Public Document Pack

Overview and Scrutiny Management Committee

Thursday 17 March 2022 at 1.00 pm

To be held at the Town Hall, Pinstone Street, Sheffield, S1 2HH

The Press and Public are Welcome to Attend

Membership

Councillors Denise Fox (Chair), Joe Otten (Deputy Chair), Angela Argenzio, Ian Auckland, Steve Ayris, Dawn Dale, Mark Jones, Mike Levery, Bryan Lodge, Zahira Naz, Martin Phipps and Mick Rooney

Substitute Members

In accordance with the Constitution, Substitute Members may be provided for the above Committee Members as and when required.



PUBLIC ACCESS TO THE MEETING

The Overview and Scrutiny Management Committee comprises the Chairs and Deputy Chairs of the four Scrutiny Committees. Councillor Denise Fox Chairs this Committee.

- Remit of the Committee
- Effective use of internal and external resources
- Performance against Corporate Plan Priorities
- Risk management
- Budget monitoring
- Strategic management and development of the scrutiny programme and process
- Identifying and co-ordinating cross scrutiny issues

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk. You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

Members of the public have the right to ask questions or submit petitions to Scrutiny Committee meetings and recording is allowed under the direction of the Chair. Please see the website or contact Democratic Services for further information regarding public questions and petitions and details of the Council's protocol on audio/visual recording and photography at council meetings.

Scrutiny Committee meetings are normally open to the public but sometimes the Committee may have to discuss an item in private. If this happens, you will be asked to leave. Any private items are normally left until last. If you would like to attend the meeting please report to the First Point Reception desk where you will be directed to the meeting room.

If you require any further information about this Scrutiny Committee, please contact Deborah Glen, Policy and Improvement Officer on 0114 27 35065 or <a href="mailto:emailto:

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE AGENDA 17 MARCH 2022

Order of Business

1. Welcome and Housekeeping Arrangements

2. Apologies for Absence

3. Exclusion of Public and Press

To identify items where resolutions may be moved to exclude the press and public

4. Declarations of Interest

(Pages 5 - 8)

Members to declare any interests they have in the business to be considered at the meeting

5. Minutes of Previous Meetings

To approve the minutes of the meeting of the Committee held on 24 February, 2021 (to follow).

6. Public Questions and Petitions

To receive any questions or petitions from members of the public

7. Community Safety Strategy Review

Report of the Head of Community Safety and Safer Neighbourhoods (to follow).

8. Sheffield City Trust

Report of the Assistant Director of Legal and Governance (to follow).



ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest** (DPI) relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any
 meeting at which you are present at which an item of business which affects or
 relates to the subject matter of that interest is under consideration, at or before
 the consideration of the item of business or as soon as the interest becomes
 apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil
 partner, holds to occupy land in the area of your council or authority for a month
 or longer.
- Any tenancy where (to your knowledge)
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either -
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where -

- a decision in relation to that business might reasonably be regarded as affecting
 the well-being or financial standing (including interests in land and easements
 over land) of you or a member of your family or a person or an organisation with
 whom you have a close association to a greater extent than it would affect the
 majority of the Council Tax payers, ratepayers or inhabitants of the ward or
 electoral area for which you have been elected or otherwise of the Authority's
 administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Audit and Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

This page is intentionally left blank

Agenda Item 6

Safer Sheffield Crime and Disorder Partnership Annual Report

Overview and Scrutiny Management Board

17 March 2022

Maxine Stavrianakos
Head of Community Safety & Safer Neighbourhoods
Superintendent Simon Verrall, South Yorkshire Police

