



# Council

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**Wednesday 6 December 2017**

**5.00 pm**

**Council Chamber, Town Hall,  
Pinstone Street, Sheffield, S1 2HH**

**The Press and Public are Welcome to Attend**

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## COUNCIL

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**Wednesday 6 December 2017, at 5.00 pm**  
**Council Chamber, Town Hall, Pinstone Street, Sheffield, S1 2HH**

**The Press and Public are Welcome to Attend**

### MEMBERS OF THE COUNCIL

THE LORD MAYOR (Councillor Anne Murphy)  
THE DEPUTY LORD MAYOR (Councillor Magid Magid)

1	<i>Beauchief &amp; Greenhill Ward</i> Andy Nash Bob Pullin Richard Shaw	10	<i>East Ecclesfield Ward</i> Pauline Andrews Andy Bainbridge Steve Wilson	19	<i>Nether Edge &amp; Sharrow Ward</i> Mohammad Maroof Jim Steinke Alison Teal
2	<i>Beighton Ward</i> Chris Rosling-Josephs Ian Saunders Sophie Wilson	11	<i>Ecclesall Ward</i> Roger Davison Shaffaq Mohammed Paul Scriven	20	<i>Park &amp; Arbourthorne Ward</i> Julie Dore Ben Miskell Jack Scott
3	<i>Birley Ward</i> Denise Fox Bryan Lodge Karen McGowan	12	<i>Firth Park Ward</i> Abdul Khayum Alan Law Abtisam Mohamed	21	<i>Richmond Ward</i> Mike Drabble Dianne Hurst Peter Rippon
4	<i>Broomhill &amp; Sharrow Vale Ward</i> Michelle Cook Kieran Harpham Magid Magid	13	<i>Fulwood Ward</i> Sue Alston Andrew Sangar Cliff Woodcraft	22	<i>Shiregreen &amp; Brightside Ward</i> Dawn Dale Peter Price Garry Weatherall
5	<i>Burngreave Ward</i> Jackie Drayton Talib Hussain Mark Jones	14	<i>Gleadless Valley Ward</i> Lewis Dagnall Cate McDonald Chris Peace	23	<i>Southey Ward</i> Mike Chaplin Tony Damms Jayne Dunn
6	<i>City Ward</i> Douglas Johnson Robert Murphy Moya O'Rourke	15	<i>Graves Park Ward</i> Ian Auckland Sue Auckland Steve Ayriss	24	<i>Stannington Ward</i> David Baker Penny Baker Vickie Priestley
7	<i>Crookes &amp; Crosspool Ward</i> Craig Gamble Pugh Adam Hanrahan Anne Murphy	16	<i>Hillsborough Ward</i> Bob Johnson George Lindars-Hammond Josie Paszek	25	<i>Stocksbridge &amp; Upper Don Ward</i> Jack Clarkson Richard Crowther Keith Davis
8	<i>Darnall Ward</i> Mazher Iqbal Mary Lea Zahira Naz	17	<i>Manor Castle Ward</i> Lisa Banes Terry Fox Pat Midgley	26	<i>Walkley Ward</i> Olivia Blake Ben Curran Neale Gibson
9	<i>Dore &amp; Topley Ward</i> Joe Otten Colin Ross Martin Smith	18	<i>Mosborough Ward</i> David Barker Tony Downing Gail Smith	27	<i>West Ecclesfield Ward</i> John Booker Adam Hurst Zoe Sykes
				28	<i>Woodhouse Ward</i> Mick Rooney Jackie Satur Paul Wood

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John Mothersole

Chief Executive

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Contact:

Paul Robinson, Democratic Services

Tel: 0114 2734029

[paul.robinson@sheffield.gov.uk](mailto:paul.robinson@sheffield.gov.uk)

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## **PUBLIC ACCESS TO THE MEETING**

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The Council is composed of 84 Councillors with one-third elected three years in four. Councillors are democratically accountable to the residents of their Ward. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them

All Councillors meet together as the Council. Here Councillors decide the Council's overall policies and set the budget each year. The Council appoints the Leader and at its Annual Meeting will appoint Councillors to serve on its Committees. It also appoints representatives to serve on joint bodies and external organisations.

A copy of the agenda and reports is available on the Council's website at [www.sheffield.gov.uk](http://www.sheffield.gov.uk). You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday. You may not be allowed to see some reports because they contain confidential information. These items are usually marked \* on the agenda.

Members of the public have the right to ask questions or submit petitions to Council meetings and recording is allowed under the direction of the Chair. Please see the website or contact Democratic Services for further information regarding public questions and petitions and details of the Council's protocol on audio/visual recording and photography at council meetings.

Council meetings are normally open to the public but sometimes the Council may have to discuss an item in private. If this happens, you will be asked to leave. Any private items are normally left until last. If you would like to attend the meeting please report to the First Point Reception desk where you will be directed to the meeting room.

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## **FACILITIES**

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There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

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**COUNCIL AGENDA  
6 DECEMBER 2017**

**Order of Business**

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**1. APOLOGIES FOR ABSENCE**

**2. DECLARATIONS OF INTEREST**

Members to declare any interests they have in the business to be considered at the meeting.

**3. SUSPENSION OF COUNCIL PROCEDURE RULES**

To approve, for the duration of this meeting, certain revisions to the Council Procedure Rules, as set out in the schedule included with this agenda, in order to apply, for this meeting, the changes to the operation of the full Council meeting that were used at the September, October and November meetings as part of a pilot exercise being overseen by the Review of Full Council Meetings Member Working Group.

**4. PUBLIC QUESTIONS AND PETITIONS AND OTHER COMMUNICATIONS**

To receive any questions or petitions from the public, or communications submitted by the Lord Mayor or the Chief Executive and to pass such resolutions thereon as the Council Procedure Rules permit and as may be deemed expedient.

**5. MEMBERS' QUESTIONS**

5.1 Questions relating to urgent business – Council Procedure Rule 16.6(ii).

5.2 Supplementary questions on written questions submitted at this meeting – Council Procedure Rule 16.4.

5.3 Questions on the discharge of the functions of the South Yorkshire Joint Authorities for Fire and Rescue and Pensions – Section 41 of the Local Government Act 1985 – Council Procedure Rule 16.6(i).

(NB. Minutes of recent meetings of the two South Yorkshire Joint Authorities have been made available to all Members of the Council via the following link -

<http://democracy.sheffield.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13165&path=0>)

**6. NOTICE OF MOTION REGARDING "ACCESS TO URGENT PRIMARY CARE" - GIVEN BY COUNCILLOR STEVE AYRIS AND TO BE SECONDED BY COUNCILLOR SHAFFAQ MOHAMMED**

That this Council:-

- (a) is committed to good access to our local NHS services for all our citizens;
- (b) notes the progress update report to the Healthier Communities and Adult Social Care Scrutiny and Policy Development Committee on 15th November 2017, "Reviewing Urgent Primary Care across Sheffield";
- (c) is concerned that the proposals involve the closure of the Walk-In Centre at Broad Street and the Minor Injuries Unit at the Royal Hallamshire Hospital;
- (d) also notes:-
  - (i) that the majority of consultation respondents in the report feel that the proposed changes will not make it simpler to know where to go if they need urgent care (treatment for minor injuries or illnesses within 24 hours); and
  - (ii) public concerns about the possible impact on emergency services (A&E/Ambulances) and lack of availability for those living in large parts of the City;
- (e) therefore calls on the Clinical Commissioning Group to abandon any plans to close the Walk-In Centre at Broad Street or the Minor Injuries Unit at the Royal Hallamshire Hospital and revise their plans accordingly; and
- (f) will mount a campaign to prevent closure of these facilities, and in order to achieve this, calls upon the Leader of the Council to set up a group of Party Leaders on the Council to co-ordinate the Council's opposition to the closure of the Walk-In Centre on Broad Lane and the Minor Injuries Unit at the Royal Hallamshire Hospital.

**7. NOTICE OF MOTION REGARDING "CRISIS IN CHILDREN'S SOCIAL CARE" - GIVEN BY COUNCILLOR ANDY BAINBRIDGE AND TO BE SECONDED BY COUNCILLOR JACKIE DRAYTON**

That this Council:-

- (a) notes that the past seven years of austerity has hit some of the most vulnerable in our society the hardest and that in the last year alone, 646,120 children in England sought support after suffering from neglect or emotional abuse;

- (b) further notes that since 2010 the number of child protection investigations nationally have increased by 108% to 185,450 cases a year - with little to suggest that this trend is likely to change without major intervention from central government;
- (c) believes that early intervention is crucial but with reducing funds and an increasing number of children requiring emergency support, many councils have been forced to cut back on preventative services;
- (d) notes the recent warnings by three leading children's charities (Children's Society, Action for Children and the National Children's Bureau) that early intervention services had been hit hardest by government cuts since 2010, and the formation of the Conservative-Liberal Democrat coalition, with targeted funding for early intervention having fallen by 55%;
- (e) further notes that by the end of the decade it is set to fall another 29% in real terms (or £808 million) with the most-deprived councils having to cut funding six times more than the least-deprived;
- (f) reaffirms this Administration's commitment to protecting vulnerable children and that, even in the face of continuing funding cuts, the Administration believes in the importance of early preventive action for children and young adults;
- (g) acknowledges earlier commitments made by this Administration, most recently at October's Full Council meeting, to provide additional support for early years and those affected by adverse childhood experiences (ACEs);
- (h) notes that rather than reduce children's services, this Administration has reconfigured centres to expand from 0-5 years to provide a range of children's services to family centres for 0-19 years (and to 25 for those with learning difficulties);
- (i) further notes that this Administration has also brought children centres closer to people with outreach services now running from a variety of services such as schools and GP surgeries - covering all of the city;
- (j) believes that the Liberal Democrats opportunistically opposed the newly configured children's services, and erroneously and repeatedly stated that children centres, such as Angram Bank, would be closing, when in reality no such closures were ever proposed or have subsequently taken place;
- (k) believes that this Administration will do everything it can to protect the city's children, but that without additional funding from central

government, it is becoming increasingly difficult;

- (l) notes the results of a recent survey by Action for Children which found that, of 500 Conservative Councillors surveyed, over 50% believed that central government funding cuts have made it harder for their council to support services for children and young people, and further notes that the Local Government Association (LGA) has warned that the number of children in care was at a “tipping point” with record high numbers continuing to rise;
- (m) notes, with shock and anger, that the Chancellor of the Exchequer’s recent budget provided no additional funds for children’s services and he made no mention of children services in his speech to the Commons;
- (n) further notes that the Government’s own economic predications denote that absolute child poverty is projected to increase by four percentage points, with about three-quarters of that increase - or 400,000 children - accounted for by planned tax and benefit reforms, with the freeze to most working-age benefits and the limiting of means-tested benefits to the first two children being of particular importance;
- (o) believes that the next few years are likely to be tough for living standards, with benefit cuts making things tougher still for poorer households - especially those with children - and regions and nations where poor households are more dependent upon benefits for their income are likely to bear the brunt of the increase in child poverty, which will have a damaging impact in Sheffield; and
- (p) supports the Labour Party’s position to oppose the two child benefit cap, oppose the continued roll out of Universal Credit, and backs its manifesto commitment to reverse the damaging cuts to children’s services since 2010.

**8. NOTICE OF MOTION REGARDING "NATIONAL BUDGET" - GIVEN BY COUNCILLOR OLIVIA BLAKE AND TO BE SECONDED BY COUNCILLOR ABTISAM MOHAMED**

That this Council:-

- (a) believes that this year’s Budget was further evidence that we have an out-of-touch Government with no idea of the reality of people’s lives and no plan to improve them;
- (b) notes that real wages are lower than they were in 2010 and the Budget confirmed a further hit to living standards with disposable income set to fall in 2017, but despite these dire predictions, the Chancellor of the Exchequer made no mention of Local Government funding;

- (c) further notes that national economic growth is the lowest it has been since the Conservatives came to office and the recent Budget confirms that failure, with growth revised down in every year of the forecast, and the National Living Wage revised down to £8.56 per hour;
- (d) further notes that productivity has been revised down every year, while business investment has been revised down next year and each following year, and that rather than pause the rollout of Universal Credit, the Chancellor offered help which is only a fraction of the £3 billion a year cuts made to the scheme;
- (e) supports the Labour Party's alternative budget which would scrap the public sector pay cap, pause and fix the Universal Credit roll-out, and introduce a real living wage of at least £10 an hour by 2020; Labour would bring forward investment in infrastructure across every region and nation to create high-wage, high-productivity jobs, and start a large-scale housebuilding programme, backed up with controls on rents;
- (f) believes that the small-scale tinkering with councils' borrowing for housing falls far short of what is needed – as recent changes will provide only an average of £293m a year over three years; further believes this national picture is not good enough and notes that in Sheffield we are ready to build more homes for the city, if only the Government would lift the borrowing cap;
- (g) believes that all Government ministers since 2010 should be ashamed by the number of people homeless or sleeping rough in this country, with the number of people sleeping on UK streets having more than doubled since 2010, a remarkable failing of recent Governments given that, under Labour, rough sleeping fell by three-quarters;
- (h) notes that the budget also did nothing for the country's 4.5 million private renting households; whereas a Labour Government would control rents, make three-year tenancies the new norm, and introduce new minimum standards;
- (i) believes that the Chancellor has not done nearly enough to end the current misery caused by the rollout of Universal Credit as the Government are still offering a desperate choice to those moving on to Universal Credit - wait 5 weeks to receive support or take a Government loan, going further into debt to make ends meet;
- (j) believes that the social security system should seek to prevent people from getting into debt, not encourage it, and support is given to the Labour Party's calls for the Chancellor to ensure that two week payments are rolled out across the country;



- (k) further contends that the budget did very little for self-employed people, second earners, lone parents or disabled people, all of whom have seen their living standards suffer particularly acutely under Universal Credit, and that the Chancellor failed to mitigate the £3 billion a year cuts slashed from the programme by his predecessor, and he also failed to address the impact of the social security freeze in Universal Credit, due to push millions into poverty;
- (l) reaffirms previous calls on the Government to pause and fix Universal Credit, with support given to the Labour Party's calls to:-
  - (i) reduce the six-week wait for payment, so that it lines up with the way people are paid, with all applicants to receive fortnightly payments if they so choose;
  - (ii) ensure everyone has the opportunity to have their rent paid directly to the landlord, to stop the spate of pre-emptive eviction notices that we are now seeing from private landlords;
  - (iii) allow households to have split payments instead of just one going predominantly to the male, so setting back women's financial autonomy;
  - (iv) change the monthly assessment for self-employed workers to a yearly one, to account for volatile working patterns; and
  - (v) restore the work allowances slashed from Universal Credit in 2015; and that the Chancellor should also end the freeze in social security payments, and ensure all children are supported through Universal Credit, not just the first two;
- (m) reaffirms the decision by this Administration's Cabinet that no tenant of Sheffield City Council will be evicted as a result of delayed payments from Universal Credit;
- (n) notes that the Budget provides almost nothing extra for schools, moreover, we have already seen the steepest cuts to school funding in a generation (£2.7 billion since 2015 according to the National Audit Office) and a cap on public sector pay that has seen the average teacher lose £5000 since 2010, leading to teachers leaving the classroom in record numbers – with nearly 1-in-4 who joined since 2011 having left;
- (o) believes that the Government has completely mishandled business rates and that, although the shift from Retail Price Index (RPI) to Consumer Price Index (CPI) is to be welcomed, consideration should have been given to exempt new investment in plant and machinery from valuations, give business access to a proper

appeals process and introduce statutory annual revaluations; and

- (p) believes that whilst the change in business rates will provide a much needed lift to our small businesses, it is feared that once again it will be local authorities who will have to bear the brunt of the costs for this; noting that, in Sheffield, the earlier changes to the Business Rates multiplier will lower Sheffield City Council's income by approximately £1.5m – and although the Government have hinted that councils will be compensated for the changes, there is currently no guarantee of this, and further notes that this Administration is committed to ensuring that as much pressure as possible is put on the Government to ensure that any losses are fully mitigated.

**9. NOTICE OF MOTION REGARDING "PUBLIC ACCOUNTABILITY OF MEMBERS AND OFFICERS" - GIVEN BY COUNCILLOR ROBERT MURPHY AND TO BE SECONDED BY COUNCILLOR DOUGLAS JOHNSON**

That this Council:-

- (a) notes the recent application to the High Court by Sheffield City Council to commit Cllr Alison Teal for contempt;
- (b) notes that the case was dismissed by the Court against Cllr Teal after the Judge agreed with Cllr Teal's view of the facts and law;
- (c) is seriously concerned that a member of the opposition on this City Council was selected from a significantly larger group of protestors for the case;
- (d) believes that the nationwide bad publicity has brought severe reputational damage to the City Council and the City of Sheffield;
- (e) is seriously concerned that despite the Judge's findings, there has been no public apology, statement or investigation by the Administration;
- (f) calls for an independent enquiry into the conduct of members of the Administration and Council officers that led to this case being brought, the enquiry team being agreed by all groups represented on Sheffield City Council, and the findings made public; and
- (g) will ensure that the enquiry team will have access to all information requested.

**10. NOTICE OF MOTION REGARDING "PLAY STREETS" - GIVEN BY COUNCILLOR ALISON TEAL AND TO BE SECONDED BY THE DEPUTY LORD MAYOR (COUNCILLOR MAGID MAGID)**

That this Council:-

- (a) notes the importance of active play for the health and wellbeing of young people, and the success of organisations like Bristol-based CiC Playing Out in promoting the temporary use of residential roads for 'playing out sessions' to encourage active play;
- (b) further notes that Playing Out has found that the level of dangerous nitrogen oxide air pollution on the roadside can be significantly decreased during a play street session, providing an additional health benefit;
- (c) welcomes the fact that a small number of playing out sessions have already been held in Sheffield, including in May 2017 on Wake Road, but believes that Sheffield City Council can do more to support and promote this positive initiative;
- (d) believes that playing out sessions will be most successful if they are resident-led, but that Sheffield City Council has an important role to play in supporting residents to plan and run these sessions on their own streets; and
- (e) therefore calls upon the Administration to instruct officers to:-
  - (i) develop a policy framework to enable a pilot to take place in Sheffield in the summer of 2018, including designing a quick and simple application process for residents wishing to facilitate playing out sessions on their street, and removing barriers to them doing so;
  - (ii) make contact with relevant officers where similar schemes are currently operating successfully, such as Leeds, Hackney, and Bristol, to learn about the key steps to successfully implementing the policy, and to research the concept on the Playing Out website; and
  - (iii) present proposals to Cabinet within two months for approval, with a view to advertising the new scheme in time for communities to come forward to be part of the pilot during the school summer holidays 2018.

## **11. MINUTES OF PREVIOUS COUNCIL MEETINGS**

To receive the records of the proceedings of the extraordinary meeting and ordinary meeting of the Council held on 1st November 2017 and to approve the accuracy thereof.

## **12. REPRESENTATION, DELEGATED AUTHORITY AND RELATED ISSUES**

To consider any changes to the memberships and arrangements for meetings of Committees etc., delegated authority, and the appointment of

representatives to serve on other bodies.

**13. CHANGES TO THE CONSTITUTION**

Report of the Chief Executive outlining proposed changes to the Council's Constitution.

Chief Executive

Dated this 28 day of November 2017

**The next ordinary meeting of the Council will be held on 3 January 2018 at the Town Hall**

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest (DPI)** relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period\* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

\*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
  - under which goods or services are to be provided or works are to be executed; and
  - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
  - the landlord is your council or authority; and
  - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
  - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
  - (b) either -
    - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
    - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Audit and Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email [gillian.duckworth@sheffield.gov.uk](mailto:gillian.duckworth@sheffield.gov.uk).

