

Cabinet

Meeting held 31 October 2012

PRESENT: Councillors Julie Dore (Chair), Isobel Bowler, Leigh Bramall, Harry Harpham (Deputy Chair), Mazher Iqbal, Mary Lea, Bryan Lodge and Jack Scott

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1. APOLOGIES FOR ABSENCE

1.1. An apology for absence was received from Councillor Jackie Drayton.

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 held on 17th October, 2012 were approved as a correct record.

5. PUBLIC QUESTIONS AND PETITIONS

5.1 Mr. Martin Brighton asked the following questions which were answered by the appropriate Cabinet Members as shown:-

5.2 How are senior personnel held accountable when eventually obliged to disclose information that should have been freely available in the first place?

5.3 Councillor Julie Dore (Leader) responded that she believed Mr Brighton was referring to a situation where he had asked for information under the Freedom of Information Act and had not received it and following Mr Brighton's further enquiries, he had then received the information requested, from which he had deduced that that the Council was obliged to provide the information. She added that she had been involved in two Freedom of Information requests and it had been difficult to determine when all the information in possession of the Council had been gathered to the satisfaction of the person requesting the information. Therefore, a certain amount of ambiguity could be created in these circumstances.

5.4 In this particular case, if someone within the Council or Sheffield Homes had not released the information, Councillor Dore would expect them to learn from this as she believed that any information not released had occurred due a misunderstanding or the belief that the information was not appropriate for

release.

- 5.5 Could the Leader respond to Mr Brighton's question asked at the Cabinet meeting on 17 October as to whether she knew why she had not received his e-mail she requested at the meeting of the Council on 3rd October, 2012 and Councillor Harpham's response, at the last Cabinet meeting, that he would refer this question to Councillor Dore?
- 5.6 Councillor Dore responded that, unless she knew what the e-mail was, she was unable to respond. She, therefore, asked Mr. Brighton to supply a written copy of the question in order that she could respond. However, she added that, as was the usual practice, the Council collated certain e-mails submitted by the public where it was thought that their content was inappropriate. She asked Mr Brighton whether he was prepared to forward to her a written copy of the e-mail in question, to which Mr Brighton responded that he would e-mail her the question.
- 5.7 Does the Leader believe that senior personnel should set an example for ensuring compliance with the Freedom of Information Act?
- 5.8 Councillor Dore responded that she believed that everyone should seek to comply with the Freedom of Information Act and that Council Members and officers strove to do so.
- 5.9 Who makes the decisions whether or not to disclose information under the Freedom of Information Act – elected Members or officers?
- 5.10 Councillor Dore responded that officers made original decisions but sometimes requests reached elected Members, usually in circumstances when those requesting information felt that they had not received the information they required. She had been involved in two cases and believed that the information requested had been sent in both cases.
- 5.11 Has there been any function ceded to the Sheffield Housing Company that has not been placed in the public domain and what was the ultimate function of the Sheffield Housing Company?
- 5.12 Councillor Harry Harpham (Cabinet Member for Homes and Neighbourhoods) responded that no function had been ceded to the Housing Company outside of the public domain. He also stated that the ultimate function of the Company was to build homes.

6. ITEMS CALLED-IN FOR SCRUTINY

- 6.1 The Chief Executive reported that there had been no items of business called in for scrutiny arising from the meeting of the cabinet held on 17th October, 2012.
- 6.2 The Cabinet noted the information reported.

7. RETIREMENT OF STAFF

7.1 The Deputy Chief Executive submitted a report on Council staff retirements.

7.2 **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

Pamela Blood	Senior Teaching Assistant Level 3, Talbot Specialist School	23
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Lynne Hammerton	Supervisory Assistant, Westways School	23
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Communities

Lynne Hincliffe	Information Librarian	25
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Place

Malcolm Gudgeon	Licensing Officer	38
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Resources

Janet Wilson	Project Manager	20
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Andrew Mark Globe	Plant and Transport Assessor/Instructor	35
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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. JOINT HEALTH AND WELL BEING STRATEGY

8.1 The Executive Director, Communities submitted a report referring to the fact that the shadow Health and Wellbeing Board, comprising representatives from Sheffield's Clinical Commissioning Group, the Council and representatives from LINK/Healthwatch, in order to agree shared priorities to improve the health and wellbeing of Sheffield people, would assume statutory status in April 2013.

The report, therefore, sought approval of the Cabinet to the Joint Health and Well Being Strategy, which was formed from the evidence gathered under the Joint Strategic Needs Assessment and was the responsibility of the Board.

8.2 **RESOLVED:** That Cabinet:-

- (a) approves the Joint Health and Wellbeing Strategy;
- (b) commits to supporting the further development of the Strategy by the shadow Health and Wellbeing Board; and
- (c) commits to aligning the Council's commissioning plans according to the Strategy.

