

SHEFFIELD CITY COUNCIL

EXECUTIVE FUNCTIONS DECISION RECORD

The following decisions were taken on Wednesday 20 March 2013 by the Cabinet.

Date notified to all members: 22nd March, 2013.

The end of the call-in period is 4:00 pm on 28th March, 2013

The decision can be implemented from 29th March, 2013.

Item No

8. SHEFFIELD CITY REGION AUTHORITY

8.1 The Chief Executive submitted a report referring to proposals to establish a Sheffield City Region Combined Authority (the SCR Authority) which would combine or bring together the Integrated Transport Authority (ITA) powers and strategic economic development powers in order to align political decision making around strategic Economic Development and Transport.

8.2 **RESOLVED:** That Cabinet recommends to the City Council at its meeting on 3rd April, 2013 that it :-

- (a) endorses the findings of the Governance Review document referred to in Appendix 1, specifically that, establishing a SCR Authority would improve the exercise of statutory functions in relation to economic development, regeneration and transport in the SCR leading to an enhancement of the economic conditions and performance of the SCR;
- (b) endorses the submission to Government of a Scheme for the establishment of a Sheffield City Region Combined Authority on the basis of the draft annexed at Appendix 2 (the Scheme);
- (c) agrees that the City Council will formally become a constituent member of the SCR Authority, sharing appropriate economic development and transport powers with the SCR Authority, in accordance with the provisions of the Local Democracy, Economic Development and Construction Act 2009 (LDEDCA) and the Local Transport Act 2008(LTA); and
- (d) authorises the Director of Legal and Governance to agree the terms of and enter into any documentation required to enable the City Council to become a constituent member of the SCR Authority.

8.3 Reasons for Recommendation to Council

8.3.1 Following the robust Governance Review commissioned by the Leaders of

Sheffield City Region, it is recommended that Sheffield should agree to formally become a constituent member of a combined authority for Sheffield City Region ('SCR Authority') because of the significant opportunities presents to the City and the City Region. These include:

- Establishing an economic area that is ready for growth, with Sheffield and the wider City Region in the strongest possible position to compete economically both nationally and internationally;
- Emphasising Sheffield role as the engine of growth in a economically powerful city region;
- Creating a shared decision-making structure for the functioning economic geography of the city region where binding decisions can be made once by elected Leaders for the whole of the area;
- Uniting strategic economic and strategic transport decision-making, ensuring that such decisions provide maximum economic benefit for communities across Sheffield City Region (business growth and jobs);
- Delivering a dynamic SCR Authority which will lead the way
- Gaining and using influence by establishing a robust and accountable leadership structure, recognised by Government, which puts SCR at the front of the queue for access to future devolved powers and resources from Whitehall;
- Providing a statutory structure to deliver the existing City Deal and access future economic funding allocations, building on the recent allocation of the £25m Regional Growth Fund to SCR so that the City doesn't miss out; and
- Maximising opportunities for groundbreaking inter-city region collaboration across the north of England with Manchester and Leeds City Regions (e.g. over the devolution of the Northern Rail franchise);

8.4 Alternatives Considered and Rejected

8.4.1 The SCR Leaders considered the range of different options available as part of the Governance Review (see p13 of Appendix 1) and concluded that the Combined Authority model was the only solution which addressed the challenges and put SCR in a position to access new opportunities. Other options are considered below:

8.4.2 Do nothing

Failure to strengthen SCR governance will compromise the medium to long-term ambitions of the area and therefore be detrimental to the future economic performance of the city region. Specifically, failure to formalise SCR's governance will mean that the city region will not be able access ~£10 million of devolved transport funding per annum or manage ~£29 million of devolved skills funding agreed as part of our City Region Deal. The "do nothing" option would also be a missed opportunity to better align decision making around strategic economic development, transport and regeneration.

8.4.3 Informal restructure

Like Manchester City Region prior to the development of the Greater Manchester Combined Authority, it was felt that SCR is already stretching the boundaries of which can be achieved through an informal non-statutory partnership. Under this model, Leaders would still have to re-agree decisions at a local level – a process which is cumbersome and sometimes unclear. A legal, corporate body will allow the SCR to make a shared binding decision once, rather than one decision nine times.

8.4.4 Economic Prosperity Board (EPB) only

Whilst this option would give SCR a statutory city region level board for economic decision-making, the model does not involve the incorporation of transport, thus preventing Sheffield City Region from achieving accessing the overwhelming benefits of aligning decision making in relation to strategic economic development and transport under one strategic body.

