

Cabinet

Meeting held 13 January 2016

**PRESENT:** Councillors Julie Dore (Chair), Leigh Bramall (Deputy Chair), Ben Curran, Jayne Dunn, Mazher Iqbal, Mary Lea and Sioned-Mair Richards

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**1. APOLOGIES FOR ABSENCE**

1.1 Apologies for absence were received from Councillors Jackie Drayton and Terry Fox.

**2. EXCLUSION OF PUBLIC AND PRESS**

2.1 The Chair reported that the appendix to agenda item 8 'Disposal of Land at Fretson Road and Queen Mary Road known as Manor Site 8', was not available to the public and press because it contained exempt information described in Paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended) and if Members wished to discuss the appendix the public and press would need to be excluded from the meeting.

**3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

**4. MINUTES OF PREVIOUS MEETING**

4.1 The minutes of the meeting of Cabinet held on 9 December 2015 were approved as a correct record.

**5. PUBLIC QUESTIONS AND PETITIONS**

5.1 Petition Opposing the Proposed Sale of Cobnar Cottage

5.1.1 Caroline Dewar submitted a petition, containing 11,686 signatures, both electronic and handwritten, opposing the proposed sale of Cobnar Cottage. She believed that any sale would break the covenants on Graves Park and put any of the rest of the park at the risk of sale. It would also put at risk all the other covenants on property given to the people of Sheffield by J.G Graves.

5.1.2 Ms. Dewar commented that the results of the survey which the Council had commissioned were not valid as it stated that the Council had bought the cottage in 1925 which was not the case as it remained owned by the Trust.

5.1.3 She added that an alternative proposal for a stonemason who had volunteered to live in the cottage and restore it, had been rejected by the Council despite the Friends of Graves Park agreeing to fund the raw materials needed for this. The

stonemason had also agreed to work for free.

- 5.1.4 She concluded that local residents wanted to be properly consulted before any final decision was made. A complaint had been made to the Charity Commission in respect of the breaking of the covenants and, as this was still disputed, the Cottage should be withdrawn from auction.
- 5.1.5 Councillor Sioned-Mair Richards, Acting Cabinet Member for Neighbourhoods, thanked Ms. Dewar for submitting the petition. She reported that the Council had listened to the concerns expressed by the petitioners and others and had provided a detailed response on the Council's website explaining the decision to sell the Cottage. Councillor Richards had also outlined the reasons in response to a question from Councillor Ian Auckland at the last meeting of Full Council on 6 January 2016.
- 5.1.6 Consultation on the sale of the Cottage had been undertaken for the last two years, along with regular discussions with the Friends of Graves Park. The Friends had originally wanted the Cottage knocked down and a garden installed and had now proposed the idea of a stonemason.
- 5.1.7 The Council had a written acknowledgement from the Charity Commission that it did have the power to sell the Cottage and there were no restrictions on this. The Council could only rely on the general power of trustees to sell the Cottage and had complied with regulations in respect of the sale of land.
- 5.1.8 A face to face survey had been undertaken by Sheffield Hallam University, as agreed by the Council and the Charity Commission. 85% of respondents to the survey agreed that the Cottage should be sold and the funds reinvested into the park.
- 5.1.9 Having received confirmation from the Charity Commission that the Council had the right to sell, it was proposed to continue with the sale of the Cottage. It was expected that the Council would receive around £80k from this and it was legally bound to reinvest this in Graves Park. This could include improving play facilities and improvements to footpaths. Discussions had also taken place about improving and modernising toilet facilities, which was much needed.
- 5.1.10 Councillor Richards was clear the Council had not broken any covenants and the Charity Commission had accepted the Council's right to sell. All the information was available on the Council's website. The Council had to act under Charitable law in the best interests of the charity. The Council had never said that the people of Sheffield did not care about the Cottage and most people supported the sale with the investment option. She did not believe the stonemason proposal was a better option than sale of the Cottage with the funds reinvested in the park.
- 5.1.11 In conclusion Councillor Richards thanked the petitioners for caring about Graves Park, which was a feeling shared by the Council, and the Council would work with park users in the future to reinvest the funds of any sale in the most appropriate way.