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## SHEFFIELD CITY COUNCIL

### COUNCIL MEETING – 6<sup>TH</sup> DECEMBER 2017

#### ITEM 3 - SUSPENSION OF COUNCIL PROCEDURE RULES

To approve, for the duration of this meeting, the revisions to the Council Procedure Rules (CPR), as set out below, in order to apply, for this meeting, the changes to the operation of the full Council meeting that were used at the September, October and November Council meetings as part of a pilot exercise being overseen by the Review of Full Council Meetings Member Working Group.

Revised Rules Are Set Out Below (Amendments/additions are shown in bold text; deletions are shown by strikethrough of text)

#### CPR 5 – Meetings of the Council -

5.4 - Ordinary meetings of the Council shall be held in the Town Hall at ~~2.00 p.m.~~ **5.00 p.m.** on the first Wednesday in months to be determined at the Annual Council Meeting or, in particular circumstances, at such other dates and venues as may be determined by the Lord Mayor or the City Council.

5.5 - Ordinary meetings will terminate at no later than ~~6.30 p.m.~~ **8.00 p.m.** Any unfinished business will normally be voted on without debate at the end of that time. Any meeting starting other than at ~~2.00 p.m.~~ **5.00 p.m.** shall finish no later than ~~four hours and 30 minutes~~ **three hours** after the start. Special and Extraordinary meetings of the Council shall also be subject to this rule.

CPR 9.1 – Order of Council Business - The business of the Council shall be **ordered in the Council Summons so as to include items of public engagement and public interest before other business items, and the business shall be** taken in the order in which it appears in the Council Summons. However, the Council may, by a resolution passed on a motion duly moved and seconded, direct the order of precedence to be changed, in circumstances where the subject of a motion proves to generate public interest reflected by a significantly increased attendance by members of the public at a Council meeting and it is therefore deemed appropriate to take the motion in question as an earlier item of business. The motion to change the

order of business shall be dealt with in accordance with the process set out in Council Procedure Rule 11(b).

CPR 10.2 - Motions set out in agenda

(a) (new rule) **For each Motion delivered to the Chief Executive, the written notice must include a subject title and the names of the Members who propose to move and second the Motion at the meeting. The subject title and names will be included in the Council Summons.**

(b) (formerly Rule “a”) - Unless the Member giving notice states, in writing, that he/she proposes to move it to a later meeting or withdraw it, motions for which notice has been given will be listed on the Council Summons in an order based on a pre-determined formula according to the relative size of the various Party Groups on the Council, with Motions being considered in an order of priority identified by the various recognised Groups. The formula shall be agreed at the start of each municipal year, to take account of any changes in size of the Groups etc. **The number of Motions submitted through the recognised groups for each ordinary meeting of the Council will be limited to no more than four.** Provision shall also be made for the inclusion of any individual Motions that are not submitted through the recognised groups.

**CPR 17 (Rules of Debate at Council Meetings) -**

17.5 – Content and Length of Speeches – Speeches must be directed to the question under discussion or to a personal explanation or point of order. Subject to the provisions of Council Procedure Rules, 11, 17.6, 17.12 and 17.13, speeches on motions or amendments shall be subject to a time limit of 3 minutes ~~each speaker~~ **for the proposer of a motion and 2 minutes for the seconder of the motion, the mover and seconder of amendments, all other speakers on the debate, and for the right of reply for the mover of the motion.**

17.6 – Time Limit for Debate - All Motions for which notice has been given in the Council Summons **shall be subject to a maximum time limit of 25 minutes debate in total per Motion, including any amendments relating thereto. Upon expiry of the time limit, any and all outstanding business relating to that Motion including any amendments relating thereto, will be voted upon without further debate.** All reports or presentations to be considered at ordinary meetings of the Council, shall not be subject to a maximum time limit.

17.7 – (new Rule) Procedure for Debate –

Debates on motions for which notice has been given in the Council Summons, shall be conducted as follows:-

- (a) The motion shall be moved and seconded;
- (b) Any amendments to the motion shall be moved and seconded in turn;
- (c) The subject matter under consideration shall be debated as a whole;
- (d) The mover of the original motion shall have a right of reply at the end of the debate;
- (e) Votes shall be taken on each amendment and the substantive or original motion.

17.8 (formerly Rule “17.7”) – When a Member may speak again –

A Member who has spoken on a motion ~~an item of business~~ may not speak again whilst it is the subject of debate, except:-

- ~~(a) to speak once on an amendment moved by another member;~~
- ~~(b) to move a further amendment if the motion has been amended since he/she last spoke;~~
- ~~(c) if his/her first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried;~~
- (ad) in exercise of a right of reply;
- (be) on a point of order; and
- (cf) by way of personal explanation

17.9 (formerly Rule “17.8”) – Amendments to Motions -

- ~~(a) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.~~
- (ab) If an amendment is not carried, ~~other~~ **any further amendments that have been moved will apply** to the original motion ~~may be moved~~. **If no further amendments have been moved, the original motion is put to the vote.**

- (b) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments ~~are moved~~ **will apply**. If there are no further amendments, the substantive motion is put to the vote.

**17.13** (formerly Rule “17.12a”) – Motions which may be moved during debate - When ~~a motion or amendment~~ **an item of business** is under debate, no other motion may be moved except the following procedural motions .....

**17.14** (formerly Rule “17.13” – paragraphs b & c) – Closure Motions –

- (b) If a motion to proceed to next business is moved, seconded and spoken upon and, if not less than five persons have spoken on the ~~motion~~ **item of business** under debate, and at least one member of each of the political parties recognised by the Council as constituting an identifiable and separate Party Group, having previously indicated to him/her a wish to contribute to the debate, has been given the opportunity so to do, the Lord Mayor will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- (c) If a motion that the question be now put is moved, seconded and spoken upon and, if not less than five persons have spoken on the ~~motion~~ **item of business** under debate, and at least one member of each of the political parties recognised by the Council as constituting an identifiable and separate Party Group, having previously indicated to him/her a wish to contribute to the debate, has been given the opportunity so to do, the Lord Mayor will put the procedural motion to the vote. If it is passed ~~in circumstances where debate is on the motion or final amendment to a motion~~, he/she will give the mover of the original motion a right of reply ~~before putting his/her motion~~ **and shall then put any outstanding amendments and the substantive or original motion** to the vote.

# Agenda Item 11

Minutes of the Extraordinary Meeting of the Council of the City of Sheffield held in the Council Chamber, Town Hall, Pinstone Street, Sheffield, S1 2HH, on Wednesday 1 November 2017, at 4.30 pm, pursuant to notice duly given and Summonses duly served.

## PRESENT

THE LORD MAYOR (Councillor Anne Murphy)  
THE DEPUTY LORD MAYOR (Councillor Magid Magid)

1	<i>Beauchief &amp; Greenhill Ward</i> Andy Nash Bob Pullin Richard Shaw	10	<i>East Ecclesfield Ward</i> Pauline Andrews Andy Bainbridge Steve Wilson	19	<i>Nether Edge &amp; Sharrow Ward</i> Mohammad Maroof Jim Steinke Alison Teal
2	<i>Beighton Ward</i> Chris Rosling-Josephs Ian Saunders Sophie Wilson	11	<i>Ecclesall Ward</i> Roger Davison Shaffaq Mohammed Paul Scriven	20	<i>Park &amp; Arbourthorne</i> Julie Dore
3	<i>Birley Ward</i> Denise Fox Bryan Lodge Karen McGowan	12	<i>Firth Park Ward</i> Abdul Khayum Abtisam Mohamed	21	<i>Richmond Ward</i> Mike Drabble Dianne Hurst Peter Rippon
4	<i>Broomhill &amp; Sharrow Vale Ward</i> Michelle Cook Kieran Harpham Magid Magid	13	<i>Fulwood Ward</i> Sue Alston Andrew Sangar	22	<i>Shiregreen &amp; Brightside Ward</i> Dawn Dale Garry Weatherall
5	<i>Burngreave Ward</i> Jackie Drayton Talib Hussain Mark Jones	14	<i>Gleadless Valley Ward</i> Lewis Dagnall Cate McDonald	23	<i>Southey Ward</i> Mike Chaplin Tony Damms Jayne Dunn
6	<i>City Ward</i> Douglas Johnson Robert Murphy Moya O'Rourke	15	<i>Graves Park Ward</i> Ian Auckland Sue Auckland Steve Ayriss	24	<i>Stannington Ward</i> David Baker Penny Baker Vickie Priestley
7	<i>Crookes &amp; Crosspool Ward</i> Adam Hanrahan Anne Murphy	16	<i>Hillsborough Ward</i> Bob Johnson George Lindars-Hammond Josie Paszek	25	<i>Stocksbridge &amp; Upper Don Ward</i> Jack Clarkson Richard Crowther
8	<i>Darnall Ward</i> Mazher Iqbal Mary Lea Zahira Naz	17	<i>Manor Castle Ward</i> Lisa Banes Terry Fox Pat Midgley	26	<i>Walkley Ward</i> Olivia Blake Ben Curran Neale Gibson
9	<i>Dore &amp; Totley Ward</i> Joe Otten Colin Ross Martin Smith	18	<i>Mosborough Ward</i> David Barker Tony Downing	27	<i>West Ecclesfield Ward</i> John Booker Zoe Sykes
				28	<i>Woodhouse Ward</i> Jackie Satur Paul Wood



**1. APOLOGIES FOR ABSENCE**

- 1.1 Apologies for absence were received from Councillors Keith Davis, Craig Gamble Pugh, Adam Hurst, Alan Law, Ben Miskell, Chris Peace, Peter Price, Mick Rooney, Jack Scott, Gail Smith and Cliff Woodcraft.

**2. DECLARATIONS OF INTEREST**

- 2.1 There were no declarations of interest by Members of the Council.

**3. NOTICE OF MOTION REGARDING "THE REMOVAL OF THE FREEDOM OF THE CITY AWARDED TO AUNG SAN SUU KYI" - GIVEN BY COUNCILLOR JULIE DORE, AND TO BE SECONDED BY COUNCILLOR SHAFFAQ MOHAMMED**

- 3.1 **RESOLVED UNANIMOUSLY:** On the Motion of Councillor Julie Dore, seconded by Councillor Shaffaq Mohammed, that this Council:-

- (a) notes that the Freedom of the City is the highest honour that the City of Sheffield can bestow, and is symbolic of the esteem that the city holds that person, or persons, in, and has been given out just 11 times to foreign dignitaries;
- (b) notes that at a special meeting of the Council held on 05 October 2005, it was agreed to confer the Honorary Freedom of the City of Sheffield on "Daw Aung San Suu Kyi, Leader of the National League for Democracy in Burma, in recognition of her personal courage and relentless pursuit of democratic justice in that Country and her commitment to secure democracy and human rights by non-violent means.";
- (c) believes that at that time Aung San Suu Kyi was an outstanding choice to be awarded the Freedom of the City for her tireless work for democracy and human rights and that, in the words of Sheffield's then Lord Mayor, she was an "international symbol of peace";
- (d) notes that by awarding Aung San Suu Kyi, Sheffield was rewarding someone whose ideals match our own and who was believed to be an outstanding advocate of peace and democracy; the award also sought to raise awareness of the situation in Myanmar and to celebrate Burmese culture;
- (e) notes that Aung San Suu Kyi's National League for Democracy Party won a landslide victory in Myanmar elections in 2015 – taking 86% of the seats in the Assembly of the Union; and with this it was hoped that the historic persecution of Myanmar's Rohingya Muslims would be ended;
- (f) expresses profound sadness at the plight of Rohingya Muslims in

Myanmar and notes that Aung San Suu Kyi was criticised for her silence on the 2012 Rakhine State riots and during the 2015 Rohingya refugee crisis;

- (g) notes that since August 2017, over 500,000 members of Myanmar's Rohingya minority have fled across the border to Bangladesh since militant Rohingya attacks led to a violent and brutal crackdown by the country's military in what the UN have deemed a 'textbook example of ethnic cleansing';
- (h) believes that whilst the military's actions will have been carried out without any direct command from Aung San Suu Kyi, she has failed to condemn the military's actions and has shown wilful ignorance as to this crisis;
- (i) further believes that Aung San Suu Kyi has a duty to the Rohingya and, as a renowned champion of democracy and human rights, she must do all she can to end the violence now against the Rohingya in Myanmar and allow the UN and international aid agencies into Rakhine state; and
- (j) believes that the Rohingya have suffered for too long and it is regrettable that Aung San Suu Kyi has failed to respond to widespread international pleas to address the situation or even condemn the actions of the military, meaning that it is no longer appropriate for Aung San Suu Kyi to hold Freedom of the City and, as a result, the Freedom of the City of Sheffield be removed from Aung San Suu Kyi.



Minutes of the Meeting of the Council of the City of Sheffield held in the Council Chamber, Town Hall, Pinstone Street, Sheffield, S1 2HH, on Wednesday 1 November 2017, at 5.00 pm, pursuant to notice duly given and Summonses duly served.

**PRESENT**

THE LORD MAYOR (Councillor Anne Murphy)  
THE DEPUTY LORD MAYOR (Councillor Magid Magid)

1	<i>Beauchief &amp; Greenhill Ward</i> Andy Nash Bob Pullin Richard Shaw	10	<i>East Ecclesfield Ward</i> Pauline Andrews Andy Bainbridge Steve Wilson	19	<i>Nether Edge &amp; Sharrow Ward</i> Mohammad Maroof Jim Steinke Alison Teal
2	<i>Beighton Ward</i> Chris Rosling-Josephs Ian Saunders Sophie Wilson	11	<i>Ecclesall Ward</i> Roger Davison Shaffaq Mohammed Paul Scriven	20	<i>Park &amp; Arbourthorne</i> Julie Dore
3	<i>Birley Ward</i> Denise Fox Bryan Lodge Karen McGowan	12	<i>Firth Park Ward</i> Abdul Khayum Abtisam Mohamed	21	<i>Richmond Ward</i> Mike Drabble Dianne Hurst Peter Rippon
4	<i>Broomhill &amp; Sharrow Vale Ward</i> Michelle Cook Kieran Harpham Magid Magid	13	<i>Fulwood Ward</i> Sue Alston Andrew Sangar	22	<i>Shiregreen &amp; Brightside Ward</i> Dawn Dale Garry Weatherall
5	<i>Burngreave Ward</i> Jackie Drayton Talib Hussain Mark Jones	14	<i>Gleadless Valley Ward</i> Lewis Dagnall Cate McDonald	23	<i>Southey Ward</i> Mike Chaplin Tony Damms Jayne Dunn
6	<i>City Ward</i> Douglas Johnson Robert Murphy Moya O'Rourke	15	<i>Graves Park Ward</i> Ian Auckland Sue Auckland Steve Ayriss	24	<i>Stannington Ward</i> David Baker Penny Baker Vickie Priestley
7	<i>Crookes &amp; Crosspool Ward</i> Craig Gamble Pugh Adam Hanrahan Anne Murphy	16	<i>Hillsborough Ward</i> Bob Johnson George Lindars-Hammond Josie Paszek	25	<i>Stocksbridge &amp; Upper Don Ward</i> Jack Clarkson Richard Crowther
8	<i>Darnall Ward</i> Mazher Iqbal Mary Lea Zahira Naz	17	<i>Manor Castle Ward</i> Lisa Banes Terry Fox Pat Midgley	26	<i>Walkley Ward</i> Olivia Blake Ben Curran Neale Gibson
9	<i>Dore &amp; Totley Ward</i> Joe Otten Colin Ross Martin Smith	18	<i>Mosborough Ward</i> David Barker Tony Downing	27	<i>West Ecclesfield Ward</i> John Booker Zoe Sykes
				28	<i>Woodhouse Ward</i> Jackie Satur Paul Wood



**1. APOLOGIES FOR ABSENCE**

- 1.1 Apologies for absence were received from Councillors Keith Davis, Adam Hurst, Alan Law, Ben Miskell, Chris Peace, Peter Price, Mick Rooney, Jack Scott, Gail Smith and Cliff Woodcraft.

**2. DECLARATIONS OF INTEREST**

- 2.1 Personal interests in Agenda Item 4 - Notice of Motion regarding Charges to Access Services in Hospitals (See Minute 5 below), were declared by (a) Councillors Sue Alston and David Barker, due to them being employed by an NHS Trust, (b) Councillors Ben Curran, Andrew Sangar and Richard Shaw, due to their spouse being employed by an NHS Trust and (c) Councillor Talib Hussain, due to his son being employed by an NHS Trust.
- 2.2 Councillors Olivia Blake, Michelle Cook and Josie Paszek each declared a personal interest in Agenda Item 4 - Notice of Motion regarding Charges to Access Services in Hospitals (See Minute 5 below) as (a) a Non-Executive Director of Sheffield Health and Social Care Trust, (b) a Governor of Sheffield Teaching Hospitals NHS Foundation Trust and (c) a Council-appointed Governor of the Sheffield Health and Social Care Foundation Trust, respectively.
- 2.3 Councillor Mohammad Maroof declared a personal interest in Agenda Item 5 - Notice of Motion regarding Universal Credit (See Minute 6 below) due to him and his spouse being in receipt of tax credits.
- 2.4 Councillors Mike Chaplin and Abdul Khayum each declared a personal interest in Agenda Item 6 - Notice of Motion regarding Housing Policy (See Minute 7 below) as Council-appointed Members of the Southey/Owlerton Area Regeneration Board.

**3. PUBLIC QUESTIONS AND PETITIONS AND OTHER COMMUNICATIONS**

3.1 Petitions

- 3.1.1 No petitions were received.

3.2 Public Questions

3.2.1 Public Question Concerning Use of a Building for People of African Descent

Yvonne Wray asked whether a central building could be found for people of African Descent which would provide a resource to help people to identify with their culture and background and help children and generations to come.

Councillor Ben Curran, the Cabinet Member for Planning and Development, responded that he could relate to the importance for people to make connections with their culture and identity. He said he would be pleased to meet with the questioner to talk about the issue, including the requirements for a building and potential solutions.

### 3.2.2 Public Question Concerning Legal Proceedings

Russell Johnson asked whether the Council was content, at a time of austerity, that large sums of money had been spent to attempt to unsuccessfully criminalise a Councillor.

Councillor Julie Dore, the Leader of the Council, responded that there would be a cost to the Council if it did not adhere to the Streets Ahead contract and such cost would potentially be phenomenal and it would be unaffordable not to adhere to the contract.

### 3.2.3 Public Question Concerning the Streets Ahead Contract

Russell Johnson asked if the Leader of the Council could share her assessment of the reputational damage to Sheffield by what he called the mismanagement of the Amey PFI (Private Finance Initiative) Highways contract.

Councillor Julie Dore, the Leader of the Council, responded that it was disappointing when Sheffield appeared in the press and this affected the City in a negative way.

### 3.2.4 Public Question Concerning Standards in Public Life

Justin Buxton asked if Cabinet Members believed that a statement which had been made by a member of the Council to a resident on social media stating "it's just as well I'm contemptuous of idiots like you then" was acceptable.

Councillor Ben Curran, the Cabinet Member for Planning and Development, made reference to the quote which Mr Buxton had given and which he had also raised with both himself and Councillor Olivia Blake, the Cabinet Member for Finance and Deputy Leader of the Council, so they were aware of the context. He said that it was not his role to police the standards of others in a formal way. However, there was a formal process relating to standards of conduct. Complaints relating to Members' conduct could be made through the appropriate Council procedure. He said that, if Mr Buxton was concerned about the conduct of the individual concerned or any other Member, he would suggest the matter was taken through the standards complaints procedure.