8.5 Any Interest Declared or Dispensation Granted

None

8.6 Reason for Exemption if Public/Press Excluded During Consideration

None

8.7 Respective Director Responsible for Implementation

John Mothersole, Chief Executive.

9. MODERNISATION OF PLANNING AND HIGHWAYS AND CABINET HIGHWAYS COMMITTEES

9.1 The Executive Director, Place, submitted a report referring to the Council's support for the introduction of digital presentations of planning applications and to the shrinking size of the agendas for the two area Planning and Highways Committees which provided an opportunity to follow national best practice, to enable efficiency savings, and to establish a single Committee that would be better able to take the wider interests of the City into account. The report also contained proposals to share the

remit of the Cabinet Highways Committee with the appropriate Cabinet Member and to increase officer delegation in order to improve efficiency and to reduce the workload of other Cabinet members. The opportunity for the public to make personal representations would still remain.

9.2 RESOLVED: That Cabinet:-

- (a) recommends to Council that, from May 2013, the existing two Area Planning and Highways Committees be combined into a single Planning Committee for the whole City;
- (b) agrees that the digital presentation of planning application reports with an enhanced format be introduced at the first meeting of the new, modernised Planning Committee, following any pilot testing that officers deem necessary;
- (c) adopts Option 1 within the report, involving the sharing of Cabinet Highways Committee decisions with the appropriate Individual Cabinet Member, with or without increased delegation to officers, and recommends to the Leader that she amends her Scheme of Delegation to record the fact that decisions reserved to the Cabinet Highways Committee are also reserved to the appropriate Individual Cabinet Member and to reflect the proposals in Appendix A regarding increased officer delegations; and
- (d) authorises the Director of Development Services, in consultation with the relevant Cabinet Member and Director of Legal Services, to make the practical arrangements necessary to introduce the new executive transport and highways decision making arrangements following amendment of the Leader's Scheme as proposed at (c) above;

9.3 Reasons for Decision

9.3.1 Option 1 could involve increased officer delegation (a proposed scheme for approval is attached as Appendix A), to reduce Cabinet Member workload, to speed up the decision making and delivery times, and improve efficiency. Essentially, the Individual Cabinet Member concerned and the Cabinet Highways Committee would each have reserved to them, within the Leader's Scheme of delegation, all of the Council's executive functions arising from the Council's roles as the Highway Authority and Road Traffic Authority (other than those specifically reserved to Cabinet and those delegated to officers in accordance with Appendix A). These will include transport and parking matters, where these relate to:

- The Capital Programme;
- Policy statements;
- Matters that have drawn substantial objections from the public;
- Approval of designs of schemes costing in excess of £250,000.

9.3.2 It is also worth noting that the Leader's proposed new scheme provides that any decision that can be taken by an officer can also be taken by an Individual Cabinet Member. Therefore, even where a matter falls to an Officer, the Individual Cabinet Member can choose to make that decision if they so wish.

9.4 **Alternatives Considered and Rejected**

9.4.1 Option 2

A significant proportion of planning decisions are already delegated to officers. The amount of decisions delegated for transport and highways matters could be increased by:

- Increasing the value of schemes that officers could approve the design of (from say £200k to £1m);
- This could include schemes with some controversial elements;
- Deciding on objections to minor schemes such as local parking restrictions

9.4.2 In this option, all decisions would be in written report format and would be recorded and published. The Cabinet Member and Ward Members (for local schemes) would be involved in the discussions about the decisions. Reasons for the decisions would be clear so that public can understand why and how officers have chosen a particular course of action. There will therefore be a clear and audited trail of accountable decision making.

9.4.3 However, this option would reduce the public's involvement in the decision making process by not allowing direct representations at a public decision making forum.

9.5 **Any Interest Declared or Dispensation Granted**

None

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

None

9.7 **Respective Director Responsible for Implementation**

Simon Green, Executive Director, Place.

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

Economic and Environmental Wellbeing.

10. RURAL BROADBAND - CONNECTING SHEFFIELD'S RURAL COMMUNITIES

10.1 The Chief Executive submitted a report examining the issues and potential solutions to broadband connectivity in Sheffield's rural communities in response to a motion passed at Full Council in October 2012.