8.3 **Reasons for Decision**

Cabinet is asked to approve the Joint Health and Wellbeing Strategy so that the shadow Health and Wellbeing Board is able to continue to work to better the health and wellbeing of the people of Sheffield and use the strategy to assess its priorities.

8.4 **Alternatives Considered and Rejected**

The Joint Health and Wellbeing Strategy is a statutory responsibility of the shadow Health and Wellbeing Board, and therefore must be produced.

8.5 **Any Interest Declared or Dispensation Granted**

None

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

None

8.7 **Respective Director Responsible for Implementation**

Richard Webb, Executive Director, Communities

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

Healthier Communities and Adult Social Care

9. **SHEFFIELD LOWER DON VALLEY FLOOD DEFENCE PROJECT**

- 9.1 The Executive Director, Place submitted a report on the work which had been undertaken by the City Council, Environment Agency (EA) and local

businesses to deliver a flood defence scheme in the Lower Don Valley (LDV) to protect the public infrastructure and vital manufacturing and engineering industry from the damage suffered through the floods in 2000 and 2007. Applications had been made for public sector funding through the European Regional Development Fund and the EA for 75% of the total cost of the project. Additionally, a Business Improvement District (BID) was proposed as the mechanism to secure contributions from private sector beneficiaries of the Scheme

The report, therefore, sought authority for officers to pursue the various financial elements of public and private sector contributions and cashflow options arranged by the Council.

9.2 **RESOLVED:** That Cabinet agrees that the Director of Development Services, in consultation with the Director of Finance, Director of Legal Services and Cabinet Members for Environment, Waste and Streetscene and Business, Skills and Development, be authorised to:-

- (a) negotiate, agree and complete the terms of funding contracts with external grant organisations including (but not limited to) the Department for Communities and Local Government (DCLG) and the Environment Agency (EA);
- (b) negotiate and agree the terms of a Business Improvement District (BID) for the Lower Don Valley Flood Defence Scheme and implement a ballot process;
- (c) explore finance options enabling the Council to cash flow the private sector contribution towards the construction phase of the project subject to businesses agreeing to the establishment of a Business Improvement District through which the Council's contribution would be recovered, including the possibility of reprioritising internal resources or securing external borrowing as prescribed by the Council's Constitution and Financial Regulations;
- (d) take other action necessary to develop and fund the scheme, including making any decision which is necessary or desirable under the provisions of agreements for external grants and submit the detailed project approval in line with the Council's Capital Approval process once the final funding arrangements become clear;
- (e) approve in principle the submission of an application for planning permission and other statutory consents for the LDV Flood Defence Scheme;
- (f) approve in principle measures to deliver works on privately owned properties or land essential to implement the scheme by enforcement if required, including available powers to gain entry to sites under the Flood and Water Management Act 2010 and Land

Drainage Act 1994, or the use of the Council's Compulsory Purchase Order (CPO) Powers to secure access to any parcels of land essential to implement the scheme; and

- (g) negotiate, agree and complete the contracts for detailed design and construction following a tender process and once a full funding package is in place.

9.3 Reasons for Decision

- 9.3.1 The preferred approach is to deliver a comprehensive and holistic approach to flood management taking advantage of the limited availability of public funds.
- 9.3.2 The 'do nothing' option is not viable as it depends on the private sector leading which, in the current economic climate, would at best deliver a partial yet uncoordinated scheme, and, at worst, would deliver no defences at all. A 'reduced scheme' similarly will not provide adequate protection and security to the majority of businesses in the flood zone, while the 'alternative technology' and 'up-stream storage' options would be complementary solutions in the right circumstances but would not alone resolve the issue of flood risk in the LDV.
- 9.3.3 The proposed solution of a comprehensive programme of works would meet Environment Agency standards and would provide the greatest level of protection to business and employment premises and land in the Don Valley. It would thus give existing and new investors confidence in the area.
- 9.3.4 Furthermore, this solution is based on evidence of business enthusiasm which gives confidence that financial commitments may be forthcoming from key private sector stakeholders who have stated a desire for flood defences in the area. It also delivers the highest level of outputs, outcomes and benefits.
- 9.3.5 As a comprehensive and holistic solution, this preferred option does require the largest budget and therefore the largest amount of funding. Positive progress has been made in applying for ERDF and EA funding which could amount to around 75% of total costs. The aim is to complete detailed funding applications to ERDF and the EA to secure these funds. The majority of the private sector contribution relating to the construction phase would be cashflowed in the short term by Sheffield City Council with a view to retrieving this through the establishment of a Business Improvement District.

