Public Document Pack

Cabinet

Wednesday 22 August 2012 at 2.00 pm

To be he<mark>ld</mark> at the Town Hall, Pinstone Street, Sheffield, S1 2HH

The Press and Public are Welcome to Attend

Membership

Councillor Julie Dore Councillor Harry Harpham Councillor Isobel Bowler Councillor Leigh Bramall Councillor Jackie Drayton Councillor Mazher Iqbal Councillor Mary Lea Councillor Bryan Lodge Councillor Jack Scott Chair/Leader of the Council Deputy Leader/Homes and Neighbourhoods Culture, Sport & Leisure Business, Skills and Development Children, Young People & Families Communities and Inclusion Health, Care & Independent Living Finance & Resources Environment, Waste & Streetscene



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 <u>www.sheffield.gov.uk</u>. 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. on Friday, or you can ring on telephone no. 2734552. 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. Please see the website or contact Democratic Services for further information.

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. Further information on this or any of the agenda items can be obtained by speaking to John Challenger on 0114 273 4014.

If you require any further information please contact <u>committee@sheffield.gov.uk</u> or call us on 0114 273 4014.

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 22 AUGUST 2012

Order of Business

1. Welcome and Housekeeping Arrangements

2. Apologies for Absence

3. Exclusion of Public and Press

To identify items where resolutions may be moved to exclude the press and public

4. Declarations of Interest Members to declare any interests they have in the business to be considered at the meeting

5. Minutes of Previous Meeting To approve the minutes of the meeting of the Cabinet held on

6. Public Questions and Petitions To receive any questions or petitions from members of the public

7. Items Called-In For Scrutiny The Deputy Chief Executive will inform the Cabinet of any items called in for scrutiny since the last meeting of the Cabinet

8. Retirement of Staff

Report of the Deputy Chief Executive

9. Sheffield Bus Agreement

Report of the Executive Director, Place.

NOTE: The next meeting of Cabinet will be held on Wednesday 12 September 2012 at 2.00 pm

ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

A new Standards regime was introduced on 1st July, 2012 by the Localism Act 2011. The new regime made changes to the way that your interests needed to be registered and declared. Prejudicial and personal interests no longer exist and they have been replaced by Disclosable Pecuniary Interests (DPIs).

The Act also required that provision is made for interests which are not Disclosable Pecuniary Interests and required the Council to introduce a new local Code of Conduct for Members. Provision has been made in the new Code for dealing with "personal" interests.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously, and has been published on the Council's website as a downloadable document at -<u>http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests</u>

If at all possible, you should try to identify any potential interest you may have before the meeting so that you and the person you ask for advice can fully consider all the circumstances before reaching a conclusion on what action you should take.

Further advice can be obtained from Lynne Bird, Director of Legal Services on 0114 2734018 or email <u>lynne.bird@sheffield.gov.uk</u>

Agenda Item 5

SHEFFIELD CITY COUNCIL

CABINET

Meeting held 1st August 2012

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

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Jack Scott.

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 11th July 2012 were approved as a correct record.
- 4. PUBLIC QUESTIONS AND PETITIONS
 Petitions
- 4.1 Proposed Changes to the No.66 bus service
- 4.1.1 The Cabinet received a petition containing 1,154 signatures from residents of the High Green and Chapeltown areas (a) complaining that they had not had the chance to be effectively consulted with on the proposed changes to the No. 66 bus route which ran through High Green (b) indicating that they had no library, forum or other avenue through which they could have collected consultation questionnaires to have their say, had they been distributed (c) commenting that local residents of High Green relied on the direct route from High Green to Rotherham, including elderly residents and students going to the Thomas Rotherham College, as well as relying on the service as a swift, direct route to Sheffield's City Centre (d) suggesting that the proposed No. 13 bus route via Fox Hill would take longer and (e) calling upon elected members to campaign against the proposals set out in the Sheffield Partnership consultation 2012, which provided for the No. 66 service to run as far as Chapeltown only, as they wished to keep a reliable No. 66 bus service running through High Green to serve their community.
- 4.1.2 Jane-Marie Bellamy, on behalf of the High Green Action Team, addressed Cabinet and stated that the No. 66 service provided the most direct and reliable service for High Green residents passengers wishing to visit the Sheffield City Centre. The removal of the No 66 Service would also make visits to Rotherham

Hospital out of hours very difficult, requiring the use of three buses.

- 4.1.3 She added that the frequency of other services such as the No. 75 and No. 87 services only ran to and from High Green every hour and that the infrequency of the No 75 and 87 bus services and the low numbers of passengers using the services was a total waste of resources. Efficiencies in the use of resources and fuel economies could be more effectively secured by maintaining and, improving the current No 66 Service, where possible, by readjusting the balance between the frequency of that service and that of the No 75 and 87 services, some of which could terminate at Chapeltown. In addition, the condition of the buses used on the No. 66 Service was generally poor, the buses being generally old.
- 4.1.4 Residents in the High Green area were, with the loss of various community facilities and bus services to Meadowhall and Barnsley, feeling increasingly isolated.
- 4.1.5 Councillor Leigh Bramall (Cabinet Member for Business, Skills and Development) responded that the City Council did not have the power to make decisions on bus routes but that this role was fulfilled by the Sheffield Bus Partnership, of which the Council, the South Yorkshire Passenger Transport Executive (SYPTE) and bus operators were participants. He stated that he would refer the comments now made by Ms Bellamy and the detail of the petition to the SYPTE for discussion with the bus operators within the Partnership. He added that the during the latest consultation on bus services and, as part of the development of a Bus Partnership Agreement, representations from organisations and members of the public had been listened to and adjustments made to the proposed Agreement, where possible, in order to take account of public concerns on bus services. However, the configuration of bus services across the City was a complex issue, for example, the route of the No. 13 Service had implications for other areas.
- 4.1.6 Councillor Bramall informed Ms. Bellamy that he would ask the SYPTE to respond to the concerns outlined in the petition.
- 4.2 <u>Proposed changes to timetable for the No. 44 bus service</u>
- 4.2.1 The Cabinet received a petition containing 762 signatures from residents of the Basegreen and Birley areas (a) bitterly disagreeing with the changes to the 44 bus service times, (b) expressing concern that to have no buses would cut off residents of Basegreen and Birley completely as not everyone could walk to tram stops (c) suggesting that hospital or family visiting in the evening would come to an end as a result and (d) stating that those who needed the bus, the elderly and families without cars, would suffer again from these cuts to their service.
- 4.2.2 Terry Andrews of the Basegreen Tenants and Residents Association, addressed Cabinet indicating that the Basegreen estate was served only by one bus service, namely the No. 44 service, and that he understood that proposals to remove the bus link between the Basegreen area and the Crystal Peaks shopping centre as well as the removal of the evening bus service had now been

rejected and that the bus service would remain as it was. Mr Andrews sought confirmation of his understanding of the position.

- 4.2.3 Councillor Leigh Bramall (Cabinet Member for Business, Skills and Development) and responded that he understood that the retention of the No. 44 bus service was an issue to be considered for final approval as part of the Bus Partnership Agreement.
- 4.2.4 Councillor Bramall added that, in general terms, the proposed Bus Partnership Agreement sought to increase the reliability and sustainability of bus services across the City and that the majority of respondents in the Partnership's consultation had indicated that they were relatively satisfied with the changes proposed as they offered, amongst other things, lower fares and more frequent buses, although he recognised that 5% 10% of the responses were negative. He added that the proposed Agreement would provide for the holding of quarterly Partnership meetings with no changes being made to bus services without prior consultations being held between Partners.

4.3 <u>Proposed changes to the No. 4 bus service</u>

- 4.3.1 The Cabinet received a petition containing 625 signatures (a) objecting to the proposed withdrawal of the No. 4 bus service from Millhouses to the City Centre via Psalter Lane and Cemetery Road and replacing it with the No.83 service running along Ecclesall Road (b) suggesting that if the proposal was accepted, there would be 24 buses per hour on Ecclesall Road and none along Psalter Lane and (c) requesting that the No. 83 service ran along Psalter Lane from Banner Cross to link up with its route in the City Centre.
- 4.3.2 Councillor Leigh Bramall (Cabinet Member for Business, Skills and Development) reported that the petition had been referred to the SYPTE and that action was being taken to re-tender a new No. 4 bus service including a route along Psalter Lane to Ecclesall Road South which would be included in the new Bus Partnership Agreement. He drew attention to and welcomed the work carried out by local Councillors Nikki Bond and Qurban Hussain in support of the petition.

Public Questions

Mr Nigel Slack_made the following statement in relation to the Council's public questions procedure:-

4.3 "Recent election turnouts indicate that the public's connection to politics and their trust in politicians both nationally and locally is at an all time low. If this trend continues politicians, particularly at a local level may become redundant in the public's eyes, as they perceive that local elections are just a temperature check on national issues and that you can't trust any of them anyway. With this in mind I believe it is time for this Cabinet to consider it's and the Full Council's role in reconnecting with the public and revitalising public involvement. I believe that the Community Assemblies are a good step forward along this road, particularly because they give an opportunity for regular input from local interest groups and

individual members of the public.

