

# SHEFFIELD CITY COUNCIL

## Cabinet

### Meeting held 15 November 2017

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

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#### **1. APOLOGIES FOR ABSENCE**

1.1 An apology for absence was received from Councillor Olivia Blake.

#### **2. EXCLUSION OF PUBLIC AND PRESS**

2.1 The Chair, Councillor Julie Dore, reported that the Appendix to agenda item 9 (see minute 8 below) – ‘Disposal of Land at Hoyle Street, Sheffield’ was not available to the public and press because it contained exempt information described in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended), relating to the financial or business affairs of any particular person. Accordingly, if the contents of the Appendix were to be discussed at the meeting, the public and press would be excluded from the meeting at that point in the proceedings.

#### **3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest.

#### **4. MINUTES OF PREVIOUS MEETING**

4.1 The minutes of the previous meeting of the Cabinet, held on 18 October 2017, were approved as a correct record.

#### **5. PUBLIC QUESTIONS AND PETITIONS**

##### 5.1 Public Question in respect of Demolition of the William Bros Building, Green Lane

5.1.1 Nigel Slack asked who made the decision to allow the demolition of the Williams Bros building on Green Lane, Planning Committee or Officers?

5.1.2 Councillor Ben Curran, Cabinet Member for Planning and Development, responded that the original application at the site was considered by the Planning and Highways Committee. The subsequent decision to allow demolition was delegated to officers. Councillor Curran was happy to discuss this further with Mr Slack.

##### 5.2 Public Question in respect of Student Housing

5.2.1 Nigel Slack asked, with developments in the offing at Hoyle Street and Moore Street/Fitzwilliam Street again aimed largely at the student market and adding

some 1500 new beds, how did this fit in with the Council's previously expressed concerns about the oversupply of this type of accommodation?

5.2.2 Councillor Ben Curran commented that both sites referred to by Mr Slack had a lot of history. Moore Street/Fitzwilliam Street was not wholly Council land but the Council did own a small freehold. The Council was working with developers to ensure the student accommodation could be converted to more mainstream use should it be required in the future. Councillor Curran was pleased that the development would result in a landmark at an important location for the City at Hoyle Street. There had been market testing prior to approval of the development and this had shown an element of student accommodation was required to make it viable. The Council would see if the money arising from this development could be spent on developing family style accommodation elsewhere in the City.

5.3 Public Question in respect of Advertising at Park Square Roundabout

5.3.1 Nigel Slack commented that the arrival of Digital Advertising screens on Park Square roundabout seemed a contrary decision. Studies had confirmed that such billboards were guaranteed to increase driver distraction which was a major cause of traffic accidents and fatalities.

5.3.2 Mr Slack added that, at a time when policy was to reduce driver distraction, banning mobile phone use and other in-car activities, it seemed a failure of common sense to add such distractions to one of the busiest roundabouts in the City. Mr Slack believed that the socially responsible thing to do was to reduce the number of distractions proven to create a risk to drivers. Mr Slack had to assume, therefore, that there was a commercial impact of this addition to the City landscape.

5.3.3 Mr Slack therefore asked was this a decision made by the Council or did it fall under the Streets Ahead contract for 'street furniture'? What was the income expected from this advertising and who benefited from that? How would the Council monitor the impact of the billboards on road safety?

5.3.4 Councillor Jack Scott, Cabinet Member for Transport and Sustainability, commented that the decision referred to by Mr Slack was a Council decision and not part of the Streets Ahead contract. The previous contract in respect of outdoor advertising had recently expired and a new contract, which included Park Square, had been identified. When such decisions were taken, a road safety audit was always undertaken and the Council were confident that there was no detrimental impact on road safety. This would be kept under review. The advertising had been installed in the summer when it was less distracting. The signs were visible on the approach to the roundabout but not on the roundabout itself. There was significant income for the Council from the contract but details of this were commercially confidential. The Council was the sole beneficiary and the income would assist Council finances at times of significant pressures.

5.4 Public Question in respect of Question asked at Full Council Meeting Regarding Fracking

5.4.1 Nigel Slack asked when would he receive a response to his question submitted to the Full Council meeting held on 4<sup>th</sup> October 2017 in respect of fracking?

