

Cabinet

Meeting held 14 January 2015

PRESENT: Councillors Julie Dore (Chair), Isobel Bowler, Ben Curran, Jackie Drayton, Jayne Dunn, Harry Harpham (Deputy Chair), Mazher Iqbal and Mary Lea

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Leigh Bramall.

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 Councillor Jayne Dunn declared a personal interest in agenda item number 11 'BBEST (Broomhill, Broomfield, Endcliffe, Summerfield and Tapton) Neighbourhood Area and Forum Designation' as a local trader in the Broomhill area.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Cabinet held on 17 December 2014 were approved as a correct record.

5. PUBLIC QUESTIONS AND PETITIONS

5.1 Public Question in respect of Ochre Dike Playing Fields, Waterthorpe Fields in Trust Designation

David Bates asked, should the recommendations in respect of item 8 on the agenda 'Ochre Dike Playing Fields, Waterthorpe Fields in Trust Designation' be agreed, how long would it take approximately to complete the Fields in Trust process?

Councillor Isobel Bowler, Cabinet Member for Culture, Sport and Leisure, thanked Mr Bates and the local campaigners for their work to protect the fields. She was pleased that we had now reached this stage.

David Cooper, Head of Policy and Projects, Parks and Countryside, added that he had received the paperwork to apply for the Fields in Trust designation. It would take around three months for the process to be completed subject to the appropriate legal checks.

Councillor Isobel Bowler commented that once the process had been completed

there would be a celebratory event held and she would ensure that the local community were involved.

5.2 Public Question in respect of Sanctions for Community Groups

Martin Brighton stated that the Leader of the Council had been given quotes from examples from Council records that the Council Leader herself said were unacceptable. Why then was the Council using the same material as one basis for imposing sanction and prejudice upon a community group?

Councillor Julie Dore, Leader of the Council, responded that there was a difference between responding to quotations presented to her as opposed to evidence used to making a decision. When Mr Brighton had provided examples of quotations at a previous meeting she had said that she would find such quotes unacceptable. She did not, however, say that using material evidence to impose sanctions was unacceptable.

The Council had policies and procedures regarding the recognition of community and voluntary groups. If a particular organisation breached those policies or their own Constitution the Council was right to put sanctions upon them. Mr Brighton had not presented any evidence where the Council had imposed sanctions on an organisation without any material evidence to do so.

5.3 Public Question in respect of Sanctions for Community Groups

Martin Brighton asked why the Council Leader was allowing the Council to impose sanction and prejudice upon a community group for which the Council itself had published that there was no supporting evidence?

Councillor Julie Dore commented that she had always said that sanctions would be imposed on a group if they were in breach of the Council's Recognition Policy.

5.4 Public Question in respect of Private Meeting

Martin Brighton commented that, at Full Council, the Council Leader had stated that processing of complaints of abuse were victim-centric and the Council Leader agreed to meet with the abused people. However, having contacted the Council Leader, as instructed by the Council Leader, the Council Leader has not even responded – why not?

Councillor Julie Dore stated that her Secretary was currently in the process of organising the meeting. However, since the Leader had said that she would organise the meeting there had been the Christmas break but the meeting would be arranged shortly. If Mr Brighton or others brought any evidence to that meeting regarding community groups she would look at that at that point.

5.5 Public Question in respect of Freedom of Information/Data Protection Disclosures

Martin Brighton commented that recent Freedom of Information/Data Protection disclosures showed how this citizen had been denigrated for years, based upon

lies and that the creation and maintenance of a culture with an adverse mindset continued with political direction. Why was the Council Leader allowing this?

Councillor Julie Dore responded that the situation referred to by Mr Brighton had been a long standing issue over many years and she couldn't comment on the circumstances before she became Council Leader. During her time as Leader there had not been any occasion at Full Council or Cabinet where she had responded to a question from Mr Brighton where she had behaved in the manner referred to in the question. She had responded to Mr Brighton's questions and treated him with courtesy and respect.

