

Cabinet

Meeting held 20 November 2013

**PRESENT:** Councillors Leigh Bramall, Ben Curran, Jackie Drayton, Isobel Bowler, Harry Harpham (Deputy Chair), Mazher Iqbal, Mary Lea and Jack Scott

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**1. APOLOGIES FOR ABSENCE**

1.1 An apology for absence was received from the Chair, Councillor Julie Dore.

**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 meeting held on 16 October 2013 were approved as a correct record.

**5. PUBLIC QUESTIONS AND PETITIONS**

5.1 Public Question in respect of the new Locality Working Arrangements

Mr Nigel Slack referred to a briefing he had attended for the Voluntary, Community and Faith (VCF) Sector regarding the new arrangements to replace the Community Assemblies. He commented that at the meeting many comments were made from contributors as diverse as Sheffield for Democracy, TARA groups as well as Mr Slack concerning the lack of public oversight of the Local Area Partnerships. The organisers had tried to reassure the meeting that, since the LAP's were not constituted bodies and had no decision making power there was to be no formal structure for public attendance at the LAP meetings.

Mr Slack further commented that, after the high number of comments on this matter, the organisers of the meeting promised to report the concerns and see what might be done to improve confidence in the new arrangements. However, one month on there had, as yet, been no further comments regarding these concerns from the Council. Mr Slack therefore asked had this matter been progressed?

In response, Councillor Harry Harpham, Deputy Leader and Cabinet Member for Homes and Neighbourhoods, stated that the administration were very keen to engage people in local politics. All 3 parties held regular surgeries talking to people about their individual concerns. Cabinet in the Community Sessions had

been held for the last couple of years and that would continue this municipal year.

#### 5.2 Public Question in respect of Webcasting

Mr Nigel Slack referred to the last meeting of Full Council, held on 6 November 2013, where he had asked for details of the review of the prospects for Webcasting the Council meetings, as promised in an earlier Cabinet meeting. He was surprised to learn that the review had taken place and consisted of what he assumed was a brief chat in a private meeting attended by all the Party Leaders and a few Council Officers. He commented that he believed this was the opposite of open and transparent decision making.

Mr Slack further stated that the outcome appeared to have been that the idea was not a priority and would be difficult to justify in terms of value for money. Previously, however the Council had suggested that encouraging the engagement of the community in local politics was a priority and were prepared to spend over £35,000 per year on the new LAP Chair arrangements, even though they seemed to exclude public involvement. As for value for money, Bristol attracted over 375,000 unique visitors to their webcasts. If Sheffield could do this for what appeared to be a cost of around £20,000 this would be only just over 5p per person. Can any of their other initiatives promise that sort of value? With this in mind, he asked will the Council, either through the Leader or the relevant Cabinet Member, agree to meet with him to discuss alternative ways of funding this project that which all 3 parties say they would like to see happen?

Councillor Harry Harpham responded that the administration's policy on webcasting had not changed. They did not consider it value for money and it wasn't a priority. If Mr Slack had any ideas of alternative ways of funding such a project he should write to Councillor Harpham or the Leader of the Council and they would assess this and provide a response.

#### 5.3 Public Question in respect of a Voluntary Community Group

Mr Martin Brighton stated that this Council, via responses to Freedom of Information requests, with respect to a voluntary community group, had shown: a) that there was no evidence to support allegations and innuendo made against it, b) the group had not only met but exceeded the Council's recognition requirements, c) the financial penalties were outside Council procedures and policy and d) the Council has ignored a request for an independent qualified auditor. He therefore asked what the lawful justification was for continuing to impose sanction and prejudice upon that group?

In response Councillor Harry Harpham commented that, as Mr Brighton did not name the group concerned it was difficult to respond to the question. If Mr Brighton would write in with the question and the name of the group concerned Councillor Harpham would ensure a response was provided.

#### 5.4 Public Question in respect of Housing Governing Body

Mr Martin Brighton commented that he believed that the public were informed that

the same people who were on several Sheffield Homes' consultation groups and committees would not be allowed on several committees of the new, however interim, Governing Body. However, under current circumstances this was clearly not happening. He therefore asked if the Cabinet Member could confirm his original statement on the issue and provide some guidance?

