

# Cabinet

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**Wednesday 20 March 2013 at 2.00 pm**

**To be held at the Town Hall,  
Pinstone Street, Sheffield, S1 2HH**

**The Press and Public are Welcome to Attend**

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## **Membership**

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Councillor Julie Dore	Chair/Leader of the Council
Councillor Isobel Bowler	Culture, Sport & Leisure
Councillor Leigh Bramall	Business, Skills & Development
Councillor Jackie Drayton	Children, Young People & Families
Councillor Harry Harpham	Deputy Leader/Homes & Neighbourhoods
Councillor Mazher Iqbal	Communities & Inclusion
Councillor Mary Lea	Health, Care & Independent Living
Councillor Bryan Lodge	Finance & Resources
Councillor Jack Scott	Environment, Recycling & Streetscene

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## **PUBLIC ACCESS TO THE MEETING**

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The Cabinet discusses and takes decisions on the most significant issues facing the City Council. These include issues about the direction of the Council, its policies and strategies, as well as city-wide decisions and those which affect more than one Council service. Meetings are chaired by the Leader of the Council, Councillor Julie Dore.

A copy of the agenda and reports is available on the Council's website at [www.sheffield.gov.uk](http://www.sheffield.gov.uk). You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday, or you can ring on telephone no. 2734552. You may not be allowed to see some reports because they contain confidential information. These items are usually marked \* on the agenda.

Members of the public have the right to ask questions or submit petitions to Cabinet meetings. Please see the website or contact Democratic Services for further information.

Cabinet meetings are normally open to the public but sometimes the Cabinet may have to discuss an item in private. If this happens, you will be asked to leave. Any private items are normally left until last. If you would like to attend the meeting please report to the First Point Reception desk where you will be directed to the meeting room.

Cabinet decisions are effective six working days after the meeting has taken place, unless called-in for scrutiny by the relevant Scrutiny Committee or referred to the City Council meeting, in which case the matter is normally resolved within the monthly cycle of meetings. Further information on this or any of the agenda items can be obtained by speaking to John Challenger on 0114 273 4014.

If you require any further information please contact [committee@sheffield.gov.uk](mailto:committee@sheffield.gov.uk) or call us on 0114 273 4014.

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## **FACILITIES**

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There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

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**CABINET AGENDA  
20 MARCH 2013**

**Order of Business**

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- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**  
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**  
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting**  
To approve the minutes of the meeting of the Cabinet held on 27<sup>th</sup> February, 2013.
- 6. Public Questions and Petitions**  
To receive any questions or petitions from members of the public
- 7. Items Called-In For Scrutiny**  
The Deputy Chief Executive will inform the Cabinet of any items called in for scrutiny since the last meeting of the Cabinet
- 8. Retirement of Staff**  
Report of the Chief Executive
- 9. Sheffield City Region Authority**  
Report of the Chief Executive.
- 10. Rural Broadband - Connecting Sheffield's Rural Communities**  
Report of the Chief Executive.
- 11. Allocations Policy**  
Report of the Executive Director, Communities.
- 12. Site of the former Norton Aerodrome, Lightwood**  
Joint report of the Executive Director, Resources and the Executive Director, Place.
- 13. Modernisation of Planning and Highways and Cabinet Highways Committees**  
Report of the Executive Director, Place.
- 14. Revenue Budget and Capital Programme Monitoring 2012-13 (Month**

**9)**

Report of the Executive Director, Resources.

**NOTE: The next meeting of Cabinet will be held on Wednesday 10 April 2013 at 2.00 pm**

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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New standards arrangements were introduced by the Localism Act 2011. The new regime made changes to the way that members' interests are registered and declared.

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest** (DPI) relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period\* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

\*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -
  - under which goods or services are to be provided or works are to be executed; and
  - which has not been fully discharged.
- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) -
  - the landlord is your council or authority; and
  - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
  - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
  - (b) either
    - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
    - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Under the Council's Code of Conduct, members must act in accordance with the Seven Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership), including the principle of honesty, which says that 'holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest'.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life.

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously, and has been published on the Council's website as a downloadable document at [-http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests](http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests)

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Lynne Bird, Director of Legal Services on 0114 2734018 or email [lynne.bird@sheffield.gov.uk](mailto:lynne.bird@sheffield.gov.uk)

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Cabinet

Meeting held 27 February 2013

**PRESENT:** Councillors Julie Dore (Chair), Leigh Bramall, Jackie Drayton, 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 Isobel Bowler.

**2. EXCLUSION OF PUBLIC AND PRESS**

2.1 No resolutions were moved to exclude the public and press.

**3. DECLARATIONS OF INTEREST**

3.1 (NOTE: 1. Councillor Jack Scott declared a disclosable pecuniary interest in item 11 – Voluntary Sector Grant Aid Investment in 2013/14 on the grounds that he was employed by Voluntary Action Sheffield and left the meeting during the consideration of the item.

3.2 2. Councillor Leigh Bramall declared a personal interest in item 11 – Voluntary Sector Grant Aid Investment in 2013/14 on the grounds that he was a member of the Foxhill and Parson Cross Advice Service Ltd.)

**4. MINUTES OF PREVIOUS MEETING**

3.1 The minutes of the meeting held on 13<sup>th</sup> February, 2013 were approved as a correct record.

**5. PUBLIC QUESTIONS AND PETITIONS**

5.1 Public Question on Cleared Sites Contract Cabinet report – Green Estate Ltd

5.2 Bridget Ingle asked as part of the tender process, will potential contractors be required to demonstrate that they provide the same level of support to local communities as the existing contractor Green Estate Ltd? For example, Green Estate worked with people on social care budgets and offered long term volunteering opportunities. The impact of this commitment and socially beneficial approach was much greater than a requirement to ‘demonstrate a willingness to provide volunteering opportunities where appropriate’ which is mentioned in the current Cabinet report. As a social enterprise organisation, Green Estate had very different aims and objectives when compared to other commercial contractors. Ms. Ingle also asked had there been an

evaluation of the impact of their work within local communities over and above the maintenance of cleared sites?’

- 5.3 She also asked whether the procurement process is in line with the Social Value Act introduced last year and did the Council consider the social value work that Green Estate undertook in Wincobank to be invaluable and she was sure it was in the case of other areas of Sheffield and that, by attending the meeting today she wanted to make sure that other potential contractors would offer the same level of support if they were awarded the contract.
- 5.4 Ms Ingle therefore asked how the proposed service to be procured might improve the economic, social and environmental well-being of the relevant area, and how, in conducting the process of procurement, the Council might act with a view to securing that improvement.
- 5.5 Councillor Harry Harpham (Cabinet Member for Homes and Neighbourhoods) responded that he recognised the excellent work that Green Estate Limited had undertaken across the City as one of the Council’s partners but that the Council had to ensure that it met its responsibilities in achieving value for money on behalf of Council taxpayers. He stated that every Council contract let was based 70% on price and 30% on quality which included consideration of the number of apprentices employed by contractors, visits made to schools and work experience placements. The Cleared Sites contract would afford training opportunities by the contractor who was successful in securing the contract and the Council would be seeking added value in the contract through the offer of volunteering opportunities and the payment of the Living Wage and this would have a bearing on the award of the contract. However, he re-iterated that the Council had to bear in mind contract cost because of the financial situation the Council found itself in and the need to fulfil its duty to Council taxpayers.

5.6 Public Question on Provision of Meat for Schools

- 5.7 Nigel Slack referred to a piece about the horsemeat scandal in the Lancaster Guardian of 18<sup>th</sup> February, 2013 which mentioned Sheffield Schools and quoted the following text from that publication:-

“...Meanwhile, Sheffield Council said it had suspended the use of all processed meat in school meals with immediate effect, as a precautionary measure to protect student safety. The decision was made jointly with its catering company, the council said...”

Mr Slack referred to the fact that he had seen no comment on this in local press and asked whether Lancashire schools were supplied by Taylor Shaw, as Sheffield schools were?

- 5.8 He also asked, as part of this precautionary approach, had Taylor Shaw undertaken any test on produce supplied by them and had the Council? If so, what were the results and if not, why not?
- 5.9 Councillor Jackie Drayton (Cabinet Member for Children, Young People and Families) referred to the large degrees of publicity given to the use of horse meat in processed foods but that the Council had initially been satisfied that, under its contract with Taylor Shaw, there was little processed food supplied for use by schools, with most of the meat being purchased being of a high quality from Underwood's in Rotherham. The Council was also satisfied with its other supplier of meat products. However, as the food chain became more stretched the City Council decided with Taylor Shaw that it would be best to withdraw the little processed meat products that were supplied to the Council for use in schools as a precautionary measure pending further tests being carried out by the Food Standards Agency on supplies in order to detect whether they had been contaminated..
- 5.10 Councillor Drayton added that the Council had drawn attention to this action on the schools intraweb and that she and the Executive Director, Children, Young People and Families, had written to Head-teachers and Chairs of School Governors advising them that if they were not in receipt of meat products from Taylor Shaw, they should consider taking similar action to that taken by the Council. She was also satisfied that there would be no contamination of hal hal meat due the Council using chicken and lamb and because of the method of slaughter. She also referred to the fact that Taylor Shaw were talking to Underwood's on the possibility of using high quality mince for beef burgers
- 5.11 Councillor Drayton re-iterated that the Council had issued a press release to reassure people that the Council was redoubling its efforts to ensure meat products were free from contamination. In terms of the suppliers to schools in Lancashire, Councillor Drayton indicated that she would respond to Mr Slack on this in due course.
- 5.12 Public Question on Proposed Demolition of Edwardian Wing of the Jessop's Hospital
- 5.13 Nigel Slack expressed concern at the decisions made by the City Centre and West Planning and Highways Committee in December, 2012 and on 25<sup>th</sup> February, 2013 concerning the demolition of the Edwardian wing of the former Jessop Hospital for Women. He alleged that there was clearly doubt as to the legality of the decisions made, both in December and on the 25<sup>th</sup> February and would the Council look into this via a Scrutiny Committee?
- 5.14 Mr Slack commented on what he considered to be flaws in the case made by the University of Sheffield for additional space and in their submission of the application for permission to demolish the

Edwardian wing, particularly the failure to explore alternative solutions. He suggested that if the demolition took place, then this would destroy a vital part of Sheffield's built heritage. He asked was there a member of this Cabinet that will stand up for the heritage of Sheffield, as well as it's future, and oppose this decision and would the Council (a) support it's own planning statement that :-

"Sheffield has a very rich history and this is reflected in its diverse built environment. We believe it is important to recognise and work to protect our built heritage across the City." (Source: Sheffield City Council website)

*or (b) set a precedent for future development where heritage is less important than economics?*

5.15 Councillor Leigh Bramall (Cabinet Member for Business, Skills and Development) responded that Planning Committees were not decision making bodies in the sense that they of Council policy and that the Committees were charged with considering individual planning applications, basing its decisions on current national planning laws and, therefore such decisions could not be referred to scrutiny and the decision taken on the Jessop's building would stand.

5.16 Councillor Bramall stated that he was satisfied that the decision had been taken properly, but he indicated that he would examine the comments made by Mr Slack further and respond to him in due course. Councillor Bramall believed that the new development would be economically beneficial in the long-run supporting the City's strategy of expanding Advanced Manufacturing. He stated that the Council had good reputation as regards the protection of historic buildings and had, over a number of years compiled a list of buildings that were of significant historical importance although they were not listed and had also worked hard to refurbish buildings with a view to removing them from the buildings at risk register.

#### 5.17 Public Questions of Redesign of Early Years Service

A number of questions were asked in relation to the Redesign of the Early Years Service in respect of the following:-

5.18 Liz Russo, representing Ellesmere Children's Centre, asked how places for children from those centres which would have to be closed would be found when the waiting lists for Local Authority Children's Centres were already oversubscribed? She asked why this had happened and who would address the situation?

5.19 Safine Ali Sheh questioned how the proposals would impact on staff currently working in the children's centres and whether their experience and qualifications would be wasted if they were made

redundant as a result of the proposals?

- 5.20 Lena Mohammed commented that all childcare providers in Fir Vale had moved to providing childcare during term time only and questioned how this provision could continue when funding was being cut for the under 2 year olds?
- 5.21 Peter Davies, representing the GMB Union, reported that he had submitted a five page document to the meeting of Children, Young People and Families Scrutiny and Policy Development Committee on 24th January, 2013 which had called-in the Cabinet decision to consult on the proposals. As yet he had not received a response to the document. He stated that this was an important issue for GMB members who were now vulnerable to redundancy. He had further submitted questions to the Full Council meeting but again had received no response. He therefore asked when he would be receiving a response to his questions?
- 5.22 Abtisam Mohammed, representing the Black and Minority Ethnic (BME) Network, referred to a comment in the officer report which she believed to be racist and which had upset a number of members of the BME community and therefore questioned why officers considered this appropriate to be included within a public document?
- 5.23 Emma Grundy referred to the consultation which had been undertaken within childcare settings and referred to the difficulty which many parents had filling in the questionnaire when English was not their first language. She believed that this was not taken into account in the consultation and as a result many parents were not able to complete the questionnaire in the way that they would have wished to. She asked why it was not possible to include verbal comments in the report.
- 5.24 Clare Ward, representing Darnall Community Nursery, asked how confident the Council were of the figures they had quoted for children entitled to Free Educational Learning (FEL) given that at a briefing meeting held prior to the Cabinet meeting one area was told that only 22 children were eligible but there were 24 children already in the local area before the publicity had commenced.
- 5.25 Elaine Bennett asked why FEL money could not be used to subsidise childcare for the 0-2 year olds and why did the report not address the lack of funding for working parents in disadvantaged areas?
- 5.26 Leanne McMMain asked why it had been stated in the consultation/questionnaire that funding would be provided for children with special educational needs and for those children in deprived areas when it was those children who would be most directly affected by the proposals.

- 5.27 Tracy Lee, representing Woodthorpe and Wybourn Children's Centres, commented that staff had consistently identified the need for detailed negotiation on the proposals with Council staff and this had not been forthcoming. As a result of the proposals the Centres would have to close on 29<sup>th</sup> March and 61 children would have to be placed in other settings when there were insufficient places already?. She therefore asked where these children would go and who would ensure their safety?
- 5.28 Sally Pearse, representing Tinsley Parents and Children's Consortium, asked what the Council's reason was for believing the settings in areas of disadvantage could become sustainable? If it was believed that the FEL money would suffice, why would the Council not agree temporary transitional funding until the two year FEL was fully in place?
- 5.29 Tracy Wright commented that, as a provider of adult training courses, she was concerned that parents were being told that they could no longer access training as there would no longer be childcare for the under 2's because of the funding cuts. She asked what the Council would do to meet these parents' needs as the courses could lead to employment and other opportunities?
- 5.30 Rahida Sharif asked how long the Council believed it would take parents to take up the 2 year FEL offer given that the subsidy for centres was ending next month and no publicity on the offer had started?
- 5.31 Linda Edwards asked two questions. She questioned whether, given that the consultation contains information that was often difficult to understand, would the Council allow all the evidence to be examined and inspected by an independent group of statisticians with a view to simplifying the information for members of the public?
- 5.32 She further referred to paragraph 4.6.9 of the officer report which acknowledged the significant level of concern about the closure of provision and stated that what was evident was that there was inequity across the City. She commented that this was correct but questioned how ceasing the funding to childcare providers would address this inequity?
- 5.33 Emma Chadwick asked why the DVD which had been made by parents and contained a number of questions from parents who had been unable to attend the meeting had not been allowed to be shown. She referred to statistics which showed that 34% of referrals to Multi-Agency Support Teams (MAST) were made by Early Years professionals and questioned why the Council were driving the MAST service forward which appeared to have little need when Early Years professionals were being made redundant. Ms Chadwick finally asked why had £1m been spent on the Fairness Commission which had

highlighted issues with MAST and asked had the money been well spent and why had this been ignored by the Leader of the Council?

- 5.34 In response the Leader of the Council, Councillor Julie Dore stated that the Fairness Commission had not cost £1m; this was the funding which had been set aside to implement the recommendations of the Commission. The Commission itself had cost nothing other than administration costs. The Council, had, however, spent money on deprived areas on the consequences of welfare reform, such as Council Tax benefit reductions and the “bedroom tax”
- 5.35 Councillor Jackie Drayton stated that there were many families within disadvantaged areas who were not currently accessing FEL funding. It was important to work with community providers to meet with the families and inform them of the funding opportunities available through FEL and their rights to this funding which was available all year and not just in term time. For example, part-time single parents, working two hours in the early evening, could access funding for childcare which would have been available in term-time only.
- 5.36 Councillor Drayton commented that it was important that low paid working parents had access to full time childcare. The Council needed to ensure that provision stretched across the whole year. However, she stated that the £3.8m funding allocated to FEL was money which had been taken from the Early Intervention Grant and the Council needed to work together with providers to ensure the quality of service continued to be provided.
- 5.37 In response to the questions from GMB, she commented that she had attended the meeting of the Scrutiny Committee that was referred to and was not made aware of the document and questions. She stated that most of the questions posed had been answered at the meeting but if Mr Davies believed his questions had not been addressed he should contact Councillor Drayton.
- 5.38 Councillor stated that the consultation had not simply been about the questionnaires. Councillor Drayton apologised if people felt they couldn't understand what was in the questionnaires and she hoped that those people who supported people filling in the questionnaires would assist parents who had a problem. The consultation had taken place over a number of years and the campaign against the redesigned services and, in effect, formed part of the consultation and some aspects of the Council's proposals had been altered as a result of responses received.
- 5.39 She did not believe that the withdrawal of funding was affecting some areas of the City disproportionately and the withdrawal of the Early Intervention Grant would impact on the City as a whole. Savings had been made in premises costs, management costs and administration and childcare providers should look at their own structures to see if

similar savings could be made. It was important to emphasise that £6.8m had been cut from the Early Intervention Grant and savings had to be made as a result. It was vital, however, that childcare provision could continue and the Council was working with existing providers and alternative providers to ensure this in the next financial year.

5.40 The Council understood that many organisations were key parts of their communities and were keen to see them continue but the Council could no longer afford to provide subsidy grants given that the funding had been withdrawn by the Government. Councillor Drayton cautioned that it was crucial that organisations/providers became sustainable this year as the Council were facing a further £50m cut next year.

5.41 Councillor Drayton acknowledged that the comment in the report referred to by some of the questioners should not have been included. Although this was a comment made during the consultation and not an officer comment, it still should not have been included and was totally unacceptable and she therefore apologised for any offence taken.

5.42 The EIA had requested that a responder state their nationality and ethnic origin and a breakdown of the figures could be provided. The EIA had acknowledged that the proposals would impact on staff and up to 50 jobs would be lost within the Council but it was stated in the report that every effort would be made to ensure some provision across all areas. It was recognised that staff providing services were vulnerable and the Council would seek to address this and help maintain services where it could.

5.43 Dawn Walton (Assistant Director, Prevention and Early Intervention) commented that the discrepancies in the figures of those qualified for FEL, referred to by a questioner may have been a result of the fact that the Council collected data in respect of two year olds from Health Authority data. However, there may have been some two year olds who travelled in from other areas which may have had an impact on the figures.

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

6.1 The Cabinet noted that (i) no items had been called-in for scrutiny since the last meeting of the Cabinet and (ii) the Children, Young People and Family Support Scrutiny and Policy Development Committee had, at its meeting on 27<sup>th</sup> February, 2013, considered the report of the Executive Director, Children Young People and Families Service, regarding the Redesign of Early Years Services which was due to be considered by this meeting.

6.2 At the above-mentioned meeting of the Scrutiny and Policy Development Committee Members heard from the Cabinet Member, Council Officers and members of the public. After discussion, the Committee made the following recommendations to Cabinet:-



6.3 **RESOLVED:** That the Cabinet Member for Children, Young People and Families, Executive Director and appropriate officers be requested to report to a July meeting of this Committee in order to:

(a) report back on the transitional arrangements offered to various affected organisations; and

(b) provide an update on the Communication Strategy and its' effectiveness.

6.4 Councillor Gill Furniss, (Chair of the Children, Young People and Family Support Scrutiny and Policy Development Committee), attended the meeting and advised Cabinet that numerous public questions had been received at the meeting which had examined a number of matters including establishing a crisis fund, accessibility to childcare and transitional arrangements. The Committee had expressed particular concern about how transitional arrangements would be managed and, therefore, had asked for a further report to the Committee on these arrangements in July 2013. She added that the Committee believed that there should be a clear Communications Strategy to ensure that parents and providers fully understood the impact of the Council's proposals and the childcare that would continue to be available.

6.5 Councillor Jackie Drayton (Cabinet Member for Children, Young People and Families) thanked the Scrutiny Committee who had now met with parents and providers to examine the proposals for the Early Years' Service on two occasions. Unfortunately at the present time, the detail of the transitional plans still had to be worked on, but it was important, over the next two months that these were clearly defined and communicated promptly to providers and parents. Therefore, further meetings were planned with organisations to discuss how the Council was taking forward its proposals. Councillor Drayton added that she would be happy to attend a further meeting of the Scrutiny and Policy Development Committee to discuss the Council's proposals further.

## 7. **RETIREMENT OF STAFF**

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>
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### Children, Young People and Families

John Towers	Buildings Supervisor, St Theresa's Catholic Primary School	22
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Susan Whitlock	Deputy Headteacher, Gleadless Primary School	38
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Margaret Askham	Learning Support Teacher	23
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**Resources**

Kath Todhunter	HR Consultant	25
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**Place**

Janet Crabtree	Programme Manager, Housing, Enterprise and Regeneration Service	41
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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. 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.





## SHEFFIELD CITY COUNCIL Cabinet Report

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**Report of:** Chief Executive

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**Date:** 20<sup>th</sup> March 2013

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**Subject:** Staff Retirements

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**Author of Report:** John Challenger, Democratic Services

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**Summary:** To report the retirement of staff across the Council's various Portfolios

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### Recommendations:

Cabinet is recommended to:-

- (a) place on record its appreciation of the valuable services rendered to the City Council by members of staff in the various Council Portfolios and referred to in the attached list;
  - (b) extend to them its best wishes for the future and a long and happy retirement; and
  - (c) direct that an appropriate extract of the resolution now made under the Common Seal of the Council be forwarded to those staff above with over twenty years service.
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**Background Papers:** None

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**Category of Report:** OPEN

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**REPORT TITLE: RETIREMENT OF STAFF**

1. To report the retirement of the following staff from the Council's Service and to convey the Council's thanks for their work:-

<u>Name</u>	<u>Post</u>	<u>Years' Service</u>
<b><u>Children, Young People and Families</u></b>		
Kathryn Evans	Teacher, Ecclesfield School	39
<b><u>Communities</u></b>		
Diane Kostka	Young People's Library Service Manager	34
Derek Milner	Head Occupational Therapist	27
<b><u>Place</u></b>		
Susan Millington	Head of Strategy - Business Strategy and Regulation	24
<b><u>Resources</u></b>		
Steve Gill	Chief Internal Auditor	26
Andrew Hobbs	HR Advisor	37

2. To recommend that Cabinet:-
- place on record its appreciation of the valuable services rendered to the City Council by the above – mentioned members of staff in the Portfolios stated :-
  - extend to them its best wishes for the future and a long and happy retirement; and
  - direct that an appropriate extract of the resolution now made under the Common Seal of the Council be forwarded to those staff above with over twenty years service.



## SHEFFIELD CITY COUNCIL Full Council

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**Report of:** Chief Executive

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**Date:** 20<sup>th</sup> March 2013 (Cabinet)  
3<sup>rd</sup> April 2013 (Full Council)

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**Subject:** Sheffield City Region Authority

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**Author of Report:** Laurie Brennan  
Policy Officer  
Policy, Partnerships and Research  
0114 2734755  
[laurie.brennan@sheffield.gov.uk](mailto:laurie.brennan@sheffield.gov.uk)

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### Summary:

The nine local authorities that make up the Sheffield City Region (SCR) have a long history of collaboration at a scale that reflects the natural economic geography of the region. Most recently, this collaboration has taken the form of the SCR Leaders Group and Sheffield City Region Local Enterprise Partnership (SCR LEP).

The tangible benefits of this collaboration can now be seen in, for example, the SCR securing an advanced manufacturing and technology focussed Enterprise Zone (only one of seven with business rate relief and enhanced capital allowances); successfully negotiating a groundbreaking City Region Deal; making prudent investment decisions in relation to the Growing Places Fund; and securing £25 million from Round Three of the Regional Growth Fund (RGF).

Following a comprehensive “Governance Review”, SCR Leaders have concluded that this is the appropriate moment to deliver a step change in the governance of the city region.

In practical terms, this means establishing a SCR Combined Authority (referred to as the SCR Authority) which will ‘combine’ or bring together the Integrated Transport Authority (ITA) powers and strategic economic development powers in order to align political decision making around strategic Economic Development and Transport. This is not a merger or takeover of Local Authorities but the creation of a statutory city region body specifically for making better, joint decisions about the economy and transport in the area.

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### **Reasons for Recommendations:**

Following the robust Governance Review commissioned by the Leaders of Sheffield City Region, it is recommended that Sheffield should agree to formally become a constituent member of a combined authority for Sheffield City Region ('SCR Authority') because of the significant opportunities presents to the city and the city region. These include:

- Establishing an economic area that is ready for growth, with Sheffield and the wider city region in the strongest possible position to compete economically both nationally and internationally;
- Emphasising Sheffield role as the engine of growth in a economically powerful city region;
- Creating a shared decision-making structure for the functioning economic geography of the city region where binding decisions can be made once by elected Leaders for the whole of the area;
- Uniting strategic economic and strategic transport decision-making, ensuring that such decisions provide maximum economic benefit for communities across Sheffield City Region (business growth and jobs);
- Delivering a dynamic SCR Authority which will lead the way
- Gaining and using influence by establishing a robust and accountable leadership structure, recognised by Government, which puts SCR at the front of the queue for access to future devolved powers and resources from Whitehall;
- Providing a statutory structure to deliver the existing City Deal and access future economic funding allocations, building on the recent allocation of the £25m RGF to SCR so that we don't miss out
- Maximise opportunities for groundbreaking inter-city region collaboration across the north of England with Manchester and Leeds City Regions (eg. over the devolution of the Northern Rail franchise);

### **Recommendations:**

That Sheffield City Council:

- Endorses the findings of the Governance Review document (**Appendix 1**) (specifically that establishing a SCR Authority would improve the exercise of statutory functions in relation to economic development, regeneration and transport in the SCR leading to an enhancement of the economic conditions and performance of the SCR).
- Endorses the submission to Government of a Scheme for the establishment of a Sheffield City Region Combined Authority on the basis of the draft annexed at (**Appendix 2**) (the Scheme)
- Agrees that Sheffield City Council will formerly become a constituent member of the SCR Authority, sharing appropriate economic development and transport powers with the SCR Authority, in accordance with the provisions of the Local Democracy, Economic Development and Construction Act 2009 (LDEDCA) and the Local Transport Act 2008.(LTA)

- Authorises the Director of Legal and Governance to agree the terms of and enter into any documentation required to enable Sheffield City Council to become a constituent member of the SCR Authority.
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### **Background Papers:**

DCLG (2010) *Economic prosperity boards and combined authorities: draft statutory guidance*  
<http://webarchive.nationalarchives.gov.uk/20120919132719/http://www.communities.gov.uk/documents/regeneration/pdf/1457197.pdf>

HMG (2011) *Unlocking growth in cities*,  
[http://www.dpm.cabinetoffice.gov.uk/sites/default/files\\_dpm/resources/CO\\_Unlocking%20GrowthCities\\_acc.pdf](http://www.dpm.cabinetoffice.gov.uk/sites/default/files_dpm/resources/CO_Unlocking%20GrowthCities_acc.pdf)

Local Democracy, Economic Development and Construction Act 2009 (especially Part 6)  
<http://www.legislation.gov.uk/ukpga/2009/20/contents>

Local Transport Act 2008 <http://www.legislation.gov.uk/ukpga/2008/26/contents>

Sheffield City Region (2012) *MADE in Sheffield: a deal for growth (SCR's city deal)*,  
[http://www.dpm.cabinetoffice.gov.uk/sites/default/files\\_dpm/resources/Sheffield-City-Deal-Final.pdf](http://www.dpm.cabinetoffice.gov.uk/sites/default/files_dpm/resources/Sheffield-City-Deal-Final.pdf)

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**Category of Report:** OPEN

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## Statutory and Council Policy Checklist

<b>Financial Implications</b>
YES Cleared by: Eugene Walker, Director of Finance
<b>Legal Implications</b>
YES Cleared by: Gill Duckworth, Assistant Director of Legal Services (Place)
<b>Equality of Opportunity Implications</b>
NO Cleared by: Michael Bowles, Head of Governance and Involvement
<b>Tackling Health Inequalities Implications</b>
NO
<b>Human rights Implications</b>
NO:
<b>Environmental and Sustainability implications</b>
NO
<b>Economic impact</b>
YES
<b>Community safety implications</b>
NO
<b>Human resources implications</b>
NO
<b>Property implications</b>
NO
<b>Area(s) affected</b>
City of Sheffield
<b>Relevant Cabinet Portfolio Leader</b>
Cllr. Julie Dore
<b>Relevant Scrutiny and Policy Development Committee if decision called in</b>
Economic and Environmental Wellbeing
<b>Is the item a matter which is reserved for approval by the City Council?</b>
YES
<b>Press release</b>
YES

## Sheffield City Region Authority

### 1. SUMMARY

- 1.1 The nine local authorities that make up the SCR have a long history of collaboration at a scale that reflects the natural economic geography of the region.
- 1.2 Following a comprehensive “Governance Review”, SCR Leaders have concluded that this is the appropriate moment to deliver a step change in the governance of the city region.
- 1.3 This report proposes that Sheffield City Council agrees to become a formal, constituent member of the SCR Authority under the provisions of the LDEDCA
- 1.4 A combined authority bring together (‘combines’) the Integrated Transport Authority (ITA) powers and strategic economic development powers in order to align political decision making around strategic Economic Development and Transport. South Yorkshire Integrated Transport Authority (SYITA) would be dissolved and its powers will pass to the SCR Authority.
- 1.5 The proposed SCR Authority will have nine members:
  - Sheffield City Council, Barnsley Metropolitan Borough Council, Doncaster Metropolitan Borough Council, Rotherham Metropolitan Borough Council (South Yorkshire unitary councils)
  - Bassetlaw District Council, Bolsover District Council, Chesterfield Borough Council and North East Derbyshire District Council.
  - Derbyshire Dales District Council will be a non-voting member of the SCR Authority
- 1.6 The SCR Authority will only be engaged in *strategic* economic development and transport decision making. This means functions at SCR-level relating to economic policy and strategy, skills, inward investment, investment decisions (Investment Fund) and decisions for other shared economic assets (Enterprise Zone).
- 1.7 The SCR Authority will only comprise elected members although private sector members may act in an advisory capacity to the board, and support with specific workstreams. To maintain the status of the SCR Authority being a “Leaders’ Board” – there will be a protocol that each member council appoint its Leader or elected Mayor to the SCR Authority.
- 1.8 No powers will be ceded to the SCR Authority; powers shall be *shared* (concurrently) with the SCR Authority but the development of the SCR Authority gives SCR an opportunity to access more devolved powers and resources from Whitehall.

### 2. WHAT DOES THIS MEAN FOR SHEFFIELD PEOPLE?

- 2.1 For Sheffielders, the proposal for Sheffield City Council to be a formal constituent member of the SCR Authority will not have an immediate noticeable impact on how the City is governed or how services are delivered. Sheffield City Council will not lose any power to SCR Authority and therefore the services which the Council

commissions and delivers in Sheffield will be unchanged and Sheffield City Council will be the democratically elected, accountable institution for the city.

- 2.2 It means that Sheffield's democratically elected leadership will be responsible for making joint decisions alongside the leaders of the other eight local authorities in SCR for the best interests of the city region's economy.
- 2.3 Being part of the SCR Authority will ensure that Sheffield and the city region can compete nationally and globally. SCR Authority will bring a host of new opportunities for Sheffield and the city region, putting the area in control of powers, resources and decisions which are currently made in London by Central Government.
- 2.4 Through the city deal, we have already seen Government give additional power and funding over skills, transport and financial investment to SCR. Government has awarded SCR £25m from the RGF, recognising the strength and potential of the city region's economy.
- 2.5 The SCR Authority will take charge of decision making for transport in the area, enabling the combined authority to make better decisions about transport and the economy together.
- 2.6 Most importantly, the SCR Authority will put Sheffield in the best position to be successful, with democratically elected leaders working together to create jobs and create opportunities for businesses to grow across the SCR.

### **3. OUTCOME AND SUSTAINABILITY**

- 3.1 The proposed governance model for the city region will provide a robust decision making model to improve the economic wellbeing of Sheffield as part of a stronger city region economy.
- 3.2 The proposed model is based on the city region's functioning economic area, enabling decisions to be taken jointly by democratically elected leaders in each of the nine local authorities to make SCR a leading, competitive part of the UK and international economy.
- 3.3 The proposed combined authority structure for decision making on city region issues provides a stable model for the long-term, putting SCR at the forefront of national and local government thinking and ensuring Sheffield, as a key part of SCR, is in the best position to access new powers and resources devolved from central Government.

### **4. BACKGROUND**

- 4.1 The councils of the SCR have a long history of collaboration on a geographical scale which makes sense for the functioning economy of the area. SCR was recognised as part of the Northern Way<sup>1</sup> in 2004 and was formalised through the 'Sheffield City Region Development Forum' in 2006 which demonstrated the

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<sup>1</sup> *Moving Forward: The Northern Way Growth Strategy*



commitment of the political leadership in the area to work closer together.

- 4.2 In 2011, the Government approved the creation of (SCR LEP) through which local authorities and private sector leaders from the city region provide the vision, knowledge and strategic leadership across functional economic area to drive sustainable private sector growth and job creation.
- 4.3 Since the establishment of the SCR LEP, the city region has already delivered a number of key achievements which are crucial for the success of SCR's economy:
- Enterprise Zone for advanced manufacturing and technology for new inward investment to grow the City Region economy business attracted by a range of incentives including business rate relief and enhanced capital allowances.
  - RGF Round 3 investing £25m investment will unlock over £100 million of direct business investment, leading to sustainable, private sector growth in the City Region.
  - Growing Places Fund (GPF) £18.5m has been allocated to SCR authorities for immediate short-term investment aimed at supporting transport and housing projects that deliver economic growth and create employment in the City Region, locally Markham Vale has been supported (£1.5m SCR, £2.5m D2N2).
  - Start up Loans for Young People pilot to provide small loans to 18 - 24 years old in the process of establishing a business, or have a business in its initial phase. The City Region has secured £500k for up to 200 loans an average of £2,500; however the final amount will be determined by the business plan.
- 4.4 In September 2012, SCR agreed a 'city deal' with Government which secured devolved powers and resources for the city region.<sup>2</sup> Along with the seven other Core Cities, Government agreed deals which decentralised greater control to the biggest cities in England (outside London), recognising the unique role those cities play in national economy and the greater impact those cities could make with more localised control over resources and decisions.
- SCR will also receive new financial powers as part of the Deal to strengthen the City Region's economic self-reliance, through a SCR Investment Fund (SCRIF). These packages will provide flexible financial tools to invest in growth, develop infrastructure, create jobs and stimulate inward investment. The Sheffield City Region Deal is predicated on the SCR formalising its governance.
- 4.5 Core Cities have long argued for cities to have greater decentralised power and resource in order to drive their local economies, arguments which are recognised by the city deals but more recently by Lord Heseltine<sup>3</sup> in his review of economic growth in the UK and work by Professor Michael Parkinson into the economic success of 'second tier' cities in Europe<sup>4</sup>.

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<sup>2</sup> Sheffield City Region (2012) *MADE in Sheffield: a deal for growth* (SCR's city deal), [http://www.dpm.cabinetoffice.gov.uk/sites/default/files\\_dpm/resources/Sheffield-City-Deal-Final.pdf](http://www.dpm.cabinetoffice.gov.uk/sites/default/files_dpm/resources/Sheffield-City-Deal-Final.pdf)

<sup>3</sup> BIS (2012) *No Stone Unturned in Pursuit of Growth* ('The Heseltine Review') [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/34648/12-1213-no-stone-untuned-in-pursuit-of-growth.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/34648/12-1213-no-stone-untuned-in-pursuit-of-growth.pdf)

<sup>4</sup> Parkinson, M. et al (2012) *European Second Tier Cities in Austerity: Why Invest Beyond the Capital?*, [http://www.ljmu.ac.uk/EIUA/EIUA\\_Docs/Second\\_Tier\\_Cities.pdf](http://www.ljmu.ac.uk/EIUA/EIUA_Docs/Second_Tier_Cities.pdf)

- 4.6 Sheffield City Region's deal includes:
- Devolution of £27.8m of national skills funding to deliver a demand-led skills system creating 4,000 new apprentices and 2,000 upskilled staff by 2016
  - Creation of a Sheffield City Region Investment Fund (SCRIF) which gives SCR the ability to invest in the key infrastructure projects which produce economic growth and create jobs
  - Devolved transport funding with long-term funding certainty for 10 years enabling the City Region to invest in the major transport schemes needed to connect people to jobs. This also included the development of UK's first 'Better Bus Area' for Sheffield and devolved bus funding (Bus Service Operator Grant) to support the new Bus Partnership Agreement.
- 4.7 Alongside the benefits delivered by the City Deal and collaboration at SCR level, the SCR governance structure is subject to increased local and national scrutiny. Recent developments have ensured that SCR is beginning to outgrow its existing governance structures and arrangements, which have been based on informal, voluntary partnerships without independent legal status.
- 4.8 To put SCR in the strongest possible position to deliver the existing city deal and obtain further devolved powers and resources from Whitehall, the SCR Leaders' Group agreed to undertake a statutory 'Governance Review' in accordance with the provisions of s.108 of the LDEDCA and the LTA<sup>5</sup>.

## **5. SHEFFIELD CITY REGION: GOVERNANCE REVIEW**

- 5.1 The remit of the Governance Review, as commissioned by the SCR Leaders, was to:
- evaluate the effectiveness and efficiency of existing governance arrangements for economic development, regeneration and transport across the SCR;
  - consider the options available for making changes to these governance structures and arrangements – such as leaving existing governance unchanged; strengthening or restructuring existing governance arrangements; establishing an 'Economic Prosperity Board' (EPB) (for strategic economic decisions alone); and establishing a Combined Authority;
  - recommend which option is likely to be most beneficial to the SCR
- 5.2 More specifically, the Governance Review considers whether the present governance arrangements in the city region are sufficient to meet the medium to long term ambitions (and the expected associated opportunities) of SCR
- 5.3 The Governance Review was been undertaken with SCR local authorities' legal expertise, support from Central Government (specifically the Department for Communities and Local Government) and reported directly to the SCR Leaders' Group. Leaders have had complete oversight of the process, with regular workshops and unanimous agreement of next steps at each stage of the process

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<sup>5</sup> Approved by Sheffield City Region Leaders' Group on 9<sup>th</sup> May 2012.

between July and December 2012.

- 5.4 The full Governance Review document is included in **Appendix 1** but to summarise, the Review concluded that establishing a SCR Authority would improve the exercise of statutory functions in relation to economic development, regeneration and transport in the SCR, leading to an enhancement of the economic conditions and performance of the SCR. This conclusion is based on the key findings that:
- SCR is an ambitious City Region with **untapped economic potential** and robust plans for growth;
  - there is **the potential to strengthen SCR governance** both in term of the efficacy of decision making and in terms of transparency and accountability;
  - having considered the various options available (including the “do nothing” option) - establishing the SCR Authority is the option **most likely to deliver sustained economic and social benefits** to the SCR.
- 5.5 The SCR Leaders’ Group approved the findings of the Governance Review on 23<sup>rd</sup> January 2013 and the Review has undergone a period of local public consultation (closed 15<sup>th</sup> February 2013).
- 5.6 To deliver the proposed outcome of a combined authority for SCR, it is required that a ‘Scheme’ is developed as part of the Review which details the proposed area, membership, voting rights, executive arrangements, functions and funding of a combined authority. The ‘Scheme’ is the element which is used by the Secretary of State to create a Parliamentary Order and establish the legal basis for a combined authority. The ‘Scheme’ is included in **Appendix 2**.

## **6. A COMBINED AUTHORITY FOR SHEFFIELD CITY REGION**

### **What is a combined authority?**

- 6.1 A combined authority brings together (‘combines’) the powers of two statutory bodies – the Integrated Transport Authority (ITA) and the Economic Prosperity Board (EPB) – thus uniting decision making for a single geography over *strategic* economic development and *strategic* transport.
- 6.2 Combined authorities were created by legislation passed by the previous Government in Part 6 of the Local Democracy, Economic Development and Construction Act (LDEDCA) 2009.<sup>6</sup> Until now, only one such body has been in existence – the Greater Manchester Combined Authority (GMCA).

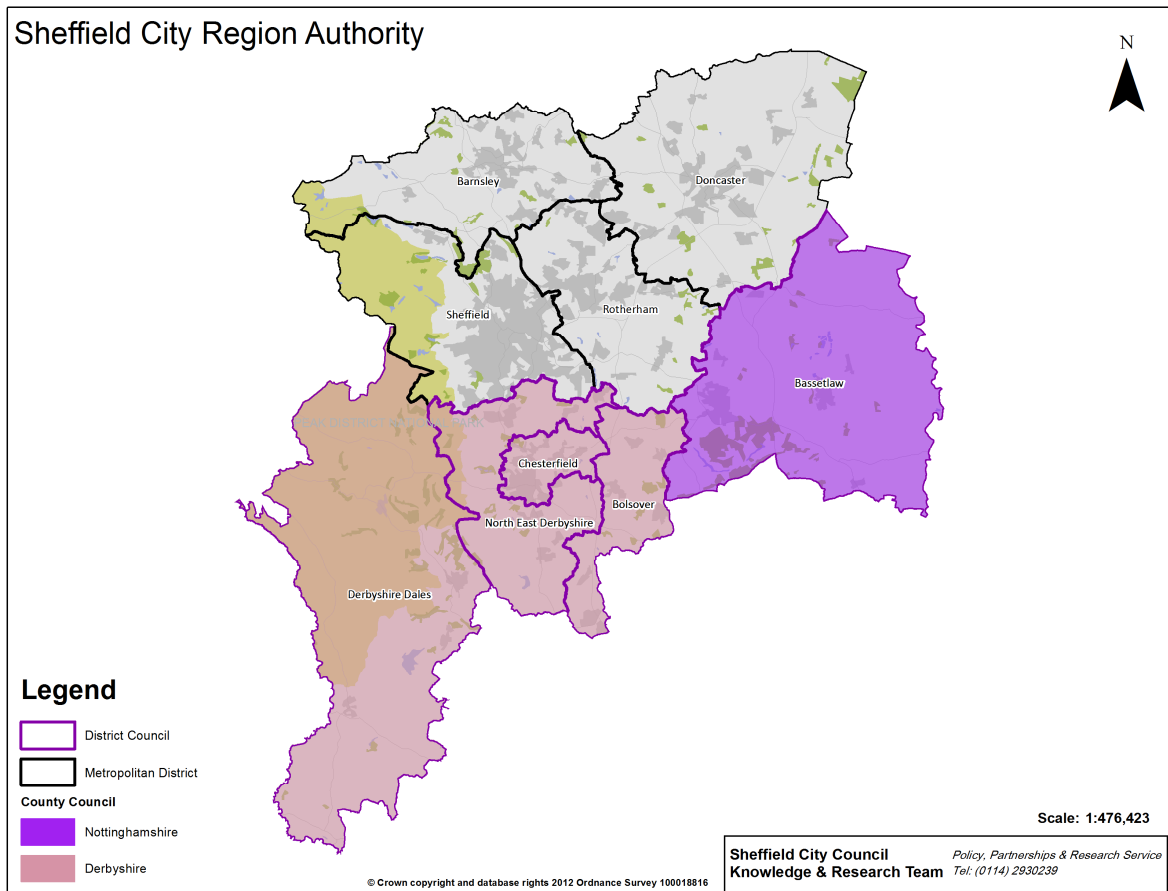
### **The proposed Sheffield City Region Authority**

- 6.3 The proposed SCR Authority will have nine members – the four South Yorkshire local authorities plus Bassetlaw District Council, Bolsover District Council, Chesterfield Borough Council and North East Derbyshire District Council. The voting rights of all members will be defined in the “Scheme” which accompanies this Governance Review document. Derbyshire Dales District Council will be a non-

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<sup>6</sup> HMG (2009) *Local Democracy, Economic Development and Construction Act 2009*  
<http://www.legislation.gov.uk/ukpga/2009/20/contents>

voting member of the SCR Authority.



