

# Council

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**Wednesday 4 December 2019**

**2.00 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 4 December 2019, at 2.00 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 Tony Downing)  
THE DEPUTY LORD MAYOR (Councillor Gail Smith)

1	<i>Beauchief &amp; Greenhill Ward</i> Simon Clement-Jones Bob Pullin Richard Shaw	10	<i>East Ecclesfield Ward</i> Andy Bainbridge Vic Bowden Moya O'Rourke	19	<i>Nether Edge &amp; Sharrow Ward</i> Peter Garbutt Jim Steinke Alison Teal
2	<i>Beighton Ward</i> Bob McCann Chris Rosling-Josephs Sophie Wilson	11	<i>Ecclesall Ward</i> Roger Davison Barbara Masters Shaffaq Mohammed	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> Angela Argenzio Michelle Cook Kaltum Rivers	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 Paul Turpin	23	<i>Southey Ward</i> Mike Chaplin Tony Damms Jayne Dunn
6	<i>City Ward</i> Douglas Johnson Ruth Mersereau Martin Phipps	15	<i>Graves Park Ward</i> Ian Auckland Sue Auckland Steve Ayris	24	<i>Stannington Ward</i> David Baker Penny Baker Vickie Priestley
7	<i>Crookes &amp; Crosspool Ward</i> Tim Huggan Mohammed Mahroof Anne Murphy	16	<i>Hillsborough Ward</i> Bob Johnson George Lindars-Hammond Josie Paszek	25	<i>Stocksbridge &amp; Upper Don Ward</i> Jack Clarkson Julie Grocutt Francyne Johnson
8	<i>Darnall Ward</i> Mazher Iqbal Mary Lea Zahira Naz	17	<i>Manor Castle Ward</i> Terry Fox Pat Midgley Sioned-Mair Richards	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> Tony Downing Kevin Oxley Gail Smith	27	<i>West Ecclesfield Ward</i> Alan Hooper Adam Hurst Mike Levery
				28	<i>Woodhouse Ward</i> Mick Rooney Jackie Satur Paul Wood

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John Mothersole

Chief Executive

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Paul Robinson, Democratic Services

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[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  
4 DECEMBER 2019**

**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. 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.

**4. MEMBERS' QUESTIONS**

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

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

4.3 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>)

**5. NOTICE OF MOTION REGARDING "MENTAL HEALTH, HOMELESSNESS AND BREXIT" - GIVEN BY COUNCILLOR STEVE AYRIS AND TO BE SECONDED BY COUNCILLOR MOHAMMED MAHROOF**

That this Council:-

- (a) recognises that Sheffield's mental health, homelessness and addiction services and charities come under particular pressure during the winter months as A&E services become overloaded;

- (b) is concerned that 95 per cent of NHS mental health trust leaders nationally consider homelessness to be a factor in increasing demand for mental health services in their area; that suicide is the most common cause of death for men aged 20-49 years in England and Wales; and that major depression is the second leading cause of disability worldwide and a major contributor to the burden of suicide and ischaemic heart disease;
- (c) notes that demand for community mental health services has grown by up to 40 per cent in some areas of Sheffield;
- (d) further notes the chronic staffing and recruitment and wider training crisis in mental health services;
- (e) notes also that Sheffield Health and Social Care NHS Foundation Trust consider the development of new roles to meet current and future workforce needs to be a key risk, highlighting cost pressures, mutual recognition of qualifications and general uncertainty created by Brexit;
- (f) notes with grave concern data provided by MIND that shows that, in the past year, the NHS in England has cancelled 175,000 appointments in Child and Adolescent Mental Health Services (CAMHS) – an overall increase of 25% compared to the previous year, representing nearly one in five of all missed appointments;
- (g) notes that nearly two thirds of NHS mental health trust leaders are very concerned about the numbers and skills of staff by 2021;
- (h) believes the Government's attitude towards leaving the EU under a bad deal or no deal is having a negative impact on mental health services;
- (i) is dismayed that no Mental Well-being Impact Assessment (MWIA) has been published by the Government of any Brexit deal or 'no deal';
- (j) notes with grave concern the predicted shortages of food and prescribed drugs and medicine supplies in the realistic assessment by the Cabinet Office in its Operation Yellowhammer report and the disproportionate impact this would have on crisis mental health sufferers;
- (k) notes that NHS mental health trust directors are seeing greater social isolation, deprivation and homelessness increasingly driving demand for mental health services and changing the nature of the support that trusts need to provide, and believes this trend has only been compounded by continued cuts to local authority budgets and subsequent decommissioning of important local early intervention

specialist mental health services; and

- (l) calls on the future Government to introduce measures to boost mental health services and to address the disparity between mental and physical health care.

**6. NOTICE OF MOTION REGARDING "SOUTH YORKSHIRE FLOODS" -  
GIVEN BY COUNCILLOR BRYAN LODGE AND TO BE SECONDED BY  
COUNCILLOR TONY DAMMS**

That this Council:-

- (a) notes the substantial rainfall over recent weeks which have caused widespread flooding and damage to communities throughout South Yorkshire;
- (b) notes that Sheffield is continuing to work closely with those in the worst affected areas, and that as well as offering financial support to affected residents and businesses, clean-up efforts in the rivers and brooks are ongoing, with the Council working alongside the Environment Agency and other key partners;
- (c) believes that whilst the 64mm of heavy rain brought travel disruption to many areas of the city, it was thanks to the Council's hard-working contractors, partners, community volunteers and investment in new flood defences that very few properties were flooded during this spate of bad weather;
- (d) notes also the involvement of South Yorkshire's Fire and Rescue (SYFR) Service and that this again demonstrates the importance of the Service, and why this Council was right to oppose the proposed cuts to SYFR which helped lead to these plans being shelved for at least a year;
- (e) notes the significant investment in flood defences under this Council with the flood defences installed along the River Don in the Lower Don Valley proving to be a major success in protecting the city and its residents;
- (f) notes that although the amount of rainfall was substantial, the defences coped well, over-topping only slightly, which is even more remarkable given it was Sheffield's wettest November day on record and the Environment Agency have confirmed that water levels reached the equivalent of the 2007 floods;
- (g) recalls that, in the 2007 floods, two lives were tragically lost, more than 1,000 people were either evacuated or unable to reach their homes, and millions of pounds worth of damage was caused to the city and thankfully, the city has not had to endure such hardship or

tragedy this time;

- (h) expresses sympathy and solidarity with all of those affected by the recent floods and believes that support and assistance must continue to be provided to neighbouring local authorities;
- (i) notes that this Council has suspended council tax for the affected properties in Sheffield for a period of three months to allow residents to get back on their feet and, in addition, the Council will provide £500 to those whose houses have been affected by flooding;
- (j) notes, in addition, that for local small and medium sized businesses affected, the Council will be adopting a Government scheme which will include financial support and business rates relief for affected properties, and though it is understood funding will only go some way to restoring property and possessions damaged by flood water, it is hoped it will offer some comfort in the midst of difficult times;
- (k) notes that the funds to provide £500 to each affected household was promised by the Government, however, some objectionable criteria conditions have been added to this, meaning that there is a threshold of needing twenty five residential properties to be affected before the Government will refund local authorities;
- (l) notes that whilst this may not be a large financial problem for the Council, and that the commitment will be honoured, it is once again a situation whereby the Government make a promise and yet leave local authorities to fund it;
- (m) contends that the focus now is on supporting those who have been affected by the flooding, and notes that a refuge centre was opened in Hillsborough by the Council, but was later closed when it became apparent that affected residents had made their own arrangements;
- (n) notes that the Leader of the Labour Party called on the Government to declare a national emergency and provide greater assistance in response to the flooding in Yorkshire and Derbyshire and that the Prime Minister faced widespread criticism for perceived inaction to the crisis;
- (o) believes that there needs to be a rigorous examination of how, as a country, we can do everything we can to reduce flooding and to understand the role that climate change and global heating plays, and to ensure that everything possible is being done to reduce the impact and reduce the root causes i.e. changing environmental factors;
- (p) believes local communities have shown amazing resilience throughout this period and that reassurance is given that this

Council will continue to work with our dedicated partners, signposting people to relevant services and available funding where we can; and

- (q) believes that there is no room for complacency and notes that the Council has already developed a series of new flood protection schemes and that it is essential that we keep up the pressure on central government to give us the required funding, and believes that Sheffield has shown the Government that when they invest in Sheffield's flood defences they clearly work in protecting homes, businesses and essential infrastructure.

