

SHEFFIELD CITY COUNCIL

EXECUTIVE FUNCTIONS DECISION RECORD

The following decisions were taken on Wednesday 16th February 2022 by the Co-operative Executive.

Date notified to all members: 21st February 2022

The end of the call-in period is 4:00 pm on 25th February 2022

The decision can be implemented from 28th February 2022

Item No

8. SHEFFIELD (LOCAL) PLAN SPATIAL OPTIONS

8.1 The report set out the overall spatial options for meeting future development needs in Sheffield in the period to 2039. The overall aim of that process is for the Council to reach a decision on a preferred approach in advance of producing the Publication Draft Sheffield Plan (to be published for public consultation in October 2022).

8.2 **RESOLVED:** That Co-operative Executive:-

notes the advice provided by both the Climate Change, Economy and Development Transitional Committee and full Council and agrees that Option 3 (as set out in paragraph 1.7.12 of the Appendix to this report) is the preferred spatial option that should be taken forward in the Publication (Pre-Submission) Draft Sheffield Plan.

8.3 Reasons for Decision

8.3.1 Officers require a clear steer on the preferred approach before the details can be worked in the full Publication Draft Plan and before further public consultation takes place in autumn 2022.

8.3.2 The options set out in this report mean there are difficult choices to be made between social, economic and environmental objectives and a thorough cross-party engagement process is desired to mitigate the risk of the draft plan being rejected by full Council at a later stage.

8.4 Alternatives Considered and Rejected

8.4.1 The main spatial options relating to the scale and location of future development are already set out in sections 1.6 and 1.7 of the report.

8.4.2 Officers could have worked on producing the Publication Draft Local Plan without seeking a specific Member steer on the overall spatial approach. However, to date, it has proved difficult to build a consensus on what is the correct approach

for the city; in particular, there has been considerable concern on whether land should be removed from the Green Belt in order to provide more land for development. Without a thorough cross-party engagement process on the overall spatial approach, there would be a very significant risk of the Publication Draft Plan being rejected by full Council.

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

Executive Director, Place

8.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Overview and Scrutiny Management Committee

9. PLANNING SERVICE INCOME ACTIVITIES

9.1 Fees and charges related to several activities carried out by the Planning Service and Place Hub have not been reviewed for some time and this results in a service which costs more to deliver than is received in fees.

Previously agreed mechanisms for funding Neighbourhood Planning work have not allowed for a dedicated resource to be put in place. An alternative approach is needed to bring greater continuity to the role.

This report reviews the following matters:

- The charges for pre-application advice in relation to Town Planning matters;
- The need to introduce an administrative fee for the receipt of applications not lodged via the Planning Portal to reflect the additional administrative burden that this results in;
- The charges levied for the Planning Searches function undertaken by the Place Hub; and
- The funding regime for Neighbourhood Planning work.

The proposed changes will better reflect the actual cost of the delivery of these services and are in places fundamental to help deliver the proposals set out in the Planning Service Restructure (MER 476).

It is proposed to update fees and charges to more closely reflect the actual cost of the service provided (balanced against a benchmarking exercise to ensure that the charges are not at odds with the charges levied in other Core Cities) and to build in a mechanism to update the fees on an annual basis in line with inflation.

In relation to Neighbourhood Planning, it is proposed to update the funding arrangements in order to support a full-time post dedicated to the development of Neighbourhood Plans by seeking approval to use Community Infrastructure Levy (CIL) income to provide dedicated neighbourhood planning support to local communities to develop their neighbourhood plans. This represents the implementation of the Cabinet decision 8.2(a) taken on 17 October 2018.

9.2 **RESOLVED:** That Co-operative Executive:-

1. Approve the Head of Planning's recommendation to use the 10% of CIL neighbourhood portion funding that has/will be retained to support the development of neighbourhood plans (in accordance with the Cabinet decision of 17 October 2018) to fund one full-time post in the Planning Service dedicated to supporting local communities in developing their neighbourhood plans;
2. Approve that the schedule of pre-application fees set out in Appendix 1 be introduced on 01 April 2022;
3. Approve that the Director of City Growth (or future equivalent role) has authority to make future changes to pre-application charges in line with the time recording data analysed on an annual basis;
4. Approve the administrative fee for receiving planning and building control applications which are not submitted on the national Planning Portal and the increased expedited Planning Search Fees, as set out in the report, be introduced on 1 April 2022; and
5. Approve that all of these fees can be increased on an annual basis in line with inflation.