6.4 In accordance with the findings of the Governance Review, the Leaders agreed that the proposed SCR Authority should be established on the following principles:

- **The SCR Authority will remain a lean, streamlined, and focussed decision making body** established to secure greater powers and funding from Government.
- **No powers will be ceded to the SCR Authority;** powers shall be *shared* with the SCR Authority.
- **The SCR Authority should be sustainable and flexible** to reflect new ways of working in the future for example adapt to accommodate the County Councils).
- **The SCR Authority will only comprise elected members** although private sector members may act in an advisory capacity to the board, and support with specific workstreams. A protocol will be established that each member council will appoint its Leader or elected Mayor to the SCR Authority.
- **The SCR Authority will only be engaged in strategic Economic Development and Transport.** This means functions at SCR-level relating to economic policy and strategy, skills, inward investment, investment decisions (Investment Fund) and decisions for other shared economic assets (Enterprise Zone).
- The SCR Authority will **reflect the full geography of the SCR** within the constraints of current legislation.

## 7 SHEFFIELD CITY REGION AUTHORITY

### Powers

- 7.1 The remit of the SCR Authority will be **strategic economic development and transport**.

SCR Leaders have made clear that the SCR Authority should remain a lean, focused decision making body – with responsibility over a small number of strategic issues - where it is mutually beneficial for local authorities to work together (and engage the private sector). The economic responsibilities of the SCR Authority are:

- Setting City Region Economic Strategies
- Setting the investment strategy for the Sheffield City Region Investment Fund
- Making decisions with regard to the Sheffield City Region Investment Fund
- Making decision in relation to the uplift from Enterprise Zone business rates
- Setting the SCR for Growth Strategy
- Co-ordinated inward investment activity

- 7.2 The SCR Authority will have the benefit of **wellbeing powers** which are specifically reserved to Combined Authorities by the LDEDCA together with a range of incidental powers.

- 7.4 These are equivalent to the former powers of wellbeing provided to local authorities which have now been replaced with the General Power of Competence by the Localism Act 2011. These will provide broad powers to address economic development issues.

- 7.5 In the creating of a combined authority for the city region, all powers and functions of South Yorkshire Integrated Transport Authority will pass to the SCR Authority. The SCR Authority will then be responsible for carrying out those functions.

- 7.6 The SCR Authority will not have any specific powers over planning. However, using general economic development powers, the SCR Authority may decide to agree a SCR spatial strategy which may be relevant to local planning frameworks.

- 7.7 The SCR Authority will not be able to make decisions on issues which are solely matters for individual local authorities (eg. local planning decisions, local education issues, waste collection etc). The focus of the SCR Authority is on economic and transport matters which are of importance to the City Region as a whole.

- 7.8 The Scheme provides for the SCRA and the constituent councils to enter into joint arrangements for the discharge of specified transport functions which will include the establishment of a Joint Committee to be called '*Transport for Sheffield City Region Board*'.

This will be the **only body with decision making powers formally delegated from the SCR Authority**.

All other sub-boards will act in an advisory capacity only (including the SCR LEP).

- 7.9 The SCR Authority will assume the same powers that the ITA has at present,

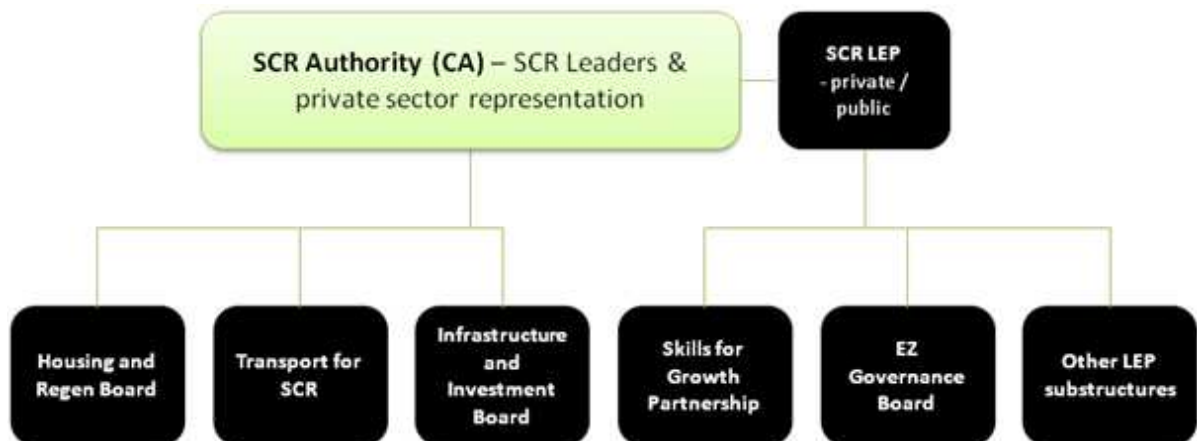
including being the levying authority. It is envisaged that the new Transport for Sheffield City Region Board will carry out many of the ITA's functions with the SCR Authority being responsible for overall transport strategy and setting the transport budget.

- 7.9 The SCR Authority shall have an executive transport body, *Transport for Sheffield City Region Executive* (TfSCRE) to exercise its transport functions and support Transport for Sheffield City Region Board.

**Working arrangements**

- 7.10 SCR Leaders have also made clear that **no local authority powers will be given away or “ceded” to the SCR authority** and that the CA will consist of only Elected Members working together for the benefit of local residents. .
- 7.10 The Scheme, makes reference to the importance of the SCR LEP and states that the intention is for the SCR LEP to be a lead advisory body to the SCR Authority
- 7.11 So far as is possible, the SCR Authority will **reflect the full geography of SCR**. However, due to legislative restrictions, there are some functions which for legal and practical reasons, must continue to operate on a South Yorkshire basis.
- 7.12 Matters of the SCR Authority will be decided by a **simple majority vote**. Some matters (e.g. the ITA levy) will be determined only by South Yorkshire members of the Combined Authority due to legislative restrictions and the location of transport responsibilities in two-tier areas.
- 7.15 The proposed structure of SCR-level decision making with the SCR Authority in place is summarised in figure 2 below:

**Fig 2 – Proposed governance structures with the SCR Authority in place**



**8. ALTERNATIVE OPTIONS CONSIDERED**

- 8.1 The SCR Leaders considered the range of different options available as part of the Governance Review (see p13 of **Appendix 1**) and concluded that the Combined Authority model was the only solution which addressed the challenges and put SCR in a position to access new opportunities. Other options are considered below:

## 8.2 **Do nothing**

Failure to strengthen SCR governance will compromise the medium to long-term ambitions of the area and therefore be detrimental to the future economic performance of the city region. Specifically, failure to formalise SCR's governance will mean that the city region will not be able access ~£10 million of devolved transport funding per annum or manage ~£29 million of devolved skills funding agreed as part of our City Region Deal. The "do nothing" option would also be a missed opportunity to better align decision making around strategic economic development, transport and regeneration.

## 8.3 **Informal restructure**

Like Manchester City Region prior to the development of the Greater Manchester Combined Authority, it was felt that SCR is already stretching the boundaries of which can be achieved through an informal non-statutory partnership. Under this model, Leaders would still have to re-agree decisions at a local level – a process which is cumbersome and sometimes unclear. A legal, corporate body will allow the SCR to make a shared binding decision once, rather than one decision nine times.

## 8.4 **Economic Prosperity Board (EPB) only**

Whilst this option would give SCR a statutory city region level board for economic decision-making, the model does not involve the incorporation of transport, thus preventing Sheffield City Region from achieving accessing the overwhelming benefits of aligning decision making in relation to strategic economic development and transport under one strategic body.

## 9. **REASONS FOR RECOMMENDATIONS**

9.1 Following the robust Governance Review commissioned by the Leaders of Sheffield City Region, it is recommended that Sheffield should agree to formally become a constituent member of a combined authority for Sheffield City Region ('SCR Authority') because of the significant opportunities presents to the city and the City Region. These include:

- Establishing an economic area that is ready for growth, with Sheffield and the wider city region in the strongest possible position to compete economically both nationally and internationally;
- Emphasising Sheffield role as the engine of growth in a economically powerful city region;
- Creating a shared decision-making structure for the functioning economic geography of the city region where binding decisions can be made once by elected Leaders for the whole of the area;
- Uniting strategic economic and strategic transport decision-making, ensuring that such decisions provide maximum economic benefit for communities across Sheffield City Region (business growth and jobs);
- Delivering a dynamic Sheffield City Region Authority which will lead the way
- Gaining and using influence by establishing a robust and accountable leadership structure, recognised by Government, which puts Sheffield City

Region at the front of the queue for access to future devolved powers and resources from Whitehall;

- Providing a statutory structure to deliver the existing City Deal and access future economic funding allocations, building on the recent allocation of the £25m Regional Growth Fund to SCR so that we don't miss out
- Maximise opportunities for groundbreaking inter-city region collaboration across the north of England with Manchester and Leeds City Regions (eg. over the devolution of the Northern Rail franchise);

## **10. RECOMMENDATIONS**

### **10.1 That Sheffield City Council:**

- Endorses the findings of the Governance Review document (**Appendix 1**) (specifically that establishing a SCR Authority would improve the exercise of statutory functions in relation to economic development, regeneration and transport in the SCR leading to an enhancement of the economic conditions and performance of the SCR).
- Endorses the submission to Government of the Scheme for the SCR Authority
- Agrees that Sheffield City Council will formerly become a constituent member of the SCR Authority, sharing appropriate economic development and transport powers with the SCR Authority, in accordance with the provisions of the LDEDCA and the LTA
- Authorises the Director of Legal and Governance to agree the final form of the Scheme, the terms of any additional legal documentation required and to enter into any such documentation to enable Sheffield City Council to become a constituent member of the SCR Authority

## **11. FINANCIAL IMPLICATIONS**

- 11.1 There are no financial implications arising directly from this report. However, the costs of the CA that are reasonably attributable to the exercise of its functions relating to economic development and regeneration (and any start-up costs) shall be met by the constituent and non-constituent councils. Such costs shall be apportioned between the nine councils on a per capita basis.
- 11.2 Therefore, any future apportioned costs will be the subject of a separate decision.

## **12. LEGAL IMPLICATIONS**

- 12.1 Section 103, LDEDCA authorises the Secretary of State by order, to establish as a body corporate a combined authority for an area that meets the specified conditions. The SCR Authorities considered there to be a need to strengthen governance arrangements at a regional level and therefore agreed to support a governance review under s.108 of the LDEDCA. The SCR Leaders considered the outcome of the review and agreed to establish a Combined Authority.
- A Combined Authority, introduced by the LDEDCA is a distinct legal entity which



assumes the functions of the ITA within its area and shares key local authority functions relating to Economic Development.

The Local Authorities will share powers with the SCR Authority rather than delegate, therefore Sheffield City Council will retain all of its existing functions and powers.

- 12.2 The SCR Authority will have the benefit of well being powers which are specifically reserved to Combined Authorities by the LDEDCA together with a range of incidental powers. These are equivalent to the former powers of well being provided to local authorities which have now been replaced with the General Power of Competence by the Localism Act 2011. These will provide broad powers to address economic development issues.

The wellbeing power granted to the SCR Authority may be limited in its application to the area of the constituent Authorities, therefore the Scheme document (**Appendix 2**) asks the Secretary of State to approve the delegation of the General Power of Competence to the SCR Authority to ensure its powers are wide enough to accommodate the whole of the City region area.

- 12.3 The SCR Authority shall exercise any function of the Secretary of State delegated to the SCR Authority by the Order of the Secretary of State pursuant to Section 86 Local Transport Act 2008 and Section 104(1)(b), LDEDCA. Such functions shall be exercised subject to any condition imposed by the Order.

- 12.4 In addition to the above, the SCR Authority will have the following specific powers exercisable concurrently with the constituent and non-constituent councils.

- The power under section 144 of the Local Government Act 1972 (the power to encourage visitors and provide conference and other facilities)
- The duties under sections 15ZA, 15ZB, 15ZC, 17A, 18A(1)(b), 514A and 560A of the Education Act 1996 and the power under sections 514A and 560A of that Act (duties and powers related to the provision of education and training for persons over compulsory school age)
- The duty under section 4(1) Local Government Act 2000 (duty to prepare a strategy for promoting or improving the economic, social and environmental well-being of their area and contributing the achievement of sustainable development in the UK) and the power under section 4(2) of the Local Government Act 2000 (power to modify their sustainable communities strategy)
- The General Power of Competence under section 1 of the Localism Act 2011

- 12.5 The powers will be supplemented by operating protocols agreed locally by the SCR Authority and the Councils. These will include:

- That members of the SCR Authority will not act in a way that directly contradicts a decision made by the SCR Authority
- That the Member appointed by each Local Authority will be the Leader or Mayor of that Council

The Scheme also provides for the Council's to choose to delegate additional functions at a later date. These will be Executive functions and therefore will be a decision of the Executive of each Council to delegate any further powers to the SCR Authority.

### **13. ECONOMIC IMPACT**

- 13.1 The chief rationale for establishing the Sheffield City Region Authority is to advance the economic opportunities and ambitions of Sheffield and wider city region. Not only will the Sheffield City Region Authority unite strategic decision making on the economy and transport, it will create a robust governance structure which is primed to receive new powers and resources from central Government, giving elected politicians from SCR greater control over the levers which drive growth.
- 13.2 Through the SCR Authority, elected Leaders will make streamlined investment decisions which are focused on producing the greatest impact on economic growth (GVA) and job creation in the city region. The SCR Authority will provide clear, accountable leadership for the City Region's economy, championing SCR as a place to invest and do business.

# Strengthening Governance in the Sheffield City Region



January 2013

**Consultation**

1.

# **Part 1**

## **The Governance Review**

## 1. About this document

- 1.1. This document has been prepared by the Sheffield City Region Executive Team, on behalf of the local authorities that form the Sheffield City Region (SCR). This document details the findings of the governance review that has been undertaken under Section 108 of the Local Democracy, Economic Development and Construction Act 2009 (LDEDCA)<sup>1</sup> and Section 82 of the Local Transport Act 2008.
- 1.2. Section 108 of LDEDCA provides that relevant authorities may undertake a review of the effectiveness and efficiency of transport within the area covered by the review and of the effectiveness and efficiency of arrangements to promote economic development and regeneration within the area covered by the review.
- 1.3. This review may recommend that a new legal body should be established if the creation of one of these bodies would be likely to improve:
  - the exercise of statutory functions relating to economic development, regeneration and transport in the area i.e. the SCR;
  - (for combined authorities) the effectiveness and efficiency of transport in the area;
  - and the economic conditions in the area.
- 1.4. This document is issued for consultation to all stakeholders including proposed members of the Combined Authority (henceforth called the “SCR Authority”); the South Yorkshire Integrated Transport Authority (SYITA); neighbouring authorities; the Local Enterprise Partnership and neighbouring LEPs; Sheffield City Region MPs; other City Region public bodies; the Chambers of Commerce; the Company of Cutlers and other private sector bodies; regulatory bodies; third sector bodies as well as all relevant government departments.
- 1.5. This document is issued as part of an iterative process of consultation. The findings of this governance review and the ‘scheme’ for the SCR Authority (included in Part 2 of this document) will be considered at a Full Council meeting of each of the constituent local authorities in March or April 2013. Following this, the Department for Communities and Local Government will launch a further consultation exercise between March and June 2013.

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<sup>1</sup> See draft statutory guidance <http://www.communities.gov.uk/documents/regeneration/pdf/1457197.pdf>

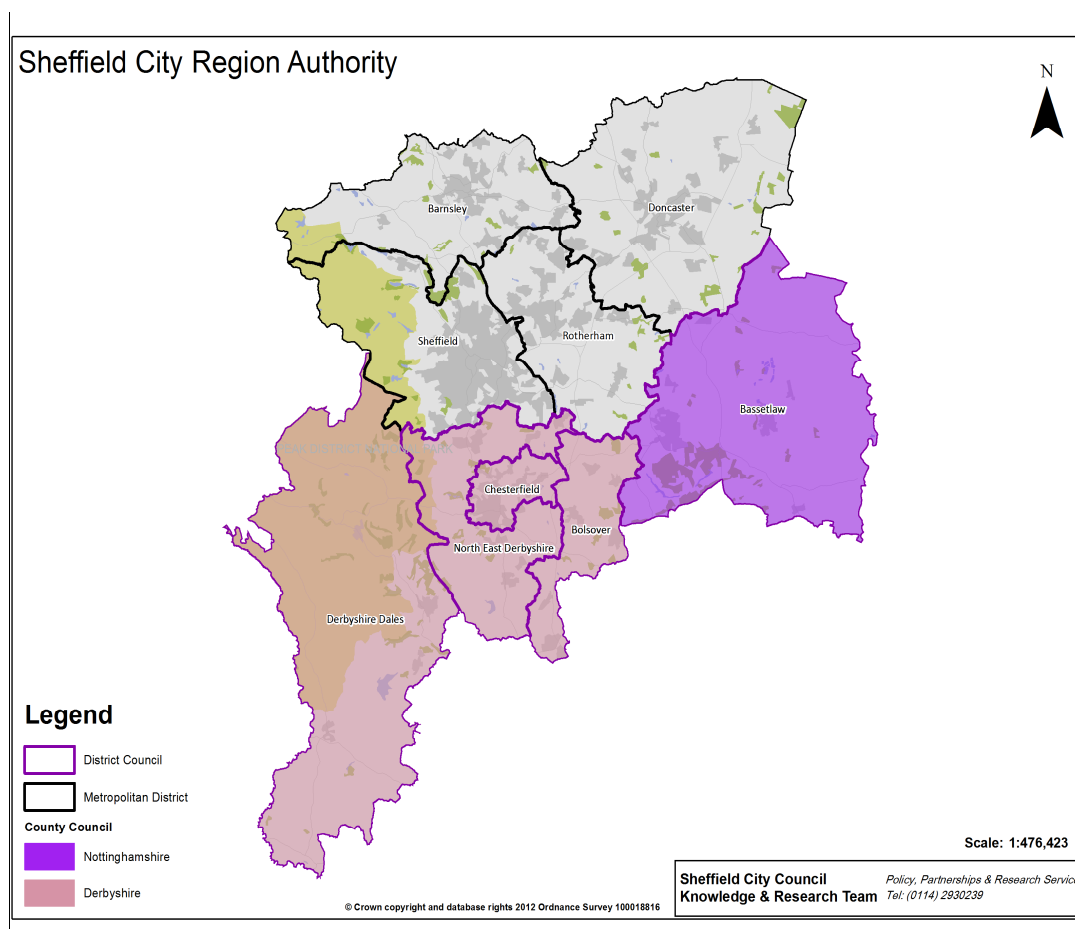
- 1.6. Comments on this document should be made, in writing, no later than 31<sup>st</sup> March 2013 to:

David Hewitt  
Sheffield City Region Executive Team  
AMP Technology Centre  
Advanced Manufacturing Park  
Brunel Way  
Rotherham, S60 5TZ  
Telephone: 0114 2541335  
Email: [david.hewitt@sheffieldcityregion.org.uk](mailto:david.hewitt@sheffieldcityregion.org.uk)

## 2. Executive Summary

- 2.1. The nine local authorities that make up the Sheffield City Region (SCR) have a long history of collaboration at a scale that reflects the natural economic geography of the region (see *figure 1*). The original impetus for this collaboration was the Northern Way agenda, which was designed to unlock the potential for faster economic growth and to bridge the £30 billion output gap between the North and the rest of the United Kingdom.
- 2.2. This collaboration was formalised through the SCR Forum and, most recently, has taken the form of the Sheffield City Region Local Enterprise Partnership (SCR LEP) and SCR Leaders Group. The tangible benefits of this collaboration can now be seen in, for example, the SCR securing an advanced manufacturing and technology focussed Enterprise Zone (only one of seven with business rate relief and enhanced capital allowances), successfully negotiating a City Region Deal and making prudent investment decisions in relation to the Growing Places Fund.

**Figure 1 – the Sheffield City Region**



- 2.3. Whilst increased coordination and collaboration is undoubtedly a “good thing”, leading to tangible benefits for all partners, it has led to the governance structures of the SCR being subject to increased local and national scrutiny. There is a general consensus that the SCR is beginning to outgrow its existing governance structures and arrangements – which have always been based on informal, voluntary partnerships without any independent legal status. Accordingly, SCR Leaders have recognised that the time is right to take SCR governance to the “next level” (i.e. from informal collaboration to joint decision making) and “put into legislation that which we [the SCR] have been doing by consent for some time”.<sup>2</sup>
- 2.4. To this end, it was agreed at the SCR Leaders’ Group on 9<sup>th</sup> May and the SCR LEP Board on the 10<sup>th</sup> May 2012 that the SCR should undertake a Governance Review under s.108 of the Local Democracy, Economic Development and Construction Act 2009 (LDEDCA) and under the 2008 Transport Act. In accordance with statutory guidance<sup>3</sup> the purpose of this Governance Review has been to:
- evaluate the effectiveness and efficiency of existing governance arrangements for economic development, regeneration and transport across the SCR;
  - consider the options available for making changes to these governance structures and arrangements – such as leaving existing governance unchanged, strengthening or restructuring existing governance arrangements, establishing an Economic Prosperity Board (EPB), and establishing a Combined Authority;
  - recommend which option is likely to be most beneficial to the SCR.
- 2.5. The SCR Governance Review has been undertaken in the context of an evolving (and overwhelmingly productive) relationship between the SCR and Government. Accordingly, the question for the SCR governance review has not just been “are SCR governance arrangements sufficient today?” – rather – “will SCR governance structures and arrangements be sufficient to deliver the SCR’s medium to long-term ambitions?”
- 2.6. This document sets out the conclusions of the SCR Governance Review – most notably the headline conclusion that establishing a SCR Combined Authority (the “SCR Authority”) **would improve the exercise of statutory functions in relation to economic development, regeneration and transport in the SCR leading to an enhancement of the economic conditions and performance of the SCR.**

### **3. This conclusion is based on three key findings explored in the remainder of this document**

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<sup>2</sup> SCR Governance Review Workshop 1 - 20<sup>th</sup> July 2012

<sup>3</sup> <http://www.communities.gov.uk/documents/regeneration/pdf/1457197.pdf>



- 3.1. The rationale for the SCR Authority is based on **three key findings** of the SCR Governance Review:
- the SCR is an ambitious City Region with **untapped economic potential** and robust plans for growth;
  - there is **the potential to strengthen SCR governance** both in term of the efficacy of decision making and in terms of transparency and accountability;
  - having considered the various options available (including the “do nothing” option) - establishing the SCR Authority is the option **most likely to deliver sustained economic and social benefits** to the SCR.
- 3.2. Specific detail relating to the SCR Authority including: the area it will cover; its membership; voting and any executive arrangements; it’s functions and the way in which it will be funded will be set out in the ‘scheme’ included in Part 2 of this document. As detailed in the scheme, the recommendation of the SCR Governance Review is that the SCR Authority should be established according to the following principles:
- The SCR Authority should be **lean, streamlined and focussed**. The purpose of the CA will be to provide strong, stable governance and support the SCR to fulfil its huge potential. The delivery of this vision will be facilitated by attracting new powers, duties and funding to the SCR.
  - In addition to this, the CA will be a mechanism by which the SCR is able to formalise areas where there is already effective collaboration (e.g. skills and inward investment). **Decisions on these matters will be made in one place, by elected Leaders** who are responsible for strategic direction and underwriting any risks.
  - The SCR Authority will, so far as is practicable, reflect the functional economic area or “real economy” of the Sheffield City Region although, technically, the *area* of the SCR Authority will be South Yorkshire.<sup>4</sup> This is the optimal deliverable solution for the SCR.
  - The SCR Authority will have nine members – the four South Yorkshire local authorities plus Bassetlaw District Council, Bolsover District Council, Chesterfield Borough Council and North East Derbyshire District Council. The voting rights of all members will be defined in the “scheme” which accompanies this Governance Review document. Derbyshire Dales District Council will be a non-voting member of the SCR Authority.

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<sup>4</sup> Barnsley Metropolitan Borough Council, Doncaster Metropolitan Borough Council, Rotherham Metropolitan Borough Council and Sheffield City Council.

- Although only elected Leaders will have voting rights on the SCR Authority – an active role for the private sector will be maintained (including through the private sector-led SCR LEP).
- 3.3. As detailed in the ‘scheme’ the CA shall, like the current SYITA, have the power to issue a levy to its constituent councils in respect of the expenses and liabilities of the CA which are reasonably attributable to the exercise of its functions relating to transport. The amount to be raised by the levy shall be apportioned between the constituent councils on a per capita basis. Non-transport functions will be funded from a budget agreed annually by CA members and apportioned as above.
  - 3.4. The SCR Authority will need support from a small executive function. At present within the city region there are several reviews underway looking at policy and delivery functions, particularly in South Yorkshire. These studies should be mindful of this requirement from this Governance Review, ensuring that linkages are made where appropriate, but also of the principle around driving out efficiencies in the delivery of officer functions.
  - 3.5. As detailed in the scheme which accompanies this document, the SCR Authority will have powers in relation to *strategic* Economic Development and Transport. As noted above, it is the intention of all partners that the SCR Authority remains a streamlined and focussed strategic commissioning body. Accordingly, only powers and duties that are immediately necessary have been outlined in the scheme in Part 2 of this document.
  - 3.6. Strategic Economic Development will include collaboration around functions such as SCR-level economic policy and strategy, skills, inward investment, SCR-level investment decisions (e.g. decisions relating to the Sheffield City Region Investment Fund) and decisions relating to other shared economic assets e.g. Enterprise Zone policy.
  - 3.7. In time, and by local resolution, partners may chose to transfer additional powers to the SCR Authority. This could either be through a further Governance Review and the publication of a scheme and statutory order or by virtue of Section 107 of the Local Government Act 1972. In all cases, the transfer of such powers would require a full Council Decision from each constituent local authority.
- 4. The SCR is an ambitious City Region with untapped economic potential and robust plans for growth**

- 4.1. As set out in the City Region Deal (MADE in Sheffield – a deal for growth)<sup>5</sup> SCR has a proud history being at the very forefront of the UK’s industrial and entrepreneurial development, starting with the industrial revolution and continuing to the present time. The SCR grew on the back of the steel and coal industries and, whilst manufacturing still accounts for £3.5m GVA, the SCR now has a vibrant and diverse economy with major employers including HSBC, Boeing, Rolls Royce, Forgemasters, TATA Steel, Sky, Siemens, Outokumpo, BT and many more.
- 4.2. The SCR also has a number of unique economic assets. The world leading Advanced Manufacturing Research Centre (AMRC) and Nuclear Research Centre (NAMRC) is the future of advanced manufacturing and nuclear manufacturing industry in the UK. Driven by Boeing, Rolls-Royce and the University of Sheffield, the AMRC/NAMRC is already having a major impact on UK manufacturing, including producing parts for the new Boeing 787 Dreamliner aircraft and for Formula One racing.
- 4.3. SCR is home to two world class universities bringing over 58,000 students into the City Region each year. The University of Sheffield is a world leading research university, one of the UK’s Russell Group and the best performing university in Yorkshire.<sup>6</sup> Sheffield Hallam University is the fourth largest university in the UK and its business-focused approach means it works with major industry leaders such as Sony, Microsoft, Cisco and BP.
- 4.4. With a population of over 1.7 million people (with 7.6 million people living within a 35 mile radius of the City of Sheffield) and a GVA contribution of over £25.7 billion – the **SCR is evidently already an area of national economic significance**. However, independent economic forecasts suggest that there is untapped potential in the SCR which *could* deliver an extra 68,000 jobs and GVA of over £29.7bn by 2022. This would mean an additional net contribution to the Exchequer of £1,464m by 2022 and £2,924m by 2030.<sup>7</sup>
- 4.5. The public and private sectors in the SCR have forged a strong, progressive partnership focused on a shared vision of how to achieve the economic transformation SCR needs. Greater decentralisation and autonomy or “earned devolution” is central to this vision. Public and private sector leaders have a detailed understanding of the SCR economy, where it is strong and sustainable and where there are challenges that hold the SCR back.
- 4.6. SCR leaders recognise that in order to deliver the SCR economic strategy and to secure greater devolution and autonomy - strong stable, visible and accountable governance will be essential. The question for the SCR governance review has

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<sup>5</sup> <http://www.dpm.cabinetoffice.gov.uk/resource-library/wave-1-city-deals>

<sup>6</sup> Sunday Times University Guide 2013

<sup>7</sup> Oxford Economics (2011) Economic Projections for Core Cities (October 2011)

therefore not just been “are SCR governance arrangements sufficient today?” – rather – “will SCR governance structures and arrangements be sufficient to deliver the SCR’s medium to long-term ambitions?”

## 5. There is the potential to strengthen SCR governance

- 5.1. The Northern Way agenda was the original impetus for SCR-level collaboration. Based on informal, voluntary partnerships, this collaboration developed incrementally into the SCR Forum, which became the SCR Leaders’ Group and SCR LEP. Today, the SCR Leaders’ Group is the joint committee responsible for coordinating and progressing issues where City Region-level collaboration adds value. Sub-regional Economic Development matters are, principally, managed by the SCR LEP.
- 5.2. All SCR local authority leaders are members of the SCR LEP Board. A partnership between the public and private sector in the City Region, the LEP’s vision is for the SCR to make a greater contribution to the UK economy by having a local economy less dependent on the public sector and providing the right conditions for businesses to grow.
- 5.3. Beneath the LEP, a number of substructures have been established to progress specific LEP priorities and initiatives. For example, seven Sector Groups<sup>8</sup> represent the voice of different industry sectors and an Enterprise Zone Governance Board oversees the management of the SCR’s modern manufacturing and technology focused Enterprise Zone. Sub-groups have also been set up to provide advice to the SCR LEP and Leaders’ Group in relation to Regional Growth Fund applications and the allocation of the Growing Places Fund.
- 5.4. South Yorkshire Integrated Transport Authority is the locally accountable body responsible for the strategic direction of transport planning and delivery in South Yorkshire and the body responsible for the Sheffield City Region Transport Strategy and South Yorkshire Local Transport Plan. This work is carried out by the South Yorkshire Passenger Transport Executive, Barnsley Metropolitan Borough Council, Doncaster Metropolitan Borough Council, Rotherham Metropolitan Borough Council and Sheffield City Council and the South Yorkshire Local Transport Plan Partnership. For the non-South Yorkshire Districts – two County Councils (Derbyshire County Council and Nottinghamshire County Council) act as the Transport Authorities.
- 5.5. Although the South Yorkshire ITA has no formal relationship with the SCR Leaders’ Group and SCR LEP, it regularly consults with them on matters of strategic

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<sup>8</sup> <http://www.sheffieldcityregion.org.uk/about/sector-groups/>

significance. For example – the SCR’s consultation response for the proposed devolution of funding for major transport schemes was a joint SCR LEP and ITA response.

- 5.6. This coordination and collaboration has conferred significant benefits to all SCR partners. For example, the SCR has been able to:
- Secure an advanced manufacturing and technology focussed Enterprise Zone – one of only nine sites nationally to benefit from business rate relief *and* enhanced capital allowances (recognised as the number-one Enterprise Zone in the UK).<sup>9</sup>
  - Make prudent investment decisions regarding the SCR’s Growing Places Fund allocations.
  - Develop a coordinated sub-regional approach to attracting inward investment.
  - Work collaboratively to develop strong sub-regional proposals and propositions e.g. our ambitious Regional Growth Fund programme bid “Unlocking Business Investment”.
  - Secure a *City Region Deal* which will result in the devolution of greater powers (and with it control over funding) in relation to skills, transport and financial tools for growth. The *City Region Deal*, predicated on formalising SCR governance, represents the beginning of a sustained dialogue with Government.
- 5.7. Whilst increased coordination and collaboration is undoubtedly a “good thing”, leading to tangible benefits for all partners, it has led to the governance structures and arrangements of the SCR being placed under increased local and national scrutiny (internal and external drivers of the SCR Governance Review). In terms of internal drivers for change, it is recognised that the SCR is close to the limit of what can be achieved through a voluntary, non-statutory partnership for the following reasons:
- As a non statutory body – the SCR Leaders’ Group or the SCR LEP are dependent on agreements by or delegations from its constituent authorities. This slows down the implementation of board decisions and could create ambiguity as to when a decision is a decision (or merely an agreement in principle, which is subject to further ratification).
  - There is currently no formal link between decision making in relation to economic development (including inward investment, skills and spatial planning), regeneration and transport. Hence, it is more challenging for decisions to be aligned in a way that secures maximum economic and social benefit.

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<sup>9</sup> <http://www.sheffieldcityregion.org.uk/2012/07/1-ranking-for-enterprise-zone/>

- There is some ambiguity and overlap between the roles and functions of various sub-regional bodies e.g. the distinction between the SCR Leaders' Group and the LEP or between the LEP and its substructures. Strengthening and clarifying these relationships would also have the desirable effect of increasing the transparency and accountability of local decision making.
  - The voluntary partnership between local authorities is not sufficient to underpin the SCR's medium to long-term ambitions. The SCR requires a single, stable, democratically accountable body able to take a strategic, City Region view of an issue.
- 5.8. In terms of external drivers of the SCR governance review - the devolution of funding for major transport schemes, the SCR City Region Deal and Northern Rail Devolution are all predicated on the strengthening of SCR governance. It is recognised that more formal and robust arrangements will lead to a process of "earned devolution" – where greater local autonomy will follow strengthened governance and a track record of local competence.
- 5.9. The absence of more formal arrangements therefore compromise the SCR's medium to long-term ambition of greater autonomy and "earned devolution" – which is unacceptable given our local ambitions and capacity to deliver.

## **6. Establishing the SCR Authority is the legal option most likely to deliver lasting economic and social benefits**





- 6.1. As noted in the IPPR North Report: Governance and Leadership<sup>10</sup> - good governance matters for two key reasons. The first relates to the need to manage and support economic development in an effective way. Collaboration across boundaries helps to ensure that maximum return on investment is being achieved, and that public policy has a keen impact (OECD 2009). The second reason relates to questions of transparency and accountability for decisions taken. This includes having the mechanisms in place to make tough, binding decisions at a level that reflects the functional economic geography of an area.
- 6.2. Having established that there is a compelling case to strengthen SCR governance – the SCR Governance Review has considered the pros and cons of the various models of governance that could be implemented in the SCR. The four options considered in detail have been (1) "do nothing" (2) undertake an informal restructure (3) create an Economic Prosperity Board (4) establish a SCR Combined Authority (in some form).

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<sup>10</sup> [http://www.ippr.org/images/media/files/publication/2012/06/governance-leaderships\\_June2012\\_9338.pdf](http://www.ippr.org/images/media/files/publication/2012/06/governance-leaderships_June2012_9338.pdf)

6.3. **The headline recommendation of the SCR Governance Review is that establishing the SCR Authority is the optimal solution to the issues and opportunities set out in this document.** A summary of the rationale for this strong recommendation is summarised *figure 1* below and in the remainder of this document.

**Figure 1 – Summary of options considered in detail**

Option	Evaluation	Discussion
“Do nothing”		<ul style="list-style-type: none"> <li>• Fails to address issues raised during the Governance Review. (Section 4).</li> <li>• Limits longer-term ambitions of SCR.</li> </ul>
Informal restructure		<ul style="list-style-type: none"> <li>• SCR already stretching boundaries of an informal, non-statutory partnership.</li> <li>• Still dependent on agreement / delegations from constituent authorities i.e. eight decisions rather than one. Creates unnecessary ambiguity and delay.</li> <li>• Not sufficient to meet SCR’s longer-term ambitions e.g. in relation to the SCR Investment Fund.</li> </ul>
EPB		<ul style="list-style-type: none"> <li>• Economic Prosperity Board – more limited version of the Combined Authority.</li> <li>• Fails to align decision making around <i>strategic</i> economic development and transport.</li> </ul>
Combined Authority		<ul style="list-style-type: none"> <li>• Optimal legal model for the SCR.</li> <li>• Flexible – can be tailored to meet local requirements.</li> <li>• Option best suited to underpin the medium to long-term ambitions of the SCR.</li> </ul>

6.4. The “do nothing” option was discounted on the basis of the reasons set out in section five above. Failure to strengthen SCR governance will compromise the medium to long-term ambitions of the SCR and therefore be detrimental to the future economic performance of the region. Specifically, failure to formalise SCR governance will mean that the region will not be able access ~£10 million of devolved transport funding per annum or manage ~£29 million of devolved skills funding agreed as part of our City Region Deal. The “do nothing” option would also be a missed opportunity to better align decision making around strategic economic development, transport and regeneration.

6.5. The second option (informal restructure) has also been discounted. This is on the grounds that, like the Manchester City Region prior to the development of the Greater Manchester Combined Authority,<sup>11</sup> the SCR is already stretching the boundaries of which can be achieved through an informal non-statutory partnership. Under this model, Leaders would still have to re-agree decisions at a local level – a

<sup>11</sup> <http://www.agma.gov.uk/gmca/index.html>

process which is cumbersome and sometimes unclear. A legal, corporate body will allow the SCR to make a shared binding decision once, rather than one decision nine times.

- 6.6. SCR Leaders' recognise that only a statutory body with a legal personality in its own right will be strong enough to lead the collaboration between SCR local authorities and form the necessary legal relationships required going forward.
- 6.7. Similar to the "do nothing" option, an informal restructure is also unlikely meet the expectations of Government – both now and as the SCR seeks further devolution and autonomy. A statutory partnership will also provide the necessary certainty, stability and democratic accountability to allow for long-term strategic decisions to be made at an SCR level. This includes supporting the SCR to make decisions that whilst "tough" - are in the long-term interests of the region. A statutory partnership also has the added advantage of being able to enshrine certain principles into the governance structures of the SCR e.g. an active role for the private sector.
- 6.8. Having considered the tests set out in LEDEDCA, a Combined Authority is deemed to be the optimal legal model for the SCR. The Combined Authority model has been preferred to an Economic Prosperity Board because of the **overwhelming benefits of aligning decision making in relation to strategic economic development and transport under one strategic body**. The Combined Authority model is also the preferred option of Government – hence, the likely shared benefits of "earned devolution" going forward.
- 6.9. As set out above, this legally independent body should act as the accountable decision making body for matters of SCR significance (and where SCR-level collaboration is desirable and adds value) delegating powers and duties sub-committees as is appropriate. The SCR Authority should also act as the Accountable Body for SCR funds and investments – a far more efficient process than one local authority acting as Accountable Body for the whole City Region and relying on secondary agreements and guarantees.
- 6.10. It will be for constituent local authorities to determine the small number of areas (relating to economic development, transport and regeneration) where the SCR Authority will have jurisdiction – with the overwhelming majority of decisions continuing to be made at a local authority level.

**Sheffield City Region Executive Team**  
**January 2013**



## **Part 2**

# **Scheme for the establishment of a Sheffield City Region Combined Authority**

***For consultation – January  
2013***

## **Section 1 – Intention to establish Sheffield City Region Combined Authority**

### **1. Establishment of Authority**

- 1.1. A Combined Authority (“SCR Authority”) shall be established pursuant to Section 103 of the Local Democracy, Economic Development and Construction Act 2009 (“LDEDCA”).

### **2. Dissolution of South Yorkshire Integrated Transport Authority (SYITA)**

- 2.1. The South Yorkshire Integrated Transport Authority (‘SYITA’) shall be dissolved, pursuant to Section 91 of the Local Transport Act 2008 (‘LTA2008’).

### **3. Name of Authority**

- 3.1. The name of the SCR Authority shall be the ***Sheffield City Region Authority***.

### **4. Membership of Authority**

- 4.1. Membership of the SCR Authority will be drawn from the constituent and non-constituent councils listed below:-

- Barnsley Metropolitan Borough Council
- Doncaster Metropolitan Borough Council
- Rotherham Metropolitan Borough Council
- Sheffield City Council.

*(“constituent councils”)*

- Bassetlaw District Council
- Bolsover District Council
- Chesterfield Borough Council
- North East Derbyshire District Council
- Derbyshire Dales Districts Council

*(‘non-constituent councils’)*



## 5. Area of Authority

- 5.1. The SCR Authority area shall be the whole of the following four local government areas:
- Barnsley Metropolitan Borough Council
  - Doncaster Metropolitan Borough Council
  - Rotherham Metropolitan Borough Council
  - Sheffield City Council.
- 5.2. The constituent councils will appoint six elected members<sup>1</sup> to the SCR Authority. to the SCR Authority. Each constituent council will appoint one member. In addition, each year, by equal rotation, two of the constituent councils will each appoint a second member, such second member appointment to be for a one year term.<sup>2</sup>
- 5.3. The Executive of each non-constituent council will appoint one elected member each to the SCR Authority.
- 5.4. Membership of the SCR Authority will be a decision of the Executive of each council.<sup>3</sup>
- 5.5. To maintain the status of the SCR Authority being a “Leaders’ Board” – there will be a protocol that each constituent and non-constituent council appoint its Leader or elected Mayor to the SCR Authority. In addition to this, there will be a protocol that the two additional second member constituent council appointments will be non-voting members and will not regularly attend meetings of the SCR Authority (see section 10.7 below and *footnote 1*).
- 5.6. The Executive of each constituent and non-constituent council shall each appoint another of its elected members to act as a member of the SCR Authority in the absence of the elected member appointed under paragraph 5.2 and 5.3 above (“substitute member”). This elected member must be drawn from the cabinet of that council.<sup>4</sup>
- 5.7. The Executive of a constituent or non-constituent council may at any time terminate the appointment of a member or substitute member appointed by it to the SCR Authority. Appointment and reappointment of a new member will be an executive decision of each constituent and non-constituent Council.<sup>5</sup>
- 5.8. Where a member or substitute member of the SCR Authority ceases (for whatever reason) to be an elected member of the council that appointed them, the elected

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<sup>1</sup> Note: it is a requirement of LDEDCA that the majority of members are drawn from the constituent authorities of the CA.

<sup>2</sup> Note: to be determined how the rotation of appointing 2 members will operate. Examples, the CA could determine at its first meeting, or the face of the Order could specify.

<sup>3</sup> This assumes the council is operating executive arrangements.

<sup>4</sup> This assumes the council is operating executive arrangements.

<sup>5</sup> This assumes the council is operating executive arrangements.

member shall cease to be a member of the SCR Authority, and the Executive of the relevant council shall appoint a replacement member as soon as practicable.

- 5.9. The SCR Authority shall, in each year, appoint a Chair (and Vice-Chair(s)) from among its members. The appointments shall be the first business transacted at the first meeting of the SCR Authority.
- 5.10. No remuneration shall be payable by the SCR Authority to its members (other than allowances for travel and subsistence).
- 5.11. The SCR Authority may co-opt additional, non-voting representatives from, for example, from the SCR Local Enterprise Partnership Board.<sup>6</sup>

## **6. Voting**

- 6.1. The constituent council members of the SCR Authority shall have one vote each.
- 6.2. The Chair of the SCR Authority shall not have a second or casting vote. Subject to the provisions of any enactment, all questions coming or arising before the SCR Authority shall be decided by a simple majority of the members of the SCR Authority present and voting.
- 6.3. In the case of a tied vote or any motion or amendment, the reasons for the failure to agree will be passed to SCR Chief Executives Group who can then work with their officers to identify if the issues can be resolved before being reconsidered, and voted upon, at the SCR Authority. Should a second vote remain tied, then the motion shall be deemed to be lost.
- 6.4. Members from the non-constituent councils will, in accordance with section 85(4) LTA2008, be non-voting members of the SCR Authority. The constituent council members may, in accordance with section 85(5) LTA2008, resolve to extend the voting rights on defined matters to all or any of the non-constituent council members.<sup>7</sup>

## **7. Executive Arrangements**

- 7.1. Executive arrangements (within the meaning of the Local Government Act 2000) shall not apply to the SCR Authority. However, the discharge of the functions of the SCR Authority will be subject to the scrutiny arrangements set out in section 9 below.

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<sup>6</sup> Note: such representation will always be non-voting as such representatives are not members. This is also the mechanism by which County Councils may be represented in the future.

<sup>7</sup> Note: it is considered that one manner of doing this would be to resolve at the beginning of any meeting of the CA those matters that the non-constituent council members may vote upon. It is the intention of the constituent members to extend voting rights to the all non-constituent members with the exception of Derbyshire Dales District Council (who have chosen to be non-voting members of the SCR Authority).