**7. NOTICE OF MOTION REGARDING "GOLD AWARD IN THE FIRST STONEWALL CHILDREN AND YOUNG PEOPLE SERVICES CHAMPION AWARD" - GIVEN BY COUNCILLOR JACKIE DRAYTON AND TO BE SECONDED BY COUNCILLOR DAWN DALE**

That this Council:-

- (a) notes the recent Stonewall Gold Champion Award given to the Council for LGBT+ services for Children & Young People's Services in the first Stonewall CYPS Champion Award, scoring a remarkable 128 out of a possible 130 points;
- (b) notes that in early 2019, Stonewall replaced its Education Champions Programme and the Education Equality Index with a Children and Young People's Programme which has been designed to give a holistic overview of services working with young people up to the age of 18;
- (c) further notes that Sheffield is one of only two local authorities to have featured in the Top Ten of every Stonewall Education Equality Index since 2011;
- (d) believes that everything possible must be done to support young LGBT+ people and notes the following national research which denotes the struggles faced by many:-
  - (i) 84% of transgender young people have self-harmed; for lesbian, gay and bisexual young people who are not transgender, 61% have self-harmed;
  - (ii) 45% of transgender young people have attempted to take their own life; for lesbian, gay and bisexual young people who are not transgender, 22% have attempted to take their own life;
  - (iii) just 40% of lesbian, gay, bisexual and transgender young people have an adult at home they can talk to about being



LGBT; and

- (iv) half of LGBT+ pupils hear homophobic slurs 'frequently' or 'often' at school and have reported being bullied at school;
- (e) believes that these problems must be not be shied away from and welcomes the submission to Stonewall, that resulted in the Gold Award, for demonstrating the work in tackling these issues and showcasing the wide range of work from staff in People's Portfolio, our key partners SAYiT, the LGBT+ Youth Group for Sheffield and Learn Sheffield that supports equality and inclusion of LGBT+ young people in Sheffield;
- (f) notes that the Council has also been credited as one of the top ten local authorities for tackling anti-LGBT+ bullying and celebrating difference in schools by lesbian, gay, bisexual and transgender equality charity, Stonewall, in its annual Education Equality Index;
- (g) further notes that Sheffield Council was also named one of the most inclusive employers in Britain in Stonewall's Top 100 Employers list for 2019;
- (h) reaffirms this Council's commitment to promoting equality and diversity within the organisation and across the city, and notes the Education Index is an important way of measuring our progress on LGBT+ equality in the workplace and in our schools;
- (i) believes that the Council is right in its vision for Sheffield to be the fairest city in Britain, where all people feel included regardless of their age, race, gender, sexuality or ability, and that whilst we have come a long way, it is essential this success is built on so that everyone feels accepted in our city;
- (j) notes that Sheffield's Children and Young People Services are building on the award winning support for young LGBT+ people, and have won numerous awards for their improved services, and notes that in October, the Council and Sheffield Children's 0-19 Health Visiting Services both achieved UNICEF's Baby Friendly Initiative Gold Award, in recognition of the outstanding services provided to pregnant and new mums in the city;
- (k) further notes that this award made Sheffield City Council the first standalone local authority in the country to have its Children and Family Services recognised with the Gold Award, and credit must go to the fantastic staff for making this possible;
- (l) further notes that under this Council, Sheffield's Family Centres and Sheffield Children's 0-19 Health Visiting Services have put the Baby Friendly Initiative into practice to create a focus on helping parents

to develop close and loving relationships with their baby;

- (m) highlights that the services have also been praised by UNICEF for their commitment to supporting parents who chose to bottle feed and for promoting successful breastfeeding - with breastfeeding rates in Sheffield the highest in Yorkshire and Humber with nearly 80 per cent of new mothers breastfeeding their babies in the first few days;
- (n) believes this is a fantastic achievement and Council and NHS staff should be proud of their work in attaining this recognition and that, further, the Gold Award is the highest standard in UNICEF's Baby Friendly Initiative and requires services to work together to prove that the right leadership, culture and monitoring is in place to ensure that the initiative is sustainable in the long term; and
- (o) believes that these are important developments, and perhaps even more remarkable given the decade of austerity inflicted on the city by successive governments, but that there should be no complacency and that the Council must strive to even do even better.

**8. NOTICE OF MOTION REGARDING "THE CIRCULAR ECONOMY" -  
GIVEN BY COUNCILLOR MARTIN SMITH AND TO BE SECONDED BY  
COUNCILLOR IAN AUCLAND**

That this Council:-

- (a) notes that Sheffield City Council has declared a Climate Emergency;
- (b) believes that with the right support, British businesses have the opportunity to be world leaders in green and sustainable technology;
- (c) believes successful economies of the future will be those which adopt the 'circular economy' approach, which designs out waste, is regenerative by design and is powered by renewable energy; at its heart is the idea of reducing resource use, reusing resources and materials that are in circulation in the economy and recycling as a last resort, which will help us meet our sustainable development goals;
- (d) believes a prime example of this is the forthcoming EU 'right to repair' legislation which will require manufacturers to design longer-lasting products and make spare parts readily available in a push to reduce waste and increase opportunities for small businesses in the after-sales support sector;

- (e) believes that Sheffield can have a huge and positive role to play in the transition to a circular economy; and
- (f) therefore resolves to:-
  - (i) consult with local universities, charities and Ellen MacArthur Foundation Knowledge Partner organisations, that have experience of delivering circular economy projects with businesses and local authorities;
  - (ii) support the introduction of local deposit return and refill schemes for all food and drinks containers;
  - (iii) make 'evidence of environmental improvement' a requirement for all businesses and organisations seeking grant funding or any other form of financial support from the Council; and
  - (iv) instruct the Executive Director, Place, to carry out a full study that quantifies the potential benefits of the circular economy approach to the city and report back to full Council within six months.

**9. APPOINTMENT OF INTERIM CHIEF EXECUTIVE, HEAD OF PAID SERVICE, AND RETURNING OFFICER**

Report (to follow) of the Executive Director, Resources on the recruitment exercise for an Interim Chief Executive, and containing recommendations relating to that appointment, the Head of Paid Service and Returning Officer designations.

**10. CHANGES TO THE CONSTITUTION : PART 4 - FINANCIAL PROCEDURE RULES (FINANCIAL REGULATIONS)**

Report of the Chief Executive.

**11. MINUTES OF PREVIOUS COUNCIL MEETING**

To receive the record of the proceedings of the meeting of the Council held on 6th November 2019, 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.

Chief Executive

Dated this 26 day of November 2019

**The next ordinary meeting of the Council will be held on 8 January 2020 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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## Report to Council

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**Report of:** Chief Executive

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**Date:** 4 December 2019

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**Subject:** Changes to the Constitution : Part 4 – Financial Procedure Rules (Financial Regulations)

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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 Part 4 - Financial Procedure Rules (Financial Regulations) of the Constitution.