Councillor Olivia Blake then confirmed that she had nothing to add to Councillor Curran's response.

### 3.2.5 Public Questions Concerning the Streets Ahead Programme

Justin Buxton asked several questions concerning Streets Ahead, as follows:

Whether the Cabinet Member was certain that the record keeping by Amey regarding work was of a thorough standard as that stipulated by the Streets Ahead contract and could provide a record which could be the subject of an audit.

Was Richard Wood, the private investigator and associates contracted to the Council, Amey Hallam Highways or Amey LG as, when questioned, they stated they are working for the Council.

Would the Cabinet Member confirm whether Amey and Acorn Environmental had received legally enforceable contravention notices of health and safety law?

Was the Council aware as to whether individuals working as subcontractors of Amey had been instructed to take photographs and videos of people outside barriers and who had instructed them to do so; why was the data collected and where and by whom was the data stored?

Councillor Bryan Lodge, the Cabinet Member for Environment and Streetscene, responded that with regard to the questions put by Mr Buxton, he would not be able to provide a detailed answer to the questions at this meeting. However, he would send a written response to Mr Buxton if he provided his contact details.

### 3.2.6 Public Questions Concerning the Outcome of Legal Proceedings

Rebecca Hammond asked the following questions concerning the outcome of an injunction hearing which had taken place on 27 October and a written verdict issued by Mr Justice Males.

Do they (the Cabinet Members) agree that the Judge's interpretation of the injunction takes precedence over any others?

Do they agree that Mr Justice Males concluded that Councillor Alison Teal had interpreted the injunction correctly i.e. in the same way as he did?

Do they agree that consequently, Councillor Alison Teal was found not to be in contempt of court because she had not breached the injunction and this was not merely a technicality?

Nigel Slack referred to a question which he had asked at the meeting of Cabinet on 20 September 2017 concerning the injunction relating to Streets Ahead work and the response that he had been given. He asked whether, in light of a press release by the Council, indicating that the Council and Amey

would continue to ensure that people who breach the injunction were brought to court and the judgement against one of the defendants in the recent injunction case for a similar breach, could the Council confirm whether any investigation had begun and whether the individual concerned would be brought to court?

Secondly, Mr Slack referred to previous questions which he had submitted on 4 and 18 October 2017 to Council and Cabinet respectively and concerning the email of a Director to two members of the Sheffield Tree Action Groups regarding the injunction. He asked on what statement by the Judge or other legal precedence does the Director base his decision and does the 'legal department' agree with his position?

In response to the questions of Rebecca Hammond, Councillor Bryan Lodge, Cabinet Member for Environment and Streetscene, said that he accepted the words of Mr Justice Males and he then read a part of Justice Males' written judgement relating to the court hearing on 27 October 2017 concerning the definition of a safety zone, as follows:

*"I would accept that, as a matter of ordinary language and before considering the definition in the order, the council's approach is correct. An area consisting of plastic barriers forming three sides and a wall forming the fourth side could properly be described as a safety zone. The area from which it is sought to exclude protesters or other members of the public is clearly identified."*

*"However, the order adopts a particular definition of "safety zone" and it is this which must be applied in the present case."*

Mr Justice Males had ruled that a boundary wall or hedge was not sufficient to enclose a safety zone. This was accepted and understood by the Council and Amey had been instructed to ensure a fourth side was placed around safety zones. It was a technicality in as much as it related to the way the safety zone was assembled, which meant that the safety zone was not complete in that case. Mr Justice Males accepted that as a matter of ordinary language and before considering the definition in the Order, the Council's approach was correct.

Councillor Lodge said he was pleased that Councillor Teal was able to defend her position in court and he recognised the validity of the court and the process and had faith in the court. He also said that he hoped that people would accept all the rulings of the court as they accept this ruling and that they will not proceed within the safety zone barriers and allow the work relating to the highways to continue.

In responding to the questions put by Mr Slack, Councillor Lodge said that evidence of a breach was reviewed by the Council's lawyers and the recent court proceedings showed that assertive action would be taken by the Council to uphold the law. In relation to Mr Slack's second question, Councillor Lodge said that he had provided answers to the questions,

although these might not be the answers which Mr Slack necessarily wanted to hear or would accept. Any decisions with regard to court proceedings were made following a review of the available evidence by lawyers to reach a view as to whether it met the correct standards for court. The Director had rightly and assertively challenged unlawful action and those who encouraged it.

### 3.2.7 Public Question Concerning the Installation of Sprinklers

Martin Hollingworth said that the Council was attempting to retro-fit blocks of flats with sprinklers. He said that he would like to know whether an entire tower block's sprinklers would activate every time a resident burned toast. He also asked about electrical fires, which should not be fought with water.

Councillor Jayne Dunn, the Cabinet Member for Neighbourhoods and Community Safety, responded to the questions and said that a sprinkler would only be activated at a very high temperature. Only the sprinkler immediately above an affected area would be activated. For example, if the affected area was a kitchen, the sprinklers in other rooms would not be activated. With regard to electrical fires, there was a breaker which would activate. Councillor Dunn said that there would be thorough consultation on any measures relating to sprinklers which the Council proposed to put in place, both with residents and the Fire and Rescue Service.

## **4. MEMBERS' QUESTIONS**

4.1 RESOLVED: On the motion of Councillor Peter Rippon and seconded by Councillor David Baker, that, in accordance with Council Procedure Rule 9.1, the order of business as published on the Council Summons be altered by taking item 8 on the agenda (Members' Questions) as the next item of business.

### 4.2 Urgent Business

4.2.1 There were no questions relating to urgent business under the provisions of Council Procedure Rule 16.6(ii).

(Note: The Lord Mayor (Councillor Anne Murphy), in response to a request from Councillor Douglas Johnson for permission to ask two questions, reported that she would not give permission for Councillor Johnson to ask the questions which he had submitted earlier this day regarding a recent court case, for the reason that the questions did not relate to urgent business that needed to be responded to at this meeting, but that, instead, Councillor Johnson may wish to seek written responses from the Leader of the Council, or to submit them to the next meeting.)

4.3 Questions

4.3.1 A schedule of questions to Cabinet Members, submitted in accordance with Council Procedure Rule 16, and which contained written answers, was circulated and supplementary questions, under the provisions of Council Procedure Rule 16.4, were asked and were answered by the appropriate Cabinet Members.

4.4 South Yorkshire Joint Authorities

4.4.1 The Lord Mayor (Councillor Anne Murphy) reported that Councillor Douglas Johnson had given advance notice of two questions relating to the South Yorkshire Pensions Authority, and this has enabled Councillor Ian Saunders, the Council's Spokesperson on the Pensions Authority, to provide a detailed response. She stated that written copies of the questions and response had been circulated in the Chamber.

4.4.2 There were no further questions relating to the discharge of the functions of the South Yorkshire Joint Authorities for Fire and Rescue or Pensions, under the provisions of Council Procedure Rule 16.6(i).

(Note: The Lord Mayor (Councillor Anne Murphy), in response to a request from Councillor Robert Murphy that an emergency motion be discussed, reported that the motion which Councillor Murphy had submitted earlier in the day did not meet the criteria in Council Procedure Rule 11(a)(ii) in that the subject matter of the motion [a recent court case] was known before the deadline for submission of motions.)

**5. NOTICE OF MOTION REGARDING "CHARGES TO ACCESS SERVICES IN HOSPITALS" - GIVEN BY COUNCILLOR PAULINE ANDREWS AND TO BE SECONDED BY COUNCILLOR JACK CLARKSON**

5.1 It was moved by Councillor Pauline Andrews, and seconded by Councillor John Booker, that this Council:-

- (a) expresses concern at what this Council believes to be the excessive charges being put on vulnerable patients and their families in our city's hospitals by private companies, such as Hospedia (a United States owned company), such as (i) charges for bedside television of £5 per day for the average package and £10 per day for the full package, (ii) the cost of incoming calls to patients from friends and relatives of 50p per minute, (iii) cashpoint fee of £2 and (iv) average car parking charges of £2.50 per two hour period;



- (b) believes it's unethical for private companies to make huge profits by preying on the patients and their families, especially at the end of life, and notes that, last year, Hospedia had a turnover of £22m in UK sales;
- (c) believes that whilst Sheffield Teaching Hospitals NHS Foundation Trust made no money from television packages, it does receive income from hospital car parking charges; and also believes that there is no evidence of money being reinvested; and, further, understands that NHS staff are also being hit with huge car parking fines, and believes that a parking space at work shouldn't be classed as a luxury, especially for staff working nights;
- (d) notes that the NHS health care service is supposedly free at the point of use, however, believes that the extra charges to access the service are far from healthy, causing additional stress to patients and their families;
- (e) believes it is not acceptable that some patients are being charged £10.00 per day to view a television, whilst inmates at HMP Lindholme Prison, Doncaster, pay just £1.00 for an entire week's worth of viewing; and
- (f) requests that the Cabinet Member for Health and Social Care writes to the Secretary of State for Health to demand an end to these excessive charges, which this Council believes are outrageous.

5.1.1 (NOTE: With the agreement of the Council and at the request of the mover of the Motion (Councillor Pauline Andrews), the Motion as published on the agenda was altered by the substitution, in paragraph (a), of the words "£2.50 per two hour period" for the words "£2.50 per hour".)

5.2 Whereupon, it was moved by Councillor Cate McDonald, and seconded by Councillor Talib Hussain, as an amendment, 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) supports the Labour Party position that the NHS funding gap 'should not be filled by charging sick patients, anxious relatives and already hard-pressed NHS staff';
- (b) believes that the NHS health care service should be free at the point of use, however, extra charges to access the service undermine this crucial principle;

- (c) notes that for the 2015-16 financial year, NHS trusts in England netted £120,662,650 in car park charges, up from £114,873,867 the year before;
- (d) further notes that the Labour Party stood on a policy platform to abolish hospital parking charges, after years of campaigning by patients' groups, and, unlike other parties who had earlier called for this, such as UKIP, Labour's policy was fully costed; through increased charges on private healthcare insurance to meet the £162m cost of free parking at all NHS hospitals across England;
- (e) notes that this is current Labour Party policy and, as such, the Government will be challenged by Labour MPs on this at every relevant opportunity;
- (f) further notes that at the last General Election only the Labour Party committed to over £30 billion in extra funding over the next Parliament through increasing income tax for the highest 5 per cent of earners and by increasing tax on private medical insurance, and promised to free up resources by halving the fees paid to management consultants;
- (g) notes that the Labour Party's manifesto promised to boost capital funding for the NHS, to ensure that patients are cared for in buildings and using equipment that are fit for the 21st century, and proposed introducing a new Office for Budget Responsibility for Health to oversee health spending and scrutinise how it is spent;
- (h) further notes that the Labour Party is committed to reversing privatisation of our NHS; repealing the Health and Social Care Act which it believes puts profits before patients; and
- (i) supports the Labour Party's calls to introduce a new legal duty on the Secretary of State for Health and on NHS England to ensure that excess private profits are not made out of the NHS at the expense of patient care.

5.3 It was then moved by Councillor Steve Ayriss, and seconded by Councillor Andy Nash, as an amendment, that the Motion now submitted be amended by:-

1. the deletion of paragraph (c) and the re-lettering of paragraphs (d) to (f) as new paragraphs (f) to (h); and
  2. the addition of new paragraphs (c) to (e) as follows:-
- (c) supports the view expressed by Tim Farron MP earlier this year that the private provider of TV and telephone services is

treating the sick as ‘cash cows’ by charging “rip off” prices;

- (d) notes that Ofcom has launched a call cost review, which includes investigating the rising cost of telephoning hospital patients, and looks forward to the outcome of that review, due later this year;
- (e) believes that a system should be introduced to enable patients with particular clinical needs e.g. where regular visits to hospital are required, to park without charge and to enable visitors to patients in the last stages of life to be given similar dispensation; however, understands that free parking would lead to a significant increase in demand and would require ongoing management to prevent inappropriate use;

5.4 It was then moved by Councillor Douglas Johnson, and seconded by Councillor Robert Murphy, as an amendment, that the Motion now submitted be amended by the deletion of paragraph (c) and the addition of a new paragraph (c) as follows:-

- (c) believes there should be no place for private profit in NHS hospital services;

5.5 Following a right of reply from Councillor Pauline Andrews, the amendment moved by Councillor Cate McDonald was put to the vote and carried.

5.6 The amendment moved by Councillor Steve Ayris was then put to the vote and was negated.

5.7 The amendment moved by Councillor Douglas Johnson was then put to the vote and was negated.

5.8 The original Motion, as amended, was then put as a Substantive Motion in the following form and carried:-

RESOLVED: That this Council:-

- (a) supports the Labour Party position that the NHS funding gap ‘should not be filled by charging sick patients, anxious relatives and already hard-pressed NHS staff’;
- (b) believes that the NHS health care service should be free at the point of use, however, extra charges to access the service undermine this crucial principle;
- (c) notes that for the 2015-16 financial year, NHS trusts in England netted £120,662,650 in car park charges, up from £114,873,867 the year before;

- (d) further notes that the Labour Party stood on a policy platform to abolish hospital parking charges, after years of campaigning by patients' groups, and, unlike other parties who had earlier called for this, such as UKIP, Labour's policy was fully costed; through increased charges on private healthcare insurance to meet the £162m cost of free parking at all NHS hospitals across England;
- (e) notes that this is current Labour Party policy and, as such, the Government will be challenged by Labour MPs on this at every relevant opportunity;
- (f) further notes that at the last General Election only the Labour Party committed to over £30 billion in extra funding over the next Parliament through increasing income tax for the highest 5 per cent of earners and by increasing tax on private medical insurance, and promised to free up resources by halving the fees paid to management consultants;
- (g) notes that the Labour Party's manifesto promised to boost capital funding for the NHS, to ensure that patients are cared for in buildings and using equipment that are fit for the 21st century, and proposed introducing a new Office for Budget Responsibility for Health to oversee health spending and scrutinise how it is spent;
- (h) further notes that the Labour Party is committed to reversing privatisation of our NHS; repealing the Health and Social Care Act which it believes puts profits before patients; and
- (i) supports the Labour Party's calls to introduce a new legal duty on the Secretary of State for Health and on NHS England to ensure that excess private profits are not made out of the NHS at the expense of patient care.

5.8.1 (NOTE: The Deputy Lord Mayor (Councillor Magid Magid) and Councillors Douglas Johnson, Robert Murphy and Alison Teal voted for paragraphs (a) to (c) of the Substantive Motion, and abstained from voting on paragraphs (d) to (i) of the Motion, and asked for this to be recorded.)

**6. NOTICE OF MOTION REGARDING "UNIVERSAL CREDIT" - GIVEN BY COUNCILLOR MOHAMMAD MAROOF AND TO BE SECONDED BY COUNCILLOR JIM STEINKE**

6.1 It was moved by Councillor Mohammad Maroof, and seconded by Councillor Jim Steinke, that this Council:-

- (a) believes the Government must pause and fix Universal Credit - design issues, together with the Government cuts and poor implementation, have undermined the aims of the policy which, initially, had such widespread and cross-party support;
- (b) believes it is unacceptable that at present the Department for Work and Pensions (DWP) are failing to pay one in four new claims within their six week period and that the impact this is having on claimants cannot be understated, as it is driving debt, arrears and even evictions;
- (c) notes that nationally half of families in arrears under Universal Credit have said that their rent arrears started after they made their claim; with 42% of families in arrears stating that this is due to the long waiting times to receive payment, support being delayed or stopped, or administrative errors in the system;
- (d) notes the widespread concern expressed by landlords throughout the country, including this Council, that paying claimants rather than landlords direct under Universal Credit is causing hardship to many claimants;
- (e) further notes that changes to benefit payments was piloted for council homes in Sheffield, and in the piloted areas there was a 43% increase in arrears, and this was for people who were not in arrears beforehand, and that, should similar results be found when Universal Credit is rolled out completely, the Council will be faced with a huge shortfall, and this in turn will have a significant effect on the Housing Revenue Account (HRA), and the Council's ability to build and repair council homes, and notes that the Authority has already had to make millions of pounds of provision in the HRA for loss of income;
- (f) notes that this Administration made clear its reservations about the proposed changes in payments to the Government, but that the Government has failed to take heed of our warnings, and the Administration is now working closely with people who will be affected by the roll out and will do everything it can to support tenants and make them aware of the changes;
- (g) notes the high costs of calling the Department for Work and Pensions (DWP) and their agencies over issues concerning Universal Credit, with some callers having to pay as much as 55p a minute when seeking support, believes this is outrageous, and notes that Jobcentres are telling people to use the 0345 number helpline;
- (h) notes that this situation is thankfully being resolved, with the Government now committing to making calls to the Universal Credit helpline free from November; and that this change in

government policy was widely hailed as a victory for the Labour Leader, the Rt. Hon. Jeremy Corbyn MP, after he successfully challenged the Rt. Hon. Theresa May MP on the issue at last week's Prime Minister's Questions;

- (i) backs those calling on the Government to put on hold the national roll-out of Universal Credit, and notes the symbolic vote in Parliament recently where MPs backed a pause, after Conservative MPs were told to abstain, which the opposition won by 299 votes to 0; and, whilst noting that the outcome is not binding, believes the Government must "act on the clearly expressed will of Parliament", as stated by the Speaker of the House of Commons, and halt its roll out;
- (j) contends that the implementation of Universal Credit is causing havoc and notes that the Secretary of State for Work and Pensions, the Rt. Hon. David Gauke MP, is asking claimants to visit their local job centre, whilst at the very same time his Department is shutting nearly 70 job centres;
- (k) notes that Eastern Avenue Jobcentre is due to close imminently, despite the fact the service is currently receiving a spike in activity due to the failed implementation of Universal Credit, and that the DWP is yet to publish a cost benefit analysis for this decision, despite the fact they claim the decision is based solely on the need to make savings;
- (l) notes that, in answer to questions raised in Parliament by Louise Haigh MP, the Government admitted that they do not know whether the closure of Eastern Avenue Job Centre will save any money;
- (m) reaffirms that Eastern Avenue Job Centre should be retained and backs the statement from Council Leader, Councillor Julie Dore, in June 2017 that the closure will have "a dreadful impact on how vital employment support is provided locally" and that "the initial decision has been made without a proper impact assessment and without a clear picture of how claimants will be affected, including extremely vulnerable claimants who may have disabilities or mental health problems";
- (n) notes that Jobcentres are often not able to provide the support that is required for claimants and the Citizen's Advice Bureau (CAB) are unlikely to be able to cope with an increased demand;
- (o) believes that the CAB play an essential role in providing support and advice to a great many people but that resources are becoming increasingly stretched; and that government cuts to local authorities, coupled with cuts to the welfare state since

2010, have created a “perfect storm” whereby advice agencies are unable to cope with demand;

- (p) believes that benefit claimants are coming under increasing pressure and that, even before the roll out of Universal Credit, the benefit freeze combined with the predicted rise in inflation could set some low-income households back £300 next year, as warned by the Joseph Rowntree Foundation (JRF);
- (q) further notes that the Resolution Foundation says loss of income due to benefit freezes would be £225 for a single parent in work, and backs the calls from the Director of the JRF that the Chancellor, the Rt. Hon. Philip Hammond MP, should use his upcoming Budget to "ease the squeeze on low and middle income families not make it worse" but that “Government policy is currently set to do the opposite, freezing the value of crucial support that 11 million families receive”; and
- (r) notes that with inflation approaching 3%, families are on course for the biggest real-terms cut in the value of their benefits for decades and calls on the Government to end what this Council believes to be their callous and ideologically driven programme of austerity which is causing such damage to so many.