5.4.2 Councillor Jack Scott stated that he had written to the Environment Agency in respect of this and could discuss this further with Mr Slack. The company referred to by Mr Slack, FCC, had been granted a licence to undertake the work which was separate from the decision making process of the Council. FCC were not required to consult with the Council and did not do so. The Environment Agency would have consulted with the Council in respect of any potential flood risks. The Council did not own Atlas Business Park and the owners could be found through the Land Registry. The Council contract with FCC predated any fracking work. However, Councillor Scott commented that even if fracking did not cause any seismic events or flooding, it still produced a dirty fossil fuel and created far more carbon than could be safely burned. He believed the best way to not pollute the atmosphere was to leave it in the ground.

5.5 Public Question in respect of Tenants affected by Universal Credit

5.5.1 Rosie, representing ACORN, a local union representing private tenants, commented that, at a recent branch meeting, members and supporters had voted for their next campaign to be around evictions and Universal Credit.

5.5.2 Whilst the Universal Credit system had an in-built delay of six weeks, ACORN had had members who had had to wait four months for any payment due to administrative errors, others who had been repeatedly and mistakenly removed from the system, and others deeply worried about where they would find the money to pay the rent.

5.5.3 ACORN would like to understand the Council's policy as it related to evictions from properties managed by Sheffield City Council. The landlord should make every effort to establish effective ongoing liaison with housing benefit departments and the Department for Work and Pensions (DWP) and, with the tenant's consent, make direct contact with the relevant housing benefit department or DWP office before taking enforcement action. The landlord and tenant should work together to resolve any housing benefit or universal credit (housing element) problems. Was this the policy followed by the Council with regards to Universal Credit, i.e. that no-one will be evicted from a Council managed home whilst experiencing delays caused by the Universal Credit system?

5.5.4 If this was the policy, had this been clearly communicated to tenants? If it hadn't been communicated to them, could this please be communicated to them as soon as possible? Would the Council be able to provide a list of the landlords they know of who currently accepted housing benefit or universal credit?

5.5.5 Councillor Jayne Dunn, Cabinet Member for Neighbourhoods and Community Safety, responded that she had met with Jonny Butcher, a representative of ACORN, a couple of times and the Cabinet Adviser, Councillor Lewis Dagnall, would contact the organisation shortly to discuss the issue. A Motion approved at the last Full Council meeting on 1<sup>st</sup> November had stated the Council's position in respect of the issue.

5.5.6 Councillor Dunn added that she believed Universal Credit should be paused. Sheffield had been a trial area for Universal Credit and the evidence gained from this had been communicated to the Government. No Council tenant in the City had been evicted solely as a result of the bedroom tax and no tenant would be evicted for rent arrears caused solely by welfare reform as long as they worked with the Council Housing Service on looking at ways to sustain the tenancy in that situation. That message was being communicated to tenants across the City in a number of ways.

5.5.7 Councillor Dunn further commented that anything ACORN could do to assist the Council would be welcomed. The Council were unable to provide a list of landlords as this would require the permission of the tenants. The Council was, however, working closely with the Tenants and Landlords Association and the Universities in respect of this. If ACORN knew of any landlord who was seeking to evict a tenant who had been impacted from welfare reform, they should let the Council know.

5.5.8 The Leader of the Council, Councillor Julie Dore, added that she was pleased to see an organisation that represented private rented tenants. With social housing, there was a statutory obligation to engage with tenants. The issue was nothing new in that tenants who engaged with housing associations were often those in the greatest need.

5.5.9 Councillor Dore could not recall any situation where the Council had evicted anyone with rent arrears of 6 weeks. However, she acknowledged that there was an issue in the private rented sector and anything the Council could do to help, it was happy to do that.

#### 5.6 Public Question in respect of Sheffield Housing Company

5.6.1 Raluke Parkin commented that she lived on the Brearley Forge Estate. Sheffield Housing Company was the original landlord but they had now sold most of the land to an investment company. She asked was Sheffield City Council made aware of this sale? If yes, did it approve the sale of the land to an investment company without informing leaseholders? If no, what was Sheffield City Council doing to right the wrong done?