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**Recommendations:**

That the Council considers adopting the changes to Part 4 - Financial Procedure Rules (Financial Regulations) of the Constitution, as set out in the report and appendices.

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**Background Papers:**

None

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**Category of Report:** OPEN

## Statutory and Council Policy Checklist

<b>Financial &amp; Commercial implications</b>
NO - Cleared by Peter Carr
<b>Legal implications</b>
YES – Cleared by Nadine Wynter
<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 Part 4 - Financial Procedure Rules (Financial Regulations) of 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 The Financial Procedure Rules (Financial Regulations) were last updated in November 2018 and are an important part of the Council's financial governance arrangements. They provide the rules for the Council to follow so as to protect public money and give clarity for both Members and Officers regarding responsibilities for financial management.
- 3.2 Following an annual review by Finance Officers, in consultation with the Cabinet Member for Finance, Resources and Governance, a number of changes are proposed to the Financial Regulations. These include a general review to ensure job titles are up-to-date and embedded links are working; the Finance & Commercial Services restructure and insourcing of Capita is accurately reflected; and minor changes to the Council's processes or systems have been incorporated and match current working practices.
- 3.3 A summary of the proposed changes and a revised version of the Financial Regulations are attached at Appendices A and B to the report, respectively.

**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.
- 4.2 Under section 9P of the Local Government Act 2000, the Council must prepare a constitution and keep it up to date. It must be available to the public and, under the Local Government Transparency Code 2015, be published on the Council's website. The proposed changes in this report are to bring a part of the Constitution up to date to comply with the legislation.

5. **Financial & Commercial Implications**

5.1 There are no financial implications.

6. **Equality of Opportunity Implications**

6.1 There are no equalities implications.

7. **Recommendations**

7.1 That the Council considers adopting the changes to Part 4 - Financial Procedure Rules (Financial Regulations) of the Constitution, as set out in the report and appendices.

**Chief Executive**



# **Sheffield City Council**

## **Financial Regulations 2019**

**Summary of changes from the 2018 Regulations**

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## Foreword

This document summarises the main changes from the 2018 to the 2019 Financial Regulations. It is not intended to replace due consideration of the current Regulations.

If you have any queries on the content of the Regulations please contact your [Finance Business Partner](#).

The Appendices are the specific sections of the 2018 Financial Regulations, prior to any amendments made as a result of the 2019 update.

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## 1. General Review/ Update – links, format, etc.....

The Financial Regulations have been reviewed to ensure:

- They are up-to-date with working embedded links;
- The restructure within Finance and Commercial Services and the insourcing of Capita is reflected;
- The Financial Regulations match current working practices and any minor changes to the Council's processes or systems have been incorporated.
- Job titles have been updated and amended.

## 2. Amended Key Terms and Definitions - Virement

Virement is defined by CIPFA as the transfer of underspending on one budget head to finance additional spending on another budget head.

Where cash limit is moved to be spent on achieving a different purpose to that approved in the budget book, this is a policy choice and therefore is classed as a virement.

*This amendment was requested to ensure the definition of a virement was up-to-date.*

## 3. Amended Paragraph – Financial Planning (Chapter 3)

### Cash Limit Adjustments (3.5.7)

Cash Limit adjustments can be done between services, within a service or between months on the Q-tier system. If the adjustment doesn't meet the definition of a virement and is under £100,000, these can be signed off by the relevant Finance Manager (one for each side of the transaction).

Over £100,000 and a Senior Finance Manager for the portfolio will need to authorise the adjustment.

*This amendment was requested to ensure the Financial Regulations reflect current working practices.*

## 4. Amended Paragraph – Capital Programme (Chapter 5)

### Budget Managers (Roles & Responsibilities) (5.2.6)

Considering the impact of Value Added Tax (VAT) on Capital projects and property transactions (disposals, purchases and leasing of land/property) and to seek the advice of the Head of Strategic Finance if required. On a day-to-day basis this advice will be provided by the Council's Tax Manager.

*This amendment was requested by the Tax Manager to ensure that SCC's partial exemption position was protected.*

## 5. Amended Paragraph – Income Management (Chapter 7)

### Local Land Charges (7.8)

The Local Land Charge Register contains details of outstanding liabilities, e.g. road and other financial charges, home improvement grants, tree preservation orders, notices of restriction, etc., that will either secure the payment of a sum of money or limit the use of the said property. It is a statutory requirement that all Local Authorities within England and Wales compile, maintain and regularly update their Local Land Charges Register.



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When Services secure a Sundry Debt account in the Local Land Charge Register, the following criteria will apply:

- Sundry Debt accounts recorded in the Land Charge Register will be managed in accordance with section 7 of these Regulations. This includes using the Council's standard debt recovery process and taking a bad debt provision.
- On an annual basis the Business Unit Manager responsible for the debt listed in the Local Land Register must review the account to ensure that it is still valid and collectable.
- Debts covered by a Land Charge that remain outstanding after 6 years will be reviewed by the Head of Commercial Business Development to determine whether the debt should be written off in the Finance system.

*The Finance Manager (ICAM) proposed to remove the £500 limit on the basis that pro-active debt recovery action will be taken on these debts, and that the standard 60 day bad debt provision will be applied.*

## **6. Amended Paragraph - Purchasing (Chapter 8)**

### Head of Strategic Finance (Roles & Responsibilities) (8.1.2)

Compliance with the requirements of the Construction Industry Scheme (CIS) in relation to tax deductions on the payment of invoices for construction work.

*This amendment was requested by the Tax Manager to ensure that the name of the Scheme was up-to-date and matched current criteria.*

### Approval Hierarchy Levels (8.3.5)

All purchase orders must be approved in line with the Council's approval hierarchy as shown below:

Order Amount	Financial Approval Limits
< £100	No further financial approval
Up to £250	Supervisor / Line Manager
Up to £500	Middle Manager
Up to £2,500	Business Unit Manager
Up to £25,000	Assistant Head of Service / Assistant Director
> £25,000	Head of Service / Director / Assistant Chief Executive / Chief Executive

*This amendment was requested to ensure the Financial Regulations reflect current working practices.*

### Standard Payment Terms (8.5.3)

The Council's standard payment terms are to make payment within 30 calendar days of the invoice date. Any variation to this standard must be agreed by the Director of Finance & Commercial Services either as part of the letting of a contract or by ad-hoc exception to the standard terms.

*This amendment was requested to ensure the Financial Regulations reflect current working practices.*

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## **7. Amended Paragraph - Taxation (Chapter 12)**

### Executive Directors (Roles & Responsibilities) (12.1.1)

Advise the Head of Strategic Finance of any capital projects and property transactions (disposals, purchases and leasing of land/property) that are under consideration and have the risk of irrecoverable VAT being incurred by the Council, whether by way of exempt input tax or otherwise.

*This amendment was requested by the Tax Manager to ensure that SCC's partial exemption position was protected.*

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## **Appendices – 2018 Financial Regulations**

Below are extracts from the specific sections in the 2018 Financial Regulations prior to any amendments made as a result of the 2019 update.

### **A. Virements (Key Terms and Definitions) (Page 12)**

Virement is defined by CIPFA as the transfer of underspending on one budget head to finance additional spending on another budget head. Virements are also used to move budgets where a function is moved from one Portfolio or Service to another.

### **B. Financial Planning (Chapter 3)**

#### **Cash Limit Adjustments (3.5.7)**

New paragraph in the 2019/20 Financial Regulations.

### **C. Capital Programme (Chapter 5)**

#### **Budget Managers (5.2.6)**

Considering the impact of Value Added Tax (VAT) on Capital projects and seek the advice of the Head of Strategic Finance if required. On a day-to-day basis this advice will be provided by the Council's Tax Manager.

