

Cabinet

Meeting held 21 November 2012

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

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1. APOLOGIES FOR ABSENCE

1.1 No apologies for absence were received.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where resolutions may be moved to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting held on 31st October, 2012 were approved as a correct record.

5. PUBLIC QUESTIONS AND PETITIONS

5.1 Streets Ahead – Performance Information

5.2 Mr Nigel Slack commented that, in the recent report on the first few weeks of the Streets Ahead contract, he was disappointed to see little actual performance information, and that, although there was a deal of comment about the teething troubles etc. there was no report on key indicators. He added that a comment at the end of the report directed him to the Council's website which promised more information

5.3 He stated that, in examining the web pages, he had accessed the "Final Business Case" documents. However, he alleged that despite the Council's assurances that they operate as transparently as possible he had found that 12 out of 28 of the appendices to the documents had been redacted which, he contended, was a modern use of the word in order to make the act of sanitisation or censorship more palatable.

5.4 Mr Slack suggested that the use of redaction was almost always overdone and the use of the catch all phrase, 'content omitted for reasons of potential confidentiality or prejudice' was anodine and

misleading. In submitting a list of the appendices involved, he understood why, at the time, financial information was censored but struggled with the idea that the Communication Strategy, needed censoring or indeed the Project Risk Register and Risk Management Strategy.

5.5 Mr Slack therefore asked, would the Council undertake to look again at the details of this report and, in light of the signing of the contract, consider whether any real reason now remains for this information to be kept secret and, in addition, if they decided to keep the censorship of some appendices, will they at least undertake to provide a more detailed reason for this secrecy?

5.6 Councillor Bryan Lodge (Cabinet Member for Finance and Resources) responded that he would request officers to re-examine the documents referred to and determine whether some could be released into the public domain. He commented that, whilst he understood that some issues were sensitive and complex and might not be suitable for release into the public domain, he was not sure why the Communications Strategy had been redacted and would clarify why this had occurred.

5.7 Councillor Jack Scott (Cabinet Member for Environment, Recycling and Streetscene) added that he would also ensure that officers looked again at whether further appendices could be released into the public domain, but indicated that the reason why the Council sometimes withheld information was due to its sensitive nature. On the broader point, he understood the need for performance information to be publicly available and this would evolve as the contract progressed and would be subject to the Council's usual monitoring procedures along with other contracts. He stated that, having read the appendices, much of the information they included was not available due to the need for the Council to protect its position and that of its employees as well as the commercial interests of the contractor. He added that he would again ascertain why some information had been prevented from circulation in the public domain.

5.8 Councillor Julie Dore (Leader) confirmed that she was happy that officers would now conduct a review into why the documents referred to had been redacted and took the opportunity to advise Mr Slack that he would shortly receive a response to the questions he had asked her at the Council meeting on 7th November, 2012.

5.9 Jamia Mosque, Firth Park Road

5.10 Mr Raffiq, on behalf of the Jamia Mosque Committee thanked the Cabinet for the opportunity for addressing the meeting and referred to the previous requests by the Jamia mosque in the early 1980s and late 1990's for land upon which to build a community facility which the Council had supported. He asked, on behalf of the Mosque

Committee, that a plot of land now be made available for expanding the services provided by the Mosque for the Fir Vale/Firth Park area as well as the building of a community centre.

- 5.11 Mr Raffiq added that the Mosque Committee and the community supported the provision of a new primary school adjacent to Earl Marshal school to meet the expanding demand for primary school places in the area, but also re-iterated the need for a plot of land to be made available for the community.
- 5.12 Councillor Jackie Drayton (Cabinet Member for Children, Young People and Families) thanked Mr Raffiq for his attendance and questions and acknowledged that she was aware of the longstanding request from the Mosque committee for a plot of land for the community and acknowledged the hard work they do in the area and the esteem they are held in. Councillor Drayton reminded the meeting that the Skinnerthorpe Road site had been part of a HMR area and that previous Government funding provided funding to demolish the existing older houses and prepare the site for future development of new houses, and other community facilities.

Councillor Drayton added that the Council had been fortunate to secure capital spending for a new primary school on the site, which was desperately needed and good news for children and families in the area. Cllr Drayton stated that Officers were in discussion with representatives of the Jamia Mosque on the potential use of this piece of land and meetings would now take place with them and the local community on how the site might be developed. She also added that the Department for Communities and Local Government had informed the City Council that they supported the proposal for the school and waived any potential right to claw back funding on the site.