6.2 Whereupon, it was moved by Councillor Sue Auckland, and seconded by Councillor Joe Otten, as an amendment, 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) calls for the Government to pause the planned accelerated roll-out of Universal Credit until problems with implementation can be addressed through the following measures:-
  - (i) removing the seven waiting days at the start of a claim, to reduce the amount of time people have to wait for their first payment;
  - (ii) monitoring the impact of payment one month in arrears, and changing it if this results in rising debt and destitution;
  - (iii) making sure everyone moving to Universal Credit is told they can get an Advance Payment to help them while they wait for their first payment;
  - (iv) introducing an online system so people can book their initial Jobcentre appointments online rather than having to call the Universal Credit helpline;
  - (v) allowing people to adjust to Universal Credit by offering everyone options in how they would like the benefit to be

paid; and

- (vi) putting in place a comprehensive support package before Universal Credit roll-out accelerates, to make sure people get advice to manage their money and deal with any complications in the application process;

(b) notes that:-

- (i) over a third (39%) of people are waiting more than the 6 weeks it should take to receive their first payment;
- (ii) in some pilot areas, the average waiting time is as high as 12 weeks;
- (iii) just over 1 in 10 (11%) are waiting over 10 weeks without the benefit; and
- (iv) 3 in 5 (57%) are having to borrow money while waiting for their first payment; and

(c) reiterates its support for more substantial reform of Universal Credit, including:-

- (i) reversing the Government's cuts to the amount claimants can earn (the "work allowance") before their benefits are reduced;
- (ii) introducing a second work allowance, allowing both members of a couple to work without losing their benefits;
- (iii) restoring the first child premium for new claimants;
- (iv) abandoning the restriction of benefits to just two children; and
- (v) ending the freeze on working-age benefits.

6.3 It was then moved by the Deputy Lord Mayor (Councillor Magid Magid), and seconded by Councillor Douglas Johnson, as an amendment, that the Motion now submitted be amended by the addition of a new paragraph (s) as follows:-

- (s) believes it is not enough just to 'note' national policy issues, and therefore asks the Administration to draw up an action plan to protect Sheffield's citizens from the full roll-out of Universal Credit as well as it can.

6.4 It was then moved by Councillor Zahira Naz, and seconded by Councillor Lisa Banes, as an amendment, that the Motion now



submitted be amended by the addition of new paragraphs (s) to (u) as follows:-

- (s) notes that on Monday 30 October, The Daily Telegraph stated that Conservative Ministers are reportedly preparing for a major U-turn on the rollout of Universal Credit in the Budget by reducing the controversial six-week wait to four weeks for the first payment to claimants;
- (t) believes that if such a move does indeed take place, it will be due to the weeks of sustained pressure on the Government by the Labour Party and charities, who warned the Government that the implementation of Universal Credit, due to be accelerated this month, is pushing recipients into poverty, arrears and a reliance on food banks; and
- (u) believes, however, that a four week wait is still far too long for many and that the current proposals for Universal Credit should be ceased immediately until further consideration is given to changes, with national measures implemented to mitigate any problem which may arise with the full rollout of Universal Credit.

6.5 After contributions from other Members, and following a right of reply from Councillor Mohammad Maroof, the amendment moved by Councillor Sue Auckland was put to the vote and negated.

6.6 The amendment moved by the Deputy Lord Mayor (Councillor Magid Magid) was then put to the vote and was also negated.

6.7 The amendment moved by Councillor Zahira Naz was then put to the vote and was carried.

6.7.1 (NOTE: The Deputy Lord Mayor (Councillor Magid Magid) and Councillors Douglas Johnson, Robert Murphy and Alison Teal voted for paragraph (u) of the amendment, and abstained from voting on paragraphs (s) and (t) of the amendment, and asked for this to be recorded.)

6.8 The original Motion, as amended, was then put as a Substantive Motion in the following form and carried:-

RESOLVED: That this Council:-

- (a) believes the Government must pause and fix Universal Credit - design issues, together with the Government cuts and poor implementation, have undermined the aims of the policy which, initially, had such widespread and cross-party support;
- (b) believes it is unacceptable that at present the Department for Work and Pensions (DWP) are failing to pay one in four new

claims within their six week period and that the impact this is having on claimants cannot be understated, as it is driving debt, arrears and even evictions;

- (c) notes that nationally half of families in arrears under Universal Credit have said that their rent arrears started after they made their claim; with 42% of families in arrears stating that this is due to the long waiting times to receive payment, support being delayed or stopped, or administrative errors in the system;
- (d) notes the widespread concern expressed by landlords throughout the country, including this Council, that paying claimants rather than landlords direct under Universal Credit is causing hardship to many claimants;
- (e) further notes that changes to benefit payments was piloted for council homes in Sheffield, and in the piloted areas there was a 43% increase in arrears, and this was for people who were not in arrears beforehand, and that, should similar results be found when Universal Credit is rolled out completely, the Council will be faced with a huge shortfall, and this in turn will have a significant effect on the Housing Revenue Account (HRA), and the Council's ability to build and repair council homes, and notes that the Authority has already had to make millions of pounds of provision in the HRA for loss of income;
- (f) notes that this Administration made clear its reservations about the proposed changes in payments to the Government, but that the Government has failed to take heed of our warnings, and the Administration is now working closely with people who will be affected by the roll out and will do everything it can to support tenants and make them aware of the changes;
- (g) notes the high costs of calling the Department for Work and Pensions (DWP) and their agencies over issues concerning Universal Credit, with some callers having to pay as much as 55p a minute when seeking support, believes this is outrageous, and notes that Jobcentres are telling people to use the 0345 number helpline;
- (h) notes that this situation is thankfully being resolved, with the Government now committing to making calls to the Universal Credit helpline free from November; and that this change in government policy was widely hailed as a victory for the Labour Leader, the Rt. Hon. Jeremy Corbyn MP, after he successfully challenged the Rt. Hon. Theresa May MP on the issue at last week's Prime Minister's Questions;
- (i) backs those calling on the Government to put on hold the national roll-out of Universal Credit, and notes the symbolic

vote in Parliament recently where MPs backed a pause, after Conservative MPs were told to abstain, which the opposition won by 299 votes to 0; and, whilst noting that the outcome is not binding, believes the Government must “act on the clearly expressed will of Parliament”, as stated by the Speaker of the House of Commons, and halt its roll out;

- (j) contends that the implementation of Universal Credit is causing havoc and notes that the Secretary of State for Work and Pensions, the Rt. Hon. David Gauke MP, is asking claimants to visit their local job centre, whilst at the very same time his Department is shutting nearly 70 job centres;
- (k) notes that Eastern Avenue Jobcentre is due to close imminently, despite the fact the service is currently receiving a spike in activity due to the failed implementation of Universal Credit, and that the DWP is yet to publish a cost benefit analysis for this decision, despite the fact they claim the decision is based solely on the need to make savings;
- (l) notes that, in answer to questions raised in Parliament by Louise Haigh MP, the Government admitted that they do not know whether the closure of Eastern Avenue Job Centre will save any money;
- (m) reaffirms that Eastern Avenue Job Centre should be retained and backs the statement from Council Leader, Councillor Julie Dore, in June 2017 that the closure will have “a dreadful impact on how vital employment support is provided locally” and that “the initial decision has been made without a proper impact assessment and without a clear picture of how claimants will be affected, including extremely vulnerable claimants who may have disabilities or mental health problems”;
- (n) notes that Jobcentres are often not able to provide the support that is required for claimants and the Citizen’s Advice Bureau (CAB) are unlikely to be able to cope with an increased demand;
- (o) believes that the CAB play an essential role in providing support and advice to a great many people but that resources are becoming increasingly stretched; and that government cuts to local authorities, coupled with cuts to the welfare state since 2010, have created a “perfect storm” whereby advice agencies are unable to cope with demand;
- (p) believes that benefit claimants are coming under increasing pressure and that, even before the roll out of Universal Credit, the benefit freeze combined with the predicted rise in inflation could set some low-income households back £300 next year,

as warned by the Joseph Rowntree Foundation (JRF);

- (q) further notes that the Resolution Foundation says loss of income due to benefit freezes would be £225 for a single parent in work, and backs the calls from the Director of the JRF that the Chancellor, the Rt. Hon. Philip Hammond MP, should use his upcoming Budget to "ease the squeeze on low and middle income families not make it worse" but that "Government policy is currently set to do the opposite, freezing the value of crucial support that 11 million families receive";
- (r) notes that with inflation approaching 3%, families are on course for the biggest real-terms cut in the value of their benefits for decades and calls on the Government to end what this Council believes to be their callous and ideologically driven programme of austerity which is causing such damage to so many;
- (s) notes that on Monday 30 October, The Daily Telegraph stated that Conservative Ministers are reportedly preparing for a major U-turn on the rollout of Universal Credit in the Budget by reducing the controversial six-week wait to four weeks for the first payment to claimants;
- (t) believes that if such a move does indeed take place, it will be due to the weeks of sustained pressure on the Government by the Labour Party and charities, who warned the Government that the implementation of Universal Credit, due to be accelerated this month, is pushing recipients into poverty, arrears and a reliance on food banks; and
- (u) believes, however, that a four week wait is still far too long for many and that the current proposals for Universal Credit should be ceased immediately until further consideration is given to changes, with national measures implemented to mitigate any problem which may arise with the full rollout of Universal Credit.

6.8.1 (NOTE: 1. Councillors Andy Nash, Bob Pullin, Richard Shaw, Adam Hanrahan, Joe Otten, Colin Ross, Martin Smith, Roger Davison, Shaffaq Mohammed, Paul Scriven, Sue Alston, Andrew Sangar, Ian Auckland, Sue Auckland, Steve Ayris, David Baker, Penny Baker and Vickie Priestley voted for paragraphs (a) to (s) and (u) of the Substantive Motion, and voted against paragraph (t) of the Motion, and asked for this to be recorded; and

2. The Deputy Lord Mayor (Councillor Magid Magid) and Councillors Douglas Johnson, Robert Murphy and Alison Teal voted for paragraphs (a) to (r) and (u) of the Substantive Motion, and abstained from voting on paragraphs (s) and (t) of the Motion, and asked for this to be recorded.)

**7. NOTICE OF MOTION REGARDING "HOUSING POLICY" - GIVEN BY COUNCILLOR TONY DOWNING AND TO BE SECONDED BY COUNCILLOR KIERAN HARPHAM**

7.1 It was moved by Councillor Tony Downing, and seconded by Councillor Kieran Harpham, that this Council:-

- (a) notes that between 1997 and 2010, the Labour Government built two million homes, helped a million more families become home-owners, provided greater security for private renters and put in the biggest investment in social housing for a generation;
- (b) regrets that since 2010, however, home-ownership numbers have fallen, with 200,000 fewer home-owning households nationally since 2010, and many young people are now unable to make their way onto the property ladder as housing prices rise far quicker than wages;
- (c) further notes that the level of home-ownership in the UK has fallen since 2009-10 from 67.4% to 62.9% in 2015-16, the lowest rate for 30 years and, just as starkly, notes that the number of under-45s owning a home has fallen by 900,000 since 2009-10, noting the generational divide that opened as a result of Conservative-Liberal Democrat policies in Government;
- (d) highlights that nationally the number of people in the private rented sector has increased by a staggering 1.2 million households since 2010, with one in four families with children (1.6 million households) now renting privately;
- (e) believes that more and more people are renting instead of buying due to simple supply and demand economics due to seven years of failed government policies which did not do enough to provide sufficient numbers of affordable homes, noting that last year the Government built the fewest affordable homes for 24 years and Conservative-Liberal Democrat Ministers' cut government funding for affordable homes by 60% in 2010, and that, in total, the number of genuinely affordable homes for social rent started last year was fewer than 1,000, compared to 40,000 started in Labour's last year in Government;
- (f) judges that Conservative Ministers have failed to deliver one-for-one replacements for homes sold through the Right-to-buy scheme - instead only one is being built for every five sold and this is having a damaging impact on the Council's housing stock;

- (g) notes that the Government is still threatening to force councils to sell off the best of their homes to pay for the extension of the right to buy to housing associations, with independent estimates suggesting as many as 23,500 homes could be forced to be sold nationally;
- (h) contends that the Government is also badly letting down those who live in our council homes as, despite initial rhetoric to the counter, the Government have failed to provide additional funding for all of the fire safety up-grades the Council is making;
- (i) notes that in the wake of the Grenfell Fire disaster, this Administration acted quickly and decisively in response to concerns raised and the Council will be fitting sprinklers in all 24 of its tower blocks, moving forward what was already planned by this Administration;
- (j) notes that the Authority has already spent millions on fire safety in our council homes and improvement works have been carried out over the last five years and that it had always been intended to review the policy on sprinklers later this year, but this Administration made a commitment to bring forward plans to provide extra reassurance to residents;
- (k) notes that whilst independent tests have shown that cladding in 23 council tower blocks in Sheffield are completely safe – being made from solid aluminium or brick - the remaining one, Hanover tower, is already having its cladding removed after one element of the system failed the Government’s new fire safety test;
- (l) notes that Sheffield City Council has a rolling five-year programme of health and safety works to all council flats and maisonettes and, since 2010, this has focused on fire precaution works such as fire doors, filling cavities with a fire barrier product and hard-wired smoke alarms;
- (m) notes that this Administration acts decisively to ensure fire safety in Sheffield homes, but that because the Authority has proactively made arrangements, it is effectively being punished by the Government who are refusing to provide any additional funds for fire safety projects – despite the outcry as a result of the Grenfell disaster;
- (n) agrees with the words of Clive Betts, Labour MP for Sheffield South East, that the Government ought to share responsibility for ensuring that councils are able to implement the desired fire safety works, such as sprinklers as being undertaken by this Council, without it impacting on other services;

- (o) notes that under this Administration, a thousand new council homes will be created – the Administration is building council homes in the city for the first time in a generation, as well as acquiring them through acquisition, with all homes built to the National Lifetime Homes standard with potential to be adapted in the future for specific needs, the new homes have solar panels and heat recovery systems to keep running costs down, and some have been designed specifically for wheelchair users; and at the same time, this Administration is investing £300m to improve kitchens and bathrooms and help residents save money by improving insulation, heating and roofs;
- (p) notes that statistics released in April 2017 show that Labour Councils have on average built 50% more homes than Conservative Councils since 2010, and a report by Local Housing Innovations shows that Labour Councils are not just building more homes but building better homes too;
- (q) notes that Labour’s Shadow Housing Minister, the Rt. Hon. John Healey MP, has committed that a future Labour Government will take bold action to tackle the housing crisis, including investing to build 100,000 affordable council and housing association homes a year, to rent and buy, a new charter of renters’ rights, and a new national plan to end rough sleeping, starting by doubling the number of affordable homes reserved for those with a history of sleeping rough; and
- (r) believes that national policies over the last seven years, since the formation of the Coalition Government, have failed millions for their housing needs and that Labour is now the only credible political party who can resolve this crisis.

7.2 Whereupon, it was moved by Councillor Paul Scriven, and seconded by Councillor Penny Baker, as an amendment, 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 the housing crisis in the UK is long standing and started in 1976 when the numbers of houses built started to decline and has never recovered since then to build numbers at pre-1976 levels;
- (b) is concerned that the number of affordable and social housing has declined since the 1960s over successive governments of all colours and that this trend needs to be reversed if the UK is to tackle its housing crisis;
- (c) is adamant we should never return to the sub prime mortgage market rampant in the 2000s, pre the 2008 crash, that fuelled

unsustainable mortgages and unaffordable home ownership;

- (d) believes that local authorities have the determination and ability to make a massive contribution to solving the housing crisis, if given the powers to do so;
- (e) therefore supports a campaign to unlock the potential of local government to help solve the housing crisis by supporting the following:-
  - (i) the right for councils to borrow against their Housing Revenue Account to build local social housing for rent and therefore for the caps to be significantly lifted and in some cases scrapped;
  - (ii) for each local council to determine its own right to buy policy, including the right not to have a right to buy system; and
  - (iii) the ability for councils to implement a local land tax for those who are land banking, so to help to release land to build homes on; and
- (f) requests that a copy of this motion be sent to the Secretary of State for Communities and Local Government.

7.3 After contributions from other Members and following Councillor Tony Downing declining his right of reply, the amendment was put to the vote and negatived.

7.3.1 The votes on the amendment were ordered to be recorded and were as follows:-

- |                            |   |   |
|----------------------------|---|---|
| For the amendment (24)     | - | The Deputy Lord Mayor (Councillor Magid Magid) and Councillors Andy Nash, Richard Shaw, Douglas Johnson, Robert Murphy, Adam Hanrahan, Joe Otten, Colin Ross, Martin Smith, Pauline Andrews, Roger Davison, Shaffaq Mohammed, Paul Scriven, Sue Alston, Andrew Sangar, Ian Auckland, Sue Auckland, Steve Ayris, Alison Teal, David Baker, Penny Baker, Vickie Priestley, Jack Clarkson and John Booker. |
| Against the amendment (44) | - | The Lord Mayor (Councillor Anne Murphy) and Councillors Chris Rosling-Josephs, Ian Saunders, Sophie Wilson, Denise Fox, Bryan Lodge, Karen McGowan, Michelle Cook, Kieran Harpham, Jackie Drayton, Talib Hussain, Mark Jones, Moya O'Rourke,  |



Craig Gamble Pugh, Mazher Iqbal, Mary Lea, Zahira Naz, Andy Bainbridge, Steve Wilson, Abdul Khayum, Abtisam Mohamed, Lewis Dagnall, Cate McDonald, Bob Johnson, George Lindars-Hammond, Josie Paszek, Lisa Banes, David Barker, Tony Downing, Mohammad Maroof, Jim Steinke, Mike Drabble, Dianne Hurst, Peter Rippon, Garry Weatherall, Mike Chaplin, Tony Damms, Richard Crowther, Olivia Blake, Ben Curran, Neale Gibson, Zoe Sykes, Jackie Satur and Paul Wood.

