

SHEFFIELD CITY COUNCIL

Cabinet

Meeting held 19 October 2016

PRESENT: Councillors Leigh Bramall (Deputy Chair), Ben Curran, Jackie Drayton, Jayne Dunn, Mazher Iqbal, Bryan Lodge, Mary Lea, Cate McDonald and Jack Scott

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from the Leader, Councillor Julie Dore.

2. EXCLUSION OF PUBLIC AND PRESS

2.1 No items were identified where it was proposed to exclude the public and press.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of Cabinet held on 21 September 2016 were approved as a correct record.

5. PUBLIC QUESTIONS AND PETITIONS

5.1 Public Question in respect of Covert Communications

5.1.1 Nigel Slack commented that it appeared from a South Yorkshire Police budget report that the force was using covert technology to capture data from the public's mobile phones without their consent:-

South Yorkshire Police Report – ‘A 2015/16 budget item called “IMSI Covert Communications” was earmarked £144,000. A separate line in the same budget - again called “CCDC” (covert communications data capture) – was allocated an identical amount - £144,000. South Yorkshire Police confirmed that “CCDC” and “IMSI Covert Communications” were the same budget item.

Mr Slack therefore asked were the Council aware of this system and its use? Were the Council's representatives on the Police and Crime Panel aware of this system and its use?

5.1.2 As a Member of the Police and Crime Panel, Councillor Jackie Drayton, Cabinet Member for Children, Young People and Families, commented that she had not seen a budget at any of the meetings which she had attended but would investigate further.

5.1.3 Councillor Jayne Dunn, Cabinet Member for Housing, added that she oversaw the Communities aspect of the budget but did not see the whole budget.

5.2 Public Question in respect of Council Development Policy

5.2.1 Nigel Slack commented that the Development Manager of the Moor redevelopment by Aberdeen Assets had commented on the failure of some of the tenants (Debenhams) to maintain their buildings, thereby detracting from the planned new builds in the area. As the owners of the land, Mr Slack was surprised that the best they could do was 'hope' this will change with the new developments. How could the Council assist in enforcing some form of refurbishment for these deteriorating buildings? Whether paid for by the tenants or the owners was immaterial.

5.2.2 Councillor Leigh Bramall, Cabinet Member for Business and Economy, responded that there were some powers in respect of enforcing building repairs but they had to be in a particular condition where they were a danger to the public and there was no evidence that the Debenhams building was in that state. However, Debenhams had stated that if the New Retail Quarter was completed in full they would refurbish their building.

5.3 Public Question in respect of European Union Development Funding

5.3.1 Nigel Slack commented that recent reports suggested that Sheffield had received less than 3% of potential £97m ERDF funding. Were the Council planning to apply for any of the remaining funding before the Autumn Statement? If not, how will they ensure the reported conditions of meeting UK priorities and value for money were met?

5.3.2 Councillor Leigh Bramall responded that he had asked officers for specific details on this. Current EU funding was from 2015 so this was very early on in the process as it was usually spent at the back end of the project. The Council would spend as much as it could do for particular projects but it needed to have appropriate projects to fund and there were many conditions which needed to be met before funding was granted.

5.3.3 It was important to utilise funding as much as possible and the Council would continue to press the Government to get the full allocation that should have been received, which was being undertaken through various channels.

5.4 Public Question in respect of Housing Development

5.4.1 Nigel Slack stated that he was interested to hear at Monday's SheffEx Conference that developers were planning considerable numbers of new housing for 'East Sheffield', better known to many as Attercliffe. With the already serious air quality problems in that area affecting health, was this really an advisable solution to the housing issues the City faced, introducing family homes into overly polluted areas of the City?

5.4.2 Perhaps, Mr Slack added, the Council would make it a condition of such planning

that 'Smog Towers' of the kind currently under evaluation in Beijing, China will be located to scrub the air in these locales?

- 5.4.3 Councillor Mazher Iqbal, Cabinet Member for Infrastructure and Transport, commented that he was not at the Conference referred to by Mr Slack, so could not comment on what was said, but he welcomed housing development in the City as there was currently a shortage.
- 5.4.4 In respect of pollution, each planning application would be judged on its own merits and have the relevant checks and balances. Councillor Iqbal was aware that there was an issue in respect of air quality near to junction 31 of the M1 motorway but there was good public transport available in the area and the Bus Rapid Transit scheme had been introduced. There had also recently been a new fleet of hydrogen vapour buses announced.
- 5.4.5 Councillor Leigh Bramall added that he had read the article referred to by Mr Slack about the "Smog Towers" and believed that this was new technology which had not been tested and he was therefore not sure if this would make a material difference to air quality in the area. The key was introducing the appropriate measures which would work in the long term.