- 5.13 Councillor Harry Harpham (Cabinet Member for Homes and Neighbourhoods) added that there was enormous pressure in the Fir Vale area for a new primary school and new housing but that there was also great pressure on available open space in the area. Following a comprehensive consultation programme, the importance of a new school and new housing had been demonstrated as well as the need to expand the Mosque's community facilities. However, these were competing needs and required evaluation by the Council. He was, however, aware of the needs of the Mosque as well as the admirable contribution the Mosque had made to what was a diverse community. The Council would listen to the case made by the Jamia Mosque but he re-iterated that the major need was for new schools in the area.
- 5.14 Unanswered Questions
- 5.15 Mr Barrie Bellamy, High Green Community Action, asked why the questions he had asked at the meeting of Cabinet on 12th September

had not been answered. He also stated that he was still waiting for answers to questions he had asked at a meeting with Councillors Leigh Bramall and Jack Scott on 5th November, 2012.

5.16 Councillor Jack Scott (Cabinet Member for Environment, Recycling and Streetscene) responded that he had sent the questions that Mr Bellamy had asked which were outstanding to Amey and within the relevant parts of the Council which would cover the streetscene issues and bin collection and grit bin provision referred to and would follow these up to secure a response for Mr Bellamy. He had also met with Amey's community officer for the north area in order to stress the importance of the issues raised by Mr Bellamy. Councillor Scott apologised for the unavailable delay and indicated that Mr Bellamy would receive a response in the next 10 days or so.

5.17 Sheffield Bus Partnership Agreement

5.18 Mr Barrie Bellamy commented that the Sheffield Bus Partnership Agreement was supposed to improve bus travel in the City but that, in his opinion, it had made it worse with buses becoming less reliable in terms of punctuality and frequency, due to, amongst other things, the extension of bus routes. He asked, for example, why buses were being diverted away from the Interchange and redirected through the City Centre leading to bus congestion and difficulties in accessing buses for some older people, some of whom had missed buses as a result. Mr. Bellamy asked whether Cabinet had the power to do anything about this situation.

5.19 Councillor Julie Dore (Leader) responded that Councillor Leigh Bramall (Cabinet Member with responsibility for transport issues) was unavailable as he was currently meeting with the Transport Minister. She would, though, pass on Mr Bellamy's questions on the Bus Partnership to Councillor Bramall for a response. However, she commented that time was needed to allow the new system to bed in but that Councillor Bramall would welcome any feedback on the Bus Partnership in its early stages. On a more general note, Councillor Dore would look at the minutes of the meeting of Cabinet that Mr Bellamy referred to and ensure that he received a response.

5.20 Heavy Goods Vehicle (HGV) Ban on Bocking Lane

The following questions were asked and comments made by the members of the public referred to below relating to the HGV ban on Bocking Lane to which answers were given as shown:-

5.21 (a) a question from Mr. Colin Foster asking what evidence was there to suggest that it was a good idea to reverse the HGV ban on Bocking Lane, which was a narrow road and plagued by commuter traffic at night and in the morning, when there seems to have been no problems with the current arrangements since they were introduced 17 months

ago?

- 5.22 The Head of Transport, Traffic and Parking Services responded that the South Community Assembly had decided to close Bocking Lane to HGVs but that the decision had been the subject of a close vote. Since then, the previous and current Administrations had concluded that a strategic review of lorry routes needed to be undertaken. The closure of Bocking Lane to HGVs had caused concerns amongst residents of Abbey Lane, as the increased use of that road by HGVs, they contested compromised the safety of children attending school on Abbey Lane.
- 5.23 He stated that the issue of appropriate lorry routes in the City had been the subject of consultations with Community Assemblies, residents, freight trades, South Yorkshire Police and with other local authorities on the most appropriate routes for lorry traffic. He indicated that the whole issue was a strategic matter which needed to identify how to link the different parts of Sheffield in the absence of an outer ring road and, therefore, issues such as traffic flows and the amount of lorry traffic were being examined. Research had identified three types of lorry including those that made local deliveries to residents' homes, lorries travelling to and from Sheffield from other local authority areas and finally, those lorries which were passing through the City and didn't stop.
- 5.24 The residents of Bocking Lane had been concerned, in particular, with gravel lorries travelling on Bocking Lane during the night and, arising from such concerns the South Community Assembly had asked Council officers to investigate the matter. Officers had now examined a number of routes and, after consulting with the Police and Derbyshire County Council and South Community Assembly members, a report would be submitted to the Cabinet Highways Committee on 13th December, 2012. The Council's objective was to get lorries off the roads in Sheffield to Derbyshire by agreement with the Derbyshire County Council, but should such an agreement not be forthcoming then a ban would be introduced. However, this would take time.
- 5.25 The Head of Transport, Traffic and Parking Services stated that officers were now recommending that the HGV ban on Bocking Lane should not be applied in the day-time, but would remain for the evening and during the night.
- 5.26 (b) a question from Heather Parys concerning the heavy usage of Bocking Lane by lorries from Derbyshire and, in particular, how were the discussions with the Derbyshire County Council and the Freight Association progressing and would the outcome of such discussions be concluded before the meeting of the Cabinet Highways Committee on 13th December, 2012.
- 5.27 The Head of Transport, Traffic and Parking Services responded that it