## 8. Transport for Sheffield City Region

- 8.1. The SCR Authority shall have an operational transport body, 'Transport for Sheffield City Region Executive' (TfSCRE), to exercise its operational transport functions. TfSCRE shall have all the functions necessary for it to discharge such functions on behalf of the SCR Authority.

## 9. Scrutiny Arrangements

- 9.1. The nine local authorities of the Sheffield City Region will establish a joint overview and scrutiny committee to exercise scrutiny functions over the SCR Authority (including, where appropriate, the SCR Authority's sub-boards). Each constituent and non-constituent local authority will appoint one elected member to the joint overview and scrutiny committee.<sup>8</sup>

### Section 2 – Functions, powers and duties of the CA

## 10. The function of the SCR Authority

- 10.1. The purpose of the SCR Authority is to improve the exercise of statutory functions in relation to economic development, regeneration and transport in the SCR leading to an enhancement of the economic conditions and performance of the SCR.
- 10.2. The SCR Authority will have powers in relation to *Strategic Economic Development*. Unless otherwise stated, these powers will be exercised by the SCR Authority on a concurrent basis i.e. no powers have been "ceded" to the SCR Authority from its members. Strategic Economic Development means functions such as:
- Setting City Region Economic Strategies
  - Setting the investment strategy for the Sheffield City Region Investment Fund
  - Making decisions with regard to the Sheffield City Region Investment Fund
  - Making decision in relation to the uplift from Enterprise Zone business rates
  - Setting the SCR for Growth Strategy
  - Coordinated inward investment activity.
- 10.3. The SCR Authority will have the benefit of well being powers which are specifically reserved to Combined Authorities by the LDEDCA 2009 together with a range of incidental powers. These are equivalent to the former powers of well being provided to local authorities which have now been replaced with the General Power of

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<sup>8</sup> Note: the scope and remit of any such joint committee to be determined by the nine SCR councils.

Competence by the Localism Act 2011. These will provide broad powers to address economic development issues.

- 10.4. There may be further advantages in also securing the use of the General Power of Competence for the SCR Authority to provide for maximum flexibility in being able to deal with economic development and regeneration issues. Accordingly, the SCR Authority requests that the Secretary of State exercises his powers under section 87 of the Local Transport Act 2008 so as to provide that the Authority has been delegated the General Power of Competence under section 1 of the Localism Act 2011.
- 10.5. The transport functions of SYITA will be transferred to the SCR Authority. All functions conferred or imposed on the SYITA by any enactment relating to the functions of SYPTE shall be exercisable by the SCR Authority in relation to its executive body (TfSCR).
- 10.6. The SCR Authority shall exercise any function of the Secretary of State delegated to the SCR Authority by the order of the Secretary of State pursuant to Section 86 LTA2008 and Section 104(1)(b), LDEDCA. Such functions shall be exercised subject to any condition imposed by the order.
- 10.7. In addition to the above, the SCR Authority will have the following specific powers exercisable concurrently with the constituent and non-constituent councils. These are viewed as complementary to the broader powers to address economic development identified above:
  - The power under section 144 of the Local Government Act 1972 (the power to encourage visitors and provide conference and other facilities).
  - The duties under sections 15ZA, 15ZB, 15ZC, 17A, 18A(1)(b), of the Education Act 1996 and the power under sections 514A and 560A of that Act (duties and powers related to the provision of education and training for persons over compulsory school age).
  - The duty under section 4(1) of the Local Government Act 2000 (duty to prepare a strategy for promoting or improving the economic, social and environmental well-being of their area and contributing to the achievement of sustainable development in the United Kingdom) and the power under section 4(2) of the Local Government Act 2000 (power to modify their sustainable communities strategy).
  - The General Power of Competence under section 1 of the Localism Act 2011.
- 10.8. These powers will be supplemented by operating “protocols” agreed locally by the SCR Authority and councils. These protocols will include:

- That members of the SCR Authority (i.e. constituent and non-constituent councils) will not act in a way that directly contradicts a decision made by the SCR Authority.
- That the two additional members drawn from South Yorkshire members on a rotating basis (described at 5.2) will be non-voting members and will not routinely attend meetings of the SCR Authority.
- That the member appointed by each local authority to the SCR Authority will be the Leader or Mayor of that council.

10.9. As detailed in the Governance Review document – the constituent and non-constituent councils of the SCR Authority may, in time, choose to delegate additional powers by virtue of Section 101 of the Local Government Act 1972. These will be executive functions given the remit of the SCR Authority and it will therefore be a decision for the Executive to delegate any further powers to the SCR Authority.

10.10. The SCR Authority will not have any specific planning-related powers. However, using general economic development powers, the SCR Authority may agree a SCR spatial strategy – which may be relevant to local planning frameworks.



## **Section 3 – Funding and transfer of property, rights and liabilities**

### **11. Funding**

- 11.1. The SCR Authority, as a levying body under Section 74 of the Local Government Finance Act 1988, shall have the power to issue a levy to its constituent councils in respect of the expenses and liabilities of the SCR Authority which are reasonably attributable to the exercise of its functions relating to transport. The amount to be raised by the levy shall be apportioned between the representative authorities on a per capita basis.
- 11.2. The costs of the CA that are reasonably attributable to the exercise of its functions relating to economic development and regeneration (and any start up costs) shall be met by the constituent and non-constituent councils. Such costs shall be apportioned between the nine councils on a per capita basis. The CA will agree an annual budget for the purpose of this expenditure.<sup>9</sup>

### **12. Transfer of Property, Rights and Liabilities**

- 12.1. All property, rights and liabilities of SYITA existing at the transfer date shall transfer to the CA, including rights and liabilities (if any) in relation to contracts of employment.

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<sup>9</sup> Note: funding to be considered.

## **Section 4 – Substructures and internal scheme of delegation**

### **13. Joint Committee – Transport for SCR Board**

- 13.1. The CA and the constituent councils will enter into joint arrangements under Section 101(5) of the Local Government Act 1972, Section 20 of the Local Government Act 2000 and Regulations 4, 11 and 12 of the Local Authorities (Arrangements for Discharge of Functions) (England) Regulations 2000 for the discharge of specified transport functions which will include the establishment of a joint committee to be called the Transport for SCR Board ('TfSCRB').

### **14. SCR Local Enterprise Partnership**

- 14.1. The Sheffield City Region has a strong LEP Board that brings together elected leaders with representatives from the private sector. Such a board is seen as critical for the promotion and facilitation of economic growth in the city region.
- 14.2. This board (or its successors as required by Government) will work alongside the SCR Authority, as well as discharging the practical decision making role in respect of certain functions as required by Government and/or the SCR Authority. The SCR Authority would act as the LEP's 'accountable body' for the holding of LEP funding streams.
- 14.3. It is intended that the SCR Local Enterprise Partnership would be a lead advisory body to the SCR Authority – including providing leadership of particular SCR projects and workstreams. This will "hardwire" a role for the private sector into the leadership of the Sheffield City Region – something that makes the SCR distinctive and unique.

### **15. Other Arrangements**

- 15.1. The SCR Authority may establish sub-structures and sub-committees and delegate powers and functions as is appropriate.



## SHEFFIELD CITY COUNCIL Cabinet Report

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**Report of:** Chief Executive

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**Date:** 20<sup>th</sup> March 2013

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**Subject:** Rural Broadband:  
Connecting Sheffield's rural communities

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**Author of Report:** Laurie Brennan  
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### Summary:

This paper examines the issues and potential solutions to broadband connectivity in Sheffield's rural communities in response to a motion passed at Full Council in October 2012.

The paper is in two halves: the first summarises the proposed solution and recommendations while the second includes the evidence base and research which supports the recommendations.

Sheffield has been part of the groundbreaking Digital Region project, delivering superfast, Fibre to the Cabinet (FTTC) broadband to 80% of South Yorkshire. However, some rural communities in Sheffield not only cannot access superfast broadband, but are 'not-spots' or have standard broadband which is slower than 2Mbps.

Government's target is to provide superfast broadband to 90% of premises in the UK and universal access to standard broadband at a speed of at least 2Mbps by 2015.

According to the latest OFCOM data, 13.3% of premises in Sheffield have broadband which is less than 2Mbps despite the Digital Region project.

Rural communities across the UK experience similar and more acute difficulties with broadband connectivity, with causes and solutions varying depending on place (specifically: geography, topography, proximity to a connection source). Solutions include WiFi mesh networks, 4G LTE, satellite broadband and extensions of existing fibre networks.

Therefore, solutions are available but many of the most successful solutions are community-led through locally established co-operatives, social enterprises or community

groups formed around a shared need for broadband access who then implement and manage specific broadband solutions for their community.

The paper proposes that Sheffield City Council will support rural communities to find appropriate solutions where rural communities share and demonstrate a clear need for a local broadband solution.

The Council can have a vital role in facilitating the development alongside communities where need is clearly articulated. This might include using the Council's partnership relationships to link to broadband connection sources in local services or using procurement expertise to link community groups with Internet Service Providers (ISPs).

However, it is suggested that a stronger local evidence base, particularly in terms of quantifying need and demonstrating clear commitment from local residents to use any resulting broadband services is needed, with the potential for grouping rural communities with similar levels of need and similar geographic challenges to make it worth ISPs investing in broadband provision.

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### **Reasons for Recommendations:**

Quantitative data from OFCOM and local anecdotal evidence from Members and the Rural Economy study indicate that some rural areas of Sheffield may have slow broadband connectivity or live in 'notspots' with no broadband connectivity.

Therefore, while increasing proportions of the city can access high speed broadband, some rural areas may not be able to access standard broadband or experience unusable line speeds. Clearly, this represents a potential digital exclusion issue for city, particularly as more services become available online and business need for internet presence increases.

However, this does not represent a clear business case for direct intervention from Sheffield City Council. The costed estimate for extending the Digital Region network to Dungworth and Worrall was £461k which is simply not financially viable. Further, efforts to access the Government's Rural Communities Broadband Fund in South Yorkshire were unsuccessful due to a lack of demonstrable commitment from potential households and businesses to use broadband services in the selected South Yorkshire rural areas and over-reliance on grant funding from Government to make the scheme viable.

The most successful solutions to broadband connectivity problems in rural areas are *community-led*, uniting proven local need and ingenuity to deliver affordable and technologically appropriate solutions for their communities.

### **Recommendations:**

That Cabinet:

- Recognises the importance of usable broadband access to the wellbeing of the Sheffield's rural communities
- Notes that capital investment from Sheffield City Council is unlikely to be cost effective in delivering a solution
- Therefore, agrees that Sheffield City Council will support rural communities to find appropriate solutions where communities:

- Demonstrate demand
  - Are willing to come together and form community groups across rural Sheffield with other rural communities with similar needs (thus making solutions viable for internet providers)
  - Engage with Sheffield City Council through the locality management team (subject to resources), locality lead directors and other partners in the city to devise locally-appropriate solutions
- 

### **Background Papers:**

DCMS (2010) *Britain's Superfast Broadband Future*,

<http://www.culture.gov.uk/images/publications/britainsSuperfastBroadbandFuture.pdf>

HMG (2010) *The Coalition: our programme for Government*,

[http://www.direct.gov.uk/prod\\_consum\\_dg/groups/dg\\_digitalassets/@dg/@en/documents/digitalasset/dg\\_187876.pdf](http://www.direct.gov.uk/prod_consum_dg/groups/dg_digitalassets/@dg/@en/documents/digitalasset/dg_187876.pdf)

HMG (2013) *The Coalition: together in the national interest – Mid-term review*,

[http://assets.cabinetoffice.gov.uk.s3-external-3.amazonaws.com/midtermreview/HMG\\_MidTermReview.pdf](http://assets.cabinetoffice.gov.uk.s3-external-3.amazonaws.com/midtermreview/HMG_MidTermReview.pdf)

OFCOM (2012) *Infrastructure Report: 2012 Update*,

<http://d2a9983j4okwzn.cloudfront.net/downloads/ofcom-uk-broadband-speed-report-2012.pdf>

Sheffield City Council (2010) *A Fair Deal for Rural Communities: Rural Communities Strategy 2010-13*, [https://www.sheffield.gov.uk/dms/scc/management/corporate-](https://www.sheffield.gov.uk/dms/scc/management/corporate-communications/documents/housing/-A-Fair-Deal-for-Rural-Communities--PDF-6-04MB-.pdf)

[communications/documents/housing/-A-Fair-Deal-for-Rural-Communities--PDF-6-04MB-.pdf](https://www.sheffield.gov.uk/dms/scc/management/corporate-communications/documents/housing/-A-Fair-Deal-for-Rural-Communities--PDF-6-04MB-.pdf)

Sheffield City Council (2011) *Sheffield's Rural Economy, June 2011 (amended December 2011)*

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**Category of Report:** OPEN

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## Statutory and Council Policy Checklist

<b>Financial Implications</b>
YES Cleared by: Paul Jefferies
<b>Legal Implications</b>
NO Cleared by:
<b>Equality of Opportunity Implications</b>
YES Cleared by: Michael Bowles
<b>Tackling Health Inequalities Implications</b>
NO
<b>Human rights Implications</b>
NO
<b>Environmental and Sustainability implications</b>
NO
<b>Economic impact</b>
YES
<b>Community safety implications</b>
NO
<b>Human resources implications</b>
NO
<b>Property implications</b>
NO
<b>Area(s) affected</b>
Northern Community Assembly & South West Community Assembly
<b>Relevant Cabinet Portfolio Leader</b>
Cllr Bryan Lodge
<b>Relevant Scrutiny and Policy Development Committee if decision called in</b>
Economic and Environmental Wellbeing
<b>Is the item a matter which is reserved for approval by the City Council?</b>
NO
<b>Press release</b>
NO

## Rural broadband: connecting Sheffield's rural communities

### 1. SUMMARY

- 1.1 Sheffield has been part of the groundbreaking Digital Region project, delivering superfast, Fibre to the Cabinet (FTTC) broadband to 80% of South Yorkshire. However, some rural communities in Sheffield not only cannot access superfast broadband, but are 'not-spots' or have standard broadband which is slower than 2Mbps. Government's target is to provide superfast broadband to 90% of premises in the UK and universal access to standard broadband at a speed of at least 2Mbps by 2015.
- 1.2 According to the latest OFCOM data, 13.3% of premises in Sheffield have broadband which is less than 2Mbps despite the Digital Region project. Rural communities across the UK experience similar and more acute difficulties with broadband connectivity, with causes and solutions varying depending on place (specifically: geography, topography, proximity to a connection source). Solutions include WiFi mesh networks, 4G LTE, satellite broadband and extensions of existing fibre networks. Therefore, solutions are available but many of the most successful solutions are community-led through locally established co-operatives, social enterprises or community groups formed around a shared need for broadband access who implement and manage specific broadband solutions for their community.
- 1.3 **The paper proposes that Sheffield City Council will support rural communities to find appropriate solutions where clear communities share and demonstrate a clear need for a local broadband solution.**

The City Council can have vital role in facilitating the development *alongside* communities where need is clearly articulated. This might include using the Council's partnership relationships to link to broadband connection sources in local services or using procurement expertise to link community groups with Internet Service Providers (ISPs).

However, it is suggested that a stronger local evidence base, particularly in terms of quantifying need and demonstrating clear commitment from local residents to use any resulting broadband services is needed, with the potential for grouping rural communities with similar levels of need and similar geographic challenges to make it worth ISPs investing in broadband provision.

### 2. WHAT DOES THIS MEAN FOR SHEFFIELD PEOPLE?

- 2.1 As part of Digital Region, Sheffield has demonstrated its desire to be at the forefront of superfast broadband technology, enabling Sheffield people and businesses to have access to the services and opportunities which a high quality broadband network can provide.
- 2.2 A significant proportion of the city can already access superfast broadband but some rural communities may only have access to slow broadband or indeed, not have any access at all.
- 2.3 The City Council recognises the increasing importance of broadband to rural communities in Sheffield and is committed to working with those communities that do not have broadband but want to find the best solution for their area. This means it is a great opportunity for communities across the rural area of the city to come together and show

there is a need for a bespoke broadband solution in their area.

- 2.4 The Council will support communities with expertise and provide links to partner organisations in the city and help work with Internet Service Providers (ISPs) to deliver affordable local broadband solutions.

### 3. OUTCOME AND SUSTAINABILITY

- 3.1 Whilst Digital Region may provide a longer term solution to broadband connectivity problems, smaller bespoke solutions may be necessary to connect some rural communities to usable standard broadband.
- 3.2 The proposal for the City Council to work with rural communities who demonstrate there is a local need for a broadband solution creates the opportunity to deliver solutions which are appropriate for specific areas (or several areas with similar characteristics), potentially producing the necessary economy of scale for ISPs to provide broadband services.
- 3.3 Examples from other rural areas in UK have demonstrated that where communities have developed a local broadband solution, it is often more successful, acts as a mechanism to bring communities together and can be self-sustaining or become a profitable community enterprise. Further, community-led approaches are more likely to be able to access national funding to either support the initial development of a broadband solution or upgrade their network to faster broadband.

### 4. SUMMARY OF KEY CONCLUSIONS

- 4.1 The lack of access to broadband in Sheffield's rural communities is an issue which has a number of implications for communities, businesses, for our service transformation outcomes and for our Corporate Plan priorities. However, the evidence above suggests a number of conclusions.

- 4.2 **We need a better understanding local circumstances and need** – whilst intelligence supports the view that broadband access is limited in some of Sheffield's rural areas, having stronger local evidence of broadband need and potential take-up in rural communities would strengthen our understanding of where to target solutions and which solutions work best for particular areas. It would also put communities in a better position to access national or European funding.

Further, having a clear picture of how many households and businesses cannot access broadband and how many would be willing to use (and thus, pay for) broadband, were it available, would be more likely to convince Internet Service Providers to invest in supporting solutions.

- 4.3 **Digital Region may not be the *short-term* solution for Sheffield's rural area** - but connectivity may be linked to the fibre infrastructure already installed in the city (eg. as a source point for WiFi solutions). Bespoke extension of the Digital Region network at present is prohibitively expensive but in the longer term, successful development of the Digital Region network through the delivery of 'phase 2' may provide a longer term solution for the majority of the rural area in Sheffield.
- 4.4 **Solutions do not have to be Council-led and indeed, community-led solutions appear to be the most successful** - community-led solutions have the advantage of



finding the best form of provision for that community, encourage communities to take greater responsibility and encourage take-up of the resulting broadband service. Communities could look to self-fund, find innovative ways to raise finance and use properties as router points to enable others to access broadband.

However, it may involve some initial support from the City Council, local Parish/Town Councils or the Peak Park in the form of community development support, small scale seedcorn funding or assisting in the development of funding bids.

- 4.5 **Once clear need is identified, Sheffield City Council could use its influence and relationships to engage partners to support solutions** – most of the existing rural broadband solutions rely on connecting to source which could be a school or other public building with broadband connections. Further, with clear evidence of community need, the City Council could provide communities with expertise in procurement, business case development, budgeting and planning regulation.
- 4.6 **The city's universities may be a source of support and solutions** – in addition to the example in Wray, Lancashire where Lancaster University provides a technological solution, the universities may be able to provide capacity building support, there may be opportunities to link to specific courses which entail community development or community physical design which may support our rural communities to find and resource solutions.
- 4.7 **Technology may find a solution before we do** – whilst the market may not find a broadband solution for our rural areas, the advent of 4G technology may resolve the issues quicker than we can.

The recent 4G auction resulted in the main mobile phone providers purchasing portions of spectrum but O2 won a portion which includes a 'public service obligation' to extend coverage to 98% of the UK (indoors) and BT won a portion which it intends to use for 4G connectivity at 'fixed locations' (ie. this is likely to mean broadband access for rural communities and 'not spots').

## 5. PROPOSED SOLUTION FOR SHEFFIELD

- 5.1 Evidence suggests that community-led solutions are often successful in rural areas where broadband access has been a major challenge.
- 5.2 Sheffield City Council will support local community organisations and Parish and Town Councils to develop solutions where communities demonstrate a need for broadband access. The City Council can use its expertise to support communities with procurement, planning issues, funding bids and linking with partner organisations.
- 5.3 This might involve:
- **Demanding** - communities working with local Councillors, local community groups, Parish or Town Councils to quantify need – ie. how many households cannot access broadband or have very slow connections. This should also include how many people would be willing to sign up to broadband if an affordable solution could be found.
  - **Forming** – development of community groups and linking with other areas across rural Sheffield to show that enough people are willing to pay for broadband services to make it viable for providers
  - **Engaging** – work with the City Council who will support communities to find appropriate solutions. This might include helping to write funding applications;

neighbourhood planning support to shape appropriate solutions (eg. placing of WiFi receivers); providing some ICT expertise on what might work best (eg. via universities, strategic partners or local businesses); providing links to local services such as schools, universities or public services which may have premises and could provide an initial source for broadband (eg. for a WiFi mesh network); or procurement support in working with broadband suppliers to find a company to deliver an affordable solution.

- 5.4 Subject to resources, it is proposed that communities keen to find solutions to broadband problems would engage with Sheffield City Council through the Locality Management Team and the Lead Director for their locality.

## **6. ALTERNATIVE OPTIONS CONSIDERED**

### **6.1 Do nothing**

Whilst our customer service and support for digital inclusion may be undermined by this option, the rapid development of new technology, resolution of take-up challenges with Digital Region and 4G spectrum auction may deliver solutions for our rural area.

### **6.2 Council funded infrastructure solution**

Considering the initial costing work done for Dungworth, Worrall and South Yorkshire's Rural Communities Broadband bid, this is prohibitively expensive and undeliverable in the budgetary climate.

## **7. REASONS FOR RECOMMENDATIONS**

- 7.1 Quantitative data from OFCOM and local anecdotal evidence from Members and the Rural Economy study indicate that some rural areas of Sheffield may have slow broadband connectivity or live in 'notspots' with no broadband connectivity.
- 7.2 Therefore, while increasing proportions of the city can access high speed broadband, some rural areas may not be able to access standard broadband or experience unusable line speeds. Clearly, this represents a potential digital exclusion issue for city, particularly as more services become available online and business need for internet presence increases.
- 7.3 However, this does not represent a clear business case for direct intervention from Sheffield City Council. The costed estimate for extending the Digital Region network to Dungworth and Worrall was £461k which is simply not financially viable. Further, efforts to access the Government's Rural Communities Broadband Fund in South Yorkshire were unsuccessful due to a lack of demonstrable commitment to use broadband services in the selected South Yorkshire rural areas and over-reliance on grant funding from Government to make the scheme viable.
- 7.4 The most successful solutions to rural broadband connectivity problems are usually *community-led*, uniting proven local need and ingenuity to deliver affordable and technologically appropriate solutions for their communities.

## **8. RECOMMENDATIONS**

## 8.1 That Cabinet:

- Recognises the importance of usable broadband access to the wellbeing of the Sheffield's rural communities
- Notes that capital investment from Sheffield City Council is unlikely to be cost effective in delivering a solution
- Therefore, agrees that Sheffield City Council will support rural communities to find appropriate solutions where communities:
  - Demonstrate demand
  - Are willing to come together and form community groups across rural Sheffield with other rural communities with similar needs (thus making solutions viable for internet providers)
  - Engage with Sheffield City Council through the locality management team (subject to resources), locality lead directors and other partners in the city to devise locally-appropriate solutions

## 9. FINANCIAL IMPLICATIONS

- 9.1 The proposed approach does not commit the City Council to any new spending and indeed, argues that direct capital investment by SCC would not be the most cost effective solution to the problem.
- 9.2 Should any initiative related to Rural Broadband require SCC funding, this would be subject to a separate business case and funding approval.

## 10. LEGAL IMPLICATIONS

- 10.1 There are no legal implications resulting from this report or the proposed approach.

## 11. EQUALITY OF OPPORTUNITY IMPLICATIONS

- 11.1 The proposed approach empowers communities to work with the City Council to find bespoke solutions to the digital exclusion challenges that exist within Sheffield's rural communities. By asking communities to articulate demand, the Council will be able to target support and expertise fairly at those areas with the greatest need.

## 12. ECONOMIC IMPACT

- 12.1 As the Rural Economy study demonstrated, there is a potential positive impact on businesses in the rural area of the city if appropriate broadband solutions can be identified.

## BROADBAND IN SHEFFIELD: BACKGROUND, EVIDENCE & STRATEGIC POSITION

### 13. BACKGROUND: GOVERNMENT POSITION ON BROADBAND IN THE UK

- 12.1 Building on a commitment in the Coalition Agreement<sup>1</sup>, the Government launched their strategy, 'Britain's Superfast Broadband Future' in 2010, which commits to delivering the 'best superfast broadband network in Europe by 2015'.<sup>2</sup> Through Broadband Delivery UK (BDUK), Government have stated that their ambition is to provide superfast broadband to 90% of premises in the UK and universal access to standard broadband at a speed of at least 2Mbps<sup>3</sup>. Government reiterated this commitment in the 'Mid Term Review', with specific reference to rural areas.<sup>4</sup>
- 13.2 Government believes that delivering a superfast broadband network in the UK will lay the "foundations from which the UK economy will grow and recover from recession"<sup>5</sup>. The Government's strategy aims to enable businesses, services and customers to operate more efficiently, increasing communication, driving innovation and reducing costs. Further, greater digital inclusion and open access to information and data is a key facet of Government's 'Big Society' and public service transformation programmes, with individuals using digital connectivity to choose which services they access, how they access them and how they hold service providers to account.
- 13.3 The latest data collected by OFCOM indicates that current generation broadband is now available to close to 100% of premises in the UK. Superfast broadband is currently available to around 65% of premises and average line speeds across the UK are 12.7Mbps compared to 7.5Mbps in 2011. OFCOM's report indicates that to address the 'final third', success will be dependent on activity by commercial operators but also targeted public funding.<sup>6</sup> The data also shows that only 1.3% of premises in England are in likely 'not-spot' areas and only 10% of England has access to broadband which is less than 2Mbps.
- 13.4 Thus far, funding to support the Government's ambition has included: £530m to rollout high speed broadband to communities where private investment alone will not provide it; £100m for 10 'super-connected cities' to install ultra-fast broadband; and a further £50m in 2012 for eight smaller cities to become 'super-connected' (winning cities announced in the 2012 Autumn Statement).
- 13.5 Government have also deployed a **Rural Communities Broadband Fund (RCBF)** which is specifically targeted at the 10% most 'hard to reach' places in England. The RCBF has

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<sup>1</sup> HMG (2010) *The Coalition: our programme for Government*, [http://www.direct.gov.uk/prod\\_consum\\_dg/groups/dg\\_digitalassets/@dg/@en/documents/digitalasset/dg\\_187876.pdf](http://www.direct.gov.uk/prod_consum_dg/groups/dg_digitalassets/@dg/@en/documents/digitalasset/dg_187876.pdf)

<sup>2</sup> DCMS (2010) *Britain's Superfast Broadband Future*, <http://www.culture.gov.uk/images/publications/britainsSuperfastBroadbandFuture.pdf>

<sup>3</sup> Superfast broadband is defined by BDUK as having a potential headline access speed of greater than 24Mbps, with no upper limit.

<sup>4</sup> HMG (2013) *The Coalition: together in the national interest – Mid-term review*, [http://assets.cabinetoffice.gov.uk/s3-external-3.amazonaws.com/midtermreview/HMG\\_MidTermReview.pdf](http://assets.cabinetoffice.gov.uk/s3-external-3.amazonaws.com/midtermreview/HMG_MidTermReview.pdf) p11

<sup>5</sup> DCMS (2010) *Britain's Superfast Broadband Future*, p7

<sup>6</sup> OFCOM (2012) *Infrastructure Report: 2012 Update*, <http://d2a9983j4okwzn.cloudfront.net/downloads/ofcom-uk-broadband-speed-report-2012.pdf>

thus far had two funding rounds, each of £20m, and DEFRA are yet to confirm whether a third funding round will be announced. Applicants were required to be community organisations, trusts or social enterprises acting on behalf of a community who could access RCBF to cover the capital and associated costs of establishing a broadband network (not ongoing costs) usually with match funding from private or locally-raised sources.

- 13.7 In collaboration with rural areas and parish councils in South Yorkshire, DRL submitted an unsuccessful bid for £668k of Rural Communities Broadband Funding (RCBF) to provide broadband access in some of SY's most rural communities. However, none of the communities identified as part of the bid were in Sheffield's rural area. DEFRA suggested that the bid was unsuccessful because of the insufficient private match funding, state aid concerns and very low demonstrable take up commitment from households (22 of 2427 identified) and businesses (2 or 125).
- 13.8 To access funding (regardless of which funding stream), Government required local authorities to produce '**Local Broadband Plans**' which identify areas of greatest need to target investment. Due to involvement in the Digital Region project, Sheffield (and South Yorkshire) does not currently have a 'Local Broadband Plan' as the project itself provides a clear strategic direction for broadband connectivity in the region.

#### 14. SHEFFIELD: STRATEGIC POSITION

- 14.1 Access to broadband has already been recognised as a socioeconomically important part of the city's future through our commitment to the Digital Region project. Not only are there economic development and business opportunities created through universal broadband access, the internet is a vital mechanism to enable local communities and individuals to access the services they need, particularly as services are increasingly accessed electronically or via the telephone rather than face-to-face. This is both an issue of economic wellbeing and (digital) inclusion.
- 14.2 Developing fair access to broadband capabilities has clear links with the Council's Corporate Plan, particularly **business-friendly** and **supporting and protecting communities**. Having wider public access to broadband can support our values of 'enabling local people' and 'taking a long term view', particularly as we try to deliver the infrastructure the city needs to be socioeconomically successful in the years to come.
- 14.3 As an enabling tool, broadband will support the delivery of a range of corporate outcomes, improving the efficiency and effectiveness of customer contact and providing the necessary technology to support people to contact the Council through electronic means. Broadband can also support service modernisation and create greater control over services for people, such as giving choice and personalised approaches to health and wellbeing in local communities (eg. through telecare). It can also help businesses grow and diversify and reduce social exclusion.<sup>7</sup>
- 14.4 Sheffield have been part of the Digital Region South Yorkshire programme in which the four councils of South Yorkshire (SY) have accessed over £90m of EU, private sector and partner funding to deliver a leading superfast fibre optic broadband over the majority of the region.

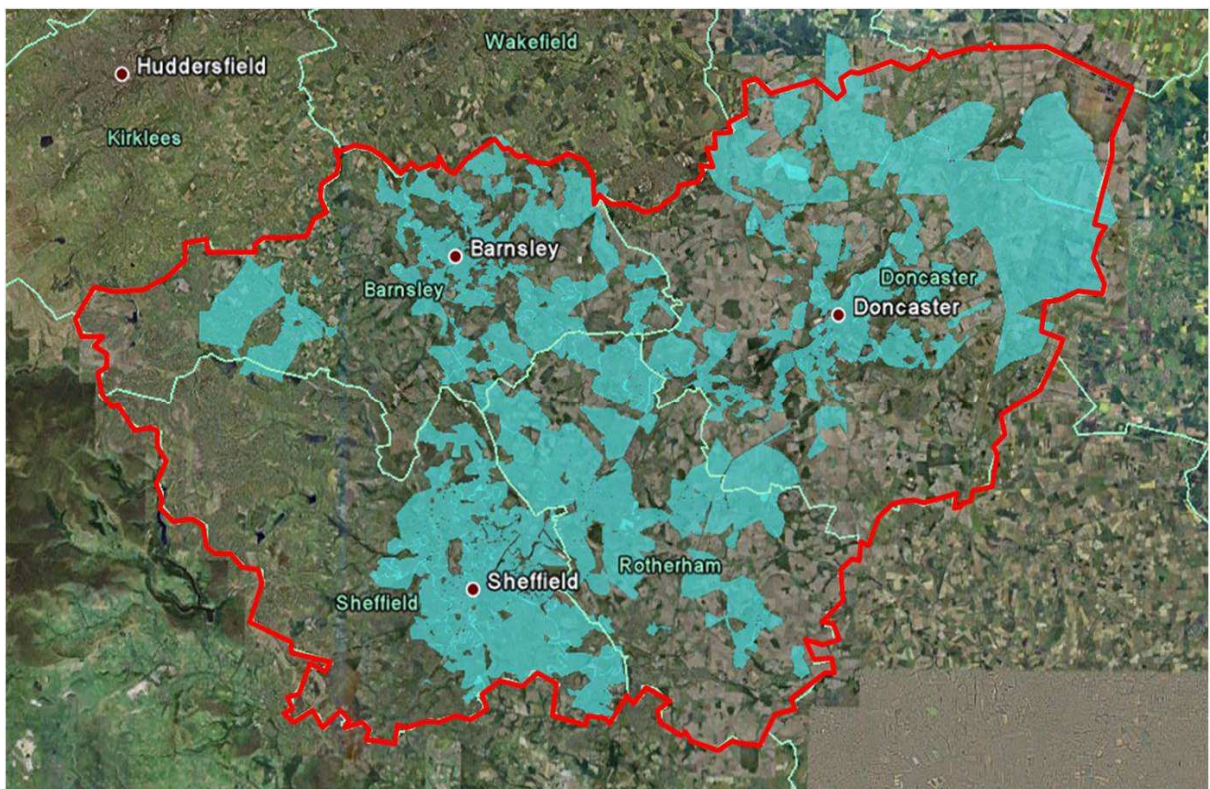
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<sup>7</sup> Sheffield City Council (2011) *Standing Up for Sheffield: Corporate Plan 2011-14*

## Digital Region

- 14.5 'Phase 1' of the Digital Region project has delivered broadband infrastructure to 80% of premises in SY and this phase was completed in December 2011, providing the opportunity to access broadband speeds of 37Mbps on average. The intention remains for the project to be rolled out to reach 97% of premises using revenues generated from residents and businesses subscribing to superfast broadband in SY.
- 14.6 Phase 1 of Digital Region does not cover the majority of the rural area of Sheffield (see Fig 1) and will only provide access when phase 2 is delivered. 97% coverage will ensure that only a small number of households across SY will not have access to superfast broadband via the network, meaning alternative solutions may be needed for the remaining 3%.
- 14.7 Digital Region Limited (DRL) have recently undertaken a procurement process to award the contract for operational management of Digital Region. The successful company will operate the network using the city's new broadband infrastructure and be accountable for the revenues, costs and risks associated with running DRL in South Yorkshire. It is expected that this will progress in Spring 2013.

Fig 1: Digital Region Phase 1 rollout



(Source: Digital Region Limited)

## Rural Communities Strategy

- 14.8 In 2010, Sheffield City Council agreed 'A Fair Deal for Rural Communities: Rural Communities Strategy'<sup>8</sup> which specifically refers to the impact of Digital Region and digital

<sup>8</sup> Sheffield City Council (2010) *A Fair Deal for Rural Communities: Rural Communities Strategy 2010-13*, <https://www.sheffield.gov.uk/dms/scc/management/corporate-communications/documents/housing/-A-Fair-Deal-for-Rural-Communities--PDF-6-04MB-.pdf>

connectivity in the west of the city. Broadband and the need for greater connectivity in the rural area of the city is cited as key to supporting communities to access services (alongside the Customer First programme) and enable business start-ups, growth and diversification.

14.9 In response to a recommendation in the Rural Strategy, an economic study of the rural economy was commissioned to better understand the opportunities for strengthening the economic wellbeing of people and businesses and increasing the area's contribution to the Sheffield City Region economy. 'Sheffield's Rural Economy' study was completed in December 2011 and identifies that the rural area contains 19% of Sheffield's population, 10% of the city's small businesses, low reliance on public sector employment and a 'good track record' for business start-ups. Access to services tends to be lower in some of Sheffield's rural settlements and this could be exacerbated by slow or non-existent broadband access in some communities.<sup>9</sup>

14.10 Improving access to broadband is one of the key recommendations of the rural economy study. The study recommends:

"There is a need to consider the high number of settlements in the rural area which are only likely to receive upgraded broadband through Digital Region if it achieves its first stage earning targets. Consideration should be given to developing a "Plan B" for these settlements should this not happen to avoid them being disadvantaged. This is particularly important if the Council's "face to face" access strategy for a number of these settlements is to be based primarily on internet and telephone contact going forward."<sup>10</sup>

## 15. SHEFFIELD: UNDERSTANDING RURAL COVERAGE & DEMAND FOR BROADBAND

15.1 As Sheffield has both superfast and standard broadband in the city, it is worth making the distinction when looking at the rural area.

15.2 The latest data from OFCOM indicates that superfast broadband is available in 71.9% of Sheffield, with average speeds of 12.5Mbps which places us in OFCOM's second highest ranking band of local authority areas in the UK for overall broadband performance. However, 13.3% of premises in the city still receive broadband that is slower than 2Mbps.<sup>11</sup> Sheffield remains the Core City with the highest proportion of premises receiving less than 2Mbps broadband.

### Superfast broadband access

15.3 Postcode data for the coverage of Digital Region infrastructure demonstrates that in addition to the rural area, pockets of the city also do not have Digital Region coverage (see Fig 2). This reflects the complexity of the issue and the varied nature of the problem depending on location. Reasons for lack of coverage include:

- **Areas where exchanges are BT rather than DRL** – of the 54 exchanges in South Yorkshire, DRL currently covers 36 exchanges while BT Infinity services

<sup>9</sup> Sheffield City Council (2011) *Sheffield's Rural Economy, June 2011 (amended December 2011)*, undertaken by Rose Regeneration

<sup>10</sup> Ibid

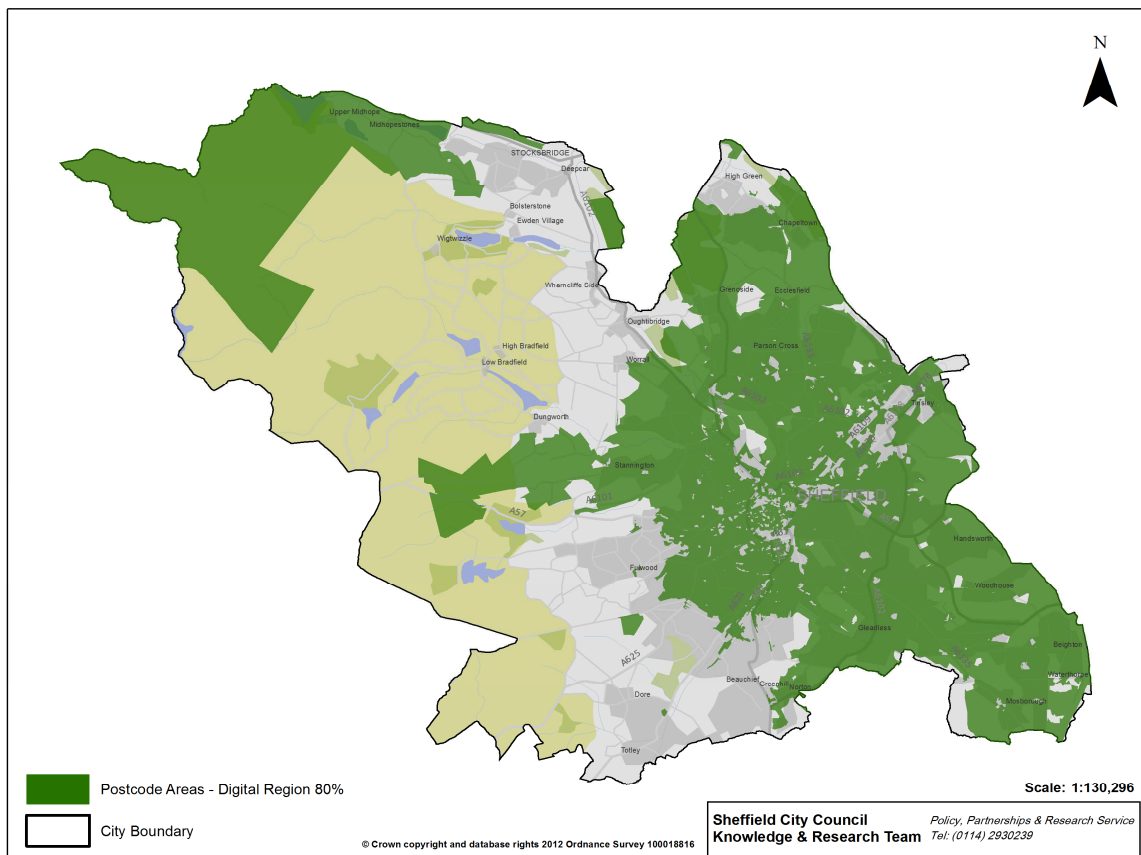
<sup>11</sup> OFCOM (2012) *Infrastructure Report: 2012 Update*, <http://d2a9983j4okwzn.cloudfront.net/downloads/ofcom-uk-broadband-speed-report-2012.pdf>

cover 29. Therefore, there is some overlap but also there are some areas where superfast broadband is or will be provided by BT rather than DRL (hence gaps around Stocksbridge, High Green, Greenhill, Beauchief). High speed broadband has recently been made available to two-thirds of premises in Stocksbridge through BT using both Fibre to the Cabinet (FTTC) and Fibre to the Home (FTTH). The exchange in High Green is scheduled to get similar capabilities by the end of 2013.

- **Areas where exchanges are enabled but premises aren't connected to cabinets which allow superfast broadband to be accessed** – this is likely to be the case in some areas of the city such as High Green or Wadsley Bridge (BT suggest March 2013) where the local exchange supports superfast broadband but the cabinets have not been upgraded to enable premises to use the capability
- **Areas which do not have access to FTTC technology** – currently this includes areas such as Bradfield and Oughtibridge which are not included in DRL phase 1 or BT's current rollout schedule. This does not mean that alternative approaches to deliver standard broadband are not available.

15.4

Fig 2: Digital Region Phase 1 rollout based on postcode data (supplied by DRL)



(Source: Digital Region Limited)

15.5 Therefore, for superfast broadband, the issue of accessibility is complex and will vary depending on the particular locality (as will solutions). One other factor which must be considered is whether people are fully aware of the broadband services available in their area. For example, Ecclesfield is cited in the Rural Economic Study as having slow

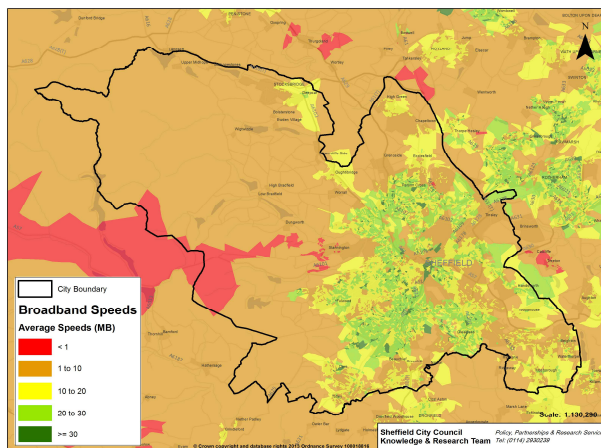


connection speeds but the Ecclesfield exchange has BT and Digital Region FTTC capability.

### Standard broadband access

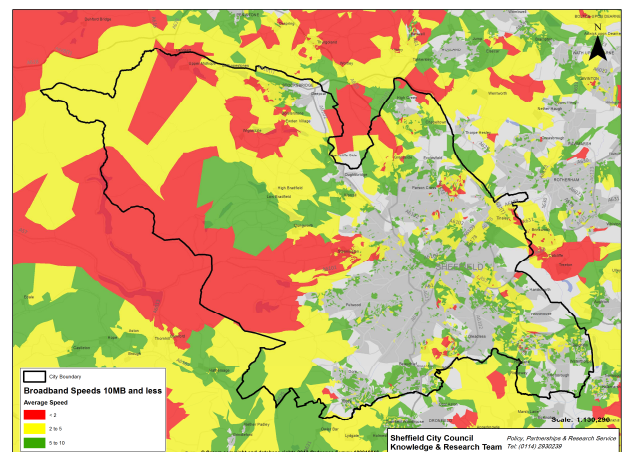
- 15.6 The maps below give an overview of the *average* line speeds in each area (using postcode data). However, within those areas, average speed of connection can vary significantly with parts of the rural area having average speeds of less than 2Mbps and large areas only able to access 2-5Mbps on average (see Fig 4).

