

Safer and Stronger Communities Scrutiny and Policy Development Committee

Meeting held 8 November 2018

PRESENT: Councillors Ben Curran (Chair), Penny Baker (Deputy Chair), Sue Auckland, Michelle Cook, Dawn Dale, Keith Davis, Roger Davison, Terry Fox, Mark Jones, George Lindars-Hammond, Karen McGowan, Anne Murphy, Richard Shaw and Alison Teal (Substitute Member)

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1. APOLOGIES FOR ABSENCE

- 1.1 Apologies for absence were received from Councillors Zahira Naz and Kaltum Rivers (with Councillor Alison Teal attending as Councillor Rivers' substitute).

2. EXCLUSION OF PUBLIC AND PRESS

- 2.1 No items were identified where resolutions may be moved 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 of the Committee held on 13th September, 2018, were approved as a correct record.

5. PUBLIC QUESTIONS AND PETITIONS

- 5.1 There were no questions raised or petitions submitted by members of the public.

6. PETITION - MAKE HOUSING DEVELOPERS BE TRANSPARENT ABOUT COSTS IN SHEFFIELD

- 6.1 The Committee received a petition which had been presented at a meeting of the Cabinet held on 19th September, 2018 and referred to this Committee for its consideration.

- 6.2 Michael Miller, who had presented the petition to Cabinet, was in attendance and asked that the Scrutiny Committee consider the petition as set out in the report. He stated that there was a need to increase the proportion of affordable housing being built all over the country, but developers were concealing their profit margins which enabled them to ignore local authority regulations with regard to building affordable and social housing. He asked that developers make their viability assessments public knowledge and force them to be more honest about their profit margins following development.

6.3 In response, Councillor Jack Scott, Cabinet Member for Transport and Development reiterated his comments made at the meeting of the Cabinet by acknowledging the large number of signatures supporting the petition and stating that whilst he did not believe developers were exploiting a legal loophole to get out of their obligations, the law did assist them. He said that Sheffield was one of the best Councils in the country which pressed developers to fulfil their obligations in respect of viability and felt that those developers who do nothing wrong have nothing to hide. Councillor Scott stated that it was intended to make a recommendation to Government for a policy change so that viability assessments and any variations to them are made public. He added that this would only apply to new developments.

6.4 Members made various comments and asked a number of questions, to which responses were provided by the Cabinet Member as follows:-

- The Council does press developers to fulfil their obligations, but there needs to be greater scrutiny in the future and this was why the recommended policy change should be supported.
- With regard to the timeframe for this change, the Cabinet Member stated that he has the relevant approval from Cabinet under delegated powers, to implement this policy from 1st January, 2019.
- It was considered that viability assessments would be better carried out at the end of any development rather than at the beginning, as construction costs would then be known.
- The Council only received funding towards affordable housing when a development had been completed and profits were known, as creditors were paid before the Council received any monies.
- It was important to develop a baseline which would be fair to developers and the public. Supporting the policy needed to be a priority.
- It was felt that Brexit would pose a serious threat to builders and the workforce.

6.5 RESOLVED: That the Committee:-

- (a) thanks Michael Miller for attending the meeting and Councillor Jack Scott for his contribution to the meeting;
- (b) notes the contents of the petition and Cabinet minute and responses to the questions raised at the meeting; and
- (c) agrees that the Executive Director, Place and the Cabinet Member for Transport and Development lobbies the Government to adopt a policy of viability assessments at the end of the planning process.