was hoped to conclude discussions with Derbyshire County Council and the Freight Association prior to 13th December and that a compromise was being sought. He re-iterated that the HGV ban had been implemented in the best of interests of the community but he understood that that it was to the detriment of some residents.

- 5.28 (c) Mr Stuart Smith stated that officers had clearly analysed HGV traffic data during specific school periods 8.30 a.m. to 8.50 a.m. and 3.00 p.m. to 3.30 p.m. to arrive at their informed position. Therefore, he asked could the Head of Transport, Traffic, and Parking Services provide up-to-date figures on this and if not, how had he arrived at the decision?
- 5.29 The Head of Transport, Traffic, and Parking Services responded that officers now had the figures and these would be presented within a report to the Cabinet Highways Committee on 13th December, 2012.
- 5.30 (d) Ms. Pam Hodgson commented that, in view of the current financial climate, surely the spending of more Council funds reversing the ban in addition to those spent on the original decision to implement the ban in the first place just 17 months ago would be frowned upon by Sheffield Council tax payers. She, therefore asked what had changed to make the Council change its policy and reverse the ban?
- 5.31 Councillor Julie Dore (Leader) responded that over 18 months ago, Community Assemblies were given the power to decide upon highways issues. However, Bocking Lane, Abbey Lane and Abbeydale Road were situated in different wards namely, Graves Park, Beauchief and Greenhill and Central wards. Residents in these areas had expressed their concerns about the consequences of HGV bans in adjacent areas for their own areas. This had led her to the conclusion that the Council could not please everyone. The Council had been placed in a dilemma and, therefore, it had undertaken a review, gathering evidence and holding consultations with residents over a number of months and the Cabinet Highways Committee would consider the outcome of the review and take a decision on 13th December. She believed that the Council was not wasting Council taxpayers money in considering such important issues based upon accurate data and reliable evidence.
- 5.32 Councillor Harry Harpham (Cabinet Member for Homes and Neighbourhoods) indicated that he was a member of the Cabinet Highways Committee and invited the questioners to attend the proposed Committee meeting on 13th December. He added that the issue of HGV traffic had been problematic in many areas of the City for example, in the Darnall Ward, which he represented and where many of these problems still remained unresolved. The Council needed to find a compromise as regards HGV traffic using the City's roads and which covered all of the City.

- 5.33 Councillor Harpham added that there were no easy answers to the problems generated by heavy HGV traffic but the Council would try to help people where it could. It was fair to say though that, as regards transport in particular, you could not please all people all of the time.
- 5.34 Councillor Bryan Lodge (Cabinet Member for Finance and Resources) felt that the decision of the South Community Assembly to place a HGV ban on one road was ill-thought out as this would pit one community against another and was a prime example as to why the Council needed to take a decision which took account of all of the City and not just one or two areas.
- 5.35 Councillor Jack Scott (Cabinet Member for Environment, Recycling and Streetscene) indicated that he was also a Member of the Cabinet Highways Committee and referred to the problems caused by traffic to air quality and that 500 premature deaths in the City had been attributable to poor air quality. The increase in HGV lorries was a big issue for many communities and, therefore, there was a need for a strategic approach to be adopted by the Council taking account of all the City. It had been futile for a Community Assembly to look at the issue in isolation and the different views of the South and Central Community Assemblies had proved to be difficult to resolve. He felt that many of the problems caused by the approach which had been adopted to use Community Assemblies, could have been avoided if there had been a more joined-up strategy.
- 5.36 Councillor Julie Dore (Leader) in responding to a question from Mr Stuart Smith asking what had changed from 17 months ago when Abbey Lane had been identified as the most suitable road to take HGV traffic, stated that the increase in HGV lorries on Abbey Lane had provided evidence of the need to carry out a strategic review. She added that as far as HGV lorry traffic was concerned across the City, the Council and its communities had to recognise that there was a need to encourage economic growth and businesses to come to the City and, therefore, a delicate balance needed to be struck between economic, environmental and social policy in order for the City to secure economic growth whilst protecting the interests of the City's communities.
- 5.37 Councillor Dore indicated that all the questions asked concerning HGV lorries would be passed to Councillor Leigh Bramall (Cabinet Member for Business, Skills and Development) and that an e-mail received by Councillor Simon Clement-Jones enclosing a question from one of his constituents who was unable to attend the meeting would also be responded to.