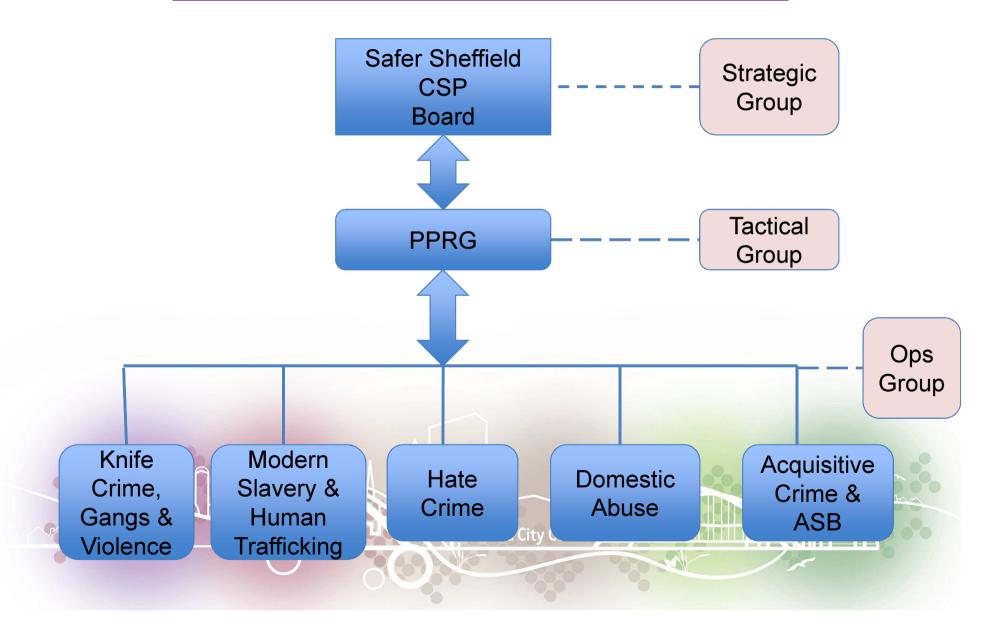


Sheffield Community Safety Partnership

- Statutory Community Safety Partnership (CSP)
 - 5 statutory "responsible authorities" led by Local Authority and Police
 - Bring together expertise, knowledge, consistency of action
- Statutory requirement to have a local strategy for tackling Community Safety

Sheffield City Council

CSP Current Partnership Structure



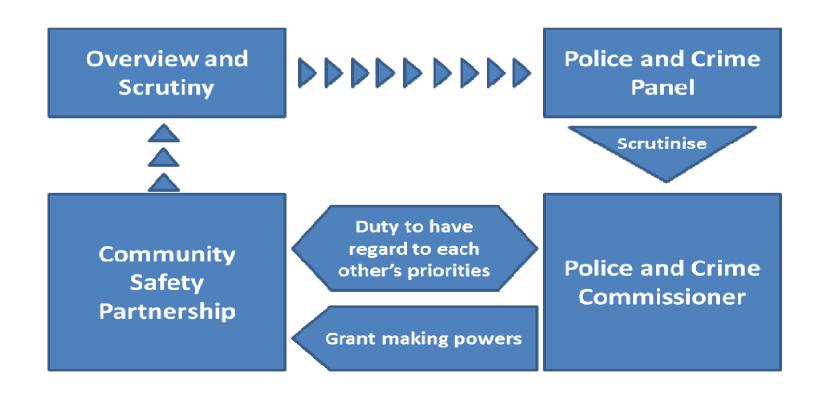
Relationship with the Police and Crime Commissioner

 The Community Safety Partnership and the Police and Crime Commissioner have a duty to have regard to each other's priorities.

 The Community Safety Partnership receive financial support via a grant from the Crime Commissioner to assist in achieving our set priorities

Police and Crime Commissioner

- Police and Crime Panel scrutinises PCC
- Duty for PCC and CSP to have regard to each other's priorities



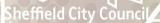
Community Safety Plan / Priorities

- Three Year Community Safety Plan (address priorities)
- Joint Strategic Intelligence Assessment Review (under taken every 12 months reference to crime and disorder information)
- New Priorities determined for period 2021 to 2024 via full JSIA process.
- 17-20 priorities as a result of the JSIA Process.
 - Modern Slavery and Human Trafficking
 - Knife Crime, Gangs and Violence
 - Domestic Abuse
 - Hate Crime
 - Acquisitive Crime and ASB

Sheffield City Council

Community Safety Budget

- Funding from PCC and SCC
- Fortify and Partnership analysts
- Supporting and protecting vulnerable people
- Hate Crime Coordinator
- Domestic abuse perpetrator programme
- Tackling crime, anti-social behaviour and reducing reoffending by specific projects
 - Dark Nights