### **D. Income Management (Chapter 7)**

#### **Local Land Charges (7.8)**

The Local Land Charge Register contains details of outstanding liabilities, e.g. road and other financial charges, home improvement grants, tree preservation orders, notices of restriction, etc., that will either secure the payment of a sum of money or limit the use of the said property. It is a statutory requirement that all Local Authorities within England and Wales compile, maintain and regularly update their Local Land Charges Register.

Services can only secure a Sundry Debt in the Local Land Charge Register in the following circumstances:

- The balance of the sundry debt invoice must exceed £500.
- Other income collection options available for Sundry Debts must have been fully evaluated before registering the charge, e.g. Debt Collection Agency, County Court action, etc.
- The service must have sufficient evidence to support the prospect of the debt being collected through the Land Charge process.
- On an annual basis the Business Unit Manager responsible for the debt that is listed in the Land Register must ensure that the debt is still valid and collectible.

For the avoidance of doubt this relates specifically to sundry debt invoices, and does not apply to the debts in the Local Land Registry manually raised outside of the Finance System.

### **E. Purchasing (Chapter 8)**

#### **Head of Strategic Finance (Roles & Responsibilities) (8.1.2)**

Compliance with the requirements of the Construction Industry Tax Deduction Scheme (CITDS) in relation to the payment of invoices relating to repairs and renovation over the stipulated monetary limits.

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### **Authorisation Hierarchy Levels (8.3.5)**

All purchase orders must be approved in line with the Council's authorisation hierarchy levels as shown below:

Order Amount	Authorisation Level
£0 - £100	Automatic Approval
£100.01 - £499.99	Middle Manager / Line Manager
£500 - £2,499	Business Unit Manager
£2,500 - £24,999	Assistant Head of Service / Assistant Director
Over £25,000	Head of Service / Director / Chief Executive

### **Standard Payment Terms (8.5.3)**

The Council's standard payment terms are 30 calendar days from the date that a valid invoice is received by the Council. Any variation to this standard must be agreed by the Director of Finance & Commercial Services either as part of the letting of a contract or by ad-hoc exception to the standard terms.

## **F. Taxation (Chapter 12)**

### **Executive Directors (Roles & Responsibilities) (12.1.1)**

New paragraph in the 2019/20 Financial Regulations.

# **Sheffield City Council Financial Regulations 2019**

**VERSION: 1.0**

**DATE OF ISSUE:**

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**APPROVED BY:**

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## Key Terms and Definitions

Accountable Body (for external funding)	Grant funders expect that their money is well managed and used in line with their requirements. The organisation whose financial services and financial rules and regulations will be used to manage the funding is called the <b>Accountable Body</b> . This Body is legally responsible for ensuring that these requirements are met, including, for example, that proper audit trails are in place, contracts with suppliers are effectively managed, that the project has sufficient cashflow and generally meeting the liabilities (e.g. clawback) that flow from the conditions of the funding.
Annual Revenue Budget	This is the Council's total Revenue spending plans for the year including the level of Council Tax for the coming year. It is set by Council following receipt of the Annual Budget Report.
Asset(s)	The CIPFA Code of Practice on Local Authority Accounting in the UK 2019/20 defines an asset as 'a resource controlled by the authority as a result of past events and from which future economic benefits or service potential is expected to flow to the authority'.
Budget	As per Article 4 of the Council's <a href="#">Constitution</a> the annual Budget includes the allocation of financial resources to different service and projects, including: <ul style="list-style-type: none"> <li>• Revenue expenditure</li> <li>• Proposed contingency funds including reserves and balances</li> <li>• Setting the Council Tax (and any other local tax which may be within the control of the Council)</li> <li>• Decisions relating to the control of the Council's borrowing requirement</li> <li>• Capital expenditure, and</li> <li>• The Treasury Management Strategy</li> </ul>
Budget carry forward	A budget carry forward is an underspend of a specified amount of budget which is planned for, and transferred to an earmarked reserve to be spent in a future year(s) for a specified purpose. For the purposes of these Regulations this is treated as a Virement (See below).
Budget Implementation Plan	Business planning is an ongoing process which ensures that we understand needs, agree priorities and strategic outcomes for the medium to long-term, and allocate and develop financial and non-financial resources needed to deliver them. The decisions and information from the process – both quantitative and qualitative – facilitate the production of the Budget Implementation Plans (BIPs) in the Council's Budget Book.
Business Partner (BP) and Accounting & Infrastructure (A&I)	Members of Finance & Commercial Services with specific responsibility for supporting Executive Directors and their teams through the provision of financial advice and decision support.

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Capital Programme	This is the sum of all the Council's individual capital projects and sub-programmes that the Council is planning to undertake during the <b>coming 5 years</b> , together with the funding that will support the Programme. The Capital Programme is made up of a number of different projects ranging from large scale projects such as Building Schools for the Future to smaller projects such as children's play equipment. The number and size of the projects may change which means that Capital Programmes may not be comparable in terms of size and scope over time.
Capital Project	A project which uses capital resources to acquire assets, and/or build, improve, increase the market value of, or substantially lengthen the useful life of an asset.
Capital Reporting and Approval Timetable	This sets out the deadlines for submission of Capital Approval Forms, dates of review meetings, monitoring and forecasting cycles, reporting dates and finance system schedules.
Capital Spending	Spending to purchase, build, improve, increase the market value of or substantially lengthen the useful life of an asset. Examples include the Decent Homes Programme, Building Schools for the Future and the Local Transport Plan.
Chief Property Officer	This means the Director who is nominated as such from time to time by the Executive Director, Place.
<a href="#">Corporate Plan</a>	The <a href="#">Corporate Plan</a> sets out the vision for the Council and Sheffield. It includes what the Council will do over the next three years in order to deliver the vision.
Director	An Officer who is a member of the Council's Director's Group.
The Executive	The Executive means the Leader of the Council and the Members selected by him/ her to form the Cabinet. In line with arrangements made by the <a href="#">Leader's Scheme of Delegation</a> , the members of the Executive, individually and/ or collectively, discharge the Council's executive functions, either themselves or through further lawful delegations of authority.
Executive Director	For the purposes of these Regulations, 'Executive Director' means an Officer designated in the Council's staffing structure as an Executive Director.
Executive Functions	Those local authority powers and duties which in law are the responsibility of the Executive.
External Funding	As defined by the Chartered Institute of Public Finance and Accountancy, External Funding is "discretionary money not accounted for within the Formula Spending Share (the normal funding from central government) or equivalent, distributed by various UK and EU agencies on a business case and/ or competitive basis requiring an application".

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Finance & Commercial Services	The Council's consolidated Finance & Commercial Services is led by the Director of Finance & Commercial Services.
Financial Policies	The Council has a detailed set of financial policies which underpin these regulations.
<a href="#">Financial Protocol</a>	The Financial Protocol summarises the relationship between Executive Directors, the Director of Finance & Commercial Services and the Head of Strategic Finance and is signed annually by all parties.
Forward Capital Programme	This is the term used to describe the projects that are intended (planned) to be in the Council's Capital Programme for the following financial year. Information is usually prepared and collated in the autumn/ winter for presentation to Council in March.
Inclusion	This is the term used for the incorporation of approved capital projects in the Forward Capital Programme <b>and</b> the addition of projects to the Forward Capital Programme at any time in the financial year, e.g. where a stream of funding is identified in December that needs to be spent before the end of March.
Leader	The Leader of the Council or, if the Council's executive arrangements are changed to a mayoral model, the Mayor (but not the Lord Mayor) of the Council.
<a href="#">Leader's Scheme of Delegation</a>	The scheme of delegation and/ or other arrangements for exercising the Council's executive functions made from time to time pursuant to section 9E Local Government Act 2000 by the Leader.
Medium Term Financial Strategy	The Council's Medium Term Financial Strategy presents an overview of the Council's Financial position over at least the next three year period including revenue and capital spending plans linked to priorities.
Policy Framework	As per Article 4 of the Council's <a href="#">Constitution</a> the Policy Framework means the following plans and strategies: <ul style="list-style-type: none"> <li>• Development Plan documents (section 15, Planning and Compulsory Purchase Act 2004)</li> <li>• Licensing Authority Policy Statements under the Licensing Act 2003 and the Gambling Act 2005</li> <li>• Local Transport Plan</li> <li>• Sustainable Community Strategy</li> </ul>
Portfolio	The name given to a group of departments managed by an Executive Director. The Executive Directors combine to make up the Council's Chief Officer Board ( <a href="#">Executive Management Team</a> ).
Property Asset Management	CIPFA describes property asset management essentially a mechanism to enable and ensure that property assets are managed and used efficiently and effectively in support of the main objectives of an organisation. This will need to be undertaken within any financial constraints and statutory obligations.