- 4.4 The 'Questions' process however is another matter. Having asked a number of questions at Council lately, it appears to me that there is a lacklustre approach from most members to public questions. In fact, at times the responses seem to be automatically defensive or even dismissive. Indeed the last Cabinet meeting became quite testy, both myself and a member of the Somali community, were unable to comment on inaccuracies in the responses from Cabinet Members and I was almost prevented from asking my second question by the chair of the meeting. On finally being allowed to ask the question I got the definite feeling from the Chair that this was nothing more than a chore. This may not have been intentional but that was how it felt. As a result I suspect the thrust of my question was obscured by my annoyance.
- 4.4.1 Those of us that ask questions are not always here to 'Bash' the council, some of us actually hope to help, and to improve the lot of the Sheffield public. I have no party political axe to grind but I am a great advocate of open government and transparent honesty in public life. Where I have concerns I want to feel that I will be listened to openly, not defensively, and that members will address the question I ask, not try to make it look good for the minutes, or for party political advantage.
- 4.4.2 Despite what was said at Cabinet last time, there is no injunction in the Council's Constitution against comments or requests for clarification from questioners, it appears to be entirely at the Chair's discretion."
- 4.4.3. Mr Slack asked would the Cabinet therefore undertake to review the 'Public Questions' process to specifically enable one follow up comment or request for clarification to be available to members of the public or, at the very least look at improving the guidelines to Councillors on how to answer these questions?"
- 4.4.4. Councillor Julie Dore (Leader) responded that she was sure she could speak on behalf of the whole Cabinet, including Councillor Harry Harpham, who chaired the last meeting, that it was definitely not a "chore" to respond to public questions and that all Cabinet Members took all public questions seriously. She stated that, sometimes, there was some confusion in the understanding of the role of Council and Cabinet and she pointed out that Council took few decisions except where its statutory functions needed to be exercised such as the appointment of a Leader or the setting of the Council's budget and Council Tax level, but that Council did provide a forum for the submission to public questions and petitions which would be the subject of a response by a Cabinet member and might initiate a debate at a future meeting.
- 4.4.5 Councillor Dore stated that, where a public question was asked, Cabinet and Council were unable to make a decision on the matter as there was a due process to follow in taking decisions. However, there were many opportunities for members of the public to raise issues with Councillors through ward surgeries, attendance at public forums, Tenants' and Residents' associations etc. Additionally, last year, the Council provided a further opportunity for members of the public to ask questions of Cabinet members through the Cabinet in the

Community meetings which had been held in each Community Assembly area to ensure that those areas without Cabinet representation were able to ask the Cabinet questions on policies and services in an open forum. This Programme had received positive public feedback and the Programme would be repeated in the Autumn of this year in a somewhat different form which would accommodate a more open debate for part of the meeting. However, Cabinet meetings were not an appropriate forum for public debates and its primary responsibility was to take executive decisions on behalf of the Authority.

- 4.4.6 The Council also hoped to review the role of Community Assemblies, as it was felt that they were not particularly well attended and were and were also looking to encourage public participation and engagement in the shaping of decisions through a "Voice and Influence " Programme.
- 4.4.7 Councillor Mazher Iqbal (Cabinet Member for Communities and Inclusion) referred to the holding of the Local Democracy Week event between 15 and 21st October, 2012 organised by the Council in partnership with Sheffield for Democracy, Workers Educational association, South Yorkshire Police, Age UK and other organisations and he, like other members of the Cabinet, recognised the importance of working closely with communities to engage with them in discussion on policies and services. He added the funding referred to came directly from Government through the Community First Programme and had been passported directly by Office of Civil Society to community organisations. £1,102,075 had been allocated to run over a 4 year period, from 2011-2015 and he acknowledged that it was important that small groups were able to access this funding

Mr. Martin Brighton asked the following questions and made the following observations:-

4.5.1 Outstanding Information

- 4.5.1 From May 2011 this citizen has asked this Cabinet many questions. Many of the answers have not included the information needed to answer them, rather the questions were batted away with excuses for not answering, counterquestions, or expressions of opinion as to why they were not answered, etc. Would this Council please note this formal request that a review of those answers is to be made, and, where the information was not provided, it is provided in writing, or formally refused, in statements suitable for presentation to the Information Commissioner.
- 4.5.2 Councillor Julie Dore (Leader) referred to her previous answer to Mr Slack in terms of the different means of engaging with Councillors and the role of Council and Cabinet meetings. In particular, she referred to the opportunity to engage with Councillors through correspondence, ward surgeries, Community assemblies and Scrutiny Committees. Should members of the public require further information than that given in Cabinet Member responses to public questions at Cabinet, then that opportunity was provided outside of Cabinet meetings through, for example correspondence. Public questions could not be treated as Freedom of Information requests, which were required to be submitted

to the Authority under a separate process, whereupon a response would be given.

- 4.5.3 Councillor Harry Harpham (Deputy Leader and Cabinet Member for Homes and Neighbourhoods) added that if Mr Brighton wished to submit any documentation to him he would provide a response, where this was appropriate. Referring back to the comments made by Mr Slack, Councillor Harpham apologised to Mr Slack if he had thought that answering questions at the last Cabinet meeting looked like it was a "chore" for Cabinet Members as he was well aware of the huge priviledge conferred upon him to take decisions on behalf of citizens in this City.
- 4.5.4 Imposition of Council-favoured groups.
- 4.5.5 This citizen has raised this issue several times. Each time it is declared that no such imposition takes place, only for the impositions to be repeated. The Council cannot be believed in this regard any more.

Please explain why this Council approves of the imposition of the Council's local forum over community groups in the Lowedges, Batemoor, Jordanthorpe area with respect to access to funding.

4.5.6 Councillor Harry Harpham (Cabinet Member for Homes and Neighbourhoods) responded that if Mr Brighton let him have a copy of the documents he referred to, he would respond to him. Councillor Mazher Iqbal (Cabinet Member for Communities and Inclusion) added that the funding referred to came directly from Government through the Community First Programme and had been passported directly by the Council to community organisations. It was intended that a mini-evaluation of how the £1 million Community First funding was spent over the next few years and he acknowledged that it was important that small groups were able to access this funding.

4.5.7 Accuracy of the public record.

4.5.8 It has been proposed by Sheffield Homes that the amendment of inaccurate records is dependent upon their assigned status of the person reporting those inaccuracies.

What is the Council's view of this policy, and what is the Council's policy on this issue ?

- 4.5.9 Councillor Julie Dore (Leader) responded that she was unable to comment on the response of Sheffield Homes as she had no access to their documents. The accuracy of Cabinet minutes were agreed by Cabinet and they would be amended, if Cabinet, as the body who had taken the decisions reflected in the minutes, felt that this was appropriate.
- 4.5.10 Councillor Harry Harpham (Cabinet Member for Homes and Neighbourhoods) suggested that if Mr Brighton let him have a copy of the Sheffield Homes letter referred to, he would respond to him.

- 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 11 July 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>	Years' Service

Children, Young People and Families

Pauline Holmes	Teacher, Newfield School	31
Kelvin Leaver	Teacher, Forge Valley Community School	36
Barbara Round	Teacher, Yewlands School	35
William Huw Thomas	Headteacher, Emmaus Catholic and C of E Primary School	25
<u>Communities</u>		
Barbara Berwick	Support Worker	23
Marion Burrows	Application Development Manager	33
Keith Clark	Approved Mental Health Practitioner	23
Julie Coupland	Support Worker	20
Dawn Ellison	Support Worker	24
Linda Harrison	Assistant Operational Manager	29
Sharon Marsden	Support Worker	23
Joan McGann	Support Worker	24
June Mundun	Support Worker	27

Sandra Pathan	Support Worker	28
Marilyn Lesley Porter	Support Worker	32
Joy Robertshaw	Support Worker	23
Marie Smith	Support Worker	29
Christine Walton	Learning and Development Consultant	26
Jane Whittington	Support Worker	27
Philip Wright	Support Worker	21
Deputy Chief Executive's		

Julian Ward	Lawyer	42
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Place

Stephen Byers Environmental Policy Co-ordinator 34

(b) extends to them its best wishes for the future and a long and happy retirement;

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

(d) wishes to place on record its particular thanks to Julian Ward (Lawyer), for his support of the Council's decision making process in relation to Planning and Hghways, and Stephen Byers (Environmental Policy Co-ordinator), for his valuable work with schools on environmental education.

7. EXECUTIVE FUNCTIONS DECISION RECORD

The following decisions were taken by the Cabinet:-.

7.1 AGENDA ITEM 9: ADULT AND COMMUNITY LEARNING – FEES POLICY 2012 -13

7.1.1 The Executive Director, Children, Young People and Families, submitted a report containing proposed revisions to the existing Adult and Community Learning Fees Policy funded by the Skills Funding Agency (SFA) and organised by the Council's Lifelong Learning, Skills and Communities Service (LLSC) in response to the requirements of the SFA. The key revision was that, as from August 2013, those people studying for Level 3 (equivalent to A level study over the age of 24) will be required to take out a loan to pay their fees, with repayments of loans

being made in accordance with future earnings levels.

