Schedule 7 of the Streets Ahead contract.

<p>Construction £807K</p> <p>TOTAL £910K</p> <p>Current 2017/18 Budget: £28K Variation required 2017/18: £882K</p> <p>Funded by Sustainable Transport Exemplar Programme (STEP)</p>			
<p><u>Compartmentalisation - Smoke Alarms Contract</u></p> <p>This project is delivering improvements to ensure fire safety compliance in the council housing stock. Following the resolution of a dispute with a contractor regarding the price and numbers of Smoke Alarms they had fitted, a saving to the programme has been identified. On the basis of the Quantity Surveyors cost report further spending of £211k is forecast leaving the remaining £425k as a saving to the HRA available to be re-invested in other fire safety projects.</p> <p>This project is funded by HRA</p>	Saving	-425	N/A
<p><u>Garage Strategy Improvement</u></p> <p>This project is intended to deliver improvements to the council housing owned stock of garages. This project will not be on site until November 2017. The focus will be on surveying 3719 garages first and it is anticipated that this could be completed by the end of March 2018. It is assumed that a garage survey will cost around £50 giving a cost for this element of £186k. Surveying first will give more cost certainty moving in 2018/19. It is planned to start garage improvement work in February. The anticipated spend this year will be £269k improvement works + £186k surveying works = £455k therefore the remaining budget of £334k will be slipped into 19/20</p>	Slippage	-334 17/18 334 19/20	N/A

<p>This is funded by HRA</p>			
<p><u>Chesterfield Road Better Buses</u> This scheme is to create an extension to the inbound bus lane on Chesterfield Road, thereby getting buses to the head of the queue at Broadfield Road. Increased bus use will have secondary benefits of reducing queues for other traffic and improving air quality. At off peak times all traffic would be able to use the two inbound lanes.</p> <p>The original timescales quoted in the Final Business Case were: 'Work is due to commence on site in Q1 2017 following the completion of a CPO process and should take just 52 weeks to complete'</p> <p>Due to Statutory undertaking works (utilities) and some legal issues the start of construction was delayed to Q2 of 2017. The expected timescale of 52 weeks is still correct but has started later than originally planned.</p> <p>The budget therefore requires reprofiling including some slippage into 2018/19. The funder has been kept fully informed and is comfortable for the final payments and claims to be early 2018/19.</p> <p>The scheme will extend into the 2018/19 financial year but at this moment the carry over commitment is of the order of £301,000.</p> <p>Funded by Better Buses</p>	<p>Reprofile/ Slippage</p>	<p>-30117/18 301 18/19</p>	<p>N/A</p>
<p><u>Long Term Empties Purchase and Repair</u> The purpose of this scheme is to increase the stock of council housing by acquiring suitable properties from the market and refurbishing to an appropriate standard.</p> <p>The overall total outputs for the scheme is 45 acquisitions, which were profiled over 3 years from 2015 to 2018 in the original submission. At this point 11 further acquisitions are required in 17/18 to achieve this target. It is estimated that to achieve this will cost £235k less than the current approved budget.</p>	<p>Saving</p>	<p>-235</p>	<p>N/A</p>

<p>The current status in is that 2 acquisitions have been completed, 2 are being processed by legal services and a further 7 need to be identified. If those 7 are not found, this would be a further saving to the HRA, and we would not claim £20,000 from the HCA for each acquisition.</p> <p>The remaining spend on this project of £1,023,944 which covers 17/18 is funded by HRA £783,944 and HCA of £240k. Any HRA saving on this project would be available for investment in other council housing stock increase programmes.</p> <p>All savings are being used to provide more new homes as part of the stock increase programme</p>			
<p><u>Olympic Legacy Park (OLP) Infrastructure Public Realm</u></p> <p>The former Don Valley Stadium site has been cleared and remediated and will soon be the home of multiple new buildings and an urban park after the installation of utility services and completion of landscape architecture works.</p> <p>The scheme is mostly funded by Sheffield City Region Investment Fund (SCRIF) but Sheffield Hallam University have provided a contribution of £217K for the following:</p> <ul style="list-style-type: none"> -£200K towards works on Flame Hill to ensure these works could remain in the scheme, as they were in the original scope but had not funding. -£17K for works that Sheffield Hallam University requested under SCC's contract in the public realm, in association with their development of the Advanced Wellbeing Research Centre <p>Approval is therefore requested to add £217K to the project with matching £217K funding from Sheffield Hallam University for the works as outlined above.</p>	Variation	217	N/A
<p><u>Bus Hotspots - Handsworth Road Slip Road</u></p> <p>As a result of the bus hotspot works at Handsworth Road (where the bus stop is being moved to the Parkway</p>	Variation	184	Works to be undertaken by

<p>side of the Asda junction into a semi lay-by enabling 2 running lanes between Richmond Park Road and the Parkway junction, unobstructed by stopping buses and benefitting all traffic) it was noticed that significant numbers of drivers exit the Parkway at the Handsworth Road roundabout and then return back onto the Parkway causing queuing on Handsworth Rd.</p> <p>This project will deliver a set of signals on the Parkway westbound exit slip to operate at times of high traffic flow (largely morning peak) and discourage this behaviour was added into the modelling done for the Handsworth Rd scheme. This showed that if the percentage of “slip-off, slip-on” could be significantly reduced, there would be a significant improvement for journey times on Handsworth Rd (a Key Bus Route). The Project team therefore recommended to the funder that this additional intervention should be progressed and this has been agreed.</p> <p>Although there is scope in the current approved budget to develop new interventions, this is additional to the programme of works the funder had in the remit for 2017/18 and therefore a variation for the construction cost is required.</p> <p>Costs:</p> <table border="0"> <tr> <td>Detailed Design (incl. HMD & RSA1/2)</td> <td>£ 32K</td> </tr> <tr> <td>Works estimate (incl. construction, Traffic Mgy, Stats, HMD & RSA3)</td> <td>£184K</td> </tr> </table> <p>Variation 2017/18: £184K</p> <p>Funded by Better Buses</p>	Detailed Design (incl. HMD & RSA1/2)	£ 32K	Works estimate (incl. construction, Traffic Mgy, Stats, HMD & RSA3)	£184K			<p>Amey under Schedule 7 of the Streets Ahead contract.</p>
Detailed Design (incl. HMD & RSA1/2)	£ 32K						
Works estimate (incl. construction, Traffic Mgy, Stats, HMD & RSA3)	£184K						
<p><u>Recycling Roll Out – (Council Housing)</u></p> <p>This project was designed to improve the standard of communal recycling areas in council housing stock. The number of recycling areas to be improved has been reduced by 113 following detailed contractor surveys, as it was identified that it wasn’t feasible to put a recycling point in the planned area. Therefore the budget that is left is a saving as no further work is required. All savings are being used to provide more new homes as part of the stock increase programme.</p>	<p>Saving</p>	<p>-164</p>	<p>N/A</p>				