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Revenue Spending	Any expenditure by the Council that falls outside the definition of Capital Spending. Typically the day-to-day running costs of the Council such as salaries, rent, utility bills and payments to service providers.
Section 151 Officer	Under section 151 of the Local Government Act 1972 and s114 of the Local Government Finance Act 1988, the Chief Finance Officer has a statutory responsibility to ensure that the Council makes arrangements for the proper administration of its financial affairs. The Executive Director – Resources is the responsible officer (Chief Finance Officer) for the purposes of s151.
Senior member of Finance & Commercial Services	These are the officers designated in the <a href="#">Financial Protocol</a> appended to these Regulations.
Sundry Debt	Miscellaneous income that is due to the Council that can be collected by payment up front or by raising a sundry debt invoice. Local taxation, housing benefit overpayments and rental income are not included in this definition.
Transfer to a specific reserve	A transfer to a specific reserve is funding that is being put to one side as part of the service's budget strategy. The funding will be used in future years for reinvestment back into the service area. For the purposes of these Regulations this is treated as a Virement (See below).
Utilities/ Utility Bill	As approved by the Director of Finance & Commercial Services, payments for the following services are considered to be Utilities (Gas, Electricity, Water, Telecomms, Mail Services and Photocopiers).
Variation/ Change in Scope (Capital)	This is where there are changes in the agreed capital project cost or outputs. This could be an increase in the cost of the project, a change in available funding, or what will be delivered (the outputs). For example, funding to refurbish six schools is reduced such that only three can now be delivered. This would create a financial variation and change of scope which require approval in accordance with the <a href="#">Leader's Scheme of Delegation</a> and/ or the <a href="#">Constitution</a> where applicable.
Variations (Revenue)	Variations are changes to the total amount of expenditure across either a Portfolio, Service or the Council as a whole <b>that result</b> in a change to the Council's <b>overall level of resources</b> as set out in the Budget <b>approved by Council</b> .
Virement	Virement is defined by CIPFA as the transfer of underspending on one budget head to finance additional spending on another budget head.  Where cash limit is moved to be spent on achieving a different purpose to that approved in the budget book, this is a policy choice and therefore is classed as a virement.
Write-Off	Removing a debt from the Council's accounts using money that has been set aside as part of the bad and doubtful debt provision. It relates to debts that are correctly due to the Council but for whatever reason are no longer collectable.

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## **1. Background**

### **1.1. The purpose and authority of the Financial Regulations**

These Regulations form part of the Council's [Constitution](#) and as such carry with them the same authority. They set out the financial management policies of Sheffield City Council and are the key part of the Council's financial governance arrangements.

They are intended to help Members and Officers manage the Council's finances in line with best practice and should be read and implemented in the wider context of the Council's decision making framework including the [Constitution](#) and the [Leader's Scheme of Delegation](#).

As per [section 2.2.7](#) of these Regulations, the Head of Strategic Finance is required to formulate and maintain any standards, procedures and processes as she/ he deems necessary to support the effective implementation of these Regulations.

It is important that these Regulations are, and continue to be, relevant to the Council. They are regularly reviewed so as to be consistent with the Council's [Constitution](#), [Leader's Scheme of Delegation](#) and all other related documentation. They are also reviewed in line with accounting best practice, legislation, and changing service needs.

Any changes to these Regulations must be proposed by the Head of Strategic Finance and approved by Council.

Officers should initially contact the A&I Team if they wish to raise any issues with the content of these Regulations.

### **1.2. Accountability for compliance**

All officers, including those working for the Council on a voluntary basis, are accountable for following the rules set out in these regulations. It is important that Managers at all levels in the Council ensure that they and the staff and volunteers under their control, are familiar with these Regulations and the rules they contain.

The Directors of Business Strategy are responsible, within their Portfolios, for ensuring compliance with these Regulations.

These Regulations are a key element of the Council's governance arrangements. All Directors are required to sign the Annual Governance Statement (AGS) to confirm that they fully comply with the prescribed governance arrangements of the Council including these Regulations.

Non-compliance with these Regulations may result in the withdrawal of delegated financial authority and/ or the application of disciplinary procedures.

Adherence to the processes associated with the Council's finance system (Integra) and Qtier is also essential to ensuring that officers are complying with these Regulations.

The term "officers", where used in these regulations, refers to both Council employees and those working for the Council on a voluntary basis.

### **1.3. Accounting Policies**

The Head of Strategic Finance is responsible for selecting Accounting Policies and ensuring that they are applied consistently. The Accounting Policies are set out in the Statement of Accounts which is prepared as at 31<sup>st</sup> March each year. The key controls in the Accounting Policies are:

- Systems of internal control are in place to ensure that financial transactions are lawful.

- Proper accounting records are maintained.
- Financial statements are prepared which present fairly the financial position of the Authority and its expenditure and income.

#### **1.4. Risk management**

These Financial Regulations and associated finance systems and processes are a key part of the Council's risk management framework and associated risk strategies. By following these Regulations, the Council's finance processes, and ensuring that the financial risks and opportunities of any activity are fully considered and recorded in line with the risk management framework. Officers will demonstrate compliance with corporate risk management requirements.

#### **1.5. Internal Control**

Internal Control is the system put in place by the Council to conduct its business in an orderly and efficient manner. It is used to safeguard its assets and resources, to deter and detect errors, fraud and theft, to ensure accuracy and completeness of its accounting data, to produce reliable and timely financial and management information and ensure adherence to the Councils policies and plans.

As part of the Annual Governance process, Directors and Executive Directors must confirm that they have satisfactory arrangements in place to manage internal controls within their Portfolio. This includes the requirement for individual managers to be responsible for the effectiveness of the internal control system within their Service.

Directors and Executive Directors are also required to highlight deficiencies in the control framework and to identify significant incidents that have occurred.

An Annual Governance Statement is prepared and signed by the Council's section 151 Officer, Chief Executive and Council Leader. The statement describes the Council's governance framework and highlights any significant deficiencies.

The [Audit & Standards Committee](#) (or any future committee that may be given this function) is responsible for approving the Annual Governance Statement which is published along with the Council's Annual Accounts.

#### **1.6. Training and development**

##### **1.6.1. Head of Strategic Finance and Executive Directors**

These are jointly responsible for working co-operatively to ensure the effective implementation of these Regulations and management of the Council's financial arrangements. This will involve a commitment to:

- Influencing the culture of financial management through training and development of Portfolio managers and Finance & Commercial Services staff.
- Identifying any training requirements that their staff need to comply with these Regulations and to meet the required financial competencies.