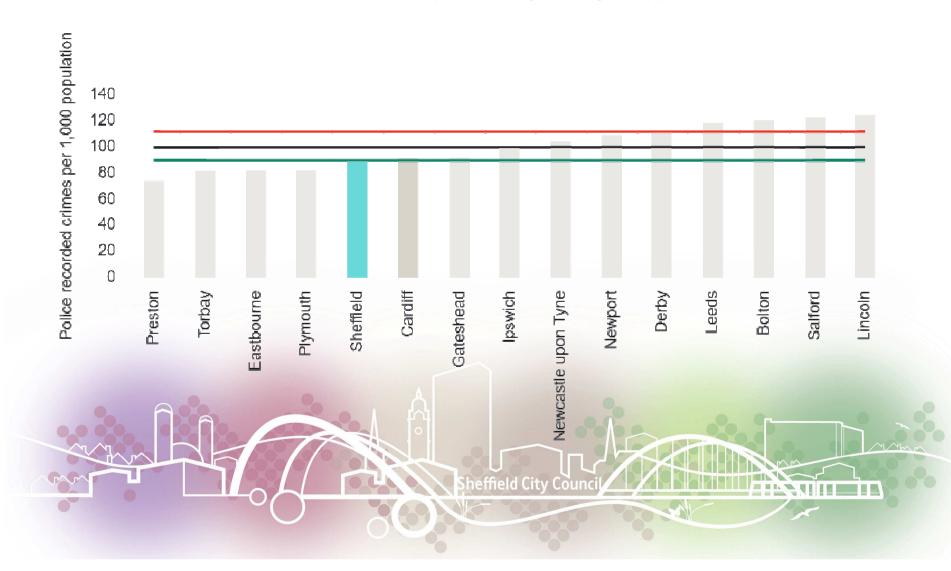
Performance Comparison – National Picture

(Index Red - Sheffield, Green - most similar group, Orange - S. Yorks)



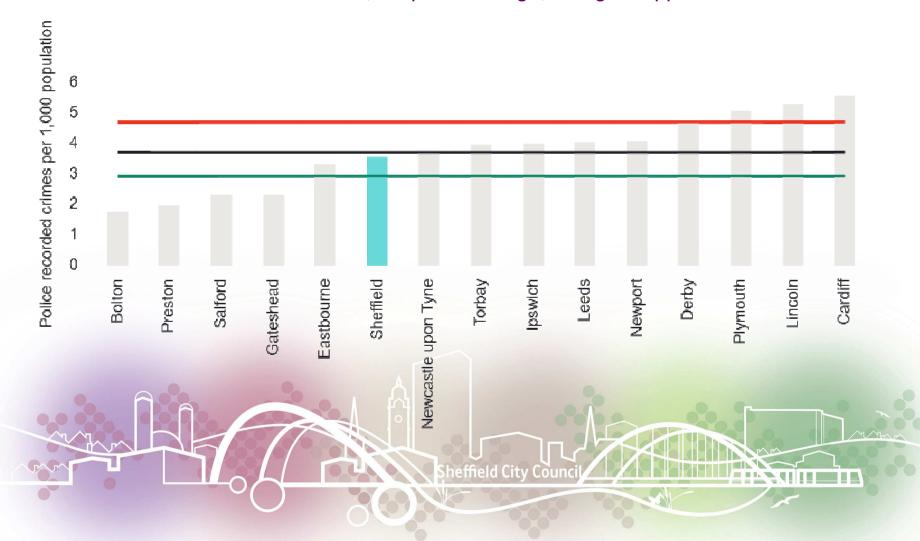
Crime in Sheffield compared to similar areas

