

SHEFFIELD CITY COUNCIL

EXECUTIVE FUNCTIONS DECISION RECORD

The following decisions were taken on Wednesday 16 January 2013 by the Cabinet.

Date notified to all members: 18 January 2013

The end of the call-in period is 4:00 pm on 24 January 2013

The decision can be implemented from **25 January 2013**

Item No

8. REDEVELOPMENT OF THE FOSTERS PHASE 3

8.1 The Executive Director, Place submitted a report regarding Phase 3 of the Fosters Redevelopment Scheme.

8.2 **RESOLVED:** That:-

(a) subject to the Secretary of State's consent the land now shown at Appendix 1 be declared surplus to the Council's requirements and leased to South Yorkshire Housing Association (SYHA) for a period of 125 years at nil consideration for the development of a mixed use scheme of retail and social housing in accordance with the approved planning application reference 12/02323/FUL; and

(b) the Director of Property and Facilities Management, in consultation with the Director of Housing, Enterprise and Regeneration, be authorised to negotiate and agree terms for the disposal of the land for the purposes set out in the report and the Director of Property and Facilities Management be authorised to instruct the Director of Legal Services to complete the necessary legal documentation.

8.3 Reasons for Decision

8.3.1 SYHA's proposed scheme would allow the completion of the Fosters redevelopment scheme, which has not been achieved through attempted disposal of the site on the open market.

8.3.2 The scheme would provide four additional affordable homes and the restoration of a local shop in the community.

8.4 Alternatives Considered and Rejected

Officers considered the option of marketing the site again, but without the requirement to provide housing above the new shop. This would have reduced some of the risk from the project and may have generated a capital receipt for the Council. However, advice from planners was that

residential accommodation is desirable to provide natural surveillance over Cottam Road, which is currently lacking. Also, any new building would need to be at least two storeys in order to complement the existing development. Therefore, a developer would have needed to include at least a false first floor, which would have reduced the viability of the scheme.

8.5 Any Interest Declared or Dispensation Granted

None

8.6 Reason for Exemption if Public/Press Excluded During Consideration

Part 2 of this report is presented as an exempt item because it contains exempt information under paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended). The reasons for its exemption are that it contains information relating to the financial or business affairs of any person and in all the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

8.7 Respective Director Responsible for Implementation

Simon Green, Executive Director, Place

8.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Safer and Stronger Communities.

10. IMPLEMENTATION OF THE LIVING WAGE

10.1 The Executive Director, Resources, submitted a report regarding the introduction of the Living Wage for Sheffield City Council.

10.2 **RESOLVED:** That:-

- (a) the Living Wage be introduced in Sheffield City Council;
- (b) Cabinet approves the approach to implementation outlined within the report; and
- (c) the Council promotes a Living Wage for Sheffield with partners across the City in public, private and voluntary sector organisations.

10.3 Reasons for Decision

10.3.1 Following a resolution at Council on 7 November, 2011, to support the Administration's commitment to providing the Living Wage of £7.20 per hour for all Council employees from 1 January 2013 (rising to £7.45 from

1 April 2013), as directed, this report is presented to Cabinet to outline plans to implement a Living Wage in the Council and to promote a Living Wage for Sheffield involving partners across the City in public, private and voluntary sector organisations.

10.3.2 It is recommended that the Living Wage is implemented for Sheffield City Council employees via a Collective Agreement with the Trade Unions because it is the most robust approach. This would cover schools would thus ensuring a consistent approach across the authority.

10.3.3 The chosen method of implementation is via a supplement using basic pay rates as this provides the authority with the best legal justification and ensures the grading structure is not undermined.

10.4 **Alternatives Considered and Rejected**

10.4.1 The Council intends to seek a collective agreement to implement the Living Wage. If this is not possible, it may be imposed by individual contract variation. Whilst the likelihood of a challenge is limited, it would be difficult to defend legally if challenged.

10.4.2 Consideration was given to amending the grading structure rather than introducing a supplement. This would increase the risk of equal pay claims as previously posts in grade 1 and 2 were determined via the Job Evaluation Scheme to be of different values. The cost of this approach would be £169k (£210k including on-costs) outside schools, and £768k (£960k with on-costs) in schools.