- 7.1.2 **RESOLVED**: That Cabinet :-
 - (a) notes the information contained in the report now submitted; and
 - (b) approves the Adult and Community Learning Fees Policy 2012 -13 as set out in the report.

7.1.3 **Reasons for Recommendations**

The decision will allow the City to secure its adult learning funding thereby providing access to learning for those residents most in need of improved skills levels and the qualifications needed for work and improved life chances.

7.1.4 Alternatives Considered and Rejected

The option of halting the delivery of those courses for which the charging of fees in now required was considered and rejected as it would not allow equal access to learning for those very vulnerable learners, particularly from the BME communities who need language support to help them to play a positive role in their community and to contribute to the local economy

7.2 AGENDA ITEM 10: THE SHEFFIELD INVESTMENT FUND

- 7.2.1 The Executive Director, Resources, submitted a report setting out how the City Council might lead a strategic and innovative approach to the use of its property asset base to develop an Investment Fund, namely, 'The Sheffield Investment Fund'. The ultimate objective and targeted output of the Fund would be to assist in the regeneration and sustainable growth of the local economy with associated benefits to the workforce and people of Sheffield.
- 7.2.2 **RESOLVED**: That Cabinet :-
 - (a) to the establishment of the Sheffield Investment Fund as outlined in the report now submitted; and
 - (b) delegates authority to the Executive Director, Resources, in consultation with the Cabinet Member for Finance and Resources and the Director of Legal Services to :-
 - establish the fund through the capital programme on the basis that the fund will not normally be for "gap" funding, but will be for investment purposes, generating a cash return on the investment with a payback of the capital at the end of the term of the investment;
 - (ii) establish an appropriate governance structure;
 - (iii) establish the Fund's Investment Strategy, project selection process

and linkage, where appropriate, to the Sheffield City Region Investment Fund;

- (iv) agree the procurement strategy and award if it is determined that the best way of delivering the output is by creating a special purpose vehicle or entering into a joint venture;
- (v) negotiate, agree and complete the legal agreements required to give effect to the above arrangements; and
- (vi) make any other decision required to enable the creation and operation of the Sheffield Investment Fund including the use of a Fund Manager, where deemed appropriate, as procured for the South Yorkshire Urban Development Fund.

7.2.3 Reasons for Decision

The underlying benefit of this proposal is that it utilises the Council's asset base in a measured way to assist economic growth and progress in the City where, but for the appropriate funding being available, there are viable projects that can help to deliver jobs and other economic activity.

It is proposed that through the Capital Programme Approval process, including subsequent Cabinet approvals, the Council establishes the Sheffield Investment Fund to help progress the priorities of the Corporate Plan

7.2.4 Alternatives Considered and Rejected

The alternative option would be not to create an investment fund to assist economic growth using our own asset base as a source of funds and to leave such matters to the market.

The current economic conditions and restrictions on the availability of bank finance mean that projects that are otherwise viable are stalled due to that lack of funding and that is the state of the current market.

We could restrict our activity of investment in such projects to the South Yorkshire Development Fund. However, the creation of a Sheffield Investment Fund would be complimentary to other funds created in the region, and would be focussed on Sheffield.

7.3 AGENDA ITEM 11: ESTABLISHMENT OF HEALTHWATCH SHEFFIELD – CONTRACT MATTERS

- 7.3.1 The Executive Director, Communities, submitted a report seeking approval to the procurement strategy, specifications and contract award for Healthwatch Sheffield.
- 7.3.2 **RESOLVED**: That Cabinet:-

- (a) approves the procurement strategy and draft specification for Healthwatch Sheffield and the advocacy service
- (b) delegates to the Executive Director, Communities, in consultation with the Cabinet Member with the Health, Care and Independent Living Portfolio and the Director of Commercial Services, the decision to award the contracts and to determine the terms and conditions upon which the contracts will be awarded; and
- (c) delegates to the Executive Director, Communities, in consultation with the Cabinet Member with the Health, Care and Independent Living Portfolio, the ability to take action which he feels is necessary to achieve the outcomes outlined in the report.

7.3.3 **Reasons for Recommendations**

The Council has a duty to obtain 'Best value' in any service that it delivers.

Stakeholders have indicated that Healthwatch needs to provide innovative ways to gather and include their views. Tendering will maximise opportunities for creativity and innovation in the delivery of Healthwatch.

Sheffield City Council Standing Orders indicate the requirement to tender for services where the contract value exceeds £50,000.

UK/European regulations require that the procurement process is open, fair, transparent and non-discriminatory and that Service and that supply contracts over £173,000 must be subject to competitive tender.

Letting the complaints advocacy service as a separate lot within one tender gives the best possibility of a strong professional service for citizens that complements rather than detracts from the overall Healthwatch vision.

7.3.4 Alternatives Considered and Rejected

The Council is prohibited under the Act from delivering Healthwatch itself.

In compliance with the Council's Standing Orders, European finance regulations and the strongly expressed views of Sheffield stakeholders, there was no other realistic option other than to go out to tender for an overall Healthwatch contract.

An options appraisal for the complaints advocacy component of the contract has been completed. This included stakeholder views of available options. The highest scoring option recommended that the complaints aspect be let as a separate lot alongside the overarching Healthwatch lot within one tender process.

7.4 AGENDA ITEM 12: ANNUAL EQUALITIES AND INCLUSION REPORT 2011-12

- 7.4.1 The Deputy Chief Executive submitted the Council's Annual Equalities and Inclusion Report 2012 -13 which provided an overview of progress and challenges on Equality, Diversity and Inclusion (EDI), an update on progress on objectives in the Single Equality Scheme 2010 -13, an outline of the priorities, work underway and challenges, focused around work required to meet our equality duties and local priorities and recommendations for action.
- 7.4.2 **RESOLVED**: That Cabinet:-
 - (a) agrees the proposal's in the report now submitted including the Action Plans;
 - (b) agrees the new Equality, Diversity and Inclusion Policy; and
 - (c) focus the Council's attention, via the Strategic Equality Board, on :-
 - ensuring the Council has joined up approaches to equality, diversity and inclusion (EDI), including working with partners to deliver joint equality approaches and objectives;
 - (ii) strengthening civic participation through representation on boards in line with the city population e.g. women, disabled, BME people, etc;
 - (iii) strengthening monitoring and reporting of hate incidents and discrimination to ensure we are working to eliminate discrimination and harassment;
 - (iv) setting new priority indicators for 2013-17 in line with the recommendations of the Fairness Commission to prioritise areas with key outcome differentials or impacts;
 - (v) mainstreaming EDI performance into the Performance Management Framework and throughout business planning;
 - (vi) developing a deeper knowledge of our customers and communities including consistent monitoring / analysis of differences within communities and new profiles;
 - (vii) action in line with Workforce Equality Review;
 - (viii) adding additional questions in the staff survey on EDI and more work undertaken to understand and reduce differences;
 - (ix) ensuring EDI is embedded in procurement and commissioning arrangements;
 - (x) re-evaluating approaches to EDI in Portfolios' to ensure they are fit for purpose; and
 - (xi) continuing to review EDI arrangements in line with any changes to

legislation.

7.4.3 **Reasons for Decision**

The Council's aim is to make Sheffield a fairer place to live and work and, on an on-going basis, to meet the needs of its diverse customers. There is excellent work being undertaken across the Council in relation to equality, diversity and inclusion that will continue to make a difference top people's lives in the City.

However, alongside this work there are areas of *persistent inequality* in key areas across the Council that this report has highlighted and undermines the good work in services. These areas should be recognised as priorities and addressed differently if we are to improve outcomes for everyone across the City.

7.4.4 Alternatives Considered and Rejected

The actions and recommendations noted are considered to be the best way to meet our Public Sector Equality Duties, to address persistent long term inequalities and to help make Sheffield a fairer and more equal place to live and work.

7.5 AGENDA ITEM 13: WYBOURN SITE DISPOSAL

7.5.1 The Executive Director, Place, submitted a report containing proposals for the disposal of a site at Wybourn for residential development by Great Places Housing Association (the local stock transfer landlord) to allow for residential development consistent with the Council approved Wybourn, Arbourthorne and Manor Park (WAMP) Masterplan.

7.5.2 **RESOLVED**: That Cabinet:-

- (a) subject to the Secretary of State's consent and receipt of planning approval, the site identified at Appendix A be disposed of to the Great Places Housing Association as a site for the construction of 25 properties for affordable housing; and
- (b) the Director of Housing, Enterprise and Regeneration, in consultation with the Director of Property and Facilities Management, be authorised to agree terms for the disposal of the site for the purposes mentioned above, and to instruct the Director of Legal Services to complete the transfer on the terms agreed.

