

Cabinet

Meeting held 10 April 2013

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

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors Jackie Drayton and Jack Scott.

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 20 March 2013 were approved as a correct record.

5. PUBLIC QUESTIONS AND PETITIONS

5.1 Public Questions

Public Question on Corporate Buildings Statutory Servicing and Repairs Contract and Construction and Building Services Re-Tender for Social Housing Repairs and Maintenance

Mr Nigel Slack referred to the reports on the agenda for the meeting regarding the Corporate Buildings Statutory Servicing and Repairs Contract and Construction and Building Services Re-Tender for Social Housing Repairs and Maintenance. In respect of the Corporate Buildings Statutory Servicing and Repairs Contract report, he commented that the report contained acronyms throughout which often was difficult to understand for a lay member of the public. He therefore asked if reports such as these could contain a glossary to explain what the acronyms stood for?

In relation to the transparency of the contract, Mr Slack asked if the Cabinet would undertake to ensure that any censoring of 'business case' documents was more rigorously examined, before publication, than may previously have been the case? Also in respect of transparency, Mr Slack commented that this would be a

tremendous opportunity to push the boundaries of the transparency regime in this City. If the political will was there, it could be introduced into this contract requirements concerning levels of disclosure of monies spent with sub-contractors, identification of sub-contractors, and others, as there was a notable lack of transparency in this area.

Mr Slack further stated that in particular and crucially, we could as a city, become the first to require an Outsourcing company to 'contract in' to the Freedom of Information Act. Requirements, that all public bodies providing public services are already bound by. He therefore asked would the Cabinet take this under consideration and report back 'fully' and publicly at the next stage of the contract procurement process?

Mr Slack concluded by asking whether there was an opportunity for an in-house bid for this contract, (by that he did not mean Kier as the current contractor) and if so who would prepare that bid? Mr Slack also commented that the same questions applied to the Construction and Building Services Re-Tender for Social Housing Repairs and Maintenance report on the agenda for the meeting.

In response the Chair, Councillor Julie Dore acknowledged that the report contained a number of acronyms. The Council had a policy not to use acronyms where possible and, if they had to be used they should be written out in full the first time to explain what the acronym stood for. In relation to the redaction of information from reports, Cabinet had to assume that these were rigorously examined to ensure that only the information that was necessary to be redacted for legal or other reasons was redacted. If a member of the public or organisation identified a particular instance where they believed redaction of information had been undertaken incorrectly and had not been necessary they should bring this to the attention of the Council who would provide a written response.

Regarding the Council requiring an outsourcing company to sign up to the Freedom of Information Act, Councillor Dore commented that this would need a legal response as she was not clear whether this would be legally possible. It may be more appropriate to refer this question to the relevant Government department to ask them to look into.

Councillor Bryan Lodge, Cabinet Member for Finance and Resources added that with the limited resources the Council currently had, the capacity and knowledge to tender for contracts had gone. Individual cases could be looked at. He would provide a formal response and combine this with the response he had stated he would provide to Mr Slack's questions at the meeting of Full Council on 3 April 2013.

Public Question on Social Housing Repairs and Maintenance

Mick Watts, a member of the Hanover Tenants and Residents Association, commented that his question referred to two reports on the agenda for the meeting, the Revenue Budget and Capital Programme Monitoring (Month 10) and, in particular, the report in respect of the Construction and Building Services Re-Tender for Social Housing Repairs and Maintenance. He stated that the Capital

Programme funds in respect of the Housing Revenue Account appeared to show a large underspend. There was no justification not to use the funds as interest rates were not likely to go down and many tenants urgently needed repairs undertaken. He was aware that slippage between financial years was a regular occurrence. Any maintenance contract, whether in house or outsourced, needed to gain a full appreciation of the building stock in the City or they would not be able to deliver the contract. In conclusion, Mr Watts questioned the level of consultation with tenants on the detail of the contract and asked if more consultation should have been undertaken.

In response Councillor Harry Harpham, Cabinet Member for Homes and Neighbourhoods, commented that investment in social housing was done through the Housing Revenue Account. It was a Council priority to invest in housing stock. Tenants' views had been taken into consideration. A boiler replacement scheme was planned across the City which would be undertaken over the next 4-5 years. Borrowing up to the limit was always an option if it became necessary and was what tenants wanted. This would be a discussion to be had with tenants about what was best for them and the City as a whole bearing in mind the money would need to be paid back.