9.3 **Reasons for Decision**

9.3.1 The proposal in relation to CIL being used to support Neighbourhood Planning will implement the Cabinet decision of October 2018. It will help to support the production of new neighbourhood plans, a function that is a statutory requirement for the Council. It will support the Council's approach to ensuring people can get involved in making a difference to their local communities. This is in line with the implementation of the new One Year Plan and Local Area Committees (LACs) that will put decision making at the heart of local areas and bring decision making closer to local people. The proposals that were previously consulted upon received broad support during public consultation.

9.3.2 The proposal to increase fees in relation to discretionary areas of service will help support a properly resourced Planning Service which is better equipped to deliver on the Council's objectives of promoting sustainable development; delivering economic, social and environmental improvements; helping to build a strong economy; supporting strong, vibrant and healthy communities; at the same time as trying to mitigate and adapt to climate change whilst also protecting and enhancing Sheffield's natural, built and historic environment.

9.4 Alternatives Considered and Rejected

9.4.1 As the CIL funding is already ring-fenced to neighbourhood planning, the only other options are to use it to support neighbourhood planning in an alternative way. However, as the Council is the statutory body responsible for supporting neighbourhood plans and approving them, the best option is for the Council to use the CIL resources to help carry out its statutory function by creating an additional post within the Planning Service.

9.4.2 The only other option in relation to the proposals to increase discretionary fees across the board would be to reduce the level of service currently provided or to stop some discretionary services altogether. This would result in the loss of revenue, a consequent need to reduce staff numbers and a major reduction in the quality of service to members of the public and business customers at a time when demands are already exceeding expectations.

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

Executive Director, Place

9.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Overview and Scrutiny Management Committee

10. RETENDER OF TENANTS CONTENTS INSURANCE SCHEME FOR COUNCIL TENANTS

10.1 The report sought authority to tender for a broker to arrange (through an insurance provider), contents insurance policies for Sheffield City Council tenants for the period 1st April 2023 to 31 March 2026, and contract with that broker on terms that allows Sheffield City Council to administer the Tenants Contents Insurance Scheme (the 'Scheme').

10.2 **RESOLVED:** That Co-operative Executive:-

1. Notes the contents of the report;
2. Approves the council undertaking a full tender for a broker to arrange (through an insurance provider), contents insurance policies for Sheffield City Council tenants for the period 1st April 2023 to 31 March 2026, and contract with that broker on terms that allows Sheffield City

Council to administer the Tenants Contents Insurance Scheme (the 'Scheme'); and

3. To the extent not already delegated to them by the Leader's Scheme of Delegation, delegate authority to the Executive Director of Place, in consultation with the Director of Legal and Governance and Director of Finance and Commercial Services to prepare and execute all required documentation and take steps to implement these recommendations.

10.3 Reasons for Decision

- 10.3.1 To ensure that the Council tests the full Tenants Contents Insurance market. To ensure involving tenants' representatives in the evaluation and decision making process to ensure the tenants voice is heard, and commercial services, financial services and legal services to ensure we are commercially, financially and legally compliant. It is believed that this is the only way to ensure the Council has in place the best product for our tenants, to enable them to be financial resilient in future.

10.4 Alternatives Considered and Rejected

- 10.4.1 The other options considered and discounted are –
 - To end the tenants contents insurance offer via SCC on 31 March 2022 when the contract with AON and Aviva ends. As at 1 February 2022 this would leave 3989 SCC tenants without a Tenants Contents Insurance offer and they would have to source an alternative product
 - To recontract with the incumbent AON and Aviva. This would mean no market testing and we would not be sure we are offering the best product for SCC tenants. We would also not be offering a commercial opportunity to all providers on the market. This would contravene SCC regulations
 - To use a framework provider to secure a product. However the only framework providers at the moment are sole product frameworks and would not allow our incumbent or other providers to be involved in the tender process

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

Executive Director, Place

10.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Overview and Scrutiny Management Committee

11. HOLIDAY ACTIVITIES AND FOOD 2022-24 (HAF - 2022)

- 11.1 The government's recent announcement that the Department for Education Holiday Activities and Food (HAF) programme had been extended for 3 years up to 2024. The programme is for children eligible for benefits related free school meals and will deliver healthy food and enriching activities during the school holidays at Easter (1 week), Summer (4 weeks), and Christmas (1 week).

