

## SHEFFIELD CITY COUNCIL

### CABINET

#### Meeting held 11 July 2012

**PRESENT:** Councillors Harry Harpham (Deputy Chair), Isobel Bowler, Jackie Drayton, Mazher Iqbal, Mary Lea, Bryan Lodge and Jack Scott

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#### **1. APOLOGIES FOR ABSENCE**

1.1 Apologies for absence were received from Councillors Julie Dore and Leigh Bramall.

#### **2. DECLARATIONS OF INTEREST**

2.1 There were no declarations of interest.

#### **3. MINUTES**

3.1 The minutes of the meeting of the Cabinet held on 20 June 2012 were approved as a correct record.

#### **4. PUBLIC QUESTIONS AND PETITIONS**

##### 4.1 Air Quality Action Plan

4.1.1 Whilst recognising the effort that had gone into producing the Air Quality Action Plan, N Parry asked whether Cabinet were aware that a weakness within the Plan was a lack of quantification of the measures required to keep within the law in 2015.

4.1.2 Councillor Jack Scott (Cabinet Member for Environment, Waste and Streetscene) responded that whilst the Plan was a necessary starting point, further work such as the incorporation of the findings of the Low Emissions Feasibility Study, would be carried out to ensure compliance with recent European Commission changes.

##### 4.2 Responses to Public Questions

4.2.1 N Slack asked (i) should it take over a week for the Council to respond to questions asked; (ii) did this show a Council paying lip service to the idea of open government; and (iii) what steps would be taken to ensure this attitude to the public changed?

4.2.2 Councillor Bryan Lodge (Cabinet Member for Finance and Resources) confirmed that a written response was currently being prepared but this would take time

given the amount of information requested. It was noted that some information could not be supplied as it was commercially sensitive. He added that it had been 4 working days since the receipt of Mr Slack's questions and protocol for written responses was 10 working days.

- 4.2.3 In relation to Mr Slack's previous questions concerning Household Waste Recycling, Councillor Jack Scott (Cabinet Member for Environment, Recycling and Streetscene) confirmed that he had signed a written response for dispatch.

4.3 Sheffield Somali Community Centre

- 4.3.1 M Ismail stated that the Sheffield Somali Community Centre had been informed that they would no longer receive a funding grant and that a month's notice would be given on the Centre's premises. He asked what evidence had been taken into consideration when making the decision, and questioned whether the decision had been taken in a fair and transparent manner with due consideration given to the impact on equality and the needs of the vulnerable.

- 4.3.2 F Musa (for and on behalf of the Somali Women's Group, Burngreave) asked why the Centre's funding had been cut without consultation or consideration of the impact on isolated members of the Community. She added that the Centre was used by the Somali Women's Group to meet, socialise and raise awareness.

- 4.3.3 Councillor Harry Harpham stated that he was aware that the Sheffield Somali Community Centre had requested a meeting with the Leader and he was confident that she would be happy to meet with representatives on her return.

- 4.3.4 In response to the questions asked, Councillor Mazar Iqbal (Cabinet Member for Communities and Inclusion) outlined the communication process that had taken place, starting in November 2010 with a letter from the Deputy Chief Executive to the VCF organisations, which explained the changes to the grant aid budget and the consultation process. In March 2011, the Voluntary Sector Liaison Team had written to invite organisations to make an application and a further letter was sent setting out the information organisations were required to supply. Responses were not received from the Centre and a set of Accounts subsequently supplied were not signed. A further letter was sent in October 2011 and final payments made in February 2012.

Councillor Iqbal stated that the decision had not been taken lightly and it was important that the process was fair, open and transparent, with over 50 organisations being awarded grants He added that that one months notice had been paid as a gesture of goodwill and that a list of activities held at the Centre had been requested in order to assist in seeking alternative accommodation for them, but this had not been received to date.