5.5 Public Question in respect of Procurement of Healthwatch Sheffield Service

- 5.5.1 Nigel Slack referred to the report in respect of the procurement of the Healthwatch Sheffield service, on the agenda for today's meeting, and asked if the Council would stop using the word 'consumer' in such reports. In Mr Slack's opinion, the use of this word indicated, intentionally or otherwise, a propensity to see Council and Health Services as naturally outsourced services. This was unhelpful for the public's perception, even if that contract was likely to be outsourced to the third sector.
- 5.5.2 Councillor Cate McDonald, Cabinet Member for Health and Social Care, commented that she had a lot of sympathy for the comments in Mr Slack's question. However, the contract was set within a national context and consumerism did not necessarily mean outsourcing, it was about the language of choice. The Council would continue to use a range of terms as appropriate but Councillor McDonald wanted to stress that this was not simply about outsourcing.

5.6 Public Question in respect of Health and Safety for Volunteers

- 5.6.1 Martin Brighton asked did the Council agree that volunteers who did work that would otherwise be Council work, such as tree-felling, be expected to take the same statutory health and safety measures (or, for that matter, any other statutory requirement – it was the principle involved) as Council employees?
- 5.6.2 Councillor Jack Scott, Cabinet Member for Community Services and Libraries, stated that he did agree with this.

5.7 Public Question in respect of Health and Safety

5.7.1 Martin Brighton asked did the Council consider it acceptable that managers allowed, condoned and even encouraged, such activities, as highlighted in the previous question, in the knowledge that health and safety measures (or for that matter any other statutory requirement – it was the principle involved) were not engaged?

5.7.2 Councillor Jack Scott commented that he would not find this appropriate and would expect that reasonable safeguards and supervision were in place. If Mr Brighton wished to provide specific examples where he believed that this was not happening, he was at liberty to do so.

5.8 Public Question in respect of Voluntary Work

5.8.1 Martin Brighton asked was the financial value of the work that volunteers did, that would normally be carried out by the Council, recorded anywhere as an off-set against Council costs for the afforded budget e.g. wages saved by not having to pay Council workers, Contract fee savings, etc.?

5.8.2 Councillor Jack Scott commented that this was not recorded and he would expect voluntary groups to undertake their own assessment and report back to the Council.

5.9 Public Question in respect of Tenants' and Residents' Associations (TARAs)

5.9.1 Martin Brighton asked, for TARAs, although applicable ubiquitously to any allegedly independent voluntary community groups, was it reasonably expected that the TARA volunteers will run their own public TARA meetings, or alternatively, and over a considerable period, did the Council run such meetings, along with the associated TARA administration?

5.9.2 Councillor Jayne Dunn responded that the Council provided support where appropriate and she would expect TARAs to follow the TARA Recognition Policy.

5.10 Public Question in respect of Feedback to Volunteers

5.10.1 Martin Brighton asked where volunteers (or respective groups) give up their time to provide the Council with both ideas and requests for ostensibly mutually advantageous projects, was it reasonable to expect that the Council will provide feedback of how these ideas were incorporated into the Council's final plans and how the requests from those volunteers were met, with reasons if not met?

5.10.2 Councillor Jack Scott commented that he was aware of a large number of examples where the Council had utilised volunteers' input and if Mr Brighton was aware of any instances where this was not the case, he was at liberty to provide these examples if he wished.

5.11 Public Question in respect of Citizen Engagement

5.11.1 Martin Brighton asked at what point should citizen engagement commence for a consultation exercise: when a Council decides a policy review was desirable,

when the policy review commenced or after the Council had completed its policy review?

- 5.11. Councillor Leigh Bramall responded that the Council had to meet its lawful requirements in respect of consultation. It was difficult to say when consultation should take place as it differed on a case by case basis depending on the topic.

6. ITEMS CALLED-IN FOR SCRUTINY

- 6.1 It was reported that the decision of Councillor Jack Scott, Cabinet Member for Community Services and Libraries, in relation to the Asset of Community Value nomination for the University Arms, Brook Hill had been called-in for Scrutiny and would be considered by the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee at its meeting to be held on 20 October 2016.

7. RETIREMENT OF STAFF

- 7.1 The Acting Executive Director, Resources 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 Children, Young People and Families Portfolio:-

<u>Name</u>	<u>Post</u>	<u>Years' Service</u>
Jill Hallsworth	Headteacher, Hunters Bar Junior School	38
Sallie Sell	Domestic Assistant, Mossbrook Primary School	28

(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. PROCUREMENT OF HEALTHWATCH SHEFFIELD SERVICE

- 8.1 The Executive Director, Communities submitted a report describing plans for procuring a Healthwatch Sheffield service to operate from 1st April 2017.