7.5.3 **Reasons for Recommendations**

Disposal of this site at Wybourn for residential development by Great Places Housing Association will allow for residential development consistent with the Council approved Wybourn, Arbourthorne and Manor Park (WAMP) Masterplan which will confer a number of timely benefits for the area and the city as a whole. Disposal to Great Places Housing Association will result in the building of 25 new properties for affordable rent.

It will also increase the opportunity for local people to benefit from the developments and ensure that maximum numbers of options are available to the Council and Great Places Housing Association for future interventions that seek to ensure the long term sustainability of the neighbourhood.

It is intended that the development will include a variety of housing types, including apartments and bungalows, which are felt to meet the changing housing needs of local residents.

These new properties will help deliver the Council's vision for the City and people of Sheffield by increasing the provision of high quality affordable housing that supports and delivers the City Councils Corporate Plan ambitions.

Working with Great Places Housing Association will allow better investment planning for them, including the coordinated development of the sites to maximise the opportunity for local residents to move into the new properties. As the local landlord of choice and following extensive community consultation on other projects, Great Places Housing Association have detailed knowledge of the housing needs of the area and will be able to build the new housing to meet those demands.

7.5.4 Alternatives Considered and Rejected

Do not dispose of the site yet.

In order to maximise receipt from the potential sale of the site it has been considered whether it would be appropriate to wait until an upturn in the economy before disposal. This would however mean that the site would be left undeveloped for an indeterminable time. With no guarantee of developer interest in this site or potential best price offer.

It would also deny the opportunity to develop the site speedily and to fit with Great Places Housing Association investment plans for the neighbourhood or resident expectation for the development of the site.

The timely development of the site is also intended to raise developer confidence in the wider area which will be reflected in the viability of other potential projects.

This option would also delay the delivery of an important strategic intervention of the WAMP Masterplan.

Open market with conditions/no conditions

Although this option could potentially allow potential rapid development of the site and maximise receipt, this is improbable in the current economic downturn as we could not guarantee developer interest or potential best price offer.

If the site was sold for open market development it would reduce the opportunity

for local residents to access the new housing. It would also deny opportunity for local lettings and compromise the investment strategy of Great Places Housing Association.

The process would also delay appointment of a developer and a start on site.

In addition such a process may result in establishing a new Registered Provider in the area, or if the developer chooses to work in partnership with another Registered Provider, with resultant issues around this as detailed in paragraph 7.3 of the report

Disposal of the site to another Registered Provider

This option would allow development by a Registered Provider other than the local resident's landlord of choice.

Although this would introduce a choice of landlord for residents, it may compromise the opportunity for aligning investment and maintenance strategies.

This option may also compromise the compatibility of local lettings policies to the detriment of local residents wanting to access properties at Wybourn.

Disposal of the site to Sheffield Housing Company (SHC).

This site is not on the current list of sites that has been offered to the SHC. If it were to be offered then there is no certainty as to when the site would be released and any agreed release date would be made on the SHC priorities rather than local need.

Open competition with detailed development brief.

The Council could agree a development brief and advertise the site to developers. This would allow the Council to be prescriptive and prioritise the development requirements.

It would however delay the release of the site, be Council resource intensive and not have guaranteed developer interest or potential best price offer.

It may result in the establishment of a new Registered Provider in the area which could result in difficulties in aligning investment strategies with Great Places Housing Association and a coordinated local lettings policy.

If a condition was included in the development brief that insisted the winning developer work in partnership with Great Places Housing Association then this may stop some developers entering the competition or force the developer to work with a partner it would not choose to work with. This may result in a difficult working arrange that may be detrimental to any scheme.

7.6 AGENDA ITEM 14:FOX HILL REDEVELOPMENT

7.6.1 The Executive Director, Place, submitted on the progress of work being undertaken in connection with the Fox Hill Redevelopment.

7.6.2 **RESOLVED**: That Cabinet:-

- (a) authorises the Director of Property and Facilities Management and the Director of Housing, Enterprise and Regeneration to negotiate any new terms of the lease as are considered necessary for the provision good quality housing at Fox Hill;
- (b) delegates to the Cabinet Members for Homes and Neighbourhoods and Business, Skills and Development, authority to consider the developers final proposals and whether they meet the City Council's requirements and make a decision as to whether or not to proceed with those proposals; and
- (c) subject to the decision being made to proceed with the proposals, authorises the Director of Property and Facilities Management to instruct the Director of Legal Services to complete the necessary legal documentation.

7.6.3 **Reasons for Recommendations**

The City Council wants to ensure that a new developer is secured who can deliver high quality housing for Fox Hill and is working with KPMG, who have been testing the market to identify developer interest.

This report requests that officers are authorised to continue with the negotiations and agree a variation of the lease to allow a new scheme of development which will still maintain the high quality standards required.

7.6.4 Alternatives Considered and Rejected

The City Council (CC) has been cooperating with KPMG to allow them to secure a new developer. They have carried out some extensive market testing but interest in the site with the present obligations under the lease has been weak, resulting in only one positive expression of interest.

If Artisan H Ltd remains in breach of the terms of the lease the CC could require that the lease is assigned to the CC for £1 and could seek to identify another developer. However, following the market testing already carried out, this is unlikely to result in any further interest.

In the mean time the CC would be responsible for all security and health and safety costs and no funding is available for this.

There is a reputational risk to the CC if this project is not taken forwards in a timely manner. Currently, the CC is cooperating with KPMG in order to get best value and high quality design for the site. The potential developer is willing to work at risk, but requires reassurance from the CC that we will not start negotiations with any other developer in the short term (6 months from June).

This report allows officers to negotiate the best deal for the CC to allow the development to progress.

7.7 AGENDA ITEM 15: REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING 2012-13

7.7.1 The Executive Director, Resources, submitted the Month 2 monitoring statement on the City Council's Revenue Budget and Capital Programme for 2012/13.

7.7.2 **RESOLVED**: That Cabinet:-

- (a) notes the updated information and management actions provided by this report on the 2012/13 budget position; and
- (b) in relation to the Capital Programme:-
 - notes 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 Capital Programme Group;
 - (ii) notes the proposed variations in Appendices 1 and 2;
 - (iii) notes that there were no variations approved by Directors under their delegated authority;
 - (iv) notes the Emergency Approvals in Appendix 1; and
 - (v) notes the financial position on the Capital Programme.

7.7.3 Reasons for Recommendations

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

7.7.4 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. LEE ADAMS, DEPUTY CHIEF EXECUTIVE

8.1 The Chair referred to the fact that Lee Adams, Deputy Chief Executive, was

attending her last Cabinet meeting, due to her forthcoming retirement and on behalf of the Cabinet, congratulated and thanked her for her contribution to the work of the Authority over the last four years and on her general contribution to public service throughout her prestigious career.

Councillor..... Chair, Cabinet, 22nd August, 2012.



SHEFFIELD CITY COUNCIL Cabinet Report

Report of:	Deputy Chief Executive
Date:	22 nd August 2012
Subject:	Staff Retirements
Author of Report:	John Challenger, Democratic Services
Summary:	To report the retirement of staff across the Council's various Portfolios

Recommendations:

Cabinet is recommended to:-

- (a) place on record its appreciation of the valuable services rendered to the City Council by members of staff in the various Council Portfolios and referred to in the attached list;
- (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 twenty years service.

Background Papers: None

Category of Report: OPEN

REPORT TITLE: RETIREMENT OF STAFF

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

to convey the Council's thanks for their work		Veere'
Name	Post	<u>Years'</u> Service
<u>Children, Young Peop</u>	ble and Families	
Peter Grayson	Educational Audiologist	37
Communities		
Maria Bartletta	Social Worker	37
Anne Broomhead	Care Manager	29
June Cawthorne	Support Worker	40
Diane Copp	Support Worker	40
Margaret Ellison	Support Worker	36
Hilary Frith	Care Manager	26
Pamela Kappes	Senior Practitioner	29
Alison Langford	Social Worker	29
Cheryl McClure	Home Support Service Manager	28
John McWilliam	Training and Development Consultant	34
Olive Shaw	Care Manager	25
Susan Shephard	Care Manager	23
Pamela Wait	Care Manager	25
Pamela Wilson	Care Manager	26
<u>Place</u>		
Ronald Dyson	Litterbin Driver, Street Force	29
Bob Stevenson	Assistant Head of Design and Build – Street Lighting	44

- 2. 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 twenty years service.

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Agenda Item 9



Summary:

This paper briefs Members on the progress of plans for the "**Sheffield Bus Agreement**" – a Voluntary Partnership approach to improving the bus offer in Sheffield, principally through network design changes, new ticketing products and by reducing the price of the more expensive fares. It seeks agreement to enter into the Partnership, and to endorse specific further work

Reasons for Recommendations:

Improved Public Transport will contribute to the objectives of 'Standing up for Sheffield' and the Sheffield City Region Transport Strategy.

