

SHEFFIELD CITY COUNCIL

Cabinet

Meeting held 17 January 2018

PRESENT: Councillors Olivia Blake (Chair), Ben Curran, Jayne Dunn, Mazher Iqbal, Mary Lea, Cate McDonald and Jack Scott

.....

1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from the Leader (Councillor Julie Dore) and Councillors Bryan Lodge and Jackie Drayton.

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 the Cabinet held on 13 December 2017 were approved as a correct record.

5. PUBLIC QUESTIONS AND PETITIONS

5.1 Public Question in respect of 100 Year Anniversary of the Women's Suffrage Movement

5.1.1 Nigel Slack asked why did the City miss the opportunity to bid for money to celebrate the 100th anniversary of the women's suffrage movement? We were one of 16 candidates invited to apply for a share of a £1.2m pot but chose not to apply. Was any consideration given to this opportunity or any discussion had with heritage groups in the City to assist in a possible bid?

5.1.2 In response Councillor Mary Lea, Cabinet Member for Culture, Parks and Leisure, commented that she was proud of Sheffield's place in the history of the women's suffrage movement. She was also proud of the Women of Steel which had been commemorated in the City. A plaque had been installed at Marlborough Road to mark the fact that Emily Pankhurst was a resident there.

5.1.3 Councillor Lea added that the invitation from Government to apply for funding had not yet come to light. It was Councillor Lea's understanding that there were plans for a plaque to be placed on one of the shops connected to women's suffrage in the city. The Council continued to support the Women's Hub Network.

5.1.4 Councillor Lea added that there were some small grants available and she would

encourage people to apply for these. She was pleased that this year, Museums Sheffield would be celebrating the protest movement which encompassed all forms of protest.

5.2 Public Question in respect of Selective Licensing

5.2.1 Nigel Slack commented that, living just off London Road, he had completed the survey into the possibility of selective licensing for the area. Had the Council given any thought to a City wide licensing scheme for private landlords? It would seem to Mr Slack that this would have the benefit of ensuring all landlords were working to the same minimum standards and would not impinge on the businesses of decent landlords. It would also have the effect that costs of licenses could be reduced, making more landlords able to afford any needed improvements whilst not unfairly impacting on those who already met minimum standards?

5.2.2 Councillor Jayne Dunn, Cabinet Member for Neighbourhoods and Community Safety, welcomed Mr Slack's comment that he had filled in the survey. Government legislation did not allow for a City wide scheme and could only be used across a certain area. As a result, the Council had gathered evidence, over the course of two years, and the amount of poor housing this had uncovered meant the London Road area fitted the criteria.

5.3 Public Question in respect of the Collapse of Carillion?

5.3.1 Nigel Slack asked what exposure does the City have in respect of Carillion, a major outsourcing company, collapsing? What impact will this have on the Tram/Train project? The Lower Don Valley Flood Defence Project? And the 250 jobs at the Carillion Call Centre in the City? In addition, is the Council aware of how many local companies may be impacted as part of the 30,000 small businesses owed money by the Company?

5.3.2 Councillor Olivia Blake, Cabinet Member for Finance, responded that Carillion had been involved in a number of construction projects in the past, such as the Lower Don Valley Flood Defence Project and Bus Rapid Transit, but their role had ended.

5.3.3 Where there were any redundancies, the Council would work with staff to support them as much as they could.

5.3.4 Councillor Jack Scott, Cabinet Member for Transport and Sustainability, added that the Tram/Train contract was with Network Rail and Carillion had a significant role in Network Rail work. Although the Department for Transport and Network Rail were in discussions regarding TUPE, the work remained in place.

5.4 Public Question in respect of Road Resurfacing

5.4.1 Nigel Slack commented that, in 2012, at a presentation to the then Community Assembly, Council officers and a representative of the Contractor indicated that the 'milestone' for road resurfacing was 100% in the first 5 years. In his answer to Mr Slack's enquiry at the September Full Council meeting, the Cabinet Member

for Environment and Streetscene indicated the 'milestone' was 70% of roads resurfaced. Whilst at the last Full Council meeting, two weeks ago, the Cabinet Member indicated the 'milestone' was now 60-70% resurfacing.