Sheffield City Council has been awarded £2,708,510.00 grant funding to coordinate free holiday provision, including healthy food and enriching activities. It will be optional for eligible children to attend this provision. We expect to receive a similar grant for the years 2023 and 2024.

The report sought approval for the Holiday Activities and Food partnership approach and model and the allocation of grant funding to delivery partners including schools, VCF partners, and organisations that will provide a vast range of cultural and sporting activities across Sheffield and the procurement of a booking system/MI system.

- 11.2 The Chair drew Members attention to the resolution and noted that the wording '*Individual Executive Member*' should be amended to read '*Co-operative Executive*'.

11.3 **RESOLVED:** That Co-operative Executive:-

1. Approves that Sheffield City Council will act as the Accountable Body and lead agent for the Department for Education (DfE) funded Holiday Activities and Food programme in Sheffield for 2022-2024;
2. Approves the Council accepting £2,708,510.00 from the DfE for the Holiday Activities and Food programme;
3. Approves the Holiday Activities and Food approach and model; and
4. Approve that the Holiday Activities and Food grant for the future years 2023 and 2024 is added to the Annually Recurrent Grants process whereby approval is gained via a collective Co-operative Executive report.

11.4 **Reasons for Decision**

- 11.4.1 The Local Authority has been allocated this money by a national extension of Dfe funded HAF programme. Sheffield has approximately 26,000 children eligible for free school meals, we would not be able to provide an offer of holiday activities without this funding.
- 11.4.2 Acceptance of the grant would allow the continuation of the HAF programme in Sheffield which supports a range of council priorities. The Council does not deliver holiday activities plus food currently for children and young people and therefore we need external delivery partners. A partnership approach will allow a flexible

and personalised approach and will build community infrastructure and capacity.

11.5 **Alternatives Considered and Rejected**

11.5.1 Deliver in house by the Council

The Council does not deliver holiday or food activities currently for children and young people and therefore would be unable to reach and deliver holiday activities to eligible children and young people.

11.5.2 Do not accept the Dfe HAF grant

As described, we have approx. 26,000 families eligible for free school meals, without this funding we would be unable to provide good quality activities and food at Easter, Summer, and Christmas holidays

11.6 **Any Interest Declared or Dispensation Granted**

None

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

None

11.8 **Respective Director Responsible for Implementation**

Executive Director, People Services

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

Children, Young People, and Family Support Scrutiny and Policy Development Committee

12. **MONTH 9 CAPITAL APPROVALS 2021/22**

12.1 The report provided details of proposed changes to the Capital Programme as brought forward in Month 9 2021/22.

12.2 **RESOLVED:** That Co-operative Executive:-

1. Approve the proposed additions and variations to the Capital Programme listed in Appendix 1, including the procurement strategies and delegate authority to the Director of Finance and Commercial Services or nominated Officer, as appropriate, to award the necessary contracts; and
2. Approve the acceptance of grants as detailed at Appendix 2 of the report.

12.3 **Reasons for Decision**

12.3.1 The proposed changes to the Capital programme will improve the services to the

people of Sheffield

12.3.2 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.

12.3.3 Obtain the relevant delegations to allow projects to proceed.

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**

Executive Director, Resources

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

Overview and Scrutiny Management Committee

13. **REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING 2021-22 - AS AT 30TH NOVEMBER 2021**

13.1 The report provides the outturn monitoring statement on the City Council's Revenue and Capital Budget Outturn as at the end of Month 8, 2021/22

13.2 **RESOLVED:** That Co-operative Executive:-

1. Note the updated information and management actions provided by this report on the 2021/22 Revenue Budget Outturn;
2. Note the Collection Fund Account Monitoring Report as at 30th November 2021, attached as **Appendix 1** of the report;
3. Approve the write off of £1.04m of uncollected debt in respect of the People portfolio activities as reported in **Appendix 2** of the report; and

4. In relation to the Capital Programme, note the forecast Outturn position described in **Appendix 3** of the report.

13.3 **Reasons for Decision**

- 13.3.1 To record formally changes to the Revenue Budget and the Capital Programme.