Green - lower bound, Purple - average, orange - upper bound



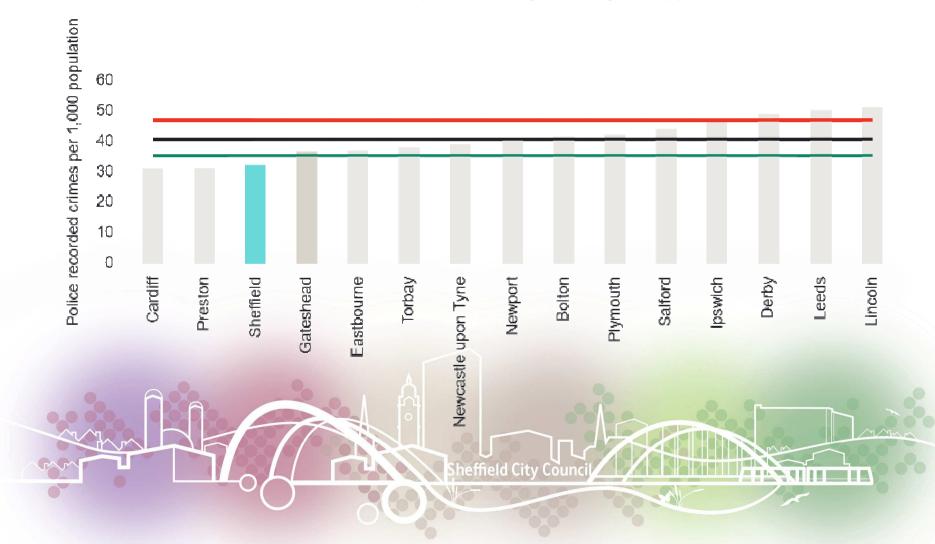
Drug Offence Rate compared to similar areas

Green - lower bound, Purple - average, orange - upper bound



Violent & Sexual Offences rate compared to similar areas

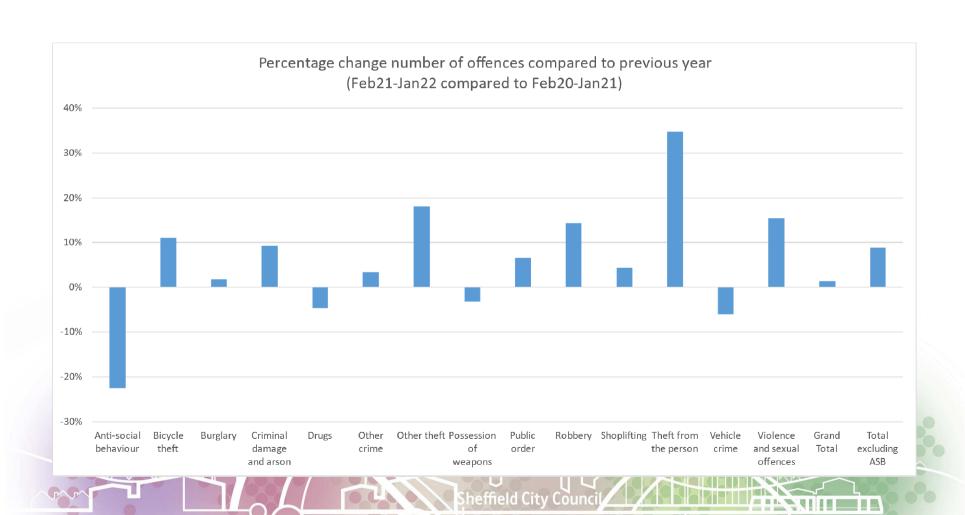
Green - lower bound, Purple - average, orange - upper bound



South Yorkshire



Sheffield Performance



Partnership Activities Summary

- Despite COVID Restrictions majority of funded CSP Projects have contributed to achieving their respective aims and objectives for example:
- Response to COVID Partnership have supported and engaged with other stakeholders' in promoting a 'City Centre' Action Plan
- Contributed Staff and expertise to VRU produced Action Plan for Sheffield and assisted in commissioning a number of projects Street Drs, Call It Out (Improving responses to LGBT & DA Victims)
- Obtained Safer Street Funding Round 2 & 3. Currently working with the PCC's office on Round 4.



Community Safety & Safer Neighbourhood Services

- Partnership team sat in Communities Service providing an integrated service for Communities linked in to LAC's
 - Community Safety
 - Safer Neighbourhood Co-ordinators
 - Neighbourhood Action Groups (NAG's)
 - Partnership Support
 - Community Justice Panels
 - City Centre ASB
 - Anti-Social Behaviour
 - Social Housing, Private Landlords. Owner Occupiers
 - Sustainable Communities Officers (previously known as wardens)
 - Home Office Funded Prevent Team
 - South Yorkshire Police Increase in resources
 - Inspector, Sergeant and PCs including Designing Out Crime Officer (DOCO)
 - ASB Problem Solving Unit 1 sergeant & 5 PC's
 - Mental Health & Vulnerable Persons Team
 - Partnership Hate Crime Coordinator

