

# SHEFFIELD CITY COUNCIL

## EXECUTIVE FUNCTIONS DECISION RECORD

The following decisions were taken on Wednesday 27 February 2013 by the Cabinet.

Date notified to all members: 1<sup>st</sup> March, 2013.

The end of the call-in period is 4:00 pm on 7<sup>th</sup> March, 2013.

The decision can be implemented from 8<sup>th</sup> March, 2013.

### Item No

#### 8. REDESIGN OF THE EARLY YEARS' SERVICE - OUTCOME OF CONSULTATION

8.1 The Executive Director, Children, Young People and Families, submitted a report the outcomes of the consultation carried out between early December 2012 and early February 2013 and associated update of the equality assessments and to seek approval for the final recommendations in respect of the redesign of early years services.

8.2 **RESOLVED:** That Cabinet having taken into consideration all the background documents referred to in the report now submitted:-

(a) to develop a revised action plan for a quality framework and make this available to all providers in line with comments from the consultation and in recognition of the Government proposals for Improving Quality and Changes to Regulatory Regime outlined in the DfE publication 'More Great Childcare', and the Government Bill, Children and Families Bill 2012-13 (first reading House of Commons, 4 February 2013;

(b) approves the transition plans as set out in this report;

(c) notes the findings from the consultation and revised equality impact assessments;

(d) approves the following revised recommendations:-

(i) to develop a revised action plan for a quality framework and make this available to all providers in line with comments from the consultation and in recognition of the Government proposals for Improving Quality and Changes to Regulatory Regime outlined in the DfE publication 'More Great Childcare', and the Government Bill, Children and Families Bill 2012-13 (first reading House of Commons, 4 February 2013;

- (ii) to reorganise the 36 Ofsted - registered Children's Centres into 17 areas each with a named main site and a number of outreach delivery sites;
- (iii) to note that the 17 areas have been amended following suggestions from the consultation process;
- (iv) that a statutory process be undertaken to deregister the 19 centres that no longer require Ofsted registration;
- (v) that the present policy of "block purchasing" premises and hosting payments will cease and in the future "spot purchase" of venues will be undertaken when and where they are needed;
- (vi) to develop a comprehensive communication plan to inform parents of the venues and the types of support available in the new 17 areas;
- (vii) to cease childcare subsidy grants to 20 providers in the Private Voluntary and Independent and Statutory sector on 31<sup>st</sup> March 2013;
- (viii) that the local authority will offer to continue to work with these providers, on an individual basis, over a three month period to give them support to develop their business plans for their organisation and to help them become sustainable, these plans to include financial forecasts, management costs, staffing structures and ways to develop flexible and accessible services to children and families and assist in seeking other forms of income;
- (ix) to transfer the management and delivery of 7 Local Authority nurseries, by continuing the transfer of 3 nurseries to Schools, and to progress the transfer of the 4 remaining nurseries within the childcare market, in line with local authority employment policies and negotiation with trade unions in order to retain qualified staff across the sector;
- (x) that existing contracts with the providers set out in Appendix 2 are not renewed and for time limited transitional arrangements to be put in place based on service demand and to accommodate Procurement Employment Legislation where applicable;
- (xi) that specifications for procurement of targeted services required to fulfil the Council's statutory duties will be developed; and
- (xii) that Cabinet notes and approves that decisions made to

implement the recommendations will be made by the Cabinet member or officers in accordance with the Leader's Scheme of Delegation.

### **8.3 Reasons for Decision**

8.3.1 The decision has been made taking into account the outcomes of the communication and consultation process, which commenced in early December 2012 and concluded in early February 2013, around the in principle proposals set out in the Cabinet paper of 12 December, 2012. The decision is necessary in order to redesign and streamline early years' services to make savings across management, administration and premises and prioritising early intervention and family support services that are flexible, accessible and of high quality.

8.3.2 The size, depth of the savings proposed and the timescale are as a result of the severe Government cuts to funding and changes in Government strategies for early years.

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

8.4.1 These recommendations follow the original proposals that were put to Cabinet in December 2012. Alterations to the original proposals have been made to reflect the consultation that has taken place. In compiling the original proposals alternatives were considered:-

- To make no changes. This is not possible given the reductions to funding and Government policy changes
- To outsource all early years activities. This is not possible at this time due to the breadth of changes required and the potential change to the role of local authorities in respect of early year's services.

8.4.2 The proposals outlined and the changes made are in line with the local authority's statutory duties and responsibilities that with the restricted financial position take priority to maintain.

### **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**

Jayne Ludlam, Executive Director, Children, Young People and Families.