8.2 **RESOLVED:** That:-

- (a) Sheffield City Council (SCC) commissions Healthwatch Sheffield core service via formal commercial tender process in the interests of the citizens of Sheffield and to ensure that SCC statutory duties are fulfilled;

- (b) the service be known as “Healthwatch Sheffield”;
- (c) the new contract is let for a period of 5 years with options to extend for up to 2 further years; and
- (d) authority to initiate the tender process and award the contract to the most suitable bidder be delegated to the Director of Commissioning in consultation with the Cabinet Member for Health and Social Care.

8.3 Reasons for Decision

- 8.3.1 During February and March 2016, SCC undertook a soft market test to determine if there were sufficient qualified, able and interested organisations to make a full tender process worthwhile. Five detailed responses were received, four of which were from existing local Healthwatch organisations. This offers strong evidence of a vibrant provider market and supports the recommendation to go out to the market with a full commercial tender.
- 8.3.2 Local Authorities must follow a robust selection process to ensure high quality outcomes, accountability and value for money and enter into a commercial agreement with their local Healthwatch.
- 8.3.3 Local Authorities are bound by domestic and European legislation as well as the Standing Orders of the Council when it comes to entering into commercial relationships.
- 8.3.4 Due diligence in identifying our ongoing partner to deliver Healthwatch Sheffield is of strategic importance and a full commercial tender continues to be the best mechanism to offer the required level of diligence and compliance with Council Standing Orders.

8.4 Alternatives Considered and Rejected

- 8.4.1 Healthwatch is a statutory provision that SCC has to provide through a third party. The legislation requires SCC to enter into a commercial agreement with a body to provide the service and therefore ‘doing nothing’ and allowing the contracts to expire is not an option.
- 8.4.2 Other Local Authorities have used different mechanisms to commission their local Healthwatch, for example entering into strategic partnerships or grant funding arrangements.
- 8.4.3 SCC made the decision to commission Healthwatch Sheffield via an open tender process; the service was let under a commercial contract with clear extension options and contract end date.
- 8.4.4 The current contract for Healthwatch Sheffield will end at the end of March 2017 and arrangements are required to be made to procure a provider from April 2017.

- 8.4.5 Due diligence in identifying our ongoing partner to deliver Healthwatch Sheffield continues to be of primary importance. A full commercial tender, rather than a grant award, is recommended as the best mechanism to ensure the required level of diligence, compliance with Council Standing Orders and avoid challenge.

9. CONSULTATION ON PROPOSALS RELATING TO CHILDREN'S CENTRES

- 9.1 The Executive Director, Children, Young People and Families submitted a report requesting permission to consult on a proposal to re-organise children's centres into an integrated locality model across 7 areas. The report set out in principle, proposals to redesign children's centres; developing a new delivery model based on family centres for 0 -19 year olds (0-25 years old if the young person has a disability) located in the 20% most deprived areas of the City within 7 locality areas, with services being available across Sheffield from link and outreach sites including community venues and in the home.

- 9.2 **RESOLVED:** That Cabinet gives permission to consult on the proposal outlined in the report to redesign Children's Centres; developing a new delivery model based on 0-19 Family Centres (0-25 years old if the young person has a disability) located in the 20% most deprived areas of the City within 7 locality areas, with services being available across Sheffield from link and outreach sites including community venues and in the home.

9.3 Reasons for Decision

- 9.3.1 There is a statutory duty on the local authority to provide early childhood services and children's centres, and a statutory duty to consult in relation to changes affecting those children's centres, as detailed in paragraph 4.3.1 of the Executive Director's report.

The Munro review of child protection calls for local authorities to take a greater focus on preventative services, providing Early Help to children and families and summarises three key messages:

- Preventative services will do more to reduce abuse and neglect than reactive services
- Coordination of services is important to maximise efficiency and with preventative services
- There needs to be good mechanisms for helping people identify those children and young people who are suffering or likely to suffer harm from abuse or neglect and who need a referral to children's social care

Munro, (2011), The Munro Review of Child Protection: final report, DFE

The All Party Parliamentary Group on Sure Start Children's Centres 2015 pre-election report states that 'One of the greatest strengths of Children's Centres has always been their capacity to join up a wide range of services around a child to provide a true "holistic" model of support'.

The report continues to state that 'the ultimate aim should be to position children's

centres at the heart of service provision in their communities, to enable them to provide the sort of holistic offer we know to be valued and effective’.

The Centre for Social Justice argued that ‘children’s centres should become “Family Hubs” which enable parents to access all family related support including universal support and specialist help to meet their most pressing needs’.