##### **1.6.2. Head of Strategic Finance**

The Head of Strategic Finance is responsible for:

- Producing documentation that supports these Regulations and which set out in more detail the Council's procedures and processes for carrying out work related to financial management and administration.
- Ensuring that appropriate training is made available to support these Regulations and associated procedures and processes.

- Ensuring that the e training and guidance provided as part of the Council's finance system (Integra) and Qtier are in line with these Regulations.

#### 1.6.3. Executive Directors

Executive Directors are responsible for ensuring:

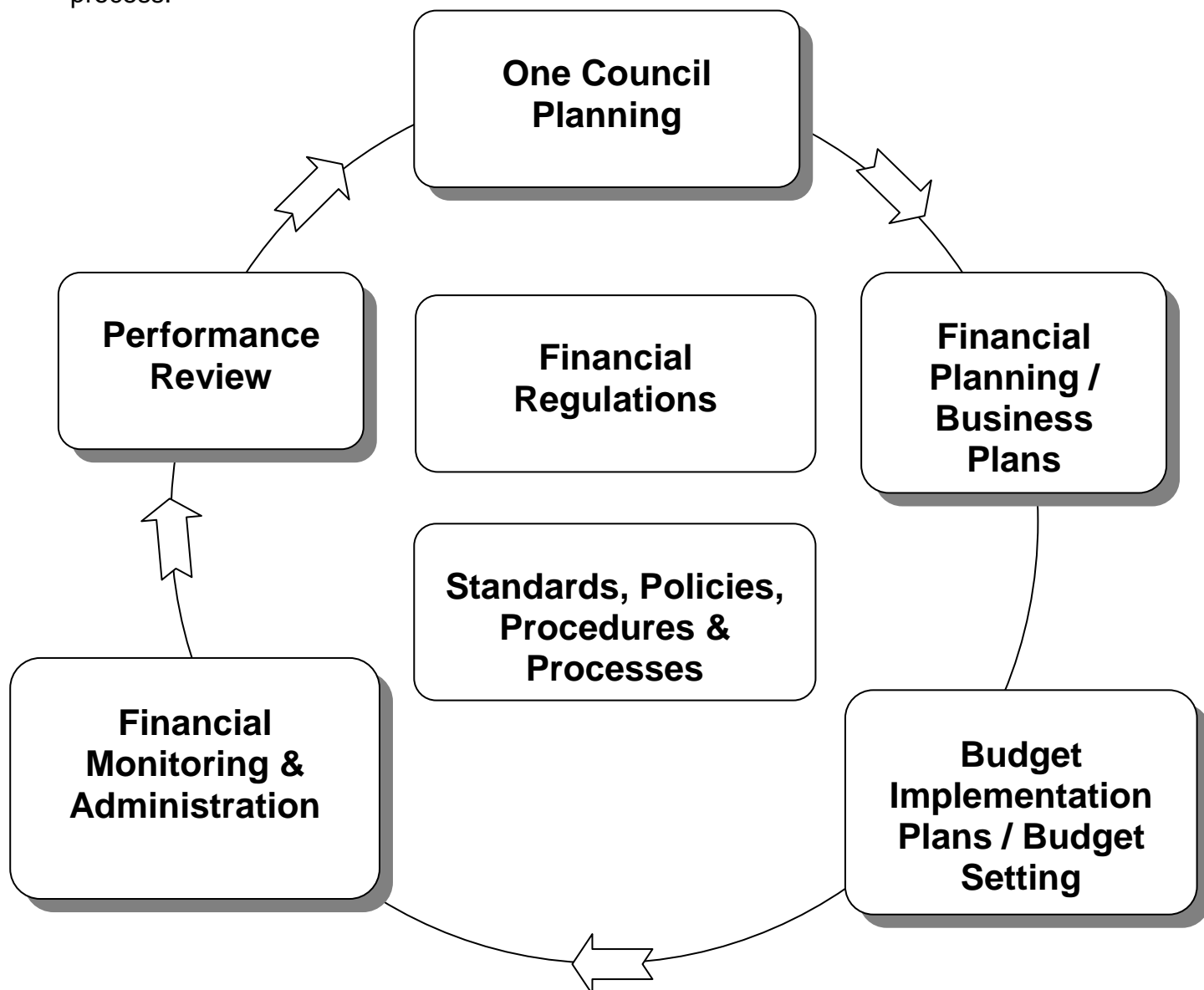
- The training opportunities which have been made available are taken up by their staff as required.
- Their staff follow the guidance and other documentation that is made available to them.

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## 2. Financial Management

### 2.1. The Cycle

The following diagram illustrates the financial management process starting with service planning and ending with the review of performance before the cycle starts again. These Financial Regulations and the financial policies and procedures issued by the Head of Strategic Finance are shown as supporting the financial management process.



### 2.2. Responsibilities and Delegated Authority

Many of the Council's responsibilities for finances are delegated within a framework of powers from Full Council to its committees (e.g. [Audit & Standards Committee](#)) and Officers, or, in the case of Executive Functions, by the Leader, primarily through the [Leader's Scheme of Delegation](#) (e.g. to Cabinet, Individual Cabinet Members, Locality Areas and Officers). Scrutiny Committees also have a role in the Council's financial management process.

#### 2.2.1. Full Council

Functions reserved to Full Council include setting the Council's Annual Revenue Budget, the Housing Revenue Account, the overall Capital Programme and Council Tax levels, and approving or adopting the Policy Framework.

Functions exercised by Full Council are set out in Article 3 of the Council's [Constitution](#) and/ or prescribed by law.

If the Cabinet, individual Members of the Cabinet and any officers, Locality Areas or joint arrangements which discharge Executive Functions have any doubt whether a proposed decision is in accordance with the approved, Revenue Budget or Capital Programme, they must take advice from the Director of Legal and Governance and the Executive Director of Resources or Head of Strategic Finance.

If the advice of either of those officers is that a decision would not be in line with the approved, Annual Revenue Budget or Capital Programme, then, subject to the rules of [virement](#), and subject to the urgency procedure the decision may only be taken by the Council.

#### 2.2.2. The Executive

The Executive has overall responsibility for ensuring that the Council's expenditure remains within the resources available to it.

The Leader decides which parts of the Executive may exercise which executive functions and will generally do this through the [Leader's Scheme of Delegation](#).

**If any lawfully made provision of the Leader's Scheme contradicts any provision of these Regulations, the Leader's Scheme shall prevail.**

##### 2.2.2.1. Cabinet

The Cabinet will receive a quarterly budget monitoring report outlining the financial position for the whole Council.

The Cabinet will receive the out-turn report following the end of the financial year to approve decisions on the carry-forward/ carry-back of resources from one year to the next.

The Cabinet may receive financial information during the year if an in-year decision on the Council's budget is required.

##### 2.2.2.2. Individual Cabinet Members

Functions which may be exercised by individual Cabinet Members are set out in the [Leader's Scheme of Delegation](#).

All Cabinet Members will receive quarterly budget monitoring reports for their areas of responsibility, via the relevant A&I contact.

#### 2.2.3. Locality Areas

Locality Areas has executive powers to approve expenditure of any amounts delegated to it by the Executive. Locality Areas cannot spend money other than that allocated by Council or the Executive. Whenever Locality Areas spends money, it must comply with these Regulations, [Standing Orders](#), [Procurement Guidelines](#) and any other relevant policies or procedures.

Functions exercised by Locality Areas are set out in:

- Article 10 and Part 3 of the Council's [Constitution](#).
- The [Leader's Scheme of Delegation](#).

#### 2.2.4. Audit & Standards Committee

The [Audit & Standards Committee](#) of the Council forms a key part of the governance of the Council. The terms of reference for the [Audit & Standards Committee](#) are set out in the Council's [Constitution](#). The main financial duties are:

- To approve the Council's Statement of Accounts (which includes the Annual Governance Statement) in accordance with the Accounts and Audit (England) Regulations 2015.
- To consider the Annual Letter from the External Auditor in accordance with the Accounts and Audit (England) Regulations 2015 and to monitor the Council's response to any issues of concern identified.
- Monitoring the work of the Council's Internal Audit function.

#### 2.2.5. Scrutiny Management Committees

Scrutiny Committees can make recommendations to the decision makers but they do not make resource allocation decisions and therefore cannot approve changes in the budget or financial actions such as transfers to or from reserves. Decisions such as this can only be taken by Full Council or in accordance with the [Leader's Scheme of Delegation](#) or as otherwise directed by the Leader (section 14 Local Government Act 2000).

In relation to financial management and planning, the Scrutiny Management Committee (or any future committee that may be given this function) is responsible for exercising an overview and scrutiny function in respect of:

- All the Council's strategic and longer term planning and corporate development issues.
- The budget setting process and budget monitoring.
- Financial processes and day-to-day management of all the Council's internal resources, including finance, staffing and property.

Where a scrutiny committee considers that a decision of the Executive is, or would be, contrary to, or not wholly in accordance with, the Council's, Annual Revenue Budget or Capital Programme, then it will seek advice from the Director of Legal and Governance and either the Executive Director of Resources or the Head of Strategic Finance.

#### 2.2.6. Executive Directors

Each Executive Director will be responsible for ensuring:

- The proper financial management of their Portfolio services.
- That a clear, written accountability framework is in place for the budgets held by each Service and Budget Manager.
- That appropriate arrangements are in place for the discharging of their financial responsibilities by Directors and Managers within their Portfolios.
- Compliance with these Regulations by staff within their Portfolio.

Any arrangements must be fully compliant with these Regulations and the Council's financial policies and procedures. They will not diminish the ultimate financial responsibilities of Executive Directors.

#### 2.2.7. Executive Director of Resources

The Executive Director of Resources is the responsible officer (Chief Financial Officer - CFO) for the purposes of s151 of the Local Government Act 1972 and s114/114A of the Local Government Finance Act 1988. The Executive Director of Resources therefore has a statutory responsibility to ensure that the Council makes arrangements for the proper administration of the Council's financial affairs. This includes ensuring the production and monitoring of these Regulations.

The Executive Director of Resources, as a member of the Council's [Executive Management Team](#) will ensure that the s151 role is discharged at this strategic level.

On a day-to-day basis all s151 responsibilities may be discharged by the Head of Strategic Finance, who will act on behalf of the Executive Director of Resources in ensuring proper discharge of these statutory responsibilities. Nothing in this paragraph diminishes the ultimate financial responsibilities of the Executive Director of Resources. Whenever these Regulations provide that something will, must or may be done by the Head of Strategic Finance, this may also be done instead by the s151 Officer.

#### 2.2.8. The Head of Strategic Finance

The Head of Strategic Finance is:

- Authorised to sign any and all grant claims, statutory returns or other documents that require the authority of the s151 officer on behalf of the Council.
- Responsible for recommending amendments to these Regulations to the Council where she/ he considers these to be in line with any changes to recommended best practice or essential service requirements or as otherwise appropriate. Minor and consequential amendments may be made by the Director of Legal and Governance in consultation with the Lord Mayor.
- Responsible for fully documenting financial standards, policies, procedures, forms, etc., which support these Financial Regulations and by setting out in more detail the Council's procedures for carrying out finance work.
- Responsible for ensuring that appropriate training is made available to support these procedures. Executive Directors are responsible for ensuring that these training opportunities are taken up by their staff.

#### 2.2.9. The Financial Protocol

The respective roles and responsibilities of Executive Directors and the Head of Strategic Finance in financial management are specified in a [Financial Protocol](#) document which will be signed annually by the Executive Director of Resources, each Executive Director, the Director of Finance & Commercial Services, the Head of Strategic Finance and the respective Director of Business Strategy.

### **2.3. Asset Management**

The Executive is responsible for the Council's Asset Management Strategy and ensuring that the Council has an up-to-date Asset Register. Such responsibility is to be discharged in accordance with the [Leader's Scheme of Delegation](#).

#### 2.3.1. Head of Strategic Finance

The Head of Strategic Finance has overall responsibility for the financial elements of Council's Asset Register and for ensuring that it complies with all necessary accounting requirements.

The Director of Finance & Commercial Services is responsible for approving the use of leases to finance purchases. Revenue costs will be met from within Portfolio cash allocations, agreed as part of the Annual Revenue Budget process.

#### 2.3.2. Chief Property Officer

The Chief Property Officer is responsible for Asset Management across the Council.

#### 2.3.3. Executive Directors and the Chief Property Officer

Executive Directors and the Chief Property Officer are responsible for ensuring adequate arrangements are in place for maintaining and safeguarding the Council's property assets used for their Portfolios. When market conditions are favourable this includes consideration of the disposal of surplus capital assets as part of the Council's Asset Management Plan.



#### 2.3.4. Acquisition and disposal of Capital Assets

Executive Directors and the Chief Property Office are responsible for ensuring that any acquisition of assets is approved in accordance with the requirements of the [Leader's Scheme of Delegation](#).

Disposal of surplus assets must also be done in accordance with the requirements of the [Leader's Scheme of Delegation](#) and the Council's Disposals Framework policy.

### 2.4. **Financial Risk Management**

Specific responsibilities relating to risk management are set out in the Risk Management Framework and Guidance that was produced and agreed by Corporate Risk Management Group (CRMG).

Executive Directors are responsible for ensuring that risk management and business continuity are embedded at all levels within their area of responsibility in line with the Risk Management Framework and, in respect of financial risk management, ensuring the effective stewardship of public funds.

Financial risk management is built into these Regulations and many of the core processes that the Council expects managers to follow on a day-to-day basis. The Council's Risk Management Strategy is based on good risk management being an integral part of good management and not a separate activity. Key mainstream processes that promote good risk management include, but are not limited to:

- Budget Monitoring.
- The financial Administration processes in these Regulations.
- The Council's Decision Making processes.
- Programme and Project Risk Management.
- Key Financial Risk Registers.

In line with the requirements of the Risk Management Framework, Directors are responsible for maintaining and monitoring a Service Risks and Assurances log which must include financial risks.

Executive Directors are responsible for identifying and controlling risks in their area and significant financial risks should be reported to the Directors of Business Strategy.

The Director of Finance & Commercial Services will report the most significant of these risks to the Council's [Executive Management Team](#) on a monthly basis and key risks will be summarised and reported to Members in quarterly budget monitoring reports.

#### 2.4.1. Money Laundering

Specific responsibilities relating to money laundering are set out in the Anti-Money Laundering Policy. This was produced by Internal Audit on behalf of the Director of Finance & Commercial Services.

In line with the Anti-Money Laundering Policy, the Head of Strategic Finance is the Officer nominated to receive disclosures about Money Laundering activity within the Council – the MLRO.

The roles and responsibilities of the MLRO are set out in Appendix B to the Policy.

Executive Directors are responsible for ensuring that this policy is adhered to.

#### 2.4.2. Fraud

Officer responsibilities in relation to fraud and corruption are set out in Appendix B of the Council's Code of Conduct: Policy Statement on Fraud and Corruption as set out in the Council's [Constitution](#).



In accordance with [section 17.1](#) of these Regulations, Executive Directors are responsible for notifying the s151 officer where there is any actual or suspected irregularity affecting the Council's assets.

