

SHEFFIELD CITY COUNCIL

COUNCIL MEETING – 28TH MARCH, 2018

List of Amendments received by the Chief Executive

ITEM OF BUSINESS NO. 5 – NOTICE OF MOTION REGARDING HOMES IN THE PRIVATE RENTED SECTOR

1. Amendment to be moved by Councillor Penny Baker, seconded by Councillor Steve Ayris

That the Motion now submitted be amended by the deletion of paragraphs (c) to (f) and the addition of a new paragraph (c) as follows:-

- (c) believes the adoption, nationally, of the following measures which are Liberal Democrat Party policy, can help people in Sheffield who privately rent:-
- (i) help people who cannot afford a deposit by introducing a new Rent to Own model where rent payments give tenants an increasing stake in the property, owning it outright after 30 years;
 - (ii) capping up-front deposits, and increasing minimum standards in rented homes;
 - (iii) help young people into the rental market by establishing a new Help to Rent scheme to provide government-backed tenancy deposit loans for all first-time renters under 30;
 - (iv) give buyers a fair chance by stopping developers advertising homes abroad before they have been advertised in the UK;
 - (v) give tenants first refusal to buy the home they are renting from a landlord who decides to sell during the tenancy at the market rate according to an independent valuation;
 - (vi) promote longer tenancies of three years or more with an inflation-capped annual rent increase built in, to give tenants security and limit rent hikes; and
 - (vii) end the scandal of rough sleeping by increasing support for homelessness prevention and adequately funding age-appropriate emergency accommodation and supported housing.

2. Amendment to be moved by Councillor Douglas Johnson, seconded by Councillor Alison Teal

That the Motion now submitted be amended by the addition of new paragraphs (g) to (k) as follows:-

- (g) notes the huge rise in private rented accommodation in the city centre;
- (h) notes that this Council's planning policy (CS41) on mixed communities is often not adhered to when determining planning applications and that this Council has still not refreshed its local plan;
- (i) believes this Council must re-assess the number and type of single-person apartment blocks in the city, in order to review an out-of-date student accommodation strategy;
- (j) commends the work of officers prosecuting crimes of illegal eviction and harassment and asks officers to look at further ways to support this work; and
- (k) notes the new duty in the Homelessness Reduction Act 2017 requiring the Council to provide earlier, more individualised advice to prevent people becoming homeless in the first place, and looks forward to action by the Council to achieve this minimum duty.

ITEM OF BUSINESS NO. 6 – NOTICE OF MOTION REGARDING DEMOCRACY UNDER ATTACK

3. Amendment to be moved by Councillor Andrew Sangar, seconded by Councillor Adam Hanrahan

That the Motion now submitted be amended by:-

- 1. the addition of new paragraphs (g) and (h) as follows:-
 - (g) notes that Liberal Democrat MP, Tom Brake, called the change “a completely unnecessary move that risks undermining our democracy by preventing millions of people from voting”;
 - (h) notes that the Lib Dems have consistently campaigned against ID cards, a scheme introduced by the previous Labour Government, and successfully abolished the scheme in 2010 and with that the deletion of the National Identity Register, the database which contained the biographic and biometric fingerprint data of card holders;
- 2. the deletion of original paragraphs (h), (i), (j) and (n), and the re-lettering of original paragraph (g) as a new paragraph (i) and original paragraphs (k) to (m) as new paragraphs (j) to (l); and

3. the addition of new paragraphs (m) and (n) as follows:-
- (m) welcomes Sheffield Young Labour's requests for the Council to review its strong leader model and "embrace a model which encourages debate and dialogue", for example the proposed committee system in the Liberal Democrat Group's budget proposal; and
 - (n) believes that voter participation would increase and that local democracy would be enhanced by adopting the following measures:-
 - (i) giving the vote to everyone sixteen years and older; and
 - (ii) introducing a proportional representational voting system to council elections, such as Single Transferable Vote (STV); a voting system already used in Scottish parliamentary elections.

4. Amendment to be moved by Councillor Douglas Johnson, seconded by Councillor Alison Teal

That the Motion now submitted be amended by the deletion of paragraph (n) and the addition of a new paragraph (n) as follows:-

- (n) believes, however, that having millions of voters living in safe seats is, in effect, the greatest disenfranchisement, and therefore calls for an end to the first-past-the-post voting system.

ITEM OF BUSINESS NO. 7 – NOTICE OF MOTION REGARDING TRUST, TRUTH AND TRANSPARENCY

5. Amendment to be moved by Councillor Chris Peace, seconded by Councillor Dawn Dale

That the Motion now submitted be amended by the deletion of all the words after the words "That this Council" and the addition of the following words:-

- (a) fully agrees that transparency and openness are important in accountability and believes it is important that the Council does everything to be as open and transparent as possible;
- (b) notes that Sheffield City Council welcomed the report from the Housing, Communities and Local Government Select Committee and the recognition of the important role scrutiny plays in local government - both in holding decision makers to account and in developing policy;
- (c) further notes that Sheffield Council submitted evidence to the aforementioned Committee during the Inquiry and is looking in detail at the findings and recommendations in the report and plans to bring a report to the Overview and Scrutiny Management Committee;