7. STREET CULTURE UPDATE - ARE WE READY FOR CHRISTMAS?

- 7.1 The Committee viewed a short film and received a verbal update from Councillor Jim Steinke (Cabinet Member for Neighbourhoods and Community Safety) and Tracey Ford, Sheffield City Council Drug, Alcohol and Domestic Abuse Co-ordination Team (DACT)) regarding Street Culture – Are we ready for Christmas?
- 7.2 Councillor Steinke stated that the police and voluntary agencies had differing views on the effectiveness of Public Space Protection Orders (PSPOs), and he would be presenting a report to Cabinet in December regarding this. He said requests had been made in two other areas of the city for PSPOs to be put in place. Councillor Steinke further stated that the number of rough sleepers in the city had risen and that, following a summit of South Yorkshire Local Authorities and homelessness agencies, it had been found that there was a clear crossover, especially from Rotherham and Doncaster, where people were coming into the city purposely to live on the streets and this needed to be addressed. He said that giving money to beggars had a damaging impact on their lives and the Help us Help campaign was aimed to get the message across to members of the public. Since the introduction of the “Best Bar None” scheme, it was reported that pubs and clubs in the city centre had improved their operations regarding knife crime and violence.
- 7.3 Tracey Ford stated that, once again, Weatherwatch will be in operation this winter and there were enough agencies out there to help the homeless. Once again, the South Yorkshire Fire and Rescue Service were opening its doors to provide shelter to those who needed it. She added that the Outreach Team were working to communicate the message, that nothing had changed regarding the provision of services to the homeless. She referred to the “HelpusHelp” campaign and stated that, along with DACT, local businesses, HarC, Ben’s Centre, the Cathedral Archer Project, Soup Kitchen, and many more, were behind the campaign to encourage more people to get involved in helping rough sleepers and those who beg in the city. She reiterated that giving money to beggars could do more harm than good and that there were plenty of charities working hard to help beggars in other ways. Ms. Ford said that 10,000 copies of a HelpusHelp leaflet had been produced and these would be distributed in stores and coffee shops situated in and around the city centre, and that the Team would, once again, have the use of a stall within the Christmas Market.
- 7.4 Members made various comments and asked a number of questions, to which responses were provided as follows:-
- The Communications Team were working to ensure that information regarding Weatherwatch was made clearer this year, as last year, Members and some street people were unaware of its existence.
 - It was felt that Chairs of Local Area Partnerships (LAPs) could be empowered to help tackle some of the issues.
 - Work was ongoing with both Universities in Sheffield to get the message across to students not to give money to beggars, as it was thought that a large number of students did, in fact, give money to them. One of the

problems was that there was a cohort of new students each year, so the message had to be repeated year after year. Sheffield University was keen to enlist the help of Chinese students in getting the message across to fellow students.

- South Yorkshire Passenger Transport Executive have agreed to help advertising the HelpusHelp campaign.
- It was thought that, at present, there were 34 rough sleepers, but it was difficult to judge exactly how many people were living on the streets as there was a tendency to try and not be spotted, so the number could be higher.
- The City of Manchester uses digital signage to assist rough sleepers to find out where to go and what was available during Weatherwatch, and it was thought that this was something that could be done in Sheffield.
- Following feedback from last year, 18 roadshows had been held in areas such as Fir Vale, Crookes and Broomhill and Sheffield BID funding had been secured to fund these activities.
- Regarding the increased use of Spice, it was reported that 400 people were now trained to offer help, advice and guidance to those using the drug. However, many of the drug users on the streets used multiple drugs, not just Spice.
- With regard to PSPOs, there is to be a briefing session with members of the Cabinet before the beginning of December, 2018, to get the Cabinet's views on the effectiveness of PSPOs. It is thought that PSPOs should be considered cross-party and hopefully a decision made as soon as possible, providing that the right decision was made.
- Outside of London, Sheffield was considered to be the most generous place regarding members of the public giving money to beggars, mainly due to the number of students in the city.
- An invite to any Member who wants to go on the 6.00 a.m. "wake-up" was issued, as it was considered that Members could learn a lot about street culture from it.

7.5 RESOLVED: That the Committee:-

- (a) thanks Councillor Jim Steinke and Tracey Ford for their contribution to the meeting; and
- (b) notes the contents of the film and responses to questions.

**8. CALL-IN OF CABINET MEMBER DECISION: COMMUNITY
INFRASTRUCTURE LEVY NEIGHBOURHOOD PORTION**

- 8.1 The Committee considered the following decision of the Cabinet, made on 17th October, 2018:-

RESOLVED: That Cabinet:-

- (a) agrees that where there is no Parish Council or neighbourhood plan in place in the Ward where a chargeable development has taken place, the Neighbourhood Portion is collected into a single Local CIL pot and redistributed using the process set out in the report;
- (b) delegates authority to the Head of Libraries, Community Services and Learning & Skills, in consultation with the Cabinet Member for Neighbourhoods and Community Safety, to determine: (i) how the CIL Neighbourhood Portion allocated to each Ward is spent, following engagement with local communities and Ward Councillors, subject to the proviso that monies are spent in accordance with agreed Ward Priorities and (ii) to determine the terms on which such expenditure is incurred including authorising the completion of any related funding agreement or other legal documentation; and
- (c) delegates authority to the Head of Libraries, Community Services and Learning and Skills, to produce a Guidance Note for Councillors and Officers, setting out how decisions on spending the CIL Neighbourhood Portion will be made, based on the details set out in the report.

8.2 Signatories

The lead signatory to the call-in was Councillor Ian Auckland, and the other signatories were Councillors Sue Auckland, Penny Baker, Shaffaq Mohammed and Colin Ross.

