

SHEFFIELD CITY COUNCIL

EXECUTIVE FUNCTIONS DECISION RECORD

The following decisions were taken on Wednesday 18 December 2013 by the Cabinet.

Date notified to all members: Friday 20 December 2013

The end of the call-in period is 4:00 pm on Monday 30 December 2013

The decision can be implemented from Tuesday 31 December 2013

Item No

8. RAISING THE PARTICIPATION AGE - PROGRESS AGAINST THE SHEFFIELD PLAN

8.1 The Executive Director, Children, Young People and Families submitted a report in relation to increasing post-16 participation in education or training in Sheffield.

8.2 **RESOLVED:** That Cabinet:-

- (a) notes the new and statutory obligations to which the City Council was subject as a result of the Raising the Participation Age legislation;
- (b) notes the measures taken to date by the City's Learning to Life partnership to prepare for the Raising of the Participation Age;
- (c) approves the 2013-2020 post-16 participation targets set out in the report; and
- (d) requests a further report to be presented, by April 2014 seeking approval for the City's new 14-24 Strategy.

8.3 Reasons for Decision

8.3.1 The Raising of the Participation Age (RPA) legislation came into force in September 2013. As a consequence, young people must remain in education or training until age 17 from 2013 and until age 18 from 2015. This paper sets out the new statutory responsibilities that fall to Sheffield City Council (SCC) as a consequence and the measures taken by the Children, Young People and Families portfolio (CYPF), with partners in the city, to prepare for these. RPA is statutory with new duties conferred on the local authority. No alternatives are available

8.4 Alternatives Considered and Rejected

8.4.1 RPA is statutory with new duties conferred on the Local Authority. No alternatives were available.

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

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

8.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Children, Young People and Families

9. ANNUAL EQUALITY AND FAIRNESS REPORT

9.1 The Chief Executive, submitted a report providing Cabinet with:-

- An overview of our Equality Duties and progress on Equality, Diversity and Inclusion (EDI)
- A new set of Equality and Fairness Objectives for 2014 to 2018
- An outline of the areas of persistent inequality and challenges
- Recommendations for action

9.2 **RESOLVED:** That Cabinet:-

- (a) notes the report;
- (b) agrees the new Equality and Fairness Objectives (as set out in section 6.1 of the report);
- (c) notes the progress made on meeting the Council's statutory equality duties (as set out in sections 5 and 7, and good practice examples set out in the appendices);
- (d) agrees the Equality and Fairness Objectives action plan to help the Council meet its Equality duties, set out in Appendix 6 to the report;
- (e) agrees the Workforce Equality Action Plan, set out in Appendix 7 to the report;
- (f) notes the focus via the Tackling Poverty and Increasing Social Justice Board on being a guarantor of equality; and
- (g) agrees that the Strategic Equality Board should focus attention on:-
 - Ensuring we have joined up approaches with partners to equality, diversity and inclusion

- Meeting our Equality Duties including via the Equality and Fairness Objectives
- Oversight of the Equality and Fairness Objectives action plan
- Oversight of the action plan in relation to the Workforce Equality Review
- Developing a shared understanding of equality, fairness and inclusion that increases awareness and reduces inappropriate or unacceptable behaviour

9.3 Reasons for Decision

9.3.1 Our aim is to make Sheffield a fairer place to live and work and on an ongoing basis we will continue to meet the needs of our 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 to people's lives in the City.

9.3.2 However, alongside this work there are areas of persistent inequality in key areas across the Council that this report 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.

9.4 Alternatives Considered and Rejected

9.4.1 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.

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

John Mothersole, Chief Executive

9.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Overview and Scrutiny

10. NEIGHBOURHOOD PLANNING DECISIONS

10.1 The Executive Director, Place submitted a report informing Cabinet about the general principles of neighbourhood planning under the Localism Act, explain the role and legal obligations on the Council, and seek Members' approval for delegated powers to be given to officers, in consultation with the responsible Cabinet Member, to allow the new arrangements to be administered.