Abstained on the amendment (0) - Nil

7.4 The original Motion was then put to the vote and carried as follows:-

RESOLVED: That this Council:-

- (a) notes that between 1997 and 2010, the Labour Government built two million homes, helped a million more families become home-owners, provided greater security for private renters and put in the biggest investment in social housing for a generation;
- (b) regrets that since 2010, however, home-ownership numbers have fallen, with 200,000 fewer home-owning households nationally since 2010, and many young people are now unable to make their way onto the property ladder as housing prices rise far quicker than wages;
- (c) further notes that the level of home-ownership in the UK has fallen since 2009-10 from 67.4% to 62.9% in 2015-16, the lowest rate for 30 years and, just as starkly, notes that the number of under-45s owning a home has fallen by 900,000 since 2009-10, noting the generational divide that opened as a result of Conservative-Liberal Democrat policies in Government;
- (d) highlights that nationally the number of people in the private rented sector has increased by a staggering 1.2 million households since 2010, with one in four families with children (1.6 million households) now renting privately;
- (e) believes that more and more people are renting instead of buying due to simple supply and demand economics due to seven years of failed government policies which did not do enough to provide sufficient numbers of affordable homes, noting that last year the Government built the fewest affordable homes for 24 years and Conservative-Liberal Democrat

Ministers' cut government funding for affordable homes by 60% in 2010, and that, in total, the number of genuinely affordable homes for social rent started last year was fewer than 1,000, compared to 40,000 started in Labour's last year in Government;

- (f) judges that Conservative Ministers have failed to deliver one-for-one replacements for homes sold through the Right-to-buy scheme - instead only one is being built for every five sold and this is having a damaging impact on the Council's housing stock;
- (g) notes that the Government is still threatening to force councils to sell off the best of their homes to pay for the extension of the right to buy to housing associations, with independent estimates suggesting as many as 23,500 homes could be forced to be sold nationally;
- (h) contends that the Government is also badly letting down those who live in our council homes as, despite initial rhetoric to the counter, the Government have failed to provide additional funding for all of the fire safety up-grades the Council is making;
- (i) notes that in the wake of the Grenfell Fire disaster, this Administration acted quickly and decisively in response to concerns raised and the Council will be fitting sprinklers in all 24 of its tower blocks, moving forward what was already planned by this Administration;
- (j) notes that the Authority has already spent millions on fire safety in our council homes and improvement works have been carried out over the last five years and that it had always been intended to review the policy on sprinklers later this year, but this Administration made a commitment to bring forward plans to provide extra reassurance to residents;
- (k) notes that whilst independent tests have shown that cladding in 23 council tower blocks in Sheffield are completely safe – being made from solid aluminium or brick - the remaining one, Hanover tower, is already having its cladding removed after one element of the system failed the Government's new fire safety test;
- (l) notes that Sheffield City Council has a rolling five-year programme of health and safety works to all council flats and maisonettes and, since 2010, this has focused on fire precaution works such as fire doors, filling cavities with a fire barrier product and hard-wired smoke alarms;
- (m) notes that this Administration acts decisively to ensure fire

safety in Sheffield homes, but that because the Authority has proactively made arrangements, it is effectively being punished by the Government who are refusing to provide any additional funds for fire safety projects – despite the outcry as a result of the Grenfell disaster;

- (n) agrees with the words of Clive Betts, Labour MP for Sheffield South East, that the Government ought to share responsibility for ensuring that councils are able to implement the desired fire safety works, such as sprinklers as being undertaken by this Council, without it impacting on other services;
- (o) notes that under this Administration, a thousand new council homes will be created – the Administration is building council homes in the city for the first time in a generation, as well as acquiring them through acquisition, with all homes built to the National Lifetime Homes standard with potential to be adapted in the future for specific needs, the new homes have solar panels and heat recovery systems to keep running costs down, and some have been designed specifically for wheelchair users; and at the same time, this Administration is investing £300m to improve kitchens and bathrooms and help residents save money by improving insulation, heating and roofs;
- (p) notes that statistics released in April 2017 show that Labour Councils have on average built 50% more homes than Conservative Councils since 2010, and a report by Local Housing Innovations shows that Labour Councils are not just building more homes but building better homes too;
- (q) notes that Labour's Shadow Housing Minister, the Rt. Hon. John Healey MP, has committed that a future Labour Government will take bold action to tackle the housing crisis, including investing to build 100,000 affordable council and housing association homes a year, to rent and buy, a new charter of renters' rights, and a new national plan to end rough sleeping, starting by doubling the number of affordable homes reserved for those with a history of sleeping rough; and
- (r) believes that national policies over the last seven years, since the formation of the Coalition Government, have failed millions for their housing needs and that Labour is now the only credible political party who can resolve this crisis.

**8. NOTICE OF MOTION REGARDING "LOCAL TRANSPORT SERVICES AND SCHEMES" - GIVEN BY COUNCILLOR IAN AUCKLAND AND TO BE SECONDED BY COUNCILLOR RICHARD SHAW**

- 8.1 It was moved by Councillor Ian Auckland, and seconded by Councillor Richard Shaw, that this Council:-
- (a) notes the importance to local communities of a simple, reliable, stable and affordable bus network;
  - (b) is concerned about the lack of effective Member oversight at the City Region/South Yorkshire and City Council/Local Ward level of local transport services;
  - (c) calls for the Administration to seek to re-establish a City Region/South Yorkshire Transport Body and for the reintroduction of a mechanism by the City Council to give oversight by Ward Members;
  - (d) further notes the increasing length of the list of local transport scheme requests which must concern all members of this Council; and
  - (e) by means of re-prioritisation or re-allocation of existing resources, calls for the establishment of local based funding, under the control of local Members in order to establish a funding source for Ward-led transport schemes.
- 8.2 Whereupon, it was moved by Councillor Olivia Blake, and seconded by Councillor George Lindars-Hammond, as an amendment, 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) states that at the moment, the Council has a list of over 1100 different requests for local transport improvements, of varying scale and nature, and yet for local enhancement schemes we have a combined budget of only £850k, for 2017/18, which would only fund a handful of the requests from residents and businesses across the City;
  - (b) notes that funding cuts are such that Sheffield receives £2.458m a year through the Local Transport Plan (LTP) Integrated Transport (IT) capital grant, from an overall £8.6m funding allocation that South Yorkshire receives from the Department for Transport (DfT), compared with 2010 when the South Yorkshire LTP Programme was closer to £29m;
  - (c) believes that cuts to funding of this scale since 2010 means that it is no longer possible to afford local structures as they once had existed and the move has been an unavoidable consequence of the cuts facing the Council and the crisis that has been created in transport funding under the previous coalition government and this Government because there is simply not enough funding to operate the system as it was in the past;
  - (d) notes that the LTP IT allocation is the only regular grant that the Council still receives from the DfT, with all other allocations coming

from specific competitive funding bids, and that specific transport projects which have been funded, such as the Sustainable Transport Exemplar Programme (STEP), which has a budget of £3.8m, and Sheffield Better Bus Area Fund, with a budget of £5.2m in 17/18, will see their funding stopped in March 2018;

- (e) states that, as such, from April 2018 the LTP is the main source of funding for the annual programme of transport and highways improvement schemes that the Council implements to deliver the outcomes identified in the Sheffield City Region and emerging Sheffield City Council transport strategies;
- (f) believes it is clear, therefore, that due to the now very low levels of funding that the Council has compared to previous years, moving back to a system where transport funding is shared out, managed and controlled at a local ward level would mean the Council not being able to deal with the priorities required to meet its statutory duties, in particular road safety and traffic management, or its strategic priorities to deliver growth that the city aims to achieve;
- (g) further notes that pre-2013 the Council's LTP funding was double, whereas now, splitting the funding by ward would mean that each funding pot would be very small and unlikely to be able to fund the cost of a pedestrian crossing;
- (h) however notes that in 2010 the percentage split of locally determined work was £2.1m out of around £7m, i.e. around 30% of the transport capital programme that year, and for next year, 2018/19, the only transport funds available to the Council will be £2.4m LTP, of which £0.85m is in principle allocated to local enhancements – which still works out at around 34% of the programme, which means the proportion of funding spent on local schemes has slightly increased, not reduced;
- (i) welcomes that over the last 5 years, the Council's local accessibility and enhancements programme has been aligned to the Streets Ahead Core Investment Programme (CIP) and Elected Members have been able to input into these programmes of work within the budget available as the programme has been rolled out in their area;
- (j) believes that without the Streets Ahead project the capacity to implement local programmes would have led to even less local schemes implemented than has been;
- (k) believes that the Liberal Democrats are in collective denial about the scale of the national cuts inflicted on Sheffield, and their culpability in this, and how this has impacted on the delivery of council services; and
- (l) notes that Sheffield City Region and South Yorkshire Transport

structures are currently subject to a governance review and will take this into account, as part of this review.

8.3 After contributions from other Members, and following a right of reply from Councillor Ian Auckland, the amendment was put to the vote and carried.

8.4 The original Motion, as amended, was then put as a Substantive Motion in the following form and carried:-

RESOLVED: That this Council:-

- (a) states that at the moment, the Council has a list of over 1100 different requests for local transport improvements, of varying scale and nature, and yet for local enhancement schemes we have a combined budget of only £850k, for 2017/18, which would only fund a handful of the requests from residents and businesses across the City;
- (b) notes that funding cuts are such that Sheffield receives £2.458m a year through the Local Transport Plan (LTP) Integrated Transport (IT) capital grant, from an overall £8.6m funding allocation that South Yorkshire receives from the Department for Transport (DfT), compared with 2010 when the South Yorkshire LTP Programme was closer to £29m;
- (c) believes that cuts to funding of this scale since 2010 means that it is no longer possible to afford local structures as they once had existed and the move has been an unavoidable consequence of the cuts facing the Council and the crisis that has been created in transport funding under the previous coalition government and this Government because there is simply not enough funding to operate the system as it was in the past;
- (d) notes that the LTP IT allocation is the only regular grant that the Council still receives from the DfT, with all other allocations coming from specific competitive funding bids, and that specific transport projects which have been funded, such as the Sustainable Transport Exemplar Programme (STEP), which has a budget of £3.8m, and Sheffield Better Bus Area Fund, with a budget of £5.2m in 17/18, will see their funding stopped in March 2018;
- (e) states that, as such, from April 2018 the LTP is the main source of funding for the annual programme of transport and highways improvement schemes that the Council implements to deliver the outcomes identified in the Sheffield City Region and emerging Sheffield City Council transport strategies;
- (f) believes it is clear, therefore, that due to the now very low levels of funding that the Council has compared to previous years, moving back to a system where transport funding is shared out, managed and controlled at a local ward level would mean the Council not being able

to deal with the priorities required to meet its statutory duties, in particular road safety and traffic management, or its strategic priorities to deliver growth that the city aims to achieve;

- (g) further notes that pre-2013 the Council's LTP funding was double, whereas now, splitting the funding by ward would mean that each funding pot would be very small and unlikely to be able to fund the cost of a pedestrian crossing;
- (h) however notes that in 2010 the percentage split of locally determined work was £2.1m out of around £7m, i.e. around 30% of the transport capital programme that year, and for next year, 2018/19, the only transport funds available to the Council will be £2.4m LTP, of which £0.85m is in principle allocated to local enhancements – which still works out at around 34% of the programme, which means the proportion of funding spent on local schemes has slightly increased, not reduced;
- (i) welcomes that over the last 5 years, the Council's local accessibility and enhancements programme has been aligned to the Streets Ahead Core Investment Programme (CIP) and Elected Members have been able to input into these programmes of work within the budget available as the programme has been rolled out in their area;
- (j) believes that without the Streets Ahead project the capacity to implement local programmes would have led to even less local schemes implemented than has been;
- (k) believes that the Liberal Democrats are in collective denial about the scale of the national cuts inflicted on Sheffield, and their culpability in this, and how this has impacted on the delivery of council services; and
- (l) notes that Sheffield City Region and South Yorkshire Transport structures are currently subject to a governance review and will take this into account, as part of this review.

8.4.1 (NOTE: The Deputy Lord Mayor (Councillor Magid Magid) and Councillors Douglas Johnson, Robert Murphy and Alison Teal voted for paragraphs (a) to (h) and (l) of the Substantive Motion, voted against paragraphs (i) and (j) of the Motion, and abstained from voting on paragraph (k) of the Motion, and asked for this to be recorded.)

## **9. MINUTES OF PREVIOUS COUNCIL MEETING**

9.1 RESOLVED: On the Motion of Councillor Peter Rippon, seconded by Councillor Michelle Cook, that the minutes of the meeting of the Council held on 4<sup>th</sup> October 2017 be approved as a true and accurate record.

## **10. REPRESENTATION, DELEGATED AUTHORITY AND RELATED ISSUES**

10.1 RESOLVED: On the Motion of Councillor Peter Rippon, seconded by Councillor Michelle Cook, that:-

(a) it be noted that Councillor Sophie Wilson, who was elected on 12<sup>th</sup> October, 2017 as a Beighton Ward Councillor, has joined the Labour Group on the Council, thereby restoring the political composition of the Council to the position that was reported to the Council's Annual General Meeting on 17<sup>th</sup> May 2017 (i.e. 56 Labour : 20 Lib Dem : 4 Green : 4 UKIP), and that, accordingly, there is no change required to be made to the allocation of seats on Council Committees to the political groups;

(b) approval be given to the following changes to the memberships of Committees, Boards, etc.:-

- |   |   |
|---|---|
| Children, Young People and Family Support Scrutiny and Policy Development Committee | - Councillor Sophie Wilson to replace Councillor Ian Saunders             |
| Economic and Environmental Wellbeing Scrutiny and Policy Development Committee      | - Councillor Ian Saunders to fill a vacancy                               |
| Access Liaison Group  | - Councillor Andy Bainbridge to replace Councillor George Lindars-Hammond |

(c) representatives be appointed to serve on other bodies as follows:-

- |  |  |
|--|--|
| South Yorkshire Police and Crime Panel                               | - Councillor Jayne Dunn to fill a vacancy              |
| Sheffield City Region Combined Authority Scrutiny Committee          | - Councillor Zahira Naz to replace Councillor Alan Law |
| Norton Educational Foundation and Non-Educational Trusts             | - Ms. Sarah Burdekin to replace Mrs. Beverley Ashmore  |
| Joint Advisory Committee for the South Yorkshire Archaeology Service | - Councillor Sophie Wilson to fill a vacancy           |
| South Yorkshire Joint Advisory Committee on Archives                 | - Councillor Sophie Wilson to fill a vacancy           |

## **11. CHANGES TO THE CONSTITUTION**



11.1 RESOLVED: On the Motion of Councillor Peter Rippon, seconded by Councillor Michelle Cook, that this Council adopts the changes to the following parts of the Constitution, as set out in the report of the Chief Executive now submitted, and its Appendices:-

- (a) Part 2 - Article 6 (Overview and Scrutiny);
- (b) Part 2 - Article 16 (Suspension, Interpretation and Publication of the Constitution);
- (c) Part 3 - Responsibility for Functions;
- (d) Part 4 - Financial Procedure Rules (Financial Regulations); and
- (e) Part 5 - Members' Code of Conduct.

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## Report to Council

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**Report of:** Chief Executive

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**Date:** 6 December 2017

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**Subject:** Changes to the Constitution

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**Author of Report:** Jason Dietsch (Head of Democratic and Member Services) Tel: 0114 273 4117

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**Summary:**

This report provides details of proposed changes to the Constitution.

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**Recommendations:**

That the Council considers adopting the changes to the following Parts of the Constitution, as set out in the report and appendices:-

- (a) Part 4 – Contracts Standing Orders
- (b) Part 5 - Monitoring Officer Protocol
- (c) Part 5 – Procedure For Dealing With Complaints Regarding City, Parish And Town Councillors And Co-Opted Members (Appendix to the Monitoring Officer Protocol)
- (d) Part 7 – Management Structure and Statutory/Proper Officers

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**Background Papers:** NONE

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**Category of Report:** OPEN

## Statutory and Council Policy Checklist

<b>Financial implications</b>
NO - Cleared by Paul Foster
<b>Legal implications</b>
YES – Cleared by Gillian Duckworth
<b>Equality of Opportunity implications</b>
NO
<b>Tackling Health Inequalities implications</b>
N/A
<b>Human rights implications</b>
N/A
<b>Environmental and Sustainability implications</b>
N/A
<b>Economic impact</b>
N/A
<b>Community safety implications</b>
N/A
<b>Human resources implications</b>
N/A
<b>Property implications</b>
N/A
<b>Area(s) affected</b>
None
<b>Relevant Scrutiny Committee if decision called in</b>
N/A
<b>Is the item a matter which is reserved for approval by the City Council?</b>
YES
<b>Press release</b>
NO

**1. Introduction**

1.1 This report provides details of proposed changes to the Council's Constitution.

**2. Background**

2.1 To ensure that the Constitution is kept up to date, where changes are required these are submitted to Full Council for approval.

2.2 In addition, the Director of Legal and Governance, in consultation with the Lord Mayor, has delegated authority to make any minor and consequential drafting changes to the Constitution.

**3. Proposed Changes and Reasons****3.1 Part 4 – Contracts Standing Orders**

3.1.1 A change is proposed to be made to Section C.4.5 (Contract Value £50,000 Or More For Works) of the Contracts Standing Orders in Part 4 (Rules of Procedure) of the Constitution.

3.1.2 The threshold for obtaining competitive quotations for Works was raised from £50k to £164k in January 2017. This has enabled officers to tender more works directly to Sheffield-based contractors, rather than advertising them to national contractors. It has also enabled works to be kept within the local area and also to prioritise smaller contractors where they have the necessary skills and experience.

3.1.3 The proposed change is to further increase this threshold, from £164k to £500k, so more works can follow this route, delivering further benefits for local businesses and the Sheffield economy. The thinking behind the approach is wholly in line with the procurement work being undertaken on Social Value and the 'Ethical, Effective & Efficient' procurement strategy.

3.1.4 The proposed changes to Section C.4.5 of the Contracts Standing Orders are set out in Appendix A to this report.

**3.2 Part 5 - Monitoring Officer Protocol**

3.2.1 The Monitoring Officer Protocol, contained in Part 5 (Codes and Protocols) of the Constitution, was last amended in April 2015. The Protocol has been reviewed and several proposed revisions were endorsed by the Audit and Standards Committee, at its meeting held on 16 November 2017.

3.2.2 The revisions relate to allowing the Deputy Monitoring Officers to act in the absence of the Monitoring Officer (previously this was only permitted for urgent actions) and authorising the Monitoring Officer to deal with any issues that may arise in the course of business that concern the conduct or alleged conduct of Members, in the absence of a complaint.

3.2.3 The proposed changes to the Protocol are set out in Appendix B to this report.

3.3 Part 5 - Procedure For Dealing With Complaints Regarding City, Parish And Town Councillors And Co-Opted Members (Appendix to the Monitoring Officer Protocol)

3.3.1 The Procedure For Dealing With Complaints Regarding City, Parish And Town Councillors And Co-Opted Members is an appendix to the Monitoring Officer Protocol. The Procedure had been revised by the Audit and Standards Committee in January 2017 in the light of the experience of dealing with complaints since the Procedure had first been approved by full Council in March 2015. Arising from complaints considered during 2017, the Procedure has again been reviewed and several proposed revisions to the Procedure were recommended to the Audit and Standards Committee, at its meeting held on 16 November 2017. The Committee endorsed the proposals and recommended that Full Council adopts the revised Procedure.

3.3.2 The revised Procedure is attached as Appendix C.

3.4 Part 7 - Management Structure and Statutory/Proper Officers

3.4.1 Part 7 of the Constitution (Management Structure and Statutory/Proper Officers) has been updated. The management structure has been updated to reflect the Portfolio changes made over the 2017 summer period, and the updated version is attached as Appendix D. The list of Statutory and Proper Officers has been updated to reflect updated officer post titles, and the proposed changes are set out in Appendix E to this report.

4. **Legal Implications**

4.1 Except where delegated by Council as indicated at paragraph 2.2, variations to the Constitution may only be made by Full Council.

5. **Financial Implications**

5.1 Section 3.1 of this report refers to a change to Contracts Standing Orders. The threshold for obtaining competitive quotations for works rises from £164k to £500k. The procurement professional will at all times exercise their discretion to ensure effective competitive tension is maintained.