6. ITEMS CALLED-IN FOR SCRUTINY

- 6.1 The Chief Executive reported that there had been no items of business called-in for scrutiny arising from the meeting of the Cabinet on 31st October, 2012.

6.2 The Cabinet noted the information reported.

7. RETIREMENT OF STAFF

7.1 The Chief Executive 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>Children, Young People and Families</u>		
Dennis Buck	Teacher, Lydgate Junior School	38
Susan Daniels	Headteacher, Greenland Nursery Infant School	38
David Foster	Headteacher, Stocksbridge Junior School	34
Richard Green	Health and Safety Technical Officer and Premises Manager, Bradfield School	29
Linda Hall	Catering Manager, Birley Community College	28
Stephen Sykes	Buildings Supervisor, Tinsley Junior School	29
Julie Toth	Teacher, Seven Hills School	34
Anita White	Teaching Assistant Level 1, Mossbrook Primary School	23
Carole Willis	Supervisory Assistant, Halfway Nursery and Infant	35

	School	
Anne Wilson	School Manager, Longley Primary School	21
Elaine Wright	Teacher, Tapton School	22

Resources

Diane Frost	Business Support Officer	27
Anne Hall	Operational Delivery Assistant	27

(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. REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING 2012-13 (MONTH 5)

8.1 The Executive Director, Resources submitted a report which provided the Month 5 Monitoring Statement on the City Council's Revenue and Capital Budget for 2012/13.

8.2 **RESOLVED:** That Cabinet:-

- (a) notes the updated information and management actions provided by this report on the 2012/13 budget position;
- (b) approves requests on Invest to Save projects in paragraph 37;
- (c) notes the carry forward request in paragraph 19 but withholds approval until the Place Portfolio achieves and maintains a balanced position as per EMT's recommendation; and
- (d) in relation to the Capital Programme: -
 - (i) approves the proposed additions to the Capital Programme listed in Appendix 1, including the procurement strategies and delegations of 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;

- (ii) approves the proposed variations in Appendix 1;
- (iii) approves the emergency approvals and variations approved by Directors under their delegated authority; and
- (iv) notes the latest position on the Capital Programme including the current level of forecasting performance .

8.3 Reasons for Decision

To formally record 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.

8.4 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.

8.5 Any Interest Declared or Dispensation Granted

None

8.6 Reason for Exemption if Public/Press Excluded During Consideration

None

8.7 Respective Director Responsible for Implementation

Laraine Manley, Executive Director, Resources

8.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Overview and Scrutiny Management

9. PRIMARY SCHOOL PLACES IN SHEFFIELD

- 9.1 The Executive Director, Children, Young People and Families submitted a report which outlined why more primary school places were needed across the City, the Council's role in delivering new places, and the next steps required. The report particularly alluded to the significant growth in the pre-school population in the north-east of the City and to options for addressing this by identifying possible sites for a newly built primary school at Skinnerthorpe Road in the Burngreave/ Fir Vale area and at the former

Watermead school site in the Southey/Longley/Shirecliffe area.

Prior to consideration of the report an amendment to wording of the report was reported in relation to paragraph 6.7 by the deletion of the sentence commencing “Secondly” in line 17 and its replacement with the following words:-

Secondly, we have discussed these plans with the Department for Communities and Local Government, to ensure they would support the proposal and waive any potential right to claw back funding, they have confirmed that:

“The Department will not seek to claw back the Housing Market Renewal (HMR) funds that were used to clear the Skinnerthorpe Road site. This is for the following reasons:

- the funds were properly used in line with original approval to clear and prepare the site for redevelopment, and the deed variation for 2007-8 amended the Market Restructuring Agreement to allow HMR funds to be used for regenerative activity within the area;
- the provision of new housing and a school could be classed as regenerative activity; and
- there will be no capital receipts arising from the site, as it will be leased to the Academy Trust for 125 years on peppercorn rent.”