10.2 **RESOLVED:** That Cabinet agrees:-

- (a) that the following neighbourhood planning decisions, as defined in the Neighbourhood Planning (General) Regulations 2012, be delegated to the Head of Planning, or in his/her absence, to the Forward and Area Planning Team Manager, such delegated authority be exercised in consultation with the relevant Cabinet Member responsible for Planning (currently the Cabinet Member for Business, Skills and Development):
- a) whether to accept an application for and designate a neighbourhood area or business area;
 - b) whether to designate an organisation or body as a designated neighbourhood forum;
 - c) whether an application for a neighbourhood development plan or order is valid and should be accepted;
 - d) whether to decline or accept for a repeat proposal for a neighbourhood development plan or order; and
 - e) to appoint an examiner for a Neighbourhood Development Plan or Order;
- (b) that the following neighbourhood planning decisions are to be made by Cabinet:
- f) decisions as to what actions to take in response to an examiners report;
 - g) whether to modify neighbourhood development plans or orders;
 - h) to submit to Full Council to adopt or make a neighbourhood development plan or order following a successful referendum;
 - i) a decision that would ordinarily be taken by an officer pursuant to the delegations recommended in this report but where:-
 - any stage of the neighbourhood plan process has resulted in significant public objection and/or it is publicly contentious;
 - neighbourhood planning proposals are considered to be a Key Decision because they significantly affect two or more wards; and
- (c) that responsibility for any other aspects of the executive statutory function relating to Neighbourhood Planning be delegated to the Director of Regeneration and Development Services.

10.3 **Reasons for Decision**

10.3.1 To enable the Council to meet its duties under the Localism Act 2011, and Neighbourhood Planning (General) Regulations 2012 with respect to Neighbourhood Planning.

10.3.2 To cover all of the procedural steps which are required to allow a Neighbourhood Plan, Neighbourhood Development Order or Community Right to Build Order to progress to adoption by the Council.

10.4 **Alternatives Considered and Rejected**

10.4. 1 The report recommends delegation of all decision making on neighbourhood planning, up to the point of the examination of a neighbourhood plan, to the Head of Planning, or in his/her absence the Forward and Area Planning Team Manager. Each application and submission will be discussed with the relevant Cabinet portfolio and the views of Ward Members, and Local Area Partnership Chair will be taken on board; allowing for contentious applications or issues to be considered at a higher level should this be necessary

10.4. 2 Alternative approaches that could be considered are:

(a) Cabinet to always be the decision making body for all decisions about neighbourhood planning: this would have a number of implications:

- Slower and less responsive timescales for decision making for sometimes relatively minor and uncontentious issues.
- Increased volume of reports on Cabinet agendas as reports are needed for each of the stages of decision making on neighbourhood planning.
- Increased costs in terms of officer and Member time in terms of meeting the requirements of the Cabinet process.

(b) Requesting the Leader to delegate all decisions about neighbourhood planning to the appropriate Cabinet Member: the implications of this would be:

- Increased volume of reports requiring Cabinet Member decision, as reports are needed for each of the stages of decision making on neighbourhood planning.

10.5 **Any Interest Declared or Dispensation Granted**

None

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

None

10.7 **Respective Director Responsible for Implementation**

Simon Green, Executive Director, Place

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

Economic and Environmental Wellbeing

11. SHEFFIELD LOCAL PLAN

11.1 The Executive Director, Place submitted a report in relation to the Sheffield Local Plan.

11.2 **RESOLVED:** That Cabinet:-

- (a) agrees to commence work on a new Local Plan, given the Government's requirement to (a) increase housing land supply in order to demonstrate a 5 year supply of economically viable housing sites and (b) allocate sites for Gypsies and Travellers in the Local Plan;
- (b) agrees that work on the current emerging Local Plan City Policies and Sites document and Proposals Map should be incorporated into the new Local Plan and instructs the Head of Planning to notify the Planning Inspectorate and Secretary of State of the Council's decision to not submit the City Policies and Sites document for public examination;
- (c) endorses continued use of the Core Strategy 'saved' policies in the Sheffield Unitary Development Plan and the Pre-Submission Draft City Policies and Sites document for development management decisions, as appropriate, pending adoption of the new Local Plan;
- (d) requests the Executive Director, Place to draw up a project plan for a new Sheffield Local Plan (including review of the current adopted Core Strategy) and authorises the Cabinet Member to agree the timetable, funding and process for producing the new plan; and
- (e) authorises the Cabinet Member for Business, Skills and Development to agree interim responses to the representations made during the public consultation period on the Pre-Submission Draft City Policies and Sites document and proposals map.

