

SHEFFIELD CITY COUNCIL

EXECUTIVE FUNCTIONS DECISION RECORD

The following decisions were taken on Wednesday 9 March 2016 by the Cabinet.

Date notified to all members: Friday 11 March 2016

The end of the call-in period is 4:00 pm on Thursday 17 March 2016

The decision can be implemented from Friday 18 March 2016

Item No

6. ITEMS CALLED-IN/REFERRED FROM SCRUTINY

6.1 Prevent Task Group Report

6.1.1 The Children, Young People and Family Support Scrutiny and Policy Development Committee submitted a report outlining the findings of the Committee's Prevent Task Group and making its recommendations to Cabinet.

6.2 **RESOLVED: That Cabinet:-**

(a) notes the Prevent Group Task Report; and

(b) requests that the Cabinet Member for Neighbourhoods and Cabinet Member for Children, Young People and Families provide a joint response to the Children, Young People and Family Support Scrutiny and Policy Development Committee in terms of recommendations 1-10 in the Prevent Task Group Report, at a date to be agreed, but no later than December 2016.

6.3 **Reasons for Decision**

6.3.1 To enable the Scrutiny Committee to monitor the outcome of its recommendations, the Committee would welcome a joint response from the Cabinet Member for Neighbourhoods and the Cabinet Member for Children, Young People and Families with regards to its recommendations (1-10) as outlined in its Prevent Task Group Report.

6.4 **Alternatives Considered and Rejected**

6.4.1 An alternative option in relation to the recommendations below would be to do nothing with the Committee's report. However, given the time and effort spent by the Task Group, and contributions made to the work from other organisations this is not deemed a viable option.

6.4.2 An alternative option in relation to the recommendations below would be respond to the Committee's report over a much longer timescale. However, this would be

at the risk of losing the opportunity for the report's recommendations to influence the Councils response to the requirements of the 2015 Counter-Terrorism and Security Act.

6.5 Any Interest Declared or Dispensation Granted

6.5.1 None

6.6 Reason for Exemption if Public/Press Excluded During Consideration

6.6.1 None

6.7 Respective Director Responsible for Implementation

6.7.1 N/A

6.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

6.8.1 N/A

6.9 Home Care Scrutiny Report

6.9.1 The Healthier Communities and Adult Social Care Scrutiny and Policy Development Committee submitted a report outlining the findings of the Task Group which considered Home Care and making recommendations to Cabinet.

6.10 **RESOLVED:-** That Cabinet:-

(a) notes the Home Care Scrutiny Report; and

(b) requests a response to the report from the Cabinet Member for Health, Care and Independent Living to the Scrutiny Committee within 3 months, including a timetable for implementing the report's recommendations within the recommissioning process.

6.11 Reasons for Decision

6.11.1 The recommendation to Cabinet is for the Cabinet Member for Health, Care and Independent Living to respond to the report within 3 months as this should provide enough time to develop a detailed response.

6.12 Alternatives Considered and Rejected

6.12.1 An alternative option in relation to the recommendations below would be to do nothing with the Committee's report. However, given the time and effort spent by the task group, and contributions made to the work from other organisations this is not deemed a viable option.

6.12.2 An alternative option in relation to the recommendations below would be to respond to Committee's report over a much longer timescale. However, this would be at

the risk of losing the opportunity for the report's recommendations to influence to recommissioning process.

6.13 Any Interest Declared or Dispensation Granted

6.13.1 None

6.14 Reason for Exemption if Public/Press Excluded During Consideration

6.14.1 N/A

6.15 Respective Director Responsible for Implementation

6.15.1 N/A

6.16 Relevant Scrutiny and Policy Development Committee If Decision Called In

6.16.1 N/A

8. SPECIAL EDUCATIONAL NEEDS / LOOKED AFTER CHILDREN / VULNERABLE ADULTS TRANSPORT FRAMEWORK

8.1 The Interim Executive Director, Resources submitted a report in relation to the Special Educational Needs/Looked After Children/Vulnerable Adults Transport Network.

8.2 **RESOLVED:** That Cabinet:-

- (a) approves the establishment of a Dynamic Purchasing System (DPS) for taxi and minibus provision (with or without escorts) as outlined in the report, and that the DPS runs for a 24 month period with an option to extend for a further two 12 month periods, subject to satisfactory performance; and
- (b) delegates authority to the Director of Commercial Services or her nominated representative to accept tenders and award Contracts for this project.

8.3 Reasons for Decision

8.3.1 The current contracts were advertised and let as 12 month contracts with an optional 12 month extension. There is no provision within the contracts for a further extension.

8.3.2 The Council has a statutory responsibility to provide travel assistance to children who have an entitlement because of their special educational needs and for adult care clients to meet their respite and other needs. Part of this assistance is met by the Council's in-house fleet. However, it is not possible for all provision to be met in-house. In order to complement the Council's in-house fleet and maintain an appropriate level of service support for end users, further capacity is generated by utilising additional contractors. Contracts for these services are let through a

competitive tendering process to ensure best value is achieved and in order to comply with legislative requirements.