- (d) notes, in addition, that many of the recommendations in the Select Committee's report call on the Government to issue revised guidance to local authorities and that we have already identified and are working on some of these areas, such as how we can better engage and involve the public in Scrutiny's work alongside helping scrutiny members to develop their skills and knowledge through training;
- (e) acknowledges that the Select Committee report does refer to examples whereby information has needed to be withheld, often on the grounds of commercial sensitivity, however Sheffield councillors, including those sitting on Scrutiny Committees, have rights of access to information and the Council complies with these requirements;
- (f) highlights that the Council is unaware of any situation where commercial sensitivity has been used to inhibit formal Scrutiny, with Scrutiny Committee Members provided with confidential documentation that is not publicly available in order to ensure they have all of the information available to them to enable proper scrutiny of the matter before them;
- (g) notes that a scrutiny committee looking at a particular issue can ask to see relevant information and request clarification of a matter from officers, and that this may include appropriate access to an un-redacted version of a contract if it would help the Scrutiny Committee Councillors understand the position;
- (h) regrets the trend from the main opposition group to mislead local people and that this is continued in this notice of motion itself; with the main opposition group attempting to mislead on the following matters, which can be clarified as follows:-
 - (i) the Council is considering options to broadcast and record Council meetings as part of the cross party working group reviewing Full Council meetings, and the main opposition group are a member of this cross party working group;
 - (ii) decisions around access to contracts and commercial sensitivity is rightly not taken by councillors but by politically independent Council officers;
 - (iii) the agreement with Sichuan Guodong, which opposition councillors have asked questions about, was signed in July 2016, less than two years ago; and
 - (iv) senior officers have offered to allow the main opposition group the opportunity to access the Streets Ahead contact, which has not been taken up by the main opposition group;
- (i) supports the principle that as much information should be published and be as easily accessible for the public to access as possible,

however, recognises that all public bodies have to redact elements of contracts due to commercial sensitivity and this is because of legal obligations to do so, and where information is redacted this is based on the legal opinion of politically independent Council officers;

- (j) recalls that when the previous Administration, of which the current Leader of the Main Opposition Group was a member of the Cabinet, released the Sheffield Highway Maintenance PFI Project Descriptive Document in April 2009, there was a section of the document entitled 'Commercial Confidentiality' which included the following passage -

"The Authority is very conscious of Bidders' concerns in relation to commercial confidentiality and believes that the Competitive Dialogue process may potentially be undermined by the sharing of Bidders' Solutions. In order to address Bidders' concerns, a Bid Process Agreement has been developed which relates to the Bidders' use of confidential Authority information and the confidentiality of Bidders' Solutions during dialogue and evaluation, together with freedom of information protocols

Protocols have been developed to ensure that Bidder queries are responded to with commercial confidentiality in mind, with sharing of information with other Bidders only permitted if queries are not Bidder specific, have first been made anonymous and where the sharing of the information is not materially detrimental to the Bidder raising the initial query or to the competitive process." ; and

- (k) regrets that the main opposition group have failed to put forward positive proposals to improve transparency and this is in contrast to the establishment of the cross party full council working group to make improvements to full council meetings, and the Administration will continue to consider ways in which the Council can improve engagement with local people, including through consultation, scrutiny and other public forums.

6. Amendment to be moved by Councillor Adam Hanrahan, seconded by Councillor Penny Baker

That the Motion now submitted be amended by the addition of new paragraphs (k) to (q) as follows:-

- (k) welcomes the fact that a Sheffield branch of the People's Audit has been established;
- (l) notes that the People's Audit is based on the legal right of local residents to inspect, question and challenge items in their council's accounts, established in the Local Audit and Accountability Act 2014;
- (m) notes that the People's Audit has been proven to bring transparency, empowerment to local people, and improvement in other local

authorities;

- (n) believes that this will create an opportunity for the people of Sheffield to play an active role in decision-making at Sheffield City Council;
- (o) recommends that this Council meet with the People's Audit representatives to discuss how they can carry out an audit on the Streets Ahead contract;
- (p) resolves to empower and support the citizens of Sheffield to have full access as possible to transparently scrutinise spending of Council money and resources; and
- (q) thereby requests the Director of Legal and Governance to produce a clear guide for citizens outlining how they can access this information, with openness being at the forefront of thought when producing this guide.

7. Amendment to be moved by Councillor Rob Murphy, seconded by Councillor Magid Magid

That the Motion now submitted be amended by the addition of new paragraphs (k) to (r) as follows:-

- (k) believes that the process of decision making in the Council is not transparent, as demonstrated by the Chinese Investment Deal regarding the Central Library, the Highways PFI with Amey and the recent Call-In on the Mount Pleasant development;
- (l) believes that a lack of transparency has contributed to continued reputational damage to the City and the Council, which has already suffered from the Hillsborough Disaster cover up and a failure to bring Roger Dodds to justice at the time;
- (m) notes, despite promises, that recordings of meetings of the Full Council remain unpublished;
- (n) notes the rejection of Budget amendments from two of the opposition parties that provided for the recording and public viewing of public meetings of the Council;
- (o) notes a huge amount of Officer time and resources is spent on dealing with Freedom of Information requests;
- (p) believes all public Council meetings should be recorded and made publicly available via the Council website;
- (q) believes all Council contracts over £500 should be disclosed on the grounds of public interest; and

- (r) believes all meetings between planning officers and developers, and procurement officers and commercial interests, should be registered.