Councillor Iqbal concluded that he too was confident that a meeting with the Leader would be arranged with the Leader in the near future.

4.4 Council Contracts with Private Companies

- 4.4.1 Mr Slack raised further questions in relation to private contracts for Public Services and asked (i) whether these companies had been approached about the levels of profit they enjoyed from the public purse; (ii) had the Council attempted to negotiate with them on this and if not, would they undertake to do so before more job and service cuts were forced upon the City; and (iii) the reality of spending on Sheffield postcode companies given that most were subsidiaries of major global players.
- 4.4.2 Councillor Bryan Lodge (Cabinet Member for Finance and Resources) responded that the Council operated a mix of service arrangements in line with Authorities across the Country. The contracting of services had facilitated innovative changes and improvements and that reduction in spending and efficiencies should not impact on the quality of service provided as outlined within provider Service Level Agreements. He cited examples of the Capita IT support contract which had been independently verified as providing the lowest spend for the level of service and improvements within the Benefits and Revenues service.

In relation to the Highways PFI contract, Councillor Lodge stated that the tenders had been assessed against the delivery specification and AMEY had been judged the most competent to deliver.

## 5. ITEMS CALLED-IN FOR SCRUTINY/REFERRED TO CABINET/COUNCIL

- 5.1 The Deputy Chief Executive reported that there had been no items of business called in for scrutiny arising from the meeting of the Cabinet held on 20 June 2012.
- 5.2 The Cabinet noted the information reported.

## 6. RETIREMENT OF STAFF

- 6.1 The Deputy Chief Executive submitted a report on Council staff retirements.
- 6.2 **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>
<b><u>Children, Young People and Families</u></b>		
Anne-Marie Appleton	Teacher, St Marie's Catholic Primary School	25
Ian Hayes	Teacher, Stocksbridge High School	29
Lynne Ley	Headteacher, Sharrow Primary School	30

Ann Lockwood	Business Manager, Heritage Park Community School	30
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Susan Orr	Teacher, Parson Cross CE Primary School	25
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Erica Taylor	Teacher, Windmill Hill Primary School	38
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### **Place**

Pamela Bridges	Personal Assistant, Development Services	22
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Theresa Elliott	Customer Services Assistant, Street Force	32
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Vivienne Grehan	Administrative Officer, Development Services	25
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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.

## **7. ANY OTHER BUSINESS**

It was noted that this would be Sonia Sharp's (Executive Director, Children, Young People and Families) last Cabinet meeting. Councillor Harry Harpham expressed his thanks on behalf of the Cabinet for her work and enthusiasm in the role and wished her luck and success in her new role in Australia.

## **8. EXECUTIVE FUNCTIONS DECISION RECORD**

The following decisions were taken by the Cabinet:-.

### **8.1 AGENDA ITEM 9: BUS RAPID TRANSIT NORTHERN ROUTE (BRT NORTH) : APPROVAL FOR COMPULSORY PURCHASE ORDER PUBLICATION AND THE ACQUISITION OF LAND**

The Executive Director, Place, submitted a report describing the proposed Bus Rapid Transit Northern Route (BRT North) which would provide new fast, efficient and sustainable public transport links between the centres of Rotherham and Sheffield, providing direct access to the Lower Don Valley which is the development spine of the Sheffield City Region. In particular, it was explained that, in order to deliver the Bus Rapid Transport (BRT) Northern Route to the Programme agreed with Government, the required land to build the scheme must be acquired and all rights negotiated in the calendar years 2012/13 and that this would involve the acquisition and/or granting of rights over of a total of 15 plots of land.

The intention was to acquire the land by negotiation. However, a Compulsory Purchase Order (CPO) scheme was being developed in parallel to give certainty of scheme delivery. The land required would be purchased at market value and its acquisition would represent an increase in the Council's asset portfolio.