11.3 **Reasons for Decision**

- 11.3.1 In light of the evidence from the Planning Inspectorate and decisions being taken by Inspectors on emerging Local Plans elsewhere in the country, there appears to be little prospect of the City Policies and Sites document and Proposals Map being found sound. It is currently not possible to demonstrate a 5-year supply of deliverable housing sites and no Gypsy and Traveller Sites have been allocated. Both these factors mean the plan conflicts with national planning policies.
- 11.3.2 The National Planning Policy Framework requires a 5-year supply of deliverable sites to be maintained, as well as a further supply of sites that are developable during the plan period. In theory, there is enough land available for housing in Sheffield to meet the housing target in the current adopted Local Plan Core Strategy. However, current market factors mean that not all of this land is economically viable to develop at the moment and it is unlikely it will all be developable during the period covered by the current Local Plan. A major increase in public subsidy for housing would be needed to enable all the sites to be delivered.
- 11.3.3 Planning strategy needs to take the long view on the delivery of new homes. This accords with the Corporate Plan aim of having the right number of desirable homes in the right places to meet the future needs of residents. The Government's presumption in favour of sustainable development, together with its ambition to

increase levels of house building, mean that where there is not a five year supply the presumption will be to allow appeals into refusal of permission for housing wherever they occur. In the current policy context, the lack of a five-year supply could mean the plan being found unsound.

11.3. Objectors to the Pre-Submission documents have highlighted the lack of a 5-year
4 housing supply and have questioned whether the housing target in the Local Plan Core Strategy is high enough, given the latest projections of household growth and Rotherham's decision to cut their housing target. Even though current market demand for new homes is suppressed by economic factors and a lack of affordable mortgages, Government planning policy does not allow this to be taken into account when deciding how much housing is needed. The Planning Minister has stated that, whilst local authorities can determine the location and type of housing built, the role of central Government is to make sure Council's allocate enough land to meet their objectively assessed need. It is also apparent from decisions on Local Plans elsewhere in the country that the Government's own household projections are given significant weight when Inspectors are reaching a view on overall housing needs.

11.3. Options for allocating more housing land are heavily constrained by the policies in
5 the Core Strategy and, consequently, the only way more land can be brought forward is to commerce a comprehensive review. This would need to take place as part of a wider re-assessment of housing requirements and land supply across Sheffield City Region but would allow consideration of housing land allocation options which are more economically viable (and, therefore, more attractive to the market). It would also enable consultation to take place on options for Gypsy and Traveller sites.

11.4 **Alternatives Considered and Rejected**

11.4. Alternative policy options for the City Policies and Sites document and Proposals
1 map were fully considered and consulted on at the Emerging Options stage. The more strategic choices were largely determined by the Core Strategy and the choice with many of the policy criteria and allocations is whether to have them or not. However, there were alternative options for many of the criteria (e.g. a higher standard or a lower one than what is proposed) and choices about the required uses for allocation sites. These are detailed in the Background Reports which contain fuller evidence for the selection and rejection of options for policies and proposals.

11.4. Preparation of a revised Local Plan will allow more wide-ranging options for finding
2 new housing land to be consulted on. These options should take account of new research into changes in nationally produced projections, assessment of local housing markets in the City Region, appraisals of the sustainability of additional site options and negotiations with neighbouring authorities.

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

Economic and Environmental Wellbeing

12. REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING 2013/14 (MONTH 6) AS AT 30/9/13

12.1 The Executive Director, Resources submitted a report providing the month 6 monitoring statement on the City Council's Revenue and Capital Budget for 2013/14.

12.2 **RESOLVED:** That Cabinet:-

(a) notes the updated information and management actions provided by this report on the 2013/14 Revenue budget position;

(b) in relation to the Capital Programme:-

(i) approves the proposed additions to the Capital Programme, listed in Appendix 1, including the procurement strategies and delegations of authority to the Director of Commercial Services or his nominated officer, as appropriate, to award the necessary contracts following the stage approval by Capital Programme Group;

(ii) the proposed variations and slippage in Appendix 1;

(iii) the acceptance of the grants in Appendix 2 and to note the condition and obligations attached to them; and

(c) the latest position on the Capital Programme and the additions and variations approved under delegated authorities.

12.3 Reasons for Decision

12.3. 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.
1

12.4 Alternatives Considered and Rejected

12.4. A number of alternative courses of action are considered as part of the process

1 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 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