

SHEFFIELD CITY COUNCIL

EXECUTIVE FUNCTIONS DECISION RECORD

The following decisions were taken on Wednesday 18 September 2019 by the Cabinet.

Date notified to all members: Tuesday 24 September 2019

The end of the call-in period is 4:00 pm on Monday 30 September

The decision can be implemented from Tuesday 1 October 2019

Item No

8. THE SHEFFIELD CITY COUNCIL DIGITAL CONNECTIVITY STRATEGY

8.1 The Executive Director, Resources, submitted a report seeking approval of the Digital Connectivity Strategy and, in principle, the programme of activities and projects proposed within it. These activities and projects will improve digital connectivity in Sheffield, so that coverage, choice and speed of communication stays ahead of demand; and so that connectivity enables residents and businesses to use digital solutions to improve their lives and to sustain, grow and create new business.

8.2 **RESOLVED:** That Cabinet:-

- (a) approves the Digital Connectivity Strategy and the 'direction of travel' set out therein; and
- (b) notes that the Director of Business Change and Information Solutions will seek any additional formal approvals required to implement the activities and projects described in the Digital Connectivity Strategy and summarised in this report such as the procurement of contracts for 5G, Wi-Fi and Internet of Things Networks.

8.3 Reasons for Decision

8.3.1 It is recommended that Cabinet approves the adoption of the Digital Connectivity Strategy in order to improve digital connectivity in Sheffield, so that coverage, choice and speed of communication stays ahead of demand; and so that connectivity enables residents and businesses to use digital solutions to improve their lives and to sustain, grow and create new business.

8.4 Alternatives Considered and Rejected

8.4.1 Do Nothing

The Council could choose not to adopt and implement the Digital Connectivity Strategy and to allow the market to determine the speed and coverage of next generation digital connectivity; it could choose not to work with the market to

reduce barriers to investment; and it could choose not to directly intervene through, for example, concession contracts (or alternative forms of agreement).

8.4.2 However, history has shown that without public sector intervention, the market is slow to deploy infrastructure, particularly in less affluent areas of the City.

8.4.3 Public Sector Interventions since 2014 have achieved the following:

- Coverage of superfast broadband has increased from 80% to over 95% and will reach 99% of premises by 2021;
- Take-up of superfast broadband has increased from 18% to over 45%;
- Sheffield business parks were amongst the first in the country to access full fibre, gigabit, broadband;
- Business support programmes have helped SMEs use digital to sustain and grow their business;
- SMEs have received vouchers for half price connection and for half price innovation projects;
- The city centre has one of the best public access wi-fi networks in the country.

8.4.4 The do nothing option is not recommended because, were the Council to choose not to intervene, it is likely that coverage of full fibre and 5G in Sheffield would continue to lag significantly behind the rest of the country, with many other cities competing to attract the limited resources of the market to their own areas.

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**

Eugene Walker, Executive Director, Resources.

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

Overview and Scrutiny Management Committee.

9. **SHEFFIELD DOC/FEST**

9.1 The Executive Director, Place, submitted a report informing the Cabinet of the benefits of the Council's continued sponsorship of Sheffield Doc/Fest ("Doc/Fest"), requesting approval for the continued sponsorship of Doc/Fest for a further three years in 2020, 2021 and 2022 and requesting delegated authority for the Director of City Growth, in consultation with the Director of Legal and Governance and the Director of Finance and Commercial Services, to enter into a grant agreement with Sheffield Doc/Fest.

9.2 **RESOLVED:** That Cabinet:-

- (a) approves the Council's commitment to fund Sheffield Doc/Fest as outlined in the Financial Appendix attached to the report; and
- (b) delegates authority to the Director of City Growth, in consultation with the Director of Legal and Governance and the Director of Finance and Commercial Services to:
 - (i) enter into a grant agreement with Sheffield Doc/Fest (including negotiation and agreement of the relevant contractual terms of the grant agreement); and
 - (ii) take all other necessary steps not covered by existing delegations to achieve the outcomes outlined in the report.

9.3 **Reasons for Decision**

9.3.1 It is recommended that Sheffield Doc/Fest will be awarded a grant for three years, as outlined in the financial appendix and that the Director of City Growth, in consultation with the Director of Legal and Governance and the Director of Finance and Commercial Services, is granted delegated authority to enter into a grant agreement with Sheffield Doc/Fest.

