

SHEFFIELD CITY COUNCIL
North East Community
Assembly Report

Agenda Item 8

Report of: North East Community Assembly Manager

Date: 30th January 2013

Subject: Discretionary Budget 2012/13

Author of Report: Alison Rayner
North East Community Assembly Manager

Summary:

The North East Community Assembly has had a Discretionary Budget in 2012/13 of £345,143. £308,876 was allocated at the Community Assembly Meeting in March 2012, followed by a further allocation at the meeting in July 2012 of £36,021. This report is to reallocate the under spend from various projects into an assembly wide rapid response pot.

Reasons for Recommendations:

Granting delegated authority to the Assembly Manager, in consultation with the Chair of the Community Assembly, to allocate unspent funding from the Assembly's Discretionary Budget will help ensure that the maximum use is made of the available funding in fulfilment of the priorities set out in the North East Assembly Community Plan, which have been identified through consultation with local residents, groups and partners

Recommendations:

That the North East Community Assembly:

- (1) Delegates authority to the North East Community Assembly Manager, in consultation with the Chair, to agree the utilisation of any under spend from the agreed allocations listed below, in line with the priorities set out in the North East Assembly Community Plan;

- (3) Confirms the authority of the Director of Community Services, in consultation with the Director of Legal Services, to agree the terms on which all funding referred to in this report is made available and to enter into such funding agreements with recipients of the funding and any other related agreements or arrangements, and on such terms, that she considers appropriate.

Background Papers:

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial Implications
YES Cleared by: Liz Orme
Legal Implications
YES Cleared by:
Equality of Opportunity Implications
NO
Tackling Health Inequalities Implications
NO
Human rights Implications
NO
Environmental and Sustainability implications
NO
Economic impact
NO
Community safety implications
NO
Human resources implications
NO
Property implications
NO
Area(s) affected
North East Community Assembly area of Sheffield

Relevant Scrutiny Committee if decision called in
Safer and Stronger Communities
Is the item a matter which is reserved for approval by the City Council?
NO
Press release
NO

1. Summary

The North East Community Assembly has had a Discretionary Budget in 2012/13 of £345,143. £308,876 was allocated at the Community Assembly Meeting in March 2012, followed by a further allocation at the meeting in July 2012 of £36,021. This report is to reallocate the under spend from various projects into an assembly wide rapid response pot.

2. What does this mean for people within the North East Community Assembly Area?

The allocation of the remaining 2011/12 North East Community Assembly Discretionary Budget will ensure activity takes place to address some of the priorities as identified in the North East Community Assembly Plan. These are:

- Brightening up our streets
- Improving parks and open spaces
- Supporting communities
- More things for children and young people to do
- Making people feel safe
- Improving roads and pavements
- Improving local housing
- Reducing health inequalities
- Getting people out of poverty and into work
- Increasing educational attainment and aspiration

3. Outcomes and Sustainability

The funding identified in this report will contribute to the delivery of the priorities in the North East Community Assembly Plan, thus benefiting residents in the North East Community Assembly Area.

The funding supports the City Council's priorities, values and outcomes as set out in the Corporate Plan 'Standing Up For Sheffield'. In particular:

Priorities

- Supporting and protecting communities

Values

- Fairness
- Spend public money wisely
- Enable individuals and communities

Outcomes

- Better Health and Wellbeing
- Successful Children and Young People
- Tackling poverty and increasing social justice
- A Great Place to Live
- Safe and Secure Communities

4. Full Proposal

4.1 The majority of the North East Community Assembly's discretionary budget was allocated in March 2012 with the remainder being allocated in July 2012. At this time, underspends have been identified in a number of projects. These are:

- The ward-based rapid response budgets
- The project support communication and consultation budget
- The Burngreave community support and people getting on together budget

The total amount of underspend is £35,300.

As the funding has to be spent and projects delivered by 31st March 2013, to allow for maximum flexibility in spending this money, it is proposed that the money be reallocated into an area-wide rapid response budget.

It is also proposed that any further identified underspends from the 2012/13 Discretionary Budget should be reallocated into the assembly-wide rapid response budget.

5. Financial Implications

The proposals as detailed will be funded from the North East Community Assembly's Discretionary Budget.

6. Legal Implications

This report proposes that the North East Assembly Manager be given delegated power to reallocate any under spend. At this stage it is not known exactly how these funds might be applied. Therefore, the legal implications which arise from specific proposals would have to be addressed when specific proposals were formulated, in consultation with officers in Legal Services.

However, it is likely that in allocating unspent reliance would be placed on the new 'general power of competence' (the 'GPC') conferred on the Council by Section 1(1), Localism Act 2011. Section 1(1) provides that, "*A local authority has power to do anything that individuals generally may do.*" This is clearly a very broad power. It is not, however, carte blanche for the Council to act in any way it pleases. As one example of this, Section 2(1) provides that, "*If exercise of a pre-commencement power of a local authority is subject to restrictions, those restrictions apply also to exercise of the general power so far as it is overlapped by the pre-commencement power.*"

In exercising any discretion the Assembly Manager would need to have regard to the 'Public Sector Equality Duty' (see below), and also to the likely effect on, and the need for the Council to do all it reasonably can to prevent, crime and disorder (including behaviour adversely affecting the local environment), substance misuse and re-offending in its area (Section 17, Crime and Disorder Act 1998).

The procurement of any goods, works or services must be undertaken in accordance with all relevant provisions of Sheffield City Council's Constitution including the Council's Contracts Standing Orders and all applicable procurement rules.

7. Equality of Opportunity Implications

In exercising their discretion, the Assembly and Officers exercising delegated powers need to be mindful 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:-

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

This includes having due regard to the need to:-

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; and
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.

Generally speaking Section 158 of the Act permits the Council to take positive action where this is a proportionate means of:-

- (a) enabling or encouraging persons who share a protected characteristic to overcome or minimise a disadvantage connected to that characteristic,
- (b) meeting the needs of persons who share a protected characteristic which are different from the needs of persons who do not share it, or
- (c) enabling or encouraging persons who share a protected characteristic to participate in an activity in which participation by persons sharing that characteristic is disproportionately low.

The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

8. Human Resource Implications

There are no specific human resource implications for the Council as a result of the allocation of this funding.

9. Mitigation of Risk

The risks relating to this proposal have been considered by the North East Community Assembly Team. These risks will be regularly reviewed and monitored.

Projects funded may not lead to noticeable improvement in the priority issue. The Assembly Team (and the Accountable Bodies Team which administers funding) will monitor the impact of activity throughout the coming year, to assess whether projects have been effective.

The Accountable Body Team will administer the distribution of funding and ensure agreed targets and outcomes are being met. They will do this through the receipt of monitoring forms from providers and by visiting projects / activity on the ground.

The Assembly Manager will ensure payments are made as per the project proposal form and are released on time as per Council rules. The projects need to be aware that all funding must be spent by 31st March 2013 and no carry forward or extension is likely this financial year.

11. Alternative Options

11.1 Keeping Discretionary Budget allocations split by ward and theme was considered but it was anticipated that this could restrict the assembly from funding a worthwhile project before year-end while funding was still available under a different theme or ward.

11.2 Funding only one of the two schemes proposed was considered, but it was felt that both were of equal value and using the underspend from the discretionary budget would enable the Community Assembly to respond to the

communities' requests.

12. Reasons for Recommendations

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13. Recommendations

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