Councillor Harry Harpham responded that a review of governance in respect of housing and the former Sheffield Homes was currently taking place and consultation was being held very widely with tenant involvement. This would continue into 2014 and would form the basis of a Cabinet report in due course. Those people with experience would be kept on the committees, where appropriate, but Councillor Harpham acknowledged it was also important to get new views and people involved. There had been some success in relation to that but further attempts would be made to achieve that goal.

#### 5.5 Public Question in respect of Written Responses to Public Questions

Mr Martin Brighton referred to the minutes of the Cabinet meeting held on 16 October 2013 which stated 'Councillor Harry Harpham commented that all written responses provided to questions at Cabinet or Full Council would be published on the Council's website. Written responses would be provided to the rest of Mr Brighton's questions.' He therefore asked if the Council would indicate where on the Council's website the answers to the questions of 16 October could be found?

Councillor Harry Harpham stated that a procedure was currently being put in place as a priority to ensure that this would happen and a web link would be sent to Mr Brighton when this was available on the Council's website.

#### 5.6 Public Question in respect of the Disposal of Sites for Affordable Housing

Mr Martin Brighton referred to agenda item 9 on the agenda for this meeting, 'Disposal of Sites for Affordable Housing' and commented that it referred to the disposal of 7 sites for 'nil consideration'. He therefore asked that, given that the land was, in effect, owned by the public, how was the public to receive appropriate remuneration proportional to the value of those sites?

Councillor Harry Harpham responded that there was a big shortage of housing in Sheffield. He believed the proposals represented very good value for the people of this City and that getting additional housing was a price worth paying.

#### 5.7 Public Question in respect of Exempt Items

Mr Martin Brighton asked, in terms of governance and the need for openness and transparency, what objections could there be for including currently exempt items in the public record, for example at Cabinet, even if they needed to be redacted?

Councillor Harry Harpham commented that there were some items which on occasion needed to be exempt and this was cleared with Legal Services. Officers did look closely to see if they could be published in a redacted form but the Council did have to abide by the law of commercial sensitivity.

**6. ITEMS CALLED-IN FOR SCRUTINY**

- 6.1 It was reported that the Cabinet report, 'Social Model of Public Health', agreed at the Cabinet meeting held on 16 October 2013, had been called-in for Scrutiny. The Healthier Communities and Adult Social Care Scrutiny and Policy Development Committee had met on 5 November 2013 to consider the report and it had agreed to take no action and request a monitoring report in 2014.

**7. RETIREMENT OF STAFF**

The Chief Executive 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**

Joan Holland	Supervisory Assistant, Birley Spa Primary School	28
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Terry Howton	Senior Teaching Assistant Level 3, Beighton Nursery Infant School	40
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Michael Jones	Assistant Headteacher, High Green Primary School	38
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**Communities**

Anne Blanter	Team Leader, Safer and Sustainable Communities	35
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Eddie Sherwood	Director of Care and Support	21
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**Resources**

Clive Sellens	Finance Manager	39
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(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. DISPOSAL OF SITES FOR AFFORDABLE HOUSING**

8.1 The Executive Director, Place submitted a report recommending the disposal of a number of sites for affordable housing.

8.2 **RESOLVED:** That:-

- (a) the land shown at Appendix A to the report be declared surplus to the requirements of the City Council and disposed to Arches Housing Limited at nil consideration for use as social housing;
- (b) the land shown as appendices B and C to the report be declared surplus to the requirements of the City Council and disposed to South Yorkshire Housing Association at nil consideration for use as social housing;
- (c) the decision made by Cabinet on 11 July 2007 to dispose of the land now shown as Appendix D to Places for People be rescinded and that the land shown as Appendix D to the report be disposed to Great Places Housing Group at nil consideration for use as social housing provided that there are no objections to the disposal of open space;
- (d) the land shown as Appendix E to the report be declared surplus to the requirements of the City Council and disposed to Great Places Housing Group at nil consideration for use as social housing provided that there were no objections to the disposal of open space;
- (e) the land shown as Appendix F to the report be declared surplus to the requirements of the City Council and disposed to Great Places Housing Group at nil consideration for use as social housing;
- (f) the land shown as Appendix G to the report be declared surplus to the requirements of the City Council and disposed to Pennine Housing 2000 at nil consideration for use as social housing;
- (g) the Director of Capital and Major Projects be authorised to negotiate and agree terms for the disposal of the sites for the purposes set out in the report including the variation of any boundaries as required and to instruct the Director of Legal and Governance to complete the necessary legal documentation; and
- (h) dedicated affordable housing funding is paid into the Corporate Resource Pool in lieu of the estimated capital receipts forgone on the General Fund land (excluding the land shown at Appendices A and B).