5.4.2 Mr Slack therefore asked when and why was this milestone changed? Was the change approved by Council Officers or Cabinet Members? Irrespective of whether they will be met, will the Council give full details of all the milestones for this initial 'Core Investment' period of the contract, detailing the original milestone, and any changes to milestones that were made during the course of the contract to date? Mr Slack also asked if supporting documentary evidence could be provided for the answers to these questions.

5.4.3 Councillor Olivia Blake stated that, as the Cabinet Member for Environment and Streetscene was not present at the meeting, She would arrange for him to provide Mr Slack with a written response to his question.

5.5 Public Question in respect of PFI Contract

5.5.1 Nigel Slack stated that the collapse of Carillion inevitably led him to have concerns over the Streets Ahead PFI Contract where a company 'AMEY Hallam Highways' made a loss of £51m before taxation in the year to December 2016. It also expected that loss making position to continue in the future. In addition, the Company was in a net liability position, it did not have sufficient assets to pay its debts.

5.5.2 Mr Slack added that the ultimate parent owners of this Company were three hedge funds, Ferrovial in Spain, Aberdeen Asset Management and a company in the Cayman Islands. Was the Council concerned about how long these hedge funds would permit this position to continue?

5.5.3 Councillor Olivia Blake stated that Mr Slack would receive a written response to this question.

5.6 Public Question in respect of AMEY PLC Video

5.6.1 Nigel Slack referred to the sharing of a video by a Cabinet Member of an AMEY PLC video entitled 'The Protestors Have No Respect for Democracy'. In Mr Slack's opinion, this professionally produced and selective view of the trees issue, apparently made with the support of the Council, made unsubstantiated allegations about the conduct of protestors, neither of which incidents resulted in arrests and it appeared to use Sheffield City Council evidence footage. There was also a claim that masked people in headlamps were out on the streets causing concern. Was the Council sure that these weren't AMEY sub-contractors? Could the Council confirm whether footage taken by the Council under the Investigatory Powers Act was used in this video? If so, who authorised that use?

5.6.2 Councillor Jack Scott responded that he did not agree with Mr Slack's comments that the video was disturbing or propaganda. He believed it was an accurate representation of people's views and it was important for people to recognise there were two sides to the debate. He did not know where the video footage

came from but he had no doubt as to its legality as it was a public place and surveillance would have been marked. No Council footage was used and if Mr Slack had any concerns over the footage these should be reported to You Tube.

5.7 Public Question in respect of Security Staff

5.7.1 Nigel Slack commented that he believed the silence from this Council over the alleged violence and unlawful behaviour of security staff employed by its Streets Ahead contractor was shameful and for female Councillors to remain silent in the face of alleged violence to women was unbelievably so. Mr Slack had included photos to show what he believed to be casual abuse of which he spoke and asked that the Council spoke out. Did the Council have any comment?

5.7.2 Councillor Olivia Blake commented that any allegations of unlawful behaviour should be reported to the Police. If there was evidence of this, the Council would never remain silent. AMEY had received assurances from the Police that their actions were lawful.

6. ITEMS CALLED-IN FOR SCRUTINY

6.1 It was reported that the decision of the Executive Director, Resources, taken on 9 January 2018, in relation to the Mid-Year Review of the Treasury Management Strategy and MRP Policy Change Recommendations had been called-in for Scrutiny and would be considered at a future meeting of the Overview and Scrutiny Management Committee.

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>
<u>People Services</u>		
Susan Ellis	Teacher, Beck Primary School (Cascade Academy)	29
Diane Harrison	Teaching Assistant, Level 2, Dobcroft Junior School	23
Debra Hetherington	Assistant Headteacher, Stocksbridge Junior School	36
Susan Thomas	Teacher, St Marie's School	33

(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. MONTH 8 CAPITAL APPROVALS

8.1 The Executive Director, Resources submitted a report providing details of proposed changes to the Capital Programme as brought forward in Month 8, 2017/18.