<p>The remaining funding for this project was HRA</p>			
<p><u>Sheaf Valley Riverside Route - Hutcliffe Wood</u> There is an opportunity to provide a walk/cycleway through Sheaf Valley, using Section 106 funding. Active travel can be increased through providing safer routes for walkers and cyclists and this proposal is to convert a 1.2km Hutcliffe Wood footpath into a cycle track.</p> <p>Costs: Client Costs and Design £81k Path Construction £120K Highways Works £9K Contingency £13K TOTAL £223K</p> <p>Budget currently approved £64K (2016/17 originally, £22K slipped into 2017/18) Variation Required: £159K</p> <p>Funded by S106</p>	<p>Variation</p>	<p>159</p>	<p>Works to be undertaken by EC Surfacing Ltd under the Non-Highways Re-Surfacing Programme 2016/18 (T&FM MTC)</p>
<p><u>Asbestos Removal (Council Housing)</u> This project aims to deliver removal of asbestos from council housing stock The project took longer than expected to tender which resulted in the letter of acceptance not being issued until the end of May. Since then the contractor has been working with SCC staff to develop programmes to deliver work, and consultation has been undertaken with neighbourhood teams regarding access. Blanket plans of works have now been issued to the contractor to save time issuing individual addresses which now means work should begin on site by September. However, this means that approximately £75k of the budget will remain unspent and will need to be slipped into 2018/19..</p>	<p>Slippage</p>	<p>-75 17/18 75 18/19</p>	<p>N/A</p>

<p>This project is funded by HRA</p>			
<p><u>Heating Breakdown (Council Housing)</u> This project delivers replacement of failed or failing boiler systems in council housing stock. This is a submission to reset the 5 year budget for heating breakdowns to £725k pa. This requires a reduction of £75k p.a for 17/18 and 18/19 and an increase of £25k p.a. in the subsequent 3 years. It is a demand led programme driven by heating systems failing and need to be replaced. Some of these will be obsolete systems where access has not been previously obtained through the planned programme There is no Obsolete Heating programme planned for 2017/18. On average 33 new heating systems and boilers are installed per month. £725k equates to approximately 436 boiler replacements. All savings are being used to provide more new homes as part of the stock increase programme.</p>	<p>Saving/ Reprofile</p>	<p>-75 17/18 -75 18/19 25 19/20 25 20/21 25 21/22</p>	<p>N/A</p>
<p><u>Leaseholder contributions to external fabric works</u> This is a request for slippage due to an outstanding legal issue with leaseholders. An independent chartered surveyor is to review specification of works. The building costs will be recovered when work has been completed, the costs have been challenged by leaseholders. £72,310 will be slipped into 18/19. This project is funded by HRA.</p>	<p>Slippage</p>	<p>-72 17/18 72 18/19</p>	<p>N/A</p>
<p><u>Banner Cross Parking</u> The Banner Cross area, on Ecclesall Rd, is a thriving local shopping area and houses a number of businesses. Parking is currently not allowed on Ecclesall Road during morning and evening peak hours (7.30am to 9.30am and 4pm to 6.30pm) as the area is covered by peak hour bus lanes. During the inter-peak period, there are no restrictions on parking.</p>	<p>Variation</p>	<p>31</p>	<p>Scheme design - TTaPS Construction - Amey</p>

<p>Local businesses have approached their Ward Councillors requesting that a parking scheme be introduced during the inter-peak period in order to promote better turnover of the available parking spaces, as parking availability is very limited due to the length of current stays. Businesses feel that lack of parking availability is affecting their trade.</p> <p>Solution: Management of parking demand via price, through implementation of a 29 space pay and display parking scheme.</p> <p>Costs: Fees £19K Infrastructure £21K TOTAL £40K</p> <p>Current Approved Budget: £9K Variation Required: £31K</p> <p>Funded by Local Transport Plan (LTP)</p>			<p>Pay & display machines - Parking Services via existing contract</p>
<p><u>Green and Open Spaces S106 Strategy</u></p> <p>Transfer of funding from approved block allocation of Section 106 funding earmarked for Open Space Development to specific project budgets:</p> <ul style="list-style-type: none"> - Philadelphia Gardens £74K - Rethinking Parson Cross £38K as highlighted in this report below. <p>Total reduction: £112K Total S106 Programme approved: £1,882K Live Projects £846K (including Philadelphia Gardens and Parson Cross) Value of Projects in Development: £1,036K</p>	<p>Variation (Reduction)</p>	<p>-112</p>	<p>N/A</p>