**Fig 3: Average Broadband speed in Sheffield 2012 based on postcode data**



(Source: OFCOM UK Broadband Speed Data for Postcodes, 2012)<sup>12</sup>

**Fig 4: Average Broadband speeds 0-10Mbps in Sheffield 2012 based on postcode data**



(Source: OFCOM UK Broadband Speed Data for Postcodes, 2012)<sup>13</sup>

- 15.7 The OFCOM postcode level data is insufficiently nuanced to pick up the local intelligence Members and Community Assemblies have received, particularly where ‘not-spots’ exist or have been reported.
- 15.8 Of the 17 rural settlements examined in the Rural Economy study, **two are classified as ‘not-spots’** (Dungworth and Storrs) with **seven experiencing significant speed problems** (Stannington, Loxley, Grenoside, Ecclesfield, Burncross, High Green and Bolsterstone / Ewden). The causes of these problems will vary depending on location.
- 15.9 Whilst the study and the data available suggests that there is disparity in connectivity to superfast and standard broadband in Sheffield, the Northern Community Assembly has not previously made broadband access a key priority in its Community Assembly Plan (2011-13) other than to ‘support the recommendations of the Rural Strategy and Economy Study’. However, the Northern Assembly intend to use the recommendations of the Rural Economy study to shape future plans, with broadband access being a key challenge.

## 16. SOLUTIONS: IMPROVING BROADBAND CONNECTIVITY IN RURAL COMMUNITIES

- 16.1 Sheffield’s rural communities are not homogenous. Each community varies in size, scale, topography and proximity to services and the city’s infrastructure.

<sup>12</sup> OFCOM (2012) *UK Broadband Speed Data 2012* <http://maps.ofcom.org.uk/broadband/>

<sup>13</sup> Ibid

- 16.2 Whilst the data and local intelligence presented above suggests that broadband connectivity may be an issue in some rural areas of Sheffield, it is not possible to conclusively stipulate exactly where connectivity is poorest and importantly, where demand for a solution is greatest.
- 16.3 Further, it is suggested that it would be difficult and inappropriate to attempt to prescribe a broadband solution for all 'rural' communities in the city when such a solution may not address the specific local obstacles to access and may not be used by local communities.
- 16.4 It is therefore crucial to consider the following:
- Where the greatest need is in the rural area – is it the identified 'not-spots' in Dungworth and Bolsterstone?
  - Is it possible to identify commonalities between localities in Sheffield's rural area that share similar geographical and topographical challenges (and hence, may benefit from a similar solution) but also share an expressed desire to identify and support a localised solution? Such localities could then be grouped together to create economies of scale and make investment by providers viable.
  - Strong, community-led action is key to accessing Government funding but a clear articulation of need may help to convince providers.
  - Local public buildings, schools or services may have broadband connections and could provide a source from which a local broadband solution could be developed.
  - Is there a package of support which Sheffield City Council could provide to communities that articulate a collective demand for a bespoke local solution?
  - Technological advancement (eg. 4G) and rollout of superfast broadband may resolve the issue faster than a bespoke solution can be developed.
- 16.5 Clearly, the optimal solution for delivering high quality and superfast broadband in Sheffield is via Digital Region complemented by the continued expansion and investment by providers such as BT and Virgin in high speed broadband infrastructure. However, as the evidence above shows, this may not provide a solution in the short term for areas in Sheffield which are not part of the phase 1 rollout.
- 16.6 In 2011, Sheffield City Council developed some initial estimates of the cost of extending DRL FTTC services to Dungworth and Worrall. Together, the cost was estimated to be £461k (for new fibre cabling and a superfast broadband enabled cabinet in each community).
- 16.7 This indicative work suggests that a bespoke extension of the Digital Region network is not viable or affordable, particularly as this estimated cost would only serve two communities.
- 16.8 There are many examples of solutions from rural communities across the UK which address specific, localised obstacles to accessing standard broadband. Key examples of solutions include:
- **Mobile broadband** – using mobile phone technology and transmitters to provide internet access (eg. 4G LTE)
  - **WiFi** – using receivers across a community to bounce a signal to properties from an original source point ('point to multipoint') (including developments in WiMax)
  - **Satellite broadband** – often a viable option for remote areas (but can be expensive)

and the distance the signal has to travel does slow down connection speeds. Government accept that this method will need to play a role in pursuit of universal access.

#### **4G LTE**

- 16.9 4G Long Term Evolution (LTE) technology is now available in urban areas of Sheffield and in the longer term may provide a broadband solution for rural areas of the city. 4G already plays a role in providing high speed internet to rural areas of the USA and Germany.
- 16.10 Using the spectrum freed up following the digital switchover from analogue, Government has recently auctioned the available spectrums to mobile operators (Feb 2013). Of the two available, the 800Mhz spectrum allows signals to travel over much greater distances and penetrate buildings more successfully (the 2.6Ghz spectrum is more for cities and urban areas which require greater capacity due to user demand).
- 16.11 OFCOM revised the conditions for the 4G auction to guarantee 4G services are to available to 98% of the UK (indoors).<sup>14</sup> OFCOM currently estimate that 4G services will start being more widely available from late Spring 2013. However, the question would then be whether it's an affordable solution.
- 16.12 The 4G auction was completed on 20<sup>th</sup> February 2013 and it resulted in the main mobile phone providers purchasing portions of spectrum. O2 won a portion which includes a 'public service obligation' to extend coverage to 98% of the UK (indoors) and BT won a portion which it intends to use for 4G connectivity at 'fixed locations' (ie. this is likely to mean broadband access for rural communities and 'not spots').
- 16.13 4G was tested in rural areas of Cornwall and Cumbria at the end of 2012 with users receiving around 7Mbps. In the longer term, it may offer an affordable solution for providing standard broadband in remote or rural areas.

#### **WiFi and radio solutions**

- 16.14 The solution proposed in DRL's RCBF application was to expand the existing project using FTTC where possible but use a 'meshed wireless network' using either:
- microwave radio technology – a radio base station (linked to DRL exchange by fibre) will transmit signal to receivers on premises which must be in the line of sight of the base station
  - outdoor WiFi – using a WiFi base stations (covers around 1-3km) linked to the DRL network via a radio base station to transmit WiFi signals to premises with receivers.
- 16.15 For the 2,552 premises expected to benefit from solution in the RCBF bid, the WiFi solution was expected to cost £585k of the £686k project (with 75% of the funding from the RCBF and the additional 25% as a loan from Horsebridge, the company providing the wireless network technology).
- 16.16 There are some useful examples of localised WiFi or radio networks in rural or remote areas across the UK. For example, **Robin Hood's Bay**, North Yorkshire has a community mesh network which was created by a social entrepreneur in the area in 2004. It was initially established using a £5k grant from 'Unltd', an organisation supporting social entrepreneurs. The original source of the signal is via a fibre connection in Whitby and the signal is then transmitted to a chain of towers and relayed around the village to 30

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<sup>14</sup> OFCOM (2012) <http://consumers.ofcom.org.uk/what-is-4g/>

strategically placed receivers (bouncing the signal to properties in the line of sight). Users paid around £5 a month for access (up to 8Mbps) but visitors also could use it for a slightly higher fee. The network is maintained by volunteers using local community expertise and runs as a social enterprise with all users being members.

- 16.17 In 2012, the BayBroadband Co-operative was been successful in securing RCBF to improve the network, using the funding to access a high speed fibre connection at Whitby's Environment Centre. The 140 local residents who use the network can now access broadband at 12Mbps for £8 a month.
- 16.18 A further example can be found in the villages around **Alston Moor in Cumbria**. The network was initially established using Government funding in 2004, again using radio masts and receivers to relay the signal. They have since upgraded the network, digging trenches through farmland to lay fibre cables. It is reasonably expensive for people to set up (around £350 for the equipment and £65 for the connection per household, plus £15 a month paid to the Cybermoor co-operative). However, initial research into the local impact showed that broadband connectivity had brought new money into the village, increased IT skills and contributed to house price rises.
- 16.19 A further example which has received significant publicity (featuring on Radio 4's *Today Programme*) is the village of **Arkholme in Lancashire** which is attempting to rollout a 900Mbps network. Driven by the local community, they have engaged with expertise from Lancaster University and local farmers have permitted free access to their land to lay fibre cables. They have established the 'B4RN' community broadband network and by getting local people to sign up to the £30 a month subscription and buy shares in the company, they are hoping to raise £2m to roll the network out across a 265km area.<sup>15</sup>
- 16.20 There is also an example in **Wray, Lancashire** where Lancaster University funded a project to provide wireless broadband to the village. Researchers have been studying the ability to provide reliable mesh network infrastructure at low cost. They are now trialling the next generation of wireless high speed services in the area as part of a project funded by the EU.
- 16.21 What is common in these examples is that they are largely driven by clear local need, community ingenuity and have resulted in sustainable delivery models which suit the local circumstances. The community ownership model has been instrumental in securing additional Government resources and ensuring local usage and take-up makes delivery models sustainable and profitable.

### **Satellite Broadband**

- 16.22 Satellite broadband is often used in the most remote areas but it isn't a mainstream solution used by rural communities in the UK. It might actually be the simplest to set up because there are a range of providers and because the signal is beamed from satellites, it's a viable solution for most communities.
- 16.23 However, it is often prohibitively expensive for the speed of the service provided and users often have fairly restricted usage limits. Set up can be around £200 with monthly prices ranging from £25 to £100 for up to 10Mbps.

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<sup>15</sup> Cellan-Jones, R. (2013) *Fast fibre: A community shows the way*, BBC News on 14<sup>th</sup> February 2013, <http://www.bbc.co.uk/news/technology-21442348>

# Sheffield City Council Equality Impact Assessment



[Guidance for completing this form is available on the intranet](#)

Help is also available by selecting the grey area and pressing the F1 key

**Name of policy/project/decision:** Rural Broadband: connecting Sheffield's rural communities

**Status of policy/project/decision:** New

**Name of person(s) writing EIA:** Laurie Brennan

**Date:** 20.03.13

**Service:** Policy, Partnerships and Research

**Portfolio:** Deputy Chief Executive's

**What are the brief aims of the policy/project/decision?** To agree an approach for supporting Sheffield's rural communities that do not have access to broadband.

**Are there any potential Council staffing implications, include workforce diversity?** No

Under the [Public Sector Equality Duty](#), we have to pay due regard to: "Eliminate discrimination, harassment and victimisation, advance equality of opportunity and foster good relations." [More information is available on the council website](#)

Areas of possible impact	Impact	Impact level	Explanation and evidence (Details of data, reports, feedback or consultations. This should be proportionate to the impact.)
Age	Positive	Medium	The access to a usable internet service in rural areas would be beneficial across all age groups, combating digital exclusion and improving access to services.  Usable internet services may provide links to services, social networking, news and information for all ages.  There may be particularly positive impacts on meeting the expectations of younger people in rural areas and also older people who will have greater opportunity to access online services.
Disability	Positive	Low	It is expected that increasing access to broadband services will be beneficial for all people in rural communities.
Pregnancy/maternity	Positive	Low	It is expected that increasing access to broadband services will be beneficial for all people in rural communities
Race	Positive	Low	It is expected that increasing access to broadband services will be beneficial for all people in rural communities
Religion/belief	Positive	Low	It is expected that increasing access to broadband

<b>Areas of possible impact</b>	<b>Impact</b>	<b>Impact level</b>	<b>Explanation and evidence (Details of data, reports, feedback or consultations. This should be proportionate to the impact.)</b>
			services will be beneficial for all people in rural communities
<b>Sex</b>	Positive	Low	It is expected that increasing access to broadband services will be beneficial for all people in rural communities
<b>Sexual orientation</b>	Positive	Low	It is expected that increasing access to broadband services will be beneficial for all people in rural communities
<b>Transgender</b>	Positive	Low	It is expected that increasing access to broadband services will be beneficial for all people in rural communities
<b>Carers</b>	Positive	Low	It is expected that increasing access to broadband services will be beneficial for all people in rural communities
<b>Voluntary, community &amp; faith sector</b>	Positive	Medium	It is expected that increasing access to broadband services will be beneficial for all people in rural communities. The proposed approach outlined in the Cabinet Paper would seek to improve local community activism and many of the other UK examples of rural broadband solutions are based upon strong community group organisation and community enterprise.
<b>Financial inclusion, poverty, social justice:</b>	Positive	Low	As more services become available online and business need for internet presence increases, there is a potential digital exclusion issue for rural communities. It is expected that increasing access to broadband services will be beneficial for all people in rural communities and address the disparity in provision between rural and urban areas. As with the areas of possible impact above, there is a need for a stronger local evidence base, particularly in terms of quantifying need.
<b>Cohesion:</b>	Positive	Low	It is expected that increasing access to broadband services will be beneficial for all people in rural communities.
<b>Other/additional:</b>	-Select-	-Select-	

**Overall summary of possible impact (to be used on EMT, cabinet reports etc): Low**

If you have identified significant change, med or high negative outcomes or for example the impact is on specialist provision relating to the groups above, or there is cumulative impact you **must** complete the action plan.

**Review date:**                      **Q Tier Ref**                      **Reference number:**

**Entered on Qtier:** -Select-                      **Action plan needed:** -Select-

**Approved (Lead Manager):**                      **Date:**

**Approved (EIA Lead person for Portfolio):** Michael Bowles **Date:** 20/02/13

**Does the proposal/ decision impact on or relate to specialist provision:** no

**Risk rating:** Low

## Action plan

Area of impact	Action and mitigation	Lead, timescale and how it will be monitored/reviewed
-Select-		
-Select-		
-Select-		
-Select-		
-Select-		
-Select-		
-Select-		
-Select-		
-Select-		
-Select-		
-Select-		
-Select-		
-Select-		

**Approved (Lead Manager):**                      **Date:**

**Approved (EIA Lead Officer for Portfolio):**                      **Date:**

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## SHEFFIELD CITY COUNCIL Cabinet Report

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**Report of:** Executive Director, Communities

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**Date:** 20<sup>th</sup> March 2013

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**Subject:** Allocations Policy

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**Author of Report:** Sharon Schonborn 0114 203 7613

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### Summary:

In March 2010, Cabinet resolved to conduct a general review of the Lettings Policy to ensure council housing is allocated in the most efficient way to meet local housing needs. The review has now been completed. The Safer and Stronger Communities Scrutiny Committee has provided oversight to the work of the Allocations Policy Review Team. Extensive public consultation has taken place, including with key stakeholders. The draft new Allocations Policy is provided at Appendix A for consideration by Cabinet.

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### Reasons for Recommendation:

- 1 On March 2010, Cabinet resolved to conduct a general review of the Lettings Policy to ensure that council housing is being allocated in the most efficient way to meet local housing needs.
- 2 The policy needs to respond to changes in legislation including the Localism Act and the new statutory Code Of Guidance.
- 3 Since 2002 the housing market in Sheffield has radically changed. The amount of council housing has reduced considerably due to demolition programmes, stock transfer and Right To Buy, whilst demand for social housing has dramatically increased. The policy needs to address this changed environment.
- 4 The final content of the proposed new policy has been informed by comprehensive consultation

## **Recommendations:**

It is recommended that:

- 1 The Allocations Policy as set out in Appendix A of the report is approved.
- 2 The Executive Director - Communities be given delegated authority to draw up a scheme of authorisation for Allocations Policy decision making prior to implementation.
- 3 The Executive Director - Communities is authorised to fully implement the new policy at the point when the necessary updating of the Choice Based Lettings IT system is completed, with full implementation expected to be 1st April 2014.
- 4 A review of the impact of the new policy to commence six months after full implementation.

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## **Background Papers:**

Appendix A: Allocations Policy

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**Category of Report:** OPEN

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## Statutory and Council Policy Checklist

<b>Financial Implications</b>
YES Cleared by: Karen Jones
<b>Legal Implications</b>
YES Cleared by: Andrea Simpson
<b>Equality of Opportunity Implications</b>
YES Cleared by: Liz Tooke & Philip Reid
<b>Tackling Health Inequalities Implications</b>
NO
<b>Human rights Implications</b>
NO:
<b>Environmental and Sustainability implications</b>
NO
<b>Economic impact</b>
NO
<b>Community safety implications</b>
NO
<b>Human resources implications</b>
NO
<b>Property implications</b>
NO
<b>Area(s) affected</b>
All
<b>Relevant Cabinet Portfolio Leader</b>
The Member For Homes And Regeneration
<b>Relevant Scrutiny Committee if decision called in</b>
The Safer & Stronger Communities Scrutiny Committee
<b>Is the item a matter which is reserved for approval by the City Council?</b>
NO
<b>Press release</b>
YES

## REPORT TITLE: Allocations Policy

### 1.0 SUMMARY

- 1.1 In March 2010, Cabinet approved a general review of the Council's Lettings Policy to ensure that council housing is being allocated in the most efficient way to meet local housing needs.
- 1.2 The review has now been completed and a new draft Allocations Policy produced and attached for consideration at Appendix A.

### 2.0 WHAT DOES THIS MEAN FOR SHEFFIELD PEOPLE

- 2.1 Access to council housing is critically important for the people of Sheffield and besides meeting statutory requirements the policy should reflect the guiding principles set out in 'Standing Up For Sheffield' in the following ways:
- 2.2 **Fairness** – ensuring access to social rented housing and that council properties are let fairly and fulfil our legal obligations.
- 2.3 **Spending public money wisely** – ensuring that the policy and accompanying procedures make the most efficient use of available stock.
- 2.4 **Long term view** – by being business minded and securing the future of council housing for the people of Sheffield, taking into consideration such issues as demand, changes in legislation, the economy and Welfare Reform.
- 2.5 **Prevention** – ensuring people can afford the homes they are choosing; that we can respond to prospective tenants' support needs to be able to prevent rent arrears, homelessness, anti-social behaviour and disruption to communities.
- 2.6 **Enable individuals and communities** – ensuring that the flexibilities available to the council are utilised to support and sustain community development, and contribute to neighbourhood regeneration and social inclusion.
- 2.7 **Aspirational** – by ensuring that council housing remains a tenure of choice and provides a springboard for aspirations.
- 2.8 **Working better together** – responding to customer concerns about transparency and ease of process, and meeting individual needs by giving people choice and control where possible over where they live.
- 2.9 **Better Health and Wellbeing** – by ensuring the most critical needs are met as quickly as possible and by enabling people with disabilities to be able to access the types of accommodation they need to live as independently as possible.
- 2.10 **Successful Children and Young People** – by providing routes into

council housing for families in crisis, care leavers, responding to safeguarding issues requiring alternative housing, giving priority to foster carers and adoptive parents.

- 2.11 **Safe and Secure Communities** – by ensuring we understand our prospective tenants and their support needs, by making appropriate, informed allocations.
- 2.12 **A Great Place to Live** – by ensuring council housing continues to be a tenure of choice and that communities are mixed and sustainable.
- 3.0 OUTCOME AND SUSTAINABILITY**
- 3.1 The changes proposed in the new Allocations Policy will ensure the allocation of the scarce resource of social housing takes account of changes to the housing market, housing need, Welfare Reform, equalities implications, revised statutory guidance and new legislation.
- 3.2 Scrutiny recommended all 40+ age designations be removed and all 60+ age designations be reviewed. Reviewing age designation across the city means many younger people will be better able to access accommodation in their preferred area therefore making their tenancies more sustainable. It was agreed that this will be a separate project outside of the Lettings Policy review and will ensure that age designations are proportionate, as identified in the Equality Impact Assessment.
- 3.3 Holding more information about applicants will help to ensure that allocations are appropriate and that applicants with support needs are identified and supported more appropriately.
- 3.4 Restricting bids and refusals, together with a better IT system that provides applicants with up-to-date information, such as where their bid ranks, will empower applicants to manage their bidding. Applicants will be able to use their bids more effectively and focus on properties that they really want to live in. The new system will also prevent applicants from making ineligible bids.
- 3.5 The flexibility to introduce Local Lettings Policies will allow a response to issues that affect specific communities. Local Lettings Policies will enable specific equality issues to be addressed as identified through consultation and Equality Impact Assessments.
- 4.0 Background**
- 4.1 The Allocations Policy sets out the rules for allocating the council's vacant properties and nominations to Registered Providers of Private Housing (RPs). It involves a form of rationing by deciding between customers who want the same property, and sets out when to give applicants priority or preference over other applicants. In Sheffield the majority of all properties are allocated through the mechanism of Choice Based Lettings whereby applicants actively choose the properties they

wish to bid for rather than waiting passively for the Council to allocate a property.

- 4.2 Sheffield City Council is a major provider of housing in the area, owning some 41,000 properties and also has nomination rights to properties owned by Registered Providers of Social Housing (RPs) in the city. There are over 84,500 households registered for housing of which only 18,500 actively bid in an average year. There are approximately 4,000 new lets in a year. The current policy was developed when there was more social housing available.
- 4.3 There are perceptions locally and nationally that social housing is not always allocated fairly, people find it difficult to understand why a property was allocated, and the processes are not easy for customers to use. The review has enabled consideration of how to make the policy as fair and transparent as possible.
- 4.4 There is new statutory guidance on allocations of social housing which gives the Council an opportunity to consider if local flexibilities should be introduced for example to help people move for work.
- 4.5 The review of the policy aims to ensure council housing is being allocated in the most efficient way to meet local housing needs. The current policy was introduced in 2004. Consultation with residents, including tenants, means local people have had the opportunity to say if the current policy meets their needs now and have been able to contribute to changes that have been made.

## 5 **Key drivers**

- 5.1 Part VI of the Housing Act 1996 states that Local Authorities are required to have a scheme of allocations. Our current allocations scheme is the Lettings Policy which was implemented in 2004, having been agreed in 2002. We need to update our policy to reflect both national and local changes that have taken place since this time. These changes include increased demand for council housing, a reduction in housing stock, and legislative change, particularly the Localism Act 2011, which gives local authorities more flexibility to manage their allocation schemes and qualification for them.
- 5.2 The Localism Act amendments give greater encouragement to local lettings flexibilities. These can be used for example to support people in work or seeking work, to assist mobility, to enable existing tenants to move to similar properties, to address under occupation. The City Council was invited to be part of a working group by the Department of Communities and Local Government (CLG) on the use of local flexibilities.
- 5.3 The amended legislation retains the existing reasonable preference categories. New regulations require additional preference to be given to certain former members of the Armed Forces or their families if they are

in one of the reasonable preference groups so a review of the policy should ensure the needs of these groups are effectively met.

5.4 Sheffield had some significant areas of low housing demand and more council housing stock when the current policy was implemented. The policy and procedures allow applicants to wait for a more popular area or property, an unlimited number of bids is allowed, and waiting time applicants are allowed an unlimited number of refusals without sanction. This is not appropriate given the increase in housing demand.

5.5 In January 2010, Cabinet resolved that from implementation of the new Choice-Based Lettings website, non-priority applicants should be limited to three choice-based lettings bids per week and that further analysis be carried out to assess the feasibility of extending this restriction to all applicants.

## 6 **An overview of how the current system works.**

6.1 The Housing Register is open to people who do or do not live in Sheffield aged 16 years or over.

6.2 Applications to join the Housing Register require only minimal supporting documents and there is encouragement to join the Housing Register. There is no requirement to be in housing need at the time of registration. For many people who are not in housing need, registering is seen as an 'insurance policy'.

6.3 Allocations are made based either on people's waiting time or on the time since their priority was awarded. There is no requirement to be actively looking for housing in order to remain registered.

6.4 Applicants who need to move quickly can be assessed for priority. There are 23 different types of priority for re-housing. Priorities have different time limits within which the priority must be used. All priority types are treated on an equal basis and applicants who have bid for a property are considered in order of the length of time the applicant has had the priority.

6.5 To ensure that waiting time has relevance and remains a route into accessing housing there is a quota that a minimum of 25% of vacant homes of each size and on each estate must be advertised with preference to people with waiting time. In practice between 30% and 40% of vacant properties are actually allocated to people bidding with waiting time.

6.6 We use a Choice Based Lettings system whereby vacant properties are advertised and applicants bid for them.

6.7 Unlike most other local authorities, our policy allows unlimited numbers of bids for all applicants and unlimited refusals for waiting time applicants. This maximises choice but means some people bid for homes that they

are not seriously interested in, which causes unnecessary delays and expense.

- 6.8 Owner occupiers are eligible to be allocated a home if they confirm they intend to sell their current home.

## 7 **What works well in the current Lettings Policy?**

- 7.1 Applicants find it very easy to register and a lot of support is given to applicants. The policy was very successful in attracting a lot of people to register when supply outstripped demand for certain property types.

- 7.2 The waiting time quota is very popular. Council housing is a tenure of choice in Sheffield. In most other authorities, waiting time applicants can only have properties that were rejected by priority applicants.

- 7.3 The generosity of the eligibility criteria has been effective in giving wider choice to applicants and making sure some properties are re-let more quickly. This includes the flexibility to relax the criteria if no-one bidding meets the criteria.

- 7.4 Choice Based Lettings enables customers to see which properties are available and make informed choices. It is a transparent way of allocating properties. The system is customer led rather than officer led with applicants choosing to bid for homes they want rather than waiting for officers to allocate them one. Aside from the wider benefits of customer choice, this is a lot less labour intensive in terms of managing shortlists and making offers.

## 8 **What doesn't work well in the current system?**

- 8.1 Demand for council housing now far outstrips supply and our open Housing Register has resulted in Sheffield having the largest Housing Register in the country. New tenants can rejoin the register as soon as they are re-housed, which adds to the size of the register and may encourage more frequent moves within council housing. The size of the register makes it too costly to review each year, and means many applications are out of date. It may also send an inaccurate message that there is a greater affordable housing shortage in Sheffield than in the rest of the country.

- There are approximately 84,500 households on the housing register in Sheffield.
- This equates to 36% of all households in the city.
- This compares with between 5-11% in other core cities.
- 18,500 people actively seek housing by bidding for vacant properties in an average year.
- We let around 4000 properties a year.

- 8.2 Customer feedback is that the Lettings Policy is not clear and transparent. For example, although only around 60% of properties are let to priority applicants, anecdotal evidence suggests there is often a



perception the figure is much higher. The new government guidance places greater emphasis on the provision of information to explain allocations and address myths, and consultation with residents in developing policy.

- 8.3 Sheffield's refusal rate is very high compared to other authorities causing increased turnaround time and rent loss.
- 8.4 Welfare reform will affect our tenants and applicants. The under occupiers' penalty (or bedroom tax) will be introduced in April 2013, and brings size criteria into the calculation of Housing Benefit for people of working age. This means that they will only receive Housing Benefit for the amount of bedrooms they are deemed to require. Around 65% of tenants receive some level of Housing Benefit and Department for Work and Pensions have indicated that around 4,500 households will be adversely affected by the changes. It is important we do not allocate properties that prospective tenants are unable to afford and we enable tenants who can no longer afford their property to downsize.
- 8.5 The Localism Act brought in the self-financing HRA. As the Council now carries all the financial risk in relation to Council housing finance it is even more important the allocations scheme contributes to effective stock management, minimising the costs of allocations and void periods and promoting sustainable communities.
- 8.6 As there is only one level of priority, we are not able to meet the most urgent housing need more quickly than other priority needs. Though the current policy does allow for the use of officer discretion to address this, it can be less effective and is not transparent.
- 8.7 There are 23 priority types, some of which are very specific.
- 8.8 The time limits on priorities are confusing and are frequently renewed because applicants have not been able to find a suitable property in the original allocated timescale.
- 8.9 Around 20% of council properties have age restrictions, so only people aged either over 40 or over 60 are eligible, but demand for some these is low.
- 8.10 People under 40 can find it difficult to get re-housed, particularly in areas with high levels of age restricted stock. This results in concentrations of younger tenants in particular areas, which does not contribute positively towards sustainable communities.
- 8.11 There is a need to ensure costs of administering policy offer the best value for money. While a degree of efficiency can be achieved through reorganisation, to some extent the organisational structures and processes are dictated by the requirements of the policy. Achieving all

the desired service improvements requires a review of the policy as well as other changes including investment in IT, process re-engineering and restructuring.

## **9 How will the new draft Allocations Policy improve things?**

9.1 The expectation is the new policy will reduce the Housing Register in size by better managing expectations and encouraging applicants to consider if social housing is the right option for them.

9.2 The decision was taken not to adopt all the flexibilities local authorities have been empowered with that would be likely to further shrink the register, such as the ability to exclude categories of applicants or a requirement to be active on the register. However, there is the option of re-visiting these powers at a later date when the impact of the new policy can be measured in terms of how effective it has been in managing expectations.

9.3 The removal of some age designations will improve housing opportunities for younger people across the city and reduce the high concentrations of younger people in some areas. Tenancies will become more sustainable as young people are more able to access areas nearer to their family, support network or employment. However this also risks a greater mixing of age groups that could lead to increasing incidence of anti-social behaviour and so needs to be managed carefully with appropriate safeguards for existing residents.

9.4 The requirement for more documents and information about applicants at point of registration will enable more appropriate lets. It is hoped that this will help to prevent anti-social behaviour and rent arrears as a result of more appropriate allocation and support for vulnerable applicants. This has also been identified within the Equality Impact Assessment as mitigating against the risks to other vulnerable tenants already housed within a particular area.

9.5 Costs will be reduced by limiting bids and refusals and ensuring that applicants are fully informed regarding properties/areas/information to enable them to place their bids more strategically and successfully.

## **10 Local issues to address**

10.1 Specific issues that have arisen locally that are addressed within the new policy are:

10.2 Support people living in rural communities by giving consideration to local flexibilities in rural areas within the overall Allocations Policy. This is intrinsically linked to the development of Sheffield's Rural Strategy.

10.3 Help older people to live independently by developing a policy enabling sheltered housing tenants to move to vacant properties within their scheme.

- 10.4 Ensure that adults who need supported housing are able to access suitable accommodation.
- 10.5 Ensure those who are owed a statutory housing duty and other reasonable preference groups are given sufficient priority.
- 10.6 Revision of the policy on access to children and dual custody.
- 10.7 Revision of the priority given to families who are experiencing severe overcrowding.

**11 Consultation and the approach to policy development**

- 11.1 The Project Team was formed in March 2011 and carried out a scoping exercise that included visiting 43 teams within Sheffield Homes and the Council, looking at complaints, councillor and MP enquiries, customer feedback, results of previous consultation and benchmarking against other authorities. Out of this the key challenge areas were identified, which helped frame the questions and focus the consultation.
- 11.2 A period of open consultation took place between September 2011 and February 2012. The project team set up and attended over 90 events to carry out face to face consultation, focusing on harder to reach groups. There was a questionnaire which could be completed online or via hard copy, and which was mailed out to over 4,000 people. This received 519 responses and sought to gain feedback around the Key Challenge areas noted above. The Safer and Stronger Scrutiny Committee has provided policy development oversight and held a 'Call for Evidence' for stakeholders.
- 11.3 Based on the consultation findings, the team developed policy options for the Scrutiny Committee to give a steer on the key principles of the policy and then developed a draft policy after drawing on input from a range of Council operational and specialist services.
- 11.4 Following Scrutiny's acceptance of the draft policy, a period of statutory consultation was carried out with RPs and groups identified as adversely impacted by the tightened bedroom eligibility criteria in the Equality Impact Assessments. Targeted consultation was carried out with the following groups:
  - RPs (statutory)
  - People with access to children (EIA)
  - People with disabilities (EIA)
  - Interested groups (requested return)

The results of the consultation were analysed and reported back to the Safer and Stronger Scrutiny Committee. Further recommendations were provided by Scrutiny before the final document was produced for submission to Cabinet.

## **12 Implementation Timetable**

- 12.1 Once Cabinet has approved the policy, it is estimated it will take a further 12 months to achieve full implementation. A key factor in this is the necessary IT changes.
- 12.2 The draft policy includes provision for various decisions to be taken by appropriately authorised officers. Before the policy is implemented there may be some restructuring of the council housing service as part of the Future of Council Housing project, therefore, at this stage it is not possible to identify the officers who will be best placed to make these decisions. Consequently, it is proposed the Executive Director – Communities, be given delegated authority to draw up a scheme of authorisation for Allocations policy decision making prior to implementation.

## **13 Legal**

- 13.1 Part VI Housing Act 1996 requires a local housing authority to adopt an “allocations scheme” and, except in defined circumstances, to allocate property only in accordance with the scheme. When framing the scheme the authority must have regard to statutory guidance issued by the Secretary of State and to its own homelessness strategy (approved by Cabinet in July 2010) and tenancy strategy (approved by the Cabinet Member for Homes and Neighbourhoods in January 2012).
- 13.2 The Localism Act 2011 made some amendments to the allocations provisions and the Secretary of State has issued new statutory guidance. The draft Allocations Policy takes account of the new provisions.
- 13.3 The amended legislation retains the statutory reasonable preference groups but regulations made under the legislation require additional preference to be given to certain serving or former members of the armed forces or their spouses or civil partners if they are in one of the reasonable preference groups. This has been incorporated into the draft policy by enabling the effective date of the priority awarded to the date that service in the armed forces began.
- 13.4 The Welfare Reform Act 2012 will, among other issues, introduce a reduction in housing benefit for social tenants who are deemed to be under occupying (the “bedroom tax”). The draft policy mitigates this effect by limiting bedroom eligibility to the welfare reform level and awarding priority to enable under occupying tenants to move to smaller properties.

## **14 Financial**

- 14.1 The review of the existing policy and procedures has been framed to maximise efficiencies in the management of the allocations scheme. Some of these efficiencies will be difficult to quantify, such as more checks on incoming tenants, which could potentially lead to more successful lets in terms of the right support being in place and the prevention of anti-social behaviour.

14.2 Estimates broadly show savings of £220,000 per annum with initial set-up costs of approximately £140,000. Members have agreed that some of the changes will be implemented before the new policy is fully adopted. This will be made possible by the new ICT system that is scheduled to be in place by September 2013 and will mean that savings can be realised ahead of the full Policy implementation. In particular, efficiencies and savings will be made by restricting bids and refusals for all applicants, which will improve re-let times and reduce vacant rent loss. The new Policy and ICT system are intrinsically linked in this respect as the Policy on limiting bids and refusals to all applicants is made possible and delivered through the new ICT system. As such the above efficiency savings are attributed to both projects working hand in hand.

14.3 Savings estimates are indicative and some savings are fairly intangible, such as the impact of prioritising rehousing to reduce costs associated with use of expensive temporary accommodation and out of borough placements, reducing move on and the associated costs, better information on applicants in order to create more sustainable lets, providing applicants affected by welfare reforms with the opportunity to move rather than get into rent arrears, enabling foster carers and adoptive parents to access appropriate housing and so on.

14.4 It is envisaged that tightened bedroom eligibility criteria will produce further costs savings by ensuring applicants can afford the properties they are bidding for and extension of the downsizing priority will enable those that cannot afford larger properties to move quickly.

## **15.0 Equality of Opportunity Implications**

15.1 Access to Social Housing is a critical issue. Key issues addressed by the proposed changes are fair access to housing for residents and reasonable preference being awarded to applicants who are entitled to it.

15.2 In depth EIAs have been completed for the identified key challenge areas of the policy such as age banding, bedroom eligibility, adaptations, bidding restrictions and registration requirements.

15.3 In addition a 'light touch' EIA has been completed for the full range of Allocations Policy proposals/issues, along with a full EIA on:

1. A move to online applications rather than paper.
2. Requirement to update application annually.
3. Demotion or cancellation for three refusals.

15.4 Targeted consultation has been undertaken with groups identified as adversely affected by tightened bedroom criteria, which includes people with access to children and people with disabilities. Arising from this consultation, further recommendations were accepted by Scrutiny, which help mitigate the effects to these groups.

## **16.0 Tackling Health Inequality Implications**

- 16.1 There are no specific implications arising from these decisions.
- 17.0 Human Rights Implications**  
17.1 There are no specific implications arising from these decisions.
- 18.0 Environmental And Sustainability Implications**  
18.1 There are no specific implications arising from these decisions.
- 19.0 Economic Impact**  
19.1 There are no specific implications arising from these decisions.
- 20.0 Community Safety Implications**  
20.1 There are no specific implications arising from these decisions.
- 21.0 Human Resources**  
21.1 There are no specific implications arising from these decisions.
- 22.0 Property Implications**  
22.1 There are no specific property implications arising from these decisions.
- 23.0 ALTERNATIVE OPTIONS CONSIDERED**  
23.1 The alternative to adopting a new policy would be to retain the current policy. This is not recommended as explained in paragraphs 8.1 to 8.11; the current policy no longer meets current needs and legislative requirements.
- 24.0 REASONS FOR RECOMMENDATION**  
24.1 On March 2010, Cabinet resolved to conduct a general review of the Lettings Policy to ensure that council housing is being allocated in the most efficient way to meet local housing needs.
- 24.2 The policy needs to respond to changes in legislation including the Localism Act and the new statutory Code Of Guidance.
- 24.3 Since 2002 the housing market in Sheffield has radically changed. The amount of council housing has reduced considerably due to demolition programmes, stock transfer and Right To Buy, whilst demand for social housing has dramatically increased. The policy needs to address this changed environment.
- 24.4 The final content of the proposed new policy has been informed by comprehensive consultation.
- 25.0 RECOMMENDATION**  
It is recommended that:
- 25.1 The Allocations Policy as set out in Appendix A of the report is approved.
- 25.2 The Executive Director-Communities be given delegated authority to draw up a scheme of authorisation for Allocations Policy decision making

prior to implementation.

- 25.3 The Executive Director-Communities is authorised to fully implement the new policy at the point when the necessary updating of the Choice Based Letting IT system is completed, with full implementation expected to be 1st April 2014.
- 25.4 A review of the impact of the new policy to commence six months after full implementation.

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# Sheffield City Council

## Draft Allocations Policy

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# 1. INTRODUCTION

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Council housing has always been a tenure of choice for the people of Sheffield, which is reflected in the large size of our Housing Register. This contrasts with the majority of other councils who restrict their housing registers to those in active housing need. The size of Sheffield's Housing Register is not an indicator of housing need because Sheffield has historically allowed applicants to register as an insurance policy and build up waiting time. This practice is now managed by an 'active' and an 'inactive' register. This separates out those who wish to register to accrue waiting time and those who currently want to move. Although still not an indication of need, this will give more context around the numbers of people who are actively seeking social housing in Sheffield.

There are a lot more people wanting to live in **social housing** in Sheffield than there are properties available. However, we are committed to giving you as much choice as possible about where you live. This Allocations Policy sets out to ensure that the scarce resource of social housing is allocated fairly, transparently and legally, balancing all the complex and competing issues. It covers:

- How you can find out about different **housing options** and schemes seeking to make **buying a property or a share in a property more affordable**.
- How the **Housing Register** will operate.
- How you will be assessed.
- How we will allocate properties that become vacant.
- How we will work with **social landlords** in the city (Registered Providers of Social Housing, also known as Housing Associations).

## 1.1 Statement on choice

Whilst meeting our legal and strategic obligations we aim to:

- Give you as much choice as possible within the rules of this Allocations Policy, which will be consistent and transparent.
- Have a **Choice Based Lettings** system that is easy to understand, fair and open.
- Make it clear within the Policy that choice is limited by the lack of available supply of council housing.
- Make it clear within the Policy that choice may be limited where there are specific needs for re-housing such as area or type of property.
- Make it clear within the Policy that choice will be limited by a tenant's ability to pay their rent.

## 1.2 Aims and objectives

This Allocations Policy aims to support the values set out in our **vision** as follows:

### **Fairness**

- By ensuring that the system is accessible.
- That equalities are promoted in everything we do.
- That none of our practices are discriminatory.
- That we manage expectations to reflect supply and demand.

### **Spending public money wisely**

- By ensuring that this Allocations Policy and its accompanying procedures make the most efficient use of available stock.

### **Long term view**

- By securing the future of council housing for the people of Sheffield by ensuring council housing is sustainable and financially viable.
- By planning for the future as much as possible, taking into consideration issues such as demand, changes in legislation and the state of the economy.

### **Prevention**

- By ensuring that you can afford the properties you choose and your home will be suitable for you, in order to prevent rent arrears or the need to move again very quickly.
- By ensuring that we know what your support needs are in order to prevent issues such as rent arrears, homelessness, antisocial behaviour and disruption to communities as much as possible.

### **Enable individuals and communities**

- By enabling you to live, wherever possible, in the area of your choice.

### **Working better together**

- By listening to your comments, views and suggestions and learning from complaints.

## **1.3 Information and ensuring we meet our aims and objectives**

We will regularly **publish results** of completed allocations, providing information about the following:

- Types of property let.
- The number of bids received for each property.
- The successful applicant's **effective date** and **band**.

To ensure that this Allocations Policy is meeting its aims and objectives we will monitor:

- Allocation outcomes.
- Bidding behaviour.
- Equality and diversity data.
- Housing management performance such as relet and void times.
- Nomination agreements.
- Tenancy sustainment.

## 2. HOUSING OPTIONS

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We want to give you all the information you need to make the best decisions for you and your household. When you apply to join our Housing Register, we will ask you to provide information about your circumstances. This will enable us to provide the best possible advice about available housing options that could help to meet your housing need.

Some of the options could be:

- **Swap your home (Mutual Exchange)** - if you are already a council or **social landlord** tenant you can consider registering to swap your home. This could give you the flexibility to move locally, regionally or nationally through Mutual Exchange.
- **Homes for sale or shared ownership schemes** - if you have adequate finance you could be nominated for new builds that are for sale or for a shared ownership scheme.
- **Rent from a private landlord** – if you need more choice in terms of size and location, furnished or unfurnished, this option can provide a greater choice of properties which are often immediately available.
- **Help to stay where you are** – we can provide specialist housing advice on most housing issues. Our specialist team offers services such as representation at the County Court and liaison and negotiation with other services and agencies. The team is able to offer advice on a whole range of housing issues including security of tenure, housing related benefits, defending possession proceedings, disrepair, re-housing, bond/deposits and home owner advice. They may be able to assist you if you are struggling to meet your mortgage payments and need advice on what your options are. If you have a mortgage or pay rent to a landlord and are experiencing financial difficulties they can help with both housing and money advice.
- **Social landlords** – in addition to joining our Housing Register, some social landlords in Sheffield have their own Housing Register. This enables you to access properties they don't advertise through our Choice Based Lettings scheme as well as the properties they do advertise through our Choice Based Lettings scheme.

## 3. THE HOUSING REGISTER

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If you owe any money to the Housing Service and believe you may want to apply for council or social landlord housing now or in the future, you should contact us to discuss the debt and make a repayment agreement.

To apply to join the Housing Register you will need to:

- **Register** and provide information about yourself and any other people you wish to include on your application.
- Tell us about anyone you want to be a **joint applicant** with.
- Confirm that you and any joint applicant are **eligible**.
- Confirm that you and anyone included on your application **qualify** to join the Housing Register.
- Confirm that you should not have your **preference reduced** for unacceptable behaviour.
- Tell us whether you want to be active or inactive on the Housing Register.
- Provide us with all the **information, documents** and signatures that we require.

More information on these processes is contained in the following sections.

### 3.1 How to apply to join the Housing Register

You can **register online**, but if this is difficult for you we can **help you to register** in other ways, such as via **telephone** if you don't have internet access and are unable to get out. In some circumstances, we can give you **extra support** to join the Housing Register.

### 3.2 Who can apply to join the Housing Register?

**A.** You can apply to join the Housing Register if:

- You are 16 or over.
- You have not been re-housed into social housing within the last two years, unless there is a change in your circumstances which would lead to a priority award, or which would affect your bedroom eligibility.

**B.** You can only be on one Housing Register application unless you meet all of the following:

- You are aged between 16 – 25 years.
- You live in your parent/guardian's home.
- You have been continuously registered on your parent/guardian's application since before you were 16.
- You have never permanently left home or lived independently from your family.

**C.** If you meet all of the above four criteria you can be on two Housing Register applications as:

- A household member on an active application.

- The main applicant accruing waiting time on the inactive register until you are 25 years old.

**D.** When you decide to activate your own Housing Register application you will be removed from your family application. If you haven't activated your own application by the time you are 25 years old, you must decide which application you wish to remain on as one application will be cancelled.

### 3.3 Joint applicants

Two or more adults who wish to live together will normally be registered as joint applicants, providing that each applicant is **eligible** and **qualifying** in their own right.

### 3.4 People that are not eligible to join the Housing Register because of their immigration status

Some people will not be allowed to join the Housing Register because of their immigration status and these are:

- People subject to **immigration control** unless they are exempt because they are already a **secure tenant** and unless they come within a class prescribed in **regulations made by the Secretary of State**.
- **Other people from abroad** who are ineligible, unless they are exempt because they are already a secure tenant. Regulations may provide for other descriptions of persons from abroad who, although not subject to immigration control, are to be treated as ineligible for an allocation of accommodation.

If you are not eligible to join our Housing Register you will be notified of that decision in writing and we will explain why you are ineligible. If you think our decision is wrong, you have the right to request **a review** of that decision in writing. If your application is refused then you will not be registered and will not be given a **registration date**.

If you are told that you are not eligible to join the Housing Register, but you think that your immigration status has changed, you can make a fresh application. It will be your responsibility to show us that your immigration status has changed.