8.2 It was reported that there had been errors in the report and these should be amended. The title of the report should be 'Capital Approvals for Month 8 2017/18' and not Month 7. The years in the section on Whole Family Case Management in Appendix 1 of the report (pages 51-52 of the agenda) should be rolled back a year so that 2020/21 should read 2019/20, 2019/20 should read 2018/19 and 2018/19 should read 2017/18.

8.3 **RESOLVED:** That Cabinet:-

(a) approves the proposed additions and variations to the Capital Programme listed in Appendix 1 of the report, as now amended, 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; and

(b) approves the variations to the Housing Capital Programme as part of the annual programme refresh as detailed in Appendix 3 of the report.

8.4 Reasons for Decision

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

8.4.2 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.

8.4.3 Obtain the relevant delegations to allow projects to proceed.

8.5 Alternatives Considered and Rejected

8.5.1 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.

9. HOUSING REVENUE ACCOUNT (HRA) BUSINESS PLAN AND HRA BUDGET 2018/19

9.1 The Executive Director, Place submitted a report providing the 2018/19 update of the Housing Revenue Account (HRA) Business Plan and outlining a number of proposals for consideration.

9.2 **RESOLVED:** That Cabinet recommends to the meeting of the City Council on 7 February 2018 that:-

- (a) the HRA Business Plan report for 2018/19 as set out in the appendix to the report is approved;
- (b) the HRA Revenue Budget 2018/19 as set out in the appendix to the report is approved;
- (c) rents for council dwellings including temporary accommodation are reduced by 1% from April 2018 in line with requirements in the Welfare Reform and Work Act 2016;
- (d) a single rate for garage rents of £9.35 per week for a garage plot and £2.10 per week for a garage site be applied to new garage tenancies from April 2018 and to existing garage tenancies once improvements have been made to existing garage sites and plots;
- (e) the community heating unit charges remain unchanged for 2018/19;
- (f) the sheltered housing service charge remain unchanged for 2018/19;
- (g) burglar alarm charges remain unchanged for 2018/19; and
- (h) service charges for furnished accommodation remain unchanged from April 2018.

9.3 Reasons for Decision

9.3.1 To optimise the number of good quality affordable council homes in the City.

9.3.2 To maximise the financial resources to deliver key outcomes for tenants and the city in the context of a self-financing funding regime.

9.3.3 To ensure that tenants' homes continue to be well maintained and to optimise investment in estates.

9.4 Alternatives Considered and Rejected

9.4.1 Sheffield City Council has a statutory duty to produce an annual HRA Business Plan update, therefore no other alternative option was considered to producing the report.

(Note: This is subject to approval at Full Council at its meeting to be held on 7 February 2018 and is not subject to call-in).

10. ACCEPTANCE OF SUSTAINABLE TRAVEL ACCESS FUND GRANT

10.1 The Executive Director, Place submitted a report requesting acceptance of Sheffield City Region's Sustainable Travel Access Fund (STAF) revenue grant of £2,322,495 for the years 2017/18 to 2019/20.

10.2 **RESOLVED:** That Cabinet:-

- (a) notes the acceptance of Sheffield City Region's Sustainable Travel Access Fund (STAF) revenue grant of up to £2,322,495 and match funding of £266,984;
- (b) approves the Council entering into, and signing, the grant agreement with Sheffield City Region to accept the STAF revenue grant and the terms of the grant;
- (c) notes that the Council will act as a delivery partner for projects totalling £2,589,479 (SCR grant of up to £2,322,495 + £266,984 of match funding) and will be the Accountable Body in respect of this Sheffield City Region grant; and
- (d) delegates authority to the Director of Finance & Commercial Services, in consultation with the Cabinet Member for Transport and Sustainability, the Executive Director of Place and the Director of Legal and Governance, to take such steps as they deem appropriate to achieve the outcomes set out in the report.

10.3 Reasons for Decision

10.3.1 Acceptance of the grant would enable the continuation of complimentary revenue measures (such as cycle training and events, independent travel training and road safety education and training) to capital investment in improving road safety, including facilities for walkers and cyclists that will help achieve the Transport outcome of having better connected transport to increase travel choices.