5.6 Public Question in respect of a Community group in the South West Area

Martin Brighton commented that Freedom of Information/Data Protection disclosures of Council documents showed that the claim at Full Council that due process had been followed with respect to derecognition of a community group in the South-West was untenable. What redress would the Council provide?

Councillor Julie Dore stated that she would discuss this issue with Mr Brighton in the meeting referred to in her response to a previous question.

5.7 Public Question in respect of Housing Revenue Account

Mick Watts commented that he supported in principle the proposals in the Housing Revenue Account report on the agenda for the meeting. However, in borrowing up to the debt cap was the Council putting itself at risk by limiting its options for the future?

Councillor Harry Harpham, Deputy Leader and Cabinet Member for Homes and Neighbourhoods commented that he was pleased that Mr Watts believed that the investment was desirable. It would bring in a £30m subsidy, 350 jobs and bring down heating bills for tenants. The Council had previously focused on bringing homes up to the Decent Homes standard. In terms of the environmental measures being introduced, Members believed that while work was being undertaken and the scaffolding up this was an ideal time to put these in place. Councillor Harpham was extremely pleased that tenants supported the plans which would improve the lives of the hardest pressed citizens in the City.

Liam Duggan, Manager Social Housing Commissioning, added that the Council was trying to strike a balance between optimising the financial capacity of the Housing Revenue Account for the benefit of tenants and the City as a whole with the potential financial risk. He believed that this had been done through prudent budget planning and, in particular, by retaining a £9m risked based reserve to serve as an insurance policy should costs be higher than anticipated.

6. ITEMS CALLED-IN FOR SCRUTINY

6.1 The Cabinet noted that there had been no items called-in for Scrutiny since its last meeting.

7. RETIREMENT OF STAFF

The Interim Director of Legal and Governance 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' Service</u> |
|-------------|-------------|-----------------------|
|-------------|-------------|-----------------------|

Children, Young People and Families

| | | |
|------------------|---|----|
| Eileen Dunleavy | Cleaner, Windmill Hill Primary School | 37 |
| Margaret Gosling | Senior Teaching Assistant Level 3, Bents Green School | 28 |
| Marilyn Hodgett | Early Years Childcare Manager | 39 |
| Margaret Ward | Domestic Assistant | 23 |
| Susan Woodhead | Word Processor/Clerk, High Storrs School | 22 |

Communities

| | | |
|-------------------|-----------------------------------|----|
| Sharon Hallsworth | Library and Information Assistant | 24 |
| Salome Kent | Support Worker | 20 |
| Anne Miller | Social Worker | 34 |
| Jane Pringle | Library and Information Assistant | 37 |

(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. OCHRE DIKE PLAYING FIELDS, WATERTHORPE FIELDS IN TRUST DESIGNATION

8.1 The Executive Director, Place submitted a report in relation to proposals to designate Ochre Dike/Watertorpe Greenway Playing Fields as a Fields in Trust

protected site.

8.2 **RESOLVED:** That Cabinet:-

- (a) approves the formal submission of an application to designate Ochre Dike/Waterthorpe Greenway Playing Fields, Sheffield as a Fields in Trust protected site to allow it to be further protected and managed as a public park and playing field in perpetuity;
- (b) delegates authority to the Director of Capital and Major Projects, in consultation with the Director of Culture and Environment, to negotiate the terms of the documentation needed to dedicate the land;
- (c) delegates authority to the Director of Capital and Major Projects to instruct the Interim Director of Legal and Governance to take all necessary action and complete the documentation needed to dedicate the land;
- (d) notes that the Town and Village Green application for this site will be superseded on successful completion of the Field in Trust designation, and that this outstanding matter will then be referred back to the Licencing authority for satisfactory conclusion and withdrawal of the application in due course; and
- (e) notes that, subject to recommendations a-c being concluded, the site will be formally dedicated as a Field in Trust in a ceremony to be arranged on completion.