5.6.2 Ms. Parkin added that Keepmoat had recently stopped selling leasehold properties in favour of freehold. The reasons they gave for this was applicable to residents of the Brearley Forge Estate. Ms. Parkin believed that they should not have sold houses to residents as leasehold in the first instance, but they did. Now that the Government was looking into it and banks were not approving mortgages for such leasehold properties, they had stopped it. Should residents be made to suffer for their actions?

5.6.3 Ms. Parkin further asked how could residents get their freehold back? Some other developers in the Midlands were buying back the freehold from the investment companies and offering it back to the leaseholders. Was it possible that residents could get theirs back in the same manner?

- 5.6.4 Councillor Julie Dore responded that she had recently been made aware of the issue. It was right that Sheffield City Council had a representative on the Sheffield Housing Company Board. This was currently the Director of Housing and Neighbourhoods Service, but she had only recently joined. A review of the Housing Company was being undertaken and Councillor Ben Curran was considering becoming a member of the Board.
- 5.6.5 The Council was trying to establish when the decision referred to by Ms. Parkin was made. This did not need the Council's permission. The Council was a freeholder and the Housing Company managed leases on the Council's behalf. As part of that agreement, decisions did not need to be referred to the Council.
- 5.6.6 Councillor Dore added that the Council was trying to establish all the facts and she had recently met with Keepmoat. The Council would be engaging with owner occupiers and if there was any disbenefit to them, the Council would be looking to rectify it. However, at the moment, it didn't appear that there was any disbenefit. After the facts had been established, owner occupiers would be provided with a response from the Council. Councillor Dore could not say what that would be until the facts had been established.

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

- 6.1 The Chair of the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee presented a report of the Committee reporting the outcome of the Scrutiny Committee meeting held on 2<sup>nd</sup> November 2017 where a call-in of the Leader's decision on 10<sup>th</sup> October 2017 regarding "Changes to Environmental Maintenance Services" was considered.
- 6.2 **RESOLVED:** That Cabinet notes the decision of the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee, taken at its meeting held on 2<sup>nd</sup> November 2017, in relation to the called-in Leader's decision on "Changes to Environmental Maintenance Services" as outlined below:-

That the Scrutiny Committee:-

- (a) agreed to take no action in relation to the called-in decision; and
- (b) requests that an item be included in the work programme to examine the impact in 6 to 12 months of these changes to environmental maintenance.

## **6.3 Reasons for Decision**

- 6.3.1 To allow the decision to be implemented.

## **6.4 Alternatives Considered and Rejected**

- 6.4.1 To not agree with the decision of the Scrutiny and Policy Development Committee in relation to the called-in decision.

**7. RETIREMENT OF STAFF**

7.1 The Executive Director, Resources submitted a report on Council staff retirements.

7.2 **RESOLVED:** That this Cabinet :-

(a) places on record its appreciation of the valuable services rendered to the City Council by the following staff in the Portfolios below:-

| <u>Name</u> | <u>Post</u> | <u>Years' Service</u> |
|-------------|-------------|-----------------------|
|-------------|-------------|-----------------------|

**People Services**

|              |   |    |
|--------------|---|----|
| Carol Davies | Senior Teaching Assistant<br>Level 3, Stocksbridge Junior<br>School | 25 |
|--------------|---|----|

|                    |                                     |    |
|--------------------|-------------------------------------|----|
| Gillian Hutchinson | Teacher, Ecclesall Infant<br>School | 27 |
|--------------------|-------------------------------------|----|

|              |  |    |
|--------------|--|----|
| David Pullin | Teacher, Brunswick<br>Community Primary School | 24 |
|--------------|--|----|

|            |  |    |
|------------|--|----|
| Andy Wynne | Lead for eLearning and Capital<br>Strategy | 35 |
|------------|--|----|

**Resources**

|                 |                                   |    |
|-----------------|-----------------------------------|----|
| Elaine Gledhill | Team Leader, Customer<br>Services | 28 |
|-----------------|-----------------------------------|----|

|             |                                   |    |
|-------------|-----------------------------------|----|
| Helen Lloyd | Team Leader, Customer<br>Services | 38 |
|-------------|-----------------------------------|----|

|           |                               |    |
|-----------|-------------------------------|----|
| Dave Ross | Principal Committee Secretary | 38 |
|-----------|-------------------------------|----|

(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. DISPOSAL OF LAND AT HOYLE STREET, SHEFFIELD**

8.1 The Executive Director, Place submitted a report seeking authority to sell Sheffield Council's land interests in property in the vicinity of Hoyle Street and Doncaster Street to the developer, Scotfield, enabling the Council to achieve a capital receipt, bringing forward the development of housing and achieving the redevelopment of

a prominent but underused site.