South Yorkshire Violence Reduction Unit

- One of 18 areas to receive additional funding to form a SY Violence Reduction Unit (VRU) Unit. Based In Sheffield
- Increase in Home Office Funding from 22/23
- SCC Support seconded staff from SCC are fully embedded within the VRU based in Sheffield
- Sheffield VRU Action Plan in place managed by CSP Board
- 4 themes of the CSP link well to the 16 priorities of the Violence Reduction Plan.
- Gap identified in training and awareness of hate crimes in 11–16-yearolds and this is a growing age range for both victims and perpetrators.
- New community-based sessions and Training packages for young people and parents by Learn Sheffield
- Knife bin installations Wolseley Road, city centre at Devonshire Green and Birley
- Joint projects with the Sheffield BID Team for
 - bleed kits in the city centre, these will be in cabinets located next to defibs and will help if anyone is stabbed or shot with emergency packing materials before medical help arrives. Working with A&E Clinical nurse lead to help with training when the bleed kits arrive.
 - Anti Spiking kits for Sheffield bars and clubs .Launched in March with Comms campaign.

FORTIFY

Sheffield's multi-agency approach to tackling organised crime. Follows 4P approach (Prepare, Prevent, Protect, Pursue), with two key priorities:

- the disruption of organised crime groups
- supporting vulnerable people away from exploitation
- Proactive disruption of organised crime gangs (OCG's)
- Asset Recovery
- Executing Warrants
- Drug Seizures
- Weapon Recovery
- Safeguarding Vulnerable
- Prosecute Offenders
- Coordinating Support Services for Vulnerable Adults and Children
- Re Housing high risk / vulnerable where appropriate
- Council invests x1 Safer Neighbourhood Coordinator within Fortify coordinating responses to incidents

Sheffield City Council

Community Safety Plan 21-25

- Safer Sheffield has established its Community Safety Plan working to the following priorities:
- protect the vulnerable
- address the supply of drugs;
- address the impact of crime;
- address the impact of anti-social behaviour;
- create safer communities and identify new and emerging threats;
- reduce reoffending (cross-cutting theme); and
- reduce violence against women and girls (cross-cutting theme).
- Funding

Current Picture

- Crime and ASB
 - ASB figures relatively low
 - Crime returning to pre Covid levels with steep rises in vehicle offences & domestic abuse incidents
- Fortify
 - County Lines
 - Master Class
 - Awareness Training Sessions
- Work with LAC's

Sheffield City Council

This page is intentionally left blank

Agenda Item 7



Author/Lead Officer of Report: David Hollis, Assistant Director legal and Governance

Tel: 0114 205 3125

| Report of: | Executive Director Resources | |
|---|------------------------------|--|
| Report to: | Co-operative Executive | |
| Date of Decision: | 24 March 2022 | |
| Subject: | (Insert title of decision) | |
| | | |
| Is this a Key Decision? If Yes, reason Key Decision:- Yes x No | | |
| - Expenditure and/or savings over £500,000 x | | |
| - Affects 2 or more Wards | | |
| Which Cabinet Member Portfolio does this relate to? Finance and Resources | | |
| Which Scrutiny and Policy Development Committee does this relate to? Overview and Scrutiny Management Committee | | |
| Has an Equality Impact Assessment (EIA) been undertaken? Yes No x | | |
| If YES, what EIA reference number has it been given? (Insert reference number) | | |
| Does the report contain confidential or exempt information? Yes No x | | |
| If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:- | | |
| "The (<i>report/appendix</i>) is not for publication because it contains exempt information under Paragraph (<i>insert relevant paragraph number</i>) of Schedule 12A of the Local Government Act 1972 (as amended)." | | |
| Purpose of Report: | | |
| To update on the impact of the Council's Leisure Investment and facilities Review (approved in November 2021) on the Sheffield City Trust group of companies and to approve required funding and pension arrangements. | | |

Recommendations:

That Co-operative Executive.