6. **Equality of Opportunity Implications**

6.1 There are no equalities implications.

**7. Recommendations**

7.1 That the Council considers adopting the changes to the following Parts of the Constitution, as set out in the report and appendices:-

- (a) Part 4 – Contracts Standing Orders
- (b) Part 5 - Monitoring Officer Protocol
- (c) Part 5 – Procedure For Dealing With Complaints Regarding City, Parish And Town Councillors And Co-Opted Members (Appendix to the Monitoring Officer Protocol)
- (d) Part 7 – Management Structure and Statutory/Proper Officers

**Chief Executive**

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## APPENDIX A – PART 4 (CHANGE TO CONTRACTS STANDING ORDERS)

### C.4.5 Contract Value £50,000 or more for Works

- C.4.5.1 For Contracts for works approved in accordance with Standing Order C.4.1.2 with a value in excess of £164500,000, a formal tender process must take place. A Procurement Professional must determine the appropriate choice of tender procedure to follow, as detailed in the Tender Process Manual or required by law. The Council must treat the tender process with probity and act in an open and transparent way throughout. Each Contract to be let shall be given appropriate publicity to bring it to the attention of suitable providers.
- C.4.5.2 For Contracts for works approved in accordance with Standing Order C.4.1.2 with a value between £50,000 and £164500,000, 3 or more competitive quotations may be invited – through Constructionline where possible - unless a Procurement Professional determines that an openly advertised full tender process would be more appropriate in the specific circumstances. The Council must treat either process with probity and act in an open and transparent way throughout. Again, a Procurement Professional shall determine the appropriate choice of procedure.
- ~~C.4.5.3 If a tender procedure is to be followed, a Procurement Professional shall determine the appropriate choice of tender procedure, as detailed in the Tender Process Manual.~~
- ~~C.4.5.4 Each Contract to be let shall be given appropriate publicity to bring it to the attention of suitable providers.~~

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## APPENDIX B – PART 5 (MONITORING OFFICER PROTOCOL)

Sheffield City Council – Constitution

Part 5 - Monitoring Officer Protocol (Amended ~~April 2015/Minor Amendments January 2017~~December/October 2017)

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### MONITORING OFFICER PROTOCOL

#### 1. STATUTORY RESPONSIBILITIES

- 1.1 The Monitoring Officer is a statutory appointment pursuant to Section 5 of the Local Government and Housing Act 1989 This Protocol sets out the Monitoring Officer's role in relating to the statutory duty to promote and maintain high standards of conduct under the Localism Act 20112.
- 1.2 The role of the Monitoring Officer rests with the Director of Legal and Governance. The Monitoring Officer may nominate a member of staff to act as Deputy Monitoring Officer while absent or ill and has appointed the Assistant Directors of Legal and Governance as Deputy Monitoring Officers. The Deputies will act only in the absence of the Monitoring Officer ~~if urgent action is required that cannot await his or her return~~.
- 1.3 This Protocol should be read in conjunction with Articles 12 and 15 of the Constitution which sets out all Monitoring Officer functions. It should also be read in conjunction with the procedure for investigating standards complaints. A summary list of the statutory functions of the Monitoring Officer ~~under the Act~~ appears in the attached Schedule.

#### 2. WORKING ARRANGEMENTS

- 2.1 It is vital that Members and Officers work with the Monitoring Officer and his or her staff, to effectively discharge the Council business, statutory responsibilities and promote the corporate health of the Council.
- 2.2 The Monitoring Officer's duties will be discharged in accordance with the Council's Constitution, legislative requirements and relevant Government guidance. The Monitoring Officer's ability to discharge these duties and responsibilities will depend, to a large extent, on Members and Officers:-
  - (a) complying with the law (including any relevant Codes of Conduct);
  - (b) complying with any general guidance, codes or protocols issued from time to time by the Monitoring Officer;
  - (c) making lawful and proportionate decisions;
  - (d) generally, not taking action that would bring the Council, their offices or professions into disrepute;

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Sheffield City Council – Constitution (v15.4)

Part 5 - Monitoring Officer Protocol (Amended ~~April 2015/Minor amendments January 2017~~December/October 2017)

## APPENDIX B – PART 5 (MONITORING OFFICER PROTOCOL)

Sheffield City Council – Constitution

Part 5 - Monitoring Officer Protocol (Amended [April 2015/Minor Amendments January 2017](#)~~December~~[October 2017](#))

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- (e) seeking early advice on issues relating to constitutional or ethical matters;
- (f) raising alerts to issues that may become of concern to the Authority about legal powers to do something or not, ethical standards, probity, propriety, procedural or other constitutional issues that are likely to (or do) arise; and
- (g) Reporting to the Monitoring Officer at the earliest opportunity convictions of criminal offences which might amount to a breach of the Members Code of Conduct.

### 2.3 The Monitoring Officer will:

- 2.3.1 Have advance notice and access to information (including agendas, minutes, reports and related papers) of all relevant meetings of the Authority, (including meetings at which Officer delegated decisions are taken) at which a binding decision may be made (including meetings where there may be a failure to take a decision which should be taken);
- 2.3.2 Have the right to attend (and be heard) any meeting of the Authority (including meetings at which Officer delegated decisions are taken) before any binding decision is taken (including a meeting where there may be failure to take a decision where one should be taken).
- 2.3.3 Have advance notice of Executive Management Team meetings, agendas, reports and the right to attend and speak at those meetings. Meet regularly with the Head of Paid Service and the Section 151 Officer to consider and recommend action in connection with corporate Governance issues, matters of concern regarding legal, ethical standards probity, procedural, constitutional issues that are likely and do arise;
- 2.3.4 In undertaking or arranging investigations will have unqualified access to any information held by the Council and to any Officer who can assist in the discharge of the functions.
- 2.3.5 Report to Council as necessary on resources.

## 3. RELATIONSHIPS

- 3.1 The Monitoring Officer will develop effective working liaison and relationship to ensuring effective and efficient discharge of Council business with:

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Sheffield City Council – Constitution (v15.4)

Part 5 - Monitoring Officer Protocol (Amended [April 2015/Minor amendments January 2017](#)~~December~~[October 2017](#))

## APPENDIX B – PART 5 (MONITORING OFFICER PROTOCOL)

Sheffield City Council – Constitution

Part 5 - Monitoring Officer Protocol (Amended [April 2015/Minor Amendments January 2017](#)~~December~~[October 2017](#))

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- (a) The Lord Mayor, Chairs of Cabinet, Scrutiny and Policy Development, Regulatory, Audit and Standards Committees of the Council; and
- (b) The District Auditor and the Local Government Ombudsman or their successors;

3.2 Refer any breaches to, or give and receive any relevant information, whether confidential or otherwise, (through appropriate protocols, if necessary), to the bodies in 3.1 (b).

### 4. PROCEDURE FOR DEALING WITH COMPLAINTS REGARDING CITY, PARISH AND TOWN COUNCILLORS AND CO-OPTED MEMBERS

4.1 ~~The role of the Monitoring Officer, or Deputy Monitoring Officer on the discharge of functions in relation to~~ The procedure for dealing with complaints that a member of the City Council, Parish and Town Councils ~~and or a~~ Co-opted Members ~~has~~<sup>ve</sup> failed to comply with the Members' Code of Conduct is set out in Appendix A.

4.2 The Monitoring Officer reserves the right to deal with any issues arising in the course of business that concerns the conduct or alleged conduct of a Member in the absence of a complaint if the Monitoring Officer deems it reasonable and appropriate to do so.

## APPENDIX B – PART 5 (MONITORING OFFICER PROTOCOL)

Sheffield City Council – Constitution

Part 5 - Monitoring Officer Protocol (Amended ~~April 2015/Minor Amendments January 2017~~December/October 2017)

### SCHEDULE

A summary list of the statutory functions of the Monitoring Officer

1. Report on contraventions or likely contraventions of any enactment or rule of law	Section 5 Local Government and Housing Act 1989
2. Report on any maladministration or injustice where Ombudsman has carried out an investigation	Section 5 Local Government and Housing Act 1989
3. Appointment of Deputy	Section 5 Local Government and Housing Act 1989
4. Report on resources	Section 5 Local Government and Housing Act 1989
5. Maintain register of Members Interests and gifts and hospitality	Localism Act 2011
6. <u>Receive reports of all whistleblowing allegations of misconduct to be responsible for the operation and maintenance of the whistleblowing policy</u>	Whistleblowing Policy and Procedure (in the Officers' Code of Conduct)
7. Proper Officer - <u>Local Government Access to information regulations</u>	<u>Part 2 of the</u> Constitution 12.03 ( <u>fh</u> )
8. Advise on vires, maladministration, impropriety, probity	<u>Part 2 of the</u> Constitution 12.03 ( <u>hj</u> )
9. Advise whether executive decisions are within policy framework	<u>Part 2 of the</u> Constitution 12.03 ( <u>ig</u> )

Sheffield City Council – Constitution (v15.4)

Part 5 - Monitoring Officer Protocol (Amended ~~April 2015/Minor amendments January 2017~~December/October 2017)

## APPENDIX C – PART 5 (COMPLAINTS PROCEDURE)

### SHEFFIELD CITY COUNCIL

#### PROCEDURE FOR DEALING WITH COMPLAINTS REGARDING CITY, PARISH AND TOWN COUNCILLORS AND CO-OPTED MEMBERS

##### 1. Introduction

1.1 Under the Localism Act 2011, the Council has a duty to promote and maintain high standards of conduct for its elected and co-opted members and have arrangements in place to deal with complaints.

1.2 This Procedure sets out how the Council will deal with a complaint alleging a breach of the Members' Code of Conduct by:-

- Sheffield City Councillors
- Voting and non-voting co-opted members of the Council
- Bradfield Parish Councillors
- Ecclesfield Parish Councillors
- Stocksbridge Town Councillors

(In this Procedure the term 'Member' is used to describe a Councillor or Co-opted Member)

1.3 In dealing with complaints we will be fair to both the complainant and Member and progress matters in accordance with the timescales set out in the Procedure. Complaints will be handled in the strictest confidence at all times.

##### 2. Monitoring Officer

2.1 Gillian Duckworth, Director of Legal and Governance, is the Council's Monitoring Officer. This is a statutory role, responsible for ensuring that the Council, its Members and officers carry out their functions in a lawful and ethical manner. The role includes supporting the Audit and Standards Committee and the three Independent Persons in dealing with complaints alleging a breach of the Members' Code of Conduct.

##### 3. Independent Persons

3.1 The Council appoints Independent Persons from outside the Council to assist the Monitoring Officer and the Audit and Standards Committee in considering complaints. This is statutory requirement under the Localism Act 2011. Sheffield has appointed three Independent Persons - Stuart Carvell, Marvyn Moore and David Waxman.

3.2 The Independent Person must be consulted at various stages in the complaints process and also before the Hearing Sub-Committee makes a finding as to whether a member has failed to comply with the Code of Conduct and decides on action to be taken in respect of a Member.

#### **4. Making a Complaint/Withdrawing a Complaint**

- 4.1 Complaints alleging a breach of the Members' Code of Conduct should be made in writing using the complaint form and sent to Gillian Duckworth, Monitoring Officer, Sheffield City Council, Town Hall, Sheffield S1 2HH or email [gillian.duckworth@sheffield.gov.uk](mailto:gillian.duckworth@sheffield.gov.uk). The complaint form is available from:-
- Website - <http://www.sheffield.gov.uk/home/your-city-council/council-meetings>
  - Email - [committee@sheffield.gov.uk](mailto:committee@sheffield.gov.uk)
  - Phone - Democratic Services on 0114 273 4015
- 4.2 If you need advice or assistance in submitting a complaint please contact Philippa Braithwaite in Democratic Services (email [philippa.braithwaite@sheffield.gov.uk](mailto:philippa.braithwaite@sheffield.gov.uk) or phone 0114 273 4015).
- 4.3 Details of the complaint, including the name of the complainant, will be shared with the Member. The complainant can request on the complaint form that their identity is kept confidential. Requests for confidentiality will be considered by the Monitoring Officer, in consultation with the Independent Person and the complainant will be informed in writing of the outcome
- 4.4 Anonymous complaints will not be considered.
- 4.5 The complainant can withdraw their complaint at any time by informing the Monitoring Officer in writing. The Monitoring Officer will confirm this in writing with the complainant within 5 working days and also inform the Member that the complaint has been withdrawn.
- 4.6 Where a complaint has been withdrawn, the Monitoring Officer reserves the right to pursue the issues in the complaint.
- 5.0 Acknowledging the Complaint/Rejecting a Complaint/Informing the Member**
- 5.1 The Monitoring Officer will acknowledge receipt of the complaint in writing within 5 working days, with details of how the complaint will be dealt with and providing a copy of this Procedure and the Code of Conduct.
- 5.2 If necessary, the Monitoring Officer will clarify any matters with the complainant as soon as possible before the Member is informed.
- 5.3 The Monitoring Officer also reserves the right to reject a complaint if it is considered to be trivial, vexatious, repetitious, not a standards matter or a general misuse of the opportunity. The complainant will be informed of the reasons why a complaint has been rejected.



- 5.4 The Member will be informed in writing within 5 working days that a complaint has been made about them, subject to paragraph 5.2. This will include the name of the complainant (unless the Monitoring Officer has agreed to the complainant's request that their name is kept confidential) and details of the complaint. They will also receive a copy of this Procedure and the Code of Conduct. To assist the Monitoring Officer in assessing the complaint, the Member will be invited to submit within 10 working days a written statement of fact in response to the complaint.
- 5.5 The Monitoring Officer will also inform the Leader of the relevant political Group, Group Whip and Chair of the Audit and Standards Committee that a complaint has been received and provide a summary of the complaint.
- 5.6 Where a complaint relates to a Parish or Town Councillor, the Monitoring Officer will also inform the Clerk of that Council of the name of the Member and details of the complaint. The Clerk will also be kept informed of the progress and the outcome of the complaint.
- 6. Assessment by the Monitoring Officer**
- 6.1 Before assessment of the complaint, it may be necessary for the Monitoring Officer to request further information or clarification from the complainant and/or Member and, where necessary, obtain other available information, such as the minutes of a meeting.
- 6.2 The Monitoring Officer, in consultation with the Independent Person, will consider (a) the complaint, any remedy sought by the complainant, any written statement of fact submitted by the Member and any other information obtained, (b) whether the member was acting in their official capacity and that the Code of Conduct does apply and (c) if the allegation constitutes a potential breach of the Code of Conduct and then take one of the following courses of action:-
1. Take no action or
  2. Take other action through informal resolution or
  3. Refer the matter for investigation
  4. Refer the matter to the Consideration Sub-Committee
- 6.3 The complainant and the Member will be informed in writing within 5 working days of the outcome and the reasons for the decision.
- 6.4 The Monitoring Officer will also inform the Leader of the relevant political Group, Group Whip and Chair of the Audit and Standards Committee of the assessment decision. Where a complaint relates to a Parish or Town Councillor, the Monitoring Officer will also inform the Clerk of that Council.
- 6.5 Where a complaint is not referred for investigation, the Monitoring Officer will seek to deal with the matter within 8 weeks.
- 6.6 Take No Action

6.6.1 It is likely that no action will be taken where:-

- A significant amount of time has elapsed since the events which are the subject of the complaint.
- The allegation relates to a cultural or recurring issue relating to standards within the Council.
- The matter should be dealt with by some other method.
- Complaints have been made about the Member relating to similar issues that have previously been dealt with through this Procedure.
- The complaint appears to be trivial, vexatious, repetitious or a general misuse of the opportunity.
- The conduct occurred during political debate or could be regarded as a political expression of views or opinion.

6.7 Take Other Action Through Informal Resolution

6.7.1 Informal resolution may be the simplest and most cost effective way of resolving the complaint and without determining if an actual breach of the Code has taken place. It may be appropriate where:

- The Monitoring Officer considers that this is the most effective way of resolving the matter to the complainant's satisfaction;
- The Member appears to have a poor understanding of the Code of Conduct and/or related Council procedures;
- The conduct complained of appears to be a symptom of wider underlying conflicts which, if unresolved, are likely to lead to further misconduct or allegations of misconduct;
- The conduct complained of appears to the Monitoring Officer not to require a formal sanction;
- The complaint appears to reveal a lack of guidance, protocols and procedures within the District or Parish/Town Council;
- The complaint consists of allegations and retaliatory allegations between councillors;
- The complaint consists of allegations about how formal meetings are conducted; and
- The conduct complained of may be due to misleading, unclear or misunderstood advice from officers.

- 6.7.2 The Monitoring Officer, in consultation with the Independent Person, may take any of the following actions:-
- Take such steps as they think appropriate to prevent a future potential breach of the Code including training, guidance and introducing or amending policies/protocols.
  - Ask the Whips to address the issue raised within their political parties or with an individual Member.
  - Mediate between the parties involved to resolve the issues.
  - Seek an apology from the Member.
  - Any other action capable of resolving the complaint.
- 6.7.3 If a member of the public making a complaint is not satisfied with the action to be taken through informal resolution they can make a request in writing to the Monitoring Officer for reconsideration. If appropriate, the Monitoring Officer may then recommend additional mediation, reconsider the original action proposed, or refer the complaint to Consideration Sub-Committee.
- 6.8 Refer the Matter for Investigation
- 6.8.1 It is expected that the Monitoring Officer will refer only the most serious potential breaches for investigation or where the Member fundamentally disputes or does not accept the allegations in the complaint.
- 6.8.2 If a complaint has been referred for investigation, the Monitoring Officer, in consultation with the Independent Person, will appoint a person to undertake the investigation and this may be either a Council Officer or an outside agent, depending on the complexity and subject of the complaint.
- 6.8.3 The Investigating Officer will inform the complainant and Member of the process and proposed timescale of the investigation. The investigation may involve interviewing both parties and possibly other witnesses, together with reviewing any relevant documentation or paperwork.
- 6.8.4 The Investigating Officer will prepare a draft report on the outcome of the investigation and provide the complainant and Member with a copy for review and comment.
- 6.8.5 The Investigating Officer will submit a final version of the report to the Monitoring Officer that will make a finding that either (a) there has been a potential breach of the Code of Conduct or (b) there has not been a potential breach of the Code of Conduct. The final report will also be sent to the complainant and Member.
- 6.8.6 The Monitoring Officer will submit the Investigating Officer's report to the

Consideration Sub-Committee.

6.8.7 An investigation will be completed within 12 weeks of a referral by the Monitoring Officer. The Consideration Sub-Committee will meet within one month of the final report being submitted to the Monitoring Officer.

6.9 Refer the matter to the Consideration Sub-Committee

6.9.1 The Monitoring Officer can refer a complaint direct to the Sub-Committee if it is considered that there is a potential breach of the Code but there is no dispute over the events in relation to the complaint and an investigation is not considered necessary.

6.9.2 If a member of the public making a complaint is not satisfied with the action to be taken through informal resolution they can make a request in writing to the Monitoring Officer for reconsideration. If appropriate, the Monitoring Officer may then recommend additional mediation, reconsider the original action proposed, or refer the complaint to Consideration Sub-Committee.

## **7 Consideration Sub-Committee**

7.1 The Consideration Sub-Committee comprises 3 Councillors and 1 non-voting co-opted Independent Member.

7.2 The complainant and Member are not required to attend the meeting of the Sub-Committee.

7.3 The Monitoring Officer will submit a report on the outcome of an investigation or a matter referred to the Sub-Committee. The Investigating Officer will attend the meeting.

7.4 The Sub-Committee will consider the Monitoring Officer's report and, after taking the views of the Independent Person into account, can:-

(a) take no action; or

(b) take other action including any of the following actions:-

- Take such steps as the Sub-Committee considers appropriate to prevent a future potential breach of the Code including training, guidance and introducing or amending policies/protocols.
- Ask the Whips to address the issue raised within their political parties or with an individual Member.
- Request the Monitoring Officer, in consultation with the Independent Person, to mediate between the parties involved to resolve the issues.
- Seek an apology from the Member.

- Any other action capable of resolving the complaint.

(c) refer the matter to a Hearing Sub-Committee.