9.3.2 Providing a three year fixed grant provides both Sheffield Doc/Fest and Marketing Sheffield with certainty that the festival can continue in Sheffield and develop its programme and reputation over the time period. It allows Sheffield to continue to benefit from the wide range of economic and other benefits described in section two of the report.

9.3.3 The proposed outcomes of the funding are to contribute to Sheffield's economy and status as a cultural and conference destination through assisting Sheffield Doc/Fest in delivering its strategy to:

- Become a world leading A list documentary film festival known for all game-changing non-fiction, all durations, all platforms;
- Continue to grow the Doc/Fest film and alternative realities funding markets into the most successful in the world, with idea to screen tracking and messaging;
- Increase its general public audience to over 30,000, with a stand out reputation for inclusiveness and outreach;
- Discover, nurture and celebrate diverse new and emerging talent; and
- Continue to significantly contribute to the local economy, including creating further activities for delegates and public audiences to engage with business and cultural activities.

9.4 **Alternatives Considered and Rejected**

9.4.1 Alternative option 1 – Do nothing.

Providing no sponsorship for Doc/Fest would be likely to result in the permanent withdrawal of Doc/Fest from Sheffield or, at best, a significant reduction in the quality and breadth of the event, risking its international reputation and/or future relocation to an alternative city. This would be likely to mean the approximate £1,749,342 (minimum) delegate spend per year would be lost to the city, and would also have the effect of reducing the city's profile and reputation within the creative community inside and outside of Sheffield. As the conference is the city's largest conference, maintaining presence and scale is important for PR purposes.

9.4.2 Alternative option 2 – Enter into a grant agreement for a period of one year

Annual grant arrangements would limit Sheffield Doc/Fest's ability to develop their programme in line with their three year strategy. A single year agreement would be likely to require a higher level of grant funding to achieve the same outcomes and so a higher cost over the three year period. A single year grant arrangement would risk Sheffield's opportunity to develop a long term plan for the festival.

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**

Laraine Manley, Executive Director, Place.

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

Economic and Environmental Wellbeing

10. MONTH 4 CAPITAL APPROVALS

10.1 The Executive Director, Resources, submitted a report providing details of proposed changes to the Capital Programme, as brought forward in Month 4 2019/20.

10.2 **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; and

- (b) notes the feasibility allocations approved under delegated authority by Capital Programme Group.

10.3 **Reasons for Decision**

- 10.3.1 The proposed changes to the Capital Programme will improve the services to the people of Sheffield.
- 10.3.2 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.
- 10.3.3 Obtain the relevant delegations to allow projects to proceed.

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.

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**

Eugene Walker, Executive Director, Resources.

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

Overview and Scrutiny Management Committee.

11. **THE CITY OF SHEFFIELD (45 MARCHWOOD ROAD) COMPULSORY PURCHASE ORDER 2019**

- 11.1 The Executive Director, Place, submitted a report seeking authority to make a Compulsory Purchase Order in respect of 45 Marchwood Road, Sheffield, S6 5LB (the Property) to allow it to be renovated and occupied. There is demand for this type of property within the area. The Property is empty and has a particularly detrimental effect on the neighbourhood in this area. Compulsory Purchase is the most appropriate course of action.

- 11.2 **RESOLVED:** That Cabinet:-

- (a) in consultation with the Cabinet Member for Neighbourhoods and Community Safety, approves the finalising the attached draft Statement of Reasons, at Appendix 1 of the report;
- (b) delegates authority to the Director of Legal & Governance to make the CPO for the Order Land, and to take all necessary procedural steps prior to and after the making of the CPO, to enable the CPO to be submitted to the Secretary of State for confirmation, including:
 - Amend the Statement of Reasons to delegate to the Director of Legal and Governance, in consultation with the Cabinet Member for Neighbourhoods and Community Safety; approval for the sale of the house to be sold back to the Council to allow it to be used for Social Housing;
 - Serving notices of the making of the CPO on all persons entitled to such notice and placing all necessary notices in the press and on/around the Order Land;
 - Submitting the CPO to the Secretary of State for confirmation as soon as possible following making of the CPO; and
 - Self-confirming the CPO if authorised to do by the Secretary of State.
- (c) delegates authority to the Director of Legal & Governance to sign and serve any notices or documents necessary to give effect to these recommendations and to take all the other actions necessary to give effect to these recommendations;
- (d) as soon as the CPO is confirmed by the Secretary of State or self -confirmed where authorised by the Secretary of State, requests the Director of Legal and Governance to advertise the confirmation of the CPO and serve all necessary notices of the confirmation and once the CPO becomes operative, the Director of Legal & Governance, in consultation with the Executive Director, Resources, be authorised to execute General Vesting Declarations under the Compulsory Purchase (Vesting Declarations) Act 1981, at the earliest opportunity and to thereafter serve all necessary documents and notices of the vesting of the Order Land in the Council;
- (e) delegates authority to the Executive Director, Place, in consultation with the Director of Legal & Governance and the Executive Director, Resources, to manage the compulsory purchase process in accordance with all statutory requirements and to otherwise promote or support the promotion of confirmation of the CPO including the preparation of and giving of evidence at any public inquiry;
- (f) delegates authority to the Chief Property Officer to agree terms for the acquisition of the Order Land and to instruct the Director of Legal and Governance to complete the necessary documents; and
- (g) approves that, upon the completion of the acquisition of the Order Land, where it is decided to dispose of the land, the Chief Property Officer