<p><u>Rethinking Parson Cross Phase 1 (Play and Paths)</u></p> <p>Parson Cross District Park is an area of Council owned green space in Parson Cross that currently suffers from a lack of visibility, is much underused and has poor connections with the surrounding neighbourhood. In order to address this SCC Parks has developed a plan for the Park utilising S106 funding it has secured to make a number of improvements to the landscaping and play provision within the park. These include updating equipment, developing new paths, trees and a providing a new car park.</p> <p>Phase 1 of the project is to undertake works on the play provision and footpaths to:</p> <ul style="list-style-type: none"> -improve the look and feel of the park whilst ensuring it continues to be managed to at least the Sheffield Standard -improve movement, connectivity and accessibility within the park and Tongue Gutter into the neighbourhood, particularly for people walking and cycling <p>Costs:</p> <ul style="list-style-type: none"> Footpath links (new entrance Buchanan Road to Park Hub) £21K Play Equipment & Surfacing £32K Play improvements £1K Contingency £3K Fees £5k TOTAL £62K <p>Funding available:</p> <ul style="list-style-type: none"> S106 Parks Programme already approved £38K Further S106 agreements identified: £24K TOTAL: £62K <p>Therefore approval requested to add £24K of additional S106 funding and confirm draw down of £38k Section 106 already allocated to the project.</p>	<p>Variation</p>	<p>62</p>	<p>Playground - SCC Playground team</p> <p>Tarmac - 3 competitive quotes</p>
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<p>Funded by S106</p>			
<p><u>Philadelphia Gardens</u> The project will refurbish the existing basketball court to create a multi-use games area. The ball court is in a poor condition, with the surfacing being of particular concern. This project will replace the deteriorating rubber surface with tarmac surfacing and renew the fencing and goal ends. This will improve the experience of users of the court and it is intended to encourage new users.</p> <p>Estimated Costs: MUGA construction inc. 10% contingency £77K Tree Works £2K Fees £8k Works to Uplift Surrounding Area and Entrance £10K TOTAL £97K</p> <p>Funding available: S106 Parks Programme already approved £79K (£5K already approved for feasibility leaves £74K to be drawn down) Public Health Funding £20K TOTAL £99K Therefore approval requested to add 20K Public Health Funding and confirm draw down of £74k Section 106 allocated to the project</p> <p>Funded by S106 and Public Health</p>	<p>Variation</p>	<p>94</p>	<p>MUGA - closed competitive tender Tree Works and Uplift of surrounding area - 3 competitive quotes</p>

<p><u>Insulation (Council Housing)</u> Approval is sought to re-profile the £13m currently allocated to this scheme of work to leave revised annual budgets as follows: . A business case was approved in September for four packages of insulation work to be delivered during this 5 year timescale. . 2017-18 £30,000 2018-19 £4,384,302 2019-20 £5,742,258 2020-21 £2,207,940 2021-22 £729,909</p> <p>A business case will be submitted in September for four packages of insulation work to be delivered during this 5 year timescale. This is funded by HRA</p>	<p>Reprofile (across years)</p>	<p>-1,351 17/18 884 18/19 1,742 19/20 -2,005 20/21 730 21/22</p>	<p>N/A</p>
<p>INFRASTRUCTURE</p>			
<p><u>Moorfoot Lifts</u> The project, which has a total budget of £2.3m, covers the replacement of Moorfoot Lifts as follows: 6 in the Central area, 2 in the North Wing and 1 Service Lift in North Wing. This request is for slippage of £540k from 2017/18, due to programme delay. £506k is to be slipped into 2018/19 and £34k into 2019/20.</p> <p>This project is funded by Capital Receipts.</p>	<p>Slippage</p>	<p>-540 17/18 506 18/19 34 19/20</p>	<p>N/A</p>
<p>STRONG ECONOMY</p>			
<p><u>Bus Rapid Transit (BRT) North (to note only)</u> Since the start of the Bus Rapid Transport scheme client costs and some construction costs have been funded</p>	<p>Change of funding</p>	<p>N/A</p>	<p>N/A</p>

by the Local Transport Plan (LTP). The advent of the Community Infrastructure Levy funding (CIL) offered and opportunity to fund BRT costs from this source, freeing up LTP funding to deliver other local transport priorities. This variation removes the £178k LTP commitment to BRT in 17/18 and replaces it with CIL funding

source

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Author/Lead Officer of Report: James Barnes
FA Project Manager

Tel: 07740076941

Report of: Lorraine Manley, The Executive Director for Place

Report to: Cabinet

Date of Decision: 18th October 2017

Subject: Authority for Sheffield City Council to enter into a lease and Leisure Services Management Agreement with Pulse Soccer Limited for the operation of the Westfield Football Hub.

To authorise the disposal of public open space at Westfield to Pulse Soccer Limited and Mosborough Rugby Club via leases.

Is this a Key Decision? If Yes, reason Key Decision:-	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
- Expenditure and/or savings over £500,000	<input checked="" type="checkbox"/>
- Affects 2 or more Wards	<input type="checkbox"/>
Which Cabinet Member Portfolio does this relate to? Culture Parks and Leisure	
Which Scrutiny and Policy Development Committee does this relate to? Economic and Environment Scrutiny and Policy Development Committee	
Has an Equality Impact Assessment (EIA) been undertaken?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If YES, what EIA reference number has it been given? 930	
Does the report contain confidential or exempt information?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-	
<p><i>“The appendix A is not for publication because it contains exempt information under Paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended).”</i></p>	

Purpose of Report:

(Outline the decision being sought or proposal being recommended for approval.)

- The site at Westfield, Moss Way, Mosborough has been developed by the Council and the facility of St Georges Park, Westfield at The Isobel Bowler Sports Ground is now complete. This is a high quality football facility allowing year around access, with changing facilities, a club house and a gym. Along with rugby pitches and related facilities.
- As part of the Parklife Project, the Sheffield City Council and the Football Association (FA) previously appointed Pulse Soccer Limited as the operator in respect of three football hub sites within Sheffield. The Westfield site and its operational arrangements is the subject of this report.
- The proposal is for the Council to enter into a lease and a leisure management agreement with Pulse Soccer Limited. The Council will also need to enter other legal agreements with the Sheffield Football Trust, which relate to the collaboration between the Council and the Football Trust in respect of the current hub sites and any future sites which become part of the Parklife Project.
- It is also proposed that the rugby facilities at the site will be leased to the Mosborough Rugby Club, as part of a separate transaction.
- Cabinet previously made a decision on the 26th March 2008, which approved the disposal of the former Westfield School Playing Fields, off Moss Way to the Sheffield and Hallamshire County FA with definite user rights to the Mosborough Miners Welfare Club. It is the intention of this report to request that the previous decision is amended. Instead it is proposed that a lease will be granted to Pulse Soccer Limited in respect of the football and leisure facility known as St Georges Park, Westfield, with a further separate lease to the Mosborough Rugby Club for the rugby facilities.