Councils should ensure that Children’s Centres form part of their wider early help strategy and provide differentiated support to children and families according to their needs by:

- Offering access to integrated information and support to all prospective parents, new parents and parents of children.
- Encouraging and providing access to early help and targeted support for children and families who experience factors which place them at risk of poor outcomes
- Helping families to access appropriate wider and specialist support to meet their needs.

There is a need to align to the early help model when redesigning children’s centres. Family centres will be a gateway to services for all families in their local community, recognising that targeted interventions and outreach services are vital in supporting the families who need it the most.

9.4 Alternatives Considered and Rejected

- 9.4.1 The alternative approach would be for the Council to continue to deliver Children’s Centre Services from 16 standalone centres. This approach does not align to the principles set out in the early help model, the Best Start ‘A Great Start in Life’ strategy, the SEND reform and Working Together to Safeguard Children which are underpinned by delivery of services based in localities where services work together to achieve improved outcomes for families as close to their homes and communities as possible.

Fundamental to the proposal is a whole household approach, by not extending the age range of services and developing Family Centres with link and outreach sites, the alternative would be to continue to deliver services to families pre-birth to five years old. This would not support the provision of integrated early help for families, would not align to the early help services for families aged five to eleven years or to the targeted youth support service, leading to more negative outcomes for both children and families.

10. MEDIUM TERM FINANCIAL STRATEGY 2017-22

- 10.1 The Acting Executive Director, Resources submitted a report providing Members with details of the forecast financial position of the Council for the next 5 years and recommending the approach to budgeting and business planning that will be necessary to achieve a balanced budget position over the medium term.

10.2 **RESOLVED:** That Cabinet:-

- (a) notes the forecast position for the next 5 years, as set out in the report now submitted;
- (b) agrees the approach to budgeting and business planning outlined in the report;
- (c) agrees to delegate authority to the Acting Executive Director, Resources, in consultation with the Cabinet Member for Finance & Resources, to apply to take up the multi-year settlement supported by the Efficiency Plan at Appendix 6 of the report;
- (d) endorses one of the key points of the Council's response to the Government's consultation on 100% Business Rates Retention, namely the call for Improved Better Care Fund Grant to be brought forward; and
- (e) agrees the following approach to capital planning:
 - Maximise flexibility in capital resources including New Homes Bonus, capital receipts and Community Infrastructure Levy (CIL) to ensure that Council-wide objectives are achieved.
 - Review policies in relation to Affordable Housing, CIL and New Homes Bonus to ensure that the generation of these funding streams is optimised.
 - Reaffirm the existing Corporate Resource Pool (CRP) allocation principles.

10.3 **Reasons for Decision**

- 10.3.1 To provide a strategic framework for the development of budget proposals and the business planning process for 2017/18 and beyond.

10.4 **Alternatives Considered and Rejected**

- 10.4.1 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.

11. **REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING MONTH 5 AS AT 31 AUGUST 2016**

- 11.1 The Acting Executive Director, Resources submitted a report providing the month 5 monitoring statement on the City Council's 2016/17 Revenue and Capital Budget as at 31st August 2016.

11.2 RESOLVED: That Cabinet:-

- (a) notes the updated information and management actions provided by this report on the 2016/17 Revenue Budget position;
- (b) approves the budget virement proposed by the Communities Portfolio detailed in paragraph 10 of the report;
- (c) approves additional funding to support the delivery of the Local Plan detailed at paragraph 39 of the report, subject to delivery of specific milestones, the project will be funded from Reserves and repaid from future efficiencies to be identified by the Director of Development Services as part of the Council's Business Planning process in the Place Portfolio, the profile of funding support and repayment is to be delegated to the Interim Director of Finance and Commercial Services in consultation with the Head of Planning. Should alternative funding become available e.g. central government grant, this could be used instead;
- (d) in relation to the Capital Programme:-
 - (i) approves the proposed additions to the Capital Programme listed in Appendix 6.1 of the report, including the procurement strategies and delegations of authority to the Interim Director of Finance and Commercial Services or nominated Officer, as appropriate, to award the necessary contracts following stage approval by Capital Programme Group;
 - (ii) approves the proposed variations, deletions and slippage in Appendix 6.1 of the report;
 - (iii) approves the acceptance of the capital grant detailed in Appendix 6.2;
 - (iv) notes the variations authorised by Directors under the delegated authority provisions, outlined in Appendix 6.1; and
 - (v) notes the latest position on the Capital Programme.

11.3 Reasons for Decision

- 11.3.1 To record formally 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.

11.4 Alternatives Considered and Rejected

- 11.4.1 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.