negotiates the disposal of the land and be authorised to instruct the Director of Legal and Governance to complete all the necessary legal documents for the completion of the disposal.

11.3 Reasons for Decision

11.3.1 The property has been vacant since at least 2012 and is in a poor state of repair, attracting anti-social behaviour and is having a negative impact on the local community. There is a demand for this type of property within Sheffield and the Council has, with limited success, attempted to engage with the property owner, in an effort to get the property back into occupation, including offers to purchase the property by agreement. In addition, particularly in respect of recent enforcement action taken by the Council, the owner has failed to take reasonable steps to make the property safe. In those circumstances, as an option of last resort, the Council consider, to ensure the property is put back into occupation, that it is appropriate to seek a CPO in respect of the property.

11.4 Alternatives Considered and Rejected

11.4.1 Demolition

The Property is in a state of disrepair, empowering the Council to take various steps to remedy the problem, including renovation and demolition. As the Property is a semi-detached house, the demolition option would not be practical as support is required to the adjacent property. Demolition will not result in the provision of housing as it is believed that it is unlikely the owner would rebuild should this option be taken.

11.4.2 Renovation

The Council's Private Housing Standards team first visited the Property in December 2016 and found it to be vacant. From this date, the Council has not observed or received any information that the property has been occupied. The owner has taken inadequate steps to prevent its deterioration despite the Council writing on several occasions to the owner to express their concern over the condition of the property and asking for the owner to explain his intentions for renovation and bringing the property back into occupation. Additionally, in March 2018, an Improvement Notice was served on the owner in order to remove Category 1 Hazards observed at the Property. No action has been taken in response to this notice as was noted during an inspection of the Property on 17 June 2019. It is therefore unlikely, should the Council do works in default, that this would result in the improvements to the Property being sustained. In those circumstances this option would be a poor use of limited resources and unlikely to achieve its purpose.

11.4.3 Empty Dwelling Management Orders

These orders enable the Council to effectively step into the shoes of the owner and manage the property. To utilise this option, the Council will need to apply to the First-tier Tribunal for authority to make an interim Empty Dwelling Management

Order (EDMO), carry out significant repairs, prepare an appropriate statutory compliant tenancy agreement and, with the owner's permission, let the Property and manage the tenancy. Further, if the owner did not agree to the Property being let, the Council would need to make a final EDMO, enabling it to let the Property without the owner's permission. Given that regular complaints about the Property have been received from concerned neighbours since December 2016, it is felt that the time it would take for an EDMO process to be concluded would result in an unreasonable delay in removing the negative impact this Property has had on these neighbours and the local community.

11.4.4 Purchase by Agreement

The Council have actively pursued this option which would have enabled it to sell the Property at auction, so that it could be renovated and reoccupied. On 2 October 2018 and again on 17 July 2019, the Council wrote to the owner to offer to purchase the property by agreement. No response was received by the Council to these letters.

11.4.5 Compulsory Purchase

All attempts at working with the owner have failed, as detailed in the Statement of Reasons. Due to the owner's failure to take proper action, the Property, for which there is a demand, has remained in a poor state of repair for a significant period and there is little prospect of it being brought back into occupation. For these reasons, Compulsory Purchase is the preferred option.

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

Laraine Manley, Executive Director, Place

11.8 Relevant Scrutiny and Policy Development Committee If Decision Called In

Safer and Stronger Communities