Recommendations:

That Cabinet:

1. Delegate to the Executive Director of Place in consultation with the Director of Legal and Governance the authority to enter into the Collaboration Agreement and a Grant Agreement with the Sheffield Football Trust.
2. Delegate to the Executive Director of Place in consultation with the Director of Legal and Governance the authority to enter into a Leisure Services Management Agreement with Pulse Soccer Limited for an initial period of 8 years, to manage the facility at Westfield.
3. Notes the previous Cabinet decision of the 26th March 2008 to dispose of the land to the Sheffield & Hallamshire County Football Association and now revises that decision and authorises the Chief Property Officer and the Director of Legal and Governance to dispose of the public open space at Westfield to Pulse Soccer Limited via a lease for the period of 8 years and via another lease to the Mosborough Rugby Club for a period of 25 years.
4. Delegates authority to the Executive Director of Place in consultation with the Director of Legal and Governance and the Director of Finance and Commercial Services to agree the terms of the various agreements detailed within this report or any other legal documentation needed to achieve the outcomes set out within this report.
5. Delegates authority to the Executive Director of Place in consultation with the Director of Legal and Governance and the Director of Finance and Commercial Services to take such other steps as may be deemed appropriate to achieve the outcomes set out in this report.

Background Papers:

(Insert details of any background papers used in the compilation of the report.)

- a) The 'Sheffield City Council Partnership with the Football Association' Cabinet Report 12th November 2014. (Appendix B)

Lead Officer to complete:-		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: Chris Nicholson/ Anoop Rughani
		Legal: Nadine Sime
		Equalities: <i>Beth Storm</i>
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>		
2	EMT member who approved submission:	<i>Laraine Manley</i>
3	Cabinet Member consulted:	<i>Mary Lea</i>
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
	Lead Officer Name: <i>James Barnes</i>	Job Title: <i>FA Project Manager</i>
	Date: 3 rd October 2017	

1. PROPOSAL

(Explain the proposal, current position and need for change, including any evidence considered, and indicate whether this is something the Council is legally required to do, or whether it is something it is choosing to do)

Background to the Sheffield Parklife Project

- The wider Project represents the first of what the FA anticipates will be many similar approaches adopted across the country where discretionary budget challenges are being faced. It is a nationally significant project which has the open support of the senior executive of The FA.
- The FA identified three initial sites in Sheffield at Graves, Thorncliffe and Westfield to become the first football hubs as part of the launch of the Parklife Project.
- The FA and its partners committed to funding for the pilot in Sheffield. The FA, the Premier League, Sport England and the Department of Culture, Media and Sport have agreed a partnership approach for Phase 2 (Westfield).
- This is a continuation of the Council working with the FA to develop a radical, but realistic approach to facility provision and the structure of play for football across the city in order to overcome challenges and improve quality.
- The dedicated Sheffield Football Trust will provide strategic governance for the football hubs, but also play a key role in shaping future football facilities in the City. However, the Football Trust will not carry out the direct day to day operational management of the Football Hubs.
- The aspiration is that these facilities will run at zero cost to the project partners.
- This will promote sustained and increased participation in football to achieve wider social outcomes, for all participants from aged 5 up.

1.2 **Westfield FA Hub Project**

- The development at Westfield supports both the local authority's city-wide strategy to improve access to sport, health and well-being and the FA's national strategies aimed at improving access to year-round, high quality footballing facilities.
- The aims were to improve existing football and rugby facilities at the former Westfield School, Mosborough, by providing improvements to the natural turf pitches and the development of two new floodlit AGP supported by changing facilities, a club house and gym facilities. As detailed above the build is now complete.

- The proposal is for the Council to enter into a lease and a leisure management agreement with Pulse Soccer Limited. The Council will also need to enter other legal agreements with the Sheffield Football Trust, which relate to the collaboration between the Council and the Football Trust, in respect of the current hub sites and any future sites which are part of the Parklife Project.
- The Council will have a direct relationship with the operator and will enter into a collaboration agreement and a grant agreement with the Sheffield Football Trust to cover the wider objectives of the Parklife Project.
- The Leisure Management Agreement and lease at Westfield Football Hub between the Council and the operator will be for 8 years.
- It is also proposed that the rugby facilities at the site will be leased to Mosborough Rugby Club, as part of a separate transaction.
- The Sheffield Trust and the Council will manage the contractual relationship with Pulse Soccer Limited to ensure that the hubs are financially sustainable and the development outcomes realised.

Please also see exempt items.

2. HOW DOES THIS DECISION CONTRIBUTE ?

(Explain how this proposal will contribute to the ambitions within the Corporate Plan and what it will mean for people who live, work, learn in or visit the City. For example, does it increase or reduce inequalities and is the decision inclusive?; does it have an impact on climate change?; does it improve the customer experience?; is there an economic impact?)

- 2.1
- The Sheffield City Strategy 2010-2020¹ sets out clear, high-level ambitions for achievement in Sheffield by all of the city's partners working together. The Sheffield Football Project will be achieved through working closely with both city partners and external national partners.
 - The current Council Corporate Plan 2011-14, Standing Up for Sheffield identifies six strategic outcomes for the city where we will focus our efforts and direct our investment. This project links to:
 - A Great Place to Live
 - Better Health and Wellbeing

A Great Place to Live Benefit Areas:

i) Quality Place Management

- Green and open spaces are well-managed and maintained.
- People can participate in sports and leisure activities.

Place Measures

- % of public open space sites in Sheffield managed to the Sheffield Standard

Infrastructure and Built Environment

- Neighbourhoods are distinctive, well-planned and designed.

Place Measures

- % satisfaction with ease of access to key neighbourhood facilities

ii) Better Health and Well Being

This development supports both the local authority's city-wide strategy to improve access to sport, health and well-being and the FA's national strategies aimed at improving access to year-round, high quality footballing facilities. The pavilion, AGP and grass pitch provisions are designed to increase participation and raise the level of footballing skill in players, coaches and referees. The proposal aims to address the shortage of playing field space identified in the Council's Playing Pitch Strategy published in 2012.

The 'Outdoor Sports Strategy' Cabinet Report (June 2014) asked for a renewed approach to outdoor sport in response to the rapidly changing sporting and economic context. The longstanding approach of the local authority being by far the biggest funder and provider of outdoor sport must change as the Council faces continuing and unprecedented budget pressures.