5.1.12 **RESOLVED:** That the petition now submitted be noted and Ms. Dewar be thanked for the submission of the petition.

5.2 Public Question in respect of Council Sanctions

5.2.1 Martin Brighton asked if a Council employee supports sanction and prejudice in full knowledge of the fact that the accusation upon which those sanctions are predicated are false, can that employee expect the support of elected members?

5.2.2 Councillor Julie Dore, Leader of the Council, responded that the Council did not support any prejudice. It did not support sanctions where there was no evidence of any breach of policy. It did depend on the definition of sanctions, however, for example, where a group did not adhere to a Council policy, action would be taken.

5.3 Public Question in respect of Council Employment Policy

5.3.1 Martin Brighton asked did the Council have any personnel policy that permitted internally nominated promotions devoid of any invitations to external prospective employees, for any current or pending vacancy?

5.3.2 Councillor Julie Dore commented that there were many personnel policies which could relate to recruitment. The Council adhered to all Human Resources and recruitment policies, for example when internal employees were redeployed because of redundancy in their present role through the redeployment policy.

5.4 Public Question in respect of Use of Council Publications

5.4.1 Martin Brighton asked did this Council support the use of its Council publications for propaganda and deceit, including despite the fact that even the police and the Council had conceded that what is written is untrue?

5.4.2 Councillor Julie Dore responded that the Council do not use Council publications in this way.

5.5 Public Question in respect of Dame Porter Homes for Votes Scandal

5.5.1 Martin Brighton asked was there any possibility of a Dame Porter Homes for Votes Gerrymandering Scandal ever happening in Sheffield?

5.5.2 Councillor Julie Dore commented that there wasn't and the events referred to in the question had been deemed to be illegal.

5.6 Public Questions in relation to Housing

5.6.1 Martin Brighton submitted a number of questions in relation to housing which he stated the Council had claimed it was unable to answer. He therefore asked if the Cabinet would answer the following:-

- Are there any moves to adopt the Shiregreen model, or any of its facets, and was there a separate consequential agenda on how the Council intends to

conduct its management of Council Housing and engagement with its tenants?

- What is the significance of using the Shiregreen model in the Council's short and long term plans?

- Is this Council considering any further Stock Transfers of Council Housing, in any flavour (including Gateway) for either short term or long term planning? (or are there any other funding plans for the adjacent areas?)

- Please arrange for the provision of the minutes of the meetings, and any other recorded information, that discussed and agreed the Housing and Neighbourhoods Advisory Panel (HANAP) and Area Board restrictions upon tenants (Facility for tenants to ask questions withdrawn and tenants excluded from attending HANAP as observers).

- Please arrange for the provision of the details of named sources, including advisors, from which the restrictions originated.

5.6.2 In response, Councillor Julie Dore commented that the Council always answered questions put to them. The questioner may not always like the response but questions were always answered. Councillor Jayne Dunn, Cabinet Member for Housing, added that the Council was always looking at ways of improving tenant engagement and the Safer and Stronger Communities Scrutiny and Policy Development Committee had been tasked with looking at this.

5.6.3 Councillor Dunn further commented that the Council was not considering any further Stock Transfers of Council Housing for either short-term or long-term planning. Meetings of HANAP were not public meetings and the tenants representatives who attended HANAP meetings were acting on the tenants' behalf.

#### 5.7 Public Question in respect of Devolution

5.7.1 Martin Brighton asked would this Council please direct that the public be able to see copies of all minutes of meetings, notes, exchanged emails or other correspondence, relating to its Central Government discussions when putting into place the devolution deal for the Local Enterprise Partnership.

5.7.2 Councillor Dore commented that where it was appropriate to circulate or publish any minutes or notes these would be available on the Sheffield City Region website.