10.5 **Any Interest Declared or Dispensation Granted**

None

10.6 **Reason for Exemption if Public/Press Excluded During Consideration**

None

10.7 **Respective Director Responsible for Implementation**

Laraine Manley, Executive Director, Resources

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

Overview and Scrutiny Management Committee

11. **PARKHILL REDEVELOPMENT**

11.1 The Executive Director, Place, submitted a report regarding the redevelopment of the Park Hill Estate.

11.2 **RESOLVED:** That Cabinet:-

- (a) notes the current position in relation to the redevelopment of Park Hill;
- (b) authorises the Executive Director, Place, to take such steps as he shall consider appropriate to progress the redevelopment of Park Hill and/ or to protect the Council's interests in this matter, including (but without limiting the generality of this authority):-
 - (i) to negotiate and agree any amendments to any existing agreements, leases or arrangements that he may consider appropriate;
 - (ii) to exercise the Council's rights to rescind, terminate, forfeit or assign any existing agreements (including, without limitation, the Development and Funding Agreements) or leases (including without limitation the lease of Phase 1);
 - (iii) to negotiate and approve such new agreements, leases or arrangements, with such parties and on such terms, as he may consider appropriate;
 - (iv) to approve design proposals on behalf of the Council as land owner and local housing authority but not as local planning authority;
 - (v) to approve funding and business plans of any third parties;
 - (vi) to negotiate and approve nominations agreements for lettings with any third parties;and
 - (vii) to give any other consents or approvals and to exercise any powers required or permitted to be exercised by the Council under the terms of any agreement or lease entered into at any time in connection with the redevelopment of Park Hill;

Provided that the authority hereby conferred shall be exercised:-

- (A) as regards matters falling within paragraphs (i), (ii) and (iii) above, in consultation with the Director of Legal Services, either the [Executive Director, Resources or the Director of Finance] and [the Cabinet Member with responsibility for Finance];
- (B) as regards matters falling within paragraph (v) above, in consultation with either the Executive Director, Resources or the Director of Finance and the Cabinet Member (Finance and Resources);

(C) as regards matters falling within paragraph (vi) above, in consultation with the Executive Director, Communities and the Cabinet Member (Homes and Neighbourhoods);and

(D) as regards the terms of any lease, shall not be exercised without the consent of the Council's Director of Property and Facilities management services.

11.3 Reasons for Decision

Granting comprehensive delegations of authority to the Executive Director now will help to enable a timely conclusion of any renegotiations for Phase 1.

11.4 Alternatives Considered and Rejected

The redevelopment process could be delayed in order to seek Cabinet approval at all the various stages of the renegotiation process. Any such delay could have significant financial consequences.

11.5 Any Interest Declared or Dispensation Granted

None

11.6 Reason for Exemption if Public/Press Excluded During Consideration

None

11.7 Respective Director Responsible for Implementation

Simon Green, Executive Director, Place

11.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Safer and Stronger Communities.

12. REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING 2012 -13 (MONTH 7)

12.1 The Executive Director, Resources submitted a report which provided the month 7 monitoring statement on the City Council's Revenue and Capital Budget for 2012/13.

12.2 RESOLVED: That Cabinet:-

(a) notes the updated information and management actions provided by this report on the 2012/13 budget position;

- (b) approves the carry-forward request detailed in paragraph 9;
- (c) notes that all other carry-forward requests detailed in the report have been declined pending a balanced forecast outturn across the Council;
- (d) in relation to the Capital Programme:
 - (i) 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 Appendix 1;
 - (iii) notes the variations approved by Directors under their delegated authority;
 - (iv) approves the variations in Appendix 1 within its delegated power; and
 - (v) notes the latest position on the Capital Programme including the current level of forecasting performance.

12.3 Reasons for Decision

To formally record changes to the Revenue Budget and the Capital Programme and gain Member approval for changes in line with Financial Regulations and to reset the capital programme in line with latest information.

12.4 Alternatives Considered and Rejected

A number of alternative courses of action are considered as part of the process undertaken by Officers before decisions are recommended to Members. The recommendations made to Members represent what Officers believe to be the best options available to the Council, in line with Council priorities, given the constraints on funding and the use to which funding is put within the Revenue Budget and the Capital Programme

12.5 Any Interest Declared or Dispensation Granted

None

12.6 Reason for Exemption if Public/Press Excluded During Consideration

None

12.7 Respective Director Responsible for Implementation

Laraine Manley, Executive Director, Resources

12.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Overview and Scrutiny Management

13. THE BUILDING SUCCESSFUL FAMILIES PROGRAMME

13.1 The Executive Director, Children, Young People and Families, submitted a report regarding the proposed development of the Building Successful Families Programme.

13.2 **RESOLVED:** That Cabinet:-

- (a) delegates to the Executive Director of Children, Young People and Families, in consultation with the Cabinet Member for Children, Young People and Families, the authority to establish the Building Successful Families Programme as described in Section 4 of this report;
- (b) delegates to the Executive Director, Children, Young People and Families, in consultation with the Director of Finance, and in consultation with the Cabinet Member for Children, Young People and Families, the authority to agree an investment and resource plan for the programme for the period 2012-15, taking into account the income profile set out in the report;
- (c) delegates to the Executive Director, Children, Young People and Families, in consultation with the Cabinet Member for Children, Young People and Families, the authority to take any further action necessary to achieve the outcomes outlined in this report; and
- (d) recognises and approves that any income received in advance, due to the time lag between receipt of the funding and the spending on the programme as explained in the body of this report, will be required to be 'carried forward' to future years and should not be considered to be an under spend in year, on the understanding that this amount will be highlighted in the monthly budget monitoring reports for approval.