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

Children, Young People and Family Support.

**9. CLEARED SITES CONTRACT 2013/16**

9.1 The Executive Director, Place, submitted a report referring to the current Cleared Sites Contract used to manage and maintain cleared Council-owned sites (predominantly housing demolition sites) prior to their eventual disposal and/or development. He stated that the contract expired in April 2013, but would be extended by three months to allow for completion of the procurement process. Therefore, in order to keep these sites tidy, safe and well-maintained, the Council would need to re-procure the contract and secure a new contractor to deliver these services over the coming years.

9.2 **RESOLVED:** That Cabinet:-

- (a) approves the procurement of a contractor, by way of competitive tender, to deliver the services that form the Cleared Sites Contract 2013/16; and
- (b) grants delegated powers to the Director of Commercial Services, or his nominated representative, to accept tenders and award a Contract for this Project, in consultation with the Director of Housing, Enterprise and Regeneration.

**9.3 Reasons for Decision**

9.3.1 The current Cleared Sites contract expires in April 2013 and is then going to be extended by 3 months. The re-procurement and award of a new contract to cover the period July 2013 to April 2016 will allow for the continued management of the sites in the programme, keeping them tidy, well-maintained and safe, as well as increasing the attractiveness of the sites to potential developers as and when they are advertised for sale and development.

**9.4 Alternatives Considered and Rejected**

9.4.1 One alternative option to re-procuring the Cleared Sites contract would be to let the current contract expire and not renew it. Whilst there would be obvious and immediate cost savings associated with this approach, the option was disregarded due to the substantial potential problems – both reputational and financial – that could arise if the cleared sites were not being maintained adequately. Many sites would become overgrown and unmanageable very quickly, and past experience suggests that poorly maintained sites attract increased instances of fly tipping and other anti-social behaviour, as well as reducing the potential saleability and developability of the land. Sites could very easily become trouble spots and

excessive plant and weed growth could hide numerous dangers (hazardous tipped materials, drug paraphernalia, broken glass, etc.), jeopardising the safety of local residents.

9.4.2 Another alternative to procuring an external contractor would be to use an in-house team from Parks & Countryside to carry out the works. Commercial Services approached the Director of Culture and Environment, who declined the opportunity.

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**

Safer and Stronger Communities.

**10. VOCATIONAL SKILLS PROVISION 2014-16**

10.1 The Executive Director, Children, Young People and Families, submitted a report seeking permission to continue commissioning the Vocational Skills Programme (VSP) for learners at Key Stage 4 for the academic years 2013-14, 2014-15 and 2015-16. The VSP was organised by the Lifelong Learning, Skills and Communities on behalf of schools and academies and made available off-site provision at college or with other providers for learners of all abilities, including those 14-16 year olds at risk of disengagement.

10.2 **RESOLVED:** That Cabinet:-

- (a) approves the undertaking of a procurement exercise in accordance with Council Standing Orders and EU regulations for the 14-16 Vocational Skills Programme for the period 2013-16 inclusive; and
- (b) delegates powers to the Director of Lifelong Learning, Skills and Communities to proceed to contract after the procurement exercise has been completed without further recourse to Cabinet.

10.3 **Reasons for Decision**

10.3.1 The continuance of the VSP preserves an essential part of the City's

offer to Key Stage 4 learners, providing an introduction to vocational and employability skills which will be of great value in informing their post-16 choices and encouraging successful progression.

10.3.2 The VSP actively seeks to re-engage those learners at Key Stage 4 who are at risk of disengaging from learning and contributes therefore to the City's strategy for driving down 16-18 Not in Education, Employment or Training (NEETs) and in meeting the local authority's new statutory obligations associated with the Raising of the Participation Age (RPA) legislation.

10.3.3 The VSP offers an important opportunity for school-age young people to prepare for adult life and work by equipping them with the necessary skills, experience of the workplace and the vocational qualifications. It also helps furnish the workforce of the future with the attributes and competencies that will be needed for a strong and healthy local economy.

10.3.4 The VSP is connected strategically and contributes significantly to a range of important skills and employment initiatives in the City, as organised by the City Council and its partners including Future:proof, the 100 Apprenticeship initiative; the City Deal and the *Made in Sheffield* curriculum.