10.4 Alternatives Considered and Rejected

10.4.1 An alternative option would be to reject the Sustainable Travel Access Fund grant, which would have a detrimental effect on the overall funding for Transport, Traffic and Parking Services and consequently Sheffield City Council. All of the STAF projects are underway and have incurred some expense, including employee costs. Should the grant be rejected there would be a significant pressure to find alternative funding sources.

11. CONDITIONS OF TENANCY REVIEW (COUNCIL HOUSING)

11.1 The Executive Director, Place submitted a report updating Cabinet on the progress of the review of the Council's social housing Conditions of Tenancy, informing Cabinet of the feedback received from the consultation with tenants on the proposed updated tenancy conditions, recommending revised Tenancy Conditions, and seeking Cabinet's approval to vary the terms of all Council tenancies in May 2018.

11.2 **RESOLVED:** That Cabinet:-

- (a) notes the reasons for reviewing the Conditions Of Tenancy, and the outcome of consultation with tenants on the proposals;
- (b) approves the proposed revised set of Tenancy Conditions attached as an appendix to the report;
- (c) delegates authority to the Director of Housing and Neighbourhoods Service to take the necessary steps to implement the new tenancy conditions with effect from 7th May 2018 by undertaking the statutory process to vary the terms of the Council's secure social housing tenancies or terminating and reletting non-secure tenancies as described in the report; and
- (d) delegates authority to the Director of Housing and Neighbourhoods Service to make any final amendments to the conditions necessary in response to comments received after service of the preliminary notice.

11.3 **Reasons for Decision**

11.3.1 There are a number of reasons for recommending the approval of these conditions:

- If the proposed revised conditions are approved and implemented, tenants will have a clearer understanding of their obligations and of those of the Council.
- There will be a fairer process surrounding pet ownership, alongside it being easier for the Council to take action against irresponsible pet owners.
- Fire safety will be further strengthened and promoted, and there will be savings for the HRA by more tenants paying by direct debit.

11.3.2 The statutory process that must be followed to vary the Council's housing tenancies gives tenants the opportunity to comment on the proposed variation and requires the Council to consider these comments. Whilst it is unlikely, in view of the consultation that has already taken place, that any comments will result in a need to amend any draft condition of tenancy, this does remain a possibility. It is therefore recommended that the Director of Housing and Neighbourhoods be given delegated authority to make any final amendments to the conditions necessary after the preliminary notice has been served to avoid the need to come back to Cabinet again for further approval before the tenancy variation can be completed.

11.4 Alternatives Considered and Rejected

- 11.4.1 One possible alternative to these proposals is to leave the Council's tenancy conditions as they are. However, for the reasons stated in Section One of the report, this is not believed to be the best option as it would leave the Council with an outdated and unclear set of tenancy conditions, which is to the detriment of both the Council and its tenants.

12. REGISTRATION OF HIGH HAZELS PARK AS A CHARITABLE TRUST

- 12.1 The Executive Director, Place submitted a report in relation to the registration of High Hazels Park as a Charitable Trust.

- 12.2 Cabinet requested it to be placed on record their thanks to Sylvia Hamilton and Paul Campbell for the work of the Friends of the Park Group along with the work undertaken by all Friends of Park groups across the City.

- 12.3 **RESOLVED:** That Cabinet:-

- (a) approves registration of High Hazels Park as a charitable trust at the Charity Commission;
- (b) approves the trust deed for the future governance and management of High Hazels Park; and
- (c) agrees to start using the proposed trust deed for High Hazels Park as the charity's governing document.

12.4 Reasons for Decision

- 12.4.1 The recommendation for registration of the Park as a charitable trust will ensure that the Council is compliant with the provisions of the Charities Act 2011.

- 12.4.2 The registration of High Hazels Park as a charitable trust will regularise the Council's previous and future management of the Park and uphold public trust and confidence in the Council by extending the protection afforded by charities legislation and ensuring transparency in the Council's future management of the Park.

12.5 Alternatives Considered and Rejected

- 12.5.1 The only alternative option is not to register the Park as a charity. However, this would potentially damage the Council's reputation and erode public trust due to incorrect information previously being given to the public regarding the Park's status as a charitable trust.