As regards consultation, Councillor Harpham reported that the contract had been discussed at the City-wide Forum on at least one occasion and the report had been available on the Council website for over a week.

Councillor Julie Dore further commented that external organisations often had whole departments who worked on tenders for contracts which was something that the Council could not provide.

Public Question on Impact on Jobs of Social Housing Repairs and Maintenance Contract

Robert Morris, Acting Regional Secretary for the Union of Construction, Allied Trades and Technicians (UCATT), commented that his members were deeply concerned about redundancies referred to in paragraphs 9.4-9.5 of the Construction and Building Services Re-tender for Social Housing Repairs and Maintenance Contract report which they believed would impact on a third of the workforce and asked if any reassurances could be given to the workforce.

Councillor Harry Harpham responded that, unfortunately, he could not give any guarantees regarding jobs in the current financial climate. If the new contract resulted in the need to make redundancies this would be discussed with the unions he stated that people would be treated with the dignity, care and respect that they deserved. In response to a further request from Mr Morris, Councillor Harpham agreed to meet with him to discuss the situation.

Councillor Julie Dore added that it was important to have good industrial relations and that Members were always open to discussion. The Council had an Employment and Skills Task Force and the Trade Unions originally had a representative on this taskforce.

Public Question on In-House or Outsourcing Services

Jeff Coombs, UCATT Convenor, asked why it was the Council's intention to bring some services back in-house, such as housing repairs, and not others such as lift repairs?

Councillor Harry Harpham commented that he believed it was critical to have a housing service linked in to repairs and maintenance. Cabinet believed that there were efficiencies and better ways of working to be gained by having the contract delivered internally.

Councillor Bryan Lodge added that contracts were delivered for that purpose at the time. There were other areas which Cabinet had to take out and procure to get the best value for money. Some elements were not competitive in the face of current market tenders. The current decision on best value for money was to take housing repairs away from the Housing Revenue Account. In the longer term, the Council may be in a position to bring it back in house.

Councillor Julie Dore commented that each individual case needed to be looked at accordingly in terms of value for money and affordability as well as levels of capacity and expertise and customer service.

Public Question on Council Cuts/Responses to Public Questions

Barry Bellamy referred to a recent complaint from a member of the public in respect of Members' behaviour at the meeting of Full Council held on 3 April 2013. He asked whether the Councillors could really claim to represent the public when they had ignored the views of the public on a number of issues such as changes to bus routes, the closure of Stocksbridge Leisure Centre and the closure of Libraries. In addition he stated that the High Green Action Team were still awaiting a response to the questions he asked at the meeting of Cabinet held on 21 November 2012 and asked when this would be forthcoming? Mr Bellamy also questioned why supplementary questions were not allowed at meetings of Cabinet.

Councillor Julie Dore commented that the complaint about Members behaviour at a recent Full Council meeting was in respect of Councillors accessing the internet and reading other material. She assumed that every Councillor was taking note of what was being said. Where there were instances when this wasn't the case this needed to be pointed out. However, when a debate was taking place in the Council Chamber and Members were seen to be reading on the internet or printed material it shouldn't necessarily be assumed that they were reading something which was not relevant to the debate itself. Members could be reading documents relevant to the debate circulated before the meeting. Where this was clearly not the case, however, this would be taken up with the individuals concerned.

In relation to the library closures, Councillor Dore reported that it had not been stated that any particular library would be closed, but that the funding available puts 14 libraries at risk. The Council wanted to work with community organisations to provide other solutions to provide improved services as it was known that there

were some creative and innovative ideas in the community.

She further commented that the £50m which needed to be cut from the Council's budget was not a one off as the savings needed to be found year on year. By the end of year 4 of the cuts known of, around £240m of savings needed to be found.

Regarding the lack of opportunity for a supplementary question at the Cabinet meeting, Councillor Dore commented that the Cabinet meeting had to allow time for the business to be conducted. Cabinet in the Community meetings had allowed the opportunity for an informed discussion with Cabinet Members and these meetings would continue in the 2013/14 municipal year. She would follow up the responses to Mr Bellamy's questions at the meeting on 21 November and provide a written response.

6. ITEMS CALLED-IN FOR SCRUTINY

- 6.1 It was reported that the two items from the last meeting of Cabinet held on 20 March 2013 had been called-in, 'Rural Broadband' and 'Modernisation of Planning and Highways Committees'. They would be considered at a special meeting of the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee to be held on 23 April 2013.