### 3.5 People that do not qualify to join the Housing Register because of their behaviour

**A.** Some people do not qualify to join the Housing Register because of their unacceptable behaviour. This includes unacceptable behaviour:

- That you have carried out.
- That a joint applicant or household member have carried out, if they were living with you at the time of the unacceptable behaviour or if they have been guilty of any unacceptable behaviour in their own right.
- That has taken place in any tenure type including all social tenancies, privately rented and mortgaged or owned properties.



Classes of people who do not qualify to be on our Housing Register include those who:

- Have persistent arrears.
- Have carried out severe and costly damage to housing property.
- Have caused or been responsible for antisocial behaviour, which has resulted in the loss of their home.
- Are convicted perpetrators of domestic violence.
- Have exhibited and been convicted of some types of criminal behaviour.
- Have previously unlawfully sublet a social tenancy.
- Have given false information in their application.

More detailed examples of standards of behaviour that might disqualify you, a joint applicant or a member of your household from our Housing Register include those who:

### **B. Persistent arrears**

- Have failed to comply with a current or past tenancy agreement to such an extent that they have been evicted or a court has granted an outright possession order.
- Have debt relating to a previous tenancy such as **sundry debts**, damage or any other identified costs and there is no repayment agreement in place.
- Have avoided repayment of outstanding housing related debts by failing to supply a forwarding address or contact details.
- Have failed to take steps to reduce the volume of outstanding debt when asked to do so.
- Have previously abandoned a tenancy, not due to any reasons of harassment, domestic violence, racial harassment or health issues and have not cleared any arrears or costs resulting from the abandonment.

### **C. Damage to property**

- Have allowed their property condition to deteriorate significantly enough for the landlord to be able to evict them or obtain an outright court order for possession.
- Have allowed furniture provided by the landlord to deteriorate significantly, beyond normal wear and tear.
- Have been found guilty of causing severe and costly damage to housing property.
- Have carried out alterations to their property which make it structurally unsafe.

### **D. Antisocial behaviour**

- Have been lawfully evicted for antisocial behaviour, nuisance or harassment and are not engaging with support services.
- Are or have been subject to a court order for antisocial behaviour, nuisance or harassment; for example have a **possession order, injunction, undertaking, ASBO** and are not engaging with support services.
- Have been found guilty of breaching a noise abatement notice or had noise making equipment seized.
- Have been convicted and lost accommodation provided through employment due to conduct making it inappropriate for them to reside there.
- Have been convicted of violence towards council or social landlord staff, contractors, former or potential landlords. This includes any physical, written or verbal threats or abuse and property damage or threats of property damage.

- Are in breach of another condition of their Tenancy Agreement and it is clear that possession will be awarded or has been awarded.

### **E. Some types of criminal behaviour**

- Have a conviction relating to use of their property for illegal or immoral purposes.
- Have been found guilty of committing hate crime offences in or near their property or where the Public Protection Unit feel they pose a threat to the neighbourhood.
- Have obtained a tenancy illegally, including paying money to obtain a social tenancy.

### **F. Giving false information**

- Have obtained a tenancy by deception, for example by giving false information in their application.
- Have knowingly or recklessly misrepresented their circumstances on a former tenancy.
- Have been convicted of housing related fraud and the conviction is unspent.

This list is not exhaustive.

**G.** When making the decision about whether or not you qualify to join the Housing Register we will ensure that:

- Each application is assessed on an individual basis and any **exceptional circumstances** will be taken into account. You will need to make clear what your exceptional circumstances are and if you have arrears or any other unacceptable behaviour, what efforts you have made to repay the debt and/or improve your behaviour.
- Anyone who doesn't qualify to be on our Housing Register will be notified of that decision in writing. We will explain the reasons for the disqualification and what action could result in the disqualification being lifted. You have the right to request a **review** of that decision.

**H.** If you don't qualify to join the Housing Register you can make a new application if you believe your behaviour has improved. It will be your responsibility to show that your behaviour has improved and to provide information to support this. This will not usually be considered within six months of being disqualified, unless you have cleared arrears in full, in which case we will consider allowing you to join the Housing Register.

**I.** You can provide evidence of improvement by producing:

- A satisfactory reference from your landlord or Mortgage Company or proof you have sustained a period in temporary accommodation without any issues.
- Proof that you have been keeping to a repayment agreement.
- Proof that you have cleared all your arrears and satisfied any orders.
- Confirmation from the police that they have not been called out to any further incidents.
- Confirmation that further relevant court action has not been taken against you.
- Proof you have engaged with, and successfully completed, an external rehabilitation process in prison or another institutional setting.

J. Following acceptance onto the Housing Register, any deterioration in behaviour listed in sections 3A to 3F could result in your application being disqualified and cancelled at any time.

## 3.6 Reduced preference due to unacceptable behaviour

A. Any **unacceptable behaviour** you, a joint applicant, or a member of your household has shown will be taken into account. If the unacceptable behaviour is not serious enough to disqualify you, we will give you reduced preference. This means that you will be placed into the **Diminished Band E** and/or it may serve as an **offer bypass reason**. This can happen at any point during the life of your Housing Register application. We may give you reduced preference where:

- You have any property related debts to the Council or any other landlord/establishment, either relating to your existing property or a former property.
- You are subject to a Notice Seeking Possession or similar notice due to antisocial behaviour, nuisance or harassment.
- You have had a noise abatement notice served within the last year.
- You are in more than eight weeks' rent arrears (net amount) and have not been regularly repaying the debt.
- Your behaviour has not improved with regard to the reasons why you were given reduced preference for unacceptable behaviour – for instance if you are not adhering to a repayment agreement or there are continuing, evidenced reports of antisocial behaviour.

B. Examples of how improvements in behaviour can be evidenced are:

- That you have entered into an agreement with us, are regularly repaying a debt and have been for a period of at least 13 weeks.
- That you have cleared a debt in full.
- That there have been no further reported incidents of antisocial behaviour, or you are engaging with support services to tackle behaviours.

C. This is not a blanket Policy and each case will be considered on its merits. Your preference will not be reduced on the basis of rent arrears alone where you fall into one of the priority bands and exceptions will be considered. We will notify you if you have been given reduced preference and inform you in writing if there is any **action you can take to improve your position**.

## 3.7 Exception request not to disqualify you or reduce your preference

A. If you have either:

- a) Been disqualified from joining the Housing Register or
- b) Had your preference reduced

and believe that you have exceptional circumstances that we should take into account before deciding to disqualify you or reduce your preference, you can make an 'exception request'. Exception requests will consider:

1. Allowing you to join the register when you would not normally qualify.
2. Not reducing your preference when the Allocations Policy would entitle us to do so.

**B.** If you, a joint applicant, or a member of your household have been involved in any unacceptable behaviour, you will need to explain the following to be considered for an exception:

- What your exceptional circumstances are.
- If you have debt, the reasons why you got into that debt.
- What efforts you have made to repay that debt.
- What you intend to do to pay off that debt and to pay your rent in the future.
- If you have carried out antisocial behaviour, the reasons surrounding that.
- What efforts you have made to ensure there will be no antisocial behaviour in the future.
- How behaviour has improved since.

**C.** When making a decision to allow an exception these are some of the things we will take into consideration, if relevant to your particular circumstances:

- Your level of housing need and any vulnerabilities you may have that could have affected your circumstances at the time of the unacceptable behaviour, such as learning disabilities and mental health.
- Information about your income and expenditure at the time and currently.
- Support agencies you are engaging with currently.
- Whether you have made a repayment agreement and how you are complying with it, including if you have cleared any arrears.
- The time that has elapsed since the unacceptable behaviour occurred and improvements in behaviour since.
- Arrears and behaviour references from a landlord.
- Information from the police.

Your case may be recommended for approval in consultation with the appropriately authorised manager in our rent or antisocial behaviour services. Restrictions on re-housing may be applied as part of the conditions of you not being disqualified or having your preference reduced. This may include restrictions to specific areas and/or property types.

**D.** You will not be granted an exception request unless you sign and agree to the following, where appropriate:

- A repayment agreement.
- An affordability assessment.
- That you will engage with and accept ongoing support including offers of debt counselling, benefits/affordability advice and involvement from support agencies.
- An agreement regarding improving your ongoing behaviour.
- Agreement to address any issues contributing to antisocial behaviour.

**E.** Exception requests will be considered by appropriately authorised senior officers. If your request is refused, we will write to you and explain any steps you can take that might lead us to reconsider the decision in the future.

F. You have the right to request a review of this decision. This will not normally be reconsidered within six months of that decision being made, unless there has been a change in circumstances. There is no further right of review on these review decisions.

### 3.8 Qualifying applicants not able to participate in Choice Based Lettings (CBL)

You may **qualify** to be on our Housing Register but not be allowed to bid (or any bid you make may be disregarded). This is because:

- You are aged 16-17. You will not be offered a tenancy unless you meet each of the following:
  - You are in one of our **priority groups**.
  - **You have a trustee**.
  - **You have a suitable guarantor**.
- Your eligibility or level of priority is being re-assessed, perhaps because of a **change of circumstances**.
- We have concerns about possible **fraud** or the accuracy of the information that has been supplied in relation to your application for housing.
- You have already accepted an offer of another property or have been formally offered another property and have not yet confirmed whether or not you will accept that offer.
- You have accepted an offer of housing but the property is not yet ready for occupation.
- It has been agreed that you will receive a **'direct offer'** of accommodation.
- You still **own your own residential property** or are buying a residential property (this includes properties that you may rent out to tenants). Proof of sale by way of exchange of contracts will be required before you can start bidding, unless you are a residential property owner occupier who has been assessed and given a priority. In this case, proof of sale will need to be produced at a later date. If you have previously owned a property and sold it you will be asked to provide proof of the sale.

We will tell you the reasons why you are not able to take part, any conditions you will need to meet before you will be entitled to bid again and the date that you may request a **review** of the decision to prevent you bidding.

### 3.9 Registering interest in council housing for a later date

If you don't need council housing at the moment but want to register to build up waiting time, you can choose to be 'inactive' on the Housing Register. This will mean:

- There is no requirement on you to bid for properties.
- You will not be placed into a band at the time of registration.
- You will still need to meet all the registration requirements.
- You will need to be eligible and qualifying.
- You will need to update your application on an annual basis.

You can choose to become active at any point. You will need to inform us of any changes to your circumstances when you become active. If you are awarded a priority, your effective date will be the date that you received that priority award.

### 3.10 Checking of housing applications

We will only accept your application once you have provided all the **original documentation** we have requested. You will be asked to produce original documentation at the point of registration and then again at the point of offer or if your circumstances have changed.

For everyone included on your housing application we will need proof to substantiate the following (wherever applicable):

- Ability to manage a tenancy (landlord reference if applicable)
- Identity
- Immigration status
- Payment history
- Where you have lived for the past five years
- Any other information required to substantiate what you have told us in your application.

Your **registration date** will be the date that the completed application was received with all the supporting documents and authorising signatures that we ask for.

### 3.11 Registration and effective dates

If you are **eligible** and **qualifying**, you will be accepted on to the Housing Register once the completed application form is received with all the **required information, supporting documentation** and authorising signatures. The date that this occurs is known as the 'registration date'.

If you wish to actively bid for properties straight away you will automatically be placed into the General Needs Band D, unless you request a priority assessment and are awarded a priority. The date that you are placed into a band is called the 'effective date'. The effective date is important as it is the date that you will be **ranked** by within your band. The registration date will be used to decide between any **tied positions** (with an exception for **demolition** cases which follow different rules).

The registration and effective dates can be the same (usually when you first apply to join the Housing Register) but the effective date may change if your **circumstances change** and you are placed into a different band.

If you opt to be on the inactive register, your effective date will be the same as your registration date. When you become active on the Housing Register you will automatically be placed into the General Needs Band D and your effective date will be the same as your registration date. If, upon activation of your registration you need to request a priority assessment and are awarded a priority, your effective date will be the date on which you were awarded the priority.

## 3.12 Local connection to Sheffield

If you don't have a local connection to Sheffield you can apply to join the Housing Register but you will be placed into the **Diminished Band E**. There is an exception to this where we have accepted a full homelessness duty.

To demonstrate a **local connection to Sheffield** you must show proof that you meet at least one of the following criteria:

- You are **normally resident** in the district by choice.
- You have employment in the district.
- You have a **family association** such as parents, adult children or siblings. We may include associations with other family members such as step-parents, grandparents, grandchildren, aunts or uncles provided there are sufficiently close links in the form of frequent contact, commitment or dependency.
- You have special circumstances which might include the need to be near special medical or support services which are available only in a particular district.

## 3.13 Declaration and consent required

When you apply to join the Housing Register you will be asked to sign a declaration to confirm that:

- The information you have provided is complete, **true** and accurate.
- If you are an active applicant you will inform us immediately of any **change in your circumstances**, if not, you will update us at your annual review or when you become active.
- You understand that the information you have provided will be **shared** with partner organisations (such as **social landlords**) and other relevant organisations, in order to complete or verify your application, or **prevent fraud or protect public funds**.
- You consent to us making enquiries of any relevant persons (including credit checking/referencing companies) to confirm that the information on your application form is correct, or to add to the information given, where this is necessary, to complete an **assessment of need** or to consider **suitability for housing**.

## 3.14 Confidentiality and sharing information

We will treat the information you provide as confidential. It will only be available to those directly involved in re-housing processes. This includes council and social landlord staff participating in our **Choice Based Lettings** scheme. Your details are also subject to the controls of the **Data Protection Act** regarding unauthorised disclosure.

In exceptional circumstances, information may be shared about you and your history even if your consent has not been obtained. These circumstances include:

- Where there is a serious threat to other members of the public, staff or contractors.
- Where information is relevant to the management or support duties of the proposed landlord or support organisation to ensure your health and safety, or that of a member of your household, or a member of staff.

- Where there are safeguarding issues.

### 3.15 Fraud and withholding information

It is an offence for you to knowingly or recklessly make a statement that is false in a material particular, or to deliberately withhold information which the Council reasonably requires you to give.

If you do so, your Housing Register application may be immediately cancelled and you may be deemed to be a **non-qualifying person**.

The Council may prosecute anyone who deliberately misrepresents their circumstances or attempts to deceive or defraud the Council in order to secure the tenancy of a council or **social landlord** property to which they are not entitled. If you are found guilty of this offence you may be fined.

If we have given you a tenancy because of false information provided on your application we can take legal action to recover possession of the property. Where there are less serious omissions, alternative penalties may be applied, such as placing you into the **Diminished Band E** or loss of priority.

### 3.16 Members of the Council, staff and relatives

If you are a Member of the Council, Sheffield City Council staff or one of their relatives you must make this clear on your application. You must also complete and return a **declaration of interest**. Any offer of accommodation must be approved by an appropriately authorised senior manager who has no interest in your case.

### 3.17 Councillors

Elected Councillors cannot be involved in assessing housing applications or the allocation of housing. However, this does not prevent them from seeking or providing information on behalf of their constituents, or from being involved in developing and approving future Policy.

### 3.18 Social landlords

We work in partnership with **social landlords**. When you join our Housing Register you will be able to bid and be nominated for some social landlord properties in the city.

Social landlords' allocations policies may differ from this Allocations Policy, so if you are nominated by us, the social landlord will make the final decision about whom they offer their properties to. However, their decisions may be influenced by individual agreements they have with us. In addition to this, many **social landlords** keep their own housing register, which you can **apply to join** individually.



## 3.19 Keeping the Housing Register up to date

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This section provides information about what you need to do to keep your application up to date and remain registered.

### 3.20 Changes in your circumstances

If you are actively bidding you must let us know immediately if your circumstances change (or those of any of your household members). This could include:

- A change in the health of a household member that affects their housing need.
- A change of address.
- Any acquisition or inheritance of property.
- Arrears.
- Convictions.
- Someone joining or leaving your household.
- The birth of a child.
- Or anything else relevant to your housing situation.

Following a **change of circumstances**, your application will be re-assessed. This will not usually change the original **registration date** (unless you are found ineligible or are disqualified) but might change the **effective date**, if you are moved into a different band.

Following re-assessment you may:

- Gain greater priority and be placed into a higher band.
- Lose priority or have your priority reduced and be placed into a lower band.
- Remain in the same band.
- No longer qualify for our Housing Register.

If you provide information which places you in a higher band your **effective date** in the new band will be the date on which you were assessed and placed in that band. If you provide information which places you in a lower priority band you will retain your effective date. If the information provided places you from a priority band into the General Needs Band D, your original effective date can be re-instated if that is better for you.  If you stay in the same band your effective date will not change even if new information has been assessed.

If you are on the inactive register, you can update any changes of circumstances when you choose to become active or when completing an annual renewal (whichever is sooner).

### 3.21 Renewing your housing application

Whether you are an active or inactive applicant you will be responsible for updating your **registration online** annually. This is to confirm that you still want to be registered and what your current circumstances are. You will need to do this on or around the anniversary date that your housing application was registered, whether or not we have reminded you to do so. If you don't do this your application will be removed from the Housing Register.

If we are aware that you have any vulnerability, extra effort will be made to contact you and assist you to update your application. However, if you fail to respond your application will be cancelled.

## 3.22 Cancelling housing applications

A housing application will be cancelled and removed from the Housing Register when:

- You request it.
- You become ineligible or no longer qualify for housing.
- You accept a council or social landlord tenancy as a sole or joint tenant.
- You become a joint tenant with an existing tenant.
- You are assigned a tenancy.
- You are granted a new secure tenancy on the death of a successor or when no one is eligible to succeed to a tenancy.
- You purchase a property in a build for sale or shared ownership scheme or any similar schemes.
- You are a council tenant who completes the purchase of your property through the [Right To Buy](#).
- You fail to update your application annually.
- You have given false information on your application or withheld relevant information.
- You are in the Diminished Band E and refuse three reasonable offers of accommodation.
- You move home and fail to provide us with a contact address.
- You fail to respond to a request for further information.
- You are registered on more than one application (subject to exceptions at 3.2).

If your registration has been cancelled and you want to re-join the Housing Register, you will receive a new registration and [effective date](#). If you are re-housed via the Housing Register into a council or [social landlord](#) tenancy you will not be able to re-register for two years unless there is a change in your circumstances which would lead to a priority award, or which would affect your bedroom eligibility.

In exceptional circumstances we may reinstate a cancelled application if you request it within three months of the cancellation.

You have a right to request a [review](#) of this decision and if upheld this decision will not normally be reviewed with the first 12 months of being made.

## 4. HOW WE DECIDE BETWEEN HOUSING NEEDS

If you have submitted a **completed application**, which fulfils all the **registration requirements**, we will check if you are **eligible** and **qualify** to be on the Housing Register. Following acceptance that you are eligible and qualifying, if you wish to actively look for a property, we will place you into the **General Needs Band D** unless:

- You have requested an **assessment for priority** and provide information to support a priority award. Priority will only be awarded where:
  - There is a recognised critical, urgent or moderate need that cannot be met (or cannot be met with sufficient urgency) in the General Needs Band D.
  - You have a local connection to Sheffield.
- You don't fit the criteria to be placed into the General Needs Band D and are placed into the **Diminished Band E**.

If you are not satisfied with the band you have been allocated, you have the right to request a review of this decision.

### 4.1 Overview of the bands

The table below gives an overview of the bands, showing what is included at each level. These are divided into two sections to show the three priority bands (A, B and C) on one side and the General Needs Band D on the other. Some properties are **set aside** for the priority bands and some solely for the General Needs Band D. After **properties have been offered** to either the priority bands and/or the General Needs Band D they will go on to be offered to the Diminished Band E, which sits below all the bands.

Properties advertised to priority applicants first		Properties advertised to General Needs applicants first
<b>Top Priority Band A</b>	<ul style="list-style-type: none"> <li>Health</li> <li>Welfare/hardship/support needs</li> <li>Demolition</li> </ul>	<b>General Needs Band D</b>
<b>2<sup>nd</sup> Priority Band B</b>	<ul style="list-style-type: none"> <li>Health</li> <li>Welfare/hardship/support needs</li> <li>Demolition</li> <li>Full homelessness duty</li> <li>Foster carers and adoptive parents</li> <li>Under occupation and/or release of an adapted property</li> </ul>	
<b>3<sup>rd</sup> Priority Band C</b>	<ul style="list-style-type: none"> <li>Welfare/hardship/support needs</li> <li>Demolition</li> <li>Other homelessness duties</li> <li>Prison, other institutionalised care or rehabilitation</li> </ul>	
<b>General Needs Band D</b>		<b>Top Priority Band A</b> <b>2<sup>nd</sup> Priority Band B</b> <b>3<sup>rd</sup> Priority Band C</b>
<b>Diminished Band E</b>	<ul style="list-style-type: none"> <li>No local connection</li> <li>Unacceptable behaviour (not serious enough to disqualify you)</li> </ul>	

## 4.2 Priority groups

### Reasonable preference

As mentioned previously, our Allocations Policy needs to be legally compliant and therefore we recognise the priority groups that must be given **reasonable preference** as set out in legislation, which are:

- (a) People who are **homeless**.
- (b) People who are owed a homeless accommodation duty by any local authority.
- (c) People living in **insanitary** or **overcrowded** housing or otherwise living in **unsatisfactory** housing conditions.
- (d) People who need to move on **health** or **welfare grounds**, including grounds **relating to a disability**.
- (e) People who need to move to a **particular locality** in the district of the local authority, where failure to meet that need would cause hardship to themselves or others.

### Armed forces

We must give additional preference to people with urgent housing need who fall within one or more of **the reasonable preference categories** and who also meet one of the following categories:

- i) People who are serving in the regular forces and are suffering from a serious injury, illness or disability which is attributable (wholly or partly) to their service.
- ii) People who have formerly served in the regular forces.
- iii) People who have recently ceased, or will cease to be entitled to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service.
- iv) People who are serving or have served in the reserve forces and are suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.

If you meet any of the above criteria we will give you this additional preference by backdating your **effective date** to the date that you or your spouse/civil partner entered the forces.

### Other priorities

We will also give priority to the following groups:

- People who need to move because their council property is being **demolished** or their property is part of a council demolition programme.
- People who are **approved foster carers or adoptive parents** who Social Services have confirmed need larger accommodation.
- People who are **under occupying** social housing accommodation and wish to move to a smaller property.
- People that gave up a council tenancy by agreement with us when entering prison, other institutionalised care or rehabilitation, to avoid building up arrears.

## 4.3 The bands described

The sections below describe how your circumstances will place you into a band. If you have a priority, your case will be graded according to how critical your situation is. There are three priority bands – Top Priority Band A, 2<sup>nd</sup> Priority Band B and 3<sup>rd</sup> Priority Band C. Those without a priority will be placed into General Needs Band D, unless there is no local connection, they have refused offers of accommodation or there is unacceptable behaviour, which will place them into the **Diminished Band E**. The Diminished Band E is for people who we have accepted onto our Housing Register, but who have the lowest likelihood of being re-housed. This is because they will only be considered for housing after people in the other bands have been considered first. The sections below explain in more detail what might affect the priority your case is given.

## 4.4 Top Priority Band A

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This band gives priority to the most critical cases, examples of which are below:

### 4.5 Health

This priority will only be awarded where any accommodation you would usually return or be discharged to would be highly unsuitable to your health needs and would seriously compromise your health and wellbeing. For example critical health need includes emergencies where you are in hospital, or any other institution, have no suitable housing to be discharged to, and as a result cannot be discharged without a high risk to your health and/or safety.

An offer of accommodation will not be made if it does not meet the specific housing needs identified. You may be offered accommodation that can be adapted to meet your health needs.

### 4.6 Welfare, hardship and support needs

Welfare, hardship and support needs include the following examples:

- A council tenant who we have agreed can have an emergency transfer because you are at a high risk to your life and limb or there has been an emergency such as a fire or a flood and you would not be able to return home at a later date because it is uninhabitable.
- Living in a private sector property where we have served an **Emergency Prohibition Order** preventing the occupation of their accommodation. Alternatively, where one could be served because the conditions present a risk of serious harm to the health and safety of anyone living in that property.
- A household that needs to move immediately because there are critical safeguarding circumstances involving children or vulnerable adults. The Safeguarding Case Conference has identified that an urgent move is required and included this in the Safeguarding Plan.

### 4.7 Demolition

If you have a critical need to be moved because you are the last still in occupation of a property in a Sheffield City Council demolition programme phase or your property is going to be demolished imminently and is dangerous.

## 4.8 2<sup>nd</sup> Priority Band B

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This band gives priority to the most urgent cases, examples of which are shown below:

### 4.9 Health

If you have a significant health condition and your housing situation presents a considerable risk to your health and/or safety. Examples may include:

- You require extensive disabled facilities that can be provided more appropriately in **alternative accommodation**.
- The design of your current home means you cannot reach essential facilities within your property without considerable difficulty or help and a move to a different type of property would resolve these difficulties or alleviate them significantly.
- The design of your current home means you cannot get into or out of your home without considerable difficulty or help and a move to a different type of property would resolve these difficulties or alleviate them significantly.
- You have been discharged into the care of your family but this accommodation is unsuitable for your needs.
- You have significant mental health or other health problems that are being caused or made worse by your housing situation and this could be resolved by urgent re-housing.
- You have a significant diagnosis of an autistic spectrum condition or learning disability and your housing situation is unsuitable for your needs.

This priority will only be awarded where your health condition is being made worse by your housing situation. An offer of accommodation will not be made if it does not meet the specific housing needs identified. Priority will not be awarded where health problems are expected to be short-term.

### 4.10 Welfare, hardship and support needs

**A. Welfare** – includes issues like violence, harassment and high risk to health and safety:

- You have suffered violence or threats of violence which are likely to be carried out and risk reducing measures to support you to remain in your home are no longer an option.
- You have suffered severe mental trauma resulting from extreme harassment for such reasons as your race, sex, sexuality, mental health, physical disability, learning disability, religion, and health such as HIV or Aids (this list is not exhaustive). Risk reducing measures to support you to remain in your home are no longer an option
- We are pursuing court action to evict a perpetrator of antisocial behaviour and it is no longer reasonable for you to remain in your home.

**B. Hardship** – includes issues like overcrowding and unsatisfactory housing conditions:

- You are statutorily overcrowded. When assessing overcrowding we will only take into account those people who are part of your permanent household. Priority will not be given if the overcrowding is the result of someone moving into your household.

Where you are not the main person with **parental responsibility** for the children named in your housing application, the children will not be taken into account in the assessment of overcrowding. Only in exceptional circumstances would it be reasonable to expect children who had a home with one parent to be provided with another.

If you are overcrowded but the overcrowding can be resolved by your household, or a household within your household moving out to form a separate household, we may award a priority for a move to the household within the household who are not the tenants.

- You live in unsatisfactory housing conditions in the private sector where there is one or more category one hazard or the equivalent in a combination of other hazards (excluding overcrowding), which cannot be easily remedied or made suitable for you. The house will either be the subject of an Improvement Notice, or a Prohibition Order. Alternatively, where one could be served due to the health and safety of anyone living in that property.

**C. Support needs** – includes issues like people engaged with Social Services, in our **approved supported accommodation** or part of strategic support initiatives:

- You have been placed by Social Services outside the city of Sheffield and need to return to Sheffield urgently.
- You are a care leaver and you are ready to move on from care, ready for independent living, capable of holding a tenancy and, if under 18, have a rent guarantee from Social Services which lasts until you are 18. This is awarded in accordance with protocols between Housing and Social Services.
- You are ready to move on from our approved supported accommodation to independent settled accommodation on the recommendation of your support worker. Ongoing support needs have been assessed and, where appropriate, a support plan is in place.
- You have been identified as a household which needs to move as part of a support initiative by the Council. An award of this priority will only be granted by agreement between directors from the relevant services, who recognise this award is time limited, specific and designed only to accommodate exceptional circumstances.

## 4.11 Demolition

You are resident in a property which is in a Sheffield City Council demolition programme phase. Your property is scheduled for demolition and demolition is being delayed by re-housing or your household is especially vulnerable.

## 4.12 Full homelessness duty

You are homeless and following a full assessment we have accepted a full duty to house you because you are:

- Homeless.
- Eligible.
- In priority need.
- Not intentionally homeless, and
- You have a local connection to Sheffield (exceptions apply).

This priority will be cancelled if the homelessness duty is ended, even if you have not had an offer of social housing. This may be because you have been offered a private rented tenancy, or for another reason.

### 4.13 Foster carers and adoptive parents

If you are a council approved **foster carer or adoptive parent** and Social Services have confirmed that larger or more appropriate accommodation is required to enable you to either foster or adopt. This may be larger accommodation than would normally be allowed.

### 4.14 Under occupation and/or release of an adapted property

If you would like to down-size it must be to a property that you are eligible for. This is set out in the **bedroom eligibility** criteria section of this Allocations Policy.

This priority will be awarded in the following circumstances:

- You are a Sheffield City Council or social landlord tenant who:
  - Is under occupying a property.
  - Is willing to down-size to a property with fewer bedrooms.
  - Has the agreement of your landlord (where the property is not owned by the council) that the property will be released to re-house a household from the Housing Register.
- You are a Sheffield City Council or **social landlord** tenant who:
  - Is occupying a specially adapted property.
  - Does not require these adaptations.
  - Is willing to transfer to a property that is more appropriate for your needs.
  - Has the agreement of your landlord (where the property is not owned by the Council) that the property will be released to re-house a household from the Housing Register.
- You have **succeeded** to a council property but are under occupying.
- You applied and met the criteria to be **assigned** a council tenancy that you are under occupying or you are occupying a specially adapted property and we require you to move to somewhere smaller and/or more appropriate to your needs.



## 4.15 3<sup>rd</sup> Priority Band C

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This band gives priority to cases that merit some extra consideration but your need to move is not as great as those in the Top Priority Band A or 2<sup>nd</sup> Priority Band B. Examples are set out below:

### 4.16 Welfare, hardship and support needs

You need to move from your current home or to a particular area within the Sheffield City Council boundary, where failure to meet that need would cause hardship to you or others. This might be the case where:

- You or someone in your household is studying at a special **school** in the area and the education obtained at that school could not be reasonably provided in your current location.
- You need to be able to access support networks in the area because it is important to be close to people who can support you. This could be for example if you have learning disabilities and need to live independently.
- You need to move to be nearer to family or friends in order to give or receive a significant level of practical and/or emotional support to meet a physical or mental health need. There must be evidence that a high level of support is needed and that without that support, you or the person you are supporting would have significant problems in your daily lives. If you are the person giving the support you will need to provide evidence that you are providing a significant level of support, or will give a significant level of support, if one of the parties moved nearer. You will also need to show how a move will greatly cut or ease the travelling time needed to give or receive support. Priority will be awarded to the person who is most easily able to move.
- Your accommodation is unsuitable for your needs due to your disability or health. This could be, for example, because you have a diagnosis of an autistic spectrum condition and your accommodation is unsuitable due to sensory or environmental factors (such as noise or light), or because of another reason connected to your autism (such as a need to live close to a family member or carer).
- Following an affordability assessment by our officers, it has been identified that, through no fault of your own, your property is no longer affordable.
- You are a council tenant aged 60 or over whom currently lives in a block of properties designated for people over 60 and the block is re-designated with no age restriction. This priority can only be used to access a property that is designated for people who are over 60 and **bedroom eligibility** will be in line with that set out in this Allocations Policy.

### 4.17 Demolition

If you have been notified that your property comes within a Sheffield City Council demolition programme that has been initiated and your phase has been declared.

### 4.18 Other homelessness duties

Following a homelessness assessment you will be awarded this priority if you are found to be:

- Homeless or threatened with homelessness.

- Eligible.
- Not in priority need, or
- In priority need but intentionally homeless and the reasons are not property related debt or antisocial behaviour.

You will not be entitled to this priority if you have already had the full homelessness duty priority on this application.

## 4.19 Prison, other institutionalised care or rehabilitation

If you are in prison, other institutionalised care or rehabilitation, are due to leave or be released within six months and you meet both the following requirements:

- By agreement with us, you gave up a council tenancy rather than built up rent arrears when you went into prison, other institutionalised care or rehabilitation, and
- You do not have any property related convictions or antisocial behaviour which is property related.

## 4.20 General Needs - Band D

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This band is for people who would like to move but who don't have an identified **priority**. In this band the time you have been waiting is important. Properties advertised to this band will usually be allocated to the person with the longest waiting time that expresses an interest by placing a bid. You can be in this band if:

- You have registered and been accepted as a General Needs Band D applicant.
- You are not subject to **criteria** that would place you in the **Diminished Band E**.
- You do not have an identified **priority**.
- You had a priority but refused an offer and the priority was removed.
- You had a priority but failed to actively bid for properties.
- You are a residential property owner who has produced proof that you have sold your property.

## 4.21 Diminished - Band E

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This band is for people who have been accepted onto the Housing Register, assessed and given **reduced preference** as a result of one of the following reasons:

- You have no local connection.
- You have exhibited unacceptable behaviour, such as rent arrears or antisocial behaviour but this is not serious enough to **disqualify** you totally from our Housing Register.

You **can improve your opportunity** of being re-housed in the following ways:

- By proving a **local connection** to Sheffield.
- By **providing proof** that you have sold your property.
- By **providing proof** that your behaviour has changed for the better.

Please be aware that if your behaviour deteriorates following assessment you can still be placed into the Diminished Band E at any point.

## 4.22 Other considerations and decisions

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This section provides information about:

- Other priorities that could be introduced.
- What will happen if you intentionally worsen your circumstances.
- How we decide which band a property will be advertised to.
- In what circumstances we will make discretionary decisions.
- When you can request a review.

## 4.23 Local Lettings Policies

In certain circumstances we may develop a **Local Lettings Policy**. These can help us to address any issues or challenges within a neighbourhood and help to ensure that communities are mixed and sustainable. Local Lettings Policies can be used to help achieve a variety of housing management or policy objectives.

In any area where a Local Lettings Policy is in place, offer preference may be given to particular groups who may be outside of the priority categories. Examples of these could include allocating to the following groups:

- Tenants in sheltered accommodation wishing to transfer within a scheme.
- Applicants with a demolition priority wishing to remain in the same area.
- Properties which are age restricted to people over 60.

Local Lettings Policies will be evidence-based and be approved at the appropriate level for particular property descriptions in defined geographic areas. They will be formulated following consultation and will be reviewed annually. All properties that are subject to a Local Lettings Policy will be clearly labelled as such when they are advertised through the Choice Based Lettings scheme. Local Lettings Policies will be approved in accordance with the Leaders Scheme Of Delegation.

## 4.24 Deliberately worsening your circumstances

We will consider whether you have deliberately made your housing situation worse, either by your own action or inaction, to increase your housing need and consequently improve your chances of re-housing through the Housing Register.

If we decide that you have made your housing situation worse, you will remain in the band that reflected your housing need before the deliberate action (or inaction) that made your situation worse.

You have the right to request a **review** of this decision. If upheld, this decision will not normally be reviewed within the first 12 months of being made. If for any reason the restriction is removed, you will be placed in the band that reflects your current circumstances and your **effective date** will be the date that the application was moved to the new band.

## 4.25 How we decide which band a property will be advertised to

A proportion of the properties advertised will give preference to households with **priority** (Bands A-C) and a proportion will give preference to households with general needs (Band D). Properties selected will be taken from each type and size of property on each estate, as and when they become available. To enable us to meet our statutory duties and balance priorities this proportion may vary over time. Four bedroom, adapted and other properties suitable for people with mobility needs are not included in this.

The appropriately authorised director responsible for housing within the Council will determine the exact proportions and any changes will be openly advertised on our website. This will be reviewed on at least an annual basis.

## 4.26 Discretionary Decisions

If an exceptional case arises that is not covered by the sections contained within this Allocations Policy, we may use our discretion. Discretionary decisions will be taken by appropriately authorised managers within Sheffield City Council and include the following definitions:

- To make an offer to an applicant other than the one whose bid is first.
- Not to make an offer to you if there are special circumstances.
- To make decisions on re-housing and registrations if your circumstances are not covered by this Allocations Policy.
- To waive the Allocations Policy in exceptional circumstances.
- To refuse or restrict a registration because of antisocial behaviour or the condition of the tenancy.
- To waive debt requirements in exceptional circumstances.

## 4.27 The right of review

If you are not satisfied with a decision you have the right to request a review of the following decisions:

- That you are not eligible to join the Housing Register.
- That you do not qualify to join the Housing Register.
- That your Housing Register application has been cancelled.
- That your preference has been reduced.
- Regarding the facts taken into account in considering whether to make you an offer.
- Regarding the band you have been placed into.
- Regarding a discretionary decision (as listed at 4.26).

You must request a review within 21 days of notification of the original decision. An appropriately authorised manager will then review the decision and will write to you with the review decision. Where the review concerns mobility, support or other health priority the manager will consult a health professional. There is no further right to an internal review.

## 4.28 How we monitor applicants in each band

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Priority awards are monitored to ensure that everything possible is done to aid the re-housing process. The sections below explain the monitoring system for each band.

### 4.29 Top Priority Band A

If you are awarded a priority within the Top Priority **Band A**, your bidding will be monitored on at least a weekly basis to ensure that you are bidding consistently and realistically. This is because the urgency of your need is such that you must be re-housed as quickly as possible. If you are not bidding consistently and realistically we may place bids on your behalf at any point.

You will receive one offer of suitable accommodation to satisfy your housing need and if you refuse this offer of accommodation you will be placed into the 2<sup>nd</sup> Priority Band B. No re-assessment of your case will be carried out within 12 months of any offer being made, unless there is a significant change in your circumstances. In this case your application will be re-assessed, based on the fresh information provided.

### 4.30 2<sup>nd</sup> Priority Band B

If you are awarded priority within the 2<sup>nd</sup> Priority Band B, your bidding will be monitored and reviewed on at least a monthly basis, except:

- Under occupiers, who will be reviewed on at least a quarterly basis, and
- Cases where there is a full homelessness duty, which will be reviewed on at least a weekly basis.

This is to check whether you are bidding consistently and realistically and if you are not, we may place bids on your behalf at any point.

You will receive one offer of suitable accommodation to satisfy your housing need or in discharge of our duty. Any offer of suitable accommodation made may mean that, if you are homeless, our homelessness duty comes to an end. Following a suitable offer being made your priority will be removed. This will result in you being placed in the General Needs Band D, where you may retain your original **effective date**, issued to you before you were given a priority, if this date would be better for you. No re-assessment of your case will be carried out within 12 months of any offer being made, unless there is a significant change in your circumstances. In this case your application will be re-assessed, based on the fresh information provided.

### 4.31 3<sup>rd</sup> Priority Band C

If you are awarded priority within the 3<sup>rd</sup> Priority Band C, your bidding will be monitored and reviewed on at least a quarterly basis to check whether you are bidding consistently and realistically and if you are not, we may place bids on your behalf at any point.

You will receive one offer to satisfy your housing need and if you refuse this offer of suitable accommodation your priority will be removed. You will then be placed into the General Needs Band D, where you may retain your original **effective date**, issued to you before you were given a priority, if this date would be better for you. (take out extra full

stop) No re-assessment of your case will be carried out within 12 months of any offer being made, unless there is a significant change in your circumstances. In this case your application will be re-assessed, based on the fresh information provided.

### **4.32 General Needs Band D**

If you are in the General Needs Band D and have not placed a bid within a 12 month period you will automatically be moved onto the inactive register.

### **4.33 Diminished Band E**

If you are in the Diminished Band E and have not placed a bid within a 12 month period you will automatically be moved onto the inactive register.

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## 5. LOOKING FOR A PROPERTY

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This section explains:

- How you can find out about **available properties**.
- How you can register interest in available properties by placing **bids**.
- How many **bedrooms** you are likely to be able to bid for.
- How the **amount of bedrooms** you can bid for might be affected.

### 5.1 Advertising available properties

This Allocations Policy offers properties through a **Choice Based Lettings** system. Properties offered through our Choice Based Lettings scheme will be advertised on the **Sheffield Property Shop website**. For those that don't have internet access or find it difficult to use the internet we can provide the information in other forms, or offer support. In exceptional cases, a property may be **excluded from the Choice Based Lettings scheme**. This could be where it is withdrawn after being advertised for use as emergency re-housing.

Properties that are more suitable for people with disabilities will be advertised to make that clear and we will make every effort to let those properties to people that need those specific adaptations.

**Social landlords** may advertise some or all of their properties through our Choice Based Lettings scheme and may use their own allocations policy to decide which applicant to offer the property to. They may decide that a property will be prioritised for their own existing tenants or for other specified criteria. This information will be included on the property advertisement.

Advertisements will include:

- A description of the property.
- Any group it will be prioritised for.
- Any special facilities or adaptations that we are aware of.
- Any properties advertised to people of a **minimum age**.
- Any properties subject to a **Local Lettings Policy**.
- **Eligibility for the property**.
- **Landlord details**.
- Number of bedrooms.
- The rental amount.

Where there are no bids from eligible applicants a property could be:

- Given as a final offer in discharge of our homelessness duty.
- Used as a direct let.
- Re-advertised.
- Let on a first come first served basis.

In these instances the criteria may be revised or relaxed. If we know from experience that a property is a low demand type because a similar property has been advertised recently,

we may relax the criteria or advertise on a first come first served basis with immediate effect.

## 5.2 Bidding for a property

To be offered an available property you will need to place your bid by the publicised deadline and meet the criteria specified on the advert. You will be able to make up to three bids during each advertising cycle. The cycle will be weekly but may be subject to change from time to time, which will be publicised. Some immediately available properties, such as **first come first served** properties, will be advertised more frequently.

Bids can be made:

- Through the website.
- By telephone.
- By mobile phone.
- In person at designated local offices.
- Through DigiTV.
- By an advocate who can place a bid for you using any of these methods.
- By council staff, support agencies and others who may also offer guidance and support.

If you place more than one bid within the cycle you will be required to list the properties in order of preference. This means if you rank top for more than one of the properties you have bid for we will know which property you prefer to be offered.

## 5.3 Assisted and auto-bidding

We will arrange for bids to be placed on your behalf in the following circumstances:

- You are in housing need and not bidding.
- You are in housing need and not bidding realistically.
- You are vulnerable and may need support with bidding.

Unrealistic bidding is where you bid for properties you have little or no chance of being offered. Wherever possible, staff will discuss the issue with you and give advice about what types of property would be realistic. Staff will also explain the consequences of continuing to bid unrealistically, or of failing to bid at all and if this continues, we will place bids on your behalf.

If you are a priority applicant, any successful bid that we place on your behalf is valid and will result in you being offered the tenancy of that accommodation. Any offer in these circumstances will be your only offer of suitable accommodation and, if refused, will result in the **loss of your priority**.

If we are bidding on your behalf and you are not subject to one offer of suitable accommodation you may remove a staff or auto-bid **before the close of the cycle** with no consequences.



## 5.4 Bedroom eligibility

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This section contains information about how many bedrooms you will be entitled to and what could affect your entitlement.

### 5.5 Guidance on bedroom entitlement

The size of property you will be eligible for depends upon the size and makeup of your household. We allow a bedroom for the following occupants:

- For each married or co-habiting couple or single parent.
- For each pair of children who are under 10 years of age.
- For each pair of children who are under 16 years of age and of the same sex.
- For any other child under 16 years of age.
- For any other person aged 16 or over.

We may relax the criteria, taking into consideration **individual needs**, availability of housing stock and **hard to let properties**. This could be by way of **first come first served** or by allowing an extra room for a **registered carer**.

You can't bid for properties that are larger than you need. If you need three bedrooms or more, you may bid for properties that have one bedroom less than you need.

If you are pregnant, your unborn child can be included in the bedroom eligibility calculation three months prior to your expected date of delivery. We will need to be satisfied that you will be able to afford the additional rent of a larger property.

In exceptional circumstances (if you have a very large family that may have little or no prospect of finding a property that is large enough for your needs), we may permit bids for properties that are smaller than you need. Before this can happen you must obtain our permission and any allocation must not make you statutorily overcrowded.

If you choose to accept an offer of accommodation that has fewer bedrooms than you need and then re-apply to join our Housing Register, you will not be awarded any priority for overcrowding, unless your circumstances have changed significantly since you accepted the tenancy of that existing property.

Please note that **social landlords** have their own criteria for occupancy.

### 5.6 Shared parental responsibility

If you have a shared residence order or staying access for children, you are not automatically entitled to bedrooms for your children. As long as a child has one home of an adequate size, we will not provide a second home for children.