8.2 **RESOLVED:** That the Head of Property Services be authorised to negotiate final sale terms and a conditional contract for the sale of the land at Hoyle Street, identified edged red on the plan attached to the report and to instruct the Director of Legal and Governance to draft conditional contracts for a sale.

8.3 **Reasons for Decision**

8.3.1 As stated in the report, the Director of Legal and Governance is minded to approve the disposal of this land and recommends the sale of these council assets via private treaty sale to Scotfield.

8.4 **Alternatives Considered and Rejected**

8.4.1 Do nothing. The site has been vacant for many years and one option would be to leave the site undeveloped and not take advantage of the opportunity which has presented itself. This option would, however, run counter to the Council's ambitions to achieve housing and to achieve best value for its assets.

8.4.2 Market the site at some later date jointly with Argent Steel or try and sell the Council's land assets separately from the private landowner. The former option would simply delay arriving at the current position and risk the private landowner selling in isolation; the second option of developing the Council's land piecemeal may not be possible due to Planning constraints and Argent Steel resisting any proposals that would alter their access arrangements i.e. through Council land.

9. **A STRATEGIC REVIEW OF INCLUSION AND SPECIAL EDUCATIONAL NEEDS & DISABILITIES PROVISION IN SHEFFIELD**

9.1 The Executive Director, People Services submitted a report describing the current work underway to support improvements to education provision for children with Special Educational Needs and Disabilities (SEND) and those at risk of exclusion from school. It then proposed a strategic review and call for views on provision, including a period of engagement with stakeholders to shape change proposals and support the identification of potential capital projects.

9.2 **RESOLVED:** That Cabinet:-

- (a) acknowledges and approves the work outlined at paragraph 1.4 of the report;
- (b) approves a period of engagement to further review provision as outlined at paragraph 1.6 of the report; and
- (c) anticipates such further updates as are required following the period of engagement.

9.3 **Reasons for Decision**

9.3.1 The next period of engagement should provide a route for all stakeholders to input into this important area of work. This would enable the Council to build on the improvements that are already underway in a way that is more attuned to the current and future needs of these children and families.

9.3.2 The outcome should ultimately be to improve individual outcomes as part of a sustainable, effective model of provision that works for all Children and Young people with Special Educational Needs and Disabilities.

#### 9.4 **Alternatives Considered and Rejected**

9.4.1 The period of engagement would give a good opportunity to consider alternatives prior to taking forward any further decision making.

### 10. **REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING 2017/18 AS AT 30/9/17**

10.1 The Executive Director, Resources submitted a report providing the Quarter 2 monitoring statement on the City Council's Revenue and Capital Budget for 2017/18.

10.2 **RESOLVED:** That Cabinet:-

(a) notes the updated information and management actions provided by this report on the 2017/18 Revenue Budget position and the monitoring information on the Capital Programme; and

(b) approves the request for carry forward funding, as outlined in Appendix 7 of the report.

#### 10.3 **Reasons for Decision**

10.3.1 To note the latest monitoring position against the Revenue Budget and Capital Programme. Also to formally agree the carry forward proposed in appendix 7 of the report.

#### 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. **MONTH 6 CAPITAL APPROVALS**

11.1 The Executive Director, Resources submitted a report providing details of proposed changes to the Capital Programme as brought forward in Month 6 2017/18.

11.2 **RESOLVED:** That Cabinet:-

(a) approves the proposed additions and variations to the Capital Programme listed in Appendix 1 of the report, including the procurement strategies and delegates authority to the Director of Finance and Commercial Services or nominated Officer, as appropriate, to award the necessary contracts;

(b) approves the acceptance of the grant funding detailed at Appendix 2 of the report; and

(c) approves the making of grants as detailed at Appendix 2a of the report.

11.3 **Reasons for Decision**

11.3.1 The proposed changes to the Capital Programme will improve the services to the people of Sheffield.

11.3.2 To formally record changes to 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.

11.3.3 Obtain the relevant delegations to allow projects to proceed.

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.