- Note the intention of Sheffield City Trust to not bid to operate the Major Sporting Facilities from the hand back date in 2024
- Note and approve the intention of Sheffield City Trust to agree a concurrent hand back of the other Sheffield leisure facilities to the Council, allowing the Council to include these in delivery of its approved Leisure Strategy from 2024 Those facilities are.
 - English Institute of Sport Sheffield
 - Ice Sheffield
 - Sheffield City Hall
 - Heeley Pool & Gym
 - Springs Leisure Centre
 - Concord Leisure Centre
 - Beauchief, Birley and Tinsley Golf Courses
- Delegate authority to the Director of Finance and Commercial Services in consultation with the Director Legal and Governance to enter into revised funding agreement with Sheffield City Trust as outlined in this report
- Delegate authority to the Director of Finance and Commercial services in consultation with the Director of legal and Governance to enter into revised pension arrangements with Sheffield City Trust as outlined in this report.
- To the extent not covered by existing delegations, delegates authority to the Director of Finance and Commercial services in consultation with the Director of legal and Governance and Co-operative Executive Member for Finance and Resources to take such steps as deemed appropriate to achieve the objectives outlined in this report.

Background Papers:

Report to Co-operative Executive 17 November 2021
https://democracy.sheffield.gov.uk/documents/s48479/Form%202%20-%20Leisure%20Review%20Final%20Report%2008112021.pdf

Lead Officer to complete:-

| 1 | I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council. | Finance: Ryan Keyworth |
|---|--|---|
| indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms | Legal: David Hollis | |
| | completed / EIA completed, where required. | Equalities: Bev Law |
| | Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above. | |
| 2 | EMT member who approved submission: | Eugene Walker |
| 3 | Cabinet Member consulted: | Cllr Cate McDonald |
| 4 | I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1. | |
| | Lead Officer Name: David Hollis | Job Title: Assistant Director legal and Governance |
| | Date: 24 March 2022 | |

1. PROPOSAL

- 1.1 Sheffield City Trust (SCT) was set up in 1987 as an independent charity to oversee the running of the City's sport and leisure facilities, linked to the Major Sporting Facilities (Sheffield Arena, Ponds Forge and Hillsborough Leisure Centre) that were built for the 1991 World Student Games. The Trust now runs most of the council's leisure and entertainment facilities and some of these arrangements come to an end in 2024. As part of ambitious plans for the future of Sheffield's leisure and entertainment facilities, in November 2021, proposals were approved by the council's Cooperative Executive to progress a long-term plan for major improvements and investment, creating an exciting leisure offer that will also deliver on health and wellbeing outcomes for Sheffield and our residents.
- 1.2 The strategy approved a Council procured approach to appointing an external partner, as outlined in this report to run the facilities. Cooperative Executive also approved a significant investment in our Leisure and Entertainment facilities to deliver a balanced and sustainable portfolio of facilities which support the needs of our communities alongside elite sport and events.
- 1.3 Although it is only the Major Sporting Facilities (MSF) that are required to return to the Council in 2024 (in lieu of repayment for the funding provided to SCT by the Council to service the Luxembourg Bond) SCT have advised the Council that they do not intend to bid to operate the MSF from 2024 and consequently they will no longer operate the other facilities in Sheffield and will return them to the Council at the same time. A provisional date of 31 August 2024 has been agreed for the hand back of facilities.
- 1.4 The Council's current funding for SCT is via grant under the Shortfall Funding Agreement for the MSF. Formal funding arrangements that were in place for other facilities have ended. In addition, the Council has, for many years, provided a Letter of Comfort to SCT as part of the annual audit process. This letter allows SCT's auditors to sign the accounts on a 'going concern' basis. The letter requires the Council to provide short term cash flow support should it be required to enable SCT to meet its financial obligations.
- 1.5 An end date to operations brings into sharper focus SCT's status as a going concern. To lawfully operate to that date, SCT needs to be satisfied it will have sufficient funding to meet its obligations and pay all creditors. This is not only in relation to its day-to-day operations, but also to wind up the group companies on a solvent basis and it therefore needs a net positive balance sheet by 2024.
- 1.6 The current funding arrangements with the Council (Shortfall in relation to the Major Sports Facilities) and Letter of Comfort on cash-flow are not sufficient to give the level of security SCT needs to lawfully

continue trading. Decisions taken by SCT to keep the level of funding from the Council within the levels agreed with the Council over previous years (Covid impacts excepted) such as the treatment of ticket monies owed to promotors will now need to be addressed within a fixed timescale.