8.3 **Reasons for Decision**

8.3.1 Designation as a Fields in Trust site will protect this site for local recreation and is a more suitable alternative to the pending Town and Village Green application, in this location. The alternative designation is fully supported by the local community applicants, local ward Councillors and officers.

8.4 **Alternatives Considered and Rejected**

8.4.1 A Town and Village Green application was submitted by the local community in 2012 to protect the site from future alternative development threats. This application has yet to be determined.

8.4.2 Whilst this Village Green application may have some merits and benefit in offering greater protection it is not felt to be the most appropriate protection by officers to meet local community needs. One of the complications and constraints is that Village Green status is essentially for open access and non-organised recreational activity, not team sports. Consequently, such status could limit and prejudice the future of the football pitch and other legitimate recreational uses; also potentially desirable complimentary site improvements (e.g. the provision of changing rooms or other built facilities, if desired). Local residents have clearly indicated to officers that the playing of football and other games in this area is an important local facility along with the other less organised but equally important recreational activities of

walking and simple enjoyment of the open green space environment.

- 8.6 As an alternative to the Town and Village Green application the Council has jointly explored a Fields in Trust designation as a more appropriate protection. Officers and the local applicants supported by their local Councillors have met with the Fields in Trust on site. The Fields in Trust is very supportive of adding the Ochre Dike/Waterthorpe Greenway Playing Fields to the national portfolio of sites receiving protection and have invited an application from the Council, as landowner. This option is now more preferable than a Town and Village Green designation which is now felt to be less desirable by the local community and would also be more costly to determine for the Council.

9. REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING 2014/15 MONTH 7 (AS AT 31/10/14)

- 9.1 The Interim Executive Director, Resources submitted a report providing the month 7 monitoring statement on the City Council's Revenue and Capital Programme covering the period 1st April to 31st October 2014.

9.2 **RESOLVED:** That Cabinet:-

- (a) notes the updated information and management actions provided by the report on the 2014/15 budget position; and
- (b) in relation to the Capital Programme:-
 - (i) approves the proposed additions to the Capital Programme listed in Appendix 1, including the procurement strategies and delegations of authority to the Director of Commercial Services or nominated Officer, as appropriate, to award the necessary contracts following stage approval by Capital Programme; and
 - (ii) approves the proposed variations and slippage requests listed in Appendix 1 of the report; and notes
 - (a) the latest position on the Capital Programme including the current level of delivery and forecasting performance;
 - (b) the emergency approval under delegated authority; and
 - (c) the slippage requests authorised by the Cabinet Member for Finance under his delegated authority.

8.3 Reasons for Decision

- 8.3.1 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.

8.4 **Alternatives Considered and Rejected**

- 8.4.1 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. **SHEFFIELD COMMUNITY COVENANT ANNUAL REPORT 2014**

- 10.1 The Interim Executive Director, Resources submitted a report updating Cabinet on the key achievements in respect of the Community Covenant during 2014.

- 10.2 **RESOLVED:** That Cabinet notes the progress made on the Community Covenant in Sheffield during 2014.

10.3 **Reasons for Decision**

- 10.3.1 To fulfil the commitment to produce an annual report on progress following the establishment of the local Community Covenant in November 2011.

10.4 **Alternatives Considered and Rejected**

- 10.4.1 There were no alternatives presented in the report.

11. **BBEST (BROOMHILL, BROOMFIELD, ENDCLIFFE, SUMMERFIELD AND TAPTON) NEIGHBOURHOOD AREA AND FORUM DESIGNATION**

- 11.1 The Executive Director, Place submitted a report in relation to the BBEST (Broomhill, Broomfield, Endcliffe, Summerfield and Tapton) Neighbourhood Area and Forum Designation.