8.1.2 **RESOLVED:** That :-

- (a) authority be given for the City Council to make a Compulsory Purchase Order under the powers conferred by the Highways Act 1980 to acquire the land coloured pink on the Map displayed at the meeting of Cabinet on 11th July 2012 and marked 'Map referred to in The City of Sheffield (Attercliffe Common, Carbrook St, Dunlop St, Weedon St, Meadowhall Way, Sheffield Rd) (Bus Rapid Transit Northern Route) (Classified Road A6178, C747) Compulsory Purchase Order 2012'
- (b) the Director of Legal Services be authorized to (i) approve the making of the CPO and to take all necessary procedural steps prior to and after the making of the CPO, to enable the CPO to be submitted to the Secretary of State for Transport for confirmation including : -
  - (A) finalising the draft statement of reasons;
  - (B) finalising the Schedule of Interests;
  - (C) serving notices of the making of the CPO on all persons entitled to such notice and placing necessary press notices;and (ii) submit the CPO to the Secretary of State for confirmation;
- (c) the Director of Finance and the Director of Property and Facilities Management Services, be authorised in conjunction with the Director of Legal Services, to acquire and/or secure affected land and rights by agreement up to the value of £750,000 for individual interests in parallel with the Compulsory Purchase Order, so that the Council can practically implement the scheme;
- (d) the Director of Legal Services be authorised to sign and serve any Notices and documents and, together with the Executive Director of Place, to take all other necessary action to give effect to the decisions now made; and
- (e) as soon as the Order is confirmed by the Secretary of State for Transport to advertise the confirmation of the CPO and serve all necessary notices of confirmation and once the CPO becomes operative, the Director of Legal Services be authorised to serve Notices to Treat under Section 5 of the Compulsory Purchase Act 1965, and where necessary, to serve Notices of Entry under Section 11 of the same Act in respect of the land included in the Order, or to execute general vesting declarations under the Compulsory Purchase (Vesting Declarations) Act 1981.

8.1.3 **Reasons for Recommendations**

Acquisition of the land, and the making of powers to compulsorily purchase any plots that cannot be negotiated by agreement, are necessary to deliver the BRT North scheme which will contribute to the objectives of 'Standing up for Sheffield' and the Sheffield City Region Transport Strategy.

#### 8.1.4 **Alternatives Considered and Rejected**

The Bus Rapid Transit North Scheme was itself developed as a bus-based alternative to the proposed Supertram extensions which were rejected by the Department for Transport for not representing a sufficiently high value for money.

In light of the Government's 2011 spending review, the BRT North scheme was refined and value-engineered to represent the optimum design solution which maximises benefits whilst minimising capital expenditure.

#### 8.2 **AGENDA ITEM 10: CAPITAL PROGRAMME APPROVALS 2012-2013 (MONTH 1)**

The Executive Director, Resources, submitted a report seeking approval for a number of variations and additions to the 2012/13 Capital Programme, as well as the approval of two procurement strategies for the delivery of projects in the Programme.

#### 8.2.1 **RESOLVED:** That Cabinet :-

- (a) approves the proposed additions to the Capital Programme listed in Appendix 1, including the procurement strategies and delegates authority to the Director of Commercial Services or Delegated Officer, as appropriate, to award the necessary contracts following stage approval by the Capital Programme Group
- (b) approves the variations in Appendix 1;
- (c) notes the following variations to the Capital Programme:-
  - (i) two variations approved within the delegated limit of the Executive Management Team for a value of £38,000, namely, Housing Demolition Contract and Park Grange Drive Shops Demolition; and
  - (ii) no variations had been approved by Directors under their delegated authority; and
- (d) notes one emergency approval with a value of £150,000, namely Rivelin Valley Playbuilder. .

#### 8.2.2 **Reasons for Decision**

The proposed changes to the Capital Programme will improve the transport, homes and leisure facilities used by the people of Sheffield.

To formally record changes to the Capital Programme in line with Financial Regulations and to reset the Capital Programme in line with latest information.