#### 5.8 Public Question in respect of Sheffield Retail Quarter (SRQ)

5.8.1 Nigel Slack commented that, with RBS advising clients to sell everything except 'high quality bonds' and with increasing concerns over the Chinese and therefore the world economy, there was a real air, even with the Chancellor, that another disastrous crash may be on the way. With this prospect before us he asked: Is the SRQ, being a single phase development and so retail focused, still a viable proposition? How might this impact on forecasts for growth in business rates and

therefore on potential improved income through the City Region devolution deal, if it goes ahead?

5.8.2 Councillor Leigh Bramall, Cabinet Member for Business, Skills and Development, responded that if there was a crash, as Mr Slack suggested, it was inevitable that things would be affected. However, the Council was looking at phasing the Retail Quarter project. It would be more appropriate to call it a Commercial Quarter as it also contained residential and office space. The Council and partners were working hard to ensure its viability.

5.8.3 There would be some impact on business rates. However, as the Government had allocated the Capital pot for the next 30 years this would be a question that they would have to answer. With some business rates there would possibly be an impact on income. However, this question was hypothetical and business rates related to the property itself rather than the business, so income was more fixed than it may appear.

5.9 Public Question in respect of City Region Combined Authority

5.9.1 Nigel Slack stated that Councillor Julie Dore had commented, at Full Council, on the continuing uncertainty about the geographical make up of the City Region Combined Authority following the late amendment enabling two tier Councils to opt in to the 'constituent' Combined Authority without their County's approval. He therefore asked:-

What, if anything, is known about the practicalities of such a move?  
What about the functions currently the role of the County (education (schools and youth services), social services, highways, fire and rescue services, libraries, waste disposal, consumer services and town and country planning)?  
What are the financial implications? Will the Districts bring their share of County funds?

5.9.2 In response, Councillor Julie Dore commented that there was certainty in the original agreement in that the City Region would be receiving £30m in funding. There was also certainty at that time that there were 4 constituent members of the Combined Authority in South Yorkshire. What was not known at that stage was whether the Government would amend the Bill to allow Districts to become constituent members.

5.9.3 Shed added that when the bill went through the Districts would make their decision of whether to become constituent members or not. Councillor Dore had consistently stated that the devolution deal would involve component parts being devolved down and no powers would be ceded up to an Elected Mayor. This was an ongoing process and would evolve over time.

5.9.4 The services referred to by Mr Slack were not included in the current deal and the Combined Authority had said that it would look closely at future options as the deal evolved. The integration of health and social care through the Better Care Fund was already taking place and did not need an Elected Mayor to ensure that took place. In conclusion, Councillor Dore stated that any deal would result in

continuous improvement to deliver better services across the City Region.

5.10 Public Question in respect of Armed Police

5.10.1 Nigel Slack commented that he did not wish to see armed police on the streets of Sheffield to become familiar or normal. Therefore, was the Council able to comment on any conversation they had with the Chief Constable or the Police and Crime Commissioner (PCC) with respect to the armed Police on patrol in the City Centre over the Christmas period? Were they or the PCC consulted on the matter or was it handed down from the Home Office as a fait accompli? If so, where did this leave the so called democratic control of the Police that the PCC is supposed to represent?

5.10.2 Councillor Sioned-Mair Richards acknowledged that nobody wanted to see armed police on the streets of Sheffield. Following the Paris attacks we were now living in more uncertain times. The Police nationally had been asked to review risks in regions in relation to potential attacks and to ensure response plans were in place.

5.10.3 The Police had to ensure safety via whatever means possible. The Council had worked closely with the Police in respect of this. Councillor Richards had sent out a briefing to all Councillors so they were aware of the Police activity and Manchester and Leeds had adopted a similar approach.