11.2 **RESOLVED:** That:-

- (a) the BBEST Neighbourhood Area be designated as shown in background paper e) 'Plan Illustrating Recommended BBEST Neighbourhood Area Designation' in accordance with section 61G of the Town and Country Planning Act 1990;
- (b) the Broomhill, Broomfield, Endcliffe, Summerfield and Tapton (BBEST) Neighbourhood Forum be designated as the only Neighbourhood Forum for the BBEST Neighbourhood Area for five years in accordance with section 61F of the Town and Country Planning Act 1990;
- (c) the BBEST Neighbourhood Area and Forum designations be publicized in accordance with Regulations 7 and 10 respectively of the Neighbourhood Planning (General) Regulations 2012; and

- (d) approval be given to the responses to representations on the BBEST Neighbourhood Area and Forum applications.

11.3 **Reasons for Decision**

11.3.1 A local planning authority must designate a Neighbourhood Area if it receives a valid application and some or all of the area has not yet been designated.

11.3.2 A local planning authority must consider the following questions when designating a neighbourhood area:

- a) Has a relevant body applied for an area specified in the neighbourhood area application to be designated by this authority?

Answer: Yes. This is set out in section three of the application.

- b) Does the proposed area cover any part of the area of a Parish Council?

Answer: No

- c) How desirable is it to maintain the existing boundaries of areas already designated as neighbourhood areas (neighbourhood areas must not overlap?)

Answer: No surrounding areas are designated as neighbourhood areas.

- d) Should the area be designated as a business area?

Answer: No. There are a number of businesses and large institutions in the area but it is not “wholly or predominantly business in nature”.

- e) Are there any valid planning reasons to deviate from the boundary which has been submitted?

Answer: Yes. There are three minor deviations recommended because the proposed boundary cuts across a single property or “planning unit”. The recommended amendments are:

- (i) Include all of Ranmoor Student Village
- (ii) Exclude all of St Marie’s Primary School
- (iii) Include all of Weston Park

BBEST Forum’s rationale for the first two was to follow the Conservation Area boundary. The third is because we have more accurate mapping software available than BBEST Forum had at the time of their application. The deviations are shown in background paper d) ‘Plan Illustrating Recommended BBEST Boundary Amendments’.

11.3.3 A local planning authority may designate an organisation as a Neighbourhood Forum if the authority are satisfied that it meets certain conditions:

- a) Does the area consist of or include the whole or any part of the area of a Parish

Council?

Answer: No.

b) Is it established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned?

Answer: Yes. See the objectives of the proposed constitution in section 3 of appendix 3 in the application.

c) Is membership open to individuals who live in the neighbourhood area concerned, work there, and are elected Members of the City Council?

Answer: Yes. See application 5.1, 5.2c), 5.3c) and the first paragraph in section 5 of appendix 3 of the application.

d) Does membership include a minimum of 21 individuals each of whom either live in the neighbourhood area concerned, work there or are an elected Member of the City Council?

Answer: Yes. See application 5.1, 5.2a), 5.2b) and the first paragraph in section 5 of appendix 3 of the application.

e) Does it have a written constitution?

Answer: Yes. See appendix 3 of the application.

f) Has it secured (or taken reasonable steps to attempt to secure) that its membership includes at least one individual who lives in the area, at least one individual who works in the area or one elected Member in the area?

Answer: Yes. See application 5.1

g) Is membership drawn from different places in the neighbourhood area concerned and from different sections of the community in that area?

Answer: Yes. See application 5.2

h) Does the purpose reflect (in general terms) the character of that area?

Answer: Yes. See application 5.3

i) Is there another proposed or designated neighbourhood forum for the proposed neighbourhood area?

Answer: No.

j) Has the organisation or body made an application to be designated?

Answer: Yes

11.4 **Alternatives Considered and Rejected**

- 11.4.1 English Heritage had commented that where the proposed boundary runs very close to, but does not coincide with a Ward boundary, it should be changed to match the Ward boundary. Officers were not recommending this change, partly because of anticipated Ward boundary amendments in 2016, particularly for the Central Ward which has had a large increase in population.
- 11.4.2 Officer discussions with BBEST Forum included the possibility of a smaller area which excluded the large institutions to the east such as the hospitals and the University of Sheffield. However, this was discounted on the grounds that the institutions were an integral part of the neighbourhood. An example of this is the student villages on the other side of the proposed Area. There were no representations that advocated this alternative option.