10.2 **RESOLVED:** That Cabinet:-

- (a) recognises the importance of usable broadband access to the wellbeing of the Sheffield's rural communities;
- (b) notes that capital investment from Sheffield City Council is unlikely to be cost effective in delivering a solution;
- (c) therefore, agrees that the City Council will support rural communities to find appropriate solutions where communities:-
 - Demonstrate demand;
 - Are willing to come together and form community groups across rural Sheffield with other rural communities with similar needs (thus making solutions viable for internet providers)
 - Engage with Sheffield City Council through the locality management team (subject to resources), locality lead directors and other partners in the city to devise locally-appropriate solutions

10.3 Reasons for Decision

10.3.1 Quantitative data from OFCOM and local anecdotal evidence from Members and the Rural Economy study indicate that some rural areas of Sheffield may have slow broadband connectivity or live in 'notspots' with no broadband connectivity. Therefore, while increasing proportions of the city can access high speed broadband, some rural areas may not be able to access standard broadband or experience unusable line speeds. Clearly, this represents a potential digital exclusion issue for city, particularly as more services become available online and business need for internet presence increases.

10.3.2 However, this does not represent a clear business case for direct intervention from Sheffield City Council. The costed estimate for extending the Digital Region network to Dungworth and Worrall was £461k which is simply not financially viable. Further, efforts to access the Government's Rural Communities Broadband Fund in South Yorkshire were unsuccessful due to a lack of demonstrable commitment from potential households and businesses to use broadband services in the

selected South Yorkshire rural areas and over-reliance on grant funding from Government to make the scheme viable.

- 10.3.3 The most successful solutions to broadband connectivity problems in rural areas are community-led, uniting proven local need and ingenuity to deliver affordable and technologically appropriate solutions for their communities.

10.4 **Alternatives Considered and Rejected**

10.4.1 **Do nothing**

Whilst our customer service and support for digital inclusion may be undermined by this option, the rapid development of new technology, resolution of take-up challenges with Digital Region and 4G spectrum auction may deliver solutions for our rural area.

10.4.2 **Council funded infrastructure solution**

Considering the initial costing work done for Dungworth, Worrall and South Yorkshire's Rural Communities Broadband bid, this is prohibitively expensive and undeliverable in the budgetary climate.

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**

John Mothersole, Chief Executive.

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

Economic and Environmental Wellbeing.

11. ALLOCATIONS POLICY

- 11.1 The Executive Director, Communities, submitted a report on the outcome of the general review of the Lettings Policy to ensure Council housing is allocated in the most efficient way to meet local housing needs. The Safer and Stronger Communities Scrutiny Committee had provided oversight to the work of the Allocations Policy Review Team and extensive public consultation had taken place, including with key stakeholders. The new draft Allocations Policy was attached to the report as Appendix A for consideration by Cabinet.

11.2 **RESOLVED:** That Cabinet:-

- (a) approves the Allocations Policy as set out in Appendix A of the report now submitted;
- (b) grants delegated authority to the Executive Director, Communities, to draw up a scheme of authorisation for Allocations Policy decision making prior to implementation;
- (c) authorises the Executive Director, Communities, to fully implement the new policy at the point when the necessary updating of the Choice Based Lettings Information technology system is completed, with full implementation expected to be 1st April 2014; and
- (d) agrees that a review of the impact of the new policy commence six months after full implementation.

11.3 **Reasons for Decision**

11.3.1 On March 2010, Cabinet resolved to conduct a general review of the Lettings Policy to ensure that council housing is being allocated in the most efficient way to meet local housing needs.

11.3.2 The policy needs to respond to changes in legislation including the Localism Act and the new statutory Code Of Guidance.

11.3.3 Since 2002 the housing market in Sheffield has radically changed. The amount of council housing has reduced considerably due to demolition programmes, stock transfer and Right To Buy, whilst demand for social housing has dramatically increased. The policy needs to address this changed environment.

11.3.4 The final content of the proposed new policy has been informed by comprehensive consultation.

11.4 **Alternatives Considered and Rejected**

The alternative to adopting a new policy would be to retain the current policy. This is not recommended as explained in paragraphs 8.1 to 8.11 of the report. The current policy no longer meets current needs and legislative requirements.

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

Richard Webb, Executive Director, Communities.

11.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Safer and Stronger Communities.