Recommendations:

1) That Members note the results of the public consultation and work to date on the options for delivering a new Bus Agreement for Sheffield;

2) That the City Council endorse the Voluntary Partnership Agreement option as the preferred delivery vehicle at the present time (noting that SYPTE work on the Quality Contract option is to be suspended to allow the Partnership Agreement to progress);

3)That the City Council agree to the principle of being a co-signatory to the Sheffield Bus Agreement and endorse further work to facilitate a city-wide launch in October 2012.

Background Papers:

Held by the Council's Transport Vision and Strategy team, also by the South Yorkshire Passenger Transport Executive.

Category of Report: OPEN

Statutory and Council Policy Checklist
Financial Implications
YES Cleared by: Catherine Rodgers
Legal Implications
YES Cleared by: Deborah Eaton
Equality of Opportunity Implications
YES Cleared by: Ian Oldershaw
Tackling Health Inequalities Implications
NO
Human rights Implications
NO
Environmental and Sustainability implications
YES – see paragraph 7.5
Economic impact
NO
Community safety implications
NO
Human resources implications
NO
Property implications
NO
Area(s) affected
All
Relevant Cabinet Portfolio Leader
Councillor Leigh Bramall
Relevant Scrutiny Committee if decision called in

Statutory and Council Policy Checklist

Economic and Environmental Well-being

Is the item a matter which is reserved for approval by the City Council? NO

Press release

YES

SHEFFIELD BUS AGREEMENT – RESULTS OF PUBLIC CONSULTATION, PROPOSED CITY-WIDE LAUNCH

1.0 SUMMARY

- 1.1 This paper briefs Members on the progress of plans for the "**Sheffield Bus Agreement**" – a Voluntary Partnership approach to improving the bus offer in Sheffield, principally through network design changes, new ticketing products and by reducing the price of the more expensive fares. It seeks agreement to enter into the Partnership, and to endorse specific further work
- 1.2 Buses play a key role in supporting economic growth by linking people to key facilities, education and job opportunities. This is particularly relevant in South Yorkshire where there is a dispersed population and relatively low levels of car ownership. This innovative partnership aims to improve the service offer, grow patronage and support economic growth.
- 1.3 Research indicates customers are seeking an acceptable bus product, namely one that is simple to understand, easy to use, affordable and delivers the right customer experience. The current situation is variable in its delivery of these service attributes and as such hinders people's ability to use the bus to access employment and training opportunities as well as achieve social inclusion and environmental objectives.
- 1.4 Furthermore the bus network is not currently sufficiently punctual, reliable or stable for customers to use the bus by choice and for patronage to grow.
- 1.5 Subject to approval of the Partnership approach following the planned consultation stage, implementation is likely to be the 28 October 2012 service change date. SCC, SYPTE, First, Stagecoach, Sheffield Community Transport and TM Travel are all currently involved but the Partnership is open to others to join.
- 1.6 Overall, the objective is to offer a stable network of services across the city that broadly matches the existing whilst better matching resource to demand, with the majority of customers benefitting from reductions in the price of day and period ticketing.

2.0 WHAT DOES THIS MEAN FOR THE PEOPLE OF SHEFFIELD

- 2.1 The Partnership proposes to offer customers (and reliably deliver):
 - high quality, reliable, punctual services;
 - a stable, clear to understand bus network, promoted as a whole;
 - affordable, cost competitive, value for money fares and ticket products;
 - a high quality customer experience both on and off bus;
 - promote and market services;
 - optimise joint resources to achieve efficiency; and
 - maximise the positive environmental impact of the bus.
- 2.2 These measures will encourage existing users to continue using the bus, and encourage people who travel by other modes to switch voluntarily to the bus, thereby improving problems of congestion and the associated environmental impact this has.
- 2.3 On this basis the Partnership will make an important contribution to the Council's Corporate Plan "Standing Up for Sheffield". Out of 8 main themes in this document, the Bus Partnership work would contribute to:
 - A strong and competitive economy (by improving access to jobs)
 - Better Health and Well-being (by promoting active travel)
 - Tackling Poverty and Increasing Social Justice (by providing access for all)
 - A Great Place to Live (by providing safe and sustainable transport)
 - Environmentally Responsible City (by helping reduce carbon emissions)
 - Vibrant City (by contributing to fast and frequent transport connections)
- 2.4 The Bus Partnership work will also play a key role in delivering the Council's "Transport Vision". This aims to provide an improved range of travel options, describes a more integrated, reliable and accessible bus service that better meets passengers' needs as being central to this.

3.0 OUTCOME AND SUSTAINABILITY

- 3.1 The purpose of the Bus Partnership is to:
 - provide a quality transport option for those without use of a car;
 - provide a quality choice for those with use of a car;
 - increase the overall volume of people using Sheffield bus services;
 - prioritise resources to support sustained economic growth and reduce worklessness;
 - reduce the environmental impact of travel.
- 3.2 The key outcome of this report will be the acknowledgement of feedback from public consultation on the proposed bus "offer" (including network and tickets / fares); and the subsequent endorsement of the City Council being signatory to the Partnership

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prior to the Agreement being launched on a city-wide basis in October 2012.

REPORT

4.0 WHY IS INTERVENTION NEEDED IN SHEFFIELD?

- 4.1 As described in the summary section of this paper, the decline in bus patronage in Sheffield needs arresting for the reasons outlined. In particular, customer complaints and market research show that the main areas of passenger dissatisfaction are:
 - Bus routes and times of operation;
 - Bus quality (including facilities, ability to get a seat and cleanliness);
 - Value for money (including product range, interchange ability, cost and variation in fares across Sheffield), in particular by First customersⁱ.
 - Wait time at the stop (including punctuality/lateness, reliability and frequency);
 - Driver standards (including driving standards, customer care and failure to stop);
 - Differing standards of service, and operating times from the two main operators (see Appendix 1)
- 4.2 Independent research from "Passenger Focus" (2012) confirms that says passengers across South Yorkshire want to see the following aspects of their bus journey improved:
 - Punctuality of bus 25%
 - More frequent buses 9%
 - Improved driver attitude 8%
- 4.3 It is therefore in the public interest to intervene in the bus market.

5.0 WORK TO DATE ON DELIVERY OPTIONS

5.1 The differing options for delivery of improved bus services across South Yorkshire have been reported to the South Yorkshire Integrated Transport Authority (SYITA) in July 2011 and October 2011 for the Optio Partnership in Sheffield, and again in June and August 2012 as a general update on progress. At these meetings SYITA Members have been briefed on the progress under the differing arrangements under which improved bus services might be achieved, namely:

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- <u>Voluntary Partnership Agreements</u> (VPA) where agreement is reached between Operator(s), SYPTE and the City Council on a package of measures to improve bus satisfaction, introduce stability and affordability and thereby grow patronage. The VPA will set out what the local Transport Authorities will provide, and to what standards Operators will provide their services.
- <u>Statutory Quality Partnership Schemes</u> (SQPS) where the Council/SYPTE improve the physical facilities on, or along, the line of a bus route(s) and in turn for using these facilities Bus Operators must meet certain physical attributes in their services.
- <u>Quality Contracts</u> (QC) this option replaces the existing onstreet competition with a franchised network option which is put in place, following a tender process. SYPTE specify the franchise but the associated risk sits within the public sector.
- <u>Do Nothing</u> This option is not considered in this report but in view of the falling bus patronage across many parts of the County is not considered an option.
- 5.2 At the July 2011 meeting SYITA Members noted the improvements made in Barnsley, Doncaster and Rotherham in partnership with local Bus Operators and endorsed that the VPA approach continue to be worked up and be formalised where the opportunity exists.
- 5.3 SYITA Members have also previously approved the implementation of the first two phases of a Voluntary Agreement for Sheffield (Optio Orange and Red) and in turn endorsed the delivery of a VPA across the whole of the Sheffield area, in parallel with a "twin-track" approach that also continued work on a potential Quality Contract.
- 5.4 ITA members were keen on the attractions of early delivery of the VPA option and that this might avoid the need for a QC, with its associated financial risk, but recognised that work should continue on the QC in case the VPA option encountered problems. The PTE has continued working on the Quality Contract option in refining costs, modelling, reducing risks and refining specification. The work has shown that this could be a plausible option but one which significantly shifts the onus of risk onto the public sector.
- 5.5 The key pros and cons of each approach as identified by the PTE are now summarised below:

a) VOLUNTARY PARTNERSHIP AGREEMENT

Delivery

- Launch in October 2012 is possible
- Investment ongoing

Pros

- This option has been shown to grow the market
- The main risks lie with the Operators

- Operators continue to actively work with SYPTE and SCC on this approach. This is especially relevant giving the alignment of timing to the PFI project.
- Agreement to share performance and related data
- It reduces the risk of commercial competition undermining the viability of the secondary (socially necessary) bus network
- The retention of operators' own ticket schemes avoid the risks of fares rising for customers of certain operators and on competitive corridors
- Eligible for Better Bus Area Funding, under current DfT plans and as part of the recent "City Deal"
- Retains higher frequencies than QC option, especially High Green, Ecclesall Road and Woodhouse Lane area and the new SL3 ("Supertram Link No.3")

Cons

- Control over under performance remains influential rather than contractual
- Operators free to supplement Partnership marketing with their own marketing activity
- Risk that Operators exit the Partnership

b) QUALITY CONTRACT

Delivery

 Would take approximately 3 years to reach "launch date", allowing for statutory process including 2 x consultations, ITA (and SCC) approvals, QC Board deliberations, ITA responses procurement and contract award

Pros

- Contractual relationship
- Performance management through incentives and penalties
- Public sector sole responsibility and control
- Complete public transport co-ordination and integration without risk of being undermined by competitive practices
- Benefits equally applied across entire area, rather than some areas being favoured through competition promotions
- Full passenger travel data from ETMs will help to develop the public transport offer to meet passenger needs and supply detailed information to support funding applications
- Single operational brand will help improve marketing opportunities and remove confusion of operational responsibility
- More simple and equitable ticket scheme
- Improved links between hospitals, to Meadowhall from South East and North Sheffield

Cons

• Financial risk shared by ITA and SCC

- Uncertainty of future SYITA/SYPTE/SCC finances going forward, whilst committing to retain funding levels in the QC area via contract
- By adopting a single equitable ticket scheme, by implication this means that high fares reduce whilst low fares rise. Or contingency is invested into lower fares
- Cost and degree of commitment to delivery, including legal challenge
- Transitional risks, including non-cooperation of existing operators during the initial 3 years of the PFI project up to when the QC would go live.
- 10-year scheme with limited opportunities for making changes other than re-applying for a revised scheme
- Increased expectation that we can deliver exactly what is requested regardless of financial considerations
- Operator bids may be more expensive than expected making the scheme unaffordable
- Not eligible for Better Bus Area Funding under current City Deal.
- 5.6 A realistic minimum timescale for bringing the Quality Contract scheme into operation is considered to be 3 years, mindful of the threats of challenge from bus operators who oppose this option as they believe it to be a threat to their business. In comparison, a Voluntary Agreement could be in place as early as October 2012 and, if deemed less than successful could still provide much useful data for the preparation of a subsequent Quality Contract.
- 5.7 One of the problems any potential scheme promoter is facing at the moment is the lack of a precedent. Although QC legislation describes the Public Interest tests, supported by guidance, there is no directly prescribed approach and it is for the Local Transport Authority to determine how to apply the tests to the Scheme. As Members will be aware, both Nexus and Metro are considering a QC whilst continuing to discuss equivalent Partnership options. Most recently (29 June 2012), West Yorkshire ITA considered that the Partnership proposals put forward in West Yorkshire were lacking, especially in terms of accountability and adopting a single integrated ticketing scheme, they then endorsed further development of the QC option as their preferred approach.
- 5.8 The lack of a clear precedent for meeting the public interest criteria exposes this area as a very high risk to the Scheme. Additionally, this is the area which is most likely to be subject to challenges from interested parties. As well as the QC Board considering the Public Interest criteria in substantial detail, opponents of the Scheme will also recognise that this is their best opportunity to challenge the Scheme. As such, it is likely that they will also analyse our assessments in considerable detail and challenge them through the QC Board. We will need to closely examine at this stage whether our data is sufficiently accurate to stand the rigour of operator challenge.
- 5.9 By definition, a Quality Contract would require a standard fare to be set on a city-wide basis, and would preclude the possibility of "special

offers" on specific corridors. A QC would therefore disadvantage between 25-30% of existing customers. In comparison, the VPA option has very few losers as operators are able to maintain their own products (in addition to the new joint products).

- 5.10 The recently announced City Deal for the Sheffield City-Region enables the ITA, the City Council and bus partners to become a fast track "test-bed" Better Bus Area, supported with additional Government funding from October 2012 onwards to enable us to become the first area to receive Bus Service Operator Grant (BSOG) devolution once the necessary powers are in place. The Government would provide between £1.5m- £2m per annum additional resources for use on initiatives agreed within a Partnership approach, but has confirmed it would not financially support the Quality Contract approach.
- 5.11 It should be noted that either option means a range of commitments on the City Council and the ITA – for example to operate and enforce bus priority measures, to manage the highway network as efficiently as possible for buses, and to make significant investments in transport infrastructure and traffic managment over a period of several years.
- 5.12 In summary therefore PTE and SCC officers favour the Voluntary Partnership Agreement option, because it delivers most of the benefits of a Quality Contract and for the following reasons:-
 - Speed of delivery.
 - Ticketing offers immediate benefits to customers using the Sheffield all-operator ticket products and day/period full price First customers, without asking customers of lower cost tickets to pay more.
 - The financial risk rests with the Operators, and the significant transitional risks of introducing a Quality Contract are avoided. It is therefore affordable despite the reductions in government funding over current and future years.
 - It has the opportunity to draw down significant funding through the City Deal (an estimated £8m over five years)
- 5.13 The PTE reported the above assessment of the two main delivery options to SYITA at its August meeting, and ITA Members resolved to support the Voluntary Partnership Agreement approach to improving bus services in Sheffield..
- 5.14 ITA also agreed to bring the work on the Quality Contract option in Sheffield to a sensible stopping point and suspend it (as opposed to abandon the work) in case it is ever needed in the future (e.g if the Partnership approach subsequently encounters unresolvable problems).
- 5.15 This paper therefore proposes that the City Council endorses and supports the ITA decisions for the way forward, noting that the Quality Contract option is essentially at that point of being ready to progress

into the more formal, statutory, stages of development and can therefore be suspended to allow the Voluntary Partnership Agreement option to be pursued

6.0 PROGRESS ON POTENTIAL NETWORK, TICKETING ETC.

- 6.1 Broader progress on the Sheffield-wide Partnership proposal has considered a wide range of network and ticketing issues, a Joint Investment Plan and a Marketing and Communications Plan. All these are described in more detail in Appendix 3. From an early stage, the need to involve the public was recognised as central to identifying problems and drafting solutions for an improved bus service in Sheffield.
- 6.2 To this end, a large-scale consultation exercise has been undertaken, from 18 June until 14 July, the overarching message being to seek to improve travel opportunities and optimise Sheffield's bus services to make them more attractive to customers.
- 6.3 Consultation tools included:
 - A dedicated website with feedback tool.
 - Letter briefing Members, MP's and key stakeholders.
 - Briefings for all seven Assembly meetings within the consultation period, plus articles for Community Assembly websites and newsletters concentrating on affected areas.
 - Stand in Sheffield Interchange.
 - Briefing for local/regional media.
 - Information on buses
 - Sheffield Transport User Group, South Yorkshire Transport User Group and Sheffield On The Move presentations
 - Briefing for national stakeholders and trade media.
 - Monitoring of local media, website forums and social media.
- 6.4 By the end of the consultation, over 2500 responses had been received, including a total of 10 petitions regarding proposed changes to bus service routes. The key issues included:
 - Lack of service on Psalter Lane (and Ringinglow) In the light of the petitions and the level of public concern, SYPTE have proposed an hourly "tendered" service, and are seeking to actively engage with the local community to help grow the market.
 - **Bus route in Millhouses** The revised route would allow the Operator to improve commercial opportunities with improved frequency and commercial evening and Sunday journeys. Given local concerns raised, the Partners propose to reverse the route in the Millhouses area.
 - **Wincobank** Various views about the proposed new service pattern have been raised, but the emphasis is on providing a more reliable service. Present performance has been heavily criticised.

- Cross Chapeltown link the existing service between Rotherham and Sheffield via Chapeltown and High Green is proposed to be split into Sheffield - High Green and Rotherham - Chapeltown links. Public concern reflects this loss of the through service, principally between High Green and Rotherham. The PTE believe that services into Sheffield are adequately provided for by other existing services but are now looking more closely at access to Rotherham including the colleges
- **Fulwood (Brooklands)** Residents are unhappy at the prospect of a 20 minute frequency service compared to existing hourly.
- Service 87 The consultation material erroneously suggested a reduction in service to every 20 minutes during the weekday. No frequency in reduction is planned. A proposed change via Archer Road is still being progressed in response to earlier passenger requests, notwithstanding frontage objections
- Service 57 / Supertram link SL Service operations across the Stocksbridge area are being reviewed in the light of the comments made, it is proposed that services will be remained broadly on their existing routes
- Service 44 Issues with loss of service on the number 44 bus in the evenings, the PTE will provide a tendered service in the daytime and evening.
- **Services 75 and 76** routing options in the area of the Northern General and Flower Estate are still being reviewed
- 6.5 The consultation response from "Passenger Focus" is worthy of mention, they were supportive of the overall approach to the consultation exercise and the methodology for subsequent review.
- 6.6 Overall, many of the issues noted also refer to existing unreliable service operation by First and fears that any new service changes will not result in improved performance. First have recognised past problems and responded by restructuring their local / regional management team.