7. RETIREMENT OF STAFF

- 7.1 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'</u> <u>Service</u>
<u>Chief Executive's</u>		
John Challenger	Principal Secretary Committee	39
Derek West	Principal Research Officer	33
<u>Children, Young People and Families</u>		
Margaret Askham	Learning Support Teacher	22
Nicholas Duggan	Assistant Director	35
Gail Howarth	Teacher, Junior School Greenlands	40

Carol Leggitt	Teaching Assistant, Seven Hills School	26
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Julie Petty	Headteacher, Carfield Primary School	35
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Communities

Joyce Barraclough	Library and Information Assistant	30
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Ros Grice	Library and Information Assistant	25
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Jean Morton	Information Service Officer	32
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Angela Rowlands	Strategic Commissioning Manager	32
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Place

Mark Colton	Project Manager, Parks and Countryside	32
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Michael Derrick	Assistant Commercial Manager (Contracts)	35
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Michael Fisher	Gardener	37
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Keith Flint	Gardener	35
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Terence Fox	Environmental Services Officer	32
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Elizabeth Ginty	Personal Assistant to the Director of Sustainable Development	39
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Steven Goodyear	Gardener	40
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Stuart Haley	Environmental Services Officer	29
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Paul Jessop	Principal Planning Officer	46
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Christopher Megson	Area Team Manager (Enforcement)	21
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David Pickering	Nursery Operative	41
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Richard Poynton	Head of Business Services	43
Mark Towers	Commercial Services Assistant	38
Paul Whitham	Stores Delivery Driver	39
Avril Wragg	Ranger	28
Christopher Wright	Commercial Services Officer	34
John Wright	Road Safety Data Analyst	27

Resources

(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. THE FUTURE OF STOCKSBRIDGE LEISURE CENTRE

8.1 The Executive Director, Place submitted a report seeking a decision on the funding of the centre and on possible next steps.

8.2 **RESOLVED:** That Cabinet:-

- (a) withdraws the £400,000 annual subsidy from Stocksbridge Leisure Centre and serves notice to terminate the Charity Lease;
- (b) directs that officers continue to work closely with all interested parties in seeking an affordable and sustainable solution for a new build pool in Stocksbridge and continue to work with user groups at Stocksbridge Leisure Centre to identify possible alternative venues in the area in advance of potential closure or mothballing of the venue;
- (c) directs that officers urgently consider the outline business plan submitted by 4SLC in accordance with the authority delegated in accordance with recommendation (f) and to invite Stocksbridge Town Council and other interested parties to indicate by no later than 19 April 2013 whether they wished to become the sole trustee of the Oxley Park Charity effective from 1 May 2013 (or the earliest feasible date thereafter) and if so:-
 - (i) demonstrating a viable business case for the City Council to

offer Stocksbridge Town Council or another interested party non-recurring revenue funding for Stocksbridge Leisure Centre in 2013/14 up to a maximum of £125,000 in order to fund EITHER the necessary security and safety arrangements required to mothball Stocksbridge Leisure Centre from 1 May 2013, through to a date no later than 31 August 2013, and to allow further time for Stocksbridge Town Council or another interested party to develop a viable business plan to operate the leisure centre from 1 September 2013 OR as a contribution to the costs of operating Stocksbridge Leisure Centre (in whole or part) from 1 May 2013 based upon the implementation of a viable business plan approved by the City Council prior to that date; and

- (d) resolves that Cabinet, on behalf of the City Council acting in its capacity as Trustee of the Oxley Park Charity resolve, in the event that Stocksbridge Town Council or another interested party communicates a desire to become a sole trustee of the Oxley Park Charity and complies with resolution (c) and (c) (i), to appoint Stocksbridge Town Council or another interested party as a trustee of the Charity and for the Council to resign as trustee of the Charity.

- (e) resolves that, in the event that Stocksbridge Town Council or any other interested party either states that it does not wish to become the sole trustee of the Oxley Park Charity or does not provide a viable business case in accordance with resolution (c) and (c) (i) :-
 - (i) to, in the event that Cabinet on behalf of the City Council acting in its capacity as Trustee of the Oxley Park Charity resolves to close Stocksbridge Leisure Centre and requests that the City Council demolish the buildings and restore the site, arrange and fund the demolition and the reinstatement of the site to parkland; and

 - (ii) to request Sheffield City Trust to conclude the necessary staff redundancy programme at the earliest opportunity with the City Council funding the redundancy payments for the relevant staff.