5.10.4 The priority was to remain safe from terrorist activity and the Council had continued discussions with its partners in respect of this. Mr Slack was welcome to ask questions at the next meeting of the South Yorkshire Police and Crime Panel on 22 January and the meeting of the Sheffield Safer and Sustainable Communities Partnership in February. There had been no specific intelligence of a planned terrorist attack but the need to ensure safety was a priority. The Police would continue to lead on this and advise along with key partners such as the City Council. The Council's role was to support the Police to ensure the City and its citizens were as safe as can be.

5.11 Public Question in respect of Housing Revenue Account

5.11.1 Mr Page referred to paragraph 8.5 of the Housing Revenue Account report on the agenda for the meeting and a recent press release from Councillor Jayne Dunn which stated that the stock increase programme target of 1,000 new/replacement homes would be maintained despite Government funding reductions. Mr Page asked what the cost of delivering 1,000 houses would be and could these be split into new and self-built houses. He also enquired about sources of funding for these houses and asked whether this took into account changes to legislation which would result in the reduction of funding?

5.11.2 At the request of the Chair, Liam Duggan, Manager, Housing Building Plan Team, responded that the Stock Increase Programme was self-financing which meant that the new/replacement homes will fund their initial acquisition/build costs and subsequent management costs from the rent they generate over the life of the plan. Cash flow funding came from match funding, mainly receipts from the sale

of Council homes but also HCA Grant and some Local Authority resources. The remainder came from the Housing Revenue Account typically in the form of borrowing. The cost for the remainder of the Programme was around £80m.

5.12 Public Question in respect of Housing Revenue Account

5.12.1 Shirley Frost requested clarity on the specific cuts in expenditure in this year's Housing Revenue Account in the different areas.

5.12.2 Liam Duggan commented that this was difficult to quantify as some were specific revenue savings, some were changes in the periods of investment and levels of interest also affected changes in expenditure. He would do further work on this and a response would be provided to Ms. Frost.

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

6.1 There were no items called-in for Scrutiny since the last meeting of the Cabinet.

**7. RETIREMENT OF STAFF**

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

**RESOLVED:** That this Cabinet :-

(a) places on record its appreciation of the valuable services rendered to the City Council by the following staff in the Portfolios below:-

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

Christopher Anderson	School Improvement Adviser, Healthy Schools	28
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Rosemary Pacsuta-Davies	Teacher, Netherthorpe Primary School	34
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Gillian Foster	Senior Teaching Assistant Level 3, Prince Edward Primary School	34
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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 LAND AT FRETSON ROAD AND QUEEN MARY ROAD**

## **KNOWN AS MANOR SITE 8**

8.1 The Executive Director, Communities submitted a report recommending the disposal of land at Fretson Road and Queen Mary Road, known as Manor 8, for a private housing development to Gleesons Development Ltd.

8.2 **RESOLVED:** That:-

- (a) the land be declared surplus to requirements;
- (b) the decision of Cabinet on 19 March 2014 be rescinded insofar as it relates to procurement of a developer for Manor 8 using the Homes and Communities Agency's Developer Panel;
- (c) the site, known as Manor 8 and identified on the plan attached to the report as Appendix B, be disposed of to Gleesons Development Ltd in the terms set out in the report and Appendix A;
- (d) authority be delegated to the Director of Capital and Major Projects, in consultation with the Executive Director, Communities to vary any boundaries or terms as required and to instruct the Director of Legal and Governance to complete the necessary legal documentation to dispose of the site; and
- (e) authority be delegated to the Director of Capital and Major Projects, in consultation with the Executive Director, Communities, to advertise the land on the open market should Gleesons and the Council have not entered into a binding contract within 12 months of this decision.

## 8.3 **Reasons for Decision**

8.3.1 In 2014 Cabinet gave approval to market the site, known as Manor 8, via the HCA Developer Partner Panel, however this was not successful. Prior to this Cabinet approved the disposal of the site in 2006 to Lovell Partnerships Ltd but this agreement was rescinded as Lovell were not able to progress the development due to the onset of the economic downturn and fall in the housing market. No further interest has been shown in this site by developers.