In response, there are new opportunities for the sports to take a greater lead and to seek new investment, work with the Council to shape the city's priorities and find new ways of managing the delivery of programmes and venues.

Therefore the collaboration between the Council and the FA and opening of the hub facilities will develop a radical, but realistic approach to facility provision and the structure of play for football across the city in order to overcome this challenge and hopefully improve the quality of experience for young footballers across the city. The FA anticipate wider use of 3G Artificial Grass Pitches (AGPs) to reduce the overall reliance on natural turf although natural pitches will remain a key component of local football delivery.

3. HAS THERE BEEN ANY CONSULTATION?

(Refer to the Consultation Principles and Involvement Guide. Indicate whether the Council is required to consult on the proposal, and provide details of any consultation activities undertaken and their outcomes.)

- 3.1 Consultation on the Westfield Hub site has been two-fold. Initial public consultation took place in July 2016 and there was statutory consultation as part the planning application process.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

- 4.1 Equality of Opportunity Implications

4.1.1 Please see attached Equality Impact Assessment EIA reference number 930.

4.2 Financial and Commercial Implications (see also Exempt items)

4.2.1 Given previous decisions to:-

- Dispose of the land at Westfield playing fields (Cabinet March 2008).
- Procure an operator (Pulse Fitness) to carry-out day to day management of the facilities at Westfield. The procurement process for an operator was approved at Cabinet 12th November 2014 and after a tender process Pulse Fitness were appointed as the Leisure Operator in December 2015 for all three FA Hubs
- Approve the Capital Funding of the project/facilities at Westfield (Cabinet June 2016).

There are no new/additional financial implications arising from recommendations in this report.

4.2.2. In summary those implications included the operator paying SCC a licence fee for the Westfield facilities, which will be used to cover contractual sinking fund requirements to replace the pitches and the Revenue costs of the prudential borrowing above.

4.3 Legal Implications

4.3.1 The Local Government (Miscellaneous Provisions) Act 1976 permits the Council to provide such recreational facilities as it thinks fit which includes:

(a) indoor facilities consisting of sports centres, swimming pools, skating rinks, tennis, squash and badminton courts, bowling centres, dance studios and riding schools; .

(b) outdoor facilities consisting of pitches for team games, athletics grounds, swimming pools, tennis courts, cycle tracks, golf courses, bowling greens, riding schools, camp sites and facilities for gliding; .

(c) facilities for boating and water ski-ing on inland and coastal waters and for fishing in such waters;

(d) premises for the use of clubs or societies having athletic, social or recreational objects;

(e) staff, including instructors, in connection with any such facilities or premises as are mentioned in the preceding paragraphs and in connection with any other recreational facilities provided by the authority;

(f) such facilities in connection with any other recreational facilities as the authority considers it appropriate to provide including, without prejudice to the generality of the preceding provisions of this paragraph, facilities by way of parking spaces and places at which food, drink and tobacco may be bought from the authority or another person.

To the extent the proposals are not covered in this piece of legislation, power to proceed is also provided through the General Power of Competence in Part 1 of Localism Act 2011. It also has the power to deliver the project, under s.111 of the Local Government Act 1972.

The proposal is for the Council to enter into a Leisure Services Management Agreement, along with a lease on the Council owned site, with the Pulse Soccer Limited. The Leisure Services Management Agreement will be for a period of 8 years and will allow the operator to manage and operate the Westfield hub site. It will also clearly set out the specifications of the facility

and the obligations on the operator. Under this agreement the operator will pay the Council a licence fee on an annual basis. Surpluses over and above the borrowing costs can be added to a Football Trust sinking fund, which will be used for ongoing maintenance of these commercial hub sites and the pitches.

The proposal is to grant a lease of the facility; St Georges Park, Westfield at The Isobel Bowler Sports Ground to Pulse Soccer Limited for a period of 8 years. This disposal will require permission from the Football Foundation, who has provided the Council with grant funding towards the Project. This is a requirement of the funding received, approval for accepting the grant funding of £4.38 million and its terms was given by the Individual Cabinet Member for Culture, Parks and Leisure on the 6th February 2017.

Further details relating to the grant of the leases are set out within the property implications section of this report.

The operator will also sign a Deed of Adherence to the existing Football Foundation funding agreement, between the Council and the Foundation. This means that Pulse Soccer Limited is bound by the provisions within the funding agreement that relate to obligations on the operator.

The Council will also agree that any surplus generated from the facility is retained within the Football Trust for reinvestment back into the City- wide Football Trust activities via a collaboration agreement between the Council and the Football Trust. The Collaboration Agreement with the Sheffield Football Trust also allows both parties to co-operate and establish a framework to govern their respective rights and obligations in relation to the implementation of the FA's national Parklife Project. The Agreement sets out the parties' respective obligations and the terms and conditions upon which the parties have agreed that the Project may be implemented. There is an indemnity clause within this agreement where both parties agree to cover all liabilities, costs, expenses, damages and losses in connection with any claim made against the indemnified party for infringement of a third party's Intellectual Property Rights.

In furtherance of supporting the joint objectives of the Parklife Project the Council will also enter into a Grant Agreement with the Sheffield Football Trust, which will allow the Council to grant funds to the Sheffield Football Trust. This will be used where any surpluses have been generated at any of the three football hub facilities. The funds will be used for reinvestment towards the further implementation and/ or the delivery of the Parklife Project. Grant of funds is subject to any surpluses being made available annually.

Prior to the completion of the agreements between the parties, the operator may be allowed to access and commence operations through a temporary licence, granted from the Council to the operator. The authority to enter into this licence could be given by the Chief Property Officer. There will be a provision within the management agreement to allow for this possibility. In this situation the terms of the management agreement, including the financial provisions will commence from the date that the operator entered into the temporary licence to occupy the site. Should the operator fail to agree to this provision within the management agreement then the Council may lose out on the proportion of the licence fee that was due over the period of any licence. However, given the mobilisation and staffing costs to the operator

and the licence fee being agreed to in principal by them; the risk of the operator not entering into the management agreement is considered low.

The Council will be tied into the obligations of the various agreements set out above and the various schedules/ appendices attached to these. The decision maker needs to be happy that the Council can comply with these obligations and also meet the monitoring conditions attached to the linked funding agreement.