12. **HOUSING REVENUE ACCOUNT (HRA) BUSINESS PLAN, HRA BUDGET AND RENT INCREASE 2015/16**

- 12.1 The Executive Directors, Place, Communities and Resources submitted a joint report providing the 2015/16 update to the Housing Revenue Account (HRA) Business Plan.
- 12.2 In presenting the report, Liam Duggan, Manager, Social Housing Commissioning, referred to an omission from paragraph 7.4 of the report where Arbourthorne Fields phase 3a was missing from the list of schemes for which property rents were to be frozen in 2015/16. This should be included and the final paragraph should read 'Should Arbourthorne Fields phase 3b be declared for demolition by the Director of Development and Regeneration Services before 6th April 2015 this will also be held with no increase in 2015/16.'
- 12.3 **RESOLVED:** That Cabinet recommends to the meeting of the City Council on 4th February 2015 that:-
- (a) the HRA Business Plan report for 2015/16 as set out in Appendix A to the report is approved;
 - (b) the HRA Revenue Budget for 2015/16 as set out in Appendix B to the report is approved;
 - (c) rents for Council dwellings are increased by 2.2% from April 2015;
 - (d) rents for garages and garage sites are frozen at 2014/15 levels and not increased from April 2015;
 - (e) Community Heating charges are not increased from April 2015;
 - (f) the burglar alarm charge which is due to be amended during 2014/15 following a procurement is not increased from April 2015;

- (g) the Sheltered Housing service charge which is due to be amended during 2014/15 is not increased from April 2015;
- (h) charges for temporary accommodation and furnished accommodation are not increased;
- (i) the Director of Commissioning, Communities and the Director of Finance, in consultation with the Cabinet Member for Homes and Neighbourhoods, be granted delegated authority to authorise prudential borrowing as allowed under current government guidelines; and
- (j) the specific projects proposed in the report be brought forward for Member approval in accordance with the Council's Capital Approval process as business cases are developed.

12.4 Reasons for Decision

- 12.4.1 To optimise the number of good quality affordable Council homes in the City.
- 12.4.2 To make neighbourhoods safer, more attractive places to live through continued investment in Sheffield's Council housing and estates.
- 12.4.3 To enable tenants to live independently and well in their own home by providing the support they need when they need it.
- 12.4.4 To help tenants deal with a challenging economic climate and remain warm in their homes by ensuring energy bills are as low as possible.
- 12.4.5 To maximise the financial resources to deliver key outcomes for tenants and the City in the context of a self-financing funding regime.
- 12.4.6 To assure the long term sustainability of Council housing in Sheffield.

12.5 Alternatives Considered and Rejected

- 12.5.1 To increase rents for Council dwellings by less than the Government guidance
The Government's self-financing debt settlement of 2012 was made in view of its expectation that each Local Authority would set rents in line with Government guidance. To raise rents by less than the guidance amount would detrimentally impact on the ability of the HRA to carry this debt whilst providing Government recommended funding to services and investment.
- 12.5.2 Not to prioritise the funding of Photovoltaic Panels
The option of delivering photovoltaic panels, which bring high levels of investment into the City and financial benefit to thousands of tenants, is cost neutral to the HRA because of the lower costs associated with it being installed alongside the re-roofing works. Because of this the subsidy payments for PV are expected to cover the cost of the installation and maintenance and management over the long term. If other investment were prioritised ahead of PV at this time there would be

no opportunity to bring PV investment forward in future, unlike the alternative options.

(NOTE:1.This item is referred for approval by the City Council and cannot, therefore, be called in for scrutiny; and

2. The report on the Housing Revenue Account will be circulated to all Council Members).