1.7

SCT is an admitted body within the Local Government Pension Scheme (LGPS). This has meant that some SCT legacy staff have had the benefit of membership of the LGPS pension scheme although it has been a scheme closed to new members for some time. There is a LGPS pension deficit valued at £4m in 2018 on the SCT balance sheet. Discussions have taken place with South Yorkshire Pension Authority (SYPA) and agreement reached for new admission arrangements that will remove any liability from the balance sheet of SCT and combine it within the Council's Fund within the LGPS.

1.8

The terms of a new funding agreement have been agreed with SCT. This will not commit open ended funding nor act as an unlimited guarantee. SCT has produced a Business Plan that projects all income and expenditure from operating through to the end of August 2024 and to then wind up the various group companies. The gap between income and expenditure will be funded by the Council by way of grant. The Business Plan will be scrutinised, updated and agreed on a regular basis to ensure it remains affordable to the Council.

1.9

The agreement also sets out expectations of co-operation between the parties to deliver a successful hand over of facilities and assistance to be provided by SCT to the Council when a new operator is appointed in 2024.

2. HOW DOES THIS DECISION CONTRIBUTE?

2.1 This decision contributes to the One Year Plan priority of Investing in our sport and leisure facilities to support better health and wellbeing. This will contribute to our Public Health objectives and the City's Move More outcomes.

3. HAS THERE BEEN ANY CONSULTATION?

3.1 There has been no public consultation on the direct implications of this report. Consultation has taken place with SCT.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

- 4.1.1 There are no equality of Opportunity implications arising directly from the implementation of the recommendations.
- 4.2 <u>Financial and Commercial Implications</u>
- 4.2.1 The business plan proposed by SCT to accompany the agreement is considered by Council officers to be very prudent. As it stands, there is a £7m gap between the subsidy that SCT say they need between now and August 2024 and the amount the Council has available from the General Fund Revenue Budget. £3m of the gap had been provided for in the Month 10 budget monitoring. The remaining £4m revenue support will cover from a specific reserve that was set up at the yearend in 2020 to deal with expected future costs of SCT. This means that there will be no additional impact on the General Fund Revenue Budget beyond that already included in the 2021/22 Revenue Budget, the Medium-Term Financial Analysis and 2022/23 Budget that was approved at Council on Wednesday 2 March 2022. Once this agreement is in place, the council will continue working with SCT senior management and Trustees to improve on the financial performance set out in the business plan.

4.3 Legal Implications

4.3.1 The Council has the power under the Local Government (Miscellaneous Provisions) Act 1976 to provide, inside or outside its area, such recreational facilities as it thinks fit and may contribute by way of grant or loan towards the expenses incurred or to be incurred by any voluntary organisation in providing any recreational facilities which the authority has power to provide. SCT is a voluntary organisation for the purposes of this power.

The funding amounts to a measure but is not regarded as a subsidy for the purposes of Subsidy Control as it is purely local in its application and is unlikely to affect international trade.

- 4.4 Other Implications
- 4.4.1 There are no other direct implications arising from this report.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 Not entering into revised funding arrangements
- 5.1.1 This is not an attractive or viable option for the Council. If SCT does not have the required security of funding to operate as a going concern until it ends operation and wind up as a solvent business, then legally its Trustees would need to cease trading and the most likely outcome would be an insolvent wind up. In this situation, SCT would be operated by an insolvency practitioner and that would likely mean the closure of most of the leisure facilities before 2024. The best scenario

would be hand back to the Council but due to the complexity of the arrangements that have been entered into over time, this is not guaranteed for all facilities.

5.1.2

Even then the Council would either have to operate the facilities or at short notice find another operator pending going to out to procurement under the Leisure Strategy. Having to enter into piece meal short term arrangements and the officer time involved could end up being less cost effective than funding SCT as set out in this report. In addition, the position of staff in SCT would be unclear and there may be redundancies whereas under this arrangement, TUPE is likely to apply.

6. REASONS FOR RECOMMENDATIONS

- The recommended option allows SCT to continue the provision of leisure and entertainment services up to the hand back of facilities in 2024 whilst giving the Council the most flexible options to deliver these services from all the SCT facilities in line with the approved Leisure Investment and Facility Review strategy.
- 6.2 It avoids a potential insolvency situation that could have significant impact on the delivery of these services in the short to medium term.