- (f) delegates to the Executive Director, Place in consultation with the Director of Legal Services, Director of Finance and the Director of Property and Facilities Management and the relevant Cabinet Member the authority to:-
 - (i) determine whether any proposal put forward by Stocksbridge Town Council or another interested party demonstrates a sufficient case to justify the City Council providing revenue funding to Stocksbridge Town Council or another interested party for the purpose specified in resolution (c) or (c) (i); and

 - (ii) enter into any necessary arrangements and documents to put into effect the outcomes in relation to the resolutions above.

8.3 Reasons for Decision

- 8.3.1 The Government has cut Sheffield City Council funding over the last 2 years as part of its deficit reduction programme. At the same time, the City Council has had to deal with rising costs and increased demand for its services.
- 8.3.2 The combined impact of these changes has been significant and the Council has already had to find £130m of savings to balance the books.
- 8.3.3 The Council has managed to find these savings without high profile and widespread service closures partly because it has cut back hard on administrative costs like ICT and training, reduced senior management costs, made savings on accommodation and invested in preventative work that reduces demand for more expensive services.
- 8.3.4 The Government announced before Christmas that public spending cuts would continue till 2018 and that Sheffield City Council funding would continue to be cut for 2 years (at least).
- 8.3.5 In 2013/14, Sheffield City Council needs to find £50 million of savings to balance the books, and the savings required to balance the budget in 2014/15 will probably be at least the same again.
- 8.3.6 The continued squeeze on budgets means that the City Council has to make some very difficult choices. The City Council priorities will focus on supporting those people who are most vulnerable; safeguarding children, adult social care and measures to support young people into employment. It is inevitable therefore that cuts to the City's sports facilities have a part to play in the Council's budget setting.
- 8.3.7 The City Council's analysis of facilities concluded that Stocksbridge Leisure Centre is a large and expensive district facility with relatively low visit levels. To achieve a similar level of saving from alternative facility closures would impact on far greater numbers of people. For example, the closure of similar sized/cost venues such as Concord Sports Centre and Hillsborough Leisure Centre would impact on 400,000 visits and 650,000 visits (respectively), as opposed to the 142,000 visits at Stocksbridge Leisure Centre.
- 8.3.8 The Citywide facility assessment has been endorsed by the independent consultants' report which did *'not find anything which would challenge the City Council (facility) assessment'* and which recognised the City Council assessment was based on making decisions *'which has (sic) the least adverse impact on the least number of residents'*. The report said that the way forward is for a new low cost pool to be built in Stocksbridge given that *'the closure would still leave demands for a local replacement'*. Whilst the report concluded it *'will be very difficult, if not impossible, to operate the current Stocksbridge Leisure Centre on a community basis'* it

suggested that *'it seems prudent to first explore whether there are viable proposals and/or solutions emerging from the community'*. It therefore said that it *'may require a period of mothballing (of the existing centre) prior to a potential re-opening to allow a new management solution and business plan to be developed'*. The consultants also concluded that *'much of the dry side demand can be met from within alternative existing facilities'*.

8.3.9 It should be noted that during the consultation period to date, no alternative sources of revenue funding have been identified or forthcoming.

8.3.1
0 The recommendations set out in this report reflect the conclusions of the consultants' report and note the views of 4SLC which said (in a report to SCC and the consultants dated 26 February 2013) that *'we recognise that there is a budget deficit on Stocksbridge Leisure Centre that is unsustainable'* and that *'the ideal longer term solution may be to (sic) a new build and more financially sustainable facility in Stocksbridge'*. The February report by 4SLC also called for Stocksbridge Leisure Centre to be operated on a *'reduced cost basis for a short-term period'* to allow time to *'generate a full business plan'*.

8.3.1
1 The 4SLC report dated 25 March called for the continued operation of the entire centre whilst *'an alternative business structure'* is developed. It also indicated that in 2015 work should start on planning for a *'replacement sports and leisure centre in Stocksbridge.'*

8.4 **Alternatives Considered and Rejected**

8.4.1 The Council has assessed all facilities in terms of potential savings and the impact of any closures across the City. The conclusions of the Citywide analysis match those of the consultants i.e. that alternative facility closures (to Stocksbridge Leisure Centre), to achieve a similar level of saving would impact on a far greater number of people and therefore have greater impact on sports participation and health.