In determining the size of accommodation required for a household, children from current or former relationships will only be counted as part of the household where we determine that you have the main responsibility for the children and where the children will have their main home. In determining this we will take into consideration the individual merits of each case taking into account:

- Receipt of child benefit.
- Court orders.
- Percentage of time spent caring for the children.
- The regularity and permanence of the arrangement.
- Which parent has adequate housing where your child/children can reside.
- Any exceptional circumstances which mean that it is especially necessary for a child to have a home with both parents for medical or special care needs.
- Affordability.

## 5.7 Children who are looked after or in foster care

This applies if your children are in foster care or looked after. When assessing bedroom entitlement we will only take into account children who are currently in foster care or being looked after by the Council if Social Services confirm that the children will be returned to you when you are re-housed in accommodation of a suitable size.

## 5.8 Applicants who are fostering or adopting

When assessing bedroom entitlement we will take into account the Social Services assessment of the requirements of approved foster carers and adopters. This will not however result in any priority being given for overcrowding.

## 5.9 Additional bedrooms for health and/or social care needs

You can apply for an extra bedroom due to your health and/or social care needs if they are significant. Your circumstances will be considered and evidence supporting the need for an extra room will be required. Some of the circumstances that could apply are:

- Where a substantial amount of specialist medical equipment has been installed in the property.
- Where you state that you need an extra room for a carer.
- Where you state that you need an extra room due to a disability or health need.

In the circumstances mentioned we will need to be satisfied:

- That you require this equipment and how much space it will occupy.
- That there is a need for a live-in carer who is not cohabiting with another member of the household. To qualify for an additional bedroom for a carer, you must demonstrate that this care is provided by someone who would not otherwise live with you and that, if they are a relative or friend, they are in receipt of Carer's Allowance.
- Of the details concerning your disability or health need, how it affects you and why you would need an extra room because of that.

We will carry out an assessment of your needs and decide whether or not an extra room is required. Due to the high demand for housing, such requests are only likely to be agreed in exceptional circumstances. We will also need to be satisfied that you will be able to afford the additional rent of a larger property.

## 5.10 Minimum age

Some flats and bungalows will be designated for people of a minimum age or with mobility needs. Where this applies to Council housing the minimum age will be 60. For properties advertised with a minimum age limit we will make every attempt to offer the property to someone above the minimum age. If there is no demand from people who meet the minimum age limit we will consider re-designating the bungalow or block of flats. Age designation decisions will only be made after consultation with affected tenants and will be made in accordance with the Leaders Scheme of Delegation.

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## 6. OFFERS OF ACCOMMODATION

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### 6.1 How bids are ranked

#### Priority Bands A-C

Bids for properties that are advertised with preference to applicants in priority bands A-C will be ranked in the following order:

1. Top Priority Band A
2. 2<sup>nd</sup> Priority Band B
3. 3<sup>rd</sup> Priority Band C
4. General Needs Band D
5. Diminished Band E.

Applicants within each of these bands will be ranked according to their **effective date**, which means the person with the earliest date will be ranked first within each band. The registration date will be used to decide between any **tied positions** except where demolition rules apply. Please note that an applicant's effective date can be disregarded for reasons of **unacceptable behaviour** not serious enough to **disqualify** them.

#### General Needs Band D

Bids for properties that are advertised with preference to applicants in General Needs Band D will be ranked in the following order:

1. General Needs Band D
2. Top Priority Band A
3. 2<sup>nd</sup> Priority Band B
4. 3<sup>rd</sup> Priority Band C
5. Diminished band E.

Applicants within each of these bands will be ranked according to their effective date, which means the person with the earliest date will be ranked first within each band. The registration date will be used to decide between any tied positions except where demolition rules apply. Please note that an applicant's effective date can be disregarded for reasons of unacceptable behaviour not serious enough to disqualify them.

#### Diminished Band E

Bids from applicants in the Diminished Band E will be ranked in the following order:

- No local connection.
- Refusal of offers.
- Unacceptable behaviour.

Applicants within each of the three above groups will be ranked within that group according to their effective date. The registration date will be used to decide between any tied positions.

## 6.2 Offers

Following the close of the bidding cycle the property will **usually be offered** to the qualifying applicant who is ranked highest. They will be contacted by the relevant landlord to receive the offer of the property. The offer will be subject to checks and viewing the property, either individually or collectively. The applicant must decide, within a reasonable period of time, whether or not to accept the offer. When an applicant refuses a property after viewing it, the applicant who is ranked next will be offered the tenancy.

## 6.3 Offer bypass reasons

In certain circumstances the applicant ranked highest will not be offered the property. The kind of circumstances where this might happen are:

- Where you have rent arrears.
- Where you have any **unacceptable behaviour** not serious enough to have excluded you totally from our Housing Register.
- Where an adapted property will be used to enable an applicant who needs those adaptations to receive the offer.
- If there are concerns about the risks you pose or which are posed to you in a specific location or property type.
- If the offer will not be appropriate from a housing management point of view. This could be because there has been previous unacceptable behaviour at that particular property and we want to ensure neighbours in the area are not subjected to any further disruption or if you may pose a risk or be at risk if the offer goes ahead.
- Where you have not kept your social rented property in a satisfactory condition.

This list is not exhaustive. We will tell you if you have been bypassed and why.

## 6.4 Direct lets

In exceptional circumstances we may make you a direct offer of accommodation. These include where:

- A property is specially adapted, or can be adapted for you or a household member who requires adaptations.
- A delay in providing you with suitable accommodation is likely to prove costly.
- Critical re-housing in a specific location is required.
- A specific property would meet your very specific needs.
- An agreement has been made with a supported housing provider.

To ensure transparency we will report that the property has been used as a 'direct let'.

## 6.5 Offers subject to final checks

Before offering you a tenancy we will verify the information you supplied on your housing application. This will involve checking that you are in the appropriate band, have the correct effective date, are eligible for the size and type of property and meet any other specified criteria. If you fail checks, you will not be offered the tenancy. If successful, you will receive a formal offer.

## 6.6 Accepting an offer of accommodation

We will explain the action you must take to accept the offer of accommodation, including signing the tenancy agreement and collecting the keys. Once you have signed a tenancy agreement you become the tenant of that property. If you sign the tenancy agreement and then reject the property this does not count as a refusal of an offer because at this stage you are the tenant. Once you have signed the tenancy agreement your registration will be cancelled and you will not be entitled to reapply to re-join the Housing Register for a period of two years, unless there is a change in your circumstances which would lead to a priority award, or which would affect your bedroom eligibility.

## 6.7 Refusing an offer of accommodation

If you refuse an offer of a property, you could be moved to a lower band or your application may be cancelled. The following will also be considered as a refusal:

- If you fail to respond to an offer of a property made to you within the timescales specified and do not have a good reason for this failure.
- If you fail to attend a viewing of a property offered to you within the timescales specified and do not have a good reason for this failure.

If you are in the Top Priority Band A you will receive one suitable offer of accommodation. If this is refused you will be placed into the 2<sup>nd</sup> Priority **Band B**. If you are in the 2<sup>nd</sup> Priority Band B or 3<sup>rd</sup> Priority Band C you will receive one suitable offer of accommodation. If this is refused you will be placed into the **General Needs Band D** for 12 months. After this time, you can apply to be re-assessed. Any change of circumstances during that period will be considered afresh.

If you are offered a 'direct let' (based on an individual assessment of your needs) we will consider any reasons for refusing the offer and decide whether or not it was reasonable for you to refuse. If we decide that it was reasonable for you to refuse, another property will be offered. If it was unreasonable for you to refuse the offer, we will not make any further 'direct let' offers and any priority will be reduced as **explained previously**.

If you are in the **General Needs Band D** and you refuse three reasonable offers of accommodation within a 12 month period, you may be placed in the **Diminished Band E** for 12 months. **Any change of circumstances** during that period will be considered. After this period you can request to be returned to the General Needs Band D with a revised **effective date**, unless there has been a change in circumstances that will place you into an alternative band with a revised effective date.

If you are in the **Diminished Band E** and refuse three reasonable offers of accommodation within a 12 month period your application will be cancelled and you will not be able to re-

apply for a period of 12 months unless there has been a significant change in your circumstances.

## 6.8 Withdrawing an offer of accommodation

These are the circumstances in which we may withdraw an offer of accommodation from you before the tenancy agreement is signed:

- Where you have made a **false** declaration.
- Where you have failed to provide us with up-to-date information.
- Where we determine that you are not **eligible** or do not **qualify** for the property.
- Where the property details available at the time the offer was made were incorrect and the size and/or type of the property is not suitable for your needs.

This list is not exhaustive.

## 6.9 Joint tenants

We will consider offering a joint tenancy to applicants who have joined the Housing Register together, or an applicant who originally made their own application but now wants a joint tenancy with another applicant. **Social landlords** may apply their own criteria for deciding whether to grant joint tenancies. If you do have your own application but now want a joint tenancy with someone else, your original application will be cancelled. Should a joint tenancy be refused we will inform you in writing of the reasons for refusal.

## 7. OTHER HOUSING ARRANGEMENTS

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### 7.1 Swap your home (Mutual Exchange)

If you are a secure council or **social landlord** tenant you may be able to exchange properties with another secure or assured tenant as long as the landlord(s) agree in writing. Mutual Exchanges can be arranged locally, regionally or nationally.

An exchange will normally be allowed, but may be refused if any of the following reasons, which are set out in legislation, apply to the tenant or proposed assignee:

- The tenancy is subject to a court order for possession.
- The tenancy is subject to a **notice seeking possession** or possession proceedings are pending.
- The tenant or a household member is subject to any court order or any proceedings are pending in respect of antisocial behaviour.
- The property is substantially larger than you and your family need.
- The property is too small for you and your family and would result in overcrowding or would break the normal letting criteria in relation to the size of the property and the number of occupants.
- The property has been let as a **service tenancy**.
- The property has been adapted for a person with a physical disability and is very different from other properties and if the exchange were to go ahead, a disabled person would no longer live in the property.
- The property is one of a group let to people with special needs near to Social Services or a special facility and if the exchange was to go ahead someone needing those services or facilities would no longer be living in the property. This includes sheltered or supported housing schemes and properties normally offered to people with mobility needs.
- The property is the subject of a management agreement with a housing association and at least half the tenants of the properties within the agreement are members and the tenant is not willing to become a member.

If the exchange is refused we will tell you the reason in writing within 42 days of your application. We may grant conditional consent to the exchange if you are breaking the tenancy conditions but are willing to put the matter right, for example by repaying any rent arrears. The property must be in a satisfactory condition before the exchange will be allowed.

If you are a tenant on our Housing Register who has moved by an exchange you can remain on our Housing Register.

### 7.2 Homes for sale and shared ownership schemes

The Council sometimes has **nomination rights** to properties that are for sale. These schemes have their own allocation criteria, although ground floor flats and bungalows are



usually set aside for people over 60 or with mobility needs. Nominations to these schemes are made through the Allocations Policy.

If you owe any money to us you may not be nominated to a scheme. Your Housing Register application will be cancelled if you purchase a property as a result of a nomination under these schemes.

## 7.3 Succession

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a) This section provides a summary of the relevant parts of the law and the rights set out in 'You and Your Home'. As long as the tenant has not succeeded to the tenancy themselves, on their death the tenancy will pass to the person eligible to succeed. A person is eligible to succeed if they lived in the home as their principal home at the time of the tenant's death. The person must be:

- The tenant's spouse or civil partner; or if there is no spouse or civil partner -
- A member of the tenant's family who has lived with the tenant throughout the period of 12 months preceding the tenant's death.

b) The tenant's husband, wife or civil partner will be chosen over any other member of the tenant's family. If there is no agreement on which member of the family should succeed, we will choose the person who has lived with the tenant as husband, wife or civil partner throughout the 12 months before the tenant's death. If no one meeting that criteria exists, another member of the tenant's family, who has lived with the tenant throughout the 12 months before the tenant's death will be chosen. The member of the family who has lived in the home the longest will succeed to the tenancy. Joint tenancies will not be granted on succession.

c) Relatives who may succeed to the property are the tenant's husband, wife or civil partner, a partner who has lived with the tenant as husband or wife, parent, grandparents, child, grandchild, brother, sister, uncle, aunt, nephew or niece. A marriage relationship is to be treated as one by blood and one of half-blood is to be treated as one of full blood. A stepchild will be treated as a child and an illegitimate child will be treated as the legitimate child of the mother and the man accepted as being the father.

d) If the tenant succeeds to a property built or adapted for a person with special needs and they do not need that property, they can be given priority for a move. Or if the property is too large for them then they can be given priority to down-size to a smaller property. The law entitles us to apply for possession of the property if the property is too large or specially adapted and no one needing those adaptations lives there any longer.

e) By law there can only be one succession. If the deceased tenant succeeded to the tenancy following the death of a previous tenant, or through assignment, there can be no further succession.

f) There can be no further succession following a surviving joint tenant becoming the sole tenant by survivorship.

## 7.4 New secure tenancy when no-one is eligible to succeed

Where no one qualifies to succeed we may grant a new tenancy to a person who lived with the tenant, but there is no automatic right to remain in the property and these provisions cannot override the legal rights summarised at 7.3. We will make the decision about whether to grant a new tenancy, taking into account all the relevant circumstances. These will include things like the Allocations Policy criteria, the behaviour of the person and that of any household members, the length of time they have lived at the property and the demand from other applicants on the Housing Register for the type of property.

Where we decide not to offer a new tenancy at the property, the person will be given information about the housing options available to them. Their application will be dealt with in line with the Allocations Policy. If they do not leave the property we may take legal action to recover possession of the property.

## 7.5 New secure tenancy on the death of a successor

In certain circumstances a new secure tenancy can be granted on the death of a successor. We will make the decision about whether to grant a new tenancy, taking into account all the relevant circumstances. These will include things like the Allocations Policy criteria, the behaviour of the person and that of any household members, the length of time they have lived at the property and the demand from other applicants on the Housing Register for the type of property.

Where we decide not to offer a new tenancy at the property, they will be given information about the housing options available to them. Their application will be dealt with in line with the Allocations Policy. If they do not leave the property we may take legal action to recover possession of the property.

The following people may be granted a new secure tenancy of that property:

- A partner or relative as explained at 7.3c who lived in that property with the tenant for the last two years of the tenant's life; or
- A person who had been looking after the tenant and lived with them in that property for the last year of the tenant's life.
- A person who has accepted responsibility for the tenant's dependants.
- A person who lived with the tenant for the last ten years of the tenant's life. This does not apply if the person has been paying money to the tenant as rent.

## 7.6 Circumstances where a new tenancy will not be granted

A new secure tenancy will not be granted if the property is set aside for people over 60, or people with mobility needs, unless the person asking for the tenancy would meet these allocations criteria.

Where a new secure tenancy would otherwise be granted, the applicant may be given priority as if they are giving up a re-designated property or a high demand disabled person's property. If they refuse re-housing, a final offer will be made before legal action is taken to repossess the property.

## 7.7 Assignment

Assignment is the process by which a secure tenancy can be passed on to another person whilst the tenant is still alive. The tenancy is given by one person to another. Under Sheffield City Council's tenancy conditions a tenant must not sub-let all of the property or part with possession of all of the property.

If a tenant is leaving their tenancy permanently and they have not succeeded to that tenancy they may apply to assign it to a member of their family as set out at [section 7.3c](#). That person must have lived with them for the past 12 months. An appropriately authorised senior officer in the Council must give agreement in writing before someone can assign their tenancy.

Consent will only be given for the following reasons:

- A tenant wishes to transfer for health or disability reasons and the new home is not large enough.
- A tenant is moving to somewhere they will be cared for, such as a residential home.
- A tenant is going to live with a new partner and neither the tenant's home nor their partner's is large enough for the potential assignee to live with them.
- A tenant is moving to a different part of the country and the potential assignee has strong links with Sheffield, for example they work or study here.

We may refuse permission to assign in certain circumstances. For example, you will not be allowed to assign to the tenancy if it means the property would be under occupied, or if it has adaptations you don't need, or if the tenant or you have any housing related debts or any antisocial behaviour, or if the property is set aside for people of a specific age.

Where permission to assign would otherwise be granted, an assignee may, for example, be given priority to move for under occupation, or for not needing the adaptations in the property.

We recommend that tenants seek independent legal advice before assigning their tenancy to another person.

Assignment can also be made by mutual exchange or in pursuance of a court order in certain family proceedings (in this case you do not need our consent).

## 7.8 Allocations to Extra Care and Supported Accommodation

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### 7.9 Introduction

This section applies to nominations to properties identified as supported accommodation. If the Council is the landlord of this accommodation then these criteria will be used for allocations.

Supported accommodation schemes are provided by a number of housing providers. Adults in these schemes have care or support needs for reasons such as age, learning

disability, physical disability, sensory impairment or mental health. They receive an appropriate level of care and support to enable them to live independently. Some accommodation is self-contained and some is for small groups of people who are sharing. This offers a choice of where, how and with whom the service user may live.

Not all schemes are suitable for everyone. We will not nominate you to a scheme if we consider you are unsuitable for the scheme. The factors to which we will have regard are care, support and housing needs, age, preferences of potential sharers in shared accommodation, Safeguarding Adults issues, the type of accommodation available and any agreement we have made with the housing provider.

We will make nominations to a scheme. The decision to grant a tenancy will be made by the housing provider.

Specialist supported accommodation provision within the city is identified on our approved supported accommodation list.

These provisions also apply to nominations to Extra Care schemes for elderly tenants in the city.

## 7.10 Aims of the allocations criteria

The aim of these allocations criteria is to ensure that properties in the supported accommodation schemes are let fairly to people in eligible need, and if you are in eligible need, to give you as much choice and control as possible about where you live.

In shared and cluster accommodation this includes ensuring the compatibility of tenants as far as possible, including taking the age, needs and wishes of existing residents into consideration, so that the letting is sustainable. Safeguarding Adults issues will also be considered as part of the process.

You must normally have a care and/or support need but housing need will also be taken into account. The balance of needs within a scheme is referred to below as the scheme “profile”.

Your care needs will be assessed in accordance with guidance on adult social care eligibility criteria as amended from time to time, and may include consideration of whether a nomination may end or prevent a residential or nursing placement. Support needs will be assessed with reference to our [Supporting People Programme](#).

## 7.11 Variations to the Allocations Policy

Vacancies will not be offered through [CBL](#).

Nominations will be made taking into account the following factors in order of priority:

- (a) The profile of the particular scheme established by the housing provider as agreed with us.
- (b) The allocations criteria and priorities elsewhere in this Policy.

## 7.12 Allocations to Park Hill

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The Park Hill estate is undergoing a regeneration programme that will last for a number of years. All existing tenants will have to move from their current properties, using a **demolition priority**. Once the regeneration is complete there will be at least 200 properties for rent.

### 7.13 First lets

100% of first lets will be ring fenced for nominations if you are an existing or former tenant displaced by the clearance of Park Hill (including if you were a tenant granted early priority to move because of the closure of Park Hill School).

You will be eligible to move if you are:

- A tenant who has not yet moved from Park Hill, you will be eligible to move into a refurbished flat using your existing demolition priority;
- A tenant who has already moved away as a result of the redevelopment and wish to move back to one of the refurbished flats, you will be awarded a priority to return.

Park Hill allocations will be designated within a demolition band until all ex-residents who wish to exercise their right to return have been exhausted. This will be stated in the advert. If the property is advertised and no-one meets these criteria, the nomination will be made in accordance with normal nomination procedures.

Great Places will make allocations to council nominees according to the following principles in order of priority:

1. Demolition priority date;
2. Eligibility criteria in relation to household size;
3. Start date of the tenant's first consecutive tenancy on Park Hill;
4. All other conditions set out in the Allocations Policy.

### 7.14 Re-lets for the next two years in a phase

Any re-lets within a phase for two years from the first let of a dwelling in that phase will be ring fenced for nominations from us to existing or former tenants displaced by the clearance of Park Hill (including if you are a tenant who was granted early priority to move because of the closure of Park Hill School). If no former or existing tenants of Park Hill bid for a dwelling during the two year period it will be let in accordance with the Allocations Policy.

### 7.15 Subsequent lettings

After the two year period has expired, 50% of the dwellings which become available for letting will be let to council nominees in accordance with our Allocations Policy. The remaining 50% will be let in accordance with the Park Hill Local Allocations Policy of Great Places.

## 7.16 Allocations to Scowerdons, Weakland and Newstead (SWaN) and related peripheral sites

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### 7.17 Nominations to rented properties until the Residents' Charter is fulfilled

- a) The three estates at SWaN are undergoing a rolling programme of demolition and redevelopment. Home Group Limited (a **social landlord**) will manage all the new rented properties and properties will initially be let in accordance with the priorities set out below. The allocations criteria in this section will also apply to sites at Alport Drive and Birley Moor Crescent developed by Home Group.
- b) Until the commitments made in the Residents' Charter have been fulfilled, all properties will be ring fenced for former or existing SWaN residents who expressed a desire to return to the estates when they left their original property and have a current demolition priority in accordance with our Allocations Policy first. If no such residents want the property then it would be nominated in accordance with the rules within this Allocations Policy.
- c) This ring fence does not apply if you were a resident who did not express a desire to return, moved permanently from the former Scowerdons, Weakland or Newstead estates but later decide to return. If you are such a resident you may register again and apply later under normal rules once the commitment made by the Residents' Charter has been fulfilled.
- d) Properties will initially be offered to residents who originally lived on the particular estate within SWaN. If none of them accept the offer, properties will be offered to an applicant who lived on a different estate within SWaN. For example, if you are a resident from demolition Phase One Scowerdons you may prefer a property on Phase Two Newstead. You would only be offered the property on redevelopment Phase Two Newstead if that property has been refused by all other existing Phase One and Phase Two Newstead residents. This paragraph does not apply to nominations made to properties at Alport Drive and Birley Moor Crescent developed by Home Group – in such cases, paragraphs e) and g) will apply in the first instance.
- e) If you have a priority, other than demolition, for a particular property type you can be offered it regardless of which estate it is on.
- f) We will consider nominating you to properties which are near other applicants, when both have expressed in writing a preference to be re-housed near to each other.
- g) You will be nominated according to your earliest demolition priority. For example, if you are in demolition Phase One you will be nominated before applicants in demolition Phase Two. The exception to this is if you have a priority other than for clearance for a particular type of property.
- h) If two or more applicants with the same demolition priority date bid for the same property, the property will be allocated to the applicant who has the earliest start date as defined at paragraph j).

i) If the tenancies of two or more applicants have the same start date then preference will be given to the applicant who has been in temporary accommodation for the longest period.

j) Start dates are determined as follows:

- If you are a tenant (council or private), the start date is the date on which the tenancy from which you were first displaced by demolition on SWaN began;
- If you are a tenant who has succeeded to a council dwelling from which you were first displaced by demolition on SWaN, the start date shall be the date on which you succeeded to the dwelling. If you can prove to our satisfaction that you have lived there continuously from an earlier date we will amend the date;
- If you are a residential property owner occupier, the start date will be the date on which you completed the purchase of the dwelling from which you were displaced by demolition on SWaN. If you can prove to our satisfaction that you have lived there continuously from an earlier date we will amend the date;
- If you are 'households within a household', the start date will be the date of your Housing Registration. If you can prove to our satisfaction that you have lived there continuously from an earlier date we will amend the date;
- If you are a former or existing SWaN resident you may be eligible for less or more bedrooms in your new property than you had in the property you were first displaced from. You will be eligible according to the bedroom eligibility criteria specified in this Allocations Policy.

## 7.18 Nominations to shared equity/ownership properties until the Residents' Charter is fulfilled

If you are a shared equity/ownership applicant you will be nominated by earliest demolition priority. Within that demolition priority, nominations will be made in the following status order:

- Applicants who are or were formerly residential property owner occupiers of dwellings on the estates and who were displaced by demolition;
- Tenants;
- "Households within a household".

If two or more applicants with the same status above (for example two residential property owner occupiers) choose the same property, the property will be allocated to the applicant who has the earliest start date as explained at 7.17 j).

You will not be constrained by the eligibility criteria in our Allocations Policy in terms of property type/size. However, a financial qualification made by Home Group will determine the property type/size available to you in line with the amount you can afford to pay.

Affordable for sale properties made available on peripheral sites may be provided on a shared ownership basis with rent payable on the proportion retained by Home Group Limited in accordance with terms and conditions at that time.

## **7.19 Nominations to both shared equity/ownership and rented properties once the Residents' Charter is fulfilled**

After satisfaction of the Residents' Charter, nominations to properties will be carried out in accordance with our Allocations Policy in force from time to time.

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# APPENDIX 1

## Social landlords

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### Acis Housing Association

Acis Group  
Acis House  
Bridge Street  
Gainsborough  
Lincolnshire  
DN21 1GG  
Tel: 0800 027 2057  
Email: [info@acisgroup.co.uk](mailto:info@acisgroup.co.uk)  
[www.acisgroup.co.uk](http://www.acisgroup.co.uk)

### Affinity Sutton

Holme House  
Manor Lane  
Holmes Chapel  
CW4 8AF  
Tel: 0300 100 0303  
[www.affinitysutton.com](http://www.affinitysutton.com)

### Anchor Housing Trust

Milestone Place  
100 Bolton Road  
Bradford  
BD1 4HD  
Tel: 0845 140 2020  
[www.anchor.org.uk](http://www.anchor.org.uk)

### Arches Housing Ltd

122 Burngreave Road  
Sheffield  
S3 9DE  
Tel: 0114 228 8100  
<http://www.archeshousing.org.uk>

### Chevin Housing Association

2 Carbrook Street  
Sheffield  
S9 2JE (visits by appointment only)  
Tel: 0845 270 1088  
<http://www.chevinha.co.uk/>

### Equity Housing

Armitt House  
Monmouth Road  
Cheadle Hulme  
Cheadle  
Cheshire  
SK8 7EF  
Tel: 0800 733 233  
<http://www.equityhousing.co.uk>

### Great Places Housing Group

The Quadrant  
99 Parkway Avenue  
Sheffield  
S9 4WG  
Tel: 0300 123 1966  
[www.greatplaces.org.uk](http://www.greatplaces.org.uk)

### Guinness Northern Counties

20 Westfield Terrace  
Sheffield  
S1 4GH  
Tel: 0845 605 9000  
[www.guinnesspartnership.com/](http://www.guinnesspartnership.com/)

### Home Group

2nd Floor  
20 Westfield Terrace  
Sheffield  
S1 4GH (postal only)  
Tel: 0345 141 4663 or 0114 275 5637  
<http://www.homegroup.org.uk>

### Housing 21

Head Office  
The Triangle  
Baring Road  
Beaconsfield  
HP9 2NA  
Tel: 0370 192 4000  
<http://www.housing21.co.uk>

**Johnnie Johnson Housing Trust**

Astra House  
Spinners Lane  
Poynton  
Cheshire  
SK12 1GA  
Tel: 0845 604 1095  
<http://www.jjhousing.co.uk>

**Padley Housing Association**

Narrow Estates Ltd  
5 Paradise Square  
Sheffield  
S1 2DE  
Tel: 0114 272 0218

**Pennine Housing**

2 Carbrook Street  
Sheffield  
S9 2JE  
Tel: 0300 555 5558  
<http://www.togetherhousing.co.uk>

**Places for People**

The Old County Court House  
Bank Street  
Sheffield  
S1 2DS  
Tel: 0114 252 5900  
<http://www.placesforpeople.co.uk>

**Sanctuary Housing Association**

36a Beck Road  
Shiregreen  
Sheffield  
S5 0GB  
Tel: 0800 781 0401  
<http://www.sanctuary-group.co.uk>

**South Yorkshire Housing Association**

43-47 Wellington Street  
Sheffield  
S1 4HF  
Tel: 0114 290 0200  
<http://www.syha.co.uk/>

**Yorkshire Housing**

Sovereign Court  
300 Barrow Road  
Sheffield  
S9 1JQ  
Tel: 0114 256 4200  
<http://www.yorkshirehousing.co.uk>

## APPENDIX 2

### Local Council housing offices

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#### **Burngreave**

177 Spital Hill

S4 7LF

Tel: 0114 293 0000

Open Mon to Fri 9.00 am – 4.00 pm Mon, Tues, Thursday

Open Wed 9.00 - 1.00 pm

#### **First Point at Howden House**

Howden House

1 Union St

S1 2SH

Tel: 0114 205 3333

Open Mon to Thurs 8.45 am - 5.15 pm

Open Friday 8.45 pm - 4.45 pm

#### **Darnall**

Station Rd

S9 4JT

Tel: 0114 293 0000

Open Mon to Thurs 9.00 am – 4.00 pm

Open 9.00 am – 1.00 pm Thurs

#### **Enquiry Point at Firth Park**

443 Firth Park Road

S5 6QQ

Mon 10.00am - 5.15pm

Tues 9.30am - 5.15pm

Wed 9.30am - 5.15pm

Thurs Closed

Fri 9.30am - 5.00pm

#### **First Point at Chapeltown**

Chambers Court

1b Station Road

Chapeltown

S35 2XE

Tel: 0114 293 0000

Open Mon to Fri 9.00 am – 5.00 pm

#### **First Point at Crystal Peaks**

1-3 Peaks Square

S20 7PH

Tel: 0114 205 3333

Open Mon to Fri 8.00 am - 5.30 pm

### **First Point at Hillsborough**

Unit 7  
Hillsborough Barracks Shopping Mall  
Langsett Road  
S6 2LR  
Tel: 0114 293 0000  
Open Mon to Fri 9.00 am – 5.00 pm

### **First Point at Manor Library**

Ridgeway Road  
S12 2SS  
Tel: 0114 205 3333  
Open 9.40 am - 4.00 pm, Mon, Tues, Wed, Fri)  
Open 9.30 - 4.00 pm Monday

### **Jordanthorpe**

17 Jordanthorpe Centre  
S8 8DX  
Tel: 0114 205 3333  
Open Mon, Tues, Thurs, Fri 9.00 am – 4.00 pm)  
Open Wed 9.00 am – 1.00 pm

### **Low Edges**

88 Gervase Road  
S8 7PS  
Tel: 0114 205 3333  
Open Mon, Tues, Thurs, Fri 9.00 am – 4.00 pm  
Open Wed 9.00 am – 1.00 pm

### **Newfield Green**

607 Gleadless Road  
S2 2BT  
Tel: 0114 205 3333  
Open Mon, Tues, Thurs, Fri 9.00 am – 4.00 pm  
Open Wed 9.00 am – 1.00 pm

### **Sheffield Property Shop**

36-42 Union Street  
S1 2JP  
Tel: 0114 293 0000 - North, East and North West Sheffield  
Tel: 0114 205 3333 - Central, South East and South West Sheffield  
(Phone lines are open Mon-Fri 8.00am-5.30pm. Reception is open 9am-5pm  
Monday, Wednesday, Thursday, Friday and 9.00 am – 4.00pm on Tuesdays)

### **Stocksbridge**

Stocksbridge Town Hall  
The Arc  
Manchester Road,  
Stocksbridge  
S36 2DT  
Tel: 0114 293 0000  
Open Mon to Fri 9.00 am – 4.00 pm

### **Woodhouse**

5 Chapel Street  
Woodhouse  
S13 7JL  
Tel: 0114 205 3333  
Open Mon 9.00 am – 1.00 pm, 2.00 pm – 4.00 pm  
Tues and Thurs – closed  
Wed 9.00 am – 1.00 pm  
Fri 9.00 am – 1.00 pm, 2.00 pm – 4.00 pm

### **Wordsworth Avenue**

320 Wordsworth Avenue  
S5 8NL  
Tel: 0114 293 0000  
Open Mon, Tues, Thurs, Fri 9.00am – 4.00 pm  
Open Wed 9.00 am – 1.00 pm.

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## SHEFFIELD CITY COUNCIL Cabinet Report

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**Report of:** Nalin Seneviratne, Director of Property and Facilities Management Services and Les Sturch, Director of Development Services

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**Date:** 20<sup>th</sup> March 2013

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**Subject:** Site of the Former Norton Aerodrome, Lightwood

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**Author of Report:** Dave Wood, Property and Facilities Management and Maria Duffy, Forward & Area Planning

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### Summary:

To seek Cabinet approval to negotiate the freehold acquisition by the Council of 18.7 hectares of land at the Former Norton Aerodrome, Lightwood from the Homes and Communities Agency (HCA) with the aim of delivering comprehensive restoration and effective long-term use of the site.

To use Local Growth Funding (LGF) to finance the acquisition, demolition of the derelict buildings and holding costs pending future disposal(s) when the capital receipt will be used to repay the LGF so that it can be recycled.

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### Reasons for Recommendations:

This course of action is recommended because:

- a) It would enable the Council to take initiatives to remove dereliction and contamination on a conspicuous and sensitive site
- b) The previously-developed part of the site has potential to deliver some new built development under national Green Belt policy and this could contribute to the Council's strategic housing objectives
- c) It would allow the undeveloped area of the site to be maintained and enhanced to improve the recreational offer for the local community whilst ensuring the ecological issues are addressed.

**Recommendations:**

It is recommended that Cabinet:

- approves the freehold acquisition of the former Norton Aerodrome from the Homes and Community Agency;
  - delegates authority to the Director of Property & Facilities Management to agree the terms of acquisition with HCA and instruct the Director of Legal Services to prepare and complete all necessary documentation to conclude the purchase in accordance with the agreed terms; and
  - 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 works and that the relevant Local Growth Fund authorities have been obtained under the agreed delegations.
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**Background Papers:**      **Site Plan**

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**Category of Report:**      **Open**

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## Statutory and Council Policy Checklist

<b>Financial Implications</b>
YES Cleared by: Paul Schofield
<b>Legal Implications</b>
YES Cleared by: David Blackburn
<b>Equality of Opportunity Implications</b>
NO Cleared by:
<b>Tackling Health Inequalities Implications</b>
NO
<b>Human rights Implications</b>
NO
<b>Environmental and Sustainability implications</b>
YES
<b>Economic impact</b>
YES
<b>Community safety implications</b>
YES
<b>Human resources implications</b>
NO
<b>Property implications</b>
YES
<b>Area(s) affected</b>
Birley, Gleadless Valley and Graves Park
<b>Relevant Cabinet Portfolio Leader</b>
Councillor Bryan Lodge
<b>Relevant Scrutiny Committee if decision called in</b>
Overview and Scrutiny Management Committee
<b>Is the item a matter which is reserved for approval by the City Council?</b>
NO
<b>Press release</b>
NO

**REPORT TITLE: Site of the Former Norton Aerodrome, Lightwood**

**1.0 SUMMARY**

1.1 This report is to seek Cabinet approval to the freehold acquisition of the former Norton Aerodrome from the Homes and Community Agency. The report outlines the main issues and risks associated with a decision by the Council to purchase the site from the Homes and Communities Agency (HCA)

**2.0 WHAT DOES THIS MEAN FOR SHEFFIELD PEOPLE**

2.1 The objective of the project is to secure ownership of the former Norton Aerodrome site in order to manage a comprehensive restoration and reuse of the whole site for the benefit of local people and the city. The project proposes the use of the Local Growth Fund (LGF) to finance the acquisition of the site.

2.2 The acquisition of this land would give the Council greater control over its future use and redevelopment. Under national policy for previously-developed land in the Green Belt, a limited part of the site could be redeveloped for housing, potentially contributing to the supply of family homes and affordable housing in the area. It is anticipated that any redevelopment proposals would need to include measures to maintain and enhance areas of greenspace within the site and improve the recreational offer for the local community whilst ensuring that ecologically important areas are not only protected but enhanced.

2.3 The future of the site will need to be reviewed along with other Green Belt land as part of the review of the city's Local Plan (the Sheffield Development Framework). The recommendations of this report would not influence the outcome of that review.

2.4 The amount of potential development is yet to be determined, although it could be equivalent to the main previously-developed "footprint" of the site (around 2 hectares). This includes the main former hangar building and immediately adjacent areas of hardstanding. This would also have the benefit of removing unattractive, redundant buildings from the site and making best use of previously-developed land. There is an opportunity to reconfigure the layout so that it is not constrained by the boundaries of the previous development.

Given the size of the site, it would appear to readily lend itself to a master planning exercise, involving the local community, to determine more precisely the nature and extent of development on the site and which areas ought to be left open.

### **3.0 OUTCOME AND SUSTAINABILITY**

3.1 The proposed acquisition will contribute to the Great Places to Live framework.

3.2 The proposed acquisition supports other corporate goals and Council guiding principles:

- it aligns with Council values: long-term view, aspirational, spending public money wisely,
- it improves site viability

3.3 It offers a potential opportunity to provide some family housing and some affordable homes on brownfield land in a reasonably sustainable location. It would therefore contribute towards meeting the Council's housing land requirements in line with Central Government's priority for bringing forward more sites for housing, particularly on under-used publicly owned land. Maintaining and improving the remainder of the site for recreation use would provide health and environmental benefits for local people.

3.4 It is considered that this project offers the best opportunity to meet these objectives when assessed against the alternatives set out in section 5 of this Report.

### **4.0 MAIN BODY OF THE REPORT**

#### **4.1 Background**

4.1.1 The site is owned by the Homes and Community Agency, formerly English Partnerships (EP). The site comprises 18.7 hectares of brownfield land. However, it lies entirely within the adopted Green Belt and this currently severely restricts the amount of built development that can be permitted on the site.

- The main areas of hardstandings and disused buildings from previous uses cover approximately 6 hectares (two large buildings and the intervening hard standings cover 2 hectares).
- Other areas of hard surfacing interspersed with green areas and land that has re-vegetated over time on other parts of the site
- However, the site is in a fairly sustainable location, on the urban fringe (250 metres of the Herdings Supertram terminus; 800 metres of Gleadless Townend Neighbourhood Centre).

- 4.1.2 EP previously proposed developing around 300 dwellings (6ha at 50 dwellings per hectare) with the remainder as open space. The HCA has also submitted representations to this effect via the Sheffield Development Framework (SDF) consultation process. However, development of this scale could only be permitted as a departure from the current development plan. The SDF Core Strategy indicates that there should be no strategic or local review of the Green Belt boundary and the only changes to the boundary should be to correct untenable anomalies.
- 4.1.3 Earlier consultations indicate the local community may support a limited amount of housing development on the site as it would remove the “eyesore” of existing derelict buildings but subject to a significant proportion of the site being retained and improved as recreational greenspace.
- 4.1.4 The Draft SDF City Policies and Sites document (June 2010) proposed the site as a ‘Major Developed Site in the Green Belt’ for Park and Ride use. However, further work by the South Yorkshire Passenger Transport Executive has concluded that this use would not be economically viable. The National Planning Policy Framework (published in March 2012) removed the requirement for such sites to be designated in the Local Plan. Instead, it states that partial or complete development of previously developed sites in the Green Belt is not inappropriate development providing it would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
- 4.1.5 A recent planning application by Green Estates Ltd for a green waste composting facility (initially for a 3 year temporary period) was refused planning permission in January 2012 due to it being considered inappropriate development in the Green Belt and incompatible with neighbouring properties, causing detriment to living conditions.

## **4.2 Planning Considerations**

- 4.2.1 The National Planning Policy Framework states that the Government attaches great importance to Green Belts and, once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. However, the Government also places a high priority on the delivery of more homes and requires a 5-year supply of *deliverable* sites to be maintained, as well as a further 5-year supply of *developable* sites.
- 4.2.2 As noted above, the SDF Core Strategy confirms that there will be no review of the Green Belt but it also states that a 5-year supply of deliverable housing sites will be maintained. However, the change in economic conditions since the Core Strategy Public Examination, has made achievement of the second of those policy objectives more challenging. As at April 2012, analysis indicated that Sheffield only had

about 2.5 years supply of deliverable sites (at the rate set in the Core Strategy), though this is largely due to the lack of economic viability rather than any physical shortage of suitable or available sites. (If demand increases supply should follow suit.)

- 4.2.3 The Council's most recent assessment shows that, in theory, there is enough land to meet Sheffield's housing requirement to 2026 (the SDF end date) but not all the supply is deliverable by that date. Economic conditions are an important factor in this but much of Sheffield's land supply is concentrated on brownfield sites in weaker market areas and there are limits on the demand for housing in any one area in a single year. An early review of the Local Plan (the SDF) will be needed to enable more housing land to be allocated and to provide a wider choice of sites. It is anticipated that this process would start once the SDF City Policies and Sites document has been adopted (expected to be by summer 2014). In the meantime the potential of additional greenfield sites that are consistent with national and local policy is being actively explored.
- 4.2.4 Allowing some housing development on the Norton Aerodrome site would help improve the choice of housing sites in a part of the city where there are relatively fewer other sites. However, the Green Belt designation means that allocation of the site for housing in the SDF City Policies and Sites document is not possible. A planning application for limited development, equivalent to the existing building footprint (2ha), could, in principle, be permitted under current national policy and would potentially deliver 60-70 dwellings (assuming 30-35dph). This would make a small but useful contribution to housing land supply as well as enable ecological enhancements. As suggested above, this would be best achieved through a master planning exercise and it may be appropriate to run that, including public consultation and sustainability appraisal, alongside the Local Plan review process. The recommendations of this report are without prejudice to that comprehensive review of planning strategy for the city and would not influence the choice of options for the site.

### **4.3 Financial Implications**

- 4.3.1 The project proposes the use of the Local Growth Fund (LGF) to finance the acquisition of the site as a key part of the Council's strategy to secure the comprehensive restoration and reuse of the site.
- 4.3.2 It is proposed to use the LGF to acquire the land, demolish the derelict buildings, remove any contamination as required and pay for holding costs pending future disposal when the capital receipt will be used to repay the LGF so that the money can be recycled.

#### **4.4 Property Implications**

- 4.4.1 The local authority has identified a need to secure the site to support its local plan objectives and housing requirements as set by the SDF Core Strategy.
- 4.4.2 The City Council and the HCA (as registered owner) have entered into initial discussions in relation to the freehold acquisition of the site which extends to approximately 18.7 hectares.
- 4.4.3 It has been agreed that an independent valuation of the site should be jointly commissioned based on an agreed valuation brief, the result of which should be binding on both parties save in the event of a manifest error (but without implying any obligation to purchase).. It is important that the valuation is mindful of the known site constraints particularly in relation to site contamination and the restrictive planning designation.
- 4.4.4 Due to its former use it is known that there are a number of contamination “hotspots” on the site and reports have been commissioned to determine the extent of the contamination. These reports have been considered by the City Council’s Senior Land Quality Officer who has given an opinion on the likely costs for decontamination (excluding the cost of demolishing the existing buildings). Such contamination potentially affects site value although this is unlikely to be significant.
- 4.4.5 The HCA have indicated that they currently spend around £20,000 per annum in vacant property management which would become the responsibility of the City Council following the acquisition. An annual sum is to be provided from the Local Growth Fund for three and a half years to support the maintenance. It is important that a management plan is developed in advance of the acquisition.
- 4.4.6 The project involves the acquisition, demolition and future management of the property.

#### **5.0 Legal Implications**

- 5.1 Section 226 of the Town and Country Planning Act 1990 gives the City Council a general authority to acquire land compulsorily if the City Council think that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land and it believes that the development, re-development or improvement is likely to contribute to the promotion or improvement of the economic, social or environmental well-being of the area.
- 5.2 Section 227 extends the power contained in Section 226 to the acquisition of land by agreement.
- 5.3 Given that there are clear economic, social and environmental benefits to be achieved by the reclamation and development of this site Section 227

gives the City Council power to acquire the site for the purposes identified in this report.

## **6.0 ALTERNATIVE OPTIONS CONSIDERED**

### **6.1 Do Nothing**

The Council could simply do nothing and take the risk that the HCA either sell the site to a developer or submit a planning application.

If that was to happen then it is possible that development proposals might be put forward by a developer which are in conflict with Green Belt policy or which are at odds with the wishes of the local community. It also potentially makes it more difficult to negotiate planning benefits and the provision of affordable housing (particularly if the developer has 'over paid' for the site).

There is also a risk that the site would remain in a derelict state whilst the new landowner waited for economic conditions to improve. This could result in the Council having to try to acquire the site at a future date either by agreement or by Compulsory Purchase Order. This is likely to be a more expensive process and at worst could fail, resulting in blight of the area.

### **6.2 Minimal Intervention**

The Council would seek to develop a joint scheme with the HCA (who retain ownership).

However, the HCA have indicated that they no longer wish to have a maintenance liability. Any hopes they have for significant development (300+ dwellings) could only be delivered, if at all, through a Local Plan Review (which could take 4-5 years with no guarantee of the outcome) and the HCA are unlikely to be willing to wait that long. This would lead to the same risks as doing nothing.

### **6.3 Fund the Project by Alternative Sources**

No alternative funding sources are available.