9.4 Alternatives Considered and Rejected

- 9.4.1 Details of the options considered to achieve '1 in 100 year event' protection are provided below with the recommended approach.

9.4.2 Do nothing option

Without a coordinated and comprehensive flood defence strategy, piecemeal and isolated interventions would be implemented by individual private sector business or landowners, at different times and possibly to different standards.

9.4.3 Reduced funding option

With less funding a smaller scheme tackling selected weak points could be led by the Council and attract private contributions from businesses. However, this would not achieve the '1 in 100 year event' standard with some weak points remaining and consequently a continued risk of flooding for many businesses.

9.4.4 Alternative technology option

New technologies are being developed which may be feasible components of a flood defence strategy for the LDV as alternatives to traditional walls, but will not remedy flood risk for the entire flood zone on their own.

9.4.5 Up-stream storage option

Managing lower water levels in up-stream reservoirs is a vital component of the wider flood defence strategy in Sheffield by reducing the amount of water arriving in the valley bottom, but will not alone prevent flooding in the LDV.

9.5 Any Interest Declared or Dispensation Granted

None

9.6 Reason for Exemption if Public/Press Excluded During Consideration

None

9.7 Respective Director Responsible for Implementation

Simon Green, Executive Director, Place

9.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Economic and Environmental Wellbeing

10. SUPPORTING SHEFFIELD PEOPLE WITH DEMENTIA TO LIVE WELL

- 10.1 The Executive Director, Communities submitted a report describing some of the changes needed to modernise the support for people with dementia who live at home, following a three month Involvement Exercise authorised by Cabinet on 23 May, 2012. The purpose of the involvement exercise had been to understand the key issues for people affected by

dementia in order to plan support for the future in light of the growing number of people with dementia representing a significant issue for the City and that existing support arrangements will not meet the increase in demand or the changing expectations of people with dementia.

The report summarised the results of the Involvement Exercise, made a number of proposals for the way in which the Council would invest in supporting people with dementia, described how the Sheffield Health and Social Care Trust would further consult on the shape of its services and set out how the identified service savings were to be achieved to meet the Council's budgetary requirements.

10.2 RESOLVED: That Cabinet:-

- (a) notes the outcome of the Involvement Exercise and, in particular, thanks the Alzheimer's Society for the production of the report on the views of people with dementia;
- (b) acknowledges in the light of this that support for people with dementia needs to change;
- (c) agrees to consult with people with dementia and their carers on how services can be changed in the light of these findings and to achieve the required savings and asks the Sheffield Health and Social Care Trust to work with the City Council in this consultation exercise.
- (d) agrees that the consultation exercise referred to in (c) above will include consulting on how alternative, and a wider range of support and services, and the increased use of personal budgets could be developed to allow the potential closure of Norbury by the end of March 2013 and Bole Hill View by March 2014.
- (e) grants delegated authority to the Executive Director, Communities to:-
 - (i) finalise arrangements for carrying out the consultation exercise referred to in (c) above, including making appropriate arrangements with Sheffield Health and Social Care Trust; and
 - (ii) implement such changes to the provision of services for people with dementia as he shall consider appropriate, such authority to be exercised following the conclusion of the consultation exercise and having due regard to its outcome, and in consultation with the Cabinet Member for Health, Care and Independent Living, and further provided that all associated costs are covered by available budgets.

10.3 Reasons for Decision

- 10.3.1 The responses to the Involvement Exercise summarised in this report identified some shortcomings in the existing support arrangements for people with dementia and the need for change. It also highlighted practice changes which will help them to live well at home.
- 10.3.2 The report recognises the need to ensure adequate investment in services to support people with dementia in the early stages and also for those people with complex needs.
- 10.3.3 In addition, it sets out the requirement to identify savings. It proposes to achieve those savings through exploring the potential to reduce the number of buildings needed to deliver the service whilst maintaining the overall service levels.
- 10.3.4 It sets out a plan for consultation on these proposals to be undertaken by the Sheffield City Council and Sheffield Health and Social Care Trust.

10.4 Alternatives Considered and Rejected

- 10.4.1 In consultation with Sheffield Health and Social Care Trust, the Council considered reducing the level of support across the service but this would have had a significant impact on people with dementia and the people who care for them. Sheffield Health and Social Care Trust undertook an options appraisal on which of the resource centre buildings should be retained which included criteria about the location, suitability for development capacity and the likelihood of achieving the necessary savings. The conclusion was that looking at existing buildings retaining Hurlfield View represented the most viable option.

10.5 Any Interest Declared or Dispensation Granted

None

10.6 Reason for Exemption if Public/Press Excluded During Consideration

None

10.7 Respective Director Responsible for Implementation

Richard Webb, Executive Director, Communities

10.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Healthier Communities and Adult Social Care

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