13.3 Reasons for Decision

13.3.1 The City Council has been invited to participate in the Government's Troubled Families initiative by committing to the financial framework and payment mechanism published by the Department of Communities and Local Government. This scheme offers significant new resources to

support the development of our existing plans to provide whole household interventions to families with multiple and complex problems.

- 13.3.2 By making use of the new resources, the City Council has the opportunity, working with a range of local partners, to further improve family support services so that they are better coordinated, more efficient and deliver impact. In this the City Council will embed the successes of pilot work already undertaken and will, in addition, provide a model of sustainability in a climate of public spending reductions.

13.4 **Alternatives Considered and Rejected**

- 13.4.1 The City Council could decide not to participate in the Government's Troubled Families initiative. This would mean turning down considerable additional resources, but would also mean Sheffield missing out on the opportunity to build on what its previous Family Intervention pilots have shown work and therefore the chance to invest these new resources in the system-wide service redesign necessary to improve the life chances of those families with complex needs. For these reasons, participation in the initiative is recommended

- 13.4.2 The City Council could use the resources made available through the Government's Troubled Families Programme to set up a new 'Troubled Families' service in Sheffield. This option has been rejected because:

- most of the families identified are likely to already be in touch with a range of support services. We intend to use the programme to *better coordinate* these services, rather than add an additional service to the range of support made available
- the City Council and other partners have already moved some way towards developing more joined up approaches to working with families with complex needs. It would be a waste of resources to set up a parallel programme.

13.5 **Any Interest Declared or Dispensation Granted**

None

13.6 **Reason for Exemption if Public/Press Excluded During Consideration**

None

13.7 **Respective Director Responsible for Implementation**

Jayne Ludlam, Executive Director, Children, Young People and Families

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

Children, Young People and Families

14. SCHOOL AND COLLEGE ATTENDANCE STRATEGY

14.1 The Executive Director, Children, Young People and Families, submitted a report which detailed the changes to the Local Authorities (LA) policy with regard to the delivery of Statutory Duties and to improve School Attendance.

14.2 **RESOLVED:** That Cabinet (a) notes the outcomes of the consultation on the draft Attendance Strategy now submitted; and

(b) approves (i) the new Sheffield Attendance Strategy including the five major themes and priorities and (ii) the implementation of the Attendance Strategy for the Children, Young People and Families Service, Schools and Partners.

14.3 Reasons for Decision

14.3.1 Improving school attendance and safeguarding children and young people is central to Sheffield's Corporate Plan ambition of ensuring a better life for children and young people. The overall reason for the recommendations therefore is to improve school attendance which in turn will positively impact on life chances and educational outcomes for children and young people and keep them safe. It will also enable Sheffield to improve its attendance position when compared to National, Statistical and Core City data.

14.3.2 Cabinet are asked therefore to approve a change in policy in relation to school attendance and our LA Statutory duties and responsibilities. This change in policy reflects the changing role of the LA in relation to the support provided to school and the increasing expectation that schools will take an increased responsibility for this agenda.

14.3.3 **The Local Authority** will promote the five themes of the strategy with schools, families and partners to ensure that due process is followed and legal responsibilities are adhered to.

14.3.4 **Schools** - will adopt the recommendations in the attendance strategy which will support them to implement an early intervention approach, request additional support when required and contribute towards achieving a consistent approach across the city to improve school attendance and keep children safe.

14.3.5 **Families** - will have their support needs identified at an earlier stage, have access to high quality services and be supported to improve their children's school attendance.

14.4 ALTERNATIVES CONSIDERED AND REJECTED

14.4.1 The only alternative considered was to re-launch the 'Making a Mark' strategy of 2002. It was felt that this was an excellent strategy of its day in terms of standardising procedures, sharing good practice and raising the profile of the importance of raising school attendance. As with most strategies the agenda required a refreshed approach from that of several years ago.

14.4.2 Also taken into consideration were the major changes to support services within the LA and the central position of schools being responsible for the attendance of children within their schools.

14.4.3 It had also been identified that there was a need to continually strengthen and improve the attendance for vulnerable groups of children.

14.5 **Any Interest Declared or Dispensation Granted**

None

14.6 **Reason for Exemption if Public/Press Excluded During Consideration**

None

14.7 **Respective Director Responsible for Implementation**

Jayne Ludlam, Executive Director, Children, Young People and Families

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

Children, Young People and Families