8.4.2 In addition, the independent consultants' report examined all options for alternative provision of facilities within the town. It concluded that a new build, (small) lower cost pool would be the best way forward. It also recognised that mothballing or temporary operation of the existing centre for a limited period to allow further time for development of a business may be an option.

8.4.3 4SLC has also reviewed options. It concluded in its report (February 2016) that the budget deficit for the City Council is *'unsustainable'* and that the *'ideal longer term solution may to be (sic) a new build and more*

financially sustainable facility in Stocksbridge'. 4SLC also called for Stocksbridge Leisure Centre to be operated on a *'reduced cost basis for a short-term period'* to allow time to *'generate a full business plan'*. The 4SLC report (dated March 25) offered an *'outline business case'* which concluded that Stocksbridge Leisure Centre should remain open and could be operated at a considerably reduced cost. It proposes that Sheffield International Venues remains as the operator, with community management taking over within 2 years.

8.4.4 The report acknowledged that it was a *'first step in producing a viable business plan'* and *'did not set out to be a fully detailed and extensively researched document'*. Sheffield City Council has agreed to meet 4SLC at the earliest opportunity to discuss the plan as part of the on-going consultation process.

8.4.5 It should be noted that the consultation period has so far not identified any alternative revenue funding to support Stocksbridge Leisure Centre. The City Council suggested to the Town Council at the 11 March meeting that they may have to be part of any future solution to Stocksbridge Leisure Centre. To date there has been no offer of potential financial support to the Council.

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

Simon Green, Executive Director, Place

8.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Economic and Environmental Wellbeing

9. STOCKSBRIDGE LEISURE CENTRE (OXLEY PARK TRUST)

9.1 The Executive Director, Place, submitted a report recommending that, if no viable business plan is forthcoming, Cabinet, on behalf of the City Council acting in its capacity as trustee of the Oxley Park Charity close Stocksbridge Leisure Centre because the Charity has insufficient funds itself to operate the facility.

9.2 **RESOLVED:** That Cabinet, on behalf of the City Council acting in its capacity as Trustee of the Oxley Park Charity:-

- (a) closes Stocksbridge Leisure Centre from 30 April 2013, unless a viable business plan for the continued running of the Leisure Centre, is forthcoming from the Stocksbridge Town Council or another organisation, prior to that date, that has been approved by the City Council;
- (b) formally requests that the City Council, in the event that no approved business plan is produced and no funding is made available to the Charity for the security of the buildings following the closure of the Leisure Centre, to fund and arrange for the demolition of the buildings and the restoration of the site as park land;
- (c) resolves that, if a viable business plan is put forward and approved by the City Council to appoint Stocksbridge Town Council or another organisation (subject to them being properly constituted and suitable to act in that capacity) as a trustee of the Charity and for the City Council to resign as a trustee of the Charity;
- (d) requests that, if the Leisure Centre buildings are demolished and the site restored to park land, a report from a qualified surveyor (who may be employed by the City Council) on the future use/disposal of the land in such a way as to maximise the charitable objectives of the Trust and taking into account the views of the community; and
- (e) in the event that the disposal of all or part of the land is proposed by such a report, instructs Legal Services to enter into negotiations with the Charity Commission to obtain a "Scheme" to authorise the disposal and requests that a qualified Surveyor (who may be employed by the City Council) advises upon the best method of disposal and prepares a valuation report for the land that complies.

9.3 Reasons for Decision

- 9.3.1 Oxley Park Charity cannot afford the operation or upkeep of the building without financial support. The recommendation is therefore to close the centre and in order to minimise the health and safety risk from the vacant building and for it to be demolished unless a viable alternative can be proposed.

9.4 Alternatives Considered and Rejected

- 9.4.1 Stocksbridge Town Council and other organisations had been given the opportunity to produce a viable business plan for the continued running of the Leisure Centre, which the City Council had resolved to give due consideration to.

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

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

Economic and Environmental Wellbeing

10. THE FUTURE USE OF THE DON VALLEY STADIUM AND RE-OPENING OF THE WOODBOURN ATHLETICS STADIUM

10.1 The Executive Director, Place submitted a report seeking a Cabinet decision on accepting the closure of the Don Valley Stadium and to declare the site surplus to service requirements. It also sought approval to re-open a refurbished Woodbourn Athletics Stadium as the new home for City athletics.

10.2 **RESOLVED:** That Cabinet:-

- (a) notes and accepts the Sheffield City Trust proposal to close Don Valley Stadium from 30 September 2013;
- (b) approves the demolition of Don Valley Stadium following its closure and to declare the site surplus to service requirements, enabling alternative options for the site to be fully considered;
- (c) delegates to the Executive Director, Place, in consultation with the Director of Legal Services and Director of Finance (and where they relate to property arrangements in consultation with the Director of Capital and Major Projects) the authority to agree such amendments to or consents under the legal arrangements with Sheffield City Trust and Sheffield International Venues as well with the leasing banks as appropriate to achieve the closure and demolition of Don Valley Stadium;
- (d) notes the proposal to re-open a refurbished Woodbourn Athletics Stadium;
- (e) delegates to the Executive Director, Place, in consultation with the Director of Legal Services, Director of Finance and the Director of Capital and Major Projects the authority to enter into such legal arrangements as appropriate to achieve the refurbishment and re-opening of Woodbourn Athletics Stadium;

- (f) notes that a separate capital approval submission will be made for the necessary authority to undertake and procure the proposed works at Woodbourn Stadium; and
- (g) delegates to the Executive Director, Place to take further steps as he thinks appropriate to achieve the outcomes outlined in the report, including entering into arrangements with third parties.

10.3 **Reasons for Decision**

1.3.1 The City Council has to make savings of £50m in 2013/14, largely as a result of significant reductions in Government funding. The City's sports facilities have to take a share of the cuts and the closure of Don Valley Stadium was recommended by the Sheffield City Trust because of its high cost; its relatively low usage and the availability of an alternative low cost/high quality athletics facility at Woodbourn Road. The City's athletics clubs have indicated a willingness to relocate outdoor athletics to Woodbourn and the City is already working with Sport England and England Athletics (athletics' national governing body) on a joint approach to its refurbishment.

10.3.2 Work is also underway regarding the relocation of other activities from Don Valley to alternative suitable venues.

10.4 **Alternatives Considered and Rejected**

10.4.1 Both the City Council and Sheffield City Trust have considered a wide range of options to achieve the necessary budget reductions and both have concluded that this option is the one that has the least impact on sports participation and health in the City. The alternative would be the closure of several community facilities that would have far higher adverse impact.

10.4.2 Work is on-going to review future options for the stadium and/or site beyond its closure in September.

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**

Simon Green, Executive Director, Place

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

Economic and Environmental Wellbeing

11. REDUCING LONG TERM EMPTY PROPERTIES: REPAIR AND PURCHASE SCHEME

11.1 The Executive Director, Place submitted a report requesting approval to establish a Purchase and Repair scheme whereby Sheffield City Council will purchase Long Term Empty Properties (LTEs) from owners, where the properties have been empty for an average of 2 years across the scheme. The Purchase and Repair Scheme will target properties that help the Council meet its strategic housing objectives, increasing the delivery and range of quality affordable homes, in safe, sustainable places where people want to live. The Council will refurbish the properties to the Homes and Community Agency's Design and Quality Standards and they will become permanent Council housing. They will then provide affordable rented homes for the City and help to reduce the number of LTE properties on the Council Tax register.

11.2 **RESOLVED:** That Cabinet:-

- (a) approves the establishment of a Purchase and Repair Scheme as outlined in the report, subject to funding;
- (b) approves the use of prudential borrowing against the Housing Revenue Account of £2,260,000
- (c) resolves that for the duration of the funding agreement with the HCA an affordable rent as set in accordance with the terms of the agreement constitutes a reasonable charge for the occupation of properties purchased for this scheme; and
- (d) notes that a capital approval submission for the expenditure has been submitted as part of the agreed monthly budget monitoring process to authorise and procure the necessary capital.

11.3 Reasons for Decision

11.3. 1 The Council has identified a strategic need to deliver more affordable housing across the City, helping to meet the demand for affordable rented properties across Sheffield.

11.3. 2 It will contribute towards place shaping and the regeneration of neighbourhoods, enabling the Council to improve (sometimes eyesore) properties through refurbishment. This will benefit local neighbourhoods.

11.3. 3 It will bring more long term empty properties back into use and reduce the number of LTEs on the Council Tax register. This will help to maximise the NHB and AHB payable to the Council by government.

11.3. It will help reduce anti-social behaviour and the fear of crime that can be

4 associated with LTEs.

11.3. The scheme will provide the Council with increased assets by increasing its
5 housing stock.

11.3. It has the opportunity to deliver many reputational benefits for the Council
6 as the scheme will result in both reduction in LTEs and provision of
affordable housing.

11.3. This scheme is an additional tool which can run alongside and compliment
7 the other options the Council have in place to help to bring LTEs back into
use.

11.4 **Alternatives Considered and Rejected**

11.4. No Purchase and Repair Scheme:

1 Outputs

- No Purchase and Repair Scheme will see fewer LTEs brought back into use. Having fewer methods in which to tackle LTEs will potentially mean fewer LTEs brought back into use and that the Council is less likely to deliver its strategic housing objectives as effectively.
- No Purchase and Repair Scheme will also result in a potential resource of affordable housing in the City not being utilised.
- Loss of HCA grant funding.

Benefits

- There will be no need to use prudential borrowing to fund the scheme and no risk to the HRA.

Outline Costs

- By not having a Purchase and Repair scheme there will be the potential loss of the NHB and AHB that would be payable for the 31 properties brought back into use by this scheme. There would also be no HCA grant funding.
- However, no prudential borrowing against the HRA.

Risks

- Strategic, we fail to utilise on a resource to help us meet the increasing demand for housing of all tenures, but especially affordable, across the City.
- Empty properties continue to impact negatively on the success and sustainability of the City's neighbourhoods.
- Financial, it could have a negative impact on the NHB/AHB.
- Reputational, an increase in LTEs or lack of methods to deal with them has a detrimental impact on the quality of neighbourhoods.

11.5 **Any Interest Declared or Dispensation Granted**

None

11.6 Reason for Exemption if Public/Press Excluded During Consideration

None

11.7 Respective Director Responsible for Implementation

Simon Green, Executive Director, Place

11.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Safer and Stronger Communities

12. CORPORATE BUILDINGS STATUTORY SERVICING AND REPAIRS CONTRACT

12.1 The Executive Director, Resources submitted a report recommending that the statutory servicing and repairs contract for the corporate estate is procured in the open market to seek a contractor to deliver this service post-2014 for a duration of 2 years with an option to extend by up to 3 years.

12.2 RESOLVED: That Cabinet:-

- (a) approves the procurement of a single contractor – by way of OJEU competitive tender via restricted procedure, to deliver the services that form part of the corporate statutory and repairs contract from 1 April 2014 to 3 June 2016 with an option to extend by up to 3 years;
- (b) approves the proposed key attributes that will be contained in the propose contract, as outlined in Section 7 of the report;
- (c) resolves that the bidders need to comply with TUPE and the Code of Practice on Workforce Matters in Local Authority Service contracts. The transferee organization (primary service provider) will be responsible for the observance of the Code by the new employer;
- (d) approves that the contract provides the opportunity for third parties (for example School/Trusts/Public Sector Bodies) accessing the contract outside the “traded service” provisions) to have a “Call Off” arrangement based on a 2% Procurement Contribution Fee. If third parties would like Sheffield City Council to provide a contract management service this would be subject to further discussion via the ‘traded service’ provision and an enhanced fee to reflect the additional support required; and
- (e) grants delegated powers to the Director of Commercial Services or his nominated representative, in conjunction with the Director of Capital and Major Projects and the Head of Transport and Facilities

Management, to ensure delivery of the stated objectives, including if required varying the scope of this contract, subject to being within approved budget limits, accept tenders and award a Contract for this Project.

112.3 Reasons for Decision

12.3. The current contract for the corporate estate for repairs and maintenance expires in April 2014 and this service needs to be re-let on the open market to secure a contract in accordance with the Council's Contracts Standing Orders and the European Union Procurement Rules (which will be adhered to throughout the procurement). The tender process will be competitive and follow the principles of transparency and non-discrimination, and delivering value for money.

12.3. The Council needs to maximise value for money and deliver an excellent statutory servicing and repairs service in the context of increasing financial constraints and spending pressures, and provide flexibility for the Council for future options.

12.3. This service will ensure that Sheffield City Council meet their responsibilities regarding statutory obligations with respect to Health and Safety in and around buildings and ensure that repairs and maintenance are carried out with due attention to customer care, health and safety and 'right first time'.

12.4 Alternatives Considered and Rejected

12.4. No alternatives were considered or rejected.

12.5 Any Interest Declared or Dispensation Granted

None

12.6 Reason for Exemption if Public/Press Excluded During Consideration

None

12.7 Respective Director Responsible for Implementation

Laraine Manley, Executive Director, Resources

12.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Safer and Stronger Communities

13. CONSTRUCTION AND BUILDING SERVICES RE-TENDER FOR SOCIAL HOUSING REPAIRS AND MAINTENANCE

13.1 The Executive Director, Place submitted a report recommending that the Housing Revenue Account (HRA) repairs and Maintenance service is procured in the open market to seek a contractor to deliver this service post-April 2014 for a duration of 3 years with an option to extend by up to a further 2 years depending on a value for money assessment.

13.2 **RESOLVED:** That Cabinet:-

- (a) approves the procurement of a contractor, by way of a competitive tender and advertised in the OJEU via the restricted procedure, to deliver the services that form part of the housing repairs and maintenance contract, as outlined in paragraph 1.2 of the report, from 1 April 2014;
- (b) delegates to the Director of Commercial Services, Executive Director, Place and Executive Director, Resources, in consultation with the Cabinet Member for Homes and Regeneration the authority to agree which option to proceed with in terms of providing overall value for money;
- (c) approves the proposed key attributes to be contained in the proposed contract as outlined in section 6 of the report;
- (d) requests that the statutory leaseholder consultation by Section 20 of the Landlord and Tenant Act 1985 as amended by the Commonhold and Leasehold Reform Act is adhered to and approved;
- (e) resolves that the bidders need to comply with TUPE and the Sheffield City Council Code of Good Practice on Workforce Matters in Local Authority Service Contracts. The transferee organisation (primary service provider) will be responsible for the observance of the Code by the new employer. The contract should provide the opportunity for Third Parties (for example School/Trusts/Registered Social Landlords to have a "Call Off" arrangement based on a "% procurement contribution fee;
- (f) requests that the Council undertake an independent and concurrent quality assurance review of the process majoring on how best to minimise risk and to ensure that we deliver the desired outcome; and
- (g) grants delegated powers to the Director of Commercial Services or his nominated representative, in conjunction with the Director of Resources and Director of Housing, to ensure delivery of the stated objectives, including if required varying the requirements of this contract in relation to the outcome of the independent quality assurance review (subject to being within approved budget limits), accept tenders and award a Contract for this Project.

13.3 Reasons for Decision

13.3. The current contract for housing repairs and maintenance expires in April
1 2014 and this service needs to be re-let on the open market to secure a new contract in accordance with the Council's Contracts Standing Orders and the European Union Procurement Rules (which will be adhered to throughout the procurement). The tender process will be competitive and follow the principles of transparency and non-discrimination, and facilitate the achievement of value for money.

13.3. To maximise value for money and deliver an excellent repairs and
2 maintenance service in the context of a challenging housing financial regime and current economic climate.

13.3. To provide a future opportunity to in-source this service and develop a fully
3 integrated Housing and Repairs Service.

13.3. This service will contribute to making neighbourhoods a great place to live
5 by ensuring that repairs and maintenance are carried out with due attention to customer care, health and safety and 'right first time'.

13.4 Alternatives Considered and Rejected

13.4. No alternatives were considered or rejected.
1

13.5 Any Interest Declared or Dispensation Granted

None

13.6 Reason for Exemption if Public/Press Excluded During Consideration

None

13.7 Respective Director Responsible for Implementation

Simon Green, Executive Director, Place

1.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Safer and Stronger Communities

14. AN ECONOMIC GROWTH STRATEGY FOR SHEFFIELD

15. REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING 2012/13 (MONTH 10)

15.1 The Executive Director, Resources submitted a report providing the month 10 monitoring statement on the City Council's Revenue and Capital Budget

for 2012/13.

15.2 RESOLVED: That Cabinet:-

(a) notes the updated information and management actions provided by the report on the 2012/13 budget position;

(b) In relation to the Capital Programme:-

(i) approves the proposed additions, cancellation and variation to the capital programme listed in Appendix 2, including the procurement strategies and delegations of authority to the Director of Commercial Services or Delegated Officer, as appropriate, to award the necessary contracts following stage approval by Capital Programme Group;

(ii) approves the proposed variations in Appendix 2 of the report within their delegated authority; and notes

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

15.3 Reasons for Decision

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

15.4 Alternatives Considered and Rejected

15.4. A number of alternative courses of action were considered as part of the
1 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.

15.5 Any Interest Declared or Dispensation Granted

None

15.6 Reason for Exemption if Public/Press Excluded During Consideration

None

15.7 Respective Director Responsible for Implementation

Laraine Manley, Executive Director, Resources

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

Overview and Scrutiny Management Committee