8.4 Alternatives Considered and Rejected

8.4.1 There are a limited number of alternative options open. 'Do nothing' would leave the Council short on capacity to deliver the required services to vulnerable clients and risk a breach of statutory duty.

8.4.2 Entering into a collaborative framework with other public bodies has also been considered. However, the Council's requirements are large and complex and therefore its own bespoke framework is considered the most suitable option with the framework procured in such a way that other public bodies may also use it should it offer a suitable compliant route to market for them.

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

Eugene Walker, Interim Executive Director, Resources

8.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Overview and Scrutiny Management Committee

9. SHEFFIELD HOUSING COMPANY PHASE 2

9.1 The Executive Director, Place submitted a report in relation to the Sheffield Housing Company Phase 2.

9.2 **RESOLVED:** That Cabinet:-

- (a) notes the progress on housing delivery and neighbourhood regeneration through the Sheffield Housing Company (SHC);
- (b) approves the Council granting an Option to Purchase for £1 on up to 2 identified sites within the future Sheffield Housing Company Land Package; the ability to exercise the Option being granted only if the lender has unrecoverable debt on its development finance loan to SHC for Phase 2; and
- (c) delegates authority on the negotiation on the terms of the Option to Purchase to the Director of Capital and Major Projects in consultation with the Director of Finance.

9.3 **Reasons for Decision**

9.3.1 The Council providing security for the loan by way of an Option to the Homes and Communities Agency to purchase future SHC land for £1 is assessed as low risk and will enable the development of 478 quality new homes.

9.4 **Alternatives Considered and Rejected**

9.4.1 **Option 1** – the Council does not provide any form of security for the SHC loan. **Impact:** This would result in the interest rate on the loan increasing to over 10%. The increased finance costs will render Phase 2 unviable as the Phase surplus would be reduced to an unacceptably low level in which to manage any development risk. This is therefore not the preferred option.

9.4.2 **Option 2** – the Council and Keepmoat provide the development finance loan to SHC removing the need for HCA finance. **Impact:** funding will need to be identified from the corporate programme to finance this and the loan drawdown and repayment will need to be administered, drawing on officer resources. This is not the preferred option.

9.4.3 **Option 3** – the Council provides a Parent Company Guarantee by way of a commitment to pay half of any outstanding debt to HCA, if SHC defaults on its loan. **Impact:** this would enable SHC to enter into a funding agreement with HCA and deliver Phase 2. However, it will require the Council to place a contingent liability on its accounts and potentially create a precedent for offering security to developers in this way therefore this is not the preferred option.

9.4.4 **Option 4** - Council provides security in the form of an Option for HCA to purchase identified Council sites for £1 to recover any debt. This land falls within the SHC future land package. **Impact:** this would enable SHC to enter into a funding agreement and deliver Phase 2. An Option to purchase land within the Land Package will allow the Council and SHC to manage the SHC site development programme to ensure that the sites in question are timetabled for delivery after the Option is removed. It would not require the Council to account for any contingent liability in its accounts. This is the preferred option.

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**

Safer and Stronger Communities Scrutiny and Policy Development Committee

10. SHEFFIELD DIGITAL BUSINESS INCUBATOR

10.1 The Executive Director, Place submitted a report in relation to the Sheffield Digital Business Incubator Project.

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

- (a) to accept the grant offer of £3.5 million;
- (b) to accept Sheffield City Council becoming the Accountable Body for the grant on behalf of a third party who will deliver the project and payment of grant aid to the third party delivering the project; and
- (c) to delegate authority to the Executive Director, Place in consultation with the Cabinet Member for Business, Skills and Development and the Director of Finance to instruct the Director of Legal and Governance to finalise terms and complete all the necessary documentation to give effect to the proposals set out in this report.

10.3 Reasons for Decision

10.3.1 The underlying benefit of this proposal is to enable up to £3.5m of funding from Central Government to be invested in the City Centre to bring forward business incubation space for companies in the digital industries sector. Successful delivery of this space will support jobs growth and wealth creation in Sheffield and the wider City Region and as well as the 'Tech Nation' concept being promoted by Government. This is one of three Digital Business Incubators being supported by Government in the North, the others being in Manchester and Leeds.

10.3.2 It is expected that this funding will be used to secure and refurbish a property in the City Centre with the current option having been identified as Sheffield 'Maker Hub' – the renovation of Castle House (former Co-op) in Castlegate. This investment will add to the vibrancy and reinvigoration of the Castlegate area and wider City Centre and has economic benefits in terms of making the city an exciting place to locate and attract talented staff for businesses in the creative and digital industries which is a key growth area for the City Region.

10.3.3 The funding Government Department (DCMS) has assessed proposals from the promoters of this project in Sheffield and allocated £3.5m but is not in a position to invest directly into the project. SCC has been requested to act as an intermediary in the form of the Accountable Body for the funding and will not only receive the capital funding but will undertake appropriate detailed assessment to ensure the project delivers the most positive outcomes for the city and the technology sector. With Accountable Body status the Council will ensure the delivery body is fit for purpose and delivers the project and associated outputs in a legally compliant manner via a Funding Agreement.