ITEM OF BUSINESS NO. 8 – NOTICE OF MOTION REGARDING REQUIREMENTS OF THE HIGHWAYS PFI CONTRACT

8. Amendment to be moved by Councillor Peter Price, seconded by Councillor Bryan Lodge

That the Motion now submitted be amended by the deletion of all the words after the words “That this Council” and the addition of the following words:-

- (a) notes that this Administration has repeatedly confirmed the intention to publically disclose of non-commercially sensitive parts of the Streets Ahead contract, despite the fact this involved considerable Council resources and, due to the length of the contract, took a considerable time to do so;
- (b) notes that within the recently released performance standards in the Streets-Ahead contract, there was reference to Sheffield City Council having the right to ask Amey to replace up to 17,500 street trees over the duration of the 25 year contract;
- (c) notes that, whilst this figure may initially appear alarming, this figure is in no way a fixed target that Amey must replace but, in fact, gives the Council the option to replace this number within the agreed contract price without any extra cost to the Council or taxpayers;
- (d) believes that this Administration has been clear on this point and that opposition parties have seized on this figure and misrepresented the facts and spread fear into certain Sheffield neighbourhoods that thousands more trees are going to be felled unnecessarily in order to fulfil a contract arrangement, and regrets, with anger, the opportunism by which these opposition groups have circulated this untruth;
- (e) notes that the Council will have sanctioned the replacement of around 6,000 trees during the first five years of the contract (known as the Core Investment Period) and this period has now ended, though difficulties have remained in removing the last 200 trees earmarked for felling;
- (f) notes that, beyond the initial Core Investment Period, it is very difficult to estimate the total number of trees that need replacing over the remaining twenty years of the contract as, for example, a disease outbreak amongst a specific species could vary the numbers significantly, however, this Administration has consistently stated that the best estimate of the number of trees to be replaced over the full life of the contract will be the 6000 as already replaced during the Core

Investment Period followed by an estimated 200 trees a year;

- (g) reaffirms, again, that the Council is not removing healthy trees because there is a set quota to be adhered to, and a tree is only marked for replacement if it is dead, dying, diseased, dangerous, damaging (footpaths, private property or roads) or discriminatory (meaning the tree creates difficulty for elderly, disabled and partially-sighted people when using the footpath);
- (h) notes that the Council's explanation has been vindicated by the High Court on both occasions and that the legality of the works, and the contract, is not under legal contention despite being consistently called into question erroneously by opposition members;
- (i) contends that before the Streets Ahead work commenced, street trees were being felled every year and often with no replacement, whereas now, because of the Streets Ahead contract, this Administration is guaranteeing a sustainable street tree stock for the city and, ultimately, there will be more street trees in Sheffield at the end of the contract than when it began;
- (j) notes that this Administration remains consistent in the estimate that 6,000 trees would be felled in the first five years, as has been the case, and that over the next 20 years the best estimate is that another 200 trees a year will need replacing, and that the Council has made no secret of this fact – issuing numerous press releases and statements stating this previously;
- (k) notes the many successes of the Streets Ahead programme, often overlooked, such as:-
 - (i) we have ensured that Sheffield is the only city in the country to replace every single street light with LED lighting (64,000 lamps), saving energy and a massive contribution to our environment;
 - (ii) we have re-laid over 1,450 miles of pavements, making it so much better for our elderly, disabled, partially sighted and pram pushers;
 - (iii) we have re-laid over 693 miles of road; and
 - (iv) we have replaced 3,200 gullies and drains and improved 300 bridges and structures; and
- (l) notes that outside of the Streets Ahead programme, Sheffield City Council has planted another 50,000 trees across the City, and we now have around 4 million trees within Sheffield, making us the greenest, most tree covered city in the UK.

9. Amendment to be moved by Councillor Colin Ross, seconded by Councillor Steve Ayris

That the Motion now submitted be amended by the addition of new paragraphs (a) to (e) as follows, and the re-lettering of original paragraphs (a) to (h) as new paragraphs (f) to (m):-

- (a) believes that trust, truth and transparency are the bedrock of good governance;
- (b) believes that a lack of openness erodes confidence and trust in local government and agrees with the Leader of Rotherham Council that “you can’t be accountable without being transparent”;
- (c) agrees with the Chair of the Housing, Communities and Local Government (Commons Select) Committee and former leader of Sheffield City Council, Clive Betts MP, that a council’s organisational culture is the most significant factor in whether scrutiny is effective, and that commercial confidentiality should not be used as an excuse to inhibit scrutiny;
- (d) notes that Sheffield was known as ‘pothole city’ and roads were in desperate need of repair and resurfacing and welcomed the central government grant to resolve this;
- (e) however, believes that the PFI contract with Amey has been mismanaged, leading to unacceptable delays in works and poor quality of repairs;

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