6.4 In summary, if the property is not purchased now then the HCA may sell the site on the open market potentially leading to continued blight and anti-social behaviour on the site. It would also be likely to make it more difficult for the Council to achieve its planning objectives for the site and maximise benefits for the local community. There is also a risk that a planning application could be submitted that is contrary to the current policies in the development plan. If the site is sold to a third party, it could also be necessary for the Council to attempt to buy it at a future date if the site remains in a derelict state. This could require a Compulsory Purchase Order. The time and costs involved in that would be much

higher than if a purchase by agreement can be completed now.

## **6.0 REASONS FOR RECOMMENDATIONS**

6.1 This course of action is recommended because:

- a) It would enable the Council to take initiatives to remove dereliction and contamination on a conspicuous and sensitive site
- b) The previously-developed part of the site has potential to deliver some new built development under national Green Belt policy and this could contribute to the Council's strategic housing objectives

It would allow the undeveloped area of the site to be maintained and enhanced to improve the recreational offer for the local community whilst ensuring the ecological issues are addressed.

## **7.0 REASONS FOR EXEMPTION (if a Closed report)**

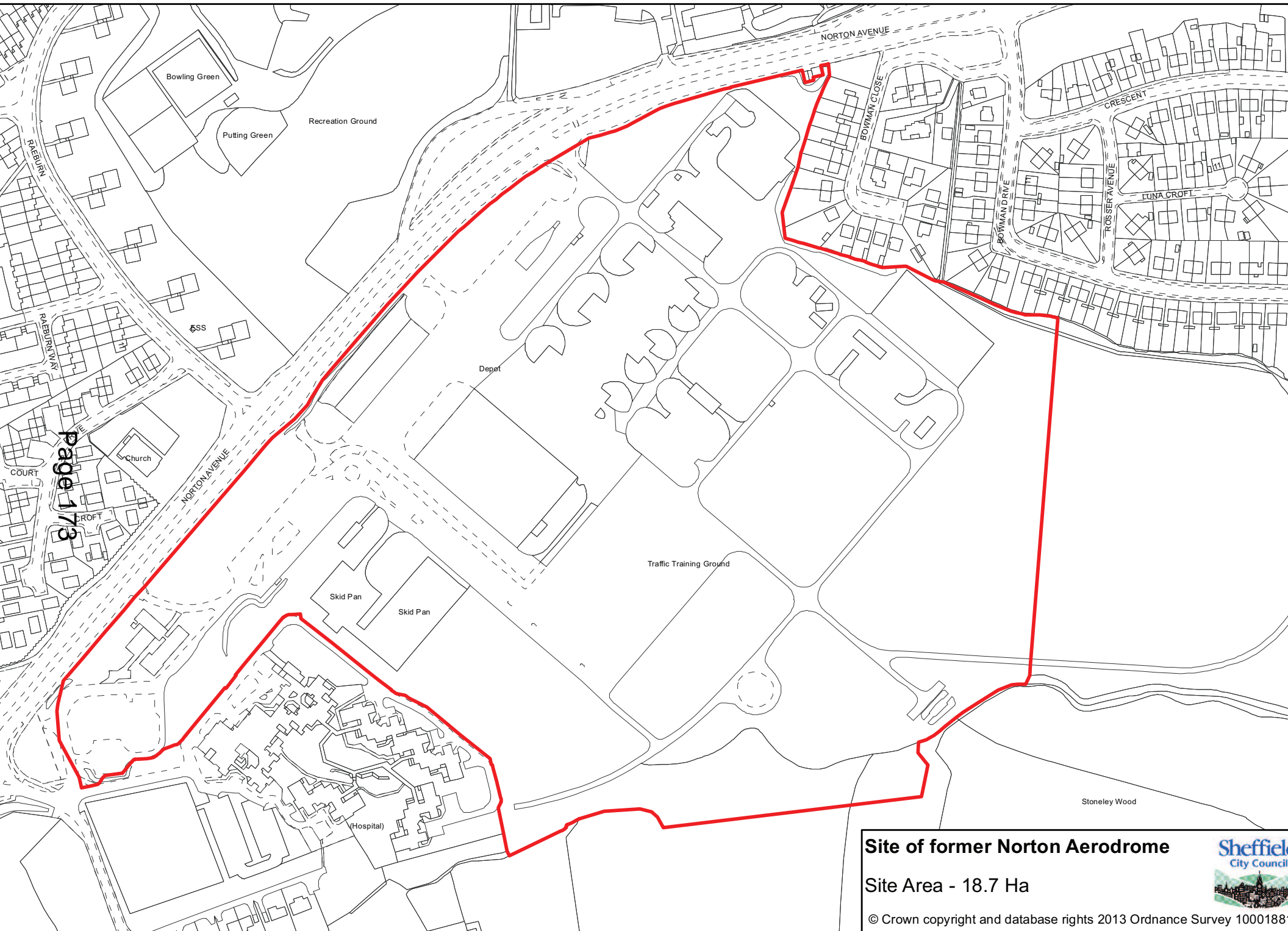
N/A

## **8.0 RECOMMENDATIONS**

It is recommended that Cabinet:

- 8.1 approves the freehold acquisition of the former Norton Aerodrome from the Homes and Community Agency;
- 8.2 delegates authority to the Director of Property & Facilities Management to agree the terms of acquisition with HCA and instruct the Director of Legal Services to prepare and complete all necessary documentation to conclude the purchase in accordance with the agreed terms;
- 8.3 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 works and that the relevant Local Growth Fund authorities have been obtained under the agreed delegations.





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**Site of former Norton Aerodrome**

Site Area - 18.7 Ha

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## SHEFFIELD CITY COUNCIL Cabinet Report

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**Report of:** Executive Director, Place

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**Date:** 20 March 2013

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**Subject:** Modernisation of Planning and Highways & Cabinet Highways Committees

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**Author of Report:** Graham Withers / John Bann

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### **Summary:**

Cross party support for the introduction of digital presentations of planning applications has previously been established and the shrinking size of the agendas for the two area committees provides an opportunity to follow national best practice, to enable efficiency savings, and to establish a single committee that will be better able to take the wider interests of the City into account. Proposals are also put forward to share the remit of the Cabinet Highways Committee with the Individual Cabinet Member and to increase officer delegation in order to improve efficiency and to reduce the workload of other Cabinet members. The opportunity for the public to make personal representations will remain.

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### **Recommendations:**

1. That Cabinet recommend to Council that, from May 2013, the existing two Area Planning and Highways Committees be combined into a single Planning Committee for the whole city.
2. That Cabinet agree that the digital presentation of planning application reports with an enhanced format be introduced at the first meeting of the new, modernised Planning Committee, following any pilot testing that officers deem necessary.
3. That Cabinet adopt Option 1 and recommend to the Leader that she amends her Scheme of delegation to record the fact that decisions reserved to the Cabinet Highways Committee are also reserved to an Individual Cabinet Member and to reflect the proposals in Appendix A regarding increased officer delegations
4. That authority be given for the Director of Development Services, in consultation with the relevant Cabinet Member and Director of Legal Services, to make the practical arrangements necessary to introduce the new executive transport and highways decision making arrangements following amendment of the Leader's Scheme as proposed at 3 above.

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**Background Papers:** None

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**Category of Report:** OPEN

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**Statutory and Council Policy Checklist**

<b>Financial implications</b>
YES Catherine Rodgers
<b>Legal implications</b>
YES Cleared by: Gillian Duckworth / Deborah Eaton
<b>Equality of Opportunity implications</b>
NO Cleared by: Ian Oldershaw
<b>Tackling Health Inequalities implications</b>
NO
<b>Human rights implications</b>
NO
<b>Environmental and Sustainability implications</b>
YES
<b>Economic impact</b>
YES
<b>Community safety implications</b>
NO
<b>Human resources implications</b>
NO
<b>Property implications</b>
NO
<b>Area(s) affected</b>
ALL
<b>Relevant Scrutiny Board if decision called in</b>
Economic and Environmental Wellbeing
<b>Is the item a matter which is reserved for approval by the City Council? YES</b>
<b>Press release</b>
NO

## **Modernisation of Planning and Highways & Cabinet Highways Committees**

### **1. SUMMARY**

1.1 The report identifies two opportunities to modernise the Planning and Highways Committees and in addition to replace the Cabinet Highways Committee:

- Establishes that shorter agendas for the two area planning committees provide an opportunity to move to a single, city-wide planning committee, with consequent efficiency savings for Democratic Services and the Planning Service and the opportunity to provide a strong city view, backed by Councillors with increased expertise in planning, which is likely to be welcomed by local businesses and external investors in Sheffield.
- Summarises previous cross-party findings on the need to introduce the digital presentation of planning application reports with an enhanced format over existing content and proposes that this be introduced at the first meeting of the new committee, following any pilot testing that is deemed necessary.
- Describes the current decision making process for Executive transport and highway decisions and puts forward proposals to share the remit of the Cabinet Highways Committee with Individual Cabinet Members and to increase delegations to officers. The aim of this is to improve efficiency and to reduce the need for non-transport cabinet member involvement at a time when there is a significant increased concern and demand from the public regarding the impact of Government reductions in Council budgets on Council services. Such a system of decision-making already operates in other core cities and neighbouring authorities and the opportunity for the public to make personal representations will remain.
- Non-executive decision making on highway issues, such as road and footpath closures, will remain with the Planning and Highways Committee.

### **2. WHAT DOES THIS MEAN FOR SHEFFIELD PEOPLE?**

2.1 In theory, area planning committees can mean local Councillors making planning and highway decisions about their local areas. Each area committee has ten members, of which only four in City Centre, South and East and six in West and North represent wards in the area covered by the Committee. Whilst these proportions will change over time and when substitutes attend, dividing a city as large as Sheffield into two committees makes a limited contribution towards local decision making. Local members can in any case attend the planning committees to represent the views of their constituents without needing to be voting members of the committee. The accessibility of the committee will be unchanged as both area committees meet in the Town Hall, apart from rare exceptions. Neighbourhood

planning powers in the Localism Act are in any event creating important new ways for communities to better engage in planning.

- 2.2 A city-wide committee should find it easier to give proper consideration to the wider interests of the people of Sheffield, particularly in terms of economic development, but also in terms of issues such as climate change and protecting and enhancing the character of Sheffield. Local businesses have suggested in the past that investors and other regeneration partners would have greater confidence in a city-wide planning committee making more informed decisions for Sheffield. Whilst there is no evidence that the area committees could reasonably be accused of failing to do this, any improved perception can only help in attracting new investment and jobs, without weakening the Council's commitment to other issues and outcomes that matter to Sheffield, which are all reflected in our local planning policies.
- 2.3 In relation to the proposal to share the remit of the Cabinet Highway Committee, the process proposed for Individual Cabinet Member decision-making will be very similar to the current system. This involves Cabinet continuing to take major policy and transport scheme decisions. It is proposed that the monthly Cabinet Highway Committee meetings be replaced by monthly reports to the relevant Cabinet Member with the public able to make representations. Typically, only one or two members of the public attend Cabinet Highways Committee personally to speak on any issue, with a large number of issues receiving written public responses only. Where an occasional issue attracts unusually high public interest there remains the option of calling a Cabinet Highways Committee. Therefore the move to the individual Cabinet Member taking shared responsibility with the Cabinet Highways Committee for the decision making is not considered to have any detrimental impact.

### **3. MODERNISATION OPTIONS**

- 3.1 Currently, there are considered to be two main options for modernising the Planning Committees at this point in time. These are the introduction of digital presentation of planning application proposals and the opportunity presented by shorter agendas to move to a single planning committee. The benefits and disbenefits of each option are assessed in Section 6.
- 3.2 There are two options for changing the Executive transport and highways decision making process. These are: Cabinet Highways Committee decisions being shared with the Individual Cabinet Member with or without increased delegation to officers; and full officer delegation. The benefits and disbenefits of each option are assessed in Section 6.

### **4. PROPOSED MOVE TO SINGLE PLANNING COMMITTEE**

- 4.1 Determining planning applications is the main function of the area planning committees. In the 10 months from January 2012 the number of planning application reports considered has fallen to an average of 7.5 cases for City Centre, South and East and to an average of 6 West and North. These are very low numbers and it is difficult to sustain 2 committees at these levels. One West and North Committee had to be cancelled when there were no reports to consider.

- 4.2 The economic downturn has significantly reduced the pool of major applications that require committee approval. Improved delegation when the delegation scheme was modernised to the national best practice model in January 2011 has also contributed. Combining the figures of the Committees that have taken place so far in 2012, moving to a single Committee would result in an average of 13.5 planning applications per agenda, which is considered to be a more efficient committee structure, providing a reasonable application workload. It is possible to divide agendas into two halves if a large number of applications fall to one committee, which would avoid members of the public having to wait too long for their item to be considered (45-60% of agenda items attract speakers) and could provide a break for members and officers attending, if necessary.
- 4.3 The national Planning Advisory Service recommends a single planning committee as the most efficient model for cities and would provide efficiency savings in the administration and clerking of the committees, with an estimated value of £12,000 a year.

Table 1. Savings from move to a Single Planning Committee

Democratic Services- support for committees	£5k
Members' Allowances budget - Special Responsibility Allowance	£6k
Planning Services- 50 hrs G5 Admin Officer	£1k
Total Saving	£12k

- 4.4 These and other possible advantages and disadvantages of a single committee are summarised below:

#### Advantages

- **Better visual information** on material planning considerations, helping Members to make well informed decisions
- **Cheaper and more efficient to run** – around £6K a year efficiency savings and valuable help to maintain services at a time whilst already delivering necessary and significant other staff savings, and helping to reduce paper consumption
- **More strategic** - easier to take a city-wide, strategic view on the economic benefits of development
- **More business friendly** – would develop enhanced planning expertise among Members.
- **Greater consistency** – avoids issues about differences between the two area committees.
- **Improved expertise** – easier to develop a smaller core membership of experts on planning issues
- **Less reliance on substitutes** – less call on Members would help avoid current difficulties in finding sufficient substitutes for two area committees
- **Further savings** – a saving of a Special Responsibility Allowance of around £6K a year through the reduction of two committee chairs to one.



## **Disadvantage**

- **Longer meetings** – At present there are two area committees operating on a three weekly cycle. Agendas and Committee meetings would be longer if combined but good chairing would resolve most of these difficulties and the length of meetings has been reducing over the past 12 months in any event.

- 4.5 If volumes of Committee items increase, as major scheme activity increases for example, a number of actions could be taken to help prevent the Planning Committee becoming so long that its performance was hindered or that might lead to public dissatisfaction. There is no obvious scope to make further changes to the delegation scheme to increase delegation rates (already at around 95%), as the Council is using the most efficient, national best practice model. However, the way the Chair interprets and applies the scheme to marginal agenda items could be reviewed to help prevent agendas getting too crowded.
- 4.6 With more major schemes, it can be anticipated there will be greater use of pre-application briefings of the Planning Committee, addressing some Member concerns earlier in the process, and this will help contain the length of time spent on these application reports.
- 4.7 Timed breaks in the meeting could be introduced to manage the arrival of speakers (and officers) if that was felt to be appropriate and it would also be possible to introduce a requirement for public speakers to register in advance, so that a better estimate of timings could be given in order to better manage longer agendas. This could be used to help prevent the public waiting too long for their item. The length of meetings would be kept under review.
- 4.8 It is recommended that the minimum size of the new committee be 10 Members, as for the existing area committees, but Members may want to consider if 10 remains the optimum number. Each Council AGM will be able to determine the size and membership of the Committee.

## **5. DIGITAL PRESENTATIONS**

- 5.1 Over 40% of planning applications are now submitted online and all paper documents are scanned and indexed to create a digital or electronic copy of the application file. These are made visible to the public and consultees via the Council web site on Planning Applications Online. 'Digital presentations' means replacing paper drawings displayed on boards prior to the Planning Committee, which are impossible for anyone to see without getting up and standing close to them, with a PowerPoint presentation of screenshots from the digital file.
- 5.2 The Planning Committee Advisory Group last considered digital presentations on 20 January 2011, following an earlier visit to Leeds, and concluded that we should move to digital presentations in Sheffield as it had the potential to improve the decision making process, by improving the quality of information on which Committee Members make application decisions, providing better opportunities for communicating issues, and illustrating and explaining why decisions are made to applicants and objectors who attend.
- 5.3 A joint officer assessment by Modern Governance and Planning on how it would be possible to do this, concluded that the best option given the constraints of working within a Grade 1 Listed Town Hall, would be to use two plasma screens on movable

stands, linked to a laptop controlled by an officer supporting the planning officer presenting. Plasma screens offer better screen resolution and legibility than projected images. Two screens would be necessary to enable all present to have sight of a screen.

- 5.4 The Advisory Group liked the enhanced material used in Leeds, which included an aerial photo and prepared location plan of the application site to make site identification better for Members than at present, a selection of site photographs taken by the case officer to illustrate the site context and key issues, as well as a selection of key drawings from the application file. It is not safe to rely on a network connection or practical to expect an officer to navigate through an extensive catalogue of documents to pull out relevant material at the speed required at Committee, so this material has to be prepared in advance and managed at the Committee by a second officer.
- 5.5 It is calculated, using the Leeds experience, where an IT support officer prepares the Power Point presentation, that the additional resource required in Sheffield would be 0.3 FTE Administrative Officer. This can be met within the current funded establishment. It is also assumed that the additional work for case officers (taking photographs and identifying a selection of drawings to be displayed, for the Area Managers (in preparation and support at Committee), can be absorbed by the Planning Service. There would also be a small cost in purchasing GIS licences for the software necessary to prepare the enhanced location plans.

Table 2. Annual cost of introducing digital presentations

Planning Services - 0.3fte G5 Admin Officer	£9k
Estimated annual hire and committee set up costs	£3-4k
GIS License	£0.2k
Total Cost	£12.2 – £13.2k

- 5.6 Budget pressures have delayed the introduction of digital presentations, with insufficient administrative support being retained to do the additional preparatory work for each Planning Committee. Its introduction is the logical next step in modernising the Planning Committee. It is likely to have cross party support and be welcomed by all those who attend.
- 5.7 Every other core city, apart from Manchester, uses digital presentations. They help officers illustrate the key considerations behind their recommendations; help Members make well informed decisions; and help applicants, objectors and the media attending understand why decisions are being made, giving greater confidence in the process.
- 5.8 A lack of confidence in the Committee process has in the past been a concern of local business leaders, and while the reasons behind those concerns were complex, the introduction of digital presentations would demonstrate our commitment to modernise and improve the planning process.

## **6. EXECUTIVE TRANSPORT & HIGHWAY DECISION MAKING**

- 6.1 Transport and Highways matters are covered under two Cabinet Member portfolios: Business, Skills and Development and Environment, Recycling and Streetscene (the latter dealing primarily with the Streets Ahead Project). The current system of transport and highway decision-making involves Cabinet dealing with major policy and transport scheme issues (including Compulsory Purchase Orders for schemes), with the Cabinet Highways Committee making most other Executive decisions (including operational policy such as 20mph speed limit strategy; considering objections to Traffic Orders and approving Permit Parking schemes). There is some delegation to officers, namely approving the designs of schemes, which are not controversial and cost under £200,000 and approving advertising of Traffic Orders. Community Assemblies have made Executive decisions on which schemes to take forward as part of annual highways programme and the designs of these schemes. The involvement of Community Assemblies in the transport and highways decision-making process will cease with their abolition. The relevant Planning & Highway Committee undertakes non-Executive decisions, such as highway and footpath closures and cycle path creation orders. The single Planning & Highways Committee will retain this non executive decision making function.
- 6.2 Any changes in executive decision making for transport and highway schemes need to ensure that:
- a) Decisions are made legally and with a clear audited trail of delegated accountability;
  - b) Decisions are made in an open and transparent way;
  - c) The work of the Members and officers is conducted in an efficient, effective and timely matter;
  - d) Clarity is brought to the decision making process so that it is always clear who has authority to make decisions;
  - e) Important decisions of public interest should continue to be made with input from Members and the public at relevant stages;
  - f) Decisions are made at the most appropriate level to ensure that Council business is conducted as efficiently and effectively as possible.
- 6.3 Two options for changing the current transport and highways Executive decision making process have been considered. These are: Cabinet Highways Committee decisions being shared with the Individual Cabinet Member with or without increased delegation to officers; and full officer delegation. The benefits and dis-benefits of each option are assessed below:
- 6.4 Option 1: Cabinet Highways Committee decisions being shared with the Individual Cabinet Member with or without increased delegation to officers. Delegation to Individual Cabinet Members is a model adopted by several of the Core Cities (including Birmingham and Nottingham). Rotherham MBC also use Individual Cabinet Member decision making and do this by way of regular and programmed Cabinet Member decision making meetings. These would be in the diary as per Cabinet Highway Committee with Committee Secretariat support. Minutes would be formally recorded and published. In Rotherham, the Cabinet Member is advised by a group of Councillors but they do not make the decision. Reports are prepared in advance by officers. The meetings are not open, but members of the public etc can apply to put their case direct to the Cabinet Member before making his / her decision and written representations would be invited from the public and be

presented as part of the report to the Cabinet Member. Sheffield could adopt a similar method of dealing with Individual Cabinet Member decision making, however as Sheffield intends to retain its Cabinet Highways Committee the proposal is that there would be the normal arrangements for consulting with the public and stake holders on schemes and policies. Officers would make people aware of how they could make representations to the Individual Cabinet Member who would then decide whether there was sufficient public interest to refer the matter to the Cabinet Highways Committee. If written representations are sufficient for the Cabinet member to make a decision or there are no representations, the decision will be made by the Individual Cabinet Member. It is also proposed that the relevant Cabinet advisor on traffic, transport and parking issues would advise the Individual Cabinet Member prior to the decision being taken, thereby increasing the input of Member expertise in the relevant area.

This option could increase the workload of the Cabinet Member – depending on the level of delegation and the frequency of decision making. If decisions were made on a monthly basis and the delegation remained the same then the workload should be the same. Having the option of the Individual Cabinet Member making the decision would make it easier to diary decision making at a time when Cabinet Members are required to focus increasing time on managing the impact of, and responding to, more and more public enquiries and concern relating to Government Council budget reductions.

6.5 Option 2: A significant proportion of planning decisions are already delegated to officers. The amount of decisions delegated for transport and highways matters could be increased by:

- Increasing the value of schemes that officers could approve the design of (from say £200k to £1m);
- This could include schemes with some controversial elements;
- Deciding on objections to minor schemes such as local parking restrictions;

All decisions would be in written report format and would be recorded and published. The Cabinet Member and Ward Members (for local schemes) would be involved in the discussions about the decisions. Reasons for the decisions would be clear so that public can understand why and how officers have chosen a particular course of action. There will therefore be a clear and audited trail of accountable decision making.

The advantage of this option is that it would reduce the workload for the Individual Cabinet Member. It would also speed up the decision making process. This is particularly important when schemes are being planned to fit in with the Streets Ahead Core Maintenance works. However, it would reduce the public's involvement in the decision making process by not allowing direct representations at a public decision making forum.

6.6 Option 1 could involve increased officer delegation (a proposed scheme for approval is attached as Appendix A), to reduce Cabinet Member workload, to speed up the decision making and delivery times, and improve efficiency. Essentially the Individual Cabinet Member and the Cabinet Highways Committee would each have reserved to them, within the Leader's Scheme of delegation all of the Council's executive functions arising from the Council's roles as the Highway Authority and

Road Traffic Authority (other than those specifically reserved to Cabinet and those delegated to officers in accordance with Appendix A). These will include transport and parking matters, where these relate to:

- a) The Capital Programme;
- b) Policy statements;
- c) Matters that have drawn substantial objections from the public;
- d) Approval of designs of schemes costing in excess of £250,000.

It is also worth noting that the leader's proposed new scheme provides that any decision that can be taken by an officer can also be taken by an Individual Cabinet Member. Therefore even where a matter falls to an officer the Individual cabinet Member can choose to make that decision if they so wish.

## **7. EQUAL OPPORTUNITY IMPLICATIONS**

- 7.1 There are no equality of opportunity implications to the proposals for Planning & Highway Committee. Public input will still be maintained during scheme consultation, policy development and by written representations to the Individual Cabinet Member or personal attendance at a Cabinet Highway Committee.

## **8. FINANCIAL IMPLICATIONS**

- 8.1 The total saving in administration, clerking and Chair's allowances from moving to a single planning committee is estimated at £12,000 a year. The total cost of introducing digital presentations is estimated at £12,200 – £13,200 a year. The Planning Service will absorb the additional work required to prepare digital presentations, partly offset by small efficiencies from preparing the agenda for a single committee.
- 8.2 The recommended Option will not change the administrative support for and cost of transport and highway executive decision making.

## **9. LEGAL IMPLICATIONS**

- 9.1 The determination of planning applications is a function reserved to Full Council in accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. Section 102 Local Government Act 1972 provides for the Council to discharge its functions via a committee or committees. The number of committees is not prescribed therefore there is no legal requirement for there to be two committees and the Council can lawfully discharge its function via a single committee.
- 9.2 The exercise of executive functions concerning the approval of Traffic Regulation Orders, designated traffic management matters, controlled parking zones and other orders in respect of major transport scheme designs are made under the application of the Highways Act 1980 and the Road Traffic Regulation Act 1984.
- 9.3 Legal Implications - How decisions can be made by a local authority  
The Local Government Act 2000 introduced a duty for most local authorities to adopt 'Executive Arrangements' to make its decisions. Sheffield adopted the model of Leader and Cabinet and subsequently Strong Leader and Cabinet. The legislation determines which functions are executive functions and specifies where

those functions can be discharged. The Act divided Local Authority functions into three types:

- Council
- Local Choice
- Executive Functions

The focus of this report is in respect of both the exercise of executive functions and non-executive functions. Executive powers can be exercised by:-

- 1 The Leader
- 2 Cabinet
- 3 A committee of the executive (including Cabinet Highways Committee)
- 4 Individual Cabinet Member Decision
- 5 An officer
- 6 Community Assemblies

9.4 Non-executive functions of the Council as planning and highways authority are set out in Part A, 5-31, Part B, 41 and 46A-55 and Part I, 1-34, 46 and 47 of Part 3 Responsibility for Functions of the Constitution and have been delegated to the Planning and Highways Committees in accordance with their terms of reference (except those matters delegated to officers in accordance with the Constitution). Section 278, Highways Act 1980 is a local choice function which has also been delegated to the Committees in accordance with their terms of reference.

9.5 Changes will be made to the Leader's Scheme of Delegation to reflect the changes proposed here and agreed with the Leader to ensure continued robust open and transparent decision making.

## 10. HR IMPLICATIONS

10.1 There are no HR implications.

## 11. ENVIRONMENTAL AND SUSTAINABILITY IMPLICATIONS

11.1 Sheffield has a clear vision of a low carbon, sustainable city with a strong renewable energy sector. Whilst the impact may be imperceptible, a city-wide committee should find it easier to give appropriate weight to policies that support this vision.

11.2 Appropriate and efficient decision making is vital in the effective delivery of sustainable transport and highway schemes. Such schemes play a fundamental part in improving the environment, reducing carbon emissions and improving air quality.

## 12. RECOMMENDATIONS

12.1. That Cabinet recommend to Council that, from May 2013, the existing two Area Planning and Highways Committees be combined into a single Planning Committee for the whole city.

- 12.2 That Cabinet agree that the digital presentation of planning application reports with an enhanced format be introduced at the first meeting of the new, modernised Planning Committee, following any pilot testing that officers deem necessary.
- 12.3. That Cabinet adopt Option 1 and recommend to the Leader that she amends her Scheme of delegation to record the fact that decisions reserved to the Cabinet Highways Committee are also reserved to an Individual Cabinet Member and to reflect the proposals in Appendix A regarding increased officer delegations.
- 12.4. That authority be given for the Director of Development Services, in consultation with the relevant Cabinet Member and Director of Legal Services, to make the practical arrangements necessary to introduce the new executive transport and highways decision making arrangements following amendment of the Leader's Scheme as proposed at 12.3 above.

Les Sturch, Director of Development Services

## APPENDIX 1. SHEFFIELD CITY COUNCIL EQUALITY IMPACT ASSESSMENT (EIA) FORM

**PART 1: Details and purpose of function/policy/procedure/ procurement/strategy/project (to be referred to collectively as “policy or project” in this form)**

**This section must be completed**

Please describe your policy or project: Modernisation of the Planning and Highways & Cabinet Highways Committees	Directorate/s: Place
Is this policy or project:	New <input checked="" type="checkbox"/> Existing <input type="checkbox"/>
<b>Service Area/s:</b> Planning Service, Transport, Traffic And Parking Services & Democratic Services	
<b>Person responsible for the policy or project</b> Graham Withers / John Bann	
Person responsible for completing a full EIA if appropriate: Graham Withers / John Bann	
<b>Are there any other people involved in the EIA – for example, as part of peer review/external challenge?</b> Ian Oldershaw	
<b>What are the main aims, purpose and outcomes of the policy or project and how do these fit in with the wider aims of the organisation?</b> To ensure that the Planning and Highway Committee structure and processes are efficient and effective, taking into account national best practice and the Council’s need to make budget savings and involve all stakeholders in the planning application process.	
<b>Will this policy or project have any implications on other procedures/projects/strategies etc of the City Council?</b> It may help free up some Member time for constituency business. Changes to CHC will free up some Cabinet Member time.	
<b>Are there any implications on our statutory duties? (e.g. social care or homeless eligibility criteria)</b> There are no implications for the statutory duties of the Council as Local Planning Authority or as Highway and Parking Authority.	



**PART 2: Initial Impact Assessment**

Complete this part to evaluate whether you should proceed to a full EIA. If you know your policy or project will have an impact on certain groups, please go straight to Part 3.

<b>A. Will the aims identified in Part 1 affect our statutory equality or human rights duties to:</b>	
a) Promote equality of opportunity?	e) Promote positive equality attitudes?
b) Encourage participation for all *	f) Eliminate discrimination?
c) Consider reasonable adjustments for disabled people?	g) Eliminate harassment?
d) Promote and protect human rights?	h) Promote good community relations?
l) Include measures to promote equal pay, ensure fair promotion, development opportunities and tackle occupational segregation	
* <b>Note b)</b> must include disabled people under the Disability Duty. <b>If so, please comment:</b>	
No impact re any of the above	
<b>B. Are the particular communities or groups below likely to have different needs, experiences and attitudes in relation to the project? Are there any significant cohesion or social inclusion issues for the project?</b>	
Black Minority Ethnic <input type="checkbox"/> Disabled <input type="checkbox"/> Gender <input type="checkbox"/> People of different ages <input type="checkbox"/> Religion/ Belief <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Carers <input type="checkbox"/> Community Cohesion <input type="checkbox"/> Social Inclusion <input type="checkbox"/> Other <input type="checkbox"/>	
No impact re any of the above. Fundamentally, the modernisation of the Planning and Highways Committees is equality neutral affecting all those involved equally regardless of age, sex, race, faith, disability, sexuality, etc. No negative equality impacts have been identified.	
<b>If the EIA is not being done at the start of the policy or project please give reasons for the delay: N/A</b>	
<b>Date for review: N/A</b>	

If you have identified any significant impacts under sections 2A or 2B then you will need to proceed to a full EIA in PART 3.

If you have not identified any significant impact you do not need to conduct a full EIA.

Please note - this decision still needs to be cleared (signed off) by the officer in your directorate responsible for signing off EIAs.

I have now considered the equality implications of my policy or project and / **will not** proceed to carry out a Full Impact Assessment.

**Date of EIA form (Parts 1 and 2) completed:** 11 February 2013

Signed (Officer completing the form):           Graham Withers / John Bann

**Date:** 11 February 2013

**Signed (EIA Responsible Officer):           Ian Oldershaw**

**Date:** 12/02/13

## **Appendix A**

Proposed Delegations relating to Highways and Transport and Traffic to be incorporated within the Leader's and the Executive Director (Place)'s Schemes of Delegation

1. The 'Streets Ahead' Project (Highways PFI) and other Highways Related Issues
  - 1.1 The Head of Highway Maintenance is authorised to make decisions on behalf of the Council as the 'Authority Representative' under the Highways Maintenance PFI Contract dated 31st July 2012 and including any subsequent revisions between (1) the Council and (2) Amey Hallam Highways Limited ('the Streets Ahead Contract'), including authorising the making of call-off contracts (as deeds and in the agreed contractual form) for the provision of non-core services pursuant to the Streets Ahead Contract', provided that this authority:-
    - 1.1.1 Does not extend to making a decision in relation to:-
      - (a) Termination of the Streets Ahead Contract;
      - (b) The final approval of the making of High Value Changes (as defined in the Streets Ahead Contract); or
      - (c) Step-in by the taking of any Required Action (as defined in the Streets Ahead Contract).
    - 1.1.2 Is subject to any further restrictions which may be imposed on it from time to time by the Cabinet or by an individual Cabinet member with a relevant portfolio; and
    - 1.1.3 Is without prejudice to the authority of any other persons to make decisions under any other provisions of this Scheme.
  - 1.2 Any functions of the executive in relation to the Council's roles as Highways Authority and Road Traffic Authority, including transport and parking (except any function that relates to highways maintenance and street naming and numbering and Section 278, Highways Act 1980 (power to erect barriers in streets in cases of emergency)) may be discharged by the Chief Executive, by the Executive Director, Place, by the Director of Development Services and by the Head of Transport Traffic and Parking Services in each case acting individually.
  - 1.3 Any functions of the Executive in relation to the Council's role as Highways Authority in so far as they relate to highways maintenance and street naming and numbering and Section 278, Highways Act 1980 (power to erect barriers in streets in cases of emergency) may be discharged by the Chief Executive, by the Executive Director, Place, by the Director of Development Services and by the Head of Highways Maintenance in each case acting individually.

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## SHEFFIELD CITY COUNCIL Cabinet Report

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**Report of:** Eugene Walker

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**Date:** 20 March 2012

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**Subject:** Revenue Budget & Capital Programme Monitoring  
2012/13 – As at 31 December 2012

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**Author of Report:** Allan Rainford; 35108

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**Summary:** This report provides the month 9 monitoring statement on the City Council's Revenue and Capital Budget for 2012/13.

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**Reasons for Recommendations** To formally record changes to the Revenue Budget and the Capital Programme and gain Member approval for changes in line with Financial Regulations and to reset the capital programme in line with latest information.

**Recommendations:**

Please refer to paragraph 90 of the main report for the recommendations.

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**Category of Report:** OPEN/CLOSED

## Statutory and Council Policy Checklist

<b>Financial implications</b>
YES/NO      Cleared by: Eugene Walker
<b>Legal implications</b>
YES/NO      Cleared by:
<b>Equality of Opportunity implications</b>
YES/NO      Cleared by:
<b>Tackling Health Inequalities implications</b>
YES/NO
<b>Human rights implications</b>
YES/NO      :
<b>Environmental and Sustainability implications</b>
YES/NO
<b>Economic impact</b>
YES/NO
<b>Community safety implications</b>
YES/NO
<b>Human resources implications</b>
YES/NO
<b>Property implications</b>
YES/NO
<b>Area(s) affected</b>
<b>Relevant Scrutiny Board if decision called in</b>
Overview and Scrutiny Management Committee
<b>Is the item a matter which is reserved for approval by the City Council? NO</b>
<b>Press release</b>
YES/NO

## REVENUE BUDGET & CAPITAL PROGRAMME MONITORING 2012/13 – AS AT 31 DECEMBER 2012

### PURPOSE OF THE REPORT

1. This report provides the Month 9 monitoring statement on the City Council's Revenue Budget and Capital Programme for 2012/13. The first section covers Revenue Budget Monitoring and the Capital Programmes are reported from paragraph 71.

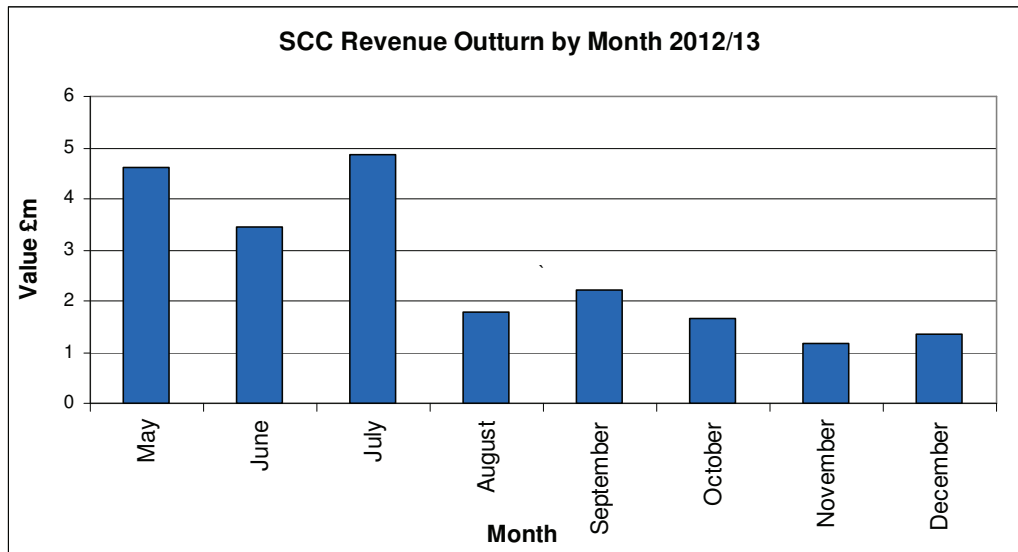
### REVENUE BUDGET MONITORING

#### SUMMARY

2. The budget monitoring position at month 8 indicated a forecast overspend of £1.2m, based on expenditure incurred to date and forecasted trends to the year end. The latest monitoring position at month 9 shows a forecast overspend of £1.3m to the year end: i.e. a forecast adverse movement of £190k since last month. This is summarised in the table below:

Portfolio	FY Outturn £000s	FY Budget £000s	FY Variance £000s	Movement from Month 8
CYPF	81,709	82,306	(597)	↔
PLACE	163,089	163,896	(807)	↔
COMMUNITIES	171,989	168,750	3,239	↑
DEPUTY CHIEF EXECUTIVE	12,062	12,018	44	↔
RESOURCES	62,749	63,253	(504)	↔
CORPORATE	(490,250)	(490,223)	(27)	↔
<b>GRAND TOTAL</b>	<b>1,347</b>	<b>(0)</b>	<b>1,347</b>	<b>↑</b>

3. The forecast outturn for SCC shows a reducing overspend from the £4.6m overspend reported in month 2 to £1.3m as at Month 9. The position month by month is shown in the following chart.



4. In terms of the month 9 overall forecast position of the £1.3m overspend, the key reasons are:

- Children Young People and Families (CYPF) are showing a forecast reduction in spending of £597k, due mainly to a £225k reduction in spending across a number of activities within Children and Families and the receipt of academic year funding within Lifelong Learning, Skills and Communities £461k.
- Place are showing a forecast reduction in spending of £807k, due primarily from staff vacancy savings across Development Services (£1.1m) and planned slippage of grant funded project spend within HERS of £780k. These savings are partly offset by a £227k overspend in Street Force for the costs of backdated pay and grading appeals, £300k within Culture and Environment mainly due to the funding stabilisation programme of Museums Sheffield (£500k) and forecast reductions in income within Development Services of £400k, predominantly within car parking.
- Communities are showing a forecast overspend of £3.2m, due to a £5.9m overspend in Care and Support relating to Learning Disability Services and the purchase of Older People's care. This is partly offset by the use of a £1.1m portfolio wide contingency and a £1.4m underspend created by the release of prior year funding in Social Care Commissioning.
- Resources are showing a forecast reduction in spending of £504k, due mainly to £497k savings on Central Costs and increased income within Commercial Services and Transport Services of £261k and £326k respectively. This reduction in spending is partly offset by a



reduction in income of £321k within Legal Services and an overspend relating to delays in the employee reduction process within Business Information Solutions of £230k.

5. The reasons for the movement from month 8 are:
  - Communities are forecasting an adverse movement of £310k, due mainly to the increased cost of care purchasing of £417k, a £118k pressure as a result of increased demand for self directed support within Mental Housing Commissioning and £103k overspend due to reduction in eligible charges to capital from Private Sector Housing. These adverse movements are partly offset by staff savings totalling £390k within Contributions to Care and Provider Services.

### Carry Forward Requests

6. Portfolios are requesting to carry forward a total of £1.5m into 2013/14. Details of the requests for approval are summarised in Appendix 1 of the report. The £1.5m is in addition to the £2.9m previously approved.
7. If all requests were approved the impact upon the 2012/13 outturn would be an adverse movement of £1.5m from £1.3m to £2.8m overspent. The recommendation to EMT and Members continues to be that no carry forward requests should be considered for approval until the overall SCC forecast outturn position reports a reduction in spending sufficient to cover any such requests.

## INDIVIDUAL PORTFOLIO POSITIONS

### CHILDREN YOUNG PEOPLE AND FAMILIES (CYPF)

#### Summary

8. As at month 9 the Portfolio is forecasting a full year outturn of a reduction in spending of £597k, an improvement of £96k from the month 8 position. The key reasons for the forecast outturn position are:
  - **Children and Families:** £225k reduction in spending, due to a reduction in spending on Early Years, Placements, Prevention and Early Intervention, Fostering Services and Placement strategy budgets.
  - **Lifelong Learning, Skills & Communities:** £461k reduction in spending, due to resources being received that will be used to fund future year activities. This relates to academic year grant funding of £322k. The service has requested that these resources be carried forward provided the Portfolio maintains a balanced budget position.

## Financials (Non – DSG activity)

Service	FY Outturn £000s	FY Budget £000s	FY Variance £000s	Movement from Month 8
BUSINESS STRATEGY	13,903	13,869	34	↔
CHILDREN & FAMILIES	54,191	54,416	(225)	↔
INCLUSION & LEARNING SERVICES	5,591	5,536	54	↔
LIFELONG LEARN, SKILL & COMMUN	8,024	8,485	(461)	↔
<b>GRAND TOTAL</b>	<b>81,709</b>	<b>82,306</b>	<b>(597)</b>	<b>↔</b>

## Commentary

### DSG and Non DSG Budgets

9. The following commentary concentrates on the changes from the previous month.

### Non DSG Budgets

10. The forecast £597k reduction in spending on non DSG budgets is consistent with the Month 8 position.

### DSG Budgets

11. The following is a summary of the forecast variance position on DSG budgets:

	Month 8 £000	Month 9 £000
Business Strategy	(165)	(166)
Children and Families	(186)	(194)
Inclusion and Learning Services	249	308
Lifelong Learning, Skills and Communities	0	0
	<b>(102)</b>	<b>(52)</b>

12. The key reason for the movement from the month 8 position is due to an adverse movement of £59k in Inclusion and Learning Services.

## PLACE

### Summary

13. As at month 9 the Portfolio is forecasting a full year outturn of a reduction in spending of £807k, prior to carry forward requests of £693k (i.e. £114k under budget). This is an improvement of £147k from the month 8 position. The key reasons for the forecast outturn position are:
- **Culture and Environment:** £300k overspend arising from additional grant payments made as part of a wider funding stabilisation programme for Museums Sheffield (£500k), offset to some extent by

reductions in spend / additional income within parks and city centre management.

- **Development Services:** £694k reduction in spending due to staff vacancy savings across the whole service area (£1.1m), offset to some extent by reductions in income (£400k), largely within car parking and planning.
- **HERS:** £780k reduction in spending primarily from planned slippage of grant funded project spend (Local Growth Fund and Transitional Housing Market Renewal) into the following financial year.
- **Street Force:** £227k overspend due to costs of backdated pay and grading appeals and increased bad debt provisions.

## Financials

Service	FY Outturn £000s	FY Budget £000s	FY Variance £000s	Movement from Month 8
BUSINESS STRATEGY & REGULATION	31,982	31,964	18	↔
CREATIVE SHEFFIELD	3,307	3,338	(31)	↔
CULTURE & ENVIRONMENT	41,275	40,975	300	↔
DEVELOPMENT SERVICES	84,660	85,354	(694)	↔
HERS	1,166	1,946	(780)	↔
MARKETING SHEFFIELD	1,146	1,037	109	↔
STREET FORCE	(828)	(1,055)	227	↔
SUSTAINABLE DEVELOPMENT	380	337	43	↔
<b>GRAND TOTAL</b>	<b>163,089</b>	<b>163,896</b>	<b>(807)</b>	<b>↔</b>

## Commentary

- The following commentary concentrates on the key changes from the previous month.