7.0 IMPLICATIONS

Financial

- 7.1 The Voluntary Partnership option discussions have been based on a commitment to retain existing levels of tendered service and concessionary funding, whilst at the same time introducing stability to the areas of budget which SYPTE are most exposed to uncontrolled change.
- 7.2 Formal signing of the Partnership Agreement will be conditional upon Page 34

the City Council and SYITA agreeing to allocate capital programme funding to bus related interventions, and the creation of a five-year programme to support this. Funding already exists through

- The Local Transport Plan (LTP) within which allocations already exist for individual corridors and for city-wide programmes;
- Pre-agreed allocations within the Better Buses Area Fund, a twoyear grant provided by Government to SYITA;
- Approved measures within the existing Phase 1 of the Local Sustainable Transport Funds (LSTF); and importantly
- The recently announced award of significant further funding for "main" South Yorkshire LSTF programme, which includes a range of bus related, traffic management and "modal shift" measures

Equal Opportunities

7.3 Fundamentally the Bus Agreement will be of universal benefit to all users regardless of age, race, faith, sex, disability, sexuality, etc. However, it will be of particular benefit to certain groups including the young, elderly, disabled and their carers, the partners have undertaken an Equality Impact Assessment. Investment in vehicles and highway infrastructure will take into consideration the needs of users with reduced mobility, including people with visual impairments, and incorporated measures such as tactile paving where appropriate.

Legal and Freedom of Information Act

7.4 The PTE, on behalf of the Partnership, have prepared a Competition Test paper to demonstrate that the VPA meets the public interest test set out in Part 2 of Schedule 10 to the 2000 Act.

Environmental

- 7.5 On 11 July 2012, Cabinet approved the **Sheffield Air Quality Action Plan** (AQAP). The Plan describes issues relating to air quality and recognises the problems created by emissions from all categories of motorised traffic, with particular problems areas being busy roads (especially where the annual average daily traffic flow is greater than 17,000 vehicles per day) and busy junctions, as well as certain city centre locations affected by high levels of nitrogen dioxide, where bus traffic is a contributory factor.
- 7.6 Public consultation on the AQAP in 2011 showed strong support for the Plan's aspirations to (1) reduce emissions from traffic, (2) encourage public transport use and (3) promote improvements in engine technology and the use of less polluting fuels. Respondents identified and ranked the following activities in order of preference (top three):
 - Smarter Choices, to influence travel behaviour
 - City Centre Low Emission Zone
 - Sustainable Transport Policies
- 7.7 In addition to considering the problems of overall traffic volumes and the problems caused by heavy goods vehicles, the paper notes that one way to achieve air quality improvements would be through

improvements in the bus fleet, and one way to achieve that would be by agreement with bus operators through a partnership scheme. This would involve investment from the bus companies, City Council and Passenger Transport Executive to improve the environmental performance of the fleet.

- 7.8 The Bus Partnership recognises the importance of a lower-emission bus fleet, including in order to improve city centre air quality and to help with the promotion of smarter/sustainable travel choices.
- 7.9 It is important, however, that bus operators are not targeted disproportionately or without evidence to back up any proposed interventions. The AQAP recognizes this and stresses the need for further research to provide an evidence-based approach. For example, nationally there has been a general expectation that cleaner engine technologies (newer Euro standards) would lead to some improvement in air quality. However, this has not been observed either in Sheffield or other urban areas. This is thought to be related to the actual on-road performance of diesel road vehicles when compared with test bed calculations.
- 7.10 Further research will include the detailed feasibility/modelling study that is being undertaken to demonstrate the costs and potential air quality improvements of introducing a Low Emission Zone (see the AQAP report).
- 7.11 For these reasons, the AQAP 2015 is the first report in a three year rolling programme. It will be reviewed and updated shortly following completion of the Low Emission Zone feasibility study, due in Autumn 2012, and again in 2014 as the research and evidence-base is developed. The results of this will feed into the monitoring and review process for the Bus Partnership and may lead to agreement on amended measures and timescales.

Community Safety

7.12 The Bus Agreement would be neutral or provide a positive indirect contribution to Community Safety through better operated and more stable bus services. Investment in infrastructure, including improved facilities and lighting at all bus stops (linked to associated PFI measures) will also contribute.

Human Rights

7.13 The rights of any affected parties under the Human Rights Act 1998, particularly Article 1 of the First Protocol, have been taken into account. Having regard to the public interest and the improvements the scheme will bring to the transport network, the proposed alterations to the highway network and to private means of access do not constitute an unlawful interference with any of these rights, nor do the acquisitions constitute an unlawful interference with any of these rights.

8.0 REASONS FOR RECOMMENDATIONS

8.1 Improved Public Transport will contribute to the objectives of 'Standing up for Sheffield' and the Sheffield City Region Transport Strategy.

9.0 **RECOMMENDATIONS**

- 9.1 That Members note the results of the public consultation and work to date on the options for delivering a new Bus Agreement for Sheffield;
- 9.2 That the City Council endorse the Voluntary Partnership Agreement option as the preferred delivery vehicle at the present time (noting that SYPTE work on the Quality Contract option is to be suspended to allow the Partnership Agreement to progress);
- 9.3 That the City Council agree to the principle of being a co-signatory to the Sheffield Bus Agreement and endorse further work to facilitate a city-wide launch in October 2012.

Simon Green Executive Director of Place

06 August 2012

- A1.3 In Sheffield there is a marked difference between the two main bus operations, these can be characterised as follows:
 - <u>First</u> the main Operator with around 60% of Sheffield bus services, providing both frequent main road services and a less frequent but comprehensive network penetrating into residential areas.
 - This secondary network amounts to around 40% of their high frequency network. The secondary network typically attracts lower patronage and lower income, which has led First to maintain higher ticket prices (e.g. First Day Sheffield £4.60) to fund its secondary network.
 - This pattern has characterised First's history, as has struggled to afford its customer offer and maintain profit margins, and as a result, has repeatedly increased fares and reduced network, both of which have resulted in reputational damage.
 - <u>Stagecoach</u> As the secondary Operator, offering around 30% of Sheffield's bus services, Stagecoach operate a predominantly main road network (their lower frequency services amount to around 11% of their high frequency network), with less hours of operation.
 - This more limited network and timetable means that Stagecoach offer customers a considerably cheaper travel option (e.g. Sheffield Bus Day Rider £3.40, Bus and Tram £3.90) and carry a passenger volume in excess of their market share.
 - Stagecoach not only compete on price but quality, they have built a solid reputation (when compared to First or Yorkshire Terrier), and have progressively expanded since they entered the market in late 2005.
- A1.2 The implication of the above has been that by providing a better customer offer (during the daytime) on the busier main corridors, Stagecoach have been attracting customers from First and in so doing they have reduced First's ability to cross-subsidise between the better used services and those which are commercial (at a higher fare value) but socially important.
- A1.3 In an ideal world the high frequency main road services would support a similar level of secondary network, but under the free market the current arrangements place the secondary network at significant risk – and public authorities have not previously had the powers to intervene.

- A2.1 Optio Orange and Red were introduced in Sheffield in July and October 2011 respectively, against a background decline in bus patronage. These pilot schemes have allowed the partnership to trial new ideas, learn lessons for future phases (e.g. consultation) and evidence success. This has led to growth of +1.9% for Orange services (Period 5-10) and +5.16% for Red (Period 8-10), although growth has fallen in 2012 due to weather, holidays and market conditions.
- A2.2 As well as co-ordinated timetables, more flexible ticketing, bus investment and marketing, other measures of success contributing to this growth include:
 - Punctuality and reliability are higher than other Sheffield services and are better than achieved by the Optio services during the same 3/6 months in the previous year. There is still work to do to further improve delivery and the Partners are collaborating on this.
 - Mystery Shopper audits show higher standards of service than the average across Sheffield or South Yorkshire.
- A2.3 As well as increasing patronage, Optio Orange service users are overall positive about the bus service offer, whereas across Sheffield and South Yorkshire they remain negative overall. The exception to the above is from the Fulwood community who continue to be unhappy with the Optio Orange changes, notwithstanding steps to address or mitigate their concerns.
- A2.4 One of the issues was that, because the Fulwood end of the service changed from Stagecoach to First and the ticket did not cover Supertram, inter-availability of ticketing worsened for significant number of people. This work, whilst not addressing the differing market dynamic between First and Stagecoach, did prove that collaboration and inter-availability of ticketing were achievable, advantages which had previously proven to be elusive through negotiation.

The current state of play across the six main "work packages" can be described as follows:

Network

Discussions have resulted in broad agreement on a network at an officer level, based largely around the existing network but with local variation, to reduce the volume of buses where demand does not justify overbussing and increases in frequency on a number of corridors where current service is lower than found in other parts of the City. It was heavily influenced by the Bus Vision consultation undertaken in the summer of 2010. A key element of this Work Package is not only to offer a good bus network better linking people to jobs, training and facilities, but importantly also bringing stability to the market and in doing so making the network easier to understand.

Stagecoach are interested in retaining a network largely based on expanding their existing network, but are open to operate more routes. To activate a long term sustainable business (with more cost attractive ticketing), First have made clear which parts of the network they wish to retain, a proportion of which they wish to share with other Operators as they are less profitable.