4.4 Other Implications

(Refer to the Executive decision making guidance and provide details of all relevant implications, e.g. HR, property, public health).

4.4.1 Property Implications:

By the Cabinet Decision noted above approval was given to the disposal of the site to Sheffield Hallam Football Association. Approval is now sought to lease the land to two alternative parties, Pulse Soccer Limited and Mosborough Rugby Club (MRC). This will be two separate disposals of the land.

The lease to Pulse Soccer Limited of the site will be a disposal of the land. The specific lease terms are still to be negotiated, but it is anticipated that it will be granted at a nil value or a significant undervalue. Under s123 Local Government Act 1972 the Council cannot dispose of property for less than the best price reasonably obtainable, unless it obtains the consent of the Secretary of State. Pursuant to the powers conferred by section 128(1) of the 1972 Act. The Secretary of State has issued the General Disposal Consent (England) 2003. Where the terms of a proposed disposal fall within the scope of this consent there is no requirement to obtain a specific consent for it. This consent permits the disposal of land at an undervalue of up to £2,000,000 where the Council considers that it will help to secure the promotion or improvement of the economic, social or environmental well-being of its area. The benefits of the proposal in economic, social and environmental terms are detailed in this report and the value of both sites is significantly less than the £2,000,000 limit so there will be no requirement to obtain a specific consent from the Secretary of State for the grant of the proposed leases to the football trust. Pulse and MRC-Property Services at SCC have confirmed that the asset register value for an 8 year lease to Pulse would be £112,000 and the value of a 25 year lease to MRC would be circa £160,000.

It is proposed that the lease to MRC will be for 25 years at a peppercorn rent. The area to be leased is for land and any associated buildings to be used for outdoor sports and recreational purposes only together with any associated changing facilities and car parking that are ancillary to this use. The use of the land is further restricted by a proposed Community Use Agreement which obligates MRC to make the land and buildings available for local people and community groups to access the facilities. MRC will be responsible for the upkeep of the land together with any buildings erected thereon. MRC are also to be jointly responsible for the upkeep and maintenance of the accessway in to the site and have a right of access.

The lease to Pulse is an 8 year lease again at a peppercorn rent. Pulse are responsible for all internal and external repairs of the land and any buildings erected thereon. Again, the use of the land is further restricted by a proposed

Community Use Agreement which obligates Pulse to make the land and buildings available for local people and community groups to access the facilities.

A Notice of intended disposal of open space land pursuant to section 123(2A) of the Local Government Act 1972 (as amended) will need to be prepared and advertised in accordance with the requisite guidelines.

5. ALTERNATIVE OPTIONS CONSIDERED

(Outline any alternative options which were considered but rejected in the course of developing the proposal.)

- 5.1
- The FA recognised that grassroots football facilities in England are under severe pressure from local authority budget cuts. In October 2014, the FA launched a national initiative to invest in grassroots facilities and they have agreed that Sheffield would be the first city in which they deliver their programme.
 - The alternative to this would be not to enter these agreements and without investment there would be a severe decline in the quality and standards of Council football pitches.
 - The benefits to Sheffield include new and affordable facilities – artificial pitches, improved grass pitches and changing; increased participation levels and improved health; major capital investment from national sources and a potential long term saving to the Council as more play is concentrated on fewer pitches. Therefore whilst the FA's national initiative is recognition of the budget pressures faced by most local authorities, the potential opportunities and benefits are substantial for Sheffield.
 - Other participants are investing in grassroots facilities too, including the private sector, especially in commercially run small-sided centres or through league clubs. However, it is a stark fact that the current level of overall investment is not enough to i) protect the current supply of grass pitches and ii) deliver the growth in AGPs that is needed to catch up with other countries and to provide a better quality, more sustainable football facility infrastructure.

6. REASONS FOR RECOMMENDATIONS

(Explain why this is the preferred option and outline the intended outcomes.)

- 6.1 This preferred option at Westfield is the final stage in the development of the three current hub sites. It also supports both the local authority's city-wide strategy to improve access to sport, health and well-being. The collaboration with the FA's also supports their national strategies aimed at improving access to year-round, high quality footballing facilities.

6.2

This option allows the Council to commence the clear nine year vision for the three hub sites at Graves, Thorncliffe and Westfield and the wider FA project. This collaboration should also encompass and facilitate the emerging objectives of the Sheffield Football Trust (SFT) listed below, whilst providing clear

guidance on the % of surplus (when sinking funds and Trust running costs have been factored in) that should be allocated against each key objective;

- a) Manage the recently awarded contractual relationship with Pulse Soccer Limited to ensure the hubs are financially sustainable and the development outcomes that formed part of the tender submission are realised.
- b) To use the revenues generated by the hub sites to support other football facilities / pitches, currently provided and subsidised by Sheffield City Council. Key grass sites that the Trust will take ownership of should be within the strategy and a clear phasing plan outlined that is in line with the SFT revenue budget available.
- c) Develop a grounds maintenance service utilising equipment banks to drive up the quality of outlying grass pitch sites both on public pitches and club leased sites (within and outside of the SFT).
- d) Promote sustained and increased participation in football to achieve wider social outcomes, for all participants from aged 5 up. This project should set out some more specific interventions e.g. to deliver measurable contributions to local public health targets (smoking cessation, regular activity frequencies, sexual health, mental health etc.) and identify which local stakeholders/experts could deliver this activity.