12. SITE OF THE FORMER NORTON AERODROME, LIGHTWOOD

12.1 The Executive Director, Resources and Executive Director, Place submitted a joint report seeking approval to negotiate the freehold acquisition by the Council of 18.7 hectares of land at the Former Norton Aerodrome, Lightwood from the Homes and Communities Agency (HCA) with the aim of delivering comprehensive restoration and effective long-term use of the site. The Local Growth Funding (LGF) would be used to finance the acquisition, demolition of the derelict buildings and holding costs pending future disposal(s) when the capital receipt will be used to repay the LGF so that it can be recycled.

12.2 RESOLVED: That Cabinet:-

- (a) approves the freehold acquisition of the former Norton Aerodrome from the Homes and Communities Agency;
- (b) delegates authority to the Director of Property and Facilities Management to agree the terms of acquisition with the HCA and instruct the Director of Legal Services to prepare and complete all necessary documentation to conclude the purchase in accordance with the agreed terms; and
- (c) notes that a capital approval submission for the expenditure has been submitted as part of the agreed monthly budget monitoring process to authorise and procure the necessary capital works and that the relevant Local Growth Fund authorities have been obtained under the agreed delegations.

12.3 Reasons for Decision

12.3.1 It would enable the Council to take initiatives to remove dereliction and contamination on a conspicuous and sensitive site.

12.3.2 The previously-developed part of the site has potential to deliver some new built development under national Green Belt policy and this could contribute to the Council's strategic housing objectives.

12.3.3 It would allow the undeveloped area of the site to be maintained and

enhanced to improve the recreational offer for the local community whilst ensuring the ecological issues are addressed.

12.4 Alternatives Considered and Rejected

12.4.1 Do Nothing

The Council could simply do nothing and take the risk that the HCA either sell the site to a developer or submit a planning application. If that was to happen then it is possible that development proposals might be put forward by a developer which are in conflict with Green Belt policy or which are at odds with the wishes of the local community. It also potentially makes it more difficult to negotiate planning benefits and the provision of affordable housing (particularly if the developer has 'over paid' for the site).

There is also a risk that the site would remain in a derelict state whilst the new landowner waited for economic conditions to improve. This could result in the Council having to try to acquire the site at a future date either by agreement or by Compulsory Purchase Order. This is likely to be a more expensive process and at worst could fail, resulting in blight of the area.

12.4.2 Minimal Intervention

The Council would seek to develop a joint scheme with the HCA (who retain ownership). However, the HCA have indicated that they no longer wish to have a maintenance liability. Any hopes they have for significant development (300+ dwellings) could only be delivered, if at all, through a Local Plan Review (which could take 4-5 years with no guarantee of the outcome) and the HCA are unlikely to be willing to wait that long. This would lead to the same risks as doing nothing.

12.4.3 Fund the Project by Alternative Sources

No alternative funding sources are available.

In summary, if the property is not purchased now then the HCA may sell the site on the open market potentially leading to continued blight and anti-social behaviour on the site. It would also be likely to make it more difficult for the Council to achieve its planning objectives for the site and maximise benefits for the local community. There is also a risk that a planning application could be submitted that is contrary to the current policies in the development plan. If the site is sold to a third party, it could also be necessary for the Council to attempt to buy it at a future date if the site remains in a derelict state. This could require a Compulsory Purchase Order. The time and costs involved in that would be much higher than if a purchase by agreement can be completed now.

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 and Simon Green, Executive Director, Place.
- 12.8 **Relevant Scrutiny and Policy Development Committee If Decision Called In**
- Overview and Scrutiny Management.
- 13. REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING 2012-13 (MONTH 9)**
- 131 The Executive Director, Resources submitted a report Resources submitted a report which provided the Month 9 Monitoring Statement on the City Council's Revenue and Capital Budget for 2012/13.
- 13.2 **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:-
 - (i) Notes the proposed additions to the capital programme listed in Appendix 2, 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 and slippage in Appendix 2 and notes the EMT approved variations;
 - (iii) approves the variations at Appendix 2 which are within its delegated authority;
 - (iv) notes the latest position on the Capital Programme; and
 - (v) notes the variations approved by Directors under their delegated authority and the use of the Emergency Approval process as recorded in Appendix 2.

13.3 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.

13.4 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.

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

Laraine Manley, Executive Director, Resources.

13.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Overview and Scrutiny Management.

Councillor
Chair, Cabinet,
Date: