

SHEFFIELD CITY COUNCIL

Cabinet

Meeting held 22 July 2015

PRESENT: Councillors Leigh Bramall (Deputy Chair), Isobel Bowler, Jackie Drayton, Jayne Dunn, Terry Fox, Mazher Iqbal and Mary Lea

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from the Chair (Councillor Julie Dore) and Councillor Ben Curran.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where it was proposed to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the previous meeting of the Cabinet held on 27 May 2015 were approved as a correct record.

5. PUBLIC QUESTIONS AND PETITIONS

5.1 Public Question on Normanton Hill Crossing

Sandra Bradley, Chair of the Core Group for Safety on Normanton Hill, commented that everyone was disappointed that there had been a delay in commencing work on the Normanton Hill crossing. She had been informed that this was because of paperwork issues. Taking this delay into consideration, the Group were seeking reassurances that the Council would give this important issue the upmost priority so that further delays could be minimised. On behalf of the Group she therefore asked could they be given regular updates and kept informed of progress and agree today the frequency of the updates?

In response Councillor Terry Fox, Cabinet Member for Environment and Transport, commented that, without prejudging the decision, he hoped that the capital spend for the crossing would be agreed at today's meeting. The Council were committed to installing the crossing and were giving it the utmost priority.

He added that everyone was frustrated with the delay and this was due to legal technicalities. These would be resolved but he couldn't give a definitive date when this would be. He would continue to meet with the Core Group and was in constant dialogue with local Councillors. There was a meeting arranged for later this month and progress would be fed back to the Group.

5.2 Public Question in respect of School Crossing Patrol at Normanton Hill

Sandra Bradley asked what the position was in regards to the school crossing patrol person for the forthcoming new school term? She commented that due to the delay in the installation of the crossing on Normanton Hill known as 'Jazzy's crossing' and the fact that the works schedule took twelve weeks, the darker evenings will be drawing in.

She further asked what hours will be covered given that the school pupils who attend Outwood Academy have extra school curriculum activities and also there will be an influx of new Year 7 pupils. Before the end of the school term, the school crossing patrol person was based on a ten hour week except for two days when a new recruitment person, who may possibly be taking over this position at the start of the new school term was on reduced weekly hours. What therefore are to be the weekly hours for the new school term?

Councillor Terry Fox replied that, as he did not have the precise details, a written response to this question would be provided to Ms. Bradley.

5.3 Public Question in respect of Normanton Hill Crossing

Marie Gratton asked commented that in the brief project outline programme variations, contained in item 13 on page 181 of the Cabinet agenda, the following were listed together: 'Normanton Hill Crossing 370k, Barnsley Road, Elm Lane Construction'. Were these variations for the three constructions?

Councillor Terry Fox replied that the capital spend was for the three projects and Normanton Hill would get priority.

5.4 Public Question in respect of Schools' Company

Jane Beale asked, with the Reason for Key Decision for the Schools Company report, on the agenda for today's meeting, being savings over £500k, and considering that the Council were proposing to support the Schools Company with £800k per year for three years, what were the anticipated school savings?

Councillor Jackie Drayton, Cabinet Member for Children, Young People and Families, clarified that the report was not referring to £500k of savings, it referred to the fact that the decision involved expenditure of over £500k. She added that this decision reflected the fact that the education landscape had changed in a way that was never expected. The Council used to have an advisory department of over 100 people working on school improvement and support for schools. She stated that this figure was now down to just 3.5 fte.

Councillor Drayton explained the financial consequences of the Academies programme in terms of the reduction in local authority resources to support school improvement every time a school converted.

She noted that the Council had developed the City-wide Learning Body which was

a partnership voluntary organisation and had worked well. The City-wide Learning Body was now changing into a statutory vehicle to help schools work together on improvement and which would also enable any surplus money to be reinvested into the city's school improvement priorities.

She noted that another Schools Company which had been set up elsewhere in England had made a £27m income last year, the surplus of which had been reinvested in children and young people's education and that was the ambition with the establishment of the Schools Company in Sheffield.

5.5 Public Question in respect of Walkley Library

Cath Simmonds asked, given the Scrutiny Committee meeting scheduled for next Wednesday (29 July), concerning the potential sale of the Walkley Library building to Forum Café Bars, she would like to request a report of the negotiations between the City Council and Forum Café Bars even if this needed to be a redacted version.

Councillor Isobel Bowler, Cabinet Member for Neighbourhoods, said that she had not been involved in these negotiations, had not seen any report on them and doubted such a report existed. A Freedom of Information request could be made by the questioner but would not produce results by tomorrow's Scrutiny Committee meeting. Dave Wood, Interim Property Surveying Manager, would be presenting the report at the Scrutiny Committee meeting and she would make him aware of Ms. Simmonds' question.

5.6 Public Question in respect of Public Buildings

Catherine Butcher asked if the Council could explain to Sheffield citizens how they were doing all in their power to keep public buildings in public ownership (community or Council)? She was thinking particularly of the Walkley Carnegie Building.

Councillor Mazher Iqbal, Cabinet Member for Public Health and Equality, commented that the policies in respect of libraries was that, as a result of cuts in Government funding, libraries would either be closed or community owned and the community had answered that call for action. Walkley Library was the only library where there would be a partnership with a private developer but would also work alongside the community.

All the assets that the Council owned would be looked at. There were no longer the resources available that the Council used to have to maintain buildings. Where a community organisation approached the Council with a view to extending the lease on a building, the Council would work in partnership if possible.

The Council had an Asset Realisation Programme and a lot of leases and community buildings had been given up, some of which needed to be disposed of. The Council did try and retain assets where it could and would work with partners to achieve this, but where it made strategic sense, assets were disposed of.

5.7 Public Questions in respect of Tinsley Green

Adil Mohammed stated that, at the last Planning Committee meeting held in July 2015, the planning application to build a mega school on Tinsley Green was granted by six votes for and five against. Adil had presented a petition signed by local young people from Tinsley calling upon Sheffield City Council to expand Tinsley Youth Club to compensate the local community for the loss of over 30% of their public park. Whilst his petition had been well received by the Planning Committee, they did not have any power to deal with this request, hence why he had decided to attend today's Cabinet meeting.

Adil further stated that Tinsley Youth Club was well used by local young people, with over 40 attending each session. As a result the current building was very crowded when the youth club was open, with some young people now using the corridor to the toilets as a Playstation games area. He therefore asked:-

1) Could Councillor Jackie Drayton please commit to working with him and other local young people to expand Tinsley Youth Club by reducing the planned car parking spaces by two?

2) The current plan to relocate the playground next to the five a side football pitch and cricket nets was also likely to cause a problem. Could the Council please work with us to look at putting this at a more suitable place?

3) Many other parks in the City had Friends Groups. Could the Council please look at helping to set up a similar group for Tinsley Green, as Adil would be interested in helping to improve his park?

Councillor Jackie Drayton responded that she was aware that two local Councillors had made representations to the Planning Committee in respect of the number of parking spaces used. The youth facility was open Wednesday and Saturday evening and she was aware that other youth activity took place but she would clarify with officers exactly when.

The Council were not disposing of the pavilion. This was a good asset and well used by the community. The Council no longer had any money to provide youth clubs and money was spent on early intervention and prevention and troubled families. Councillor Drayton added that she was willing to work with Adil on the youth club issue. Planning would investigate the issues raised at that meeting and the viability of expanding the youth club building would be investigated.

Councillor Isobel Bowler added that there was one officer who supported the setting up of Friends Groups and she would ensure that she made contact with Adil in respect of this.

5.8 Public Question in respect of Planning Policy

Nigel Slack commented that, with more and more people, including some Labour Councillors, continuing to express their concern over the weakness of current Council planning policy, particularly with respect to heritage assets, what stage

had the new Local Plan for the City reached and when would it be available for public scrutiny and consultation?

Mr Slack further added that, with Islington Council's proposals to expose developer 'dodgy dealings' over 'viability' claims, something seen regularly in Sheffield's planning debates, will the Council undertake to introduce a similar plan for the City?

Councillor Leigh Bramall, Cabinet Member for Business, Skills and Development commented that he would send details of dates for publication of the Local Plan to Mr Slack. This was a huge piece of work which covered the whole City. He wished that it could be completed more quickly but there had been cuts to the number of officers involved and, as it was based on national planning law, it had to go through a number of tests. Lots of consultation had also been undertaken on the plan.

The Council had a strong record in respect of heritage assets and had brought some back into use and had been commended nationally for this. Devonshire Street shops originally had local protection but English Heritage did not feel that it met the criteria for national protection.

Councillor Bramall was not aware of any credible 'dodgy dealings'. The Council had an independent audit but would look at what came out of Islington and respond accordingly.

5.9 Public Question in respect of Devonshire Street Legal Challenge

Nigel Slack stated that the 'Save Devonshire Street' campaign had raised the £15,000 needed to fund a legal challenge to the Council's planning decision. Will the Council, before unnecessary expense was incurred by either side, talk to campaigners about the legal advice they had received and consider whether the Council's view on defending the potential appeal was still the right one?

Councillor Jayne Dunn, Cabinet Member for Housing, reported that the Council's position had been confirmed by an independent judge. The claimants were aware of this and the Council was in continued dialogue with them.

5.10 Public Question in respect of Devolution

Nigel Slack stated that, following amendments tabled in the House of Lords, it seemed that the new 'Cities and Local Government Devolution Bill' may take some time to progress through the legislative process. The Chancellor, however, was saying he was already in negotiation with the 'Northern Powerhouse' Cities about the new so called devolution powers and the imposition of an elected Mayor. He has again deliberately made the time scale tight in order to pressure authorities into snap decisions. Having resisted the attempt to impose a City Region Mayor last time, will the Council continue to resist this time? Will the Council consult with the Sheffield public about the new deal?

Councillor Leigh Bramall responded that, in principle, the Administration did not

believe the imposition of Elected Mayors should happen. However, this was the policy of the new Government. Councillor Bramall would not rule anything out but any agreement would have to benefit the people of Sheffield unambiguously. It was important that the Council spoke to the Government to establish what was proposed.

5.11 Public Question in respect of Review of Meetings

Nigel Slack asked will the review of Council meeting procedures requested by the Opposition leader happen? And will the public be involved in any review?

In the absence of the Leader, Councillor Leigh Bramall confirmed that the Leader would look at that and any process would involve the public.

5.12 Public Question in respect of Mount Pleasant House

Nigel Slack asked if the Council could confirm whether they were about to sign a lease agreement with a commercial developer with respect to the Grade 2 listed Mount Pleasant House and the empty school behind it?

Mr Slack also asked will the relevant Cabinet Councillors agree to meet him concerning evidence of misleading information being provided to members of the public with respect to this property and its development?

Councillor Jayne Dunn confirmed that terms had been agreed on Mount Pleasant House subject to planning and building Regulations agreements. She would be happy to meet Mr Slack and requested that Mr Slack contact her secretary to arrange this.

5.13 Public Question in respect of Skyride Event

Nigel Slack commented that, although he greatly enjoyed this year's Skyride event, he personally found it distasteful that the event was sponsored by a Rupert Murdoch media company. Mr Slack had also found out this year that the stewards for the event were from G4S. Given the Council's stance on this Company for the Council's own contracts could they assure us that that they will try to avoid this Company being involved in 2016?

Councillor Leigh Bramall commented that he welcomed Mr Slack's enjoyment of the event. It was nationally organised and Sky were contracted to British Cycling, so the Council had no influence over that. Councillor Bramall was aware that Councillor Ben Curran, Cabinet Member for Finance and Resources, was undertaking a piece of work in respect of G4S, so he would ask Councillor Curran to respond directly to Mr Slack.

5.14 Public Questions in respect of 'Double Dipping', TARA Recognition Policy and Abuse of Vulnerable People

Martin Brighton asked a number of questions in respect of 'double dipping', the TARA Recognition Policy and abuse of vulnerable people.

Councillor Leigh Bramall stated that written responses would be provided to all Mr Brighton's questions but if he had any evidence of abuse he should report this to the Police.

6. ITEMS CALLED-IN FOR SCRUTINY

6.1 Report back on Call-In of Decision of Cabinet acting as Charity Trustee of the Graves Park Charity taken on 18 March 2015 in relation to Cobnar Cottage

6.1.1 Matthew Borland, Scrutiny Policy Officer, submitted a report of the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee outlining the outcome of the Scrutiny Committee meeting held on 24 June 2015 where a Call-In of the Cabinet's decision of 18 March 2015 on Cobnar Cottage was considered. It was noted that there was an error in Section 1.1 of the report and The Executive Director, Communities should be amended to read The Executive Director, Place.

6.1.2 **RESOLVED:** That Cabinet notes the following decision of the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee at its meeting held on 24 June 2015 in respect of a decision taken by Cabinet acting as Trustee of the Graves Park Charity on the Graves Park Charitable Trust: Cobnar Cottage:-

The Scrutiny Committee:-

- (a) notes the contents of the report together with the comments made and the responses provided;
- (b) notes the decision of the Cabinet, taken on 18th March 2015, to delegate authority to the Director of Legal and Governance to make an application to the Charity Commission for a scheme to give the Trustee the power to dispose of the freehold interest in Cobnar Cottage and to invest the capital receipt in improving the facilities in Graves Park; and
- (c) recommends that no action be taken in relation to the called-in decision.

6.2 It was further noted that a Leader's Decision, taken on 30 June 2015, in respect of Walkley Library had been called-in for Scrutiny.

7. RETIREMENT OF STAFF

The Interim Executive Director, Resources submitted a report on Council staff retirements.

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>	<u>Years' Service</u>
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Children, Young People and Families

Carolyn Allcroft	Supervising Social Worker	35
John Brabban	Teacher, Bents Green School	37
Barbara Chambers	Play Leader, Rivelin Primary School	23
Peter Delamere	Teacher, St Marie's School	32
Jane Ellaby	Teacher, Carfield Primary School	28
Gillian Fisher	Higher Level Teaching Assistant, Woodseats Primary School	27
Elizabeth Foster	Teacher, Hinde House School	37
Marilyn Hatch	Cleaner in Charge, Rainbow Forge Primary School	26
Rukhsana Jamil	Teacher, Carfield Primary School	28
Susan Jones	Teaching Assistant Level 3, Tinsley Meadows Primary School	23
Sandra Lauder	Curriculum Specialist, Woodthorpe Community Primary School	21
Patricia Mellor	Deputy Headteacher, Hinde House School	22
Patrick Nelis	Headteacher, St Theresa's Catholic Academy	36
Andrea Peckett	Business Support Manager	27
Susan Storey	Teacher, Lydgate Junior School	37

Communities

Ann Bradbury	Housing Officer	25
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David Jacobs Housing Co-Ordinator 25

Place

Colin Barnes Project Officer, Regeneration
and Development Services 37

Resources

Raymond Wright Senior Finance Manager 39

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

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

8. SCHOOL PLACES IN SHEFFIELD

8.1 The Executive Director, Children, Young People and Families submitted a report
describing the need for new primary and secondary school places between now
and the end of the decade and outlined a programme for providing them. This
included two major projects, one in the South West and one in the North East.

8.2 **RESOLVED:** That Cabinet:-

- (a) endorses the outline programme for the provision of primary and secondary
places in the North East and South West of the City as set out in the report;
- (b) agrees that consultation should be undertaken on the proposals set out in
Section 6 of the report; and
- (c) requests a further report in November 2015 detailing the outcomes of that
consultation and setting out the proposals in full detail for a final decision.

8.3 **Reasons for Decision**

8.3.1 The outline school places programme set out in the report is recommended to
Cabinet on the basis that it will deliver a coherent and ambitious vision for
secondary and primary school places in the areas of the city where population
growth requires additional school capacity to be provided. It is a programme which
recognises the aspirations of families to have access to high quality education for
their children within their local area and provides a pattern for investment that will
achieve the best possible outcomes whilst achieving best value for the Council's
resources.

8.3.2 The scale of the extra school capacity needed over forthcoming years in the
secondary sector requires an innovative and forward-thinking response from the
city. The recommendation is to endorse a strategic vision of commissioning two
new outstanding secondary schools backed with investment in the provision of

high quality buildings, which could involve partnership from the sector and other key City-partners.

8.4 Alternatives Considered and Rejected

- 8.4.1 The outline programme described in the report has been subject to considerable amounts of formative discussion with schools, parents and other stakeholders. The criteria set out in section 5.2 of the report have been used as a means of structuring an evaluation as well as an understanding of the technical feasibility and estimated costs. Where new secondary schools have been proposed, the alternative option of expanding existing schools has been fully considered in every aspect and deemed insufficient, unfeasible or educationally unviable to provide the capacity increase needed across the secondary sector in the programme up to 2020.
- 8.4.2 The alternative options to Dobcroft for the delivery of primary places in the South West have been fully scrutinised through a public options appraisal and evaluation process, based once again on the criteria in section 5.2. of the report. This concluded a preference for the increase in places to be delivered in the Ecclesall catchment linked to the provision of junior places for pupils at Clifford Infant. The detailed options for the provision of primary places in the North East area linked to the proposed new secondary school remain to be fully evaluated.
- 8.4.3 The option of doing nothing or delaying delivery of the provision proposed is not feasible. It poses significant risks to the Council in not providing sufficient statutory school places and to parents in not being able to secure a school place within their local area for their child.

9. FRAMEWORK AGREEMENT. DAY OPPORTUNITIES AND SHORT BREAKS SERVICES FOR ADULTS WITH A LEARNING DISABILITY

- 9.1 The Executive Director, Communities submitted a report seeking agreement to establish a Framework Agreement for day opportunities for adults with a learning disability. The volume of business that will be carried out through the Framework will exceed £500,000 in the lifetime of the arrangement, through individualised purchasing including the use of Direct Payments.
- 9.2 **RESOLVED:** That Cabinet:-
- (a) approves the establishment of a Framework contract for day opportunities for adults with eligible needs, by way of a tender process;
 - (b) delegates authority to the Director of Commissioning (Communities), in consultation with the Executive Director (Communities), Director of Adult Services, Director of Commercial Services and the Director of Legal and Governance, or their nominated representatives, to agree the Invitation to Tender documentation including the terms of the Framework contract and any call off contracts; and

- (c) delegates authority to the Director of Commissioning (Communities) to award the Framework contracts to the successful tenderers.

9.3 **Reasons for Decision**

- 9.3.1 The Framework is a key element of the Council's approach to developing the local offer of day opportunities. It will:-
- Increase the diversity, effectiveness and quality of the current offer
 - Support groups of people, as well as individuals, to access day opportunities
 - Improve on the current contractual arrangements
 - Assure best value

9.4 **Alternatives Considered and Rejected**

- 9.4.1 'Do nothing'
- The current arrangements do not meet our need for a diverse and innovative offer of day opportunities.
 - The current arrangements do not support robust quality monitoring and improvement or assure best value.

10. **PROPOSED SHEFFIELD CITY COUNCIL (FOX VALLEY, STOCKSBRIDGE) - COMPULSORY PURCHASE ORDER**

- 10.1 The Executive Director, Place submitted a report seeking authority to make a Compulsory Purchase Order (CPO) to acquire the leasehold interest required in the land at Fox Valley, Stocksbridge to enable the completion of the comprehensive regeneration of the site with a mixed use development scheme.

10.2 **RESOLVED:** That:-

- (a) authority be given for the Council to make a Compulsory Purchase Order (CPO) under the powers conferred by Section 226 (1) (a) of the Town and Country Planning Act 1990 to acquire the land shown on the Order Map displayed at the meeting of Cabinet on 22nd July 2015 and marked "Map referred to in the Sheffield City Council (Fox Valley, Stocksbridge) Compulsory Purchase Order 2015";
- (b) authority be given to the Executive Director, Place, in consultation with the Director of Legal and Governance (Monitoring Officer) and the Interim Executive Director, Resources, to agree and enter into all necessary legal documentation with the Stocksbridge Regeneration Company;
- (c) the Director of Legal and Governance (Monitoring Officer) be authorised to make the CPO, to take all necessary procedural steps prior to and after the making of the CPO, to enable the CPO to be submitted to the Secretary of State for confirmation, including:
- (i) finalising the attached draft Statement of Reasons;

- (ii) finalising the Schedule of Interests;and
- (iii) serving notices of the making of the CPO on all persons entitled to such notice and placing necessary press notices;

and to submit the CPO to the Secretary of State for confirmation;

- (d) the Director of Legal and Governance (Monitoring Officer) be authorised to sign and serve any notices or documents necessary to give effect to these recommendations and to take all other actions necessary to give effect to these recommendations;
- (e) as soon as the Order is confirmed by the Secretary of State, the Director of Legal and Governance be authorised to advertise the confirmation of the CPO and serve all necessary notices of confirmation, and once the CPO becomes operative, the Director of Legal and Governance and Monitoring Officer in consultation with the Interim Executive Director, Resources be authorised to execute General Vesting Declarations under the Compulsory Purchase (Vesting Declarations) Act 1981, at the earliest opportunity; and
- (f) the Executive Director, Place, in consultation with the Director of Legal and Governance (Monitoring Officer) and the Interim Executive Director, Resources, be authorised to manage the compulsory purchase process in accordance with the terms of the CPO Indemnity Agreement.

10.3 Reasons for Decision

- 10.3.1 The use of a CPO to acquire the Order Land required for the Scheme is possible under section 226 (1) (a) of the 1990 Town and Country Planning Act, and would be justified in light of the compelling case in the public interest for the acquisition of the Order Land to enable the completion of the Fox Valley development.
- 10.3.2 Where the Council propose to make a CPO under these statutory provisions, the Council must be satisfied that the development is likely to contribute to the achievement of one or more of the following objects, namely the promotion or improvement of the economic, social or environmental well-being of their area.
- 10.3.3 It is considered that there is a compelling case in the public interest to justify the Council using its compulsory purchase powers to acquire the Order Land because of the important regeneration benefits the Scheme and the wider development of the Fox Valley site will deliver to Stocksbridge and the surrounding area.
- 10.3.4 If the Order Land is left undeveloped it will constrain both the viability and success of the Fox Valley development, as the appeal and trading environment to both shoppers and retailers would be undermined.
- 10.3.5 There would be commensurate harm to the contribution of the overall Fox Valley development to the health of the existing centre, promotion of sustainable shopping patterns, and provision of a wider range of facilities for local people.

10.4 Alternatives Considered and Rejected

10.4.1 There were no alternative options presented in the report.

11. CREATION OF SCHOOLS' COMPANY

11.1 The Executive Director, Children, Young People and Families submitted a report in relation to the creation of a schools' company.

11.2 A revised report including amended recommendations was circulated at the meeting for Members consideration.

11.3 **RESOLVED:** That Cabinet:-

- (a) agrees that the creation of a Schools' Company, to be known as Learn Sheffield, is the preferred option for delivering improvements in standards and performance of schools in the City;
- (b) approves the creation of a Schools Company in the form of a Company Limited by Guarantee;
- (c) approves the Council becoming a member of the Company and providing a guarantee up to the limit of £25.00 in the event that the Company is wound up and is unable to pay its debts;
- (d) approves the disestablishment of the City Wide Learning Body given the creation of the Schools Company;
- (e) delegates authority to the Executive Director, Children, Young People and Families to consent to the governing bodies of all maintained schools in Sheffield which have a delegated budget and which are not in the Ofsted "Special measures" Category to become members of the proposed new company;
- (f) approves the Council acting as the "supervising authority" for the purposes of the Education Act 2002 and the School Company Regulations 2002 and delegates authority to the Executive Director, Children, Young People and Families in consultation with the Director of Finance to determine these arrangements;
- (g) delegates authority to the Executive Director, Children, Young People and Families, in consultation with the Director of Legal and Governance, to agree the Articles of Association of the proposed company;
- (h) delegates authority to the Director of Legal and Governance to take all necessary legal steps to incorporate the Company;
- (i) delegates authority to the Executive Director, Children, Young People and Families, in consultation with the Director of Finance and the Director of Commercial Services, to approve the business case;

- (j) delegates authority to the Executive Director, Children, Young People and Families, in consultation with the Cabinet Member for Children, Young People and Families to agree a named person to represent the Council Membership at general meetings of the Company;
- (k) delegates authority to the Executive Director, Children, Young People and Families, in consultation with the Cabinet Member for Children, Young People and Families to agree a named person as an interim non-executive director to the Interim Board;
- (l) delegates authority to the Executive Director, Children, Young People and Families, in consultation with the Cabinet Member for Children, Young People and Families, to nominate two persons as non-executive directors to the Board of the Company upon the full Board being elected by the members;
- (m) delegates authority to the Executive Director, Children, Young People and Families, in consultation with the Director of Human Resources as necessary, to second the identified staff to the Company subject to formal consultation and agreement and, at the appropriate time, commence formal consultation with Trade Unions regarding the transfer of staff from the Council into the Company; and
- (n) delegates authority to the Executive Director, Children, Young People and Families, in consultation with the Cabinet Member for Children, Young People and Families, the Director of Finance, the Director of Commercial Services and the Director of Legal and Governance, as appropriate, to:
 - Enter into negotiations with the new Company for the commission of the Advocacy and Challenge services from the Company by using elements of the CYPF education budget
 - Approve the procurement strategy of awarding a contract to the new Company
 - Enter into the contract for the proposed services and any other necessary legal agreements that are required in order to give effect to the arrangements
 - Create a client function within the Council that will commission, support and monitor the performance of the Company

11.4 Reasons for Decision

11.4.1 Option E has been chosen for the following reasons:

- It maximises the impact of improvement activity on standards and attainment
- To increase and strengthen school partnership working and do more city-wide partnership work. To make a firm commitment that binds schools,

- academies, colleges and SCC together in the interest of all children
- The Council retains and strengthens its role in education, advocating for children and families to improve standards
- It promotes the growth and expansion of improvement services - shifting the focus away for budget challenges
- The school company provides a model that will potentially provide better value for money.

11.5 **Alternatives Considered and Rejected**

- 11.5.1 The option (A) to continue with the current partnership arrangements under the CWLB (maintain the status quo) was considered. It is felt that whilst the current arrangements have delivered improvement, it is unclear how the CWLB, as is, could accelerate improvement in line with the challenges presented. In particular the lack of protection afforded to members in an unincorporated association would temper ambitions and hinder the development of services.
- 11.5.2 There is an option (B) to discontinue current arrangements and leave school improvement arrangements to the market to provide. Whilst some schools would manage to find and procure effective school support and improvement there is a concern that other schools would not look for support and become isolated and vulnerable. This option is also contrary to all of the evidence about school improvement being most effective when delivered in a self-improving system.
- 11.5.3 The third option (C) is to revert to a Local Authority led approach to school improvement. Here existing resources would be used for an expanded school improvement function. A number of disadvantages were identified with this model, these include:
- The proposal does not support the evidence about a school led system of improvement being most effective
 - The diminishing resources that the Local Authority has to put into school improvement as the Education Services Grant allocation falls
 - The impact of the academies programme that means that, aside from safeguarding and SEND, the Local Authority has a limited remit with many schools and this sector would be untouched.
- 11.5.4 A fourth option (Option D) would be to authorise the Council maintained schools to establish the Schools' Company and to not join the Company as a member. In order to be able to commission from this Company, the Council would have to go out to a full EU procurement and there is no certainty that the new Company would be the successful bidder.
- 11.5.5 Option E is the recommended option and is the development of the CWLB into a Schools Company that would be incorporated as a Company Limited by Guarantee. The Local Authority would transfer its school improvement resource into the Company and this would be pooled with contribution from schools to shape the overall improvement offer.

12. CAPITAL PROGRAMME MONITORING MONTH 2 AND TREASURY MANAGEMENT REVIEW

12.1 The Interim Executive Director, Resources submitted a report providing the month 2 monitoring statement on the City Council's Capital Programme for 2015/16 and a review of the City Council's Treasury Management during 2014/15.

12.2 **RESOLVED:** That Cabinet:-

- (a) approves the proposed additions to the Capital Programme listed in Appendix 1 of the report, including the procurement strategies and delegations of authority to the Director of Commercial Services or nominated Officer, as appropriate, to award the necessary contracts following stage approval by Capital Programme Group;
- (b) approves the proposed variations and slippage as listed in Appendix 1 of the report;
- (c) delegates authority to the Director of Finance and the Director of Legal and Governance to finalise, and if satisfactory, accept the conditions of the grant listed in Appendix 2 of the report;
- (d) notes the latest position on the Capital Programme and emergency approvals of schemes; and
- (e) notes the Annual Treasury Management Review summarised in paragraphs 10-12 and shown in further detail in Appendix 3 of the report.

12.3 Reasons for Decision

12.3.1 To formally record changes to 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

12.4.1 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 Capital Programme.