6.3 Intended outcomes for the all of the football and leisure hub sites, including Westfield, is an opportunity to re-model the way in which football is delivered to the communities of Sheffield which will reduce reliance on public subsidy and in time, improve the quality of the offer made. In headline terms, the key proposals are:

- That there is a change to the way in which certain formats of football are delivered across the week so as to make best use of existing (and potentially new) facilities e.g. mini-soccer and youth formats are delivered on 'third generation artificial turf' against an agreed schedule at the weekend.
- That following recommendations from the Playing Pitch Strategy, several hub-sites across the City are capable of supporting all formats of the game within a high quality environment. These sites are located evenly across the city and in time, will reduce the football requirement across a disparate number of outlying sites across Sheffield.
- That the remaining non-hub sites delivering football across the city - leased sites, education sites and open public space sites - are clearly identified as supplementary delivery sites supporting the hub sites
- That the created Sheffield Football Trust represents the Council and other relevant football partners.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Report of: *Paul Billington*

Report to: *Cabinet*

Date of Decision: *October 18 2017*

Subject: *Development of the Olympic Legacy Park*

Is this a Key Decision? If Yes, reason Key Decision:-	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
- Expenditure and/or savings over £500,000	<input type="checkbox"/>	
- Affects 2 or more Wards	<input type="checkbox"/>	
Which Cabinet Member Portfolio does this relate to? <i>Leader</i>		
Which Scrutiny and Policy Development Committee does this relate to? <i>Economic and Environmental Wellbeing Scrutiny and Policy Development Committee</i>		
Has an Equality Impact Assessment (EIA) been undertaken?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If YES, what EIA reference number has it been given? <i>(Insert reference number)</i>		
Does the report contain confidential or exempt information?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-		
<p>Appendix 2 is not for publication because it contains exempt information relating to the financial or business affairs of any particular person (including the authority holding that information).under Paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended) and in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information."</p>		

Purpose of Report:

To update Cabinet on progress at the Olympic Legacy Park and to authorise delegated authority to support the further development of the site through discussions and negotiations with potential investors in the OLP site

Recommendations:

That Cabinet;

1. *Note the progress that has been made in transforming the former Don Valley Stadium site to the Olympic Legacy Park through;*
 - *the setting up of LPL to cement public sector partnership working and create a vehicle to engage with the private sector,*
 - *the construction and opening of both the academy and UTC,*
 - *the delivery of the 3G pitch and appointment of an operator,*
 - *completion of the impressive public realm on the site and its management by LPL, and*
 - *the funding and agreement with Sheffield Hallam University for the building of the Advanced Well-being Research Centre*
2. *In relation to the stadium, endorse the recommendation from LPL that the preferred solution is the one submitted by SIPL and approve further dialogue to reach agreement with SIPL on terms for disposal so that the stadium can be delivered*
3. *To endorse the principle that Sheffield Eagles Rugby League club should be allowed access to play at the sports stadium provided a commercial agreement can be reached with the operator*
4. *In relation to the indoor sports arena, to note the progress that has been made so far with PCA and approve further dialogue to reach agreement on terms for disposal with the proviso that agreement shall be reached by the end of October 2017*
5. *Note the preferred solution for school indoor sports access is the sports arena and to endorse the principle for the school indoor sports that the access for the school be legally secured in the event of a change of ownership or operator and to note this may affect the value of any premium to be received by the Council*
6. *Authorise the further discussion with SIPL and Sheffield Hallam University to progress options for the remaining commercial sites and wider options for the long term future of the OLP*
7. *Delegate to the Executive Director Resources in consultation with the Leader; and in consultation with the Chief Property Officer authority to agree terms for disposal of sites on the OLP, and take such steps not covered by existing delegations as he feels appropriate to achieve the outcomes in this report.*

Background Papers:

*Confidential submissions to LPL from prospective investors into the stadium.
Project*

Lead Officer to complete:-		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: <i>Paul Schofield -HoS Finance & Commercial Services Business Partner Resources and Place</i>
		Legal: <i>David Hollis – Assistant Director Legal and Governance</i>
		Equalities: <i>None</i>
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>		
2	EMT member who approved submission:	<i>Eugene Walker Executive Director of Resources</i>
3	Cabinet Member consulted:	<i>Leader</i>
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
	Lead Officer Name: <i>Paul Billington</i>	Job Title: <i>Director of Culture and Environment</i>
	Date: <i>18 October 2017</i>	

1. PROPOSAL

- 1.1 This report seeks to update Cabinet on progress and seek approval to enter detailed discussions and conclude negotiations with potential developers and investors in the Olympic Legacy Park (OLP). Any negotiated agreements must be in line with the vision for the site which is to *'promote an integrated approach to health, wellbeing and sport to a local, national and international audience via a combination of education, research, community participation and professional sports'*.
- 1.2 The site of the former Don Valley Stadium has seen significant development since 2013 and is now about to enter a second wave of investment as set out in this report.
- 1.3 The work so far has included the multi-million pound development of a major school academy and UTC; the creation of high quality public realm; a new state-of-the-art floodlit artificial pitch to accommodate community, education and professional sports. To initiate regeneration in 2013, the Council undertook a significant proportion of the initial site development: the school, land remediation and public realm/infrastructure works have all been undertaken at the Council's risk, but on the basis much of this has been funded through external grants secured by the Council.
- 1.4 The Council has also agreed terms with Sheffield Hallam University which has attracted government funding of £14m for a research centre in health and wellbeing (Advanced Wellbeing Research Centre/AWRC) to occupy a site on the OLP.
- 1.5 The Council has appointed an operator for the pitch which is already being used by the school and UTC and community use is about to start. The option for professional use of the pitch by Sheffield United women and girls is currently being explored and an in principle agreement with Sheffield Eagles for their use of the pitch in the coming season has been agreed.
- 1.6 In partnership with Sheffield Hallam University and Sheffield Teaching Hospital NHS Foundation Trust, the Council set up Legacy Park Limited (LPL), a company limited by guarantee, to develop the vision for the site and to work with potential developers and investors from the private sector. The board of LPL is made up of representatives from the three organisations and is chaired by the Rt. Hon. Richard Caborn who has been key to developing and delivering the vision for OLP after being asked by the Council to look at options for the former Don Valley Stadium site. LPL secured planning approvals for the site and has also arranged the management of the public realm at the site on behalf of the Council.
- 1.7 In addition to the investment so far, LPL, acting on behalf of the Council, has brokered discussions with three potential developers and investors in the site, Scarborough International Property Limited (SIPL), Sheffield

Hallam University (SHU) and Park Community Arena (PCA). The Council is the landlord of the site and it remains the Council's decision on all investment proposals.