10.4 **Alternatives Considered and Rejected**

10.4.1 Without SCC being in a position to act as Accountable Body for the capital funding it is understood that DCMS would not make the £3.5m grant funding available for investment in Sheffield. This would lead to the project not proceeding resulting in a missed opportunity to create the facility and stimulate the Sheffield economy.

10.4.2 The Council could look to use the £3.5m grant funding to deliver the facility itself through the Capital Programme rather than act as Accountable Body and enter into a Funding Agreement with a third party. Whilst this remains an option it is not preferred given it would make SCC wholly responsible for the financial delivery of the project and outcomes based on a business case that was developed by another party.

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 Scrutiny and Policy Development Committee

11. **BETTER HEALTH AND WELLBEING - WORKING BETTER TOGETHER IN COMMUNITIES**

11.1 The Executive Director, Communities submitted a report describing a proposed new approach to investing in community health and wellbeing services; an approach that encourages people and organisations to work together to support people to maintain and improve their health and wellbeing.

11.2 **RESOLVED:** That Cabinet:-

- (a) approves the strategic approach set out in this report – recognising the potential for this approach to shape how the Council commissions preventative health and wellbeing services in the future;
- (b) supports the development of Collaborative Partnerships; and
- (c) delegates authority to the Director of Commissioning and the Director of Commercial Services in consultation with the Cabinet Member for Health,

Care and Independent Living, the Cabinet Member for Public Health and Equality, and the Director of Legal and Governance, to appoint Collaborative Partnerships to the Pseudo-Framework (hereinafter referred to as the framework) and to issue contract awards following the procurement process.

11.3 **Reasons for Decision**

- 11.3.1 As resources become more stretched, it is critical that organisations – big and small – work better together to support the people of Sheffield to improve their health and wellbeing.
- 11.3.2 As health and care budgets continue to integrate and consolidate, we want to make sure that small local organisations are not squeezed out because they want to stay small and focus on what they do best.
- 11.3.3 We also recognise that if we are to succeed in reducing health inequalities in Sheffield we need to focus our resources smartly – making sure that organisations collectively prioritise people that are most at risk.
- 11.3.4 We also recognise that the drivers of health inequalities extend beyond the scope of any single service or contractual arrangement. By better coordinating investment and activity at a neighbourhood level, we believe that the city will be better able to tackle the root causes of health inequalities.

11.4 **Alternatives Considered and Rejected**

11.4.1 **No Change**

We discounted this option because (a) there is convincing evidence that improved health and wellbeing outcomes rely heavily on stronger partnership working at the neighbourhood level; and (b) we know that our current investment approach does not sufficiently incentivise partnership working.

Some links to relevant reports are included at Appendix A to the report.

11.4.2 **Set up Council-managed Neighbourhood Partnerships to coordinate preventative health and wellbeing services**

We have engaged extensively with organisations in Sheffield over the last year, particularly the voluntary sector, and there has been a strong view that Collaborative Partnerships (CP) need to be self-determined and tailored in terms of membership and focus to the needs of the specific neighbourhood(s) they cover. This will include engagement with local democratically elected members and local people in relation to planning and decision making for each area.

We are therefore recommending that we invite partnerships to come together and make proposals to us about their membership, scope, and operating model, with our evaluation of their readiness being based on their capability to achieve better outcomes for the population.

It should be noted that the option of Council-run partnerships will continue to be explored as we need to be prepared for (a) some areas not being covered by an approved CP; and (b) a CP dissolving in the future.

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

Laraine Manley, Executive Director, Communities

11.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Healthier Communities and Adult Social Care Scrutiny and Policy Development Committee

12. REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING 2015/16 MONTH 10 (AS AT 31/1/16)

12.1 The Interim Executive Director, Resources submitted a report providing the month 10 monitoring statement on the City Council's Revenue and Capital Budget for 2015/16.

12.2 RESOLVED: That Cabinet:-

- (a) notes the updated information and management actions provided by the report on the 2015/16 Revenue Budget position;
- (b) approves the carry forward of £523k; and
 - (i) delegates authority to the Director of Creative Sheffield to design the new Living Wage and Retail Relief schemes in consultation with the Director of Finance, the Director of Legal and Governance and the Cabinet Member for Finance and Resources; and
 - (ii) delegates authority to the Head of Libraries and Community Services to approve the final allocation of community investments in consultation with the Director of Finance, the Director of Legal and Governance and the Cabinet Member for Finance and Resources; and
- (c) in relation to the Capital Programme:-
 - (i) approves the proposed additions to the Capital Programme listed in

Appendix 5.1 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;

- (ii) approves the proposed variations, deletions and slippage in Appendix 5.1 of the report;
- (iii) approves the acceptance of the grant detailed in Appendix 5.2 of the report;
- (iv) notes the variations in Appendix 5.1 of the report within its delegated authority of the Council's Executive Management Team;
- (v) notes the two variations authorised by Council Directors under the delegated authority provisions; and
- (vi) notes the latest position on the Capital Programme.

12.3 Reasons for Decision

- 12.3.1 To record formally 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

- 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 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

Eugene Walker, Interim Executive Director, Resources

12.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Overview and Scrutiny Management Committee