7.5 Where the Consideration Sub-Committee is considering a report on the referral of a complaint where a member of the public is not satisfied with the action to be taken through informal resolution, the only option available to the Sub-Committee is to ratify the original informal resolution, or to take other action including any of the following actions:-

- Take such steps as the Consideration Sub-Committee considers appropriate to prevent a future potential breach of the Code including training, guidance and introducing or amending policies/protocols.
- Ask the Whips to address the issue raised within their political parties or with an individual Member.
- Request the Monitoring Officer, in consultation with the Independent Person, to mediate between the parties involved to resolve the issues.
- Seek an apology from the Member.
- Any other action capable of resolving the complaint.

7.6 The Monitoring Officer will inform the complainant and Member in writing within 5 working days of the outcome and the reasons for the Sub-Committee's decision.

## **8. Hearing Sub-Committee**

8.1 The Hearing Sub-Committee comprises 3 Councillors and 1 non-voting co-opted Independent Member.

8.2 The Sub-Committee will meet within two months of a referral by the Consideration Sub-Committee to consider the allegation.

8.3 The Sub-Committee will meet in public unless it decides that all or part of the meeting should be held in private in accordance with the Access to Information Procedure Rules in the Council's Constitution.

8.4 In advance of the Hearing, there will be a pre-hearing process to allow matters at the Hearing to be dealt with more fairly and economically.

8.5 The complainant and member will be given the opportunity to attend the Hearing and present witnesses. The Monitoring Officer, any Investigating Officer and Independent Person will also attend. The procedure at the Hearing will include:-

- Making findings of fact
- Deciding if there has been a breach of the Code of Conduct
- Consider the remedies/sanctions available if there is a finding that the Member has breached of the Code of Conduct

8.6 Full details of the pre-hearing and hearing process are set out in the Procedure at Hearings. The Member and complainant will be provided with a copy of the Procedure.

#### 8.7 A Finding of No Breach of the Code of Conduct

8.7.1 If the Sub-Committee finds that the Member did not breach the Code of Conduct no further action will be taken in respect of the complaint. However, the Sub-Committee can make a recommendation to the authority with a view to promoting and maintaining high standards of conduct in general (e.g. proposed changes to internal procedures or training for Members).

#### 8.8 A Finding of a Breach of the Code of Conduct

8.8.1 If the Sub-Committee finds that a breach of the Code of Conduct has occurred they may make any of the following recommendations and may specify to whom they wish them to be directed:-

- Recommending to the Member's Group Leader and/or Group Whip (or in the case of un-grouped members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council or Shadow Portfolio responsibilities.
- Recommending to the Leader of the Council that the member be removed from the Cabinet, or removed from particular Portfolio responsibilities.
- Instructing the Monitoring Officer to arrange training for the member.
- That policies/procedures are amended.
- That a briefing/information note be issued.
- That an apology be given.
- That the Member is censured in writing and a copy of the letter is published on the Council's website.
- Take no action where it is not considered appropriate in the circumstances to impose a sanction.

8.8.2 The Monitoring Officer will inform the complainant and the Member of the outcome from the Sub-Committee hearing in writing within 5 working days.

8.8.3 The findings and decision of the Sub-Committee will be also be available

on the Council's website and copies will be supplied to the Chief Executive, Leaders of all the political Groups and the Group Whips.

8.8.4 Where the matter relates to a Parish or Town Councillor, the Clerk of that Council will be informed of the outcome of a Hearing.

## **9. Appeals**

9.1 There is no right of appeal for the complainant or Member against a decision of the Monitoring Officer, Consideration Sub-Committee or Hearing Sub-Committee.

9.2 If the complainant feels that the Council has failed to deal with their complaint properly, they can make a complaint to the Local Government and Social Care Ombudsman (<http://www.lgo.org.uk/make-a-complaint/how-to-complain> or phone 0300 061 0614).

## **10. Reports**

10.1 An annual report will be submitted to the Audit and Standards Committee with a summary of all Standards Complaints received and their outcome.

## **11. Data Protection**

11.1 Complaints will be handled in the strictest confidence at all times. We will ensure that any information received as part of the handling of the complaint is disclosed only to those who can demonstrate a valid need to know it. However, when a complaint is considered at a Standards Committee Hearing then any information will be dealt with in accordance with the Access to Information Procedure Rules in the Council's Constitution.

11.2 Complaints records will be stored safely and securely.

## **12. Review and Changes to the Procedure**

12.1 The Monitoring Officer will review the Procedure annually, in consultation with the Independent Persons, and submit a report on any proposed changes to the Audit and Standards Committee for consideration. In accordance with the Constitution, any changes will require final approval at Full Council.

26/10/2017

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## APPENDIX D – PART 7 (MANAGEMENT STRUCTURE)

Sheffield City Council – Constitution  
Part 7 – Management Structure and Statutory/Proper Officers  
(Revised December 2017)

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### 1. MANAGEMENT STRUCTURE

#### Chief Officers

##### Chief Executive and Head of Paid Service

- Has overall corporate and management responsibility for the work of the Council, including the number and grade of officers required for the discharge of functions
- May discharge the functions discharged to other officers in cases of urgency or emergency and in consultation with the Leader

##### Chief Executive

Responsible for:-

##### Director of Policy, Performance and Communications

- Corporate Policy and Strategy
- Corporate Research and Analysis, including spatial analysis and GIS
- Communications, including Campaigns, Marketing, Press and PR, Print and Design and Internal Communications
- Corporate Consultation
- Digital Services
- Elections, Referenda and Electoral Registration
- Equalities, Social Justice and Community Involvement
- Performance Management
- Public Health Intelligence
- Public Service Reform
- Scrutiny
- Sheffield Partnership Board (formerly Sheffield Executive Board)
- Strategic and Business Planning

##### Director of Public Health

- Public Health overall, including Health Improvement, Health Protection and Health Services' Public Health
- Public Health input to the (NHS) Clinical Commissioning Group
- Lead Director for the Joint Strategic Needs Assessment
- Liaison with Executive Directors regarding Integration of Public Health Specialist Teams into the Portfolio Management Structures
- Planning for and responding to emergencies that present a risk to public health
- Membership of the Health and Wellbeing Board
- Writing an Annual Report on the Health of the Population

## APPENDIX D – PART 7 (MANAGEMENT STRUCTURE)

Sheffield City Council – Constitution  
Part 7 – Management Structure and Statutory/Proper Officers  
(Revised December 2017)

---

### **Executive Director Resources**

(Designated as the Chief Finance Officer/Section 151 Officer under the Local Government Act 1972)

Responsible for:-

Overall Portfolio Accountability  
Statutory Chief Finance Officer (Section 151 Officer for SCC)  
Statutory City Region Finance Officer (Section 73 Officer)  
EMT Lead for Tackling Inequalities and Equality Hubs

Director of Finance & Commercial Services

#### Strategic Finance

- Financial Planning and Accounting
- Financial Systems support and helpdesk
- Internal Audit
- External Grant Funding
- Treasury
- Taxation
- Insurance and Risk
- Deputy Statutory Chief Finance Officer (Section 151 Officer for SCC)

#### Financial Business Partnering

- Financial Business Partnering for all portfolios

#### Commercial Business Development

- Capital Programme Budgeting and Accounting
- Finance & Commercial Projects
- Housing and Council Tax Benefits Client Team
- Council Tax and Business Rates Collection
- Collection of Sundry Debt
- Construction Category (Procurement)
- Income & Commercialisation Agenda
- Investment Strategy
- Corporate Debt Recovery

#### Procurement and Supply Chain

- Commercial, Commissioning, Procurement and Contract Management, Processes and Support

## APPENDIX D – PART 7 (MANAGEMENT STRUCTURE)

Sheffield City Council – Constitution  
Part 7 – Management Structure and Statutory/Proper Officers  
(Revised December 2017)

---

- Business Services Category (Procurement)
- Young People, Health and Care Category (Procurement)
- Strategic Contract Management (e.g. Capita, Waste, Streets Ahead, Social Housing Repairs and Maintenance, Corporate Repair, Property and FM, Howden House)
- Supplier Relationship Management
- All External Spend Data and related Freedom of Information Requests
- Approach/Process for Trade Supplier Payments
- Managing Community Right to Challenge Submissions

### Sheffield City Region Combined Authority

#### Finance and Commercial Support

Director of Business Change and Information Solutions

- Digital Strategy
- IT Strategy & Planning
- ICT Outsourced Partnership Management
- Business Change including Business Analysis, Enterprise Architecture, Programme and Project Management
- IT Service Management including ICT Governance and Assurance
- Information Security & Management
- Digital Inclusion/Digital Literacy
- Lead Client Director – Capita Partnership Relationship
- Strategic Change Programme
- Senior Information Risk Officer (SIRO)

Director of Human Resources & Customer Services

#### Human Resources

- HR Business Partners
- HR Policy and Specialist Advice on Employment Matters
- HR Advice and Support on People Management
- Workforce Development Unit
- Schools HR Service – Strategy and Governance
- Learning and Development Delivery Service
- HR Support for Major Change Projects
- Occupational Health
- Health and Safety
- HR Connect – Capita HR Transactions
- HR Connect – Capita Payroll

## APPENDIX D – PART 7 (MANAGEMENT STRUCTURE)

Sheffield City Council – Constitution  
Part 7 – Management Structure and Statutory/Proper Officers  
(Revised December 2017)

---

### Customer Services

- Corporate Call Centre, Council Housing Call Centre and Repairs Service Centre
- City Wide Alarms Call Handling Service
- 101 Service/Out of Hours Service
- E-Services (Council Website)
- Corporate Complaints Team
- Translation and Interpretation
- Customer Service Strategy and Projects
- First Point, Reception Service
- Blue Badge Service
- Armed Forces Community Covenant
- Sheffield Register Office
- Customer Fulfilment Centre (processing of applications for parking permits, travel passes, free school meals)
- Revenue and Benefits Call Centre

### Director of Legal and Governance

- Legal Services
- Local Land Charges
- Monitoring Officer
- Standards
- Constitution
- Governance
- Democratic Services
- Member Development
- Mayoral Team
- Members Services

### **Executive Director, People Services**

(Designated as the Director of Children's Services under the Children Act 2004)

Responsible for:-

#### Director, Children and Families Service

- OFSTED Responsible Individual for Regulated Services
- Children's Social Work Services
- Fostering Service

## APPENDIX D – PART 7 (MANAGEMENT STRUCTURE)

Sheffield City Council – Constitution  
Part 7 – Management Structure and Statutory/Proper Officers  
(Revised December 2017)

---

- Adoption Service
- Safeguarding Service
- Learning Difficulties and Disabilities Service
- Attendance Services
- CiC Placement QA and brokerage
- Children in Care Services
- Care Leavers Services
- Corporate Parenting
- Children’s Residential Services
- Aldine House Secure Home
- Youth Justice Service
- Multi-Agency Support Teams delivery
- Early Intervention and Prevention Services delivery

Director of Inclusion and Learning Services and Children’s Commissioner

Health - including:

- Integrated Commissioning Unit
- Children’s Public Health
- Emotional Wellbeing and Mental Health
- Maternity and Early Years
- Infant Mortality
- Sexual Health
- Future in Mind Programme
- Children’s Joint Commissioning
- Parent’s Assembly (Every Child Matters Survey)

Schools - including:

- Oversight Academies Programme
- Advocacy for Children & Young People.
- Learn Sheffield & the commission to them for delivery of LA statutory functions for school improvement (Primary, Secondary and Special Schools)
- Performance Monitoring, Challenge and Intervention)
- Learn Sheffield & Partnership & Communication with Schools
- Targeted Support for Vulnerable Groups, including those with EAL
- Educational Attainment of Looked After Children – Virtual School
- School Governor Service
- Outdoor Education Service, including Swimming
- E-Learning
- School Places, Planning and Commissioning
- Foundation Stage Learning Outcomes

## APPENDIX D – PART 7 (MANAGEMENT STRUCTURE)

Sheffield City Council – Constitution  
Part 7 – Management Structure and Statutory/Proper Officers  
(Revised December 2017)

---

- Children Missing from Education
- School Admissions and Admission Appeals
- SEND Services and Commissioning of SEN Places
- Strategic Lead for SEND, including Education Psychology, Hearing Impaired, Visually Impaired and Autism Service
- Strategic Lead for Services to Schools
- De-escalation Service for Schools, Communities and Parents
- Early Years Inclusion
- Music Service
- Maintained Nursery Schools
- Hospital and Home Tuition Service
- Early Years Standards

### Commissioning – Including :

- Housing-related Support
- Intelligence and Forecasting
- Learning Disabilities
- Carers
- Service Development (personalisation, prevention, integrated services)
- Contracts and Partnerships
- Drug and Alcohol/Domestic Abuse Co-ordination (DACT)
- Health and Wellbeing Board
- Health and Care Integration (BCF)
- Community Equipment
- Early Years Planning and Sufficiency – Business Strategy Strategic Leadership of the Early Years – Commissioning/Learning
- Childcare/Childminders
- 0-5 Strategy / Best Start – Commissioning
- Multi-Agency Support Teams – Commissioning
- Early Intervention and Prevention Services – Commissioning

### Director of Business Strategy

- Strategic Resource Planning (Business and Portfolio Strategy, Planning and Monitoring)
- Performance Management
- Business Information Management
- Change Programme Development and Monitoring
- Business Improvement, Efficiency and VFM
- User/Carer Engagement
- Portfolio Business Support
- Staff and Customer Involvement

## APPENDIX D – PART 7 (MANAGEMENT STRUCTURE)

Sheffield City Council – Constitution  
Part 7 – Management Structure and Statutory/Proper Officers  
(Revised December 2017)

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- Capital Strategy
- Schools Resourcing Strategies
- Information Strategy
- Risk Management, Information Governance, Emergency Planning and Business Continuity
- Equalities, Diversity and Inclusion
- Business Partner Relationship Management:
  - Asset Management
  - Human Resources
  - Finance and Commercial Services
  - Legal
  - Policy and Communications
  - Information Communication Technology
  - Procurement
  - Customer First
  - Transformation Change Programmes
- Emergency Planning and Business Continuity
- Schools Transport Strategy
- School Food Services
- Financial Probity and Performance
- Services to Schools Financial and Resource Planning

### Director of Lifelong Learning, Skills and Communities

- Integrated Youth Support
- Extended Learning and Support
- Portfolio Policy, Planning and Performance

### Director of Adult Services

- Adult social work including older people, physical disability, learning disability, sensory impairment
- Access and Prevention service to ensure early help and advice both in community and hospital
- Locality teams to provide case coordination for people living in the community
- Future Options teams to support adults of working age living in care homes to increase their independence and inclusion
- Adult Safeguarding Investigations, Serious Incidents and Serious Case Reviews
- Support for Carers
- Community Reablement Services including STIT
- Learning Disability provider services: Supported Living, Day Services, Residential Short Breaks

## APPENDIX D – PART 7 (MANAGEMENT STRUCTURE)

Sheffield City Council – Constitution  
Part 7 – Management Structure and Statutory/Proper Officers  
(Revised December 2017)

---

- Adult Placement Shared Lives
- Citywide Care Alarms including Assistive Technology
- Occupational Therapy, Equipment and Adaptations Services
- Commissioning and contracting of care and support for older people, physical disability, learning disability, sensory impairment (including community-based support, care homes, community equipment)

Head of Libraries and Community Services

Libraries Archive and Information Services

- Community Libraries
- Central Library
- Cohesion and Migration
- Home Library Service
- Patient Library Services
- Partnerships with Co-delivered and Associate Library Groups
- Governance of Library Assets
- BIPC Centre
- Archives and Heritage Services
- Local Studies
- Records Management
- Children's and Schools library services
- Universal Offers

Community Digital Inclusion Strategy

Voluntary Sector

- Grant Aid
- Strategic lead on engagement with the Voluntary, Community and Faith Sector
- Voluntary Sector Strategy
- Volunteering Strategy.

Locality Management

- Local Area Partnerships
- Voluntary Sector Liaison

Community Development

- Strategic Commissioning of Community Development
- Building Community Assets
- Increasing Community Resilience
- Multi Agency and Partnership Working.



## APPENDIX D – PART 7 (MANAGEMENT STRUCTURE)

Sheffield City Council – Constitution  
Part 7 – Management Structure and Statutory/Proper Officers  
(Revised December 2017)

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- Development of Community Hubs
- Public Health Community Wellbeing Programme
- Prevention and Early Intervention
- Community Support Workers Service
- Cohesion and Migration

### Learning and Skills

- 14-24 Partnerships and Planning
- Alternative Provision
- Community Cohesion (Engagement with Schools and Communities)
- Family and Community Education
- Gateway and Vulnerable Peoples Resettlement Programme
- High Needs Learning Provision
- Targeted Education Interventions
- Progression Programme Development – Enterprise, Employment & Digital Skills
- Post 16 Learning Provision
- Employment Policy and Programmes
- Skills (all age) Policy and Programmes
- Skills Made Easy & Apprenticeship Reform Programme
- Sheffield City Region Local Authority Lead Officer for Skills & Employment.