### Development Services

- The current forecast for this activity is a £694k reduction in spending, an improvement of £23k this period.
- The key risk is in securing £10m planned external fee income from planning, building regulation and car parking activities. Forecasts indicate a potential £907k shortfall, with an adverse movement this period of £169k. This is due to a reduction in the estimate of fees from potential large planning applications. The shortfall is however, being offset by £1.1m reductions in staff costs arising from vacancies across the whole service, an improvement of £108k this period.

17. Other key variances this period include Highway 'patching' work funded through LTP capital resources (£304k improvement) and a reduction in forecast slippage of spend in Local Growth Fund projects (£214k adverse).

## HERS

18. The current forecast for this activity is a £780k reduction in spending, an improvement of £76k on the previous period.
19. The improvement is due to an increase in the planned slippage of Local Growth Fund project spend into the following financial year, which now totals £570k. The ultimate value of the slippage may still change depending upon progress made in the actual delivery of the projects.
20. Excluding carry forward requests, the service is forecast a £152k reduction in spending, largely due to staff savings arising from the completion of the capital delivery service restructure earlier than had been anticipated.
21. It should be noted that a key in-year risk is emerging around the potential for grant 'clawback' following a recent European audit. Officers are currently reviewing an initial report with a view to mitigating issues identified.

## COMMUNITIES

### Summary

22. As at month 9 the Portfolio is forecasting a full year outturn of an overspend of £3.2 million, an adverse movement of £310k from the month 8 position. The key reasons for the forecast outturn position are:
  - **Business Strategy:** a forecast £1.1m reduction in spending against budget, due to contingencies held in Portfolio-Wide Services to offset overspends on care purchasing budgets (especially in Learning Disabilities (LD) services). This is a slight improvement on last month's forecast position.
  - **Care and Support:** a forecast £5.9m overspend, due to LD purchasing (£2.7m), LD Transport contract (£216k), Provider Services (£458k), Adult Social Care purchasing (£3.6m), with some reductions in Assessment & Care Management staffing costs against budget. These overspends are offset, to some degree, by a reduction in spending in Housing-Related Services of £220k. This forecast is an adverse movement of £225k from the previous month.

- **Commissioning:** a forecast reduction in spending against budget of (£1.4m) due to Mental Health Commissioning – £738k overspend on care purchasing. Social Care Commissioning – (£2.0m) reduction in spending against budget as a result of the release of funds unspent in previous years into 2012/13 revenue budgets and reduction in spending on LD ex-Health care and accommodation provision. Housing Commissioning – (£161k) net reduction in spending against budget across several areas, reported in detail in PLT/SMT reports. This forecast is an adverse movement of £171k compared to last month, detailed reasons for which are given below.
- **Community Services:** a forecast reduction in spending against budget of £106k – an improvement of £32k compared to last month's position.
- **General:** following an analysis of the trends in activity and spend, the Chief Executive has raised the issue of cost transfer from the NHS to adult social care and discussions are taking place on how this can be addressed to the satisfaction of both parties.

## Financials

Service	FY Outturn £000s	FY Budget £000s	FY Variance £000s	Movement from Month 8
BUSINESS STRATEGY	12,573	13,710	(1,137)	↔
CARE AND SUPPORT	109,851	103,939	5,912	↑
COMMISSIONING	38,769	40,198	(1,430)	↑
COMMUNITY SERVICES	10,796	10,903	(107)	↔
<b>GRAND TOTAL</b>	<b>171,989</b>	<b>168,750</b>	<b>3,239</b>	<b>↑</b>

## Commentary

23. The following commentary concentrates on the changes from the previous month.

### Care and Support

24. A forecast £5.9m overspend against budget. This is an adverse movement of £225k from the previous month and is due to:

- **Assessment & Care Management (A&CM):** adverse movement of £417k, mainly due to an increase in care purchasing over spend, resulting from ongoing pressures from Continuing Health Care (CHC) and the impact of the Right First Time Project (including Home of Choice). These demands are exceeding savings from Community Access and Reablement Services and Self Directed Support efficiencies. This adverse movement in A&CM would have been

£1.3m but for £879k being made available now from PCT for “Winter Pressures”.

- **Contributions to Care (income):** improvement of £115k, due to savings in salary costs in the teams associated with generating and collecting income.
- **Joint Learning and Disability Service:** The adverse movement of £222k is due to an increase in care purchasing over spend of £264k, due to ongoing pressures from CHC offset by savings in employee and agency costs.
- **Provider Services:** improvement of £275k due to better deployment of staff and reduction in use of overtime and bank staff.

### Commissioning

25. A forecast £1.5m reduction in spending against budget. This is an adverse movement of £171k from the previous month. The movement this month is due to:

- **Housing Commissioning** – adverse movement of £103k due to reduction in eligible charges to capital from Private Sector Housing.
- **Mental Health Commissioning:** adverse movement of £118k due to increased demand for self directed support.
- **Social Care Commissioning:** (£50k) favourable movement as a result of a net reduction in pay costs and identification of extra income.

### Community Services

26. A forecast £107k reduction in spending against budget. This is a favourable movement of £33k from the previous month.

### General

27. Following an analysis of the trends in activity and spend, the Chief Executive has raised the issue of cost transfer from the NHS to adult social care and discussions are taking place on how this can be addressed to the satisfaction of both parties.

## RESOURCES

### Summary

28. As at month 9 the Portfolio is forecasting a full year outturn of a reduction in spending of £504k, consistent with the month 8 position. The key reasons for the forecast outturn position are:

- **Commercial Services (savings):** £261k additional income due to achieving increased savings.
- **Property and Facilities Management:** £218k reduction in spending mainly due to improved forecasting on Asset Management and Commercial Estate.
- **Transport:** £326k reduction in spending in Transport mainly due to additional income on Central Transport.
- **Central costs:** £497k reduction in spending in central costs.

29. Offset by:

- **Business Information Solutions:** £230k overspend due to anticipated delay in MER process required to make staff savings.
- **Customer Services:** £261k overspend due to transfer of operational costs from the Customer First Programme.
- **Legal Services:** £321k overspend, £151k due to reduction in non-core income and £88k forecast spend on corporate work, primarily Digital Region and leadership team time.

## Financials

Service	FY Outturn £000s	FY Budget £000s	FY Variance £000s	Movement from Month 8
BUSINESS INFORMATION SOLUTIONS	631	401	230	↔
COMMERCIAL SERVICES	1,919	1,904	15	↔
COMMERCIAL SERVICES (SAVINGS)	(1,074)	(820)	(254)	↑
CUSTOMER FIRST	5,853	5,853	(0)	↔
CUSTOMER SERVICES	3,152	2,891	261	↑
FINANCE	2,432	2,443	(11)	↔
HUMAN RESOURCES	849	814	35	↔
LEGAL SERVICES	2,566	2,245	321	↓
PROGRAMMES AND PROJECTS	1,687	1,749	(62)	↔
PROPERTY AND FACILITIES MGT	31,192	31,410	(218)	↓
TRANSPORT	122	448	(326)	↓
<b>TOTAL</b>	<b>49,330</b>	<b>49,338</b>	<b>(8)</b>	<b>↓</b>
CENTRAL COSTS	13,906	12,913	993	↑
BENEFIT SUBSIDY	(487)	1,002	(1,489)	↔
<b>GRAND TOTAL</b>	<b>62,749</b>	<b>63,253</b>	<b>(504)</b>	<b>↔</b>

## Commentary

30. The following commentary concentrates on the changes from the previous month.

### Customer Services

31. An adverse movement of £165k from the previous month due to inclusion of additional staffing costs previously assumed to be charged to the Customer First programme.

### Commercial Services (savings)

32. An adverse movement of £252k from the previous month due to inclusion of costs from the E-Business programme.

### Legal Services

33. An improvement of £102k from the previous month due to a reduction in work load on corporate legal issues in 2012/13.

### Property and Facilities Management

34. An improvement of £202k from the previous month due to the assumption that Kier and Legal fees charged to Commercial Estate can be funded through the top-slicing of disposal receipts. This assumption needs to be reviewed and confirmed in Month 10.



## Transport

35. An improvement of £109k from the previous month is in the main due to an improved position within Transport Fleet Management.

## Central Costs

36. Central costs (excluding Capita) are continuing to forecast a £2m reduction in spending. The Capita contract costs have worsened by £148k since Month 8, mainly on ICT. The overall position has worsened by £136k.

Central Costs	Forecast Variance	Forecast Variance
	Month 9	Month 8
	£ 000	£ 000
Capita – Control Account	599	599
Capita – ICT BIS	378	233
Capita – Finance	491	488
Capita - HR	132	132
<b>Sub total Capita</b>	<b>1,600</b>	<b>1,452</b>
Benefits subsidy	(1,489)	(1,489)
Other Central Costs	(608)	(596)
<b>Total</b>	<b>(497)</b>	<b>(633)</b>

## DEPUTY CHIEF EXECUTIVE'S

### Summary

37. As at month 9 the Portfolio is forecasting a full year outturn of an overspend of £44k, an improvement of £36k from the month 8 position. The key reasons for the forecast outturn position are:

- £161k overspend in Modern Governance mainly due to increasing election costs (£260k overspend), delay in spending the DEFRA grant for reservoir flood planning (£57k reduction in spending) and staff and IT savings in Democratic Services (£73k reduction in spending).
- Offset by £111k reduction in spending in Business Development due to salary sacrifice and vacant posts.

## Financials

Service	FY Outturn £000s	FY Budget £000s	FY Variance £000s	Movement from Month 8
ACCOUNTABLE BODY ORGANISATIONS	0	0	0	↔
BUSINESS DEVELOPMENT	2,593	2,704	(111)	↔
HEALTH IMPROVEMENT	211	211	0	↔
MODERN GOVERNANCE	3,891	3,730	161	↔
PERFORMANCE AND CORP PLANNING	815	787	28	↔
POLICY,PARTNERSHIP,AND RESEARCH	3,524	3,557	(33)	↔
<b>GRAND TOTAL</b>	<b>11,033</b>	<b>10,989</b>	<b>44</b>	<b>↔</b>

## Commentary

There are no significant changes from the previous month.

## CORPORATE ITEMS

### Summary

38. As at month 9, the Corporate Budgets are forecasting a reduction in spending of £27k which is consistent with month 8. The table below shows the items which are classified as Corporate and which include:

- Corporate Budget Items: corporate wide budgets that are not allocated to individual services / portfolios, including capital financing costs and the provision for redundancy / severance costs.
- Corporate Savings: the budgeted saving on review of management costs and budgeted saving from improved sundry debt collection.
- Corporate income such as Formula Grant and Council tax income, some specific grant income and contributions from reserves.

## Financials

	<u>FY Outturn</u> <u>£'000</u>	<u>FY Budget</u> <u>£'000</u>	<u>FY</u> <u>Variance</u> <u>£'000</u>
Corporate Budget Items	44,885	45,478	-593
Savings Proposals	-1,222	-1,794	572
Income from Council Tax, RSG, NNDR, other grants and reserves	-533,913	-533,907	-6
<b>Total Corporate Budgets</b>	<b>-490,250</b>	<b>-490,223</b>	<b>-27</b>

39. Corporate Budget items are showing a forecast reduction in spending of £593k, due mainly to the temporary reduced cost of borrowing and increased investment income within the capital financing budget of £500k, and the recovery of previous years' National Non-Domestic Rates (NNDR) overpayments of £93k. This forecast is consistent with month 8.

40. The forecast overspend on Savings Proposals of £572k relates to a reassessment of the sundry debt collection rates and subsequent revision, based upon month 9 actuals. This forecast is also consistent with the month 8 position.

## LOCAL GROWTH FUND

41. The position on the Local Growth Fund is as follows:

	Total Allocated £000	2012/13 Spend to Date £000	Unspent Balance £000
Approved Schemes	4,889	612	4,277
Schemes Pending Approval	0		0
Unallocated Balance	444		444
<b>Total Fund</b>	<b>5,333</b>	<b>612</b>	<b>4,721</b>

42. Proposals are being prepared which is expected to lead to the unallocated amount being fully committed over the next few months.

## HOUSING REVENUE ACCOUNT

43. The budgeted position for the HRA was a draw down from reserves of £1.3m (excluding Community Heating). As at month 9 the forecast outturn position is a projected in-year surplus of £7.6m. After making a contribution of £0.4m to the Capital Programme the projected net surplus will be £7.2m compared with a budgeted deficit of £1.3m. This is an improvement of £8.5m on the budgeted position.
44. The main reason for the variation in the overall budget position relates to an anticipated reduction in capital financing costs. The overall reduction is estimated to be around £6.2m. This is primarily as a result of access to more attractive interest rates.
45. Although some of this overall saving on interest rates is sustainable, some is a one off. Now that the HRA is self-financing, the Council will have to consider the longer term risks on interest rates and ensure that its 30 year business plan includes a sustainable level of debt, factoring in the cost of the additional capital investment required to fund the backlog

maintenance. This will be considered as part of the refresh of the HRA business plan later this year.

46. Other main areas that contribute to the improved year end forecast position include revised rental income £270k; a reduction in the level of vacant properties £387k and related council tax savings of £287k; revised service charge income £364k; a reduction in running costs £602k and a delay in a number of projects £475k.
47. **Community Heating:** The budgeted position for Community Heating is a draw down from Community Heating reserves of £1m. As at month 9 the forecast position remains the same as previously reported with a draw down of £700k from reserves resulting in a reduction in spending of £300k. This is primarily due to an estimated reduction in energy costs and invoiced consumption.

## **CORPORATE FINANCIAL RISK REGISTER**

48. The Council maintains a Corporate Financial Risk Register which details the key financial risks facing the Council at a given point in time. The most significant risks are summarised in this report for information together with a summary of the actions being undertaken to manage each of the risks.

### **Digital Region**

49. The Council is providing £4m in loans to the Company and as a shareholder carries further rights and responsibilities. The Company's sales are proving slow to take off, leading to changes in the Business Plan and the procurement of a new private sector partner. The Council faces risks on its direct investment, as well as on guarantee clauses to key contractors. Provision has been made in the 2011/12 accounts for the potential capitalised costs of the losses on current operations and the procurement, but the final costs will only be clarified as the procurement is finalised from April 2013.

### **Capital Receipts & Capital Programme**

50. Failure to meet significant year on year capital receipts targets due to depressed market and reduced Right-to-Buys, resulting in potential over-programming / delay / cancellation of capital schemes.
51. Building Schools for the Future Programme Affordability – Latest projections indicate that the affordability gap in the capital programme for the secondary schools estate, which must be underwritten by the

Council, is in the order of £9m to £12m. This requirement has been identified in the Council's Capital Programme.

### **Pension Fund**

52. Bodies whose Pension liability is backed by the Council are likely to find the cost of the scheme a significant burden in the current economic context. If they become insolvent the resulting liability may involve significant cost to the Council.

### **Electric Works**

53. The running costs of the business centre are not covered by rental and other income streams. The approved business plan set-aside contingency monies to cover potential deficits in its early years of operation. However, there remains a risk that the occupancy of units within Electric Works might be slower (lower) than that assumed within the business case, such that the call on the contingency is greater (earlier) than planned.
54. A refresh of the financial model was undertaken for 2011/12 budgeting purposes and again for 2012/13. The assumed level of occupancy for 2011/12 was 68% and the actual achieved was 64%. Most of the income shortfall was made up from conference lettings and virtual services. A target of 78% has been set for 2012/13. At December, the target was 79% but the actual is only 63%, mainly as the result of the termination of a tenant's licence due to trading conditions. A report on the future of Electric Works will be brought to Members in 2013.

### **Contract Spend**

55. The high and increasing proportion of Council budgets that are committed to major contracts impairs the Council's flexibility to reduce costs or reshape services. This is exacerbated by the fact that in general these contracts carry year-on-year inflation clauses based on RPIx which will not be available to the Council's main funding streams, e.g. Council Tax, RSG and locally retained Business Rates.

### **Economic Climate**

56. There is potential for current adverse economic conditions to result in increased costs (e.g. increased homelessness cases) or reduced revenues.
57. The Council seeks to maintain adequate financial reserves to mitigate the impact of unforeseen circumstances.

### **NHS Funding Issues**

58. There are significant interfaces between NHS and Council services in both adults' and children's social care. The Council has prioritised these services in the budget process, but savings have nevertheless had to be found. Working in partnership with colleagues in the Health Service efforts have been made to mitigate the impact of these savings on both sides. However, ongoing work is required now to deliver these savings in a way that both minimises impacts on patients and customers and minimises financial risks to the NHS and the Council.
59. The Council is participating in the Right First Time (RFT) programme with the Clinical Commissioning Group (CCG) and Hospital Trust. This programme aims to shift pressures and resources from the hospital to community settings over the longer term, which should assist the Council in managing adult social care pressures. However, there are short-term pressures from the programme changes that are adding costs to the Council.

### **Housing Regeneration**

60. There is a risk to delivering the full scope of major schemes such as **Parkhill** and **SWaN** because of the severe downturn in the housing market. This could result in schemes 'stalling', leading to increased costs of holding the sites involved, and in the case of SWaN, potential exposure to termination payments. In addition, the ending of the Housing Market Renewal programme has caused funding pressure on the Council's capital programme, e.g. on site clearance work and in enabling further phases of commenced demolition schemes.

### **Trading Standards**

61. There is a low risk that it will not be possible to recover outstanding contributions from the other South Yorkshire Authorities. However, negotiations are in the final stages and there is an expectation that an agreement will be reached.

### **External Funding**

62. The Council makes use of a number of grant regimes, central government and European. Delivering the projects that these grants fund involves an element of risk of grant claw back where agreed outputs are not delivered. Strong project management and financial controls are required.

## Academies & Independent Schools

63. It is currently anticipated that 21 (12 primary / 9 secondary) of the Council's maintained schools will have become independent academies during 2012/13. To date 16 schools (7 primary / 9 secondary) have converted in 2012/13. In 2013/14 a further 20 academy conversions are currently anticipated (18 primary / 2 secondary).
64. Academies are entitled to receive a proportion of the Council's central education support services budgets. Based on projected academy conversions it is estimated that:
- In 2012/13 up to £700k of DSG funding will be deducted from the Council and given to the Academies. For 2013/14, it is estimated that up to £1.75 million of DSG funding will be given to academies.
  - In 2013/14 it is estimated that up to £3.25 million will be deducted from the Council's DCLG funding, under the new Education Services Grant (ESG), and given to academies.
65. If an academy is a sponsored conversion then the Council will have to bear the cost of any closing deficit balance that remains in the Council's accounts. It is estimated that this may be up to £750k based on current projected academy conversions.
66. Where new independent schools (free schools) or Academies are set up and attract pupils from current maintained PFI schools, then the funding base available to pay for a fixed long term PFI contract would reduce, leaving the Council with a larger affordability gap to fund. There are also further potential risks if a school becoming an academy is a PFI school, as it is still unclear how the assets and liabilities would be transferred to the new academy and whether the Council could be left with residual PFI liabilities.

## Treasury Management

67. The ongoing sovereign-debt crisis is subjecting the Council to significant counterparty and interest-rate risk. Counterparty risk arises where we have cash exposure to banks and financial institutions who may default on their obligations to repay to us sums invested. There is also a real risk that the Eurozone crisis could impact upon the UK's recovery, which in turn could lead to higher borrowing costs for the nation.
68. The Council is mitigating counterparty risk through a prudent investment strategy, placing the majority of surplus cash in AAA highly liquid and diversified funds. Ongoing monitoring of borrowing rates and forecasts will be used to manage our interest-rate exposure.

## Welfare Reforms

69. The government is making changes to the Welfare system, phased in over the next few years, which will have a profound effect on council taxpayers and council house tenants in particular. The cumulative impact of these changes will be significant. Changes include:

- Abolition of council tax benefit – due from April 2013 to be replaced by a local scheme. It will be cash limited and subject to a 10% reduction from current levels. The Council approved a replacement scheme, including a hardship fund in January 2013, but there are risks to council tax collection levels and pressures on the hardship fund.
- Housing Benefit changes – there are a number of proposals where the anticipated impacts are that a number of claimants will receive fewer benefits than they do now, thereby impacting on their ability to pay rent.
- Introduction of universal credit – from October 2013 administered by DWP. Along with the impact of reducing amounts to individuals and the financial issues that might cause, the biggest potential impact of this change is the impact on the HRA and the collection of rent. This benefit is currently paid direct to the HRA; in future this will be paid direct to individuals. This will potentially increase the cost of collection and rent arrears. There will also be an impact on the current contract with Capita and internal client teams.

## Housing Revenue Account (HRA)

70. There are a number of future risks and uncertainties that could impact on the 30 year HRA business plan. As well as the introduction of Universal Credit, outlined in the risk above, the main identified risks to the HRA are:

- Interest rates – fluctuations in the future levels of interest rates have always been recognised as a risk to the HRA.
- Repairs and Maintenance – existing and emerging risks within the revenue repairs budget include unexpected increased demand (for example due to adverse weather conditions).



## THE CAPITAL PROGRAMME FOR 2012/13

### Summary

71. At the end of December 2012, capital expenditure so far to date is £35.3m (29%) below budget. The outturn forecast is £45.3m (24%) below the Approved Capital Programme. £29m of the shortfall is due to slippage and requests have been submitted to the February Cabinet meeting for approval to roll this underspend into 2013/14.
72. The variation in the year to date position arises mainly from either operational delays (£4.3m); project slippage (£6.1m) and incorrect budget profiling of (£21.9m). During the month of December, expenditure was £6.3m (52%) below the programme budget. The main cause for this variation is due to incorrect budget profiling which is affecting all portfolios.
73. The forecast for the year shows all portfolios below profile against the approved programme. The forecast, at £146.4m, is £5.5m lower than the Month 8 position (£151.9m) with the biggest movements being in Place (down £2.6m) and CYPF (down £1.9m). Further detail can be found in the specific sections below.

### Financials 2012/13

<u>Portfolio</u>	<u>Spend to Date</u>	<u>Budget to Date</u>	<u>Variance</u>	<u>Full Year Forecast</u>	<u>Full Year Budget</u>	<u>Full Year Variance</u>
	£000	£000	£000	£000	£000	£000
CYPF	35,225	45,997	(10,772)	58,581	72,563	(13,982)
Place	12,499	22,570	(10,072)	22,639	30,488	(7,849)
Housing	31,875	36,744	(4,869)	49,319	60,857	(11,538)
Communities	809	1,852	(1,043)	2,132	3,096	(964)
Resources	5,455	13,976	(8,521)	13,802	24,746	(10,943)
<b>Grand Total</b>	<b>85,863</b>	<b>121,140</b>	<b>(35,277)</b>	<b>146,474</b>	<b>191,750</b>	<b>(45,276)</b>

### Commentary

#### Children, Young People and Families Programme

74. CYPF capital expenditure is £10.8m (23%) below the profiled budget for the year to date and forecast to be £14m (19%) below the programme by the year end for the reasons set out in the table below.

Cause of Change on Budget	Year to Date £000	Full Year Forecast £000
Slippage to be carried forward	0	-7,060
Slippage on Devolved Budgets	0	-3,000
Operational delays in projects due to planning, design or changes in specification	-2,044	-20
Revised profile for Building Schools for the Future programme	-2,829	0
Incorrect budget profiles	-4,305	0
Under spending on project estimates	-187	-2,832
Other variances	-1,407	-1,071
	-10,772	-13,982
 Spend rate per day	 188.4	 236.2
Required rate to achieve Outturn	583.9	
Rate of change to achieve forecast	210.0%	

75. The cause of the £14m forecast shortfall against the Budget is due to slippage with £3m on the Devolved Formula Capital; £5m on BSF, £700k on the Foster Carers Housing Extension project, £500k on Grace Owen Nursery and £300k within the Primary Prioritisation Programme. A further £2.8m of forecast under spend against approved amounts has been identified on various primary school programmes.

### Place Programme

76. The Place portfolio programme (excluding Housing) is £10.1m (45%) below the profiled budget for the year to date and forecast to be £7.8m (26%) below the programme by the year end for the reasons set out in the table below. The main reason for forecast variance to date is due to delayed forecasting by project managers £3.2m. A further £3.1m variation is to reflect the reduction to the overall Highways Maintenance Grant as a result of the move to the Highways PFI contractor. With regard to the £10.1m year to date budget variance this is spread across all projects and programmes with no single project creating the majority of the variance.

<b>Cause of Change on Budget</b>	<b>Year to Date £000</b>	<b>Full Year Forecast £000</b>
Slippage to be carried forward	-2,585	-1,122
Operational delays in projects due to planning, design or changes in specification	-1,422	-322
Delayed forecasts	0	-3,198
Projects submitted for Approval	106	-3,131
Overspending on project estimates	-216	403
Other variances	-2,161	-480
	<u>-10,072</u>	<u>-7,849</u>
Spend rate per day	66.8	91.3
Required rate to achieve Outturn	253.5	
Rate of change to achieve forecast	279.3%	

### Housing Programme (Place Portfolio)

77. The Housing capital programme is £4.9m (13%) below the profiled budget for the year to date and forecast to be £11.5m (19%) below the programme by the year end for the reasons set out in the table below.

<b>Cause of Change on Budget</b>	<b>Year to Date £000</b>	<b>Full Year Forecast £000</b>
Slippage to be carried forward	-1,889	-8,394
Operational delays in projects due to planning, design or changes in specification	-892	0
Incorrect budget profiles	-309	0
Projects submitted for Approval	-2,877	357
Home Improvement grants held on behalf of other local authorities	103	-972
Under spending on project estimates	-2,582	-1,646
Other variances	3,578	-883
	<u>-4,869</u>	<u>-11,538</u>
Spend rate per day	170.5	198.9
Required rate to achieve Outturn	436.1	
Rate of change to achieve forecast	155.9%	

78. The main reason for this month's variation is due to slippage (£8.4m) within the Delegated Capital Schemes managed by Sheffield Homes which equates to 14% of the under spend against this year's Housing budget.

### Communities

79. The year to date spend on the Communities portfolio capital programme is £1m (56%) below the profiled budget and the forecast (£1m, or 31% below budget) suggests this will not be recovered. £596k relates to slippage on the implementation of the ICT infrastructure project (£275k) and (£322k) Community Building Maintenance which is on hold pending the outcome of the review of Community Investment Plan.

### Resources

80. The year to date spend is £8.5m (61%) below the programme and forecast to be £10.9m (44%) below the approved budget for the whole year.

81. The key reasons for the variance are below.

<b>Cause of Change on Budget</b>	<b>Year to Date £000</b>	<b>Full Year Forecast £000</b>
Slippage to be carried forward	-529	-8,822
Incorrect budget profiles	-4,626	0
Delayed Forecasts	0	-1,481
Overspending on project estimates	-212	0
Other variances	-3,154	-640
	<b>-8,521</b>	<b>-10,943</b>
Spend rate per day	29.2	55.7
Required rate to achieve Outturn	208.7	
Rate of change to achieve forecast	615.4%	

82. The year end forecast position is £10.9m under budget and comprises of the following:

- £2.6m slippage on the Accommodation strategy;
- £5.2m slippage on the Moor Indoor market;

- £505k slippage on the Asset Enhancement project which is designed to make vacant sites more attractive to potential developers; and
  - £421k slippage on roof and lift replacement at the Town Hall.
83. Recognising the position on the above projects, slippage requests totalling £9.7m have been submitted to Cabinet and will be considered on 13<sup>th</sup> February which will substantially reduce the current reported variance.

### **Approvals**

84. A number of schemes have been submitted for approval in line with the Council's agreed capital approval process.
85. Below is a summary of the number and total value of schemes in each approval category:
- 4 additions to the capital programme with a total value of £2.6m;
  - 5 variations to the capital programme creating a net decrease of £150k;
  - 1 accelerated spend request totalling £425k;
  - 1 procurement strategy;
  - 1 instance where Executive Directors in consultation with Cabinet Members have exercised their delegated powers to make emergency approvals; and
  - 2 instances where directors have exercised their delegated powers to vary approved expenditure levels.
86. Further details of the schemes listed above can be found in Appendix 2.

### **FINANCIAL IMPLICATIONS**

87. The primary purpose of this report is to provide Members with information on the City Council's Budget Monitoring position for 2012/13 and, as such it does not make any recommendations which have additional financial implications for the City Council.

### **EQUAL OPPORTUNITIES IMPLICATIONS**

88. There are no specific equal opportunity implications arising from the recommendations in this report.

## PROPERTY IMPLICATIONS

89. Although this report deals, in part, with the Capital Programme, it does not, in itself, contain any property implications, nor are there any arising from the recommendations in this report.

## RECOMMENDATIONS

90. Members are asked to:

- (a) Note the updated information and management actions provided by this report on the 2012/13 budget position.
- (b) In relation to the Capital Programme:
  - (i) the proposed additions 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) the proposed variations and slippage in Appendix 2; and note the EMT approved variations;
  - (iii) approve the variations at Appendix 2 which are within its delegated authority, and note;
  - (iv) the latest position on the Capital Programme; and
  - (v) the variations approved by Directors under their delegated authority and the use of the Emergency Approval process as recorded in Appendix 2.

## REASONS FOR RECOMMENDATIONS

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

## ALTERNATIVE OPTIONS CONSIDERED

92. A number of alternative courses of action are considered as part of the process undertaken by Officers before decisions are recommended to Members. The recommendations made to Members represent what

Officers believe 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 is put within the Revenue Budget and the Capital Programme.

**Eugene Walker**  
**Director of Finance**





## Portfolio - Carry Forward Requests

## CYPF

Service	Funding / Activity	Request Amount £'000	Why not spent this year	Reason for carry forward
Lifelong Learning, Skills and Communities	Skills Funding Agency	322	<p>The grant received is to cover an academic year and therefore spans two financial years.</p> <p>This is an ongoing issue in the Council's accounts due to the changes in accounting procedures whereby the grant has to be drawn down to revenue when it is received not used.</p>	To ensure schools / college programmes are funded from April 2013 to August 2013.
Lifelong Learning, Skills and Communities	City Skills Fund	39	<p>SCC holds City Skills Funding on behalf of City Region Local Enterprise Partnership and is accountable for its distribution. Funding for the expenditure is not received in line with the budgeted spend.</p>	Cabinet, in month 3, approved £350k to be carried forward. The additional request reflects further projected underspend within the year against the fund.
Lifelong Learning, Skills and Communities	Youth	50	<p>The original spending plan included a specific budget for Youth Justice Support Workers which has not been utilised due to a delay in the recruitment process.</p>	This underspend is 40% funded by Partnership Organisations that will clawback the funding if unspent.
	Total	411		

**PLACE**

<b>Service</b>	<b>Funding</b>	<b>Request Amount £'000</b>	<b>Why not spent this year</b>	<b>Reason for carry forward</b>
HERS	Local growth fund (LGF)	570	This is the first year of the LGF programme, where design and 'bedding-in' of governance arrangements meant both approval of and subsequent spend on a number of projects occurred part way through the current financial year.	To 'match' approved funding with the revised profile of planned spend on the LGF Programme.
HERS	Transitional housing market renewal fund grant	58	Grant received for the Sheffield City Region Partnership. It is being drawn-down by the Board on approval of specific business cases.	To 'match' grant received with the profile of spend as business cases get approved by the Board.
BSR	Drugs & alcohol intervention grant	39	Recent award of grant means planned work/spend will largely run into the following financial year.	To 'match' grant received with proposed work programme on increased interventions.
Culture & Env	High street innovation grant	26	Recent award of grant, means some planned work/ spend will run into the following financial year.	To 'match' grant received with proposed work programme.
	<b>Total</b>	<b>693</b>		

## Deputy Chief Executive

Service	Funding	Request Amount £'000	Why not spent this year	Reason for carry forward
Accountable Bodies	Grant	32	Sheffield First is anticipating an underspend against the budget available.	To enable Sheffield First to continue its work with partners to tackle issues in the Sheffield City Strategy. The funding which is requested to carry forward has been contributed by third party organisations in Sheffield. Note: approval to carry this funding forward will not affect the outturn position for DCEX as the forecast at month 8 does not reflect the anticipated underspend.
Modern Governance	DEFRA Funding – Reservoir Flood Planning	57	In 2010/11, SCC was allocated £97,880 via an Area Based Grant. This was to meet expenditure incurred for the production of the plans, the training and exercising program that would follow and to carry out a 'warning and informing' campaign to those at greatest risk of reservoir flooding. This was carried over into the 2011/12 financial year to allow for the planning work to continue. Funding was also set aside in 2012/13 to continue with the work. Spend to date has been £42,500 with a carry forward request of £55,400. Service manager has indicated that it was envisaged it would be a	<p>The Emergency Planning Shared Services Team has identified the need to appoint a temporary member of staff to take forward the work but unlikely that this appointment will take effect immediately. The remainder of the expenditure can only occur once the appointed member of staff has settled into the role.</p> <p><b>How carry forward will be spent</b></p> <ul style="list-style-type: none"> <li>Temporary Member of Staff - £27,500</li> <li>Plan production: printing of plans, maps etc - £3,000</li> <li>Production of 10k accompanying letters for the leaflets - £1,400</li> <li>Postage and packaging of 10k leaflets/letters - £7,000</li> <li>Media campaign - £1,000</li> <li>Multi-agency training - £900</li> <li>Multi-agency tabletop exercise -</li> </ul>



	Apprentice Scheme		academic, rather than Financial year	
Northern	Development Worker	29	<p>Options for allocating the available budget by the end of March 12 have been developed for different projects. However the Northern Community Assembly have taken the view that Community Development continuation is key to delivering priorities within the Community plan and as such using part of the available funding in 2013/2014 would have a greater impact than the alternative options considered.</p>	<p>The request is to carry forward <b>£29,000</b> which would be used as leverage to develop a package of funding with participating partners that would allow the continuation and extension of the project.</p> <p>Over the past years the project has attracted the following match funding:</p> <p>Development Worker Project: £22,000  NHS, £21,000 <i>Ecclesfield Parish Council</i>,  £3000 <i>Adult learning</i>. Village Officer: £5000  Peak Park Authority, the Peak Park also acts as host for this post, £17,892 <i>East Peak Innovation Partnership Grant</i>.</p> <p>The funding package for the community development project is as follows:</p> <ul style="list-style-type: none"> <li>• Salary costs (including on costs) 43k per year (1 and ½ post).</li> <li>• Ecclesfield Parish Council contribution : £7,000 (possible similar contribution for next year)</li> <li>• NHS contribution: £8,000 (possible similar contribution for next year)</li> <li>• Expenses to support the projects (e.g. room hire, training for groups, events) will be met through using other Assembly's Discretionary budget other funding pots including the 7k Community engagement pot and the 5k Supporting local</li> </ul>



Scheme Description	Approval Type	Value £000	Procurement Strategy
<b>A GREAT PLACE TO LIVE:-</b>			
<b>Homes:-</b>			
<b>Norton Aerodrome</b> This Project is to acquire the former Norton Aerodrome site from the Homes and Communities Agency as a key part of the Council's strategy for ensuring that the city is able to meet its planning requirements. It is proposed to use the Local Growth Fund to acquire the land, demolish the derelict buildings including fees and management costs and pay for holding costs pending future disposal, estimated at 2015/16, when the capital receipt will be used to repay the Local Growth Fund.	Addition	750	The Procurement Strategy to be completed once operational plan finalised
<b>Roads:</b>			
<b>Boston Street Bus Gate</b> This variation is being made to enable funding of the design changes on Abbeydale Road in 2012/13. The intention is now to continue to undertake outline design of the Boston Street scheme, but to start detailed design and construction in 2013/14, using an allocation from the 2013/14 Better Buses programme.	EMT Variation	-38	N/A (see Abbeydale Rd Clearance Changes below)
<b>Abbeydale Road Clearway Changes</b> This new allocation is being funded by the reduction in the allocation to Boston Street (above) to enable the bus lane and loading and waiting restrictions on Abbeydale Rd/London Rd to be designed and implemented to an enforceable standard. This project is funded by the Sheffield enforcement package within the successful 'Better Buses' bid approved by the Integrated Transport Authority on 1 <sup>st</sup> March 2012.	EMT Variation	38	Single source tender and in accordance with Schedule 7 of the Highways PFI contract
<b>Parks &amp; Environment:-</b>			
<b>Allotments Investment Programme 2013-14</b>	Addition	50	Sheffield City Council

<p>This project aims to improve the City's allotment provision, to increase their usage and promote health and wellbeing. The allotment investment programme is small-scale investment in Sheffield's 70+ individual allotment sites to improve the site infrastructure through improved boundary security, access, internal paths and lanes and improved access to mains water, with priority given to improved safety and security. Provision of allotments is a statutory duty: in meeting this statutory duty Sheffield City Council is obliged to provide and maintain facilities of a suitable standard to ensure the safety of tenants and visitors.</p> <p>The regeneration of existing allotments will increase usage, thus supporting the Great Place to Live strategic outcome, whilst also increasing rental income through improved satisfaction with allotment sites, sustained higher occupancy rates and longer tenancy duration. Desired outcomes include an increased number of sites meeting the Sheffield Standard - targeting at least one site per Community Assembly area by March 2014. The project will improve the existing stock of allotments and will not add to the size of the estate.</p> <p>This investment will help the Council discharge its statutory duties and maintain the allotment estate in good condition avoiding costly remedial work.</p> <p>The project is due to start in June 2013 and finish by March 2014. project and is funded from the Corporate Resource Pool.</p>			<p>Standing Orders: Internal suppliers to be approached first; second option to businesses within SCC boundary only; final option to use organisations within Local Enterprise Partnership boundaries.</p>
<p><b>Bradway Open Space</b> Refurbishment and upgrade of existing play area at Bradway. The South West Community Assembly has highlighted this as a priority project for 2012/13 and 2013/14 financial years. The site is in need of improvement and the Friends Group, Bradway Action Group, has raised the majority of the funding required to make the project feasible. Investment now will reduce further revenue spending in future.</p> <p>The project supports the Great Place to Live strategic outcome through the proposed</p>	<p>Addition</p>	<p>15</p>	<p>In house delivery: Work to be delivered by the Parks and Countryside team</p>



<p>replacement of the current safety surfacing, as it is wearing out in places. Repairs would need to be carried out on an ad-hoc basis when required, which would prove costly, so capital investment now will save money in the long term.</p> <p>The project is due to start in March 2013 and finish by May 2013.</p> <p>The project is funded as follows: £12k from the Bradley Action Group as a gift to SCC and £3k from a S106 agreement.</p>			
<p><b>Chaucer Public Realm</b></p> <p>This project comprises highway and public realm works along Buchanan Road from the junction with Wordsworth Avenue to the junction with Buchanan Drive. The aim of the project is to raise the standard of public realm to integrate with those of the other new developments in the Parson Cross Area to create a co-ordinated District Centre, whilst at the same time introducing traffic calming measures along Buchanan Road.</p> <p>The tender cost is below that anticipated in the initial approval and Capital Programme Group recommends reducing the authority to reflect this. The project is funded by section 106 and the Corporate Resource Pool.</p>	EMT Variation	-54	Competitive Tender
<p><b>INFRASTRUCTURE:-</b></p> <p><b>Vehicle and Plant Efficiency Programme</b></p> <p>This project aims to deliver efficiencies in the vehicle and plant fleet so that it can expand and contract to meet future operational needs whilst giving portfolios the flexibility to exploit new business opportunities.</p> <p>The replacement programme is demand driven therefore assumptions have been made as to the level of replacement required but the aim is that the project will create a balance of fleet sustainability whilst supporting portfolio pressures.</p> <p>All vehicle replacement requirements are discussed at service level and a specification agreed based on :-</p>	Addition	1,790	Procurement through a vehicle purchase framework agreed in the procurement strategy.

<ul style="list-style-type: none"> <li>• User requirements</li> <li>• Cost</li> <li>• Sustainability ( both operational and financial)</li> <li>• Environmental impact</li> </ul> <p>Once the specification is agreed, sign off is required by Head of Service/Director. This is a provisional approval which will be subject to challenge by the Capital Programme Group which will review the business cases.</p> <p>This Project is funded by Prudential Borrowing with the interest and repayment paid for out of the savings from increased fleet efficiency.</p>				
<p><b>COMPETITIVE CITY:-</b></p> <p><b>Castlegate SYPTE Acquisition</b></p> <p>This £500k project deals with the acquisition of former SYPTE offices at Castlegate and their subsequent demolition, as part of a future regeneration scheme, once Castle Market has been relocated to the Moor. The budget variation is to reflect the acceleration of the £425k purchase element from 2014 to 2013.</p> <p>The subsequent demolition is still phased to occur in January 2014. Part of the property will be demolished and incorporated into the adjoining Castle Market site and the building to be retained will be resold once the Markets have relocated and the archaeology of castle has been completed.</p> <p>There is a risk that the property market has not recovered sufficiently by 2017 to allow the sale of retained building as intended.</p> <p>The project is funded through the Local Growth Fund.</p>		Acceleration	425	N/A (No change: acceleration only)

<b>SCHOOLS</b>					
<b>Primary Prioritisation Programme (Capital Maintenance – Building Condition)</b>					
Following negotiations with Kier Sheffield LLP the contract award, the contract tender is £132k below the approved sum and Capital Programme Group recommend returning the saving on maintenance to the corporate capital resources pool to meet education priorities.	Variation	-132	Jobs Compact with Kier Sheffield LLP		
<b>SAFE &amp; SECURE COMMUNITIES:-</b>					
<b>CBT Wincobank (Newman Court) Community Building Centre Remodelling and Refurbishment.</b> The original project approval is for £240k for a partial refurbishment of the centre. Following further consultation and design work it is proposed to refurbish the first floor prior to the ground floor, which would be undertaken when funds have been raised by the community group whom will be using the Community Centre. The refurbishment of the first floor is the preferred option because it provides a more secure space and also offers DDA access via a level ramp from the upper car parking area. Although the upper floor is smaller and therefore has reduced some of the costs, improvements to the quality of the refurb is planned these include new solar hot water heating, new roof insulation and triple glazed windows, increasing the cost of the project to £276k. The procurement strategy has been revised in line with this. The additional funds of £36k will come from the bulk allocation for buildings maintenance/backlog from the budget of £322k for 2013/14. A request to slip £322k has already been made against the overall maintenance/backlog budget and is currently in the process for approval, however in view of this variation this slippage request will need to be reduced by the £36k	EMT Variation	36	Yor Build (Original strategy amended)		

<p>The approval for the ground floor refurbishment will be brought at a later stage. The submission of a funding bid to Veolia for between £40k and £70K is being considered, this will be used as a contribution to the lower floor refurbishment. Appropriate approval will be sought before acceptance of any funding offer from Veolia.</p>			
<p><b>EMERGENCY APPROVALS:-</b></p>			
<p><b>Forum House</b> This project covers building improvement works at Forum House, to enable commercial letting to secure a 10 year lease. Any initial outlay of up to £103k for refurbishment works was required to enable the building to be let to a prospective client that required access as early as possible to mitigate the risk of losing the rental opportunity.  The project was 100% funded from a Revenue Contribution to Capital - from the 2012-13 P&amp;FM Revenue Budget.</p>	Emergency Approval	103	Kier Sheffield LLP Via the Jobs Compact Initiative
<p><b>DIRECTOR VARIATIONS:-</b></p>			
<p><b>Angram Bank Park Improvements</b> The project provides new play equipment. A master plan for the park was completed in 2009. Suitable play equipment, identified in consultation with the Playground Officer, with specific items being chosen through community consultation, was purchased. Permission to acquire additional play equipment to the value of £20k as a result of increased funding is now being sought.  The project supports the Great Place to Live strategic outcome through addition of new playground equipment installed within the park and other improvements made.</p>	Director Variation	20	In-house providers

<p>The project is now due to start in February 2013 and be completed by March 2013, having been signed off by the Service Director.</p> <p>The project is fully funded from a Section 106 funding agreement No.832, with the variation adding a further £19,765 capital element from a total of £22,460 additional S106 funding: the remaining £2,695 being added to revenue budget 25050.</p>			
<p><b>Arbourthorne Playground</b></p> <p>The project aims to deliver a brand new play facility on Arbourthorne Field, replacing a derelict and decommissioned playground which used to be on this site. £10k variation to be spent on additional playground structural work (£8k) with associated fees (£2k).</p> <p>The project supports the Great Place to Live strategic outcome through the addition of a new play facility in Arbourthorne, specifically - improved open space; increased number of public visits; Increased customer satisfaction.</p> <p>The project started in June 2012 and is due to be completed by May 2013.</p> <p>The project is funded from S106 funding (£50k), rental income from a compound on the site (£23k), Viridor landfill tax funding (£18k) with the £10k variation being funded from additional Capital Income General (Community) funding.</p>	Director Variation	10	In house providers
<p><b>RETROSPECTIVE APPROVALS: -</b></p> <p>None</p>			

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