8.3 **Reasons for Decision**

8.3.1 Building housing at Catherine Street would regenerate this site in the heart of Burngreave, which was identified as a key intervention in the Burngreave and Fir Vale masterplan.

8.3.2 Developing the site at Chapelwood Road in Darnall would address a long term

vacant site and provide affordable larger family homes that were particularly needed in the local area.

- 8.3.3 The proposed scheme at Hazelhurst and Chantrey in Jordanthorpe would build on the success of the existing White Willows Extra Care scheme and provide further older persons accommodation in an accessible location.
- 8.3.4 Developing an initial phase of affordable housing at the Adlington regeneration site would address the local need for affordable housing whilst also setting the quality standard for future phases of housing development.
- 8.3.5 The sites at Cricket Inn Road and Maltravers Way are both identified in the Wybourn, Arbourthorne and Manor Park Masterplan and their development would contribute significantly to the regeneration of the Wybourn estate, under the stewardship of Great Places.
- 8.3.6 The development of older persons housing at Sevenfields would meet a local need identified in the consultation that took place following the closure of Wisewood Secondary School. It would also contribute to the successful marketing of the Spider Park development site as agreed by Cabinet in May 2013.
- 8.3.7 The payment of dedicated affordable housing funding into the Corporate Resource Pool in lieu of capital receipts would ensure that the Council maintains maximum flexibility in the use of its resources.

#### **8.4 Alternatives Considered and Rejected**

##### **8.4.1 Housing Revenue Account Sites**

The alternative options for the HRA sites would be:-

- (a) retain them for development of new Council housing, or
- (b) retain them for future disposal on the open market

- 8.4.2 Developing new Council housing on the HRA sites would have the advantage of retaining the assets whilst still delivering affordable housing. However, the HRA Business Plan does not currently have the capacity to deliver all of these sites – and it would not be able to deliver them within a timescale that would guarantee New Homes Bonus. There are alternative sites that can be made available for new Council house building and, in order to maximise the amount of new affordable housing in the City, it is necessary to maximise investment from the Council, housing associations and the Homes and Communities Agency (HCA)>
- 8.4.3 Retaining the HRA sites for future disposal could realise capital receipts for reinvestment into either the existing housing stock or the development of new Council housing on other sites. However, the market value of the sites is relatively low, which means that the potential impact of capital receipts from the sites is outweighed by the strategic outcome of 100 new affordable homes on HRA land leveraging in £11m of external funding from the HCA and the housing associations, which would otherwise be lost to the City.

##### **8.4.4 General Fund Sites**

The alternative option for the General Fund sites would be to retain for disposal on the open market, thus releasing affordable housing funding to spend on other affordable housing projects. The effect on the Corporate Resource Pool would be neutral. However, there would be a negative effect on affordable housing delivery as many affordable homes without matching the Council's affordable housing funding investment from the HCA and the housing associations. Nor would there be certainty of immediate housing delivery with the associated economic benefits and New Homes Bonus payments.

## **9. SHEFFIELD LOCAL FLOOD RISK MANAGEMENT STRATEGY**

9.1 The Executive Director, Place submitted a report outlining the Flood Risk Management Strategy which aimed to reduce the likelihood of flooding and its impact on Sheffield's people, businesses and visitors, and also to take the opportunity to enhance the City's environment and seeking Cabinet approval for the Strategy.

9.2 **RESOLVED:** That Cabinet:-

- (a) endorses the aims and objectives of the Sheffield Flood Risk Management Strategy, Edition 1, Version 1 (October 2013); and
- (b) approves the implementation of the action plan of measures outlined in Section 6 of the strategy document.

### **9.3 Reasons for Decision**

9.3.1 The Flood and Water Management Act 2010 places a statutory duty on Sheffield City Council as a Lead Local Flood Authority to prepare, implement and maintain a flood risk management strategy for its area.

9.3.2 The Sheffield Flood Risk Management Strategy is a partnership approach to managing flood risk with other agencies operating in the City. The strategy's aims are to reduce the likelihood of flooding and its impact on Sheffield's people, businesses and visitors whilst taking the opportunity to enhance the City's environment.

### **9.4 Alternatives Considered and Rejected**

9.4.1 The City Council has chosen to develop an integrated flood risk management strategy working in partnership with the Environment Agency and Yorkshire Water. The approach covered the risk of flooding from the City's main rivers and streams as well as addressing surface water flooding.