### **Executive Director, Place**

Responsible for:-

#### Director of City Centre Development

- City Centre Major Investment / Regeneration Projects:
- Sheffield Retail Quarter
- Flood Protection Programme

#### Director of Culture & Environment

- Sport and physical activity projects and programmes
- Contracts and funding with sports facility providers
- Allotments
- Arts development and major projects
- Contracts and funding with major arts partners including Sheffield Theatres, museums trusts, Showroom and Site Gallery

## APPENDIX D – PART 7 (MANAGEMENT STRUCTURE)

Sheffield City Council – Constitution  
Part 7 – Management Structure and Statutory/Proper Officers  
(Revised December 2017)

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- Bereavement Services
- City Centre Management
- City and Community Events
- Graffiti Removal (except on highways)
- Housing estate grounds maintenance
- Highway Maintenance – Streets Ahead PFI
- Parks and woodlands
- Ranger Service
- Sheffield Markets
- Public Health: environment, physical activity, food policy, tobacco control

Director of Business Strategy and Regulation

Strategic Role:

- Business Partner Relationship Management
- Business Planning
- Governance and Compliance
- Performance Management
- Programme Management
- Resilience Management
- Risk
- Business Continuity
- Corporate Emergency Planning
- Strategic Resource Planning

Operational Services:

- Capital Delivery Service
- Coroner's Service
- Medico-Legal Centre (MLC)
- Licensing
- Parking Services
- Regulatory Services:-
  - Health Protection
  - Environmental Protection
  - Trading Standards
  - Pest Control
- Waste Management (including abandoned vehicles)

Director of Transport and Facilities Management

- Facilities Management of the Corporate Estate
- Facilities Management Contract Management

## APPENDIX D – PART 7 (MANAGEMENT STRUCTURE)

Sheffield City Council – Constitution  
Part 7 – Management Structure and Statutory/Proper Officers  
(Revised December 2017)

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- Schools Property Services
- Property Records
- Transport Management of the Corporate Fleet
- Transport Contracts and Fleet Management
- Passenger Transport for Vulnerable Adults and Children
- Taxi Driver and Vehicle Testing
- Vehicle Testing, Maintenance and Repairs

### Director of City Growth

- Air Quality
- Building Standards and Public Safety
- Business Growth
- Inward Investment
- City Branding and Identity
- Corporate Property Services:-
  - Commercial Estate Management
  - Estate and Valuation Services
  - Kier Asset Partnership Ltd Shared Services – Estate and Valuation Services
  - Rural Estates Management
- Property Disposals and Acquisitions
- Regeneration
- Economic Strategy
- External Marketing of Sheffield
- Flood Risk Management
- Indigenous Business Support/Aftercare
- Maximising Economic Impact of Major Events
- Planning – Development Management and Local Plan
- Promoting Sheffield as a Business Location
- Promoting Sheffield to Attract Leisure and Business Tourism
- Rural Estates Management
- Sector Development
- Sheffield City Region and Local Enterprise Partnership
- South Yorkshire Archaeology
- Strategic Development and Funding
- Transport, Traffic Infrastructure
- Welcome to Sheffield Web Portal

### Director of Housing

#### Neighbourhood Management

## APPENDIX D – PART 7 (MANAGEMENT STRUCTURE)

Sheffield City Council – Constitution  
Part 7 – Management Structure and Statutory/Proper Officers  
(Revised December 2017)

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- Neighbourhood & Tenancy Management – including taking enforcement and legal actions
- Management of SCC First points and Council Housing Service customer access point
- Providing support and signposting/referring council housing tenants
- Community Engagement – city wide and local engagement
- Monitoring Tenant and Residents Associations and administering the levy payments
- Estates Service – locally based waste management, recycling, block cleaning.
- Working with Estate and Env Services to develop neighbourhood plans with Parks
- Management of Local budgets – going local and community fund
- Management of HRA owned buildings i.e. area offices and meeting rooms
- Management of garages – maintenance of waiting list, lettings and collection of rent
- Taking enforcement actions as per tenancy conditions
- Income Management and Financial Inclusion
- Social Care and Accounts Services – Income collection, executor services and debt recovery
- Community Safety and Anti-Social Behaviour Multi Agency Services
  
- Rehousing Policy, Allocations, Access to Housing
- Older Person's Independent Living
- Interim and Supported Housing, Furnished Accommodation
- Gypsies and Traveller Site Management
- Homelessness, Rough Sleepers, Accommodation, Commissioning, Safeguarding and Support Services
- Provider Services
- Housing Options and Advice Services
  
- Private Sector Housing – Regulation, Licensing, Tenant Support Services, Lettings Agency and Enforcement
- Page Hall Neighbourhood Management
- Home Ownership and Revenue Services (including Regional Homes and Loans Services and, Accountable Body)
  
- Council Housing Strategy/ Integrated Housing and Repairs Strategy
- HRA Business Plan (Responsible for the 30 year plan)
- Registered Social Landlords Compliance & Liaison

## APPENDIX D – PART 7 (MANAGEMENT STRUCTURE)

Sheffield City Council – Constitution  
Part 7 – Management Structure and Statutory/Proper Officers  
(Revised December 2017)

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- Asset Management Strategy for HRA assets
  - Non Domestic HRA Land and Asset Investment and Disposal
  - Delivery of the Garage Strategy
  - Estate Services Review
  - Housing & Neighbourhoods Capital Programme feasibility, development, programme management and monitoring
  - Delivery of Investment Programme,
  - Technical Standards and Design for Council Stock,
  - Building Standards compliance including HME services
  - Health and Safety Policy and Staff Engagement
  - Community Engagement & Tenant Governance in relation to Investment and repairs activity
  - Adaptations – public and private policy and delivery
  - Vacant Property Management
  - Commission for Responsive Repairs and Planned Maintenance (insourced service)
  - Repairs Policy and Strategy, Management of Disrepairs and Permissions
  - Leaseholder Management Services
  - Relationship management of licences and long leases with RSLs
  - Estate Services Strategy and Policy, city wide management of waste, green and hard landscaping standards
  - Block Cleaning and Chute management
  - Waste Support Project – Education and Enforcement
  - Housing specific contract management for waste and grounds maintenance services
  - Management of Garden Pledge and Vacant Gardens
  - Garden Competition
  - Environmental Management System implementing BS10014.
  - Housing Employability Programme
- 
- Housing Strategy and Policy
  - Housing Growth Delivery
  - Affordable Housing – New Provision and RP Partnership
  - Housing and Neighbourhood Regeneration
  - Successful Centres Programme
  - Housing Sustainable Energy and Environmental Strategy

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## APPENDIX E – PART 7 (STATUTORY/PROPER OFFICERS)

Sheffield City Council – Constitution  
Part 7 – Management Structure and Statutory/Proper Officers  
(Revised December 2017)

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### 2. STATUTORY/PROPER OFFICERS

- 2.1 The Local Government Act 1972 and other legislation require local authorities to make specific statutory appointments and designations (Statutory and Proper Officers) which carry specific responsibilities. For the avoidance of doubt, any post mentioned below will also include an interim appointment to that position.
- 2.2 In the event of the officers named below in 2.3 and 2.4 being unable to act or of any of the posts being vacant, the Chief Executive, or in his/her absence the relevant Executive Director, will appoint an officer to act in their place.
- 2.3 The following are the Statutory Officers of the Council for the purposes stated:-

Legislation	Description	Allocated To
Local Government and Housing Act 1989 Section 4	Head of Paid Service	Chief Executive
Local Government Act 1972 Section 151	Chief Finance Officer	Executive Director, Resources
Local Government and Housing Act 1989 Section 5	Monitoring Officer	Director of Legal and Governance
Local Authority Social Services Act 1970 Section 6	Director of Adult Social Services	Director of Adult Services
Children Act 2004 Section 18	Director of Children's Services	Executive Director, <del>Children, Young People and Families</del> <u>People</u>

## APPENDIX E – PART 7 (STATUTORY/PROPER OFFICERS)

Sheffield City Council – Constitution  
 Part 7 – Management Structure and Statutory/Proper Officers  
 (Revised December 2017)

National Health Service Act 2006 Section 73A	Director of Public Health	Director of Public Health
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2.4 The following are the Proper officers of the Council for the purposes stated:-

<b>Local Authority Social Services Act 1970</b>	<b>Description</b>	<b>Proper Officer</b>
Section 6	Officer appointed as Director of Adult Social Services	Director of Adult Services
<b>Local Government Act 1972</b>	<b>Description</b>	<b>Proper Officer</b>
Section 83	Officer who takes declarations of acceptance of office	Director of Legal and Governance
Section 84	Officer to whom a person elected to any office listed in Section 83 may give written notice of resignation	Director of Legal and Governance
Section 88(2)	Officer who may convene a meeting of the Council for the election to fill casual vacancy of chairman of the Council	Director of Legal and Governance
Section 89(1)	Officer who may receive notice in writing of a casual vacancy in the office of Councillor from two local government electors for the area	Electoral Services Manager
Section 100B(2)	Officer who may think fit to exclude from reports open to inspection by members of the public parts relating to items	Director of Legal and Governance in consultation with the relevant



## APPENDIX E – PART 7 (STATUTORY/PROPER OFFICERS)

Sheffield City Council – Constitution  
 Part 7 – Management Structure and Statutory/Proper Officers  
 (Revised December 2017)

	during which the meeting is likely not to be open to the public	Executive Director
Section 100B(7)(c)	Officer who makes available to the press copies of documents already supplied to Councillors in connection with an item on the agenda for a meeting of the Council	Head of Democratic Services
Section 100C(2)	Officer responsible for preparing a written summary of those parts of the committee proceedings which disclose exempt information	Head of Democratic Services
Section 100D(1)(a)	Officer responsible for identifying background papers for the report for a meeting of the Council and compiling a list of such documents	Relevant Executive Director
Section 100F(2)	Officer who makes decisions as to documents disclosing exempt information which are not required to be open to inspection by Councillors	Director of Legal and Governance in consultation with the relevant Executive Director
Section 115	Officer to whom all officers shall pay monies received by them and due to the Local Authority	Executive Director, Resources or their nominee
Section 146(1)(a)	Officer authorised to produce a statutory declaration specifying securities and verifying the change of name and identity of the authority	Director of Legal and Governance
Section 151	Officer responsible for the	Executive Director,

## APPENDIX E – PART 7 (STATUTORY/PROPER OFFICERS)

Sheffield City Council – Constitution  
 Part 7 – Management Structure and Statutory/Proper Officers  
 (Revised December 2017)

	proper administration of the authority's financial affairs ("Chief Finance Officer")	Resources
Section 191	Officer who receives applications from Ordnance Survey Office in relation to examining, ascertaining and marking out reputed Local Authority boundaries	Director of Legal and Governance
Section 210(6) and (7)	Officer in whom power is vested to exercise any power with respect to a charity exercisable by any officer of a former corresponding authority	Director of Legal and Governance
Section 225	Officer with whom documents may be deposited pursuant to law, who can make notes or endorsements and give acknowledgements or receipts	Director of Legal and Governance
Section 229(5)	Officer who signs a certificate that a document is a photographic copy of a document in the custody of the Council	Director of Legal and Governance
Section 234(1)	Officer who signs notices, orders or other documents on behalf of the Council	Director of Legal and Governance
Section 238	Officer responsible for certifying copies of byelaws	Director of Legal and Governance
Schedule 12 Para 4(2)(b)	Officer who may sign and send to all Councillors a summons to attend Council meetings	Chief Executive

## APPENDIX E – PART 7 (STATUTORY/PROPER OFFICERS)

Sheffield City Council – Constitution  
 Part 7 – Management Structure and Statutory/Proper Officers  
 (Revised December 2017)

Schedule 12 Para 4(3)	Officer who may receive notice in writing from a Councillor providing an address to which a summons to a meeting is to be sent other than their place of residence	Head of Democratic Services
Schedule 14 Para 25	Officer who may certify copies of resolutions passed under this Paragraph	Director of Legal and Governance
<b>Local Government Act 1974</b>	<b>Description</b>	<b>Proper Officer</b>
Section 30(5)	Officer responsible for arranging publication in newspapers of a notice that a Local Commissioner's report on an investigation of a matter is available for inspection by the public	Director of Legal and Governance
<b>Local Government (Miscellaneous) Act 1976</b>	<b>Description</b>	<b>Proper Officer</b>
Section 41	Officer responsible for certifying copies of resolutions, orders, reports, minutes of Council meetings and other documents or authorising a person in that behalf	Director of Legal and Governance
<b>Highways Act 1980</b>	<b>Description</b>	<b>Proper Officer</b>
Section 59	Officer responsible for certifying that extraordinary	Head of Highway Maintenance

## APPENDIX E – PART 7 (STATUTORY/PROPER OFFICERS)

Sheffield City Council – Constitution  
 Part 7 – Management Structure and Statutory/Proper Officers  
 (Revised December 2017)

	expenses have been or will be incurred in maintaining the highway by reason of damage caused by excessive weight passing along the highway or other extraordinary traffic	
Section 205	Officer responsible for undertaking duties as specified in this Section and Schedule 16 in relation to private street works	Head of Highway Maintenance
Section 210	Officer responsible for certifying amendments to estimated costs and consequential provisional apportionment of costs under the private street works code	Head of Highway Maintenance
Sections 211, 212 and 216	Officer responsible for making a final apportionment of costs under the private street works code	Head of Highway Maintenance
Section 295	Officer responsible for issuing notices requiring removal of materials from non-maintainable streets in which works are due to take place	Head of <a href="#">Strategic Transport, Traffic and Infrastructure Parking Services</a> / Highway Network Manager & Sheffield Traffic Manager
Section 321	Officer responsible for signing notices, consents, approvals, orders, demands, licences, certificates and other documents	Head of <a href="#">Strategic Transport, Traffic and Infrastructure Parking Services</a> / Head of Highway Maintenance
Schedule 9 Para 4	Officer responsible for signing plans showing proposed prescribed	Head of Highway Maintenance

## APPENDIX E – PART 7 (STATUTORY/PROPER OFFICERS)

Sheffield City Council – Constitution  
 Part 7 – Management Structure and Statutory/Proper Officers  
 (Revised December 2017)

	improvement lines or building lines	
<b>Representation of the People Act 1983</b>	<b>Description</b>	<b>Proper Officer</b>
Section 8	Officer appointed as Registration Officer for the registration of Parliamentary and Local Government Electors	Chief Executive
Section 28	Officer to discharge duties of the returning officer as Acting Returning Officer at Parliamentary Elections	Chief Executive
Section 35	Officer appointed as Returning Officer for local elections	Chief Executive
Section 52	Officer approved as deputy to perform the powers and duties of the Registration Officer and officer appointed to carry out any acts of the Registration Officer in the event of his incapacity or a vacancy	Electoral Services Manager
Section 67	Officer to whom declarations and public notice of election agents' appointments are made	Chief Executive for Parliamentary Elections; Electoral Services Manager for local elections
Section 131	Officer responsible for providing accommodation for holding election court	Electoral Services Manager
<b>Building Act 1984</b>	<b>Description</b>	<b>Proper Officer</b>

## APPENDIX E – PART 7 (STATUTORY/PROPER OFFICERS)

Sheffield City Council – Constitution  
 Part 7 – Management Structure and Statutory/Proper Officers  
 (Revised December 2017)

Section 78(1) and (8)	Officer who may take immediate action in relation to dangerous buildings, structures or parts thereof	Director of <del>Regeneration and Development Services</del> <u>City Growth</u>
<b>Local Government Finance Act 1988</b>	<b>Description</b>	<b>Proper Officer</b>
Section 114	Officer responsible for making financial reports to the authority	Executive Director, Resources
Section 116	Officer responsible for notifying the authority's auditor of the date, time and place of meeting to consider s114 report and of decision of such meeting	Executive Director, Resources
<b>Local Government and Housing Act 1989</b>	<b>Description</b>	<b>Proper Officer</b>
Section 2(4)	Officer with whom the list of politically restricted posts shall be deposited	Chief Executive
Section 4	Officer designated as Head of Paid Service	Chief Executive
Section 5	Officer designated as Monitoring Officer	Director of Legal and Governance
<b>Local Government (Committees and Political Groups) Regulations 1990</b>	<b>Description</b>	<b>Proper Officer</b>
Regulation 8(1) and (5)	Officer to whom notice in	Head of

## APPENDIX E – PART 7 (STATUTORY/PROPER OFFICERS)

Sheffield City Council – Constitution  
 Part 7 – Management Structure and Statutory/Proper Officers  
 (Revised December 2017)

	writing is delivered about the constitution of a political group or the change of name of a political group	Democratic Services
Regulations 9 and 10	Officer to whom notice in writing is delivered about a Councillor's membership, or cessation of membership, in a political group	Head of Democratic Services
Regulation 13	Officer to whom the wishes of a political group are expressed	Head of Democratic Services
Regulation 14	Officer responsible for notifying in writing the leader or deputy leader of a political group about allocations and vacancies of seats	Head of Democratic Services
<b>Local Government Act 2000</b>	<b>Description</b>	<b>Proper Officer</b>
Section 9FB	Officer designated to carry out the functions of Scrutiny Officer	Head of Elections, Equalities and Involvement
<b>The Local Authorities (Standing Orders) (England) Regulations 2001</b>	<b>Description</b>	<b>Proper Officer</b>
Schedule 1, Part 2, Paragraphs 5 and 6	Officer responsible for receiving notification of proposed appointment or dismissal of certain officers, notifying executive members of that proposed appointment or dismissal and for receiving and notifying of objections to	Director of Human Resources

## APPENDIX E – PART 7 (STATUTORY/PROPER OFFICERS)

Sheffield City Council – Constitution  
 Part 7 – Management Structure and Statutory/Proper Officers  
 (Revised December 2017)

	the proposed appointment or dismissal	
<b>Local Authorities (Referendums) (Petitions) (England) Regulations 2011</b>	<b>Description</b>	<b>Proper Officer</b>
Regulation 4(1)	Officer who publishes the number that is equal to 5 per cent of the number of local government electors for the authority's area	Director of Legal and Governance / Electoral Services Manager
<b>Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012</b>	<b>Description</b>	<b>Proper Officer</b>
Regulation 7(2)	Officer who may think fit to exclude from the copy of a report open for inspection by the public information which relates to matters when the meeting is likely to be private	Director of Legal and Governance
Regulation 7(7)(c)	Officer who may think fit to supply to a newspaper a copy of any document supplied to Cabinet members in relation to an item on the agenda for a public meeting	Head of Democratic Services
Regulation 10(1) and (3)	Officer responsible for: <ul style="list-style-type: none"> <li>• informing the chairman of the relevant Committee by</li> </ul>	Head of Democratic Services



## APPENDIX E – PART 7 (STATUTORY/PROPER OFFICERS)

Sheffield City Council – Constitution  
 Part 7 – Management Structure and Statutory/Proper Officers  
 (Revised December 2017)

	<p>notice in writing of decision to be made where the publication under <a href="#">Regulation 9</a> is impracticable</p> <ul style="list-style-type: none"> <li>making available for inspection by the public and published on the authority's website a copy of the above noticemaking available a notice setting out the reasons why compliance with Regulation 9 is impracticable and publishing that notice on the authority's website</li> </ul>	
Regulation 12	Officer responsible for producing a written statement of all executive decisions made at meetings of decision-making bodies	Head of Democratic Services
Regulation 13	Officer responsible for producing a written statement of all executive decisions made by individual Councillors	Head of Democratic Services
Regulation 14	<p>Officer responsible for ensuring that a copy of the following documents is available for public inspection:</p> <ul style="list-style-type: none"> <li>Written statements referred to in</li> </ul>	Head of Democratic Services

## APPENDIX E – PART 7 (STATUTORY/PROPER OFFICERS)

Sheffield City Council – Constitution  
 Part 7 – Management Structure and Statutory/Proper Officers  
 (Revised December 2017)

	<p>Regulations 12 and 13</p> <ul style="list-style-type: none"> <li>• Part or all of any report considered by the decision maker and relevant to the decision made</li> </ul>	
Regulation 15	Officer responsible for compiling a list of background papers to the report referred to in Regulation 14	Relevant Executive Director
Regulation 16	Officer responsible for determining whether compliance with regulations 16(1) and 16(3) would involve the disclosure of either exempt information or advice provided by a political adviser or assistant	Director of Legal and Governance
Regulation 20	Officer who forms an opinion as to whether a document contains or is likely to contain confidential information, exempt information or the advice of a political adviser or assistant	Director of Legal and Governance
<b>Health and Social Care Act 2012</b>	<b>Description</b>	<b>Proper Officer</b>
Section 30	Officer to carry out the role of director of public health	Director of Public Health
<b>Children Act 2004</b>	<b>Description</b>	<b>Proper Officer</b>

## APPENDIX E – PART 7 (STATUTORY/PROPER OFFICERS)

Sheffield City Council – Constitution  
 Part 7 – Management Structure and Statutory/Proper Officers  
 (Revised December 2017)

Section 18	Officer appointed as Director of Children’s Services	Executive Director of <del>Children, Young People and Families, People</del>
<b>Local Authority Social Services and National Health Service Complaints (England) Regulations 2009</b>	<b>Description</b>	<b>Proper Officer</b>
Regulation 4(1)(a) and (4)	Officer designated as Responsible Person to ensure compliance with arrangements made under these Regulations	Chief Executive
Regulation 4(2)	Officer authorised by the Council to perform the functions of the responsible person	Director of <del>Care &amp; Support Adult Services</del> / Director of Commissioning
Regulation 4(1)(b) and (5)	Officer designated as complaints manager to manage the procedures for handling and considering complaints	Complaints Manager
<b>Openness of Local Government Bodies Regulations 2014</b>	<b>Description</b>	<b>Proper Officer</b>
Regulation 8	Officer who forms an opinion as to whether the documents relating to an officer delegated decision under Regulation 7(2) are background papers for the purpose of this Regulation	Director of Legal and Governance
Regulation 9	Officer who determines	Director of Legal

## APPENDIX E – PART 7 (STATUTORY/PROPER OFFICERS)

Sheffield City Council – Constitution  
Part 7 – Management Structure and Statutory/Proper Officers  
(Revised December 2017)

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	whether a document contains or is likely to contain either exempt or confidential information	and Governance