Stadium

- 1.8 Part of the OLP proposal is for a sports stadium to be developed around the pitch. LPL has been looking at options for investment in the stadium and approached potential developers who had expressed an interest. Key to the preferred outcome will be the ability for Sheffield Eagles Rugby League team to be able to play at the stadium, alongside education and community use. LPL invited proposals from two developers and the LPL evaluation of each is in Appendix 2.
- 1.9 The proposal from SIPL has been recommended by Legacy Park Limited as the preferred investor and developer of the stadium. SIPL is proposing a 3600 seat community stadium at no cost to the Council which will accommodate education and community use alongside use by Sheffield United women's and junior teams. Any potential lease structure of the pitch from the Council to SIPL will ensure continued education access for the school and UTC irrespective of who may operate the site and the opportunity for Sheffield Eagles to play their competitive matches and have appropriate training time at the stadium provided they can reach a commercial arrangement with the investor/operator.

Sports Arena

- 1.10 The Park Community Arena is a development proposal from Park Community Arena Limited (PCA) and involves providing a permanent venue for the Sheffield Sharks professional basketball team. PCA would bring investment to build the indoor sports arena that would accommodate professional use by the Sharks but also daytime use by the school and UTC and community use at evenings and weekends. Discussions are at an advanced stage between PCA, LPL and the Council and the arena will be self-funding in both initial capital construction costs and on-going running costs without a need for Council grants, loans or subsidy.
- 1.11 The Council has an obligation to provide the use of indoors sports facilities to the school to meet their curriculum needs. The sports arena is the preferred option and therefore any deal will need to ensure that the school's access is legally secured for the period of any lease irrespective of who holds the lease or operates the facility. The current proposal is that the school's Academy Trust will have the benefit of an under-lease from PCA and the Council will look at the lease structure to ensure this offers an affordable and long term solution to access for the school as well as allowing the financing needed by PCA. The school is unlikely to have any revenue funding to pay for any lease premium or rent and therefore the Council will probably need to reflect the value of the under-

lease in its own premium for the head lease to PCA. If deliverable and viable this may represent a better value solution than funding the construction of a stand-alone sports facility for the school.

- 1.12 If the PCA option for school cannot be realised, then the Council will pursue alternative solutions to the provision of indoor sports, in part to meet educational needs, but also wider community demand. Whilst the PCA proposal is attractive to the Council, it has been at the development stage for a considerable period of time and given the Council's legal obligation to provide indoor sports facilities for the school within a reasonable time period, it is recommended that an end of October 2017 final deadline be set for reaching agreement with PCA in order to guarantee progress.

Commercial Plots

- 1.13 There are remaining commercial opportunities on the OLP site. Both SIPL and Sheffield Hallam University have expressed interest in these. Sheffield Hallam University is interested in taking a more strategic role across the park in the form of developing a 'Health Innovation Campus'. The next step for the Council is to further develop with both SIPL and Sheffield Hallam University their proposals to seek a solution for investment and development in line with the vision for the site and that meet the aspirations of both SIPL and Sheffield Hallam University.

2. HOW DOES THIS DECISION CONTRIBUTE?

- 2.1 The vision for the OLP project demonstrates it has major potential economic, sporting and health outcomes for the people of Sheffield. A Cabinet decision in support of the development will be a significant step towards realising these benefits.

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 A number of public consultation events have taken place led by our partner on this project, LPL. Consultation has also taken place with the on-site educational establishments and the proposed investors and sports teams. There is significant support for the proposals set out in this report.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

- 4.1.1 Whilst the development will serve the whole city and beyond, it also serves a disadvantaged community in the local area. The development aims to bring economic, sporting and health benefits to this community.

4.2 Financial and Commercial Implications

- 4.2.1 The strategy for the development of the OLP site is based on the principle that the Council will cover any costs it incurs, so that over the medium term there will be no net cost to the Council. . The school, land remediation and public realm/infrastructure works have all been undertaken at the Council's risk, but much of this has been funded through external grants. Now that this initial phase is over and the OLP site is developing, the next phases recommended in this report will be self-sustaining with no direct cost to the Council. The operating costs of the site will be re-charged to the occupants in line with standard estate management practices.
- 4.2.2 The Council will be required to fund the apportioned share of any site management costs for continuing vacant plots. There is currently no budgetary provision for this and it will fall as a pressure to be managed by the Place portfolio through the prioritisation of expenditure.
- 4.2.3 Subject to the details of the terms of any future agreements for the disposal of the remaining land interests on the site, the Council may receive either a capital sum or future income stream.
- 4.2.4 The developments on site will also earn the Council additional business rates and, more importantly, be a catalyst to generate further economic growth through the Lower Don Valley.

4.3 Legal Implications

- 4.3.1 Under s123 Local Government Act 1972 the Council may dispose of land in any manner it wishes. The disposal will need to comply with the provisions of s123 in respect of receiving consideration that is the best that can reasonably be obtained. Any disposal will also need to comply with State Aid law.
- 4.3.2 It is not considered that there are any procurement law implications from the proposals in this report as they do not involve the Council commissioning public works. Disposals of land (whether by way of lease or freehold) are not caught by procurement law
- 4.3.3 The Council's Disposals Policy within its Asset Disposal Framework does not always require public marketing of disposal sites and the proposal in this report to negotiate with developers is in line with that policy on negotiating with special purchasers in that SIPL and Sheffield Hallam University fall into the following categories recognised in the policy;
- developer with a major investment project
 - A locally based manufacturing company or other significant employer seeking to expand

- An adjoining landowner (SHU)
- A developer offering a public/private partnership with special focus on the land/property in question

The market testing and publicity undertaken by LPL provides assurance that the proposed developers/investors are the ones that will provide the right balance between return for the Council and realisable development in line with the vision for the OLP.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 A number of alternatives were considered ranging from pure commercial development through to a totally public-sector led project. The project outlined in this report which combines commercial and public sector and aims to have both economic and social/health benefits is by far the best option available.

6. REASONS FOR RECOMMENDATIONS

- 6.1 The option set out in this report is regarded as the best solution for delivering the vision for the site. It also allows the future development of the site with no calls on Council funding or subsidy.

Appendix 1 – Indicative Site Plan



ALA300PB25E
Olympic Legacy Park - Illustrative Masterplan - Wider Context
ISSUED FOR INFORMATION | 12.09.2017 | Scale 1:2500 @ A1



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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