8.3.2 Gleesons Development Ltd has approached the Council with a financial offer for the site and a commitment to develop 101 family homes for sale on the open market.

8.3.3 The offer from Gleesons Development Ltd complies with the vision for the area to introduce more housing choice and increase tenure choice.

## 8.4 **Alternatives Considered and Rejected**

8.4.1 The site continues to be marketed via the HCA Developer Partner Panel. However this site has been available to the panel since 2014 and no interest has been received to date.

- 8.4.2 To not accept the offer from Gleasons Development Ltd. This would mean the site will remain undeveloped and the Council will continue to carry the maintenance liability for the site, forego the additional Council Tax and not have the homes the city requires.
- 8.4.3 To advertise the land on the open market for sale and consider any offers that may be received. However, as the offer from Gleasons represents the open market value for the site and no other developers have come forward over a period of time, it is not anticipated that there will be any better offers forthcoming.

**9. HOUSING REVENUE ACCOUNT (HRA) BUSINESS PLAN, HRA BUDGET AND RENT INCREASE 2016/17**

9.1 The Executive Directors, Communities and Place and Interim Executive Director, Resources submitted a joint report providing the 2016/17 update of the Housing Revenue Account (HRA) Business Plan including a number of proposals.

9.2 **RESOLVED:** That Cabinet recommends to the meeting of the City Council on 3 February 2016 that:-

- (a) the HRA Business Plan report for 2016/17 as set out in Appendix A of the report is approved;
- (b) the HRA Revenue Budget for 2016/17 as set out in Appendix B of the report is approved;
- (c) rents for Council dwellings, including Temporary Accommodation, are reduced by 1% from April 2016 in line with the requirements of the anticipated Welfare Reform and Work Act 2016;
- (d) rents for garages and garage sites remain frozen at 2015/16 levels and not increased from April 2016;
- (e) community heating charges are not increased from April 2016;
- (f) authority be delegated to the Director of Housing and Neighbourhoods to amend the burglar alarm charge in 2016/17 in line with the costs incurred under the new contract, and that until the contract is in place and the charges are known, the burglar alarm charge remains unchanged;
- (g) the Sheltered Housing service charge which was amended in November 2015 is not increased from April 2016;
- (h) charges for furnished accommodation are not increased from April 2016;
- (i) authority be delegated to the Director of Housing and Neighbourhoods and Director of Finance, in consultation with the Cabinet Member for Housing to authorise prudential borrowing as allowed under current Government

guidelines; and

- (j) authority be delegated to the Director of Housing and Neighbourhoods and Director of Finance, in consultation with the Director of Legal and Governance and the Cabinet Member for Housing, to amend rent levels for 2016/17 in the event that the statutory requirements at the relevant time are different to those anticipated.

### 9.3 **Reasons for Decision**

- 9.3.1 To optimise the number of good quality affordable Council Homes in the City.
- 9.3.2 To maximise the financial resources to deliver key outcomes for tenants and the City in the context of a self-financing funding regime.
- 9.3.3 To ensure that tenants' homes continue to be well maintained and to optimise investment in estates.
- 9.3.4 To assure the long term sustainability of council housing in Sheffield.

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

- 9.4.1 Delays to some parts of the investment programme have been required this year to address the cash flow issue created by the rent reductions in parallel with the Government debt cap. These delays could be achieved by reducing the stock increase programme. However at a time when social housing numbers are set to reduce ever faster as a result of newly announced Government policy (extension of the Right to Buy to Housing Association tenants, sale of Vacant High Value Local Authority Housing and Pay to Stay) the funding of the stock increase programme is considered to be a high priority.
- 9.4.2 A range of savings options have been identified in order to bring expenditure down in line with the revised rental income forecasts following the rent reductions announced by Government this summer. These have been consulted on and are recommended for implementation in this report. Further savings will be needed and options will be developed in the coming months and brought forward for consultation.

(Note: This is subject to approval at Full Council at its meeting to be held on 3 February 2016 and is not subject to call-in).