13.4 **Alternatives Considered and Rejected**

- 13.4.1 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.

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**

Executive Director, Resources

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

Overview and Scrutiny Management Committee

14. **REVENUE BUDGET AND CAPITAL PROGRAMME FOR 2022/23**

- 14.1 The purpose of this Revenue report is to:
- approve the City Council's revenue budget for 2022/23, including the position on reserves and balances;
 - approve a 2022/23 Council Tax for the City Council; and
 - note the levies and precepts made on the City Council by other authorities.

The purpose of the Capital Strategy is to:

- Set out the Council's key priority areas for capital investment from 2022 to 2052;
- Provide an overview of specific projects included in the years 2022 to 2027;
- Set out the overall shape of the current Capital Programme for the 5 years to 2027 (at **Appendix C2** of the report). Block allocations are included within the programme for noting at this stage and detailed proposals will be brought back for separate approval as part of the monthly approval cycle;
- Set out our principles for how we invest in non-cash assets; and
- Provide background to our Corporate Investment Fund Policy at **Appendix**

C1 of the report.

14.2 **RESOLVED:** That Co-operative Executive:-

1. As regards the Revenue Budget, Co-operative Executive is recommended to pass to Full Council:

- a) To approve a net Revenue Budget for 2022/23 amounting to £411.800m;
- b) To approve a Band D equivalent Council Tax of £1,753.21 for City Council services, i.e. an increase of 2.99% (1.99% City Council increase and 1% national arrangement for the social care precept);
- c) To note that the section 151 officer has reviewed the robustness of the estimates and the adequacy of the proposed financial reserves, in accordance with Section 25 of the Local Government Act 2003. Further details can be found in **Appendix 4** of the report and within the Section 25 Statutory Statement on Sustainability of Budget and Level of Reserves from paragraph 2 of the report;
- d) To note that, if overspends against the agreed budgets emerge, then Executive Directors and Directors will be required to develop and implement plans to mitigate fully any overspend, within 2022/23, in consultation with elected Members;
- e) To note the Council will undertake a series of Strategic Reviews into key services, to identify changing methods of provision that support services to the public at lower cost, thus bringing the Council's budgets back into recurrent balance during 2022/23;
- f) To approve the savings as set out in **Appendix 2** of the report;
- g) To approve the revenue budget allocations for each of the services, as set out in **Appendices 3a to 3d** of the report;
- h) To note that, based on the estimated expenditure level set out in **Appendix 3** to this report, the amounts shown in part B of **Appendix 5** of the report would be calculated by the City Council for the year 2022/23, in accordance with sections 30 to 36 of the Local Government Finance Act 1992;
- i) To note the information on the precepts issued by the South Yorkshire Police & Crime Commissioner and of South Yorkshire Fire & Rescue Authority, together with the impact of these on the overall amount of Council Tax to be charged in the City Council's area;
- j) notes the precepts issued by local parish councils which add £654,794 to the calculation of the budget requirement in accordance with Sections 31 to 36 of the Local Government Finance Act 1992;

- k) To approve the Treasury Management and Annual Investment Strategies set out in **Appendix 6** of the report and the recommendations contained therein;
- l) To approve the Minimum Revenue Provision (MRP) Policy set out in **Appendix 6** of the report which takes into account the revisions proposed for 2022/23 onwards;
- m) To agree that authority be delegated to the Executive Director of Resources to undertake Treasury Management activity, to create and amend appropriate Treasury Management Practice Statements and to report on the operation of Treasury Management activity on the terms set out in these documents;
- n) To approve a Pay Policy for 2022/23 as set out in **Appendix 7** of the report; and
- o) To agree that:
 - (a) the Member's allowances scheme for 2017/18 and onwards, approved on 3 March 2017, and implemented for 2018/19, 2019/20, 2020/21 and 2021/21 and as amended in 2021/22 be also implemented for 2022/23 until the date of the annual meeting; and
 - (b) to note that, following a review by the Independent Remuneration Panel, a new Scheme will be agreed by Council to reflect the requirements of the new committee system to be implemented from the Annual Meeting on 18 May 2022.