9.4.2 Although the scope of the strategy went beyond the Council's specific legal duty to manage local flood risk, the Council was committed to working with the Environment Agency to address the main river flooding within the City.

**10. REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING 2013/14 (MONTH 5) AS AT 31/8/13**

10.1 The Executive Director, Resources submitted a report providing the month 5 monitoring statement on the City Council's Revenue and Capital Budget for 2013/14.

10.2 **RESOLVED:** That Cabinet:-

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

(b) in relation to the Capital Programme:-

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

(ii) approves the acceptance of the grants in Appendix 2 of the report and notes the conditions and obligations attached to them;

(iii) notes the latest position on the Capital Programme including the current level of delivery and forecasting performance; and

(iv) notes the variations to approved project spend exercised by EMT and the appropriate Cabinet Member under delegated powers.

**10.3 Reasons for Decision**

10.3. To formally record changes to the Revenue Budget and Capital Programme and gain Member approval for changes in line with Financial Regulations and to reset the Capital Programme in line with latest information.

**10.4 Alternatives Considered and Rejected**

10.4. A number of alternative courses of action were considered as part of the process undertaken by Officers before decisions were recommended to Members. The recommendations made to Members represented what Officers believed 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 was put within the Revenue Budget and the Capital Programme.

**11. BUS RAPID TRANSIT NORTHERN ROUTE. FUNDING CONFIRMATION AND SCHEME CONSTRUCTION**

11.1 The Executive Director, Place submitted a report in relation to the Bus Rapid Transit Northern Route. The report sought authority to commence to construction,



subject to the Department for Transport (DfT) decision regarding funding and the Council's approvals process, all of the highway infrastructure works within Sheffield in accordance with the agreed Principal Contractor's scheme of works.

**11.2 RESOLVED:** That Cabinet:-

- (a) acknowledges and supports the progression of the BRT North scheme to full construction and authorise the completion of formal contracts with Carillion and North Midland to construct the necessary highway infrastructure within Sheffield, inclusive of the Tinsley Link Road, on terms satisfactory to the Director of Commercial Services or an officer nominated by him for this purpose;
- (b) accepts the grants from the DfT for £15.888m and ERDF for £8.1m funding on terms satisfactory to the Director of Regeneration and Development Services in consultation with the Director of Legal and Governance and the Director of Finance;
- (c) authorises the Director of Regeneration and Development Services, in consultation with the Director of Legal and Governance and the Director of Finance, to take such further steps and to enter into such further agreements or arrangements, and on such terms, as he may consider appropriate to enable the successful delivery of the project within the approved budget.

**11.3 Reasons for Decision**

11.3. 1 Officers have now completed all the necessary conditions of the DfT funding and as a consequence when the report was published were awaiting the decision from DfT on the initial estimate £15.4m of capital funding. This was granted but for an amount of £15.888m. This enabled the project to draw-down £8.1m of ERDF grant – following approval from the Department for Communities and Local Government (DCLG) for ERDF funding for the BRT North scheme.

11.3. 2 A 'Key Stage Review' of the BRT North project was undertaken by senior City Council officers in July 2013. The review identified that the project had robust risk and project management processes in place and there was evidence that these were well managed and were being followed by all project partners. As such there was confidence in the successful delivery of BRT North and thus the Review recommended that the project proceeded to the next stage.

11.3. 3 The scheme represented a high benefit to cost ratio and supported the Standing Up For Sheffield corporate objective of a Strong and Competitive Economy.

11.3. 4 Once Full Approval from the Department for Transport was received, this will enable the drawdown of ERDF Funding – as it was a condition of the scheme receiving essential ERDF monies from DCLG.

**11.4 Alternatives Considered and Rejected**

- 11.4. The original proposal was to provide a tram link between Meadowhall and Rotherham. Instead Central Government recommended the partners look at Bus Rapid Transit instead.
- 1
- 11.4. The scheme partners have considered different routes and levels of service for the BRT North scheme before finalising on the recommended one. This decision was based on affordability and deliverability.
- 2
- 11.4. The 'do nothing' option was rejected as it would not enable achievement of the economic growth aspirations of the City (or wider Sheffield City Region) and would limit public transport accessibility in a key development corridor that currently experienced high level of congestion and poor air quality.
- 3