#### 10.4 **Alternatives Considered and Rejected**

10.4.1 The VSP could be terminated at the end of the 2012/13 academic year and schools, academies and the PRU required to organise their own off-site provision. The result would almost certainly be a return to the fragmented and unsatisfactory arrangements that existed before the city's schools asked the local authority to organise a structured, high quality and cost-effective VSP on their behalf. The benefits of a centrally procured, managed and quality assured network of training providers would be lost. Schools would have to duplicate these functions on an individual basis, with a consequent wastage of resource across the city. Not having the necessary expertise and experience in place would lead to potentially variable quality of health and safety, safeguarding and delivery arrangements thereby increasingly placing individual learners at risk. This option was rejected for these reasons.

#### 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**

Jayne Ludlam,, Executive Director, Children, Young People and Families.

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

Children, Young People and Family Support.

11. **SHEFFIELD LOCAL PLAN (FORMERLY SHEFFIELD DEVELOPMENT FRAMEWORK) : PRE-SUBMISSION VERSION OF CITY POLICIES AND SITES DOCUMENT AND PROPOSALS MAP**

11.1 The Executive Director, Place submitted a report seeks Cabinet's approval of the Council's final version of the City Policies and Sites document and Proposals Map.

11.2 **RESOLVED:** That Cabinet:-

- (a) endorses the current version of the City Policies and Sites document and Proposals Map for publication;
- (b) refers this report and the documents to the next (non-budget) meeting of the full Council for approval for publication, invitation of formal representations and submission to the Secretary of State for Communities and Local Government;and
- (c) authorises the Executive Director of Place, in consultation with the Cabinet Member with responsibility for Business Skills and Development to take all necessary procedural steps following the formal representations to enable the schedule of any changes to the document and Proposals Map to be submitted to the Secretary of State.

11.3 **Reasons for Decision**

11.3.1 The document and map help to implement the adopted Core Strategy and to meet statutory and national policy requirements. They take account of previous consultation and have been subject to sustainability appraisal and equality impact assessment. They are needed to guide the process of development management and to update the current Unitary Development Plan policies, adopted 14 years ago.

11.4 **Alternatives Considered and Rejected**

11.4.1 Alternative options were fully considered and consulted on at the Emerging Options stage of the earlier City Policies and City Sites documents. The more strategic choices were largely determined by the Core Strategy and the choice with many of the policy criteria and allocations is whether to have them or not. However, there were

alternative options for many of the criteria (e.g. a higher standard or a lower one than what is proposed) and choices about the required uses for allocation sites. These will be detailed in the Background Reports to be published in time for the representations, which will contain fuller evidence for the selection and rejection of options for policies and proposals.

**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**

Economic and Environmental Wellbeing

**12. VOLUNTARY SECTOR GRANT AID INVESTMENT IN 2013/14**

12.1 The Chief Executive submitted a report seeking approval for recommended awards from the Voluntary Sector Grants Fund for the period 1<sup>st</sup> April 2013 to 31<sup>st</sup> March 2014 and to operate a Lunch Clubs Fund.

12.2 **RESOLVED:** That Cabinet (a) having had due regard to the provisions of Sections 149 and 158 of the Equality Act 2010 and Section 17 of the Crime and Disorder Act 1998, and to the issues raised by those provisions, approves the grant award recommendations listed in Appendix 1;-

(b) notes that the new advice service delivery model will be delivered through one single organisation, rather than a small number of larger and sustainable organisations as referred to in paragraph 3.4 of the report.

(c) endorses the award process described in Section 5 and to approve the actions, arrangements and recommendations at Sections 6 and 12, and the following specific delegations:-

(i) the Director, Policy, Partnership and Research be authorised:-

(A) to administer the Lunch Clubs Fund as described in Appendix



1;

- (B) to agree the terms of and authorise the completion of all funding agreements relating to grants made from the Voluntary Sector Grants Fund and the Lunch Clubs Fund ('the Grant Funds'), together with any other associated agreements or arrangements that he may consider appropriate, provided that if the terms of a proposed funding agreement involve the variation of any standard terms previously agreed by Internal Audit and / or Legal Services the agreement shall not be completed without the consent of the Chief Internal Auditor and the Director of Legal Services;
- (C) where (a) a change of circumstance affects the ability of an organisation to deliver the purpose of the grant awarded, (b) the Director considers the performance of the organisation to be below an acceptable standard or (c) an organisation has breached any of the award conditions contained in their funding agreement, to review, adjust or suspend grant awards
- (ii) the Director, Policy, Partnership and Research, in consultation with Cabinet Member for Communities, and Inclusion, be authorised:-
- (A) to carry out during the first six months of 2013-14 a review of the service provided by Shopmobility Sheffield and to decide the amount of grant (if any) to be awarded to Shopmobility Sheffield for the period from 1<sup>st</sup> October 2013 to 31<sup>st</sup> March 2014 and the terms on which this is paid;
- (B) to agree the amounts, purposes and recipients of any individual grants awarded in year from the Grant Funds including any additional sums received or returned or unpaid funds;
- (C) where (1) a change of circumstance affects the ability of an organisation to deliver the purpose of the grant awarded or (2) the Director considers the performance of the organisation to be below an acceptable standard or (3) an organisation has breached any of the award conditions contained in their funding agreement, to withdraw grant awards.

## 12.3 **Reasons for Decision**

12.3.1 The reason for the recommendations is to support the local voluntary sector by making awards of funding from the Council grant aid budget. The purpose of grant aid investment is :-

- to mobilise volunteering and promote active citizenship;

- to provide experience and training opportunities for local people and create jobs;
- to provide important services for local citizens and innovative responses to emerging social needs;
- to enable voluntary organisations to draw in external funding and boost the local economy;

**12.4 Alternatives Considered and Rejected**

12.4.1 No alternatives were considered as the purpose was to report the outcome of implementing a previous decision made by Cabinet to manage a grant aid process.

**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**

John Mothersole, Chief Executive.

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

Safer and Stronger Communities

(NOTE: 1. Councillor Jack Scott declared a disclosable pecuniary interest in the above item on the grounds that he was employed by Voluntary Action Sheffield and left the meeting during the consideration of the item.

2. Councillor Leigh Bramall declared a personal interest in the above item on the grounds that he was a member of the Foxhill and Parson Cross Advice Service Ltd.)

**13. DISPOSAL OF LAND AT SEVENAIRS ROAD, BEIGHTON**

13.1 The Executive Director, Communities, submitted a report referring to the fact that the Guinness Northern Counties has secured an allocation of grant from the Homes and Communities Agency (HCA) Affordable Homes Programme for 2011/15 and which included funding for supported accommodation for those experiencing mental ill health, which formed part of Sheffield's Local Investment Plan as approved by Cabinet on 24 August 2011.

13.1.2 It was explained in the report that a suitable site has been identified at Sevenairs Road in Beighton and that the delivery of the scheme required the Council to dispose of this land at nil consideration.

13.2 **RESOLVED:** That Cabinet:-

(a) declares the land now shown at Appendix A to be surplus to the requirements of the City Council and, subject to planning permission, be disposed of to Guinness Northern Counties at nil consideration for use as social housing; and

(b) authorises the Director of Property and Facilities Management to (i) agree final terms for the disposal of the site to deliver the scheme set out in the report, including the variation of any boundaries as required, in consultation with the Director of Housing Enterprise and Regeneration and (ii) instruct the Director of Legal Services to complete the necessary legal documentation.

13.3 **Reasons for Decision**

13.3.1 There is currently an under provision of specialist supported housing for people who experience mental ill health in Sheffield. The need has been identified for more housing with flexible support to meet the needs of a younger population with mental health problems who require short to medium term support to enable their recovery towards greater independence. This gap in provision has led to a number of people being inappropriately accommodated in expensive registered residential care. The proposed development would benefit clients across the city due to the increase in choice and dispersal of resources.

13.3.2 There is a particular gap in provision in the south east of the city where there are no suitable units of supported housing for this client group. Clients from this area have to relocate to central/north Sheffield for rehabilitation placements, which has removed some from their neighbourhood and family ties. The Sevenairs Road site represents the best available option within the south east of the city in terms of affordability and access to amenities

13.4 **Alternatives Considered and Rejected**

13.4.1 Other sites were considered and GNC conducted a search for suitable private sector land in the south east of the city. Some sites were provisionally identified but they did not compare to Sevenairs Road in terms of affordability and access to amenities.

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**

Richard Webb, Executive Director, Communities.

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

Safer and Stronger Communities

14. **PRIORITY SCHOOL BUILDING PROGRAMME - FOX HILL AND PRINCE EDWARD SCHOOLS**

14.1 The Executive Director, Children, Young People and Families, submitted a report highlighting the inclusion of Fox Hill and Prince Edward Primary Schools in the Government-led Priority School Building Programme (PSBP) and requesting the necessary permissions required to enable Prince Edward new school to be built on an adjacent site

14.2 **RESOLVED:** That Cabinet:-

- (a) notes that the Memorandum of Understanding (MoU) for each school has been signed by the Chief Executive;
- (b) notes that there will be no loss of Public Open Space due to the development of better quality facilities with public access provided by a Community Use Agreement (CUA);
- (c) approves the inclusion of the site adjacent to the existing Prince Edward Primary School in Appendix A as the site for the new school and notes the proposed substitution of the former Bluestone School site in Appendix B to the Sheffield Housing Company (SHC) in compliance with the terms of the Development Agreement, dated 7<sup>th</sup> July 2011 in respect to the completion of the land package; and
- (d) pending a formal decision to dispose of the former Bluestone School site to the SHC, confirms that the former Bluestone School site must not be used or committed for use for any other purpose without a decision of Cabinet.

14.3 **Reasons for Decision**

14.3.1 The successful inclusion in the PSBP provides an opportunity to address significant building condition and suitability issues at Fox Hill and Prince Edward Primary Schools;

14.3.2 The agreement to proceed within the existing site boundary at Fox Hill and on the preferred neighbouring site to Prince Edward will enable the new schools to be developed with minimal disruption to the existing pupils on sites that will continue to be accessible to the current catchment area.

**14.4 Alternatives Considered and Rejected**

14.4.1 Do Nothing: If it is decided not to continue to support the Education Funding Agency to develop plans to rebuild the 2 primary schools in the City, the opportunity for greatly needed investment into the Sheffield school estate would be lost.

14.4.2 Continue with Asset Management Planning and Maintenance: As highlighted at paragraph 2.4, over £5m is required to maintain these schools over the next 3-5 years. Children, Young People and Families (CYPF) currently receive an allocation of £6.5m (2012/13) to invest in maintenance programmes for all CYPF properties, which includes 170 schools where an estimated £121m investment is required in the 133 primary schools alone.

14.4.3 Use Existing Capital Allocations to Rebuild Schools: Current annual capital allocations (2012/13) total around £11m for the provision of school places and the maintenance of all CYPF estate.

14.4.4 To divert this funding away from the planned school expansions, new school buildings to provide additional places and building maintenance programmes would mean the authority would not be able to meet its statutory duty 'to ensure the provision of 'sufficient' schools' for the provision of primary and secondary education in their area' and ensure premises regulations are being adhered to.

**14.5 Any Interest Declared or Dispensation Granted**

None

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

None

**14.7 Respective Director Responsible for Implementation**

Jayne Ludlam, Executive Director, Children, Young People and Families.

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

Children, Young People and Family Support.

## **15. DISPOSAL OF LAND AT RICHMOND PARK DRIVE**

15.1 The Executive Director, Communities, submitted a report on funding secured by Sanctuary Housing Association from the Homes and Communities Agency (HCA) Affordable Homes Programme for 2011/15, which included funding for the delivery of a scheme at Richmond Park Drive, which required the Council to dispose of this land at nil consideration.

15.2 **RESOLVED:** That Cabinet:-

(a) declares the land now shown at Appendix A to be surplus to the requirements of the City Council and, subject to planning permission, to be disposed of to Sanctuary Affordable Housing Ltd at nil consideration for use as social housing; and

(b) authorises the Director of Property and Facilities Management to (i) agree final terms for the disposal of the site to deliver the scheme set out in the report, including the variation of any boundaries as required, in consultation with the Director of Housing Enterprise and Regeneration and (ii) instruct the Director of Legal Services to complete the necessary legal documentation

### **15.3 Reasons for Decision**

15.3.1 The proposal now reported was identified as a priority in the Supported Housing Strategy 2012 -16 approved by Cabinet in February 2012 and in the Supported Housing Commissioning Plan approved by Cabinet in August 2009.

15.3.2 The allocation of grant from the HCA offers the opportunity to provide a purpose built scheme of up to 20 units of self contained accommodation together with the communal facilities.

15.3.3 The site at Richmond Park Drive is in a good location with access to local facilities and transport links to the City Centre. Of the sites available to the Council and Sanctuary for development, it offered the best location.

### **15.4 Alternatives Considered and Rejected**

#### **15.4.1 Development on privately-owned land**

This option was given serious consideration and Sanctuary conducted a search for suitable private sector land. However, no sites were identified that were of a suitable size and location and available at an affordable price.

#### **15.4.2 Development on other Council-owned sites**

Officers considered a number of available Council sites. None of the alternative sites met all the criteria required.

**15.5 Any Interest Declared or Dispensation Granted**

None

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

Paragraph 3 of Schedule 12A to the Local Government Act 1972 relating to the financial or business affairs of any particular person and in all the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**15.7 Respective Director Responsible for Implementation**

Richard Webb, Executive Director, Communities.

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

Safer and Stronger Communities.

Councillor .....  
Chair,  
Cabinet  
1<sup>st</sup> March, 2013.