### 8.2.3 **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.

## 8.3 **AGENDA ITEM 11: AIR QUALITY ACTION PLAN FOR SHEFFIELD**

8.3.1 The Executive Director, Place, submitted a report providing an update on the new Air Quality Action Plan for Sheffield 2015 and seeking approval for its implementation. The Action Plan set out the causes and impacts of air pollution, and proposed seven commitments to reduce air pollution in Sheffield and achieve national air quality targets and European Union (EU) limit values by 2015, in furtherance of Sheffield's aspiration to be a City where health inequalities are eliminated and air is healthy for all to breathe and to meet the Council's commitment to help improve the health and wellbeing of the people of Sheffield, ensuring that it was an environmentally-responsible City, a key component of which was protecting and improving air quality.

8.3.2 The following minor amendments to the Plan were put forward:-

- Page 12, Action 6 – Substitute the word “Predictable” for the word “Notable” in the second line of the first paragraph.
- Page 28, Paragraph 6.29 - Substitute the word “Predictable” for the word “Notable” in the penultimate line of the paragraph.
- Page 28, Paragraph 6.30 - Substitute the words “may open up the possibility of making gas vehicles for deliveries a condition of planning permission in some instances” for the words “that we could condition in planning applications”

8.3.3 **RESOLVED:** That Cabinet

- (a) notes and agrees the 3 minor amendments to the new Air Quality Action Plan outlined (Page 12, Action 6, Page 28, Paragraph 6,29 and Page 28, Paragraph 6.3)
- (b) approves the new Air Quality Action Plan for Sheffield 2015 for implementation;
- (c) allocates a Steering Group and Working Group “champion” to each Action contained in the Action Plan, supported by a member of the local community;

- (d) delegates authority to the Executive Director, Place in consultation with the Cabinet Member for Environment, Waste and Streetscene, to take steps considered appropriate to implement the approved new Air Quality Action Plan for Sheffield subject to any necessary funding being identified and due regard being had to the legal implications set out in this report;
- (e) recognises that the Council's overall Air Quality Champion will be the Director of Public Health as part of his role on the City's Health and Wellbeing Board; and
- (f) agrees that a fully refreshed Air Quality Action Plan be submitted to Cabinet, following the completion of the Low Emission Zone feasibility study, due in the Autumn 2012.

#### **8.3.4 Reasons for Recommendations**

Air pollution impacts negatively on Sheffield people's health and economy as well as contributing to climate change. Sheffield reflects the national picture, in that generally air quality is improving. However in many areas, near the motorway and within the busy urban centre, it has not improved, with some places seeing air quality worsening.

Reflecting national trends and many other major cities in the UK, Sheffield currently breaches UK and European Union thresholds for air quality. There is the potential for the UK government to be fined if the EU limits are exceeded past 2015, and the fines imposed could be significant, consequently this is a recognised risk for the Council.

The implementation of this revised Air Quality Action Plan seeks to reduce air pollution in Sheffield to achieve national air quality targets and EU limit values by 2015. This will provide a better quality of life for all, particularly those living alongside the city's main transport corridors where exposure to elevated pollution levels is more likely.

#### **8.3.5 Alternatives Considered and Rejected**

To continue implementing the existing 2003 Air Quality Action Plan, after incorporating fine particles (PM<sub>10</sub>) that we have identified as being an additional pollutant to tackle. However, it was considered that this action would not have the required impact needed to meet national air quality targets, European Union (EU) limit values and protect health.

Doing nothing. However, this would mean that Sheffield would risk a possible fine, particularly if no additional efforts to tackle the problem were made, if the national air quality targets and EU limit values are exceeded by 2015.

Attempting to reduce emissions from traffic by using some form of demand management measure. However, this may still not deliver the required air quality targets and EU limit values by 2015 and would also have a negative impact on Sheffield's economy, working against the wider aims of the Corporate Plan.