8.3 Reasons for the Call-in

The signatories have confirmed that they wish to further question the processes used in the formulation of the report and examine the objectives outlined in the report.

8.4 Attendees

- Councillor Jack Scott (Cabinet Member for Transport and Development)
- Councillor Jim Steinke (Cabinet Member for Neighbourhoods and Community Safety)
- Rob Murfin (Head of Planning)
- Dawn Shaw (Head of Libraries, Community Services and Learning and Skills).
- Councillor Ian Auckland
- Councillor Colin Ross

- 8.5 Councillor Ian Auckland, addressing the Committee as Lead Signatory, explained that the purpose of the call-in was to ensure that all parties had access to all

available background information when Cabinet took the decision and questioned whether legal advice had been sought on whether the proposals accord with the Community Infrastructure Levy (CIL) Regulations. He stated that he had repeatedly asked for access to information regarding this matter and had not received it and therefore asked that the matter be deferred in order for the Scrutiny Committee to investigate further.

8.6 Councillor Colin Ross, as a signatory to the call-in, stated that the request was a fundamental matter of principle and that all Members were entitled to see the basis of the decision taken by Cabinet regarding the redistribution of CIL monies. He felt that 85% of CIL receipts left plenty of scope to be redistributed fairly.

8.7 In response, Councillor Jack Scott stated that the CIL Regulations had now been around for a number of years and that the Council had a framework to work to and it would be unfortunate to delay the decision that had been taken by Cabinet. With regard to “fairness” he said that it comes down to choices and options and that this was the right way forward for the city as a whole. He said that legal advice had been sought and received as with all Council reports. He added that the decision that had been taken defining the whole of Sheffield as “local” was legal.

8.8 Councillor Jim Steinke said that the implementation of this was long overdue and if there was to be a further delay, communities would lose out.

8.9 Questions from Members of the Committee

Members made various comments and asked a number of questions, to which responses were provided as follows:-

- The consultation on how the neighbourhood portion of CIL is to be allocated was carried out in a meaningful and robust way to ensure that areas of higher deprivation receive a fairer share of the money to support new developments in those areas.
- The consultation which was promoted via web blogs and social media sought comment on the principles and proposals on this matter, and those responses received were from across the city and reflected the views of the public, even in areas that could lose out on the neighbourhood portion of CIL.
- With regard to mixed Wards, for example where the new St. James development has been built, part of that development is within Jordanthorpe and part within Beauchief, totally differing areas. It was hoped that decisions would be taken by using a fair and common sense approach when making decisions and entrusting local Ward Members to make the best and fair judgment for their area.
- It is not known how much CIL has been generated through the Heart of the City 2 Project, although it is widely known that the City Ward generates the greatest amount of CIL, this would argue for the funding being used to offset disruption caused to areas in and immediately around the city centre.

8.10 RESOLVED: That the Committee:-

- (a) agrees to take no action in relation to the called-in decision;
- (b) requests that Members of the Committee be given an opportunity to scrutinise the Guidance Note that the Head of Libraries, Community Services and Learning and Skills has been authorised to produce, before it takes effect; and
- (c) also requests that information on the monies gathered through Community Infrastructure Levy be shared with the Committee at an appropriate point in the year, along with the calculation of distribution across the city.

For the motion (8) - Councillors Ben Curran Michelle Cook, Dawn Dale, Terry Fox, Mark Jones, George Lindars-Hammond, Karen McGowan and Anne Murphy).

Against the motion (5) - Councillors Penny Baker, Sue Auckland, Roger Davison, Richard Shaw and Alison Teale.

(NOTE: Prior to the passing of the above resolution, an alternative motion, moved by Councillor Penny Baker and seconded by Councillor Sue Auckland, asking that the decision of the Cabinet be deferred until the Scrutiny Committee has considered the relevant issues and made its recommendations, was put to the vote and negatived. The votes on the motion were ordered to be recorded and were as follows:-

For the motion (5) Councillors Penny Baker, Sue Auckland, Roger Davison, Richard Shaw and Alison Teale.

Against the motion (8) - Councillors Ben Curran Michelle Cook, Dawn Dale, Terry Fox, Mark Jones, George Lindars-Hammond, Karen McGowan and Anne Murphy).

9. WORK PROGRAMME 2018-19

9.1 The Committee received a report of the Policy and Improvement Officer, to which was attached the Committee's Work Programme for 2018/19 for Members' consideration.

9.2 RESOLVED: That approval be given to the Committee's Work Programme for 2018/19.

10. DATE OF NEXT MEETING

- 10.1 It was noted that the next meeting of the Committee will be held on Thursday, 13th December, 2018, at 5.00 p.m. in the Town Hall.