Investment

The proposed Investment Plan will cover a five year period from October 2012 – 2017. It will cover all partners – operators and SCC and SYPTE investment, as a demonstration of commitment to Partnership and because all have a role to play in raising quality standards to make a step-change in improving the all-round door-to-door customer experience. An annual review mechanism will monitor progress against these standards and agree new investment requirements.

For Operators, the Investment Plan will include agreed timescales for:

- vehicles being low-floor and fully DDA-compliant in advance of national timescales;
- Smartcard-compatible ticketing machines;
- tracking systems that link with traffic management systems to help laterunning buses and also with real-time public information systems;
- improving emission levels through 'Drive Green' systems; the Eco Stars award system; and improving/newer engine technology;
- reducing the age of the fleet towards achieving a recommended national level.

The Partners ar now in a position to agree realistic but ambitious timescales for new and newer buses, with all vehicles to a minimum standard of DDA-compliance; Euro 3 engines or better; smart card ticketing; and fully-operational tracking systems.

For SCC/SYPTE, the Investment Plan will include agreed timescales for:

- coordination with the Highways PFI Core Period programme so far as possible;
- a 5-year bus hotspots programme;
- measures to improve on-street bus performance on the Ecclesall Road corridor, with similar measures on the City Centre-Woodhouse (Optio Red) and City Centre to Halfway (Optio Orange) corridors;
- the Bus Rapid Transit (BRT) Northern Route;
- new Interchange facilities as appropriate geared to the opening of new City Centre retail development (e.g. the Markets; NRQ);
- a city-wide programme of updating on-street signs and lines to enable 100% enforceability;
- roll-out of the innovative management regime of mobile and relocatable cameras, supplementing an enhanced programme of permanent fixed location cameras to enforce bus priority facilities and Traffic Control strategies;
- an enhanced real-time information and incident management system through the South Yorkshire Intelligent Transport System (syITS);
- an enhanced programme of bus stop infrastructure incorporating realtime information (to be agreed once real-time is working better & consideration has been given to how the displays can be used as a more advanced communications tool);
- DDA-compliant kerbs, tactile paving and clearways at all bus stops, as part of a programme of "reasonable adjustments" to meet DDA regulations by 2017 at the latest;
- consideration of enhanced street lighting at all bus stops.

Some of these interventions are funded through LSTF and the Better Buses Area Fund and carry with them short delivery timescales).

<u>Ticketing</u>

The ticket discussions (aimed at introducing a simplified ticket range offering more affordable fares to customers) are focussed on improving the multioperator Travelmaster range of products - with Operators free to maintain their own ranges. The advantages of going through Travelmaster are that it allows more influence over future price rises, encompasses Supertram and other Operators, encourages the move to 'Smart' and has a moderating effect on individual Operator price rises/fare levels.

Although Operators remain free to retain their own tickets, negotiations have achieved a significant 14% reduction in "day city-wide Travelmaster" tickets (from £5.00 to £4.30) with even greater reductions in weekly and monthly products (over 20%).

The principal operators both have smartcard-compatible ticketing machines (smaller operators will be encouraged to partake in this) that can be used with the current national concessionary ticket scheme (ENCTS). 98% of ENCTS cards are now "read" by Stagecoach machines, A separate "Better Buses" funded project will roll this out to other existing cards (e.g. Megacards) and develop new products and sales methods.

Information & Marketing

It is proposed to jointly agree information and marketing material, to help both existing and potential customers know the travel options on offer and understand that is now easier and more cost attractive to use the bus, but at present work is focusing on branding and consultation activities linked to the possible network and ticket changes. There will be a single Sheffield bus/tram network map, something we haven't had since the 1980's

Business Management

It is intended that the Partnership will be supported by a Legal Agreement. To pave the way for this, a "Heads of Terms" document is proposed and the SYITA have authorised the Chairman to sign this document. The target implementation date is the 28 October 2012 service change date. It will also be necessary for Sheffield City Council to approve entering into the VPA.

Sheffield City Council Equality Impact Assessment



<u>Guidance for completing this form is available on the intranet</u> Help is also available by selecting the grey area and pressing the F1 key

Name of policy/project/decision: Sheffield Bus Agreement

Status of policy/project/decision: New

Name of person(s) writing EIA: Cate Jockel

Date: 26.07.12

Service: Development Services

Portfolio: Place

What are the brief aims of the policy/project/decision? To improve the bus offer in Sheffield for all customers in order to increase patronage and support economic growth. Through a better co-ordinated service with improved accessibility (physical, information, etc).

Are there any potential Council staffing implications, include workforce diversity? No

Under the <u>Public Sector Equality Duty</u>, we have to pay due regard to: "Eliminate discrimination, harassment and victimisation, advance equality of opportunity and foster good relations." <u>More information is available on the council website</u>

Areas of possible impact	Impact	Impact level	Explanation and evidence (Details of data, reports, feedback or consultations.
Age	Positive	High	This should be proportionate to the impact.) Elderly will benefit from accessibility improvements in particular, but also have lower car ownership/use than the general population. Likewise younger people, who will be better able to access employment and training opportunities.
Disability	Positive	High	Newer buses will mean the introduction of DDA-
			compliant buses into the fleet prior to the legal
			deadline. Alongside bus stop improvements to provide
			level boarding and tactiles, the bus will enable
			increasing social inclusion.
Pregnancy/maternity	Positive	Low	Bus services will be easier to understand and use, with co-ordinated timetables, multi-operator ticketing, more accessible vehicles and infrastructure and better information.
Race	Positive	Low	Bus services will be easier to understand and use, with
			co-ordinated timetables, multi-operator ticketing, more
			accessible vehicles and infrastructure and better
			information.
Religion/belief	Positive	Low	Bus services will be easier to understand and use, with
			co-ordinated timetables, multi-operator ticketing, more
			accessible vehicles and infrastructure and better

Areas of possible impact	Impact	Impact level	Explanation and evidence (Details of data, reports, feedback or consultations. This should be proportionate to the impact.)
			information.
Sex	Positive	Low	Bus services will be easier to understand and use, with
			co-ordinated timetables, multi-operator ticketing, more
			accessible vehicles and infrastructure and better
			information.
Sexual orientation	Positive	Low	Bus services will be easier to understand and use, with
			co-ordinated timetables, multi-operator ticketing, more
			accessible vehicles and infrastructure and better
			information.
Transgender	Positive	Low	Bus services will be easier to understand and use, with
			co-ordinated timetables, multi-operator ticketing, more
			accessible vehicles and infrastructure and better
			information.
Carers	Positive	High	Newer buses will mean the introduction of DDA-
			compliant buses into the fleet prior to the legal
			deadline. Alongside bus stop improvements to provide
			level boarding and tactiles, the bus will enable
			increasing social inclusion, including for carers of
			young children as well as disabled people.
Voluntary,	Positive	Low	Bus services will be easier to understand and use, with
community & faith sector			co-ordinated timetables, multi-operator ticketing, more
			accessible vehicles and infrastructure and better
			information.
Financial inclusion, poverty, social justice:	Positive	High	Bus services will be easier to understand and use, with co-ordinated timetables, multi-operator ticketing, more accessible vehicles and infrastructure and better information. Reliability should be improved. Younger people, who have lower car ownership/use than the general population, will be better able to access employment and training opportunities.
Cohesion:	Positive	Low	Bus services will be easier to understand and use, with co-ordinated timetables, multi-operator ticketing, more accessible vehicles and infrastructure and better information.
Other/additional:	-Select-	-Select-	

Overall summary of possible impact (to be used on EMT, cabinet reports etc):

Fundamentally this proposal is positive for all Sheffield people regardless of age, sex, race, faith, disability, sexuality, etc. However, it is particularly positive for more vulnerable

members of society such as the young, the elderly, the disabled and carers. No negative equality impacts have been identified.

City-wide consultation has been carried out and the results are included in the report. There are a few areas where bus services have been struggling to survive and where it was proposed that a service should not continue. The reaction to this, and subsequent mitigation proposed, is in the report.

If you have identified significant change, med or high negative outcomes or for example the impact is on specialist provision relating to the groups above, or there is cumulative impact you **must** complete the action plan.

Review date: The Agreement will include a comprehensive Monitoring Plan.

Q Tier Ref /	Reference number: /	
Entered on Qtier: No	Action plan needed: No	
Approved (Lead Manager): (Cate Jockel Date: 07/08/12	
Approved (EIA Lead person	for Portfolio): Ian Oldershaw Date: 07/08/12	
Does the proposal/ decision	impact on or relate to specialist provision: no	С

Risk rating: Low

Action plan

Area of impact	Action and mitigation	Lead, timescale and how it will be monitored/reviewed
All groups		
-Select-		

Area of impact	Action and mitigation	Lead, timescale and how it will be monitored/reviewed
-Select-		

Approved (Lead Manager):Date:Approved (EIA Lead Officer for Portfolio):Date:

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