9.2 RESOLVED: That Cabinet:-

- (a) authorises the Cabinet Member for Children's Services and Lifelong Learning to work with the Executive Director, Children, Young People and Families, and in respect of the Skinnerthorpe Road site in consultation with Cabinet Member for Homes and Neighbourhoods and the Executive Director for Place, and to take all necessary steps to secure the additional primary school places;
- (b) approves the element of Basic Need funding required to enable recommendation (a) to be fulfilled on the Skinnerthorpe Road and Watermead sites; and
- (c) agrees that the Skinnerthorpe Road aspects of the Burngreave and Firvale Masterplan are no longer a material consideration in the planning process as far as they would be relevant to the proposals of this report

9.3 Reasons for Decision

Having access to a good local primary school place is at the heart of ensuring successful outcomes for children and young people and making every area of Sheffield a great place to live. With the new primary schools

proposed in this report children in the north east of Sheffield will continue to be able to get a place at a school in their community. The approach suggested would ensure a local voice within the new government framework.

In providing the places through new provision there are a number of key issues. The sponsor must have the strength and capacity to make the provision successful in terms of improving outcomes, the new places must work within and serve to strengthen the local family of schools, and the provision must start with confidence of local families.

In order to best meet the additional demand, make the most efficient use of resources and provide high quality primary school places, it is proposed that new buildings on the Skinnerthorpe Road site and the Watermead site are taken forward as the best locations for the new provision.

9.4 Alternatives Considered and Rejected

One option would be to continue the expansion of existing schools. As described within the report, the scale of the additional demand, the current challenges, the existing school sizes, and the school sites combine to offer a strong argument that we have reached the point where expansion is no longer sustainable in the areas described.

A second option would be to take a 'free market' approach. The free schools programme could allow the Council to take a step back and see whether other providers come forward of their own volition to meet the demand. However, the Council is uniquely placed to offer a precise and considered assessment of the need for places. The free market approach would not be a secure way of fulfilling the Council's statutory duty to provide sufficient school places. Stepping back would also be to neglect the Council's ability to secure both a strong local voice and a strong educational voice in securing successful outcomes for local children.

A third option considered was support for existing secondary schools to expand their age range to become 5-16 schools. This option has the potential to build on the existing secondary schools as known providers in the locality which parents already know and have confidence in. However, by supporting a particular secondary school, the Local Authority may have prevented other providers from coming forward and expressing an interest in running new primary provision.

Finally, the Council could attempt to pursue the establishment of new Council-maintained Community schools. Under the new framework this can only happen in the event that the Secretary of State considers no suitable expressions of interest have been received. At that point the Council could start a formal competition process and only if no suitable proposal comes forward can the Local Authority propose a new Community school. If that were to happen, again the Secretary of State, through the Schools Adjudicator, would be the ultimate decision maker. Given the

Government Academies programme and the number of potential sponsors currently in the 'market', it is very unlikely that a proposal would reach that stage. However, the first step in that process is the seeking of expressions of interest as outlined in this report and therefore this route, whilst unlikely, would remain open.

9.5 Any Interest Declared or Dispensation Granted

None

9.6 Reason for Exemption if Public/Press Excluded During Consideration

None

9.7 Respective Director Responsible for Implementation

Executive Director, Children, Young People & Families, Executive Director.

9.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Children, Young People & Family Support

10. GAMBLING ACT 2005 - STATEMENT OF LICENSING PRINCIPLES (POLICY)

10.1 The Executive Director, Place submitted a report which set out the details of the revised Statement of Principles (Policy) to be published under the Gambling Act 2005 and details of the consultation process which had been undertaken. The report also provided background information as to the legal requirement to have a Statement of Principles (Policy).

10.2 **RESOLVED:** That Cabinet approves the Statement of Principles (Policy) for referral to Full Council on 5th December 2012.

10.3 Reasons for Decision

To comply with the Council's statutory obligations and in doing so promote the Council's strategic objectives and vision.

10.4 Alternatives Considered and Rejected

No alternatives were considered to be appropriate in the circumstances.

10.5 Any Interest Declared or Dispensation Granted

None

10.6 Reason for Exemption if Public/Press Excluded During Consideration

None

10.7 **Respective Director Responsible for Implementation**

Simon Green, Executive Director, Place

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

Economic and Environmental Wellbeing