Co-operative Executive is asked to:

- p) delegate authority for the administration and payment of the Energy Support Payments announced by Government on the 3rd Feb 2022 to the Director of Finance and Commercial Services.

As regards the Capital Strategy, Co-operative Executive is recommended to pass to Full Council:

1. to approve the contents of the Capital Strategy and the specific projects included in the years 2022/23 to 2026/27; that block allocations are included within the programme for noting at this stage and detailed proposals will be brought back for separate Member approval as part of the monthly monitoring procedures; and
2. to approve the proposed Capital Programme for the 5 years to 2026/27 as per **Appendix C2** of the capital report.

14.3 Reasons for Decision

14.3.1 The City Council on 2 March 2022 meets to consider the Revenue Budget for 2022/23 and to determine the Council Tax for that year. The report provides information to enable the Council to set a budget and determine the Council Tax. The proposals set out in this report provide for a balanced budget to be recommended to Council.

14.4 **Alternatives Considered and Rejected**

14.4.1 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.

14.5 **Any Interest Declared or Dispensation Granted**

None

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

None

14.7 **Respective Director Responsible for Implementation**

Executive Director, Resources

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

Overview and Scrutiny Management Committee

NOTE: This is subject to approval at Full Council at its meeting to be held on 3rd March 2022 and is not subject to call-in.

15. PROCUREMENT OF BUSINESS RATES AND DOCUMENT MANAGEMENT IT SYSTEMS

15.1 The report sought approval for the procurement of Business Rates and Document Management IT systems for the Council's Revenues and Benefits service via the Crown Commercial Services procurement framework for a period of 5 years with an option to extend for up to 2 years.

15.2 **RESOLVED:** That Co-operative Executive:-

- 1) Approve the procurement of the Business Rates and Document Management Systems via the Crown Commercial Services (CCS) framework as outlined in the report;
- 2) Approve the direct award of the new contracts to NEC Software

Solutions Ltd outlined in the report; and

- 3) Delegates authority to the Executive Director of Resources, in consultation with the Director of Finance and Commercial Services and the Director of Legal and Governance to:
 - a) agree the terms of the new Call Off contract under the CCS Data and Applications Solutions (DAS) framework RM3821
 - b) take all other decisions necessary in order to meet the aims, objectives and outcomes of this report which are not already covered by existing delegations in the Leaders Scheme of Delegation.

15.3 **Reasons for Decision**

- 15.3.1 The contract with NEC for the R&B service's Business Rates and Document Management systems is due to expire in March 2022. The R&B service has a requirement to retain use of the systems to enable a period of stability and undertake the planned review of the service following the insource which has been delayed due to the pandemic. A compliant commercial vehicle has been sourced.
- 15.3.2 Failure to secure a contract for the supply of these systems will leave the Council unable to deliver its Council Tax, Business Rates and Housing Benefits services leading to serious financial hardship for the citizens of Sheffield.

15.4 **Alternatives Considered and Rejected**

15.4.1 Do Nothing

Due to the anticipated expenditure for both software applications over the proposed term the council is required to comply with Public Contract Regulations 2015 and therefore to continue use of the software beyond the current contract period would not conform.

15.4.2 Reduced Contract period

A shorter contract period was not taken forward as it would coincide with the expiry of R&B's Council Tax and Benefits software system. The business risk of managing multiple procurements and potentially implementations was deemed to be too great a risk and would impact on the ability to provide stability within the service and also to the citizens of Sheffield.

15.4.3 Open Market Procurement

The business rates marketplace is very limited due to the bespoke nature of the service requirements. The key players in the market are appointed to the CCS DAS framework and have already undertaken a competitive and compliant procurement process in line with Public Contract Regulations 2015.

15.4.4 Use of a Public Sector Framework

The CCS DAS framework has been identified as a suitable framework in which to make a Call Off contract. It has already been competitively tendered and is compliant with PCR 2015 regulations. It enables a direct award via CCS e-

marketplace.

15.5 Any Interest Declared or Dispensation Granted

None

15.6 Reason for Exemption if Public/Press Excluded During Consideration

None

15.7 Respective Director Responsible for Implementation

Executive Director, Resources

15.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Overview and Scrutiny Committee