## **2.5. Insurance**

### **2.5.1. Executive Directors**

Executive Directors are responsible for:

- Ensuring that prompt notification is given to the Executive Director of Resources of all circumstances involving both existing and new risk, the occurrence of which could result in the Council incurring a substantial liability. This will include details about Members, Officers, service users, third parties, property, vehicles, plant/ other assets, trading activities undertaken with organisations external to the Council, and any alterations affecting existing insurances, as well as potential insurance claims that may result from acts or omissions on the part of the Council.
- Ensuring that the insurance cover chargeable to their Portfolio budgets is accurate and up to date.
- Ensuring insurance renewal information is provided when requested annually by the Insurance & Risk team.
- Immediately notifying the Insurance & Risk Team of any loss, liability or damage or any event likely to lead to a claim and take such action as may be necessary to satisfy any policy conditions.
- Informing the Executive Director of Resources of any vehicle acquisitions or disposals, premises acquisitions or disposals and of any occupations or vacations of premises.

### **2.5.2. The Executive Director of Resources**

The Executive Director of Resources will arrange the insurances considered necessary to cover risks to which the Council is exposed.

The Executive Director of Resources will periodically review all insurances in consultation with Executive Directors and determine the premiums to be charged as part of the Annual Budget process.

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### 3. Financial Planning

There are 3 key elements to Financial Planning at Sheffield City Council:

- Medium Term Financial Strategy.
- Annual Revenue Budget.
- Capital Programme.

Each element has a specific purpose and is designed to ensure the robustness of the Council's overall financial arrangements.

#### 3.1. Medium Term Financial Strategy

The Medium Term Financial Strategy (MTFS) is a key requirement of good governance and is a key tool to help the Council deliver its priorities.

In line with the [Leader's Scheme of Delegation](#), the Cabinet is responsible for approving the MTFS and it will be refreshed and updated on an annual basis.

The MTFS links strongly to the [Corporate Plan](#) and the [Corporate Plan](#) drives the spending priorities that inform the MTFS. This will include allocating the overall expenditure budgets for Locality Areas. The Head of Strategic Finance will be responsible for producing the MTFS in conjunction with Executive Directors and will recommend measures to the Executive that will support the [Corporate Plan](#). This will be supported by policy options, savings and efficiencies, and both financial and non-financial information to assist decision-making.

The MTFS will set an integrated financial plan for at least a three year period and will form the foundation of the Annual Revenue Budget and Capital Programme for the next year and projections for at least the following two years. This will include cash allocation or financial targets for Executive Directors for the forthcoming financial year and guideline allocations / targets for the following two years. The MTFS will also include projections of the Council's reserves and balances.

#### 3.2. Annual Revenue Budget

The Annual Revenue Budget sets the budget proposals for the Council for a one-year period and also sets the City Council element of the Council Tax for the following financial year.

Proposals and policy options for the Council's Annual Revenue Budget will be presented to Cabinet as part of the MTFS by the Executive Director of Resources. The Head of Strategic Finance will be responsible for preparing detailed proposals for the Annual Revenue Budget for the coming year in conjunction with Executive Directors.

Financial estimates will be produced for, and on behalf of, Portfolios by the Head of Strategic Finance through the A&I Team. Executive Directors and the Head of Strategic Finance will work collaboratively to agree final spending proposals for inclusion in the Annual Revenue Budget.

The Head of Strategic Finance will advise on the inclusion of contingencies to cover exceptional in-year price movements and potential commitments which are uncertain either in terms of their financial impact or timing. Executive Directors will notify the Head of Strategic Finance of such items as part of the budget setting process so that an appropriate level of contingencies can be approved by the Council.

As part of the Annual Revenue Budget, the Head of Strategic Finance will be responsible for ensuring that the budget proposed meets relevant statutory requirements.

### 3.3. Annual Revenue Budget Approval

The Executive is responsible for agreeing the annual budget for services within Portfolios, including the overall capital programme, within the Budget and Policy Framework.

If agreed, the Executive will recommend the Budget to Full Council for final approval together with a recommended level of Council Tax to be set for the coming financial year.

As per Article 4 of the Council's [Constitution](#), the Council is required to set the Annual Revenue Budget and the appropriate level of Council Tax for the coming financial year by 11<sup>th</sup> March each year in line with statutory requirements.

Once the Annual Revenue Budget has been approved by the Council, Executive Directors may incur expenditure up to the amount approved for the period covered by that budget. Individual items of expenditure within the budget must still be approved in accordance with the Council's [Standing Orders](#), [Procurement Guidelines](#) and any other relevant policies, and where the expenditure constitutes an executive function, in accordance with the [Leader's Scheme of Delegation](#).

### 3.4. Annual Revenue Budget Monitoring

#### 3.4.1. Chief Executive and Executive Directors

The Chief Executive and Executive Directors, in consultation with the Cabinet Member for Finance, are responsible for taking appropriate action to ensure that the overall spending of the Council is within available resources.

Executive Directors:

- Must not overspend the approved Revenue Budget for their Portfolio.
- Are responsible for managing their approved Revenue Budgets within the cash allocations and financial targets approved by the Council, unless specific additional resources are provided by the Cabinet during the year.
- Must not make commitments relating to spending in future years without the agreement of the Head of Strategic Finance and consultation with the Cabinet Member for Finance. Any such commitments must be within the financial parameters set in the MTFS.
- Are responsible for ensuring that managers within their Portfolios work within the timescales and procedures stipulated from time to time by the Head of Strategic Finance.

The [Executive Management Team](#) may recommend that budget monitoring information is presented to the relevant Scrutiny and Policy Development Committees in consultation with the Chairs of those Committees.

#### 3.4.2. Head of Strategic Finance

The Head of Strategic Finance will prepare budget monitoring reports in consultation with Executive Directors. The Head of Strategic Finance will produce an annual timetable for budget monitoring reporting and the following principles will apply:

- Monitoring reports, prepared on an accrued basis, will be reported to Portfolio Management Teams on a monthly basis (except month 1).
- Quarterly overall monitoring reports will be presented to the [Executive Management Team](#) and Cabinet (at a frequency to be determined by the s151 Officer and Cabinet Member for Finance).

Consolidated monitoring reports will be presented to the Scrutiny Management Committee if requested.

The relevant Scrutiny and Policy Development Committees of the Council may request more frequent budget monitoring information.

As soon as practical after the end of the financial year, the Head of Strategic Finance will report to Cabinet the overall Revenue out-turn position including details of reserves, balances and provisions held by Portfolios. The report should include recommendations relating to the treatment of any under and over spending by Portfolios.

### **3.5. Virements and Variations to the Annual Revenue Budget**

#### **3.5.1. Virements**

Executive Directors are responsible for optimising resources and for managing their budgets prudently.

Virements are intended to enable the Executive and Executive Directors to manage budgets with a degree of flexibility, provided they remain within the overall Budget and Policy Framework as determined by Full Council.

Key controls for virements are that:

- They must be approved in line with these Regulations.
- They must not create additional overall budget liability, for example by creating future commitments from one-off additional spending.
- Both parties to the virement must agree to it.

Virements will not be permitted from capital financing charges, levies or other areas of spending as prescribed by the Head of Strategic Finance without the specific approval of the Head of Strategic Finance.

Virements requested by Locality Areas will be proposed by the relevant Director and the process and limits below followed.

#### **3.5.2. Variations**

Variations are changes to the Council's overall level of resources as set out in the Revenue Budget Report that is approved by Council.

In accordance with Article 4.02f of the Council's [Constitution](#), any decision about any matter **which would be contrary to or not wholly in accordance with the Budget** must be taken by Full Council. This requirement is subject to the urgency procedure in the Budget and Policy Framework Procedure Rules.

#### **3.5.3. Approval of Virements between Services and Portfolios**

Approval of the virement must be in line with the limits shown below and the Leader's Scheme:

- Under £500,000: the virement may be approved by the Head of Strategic Finance or authorised Finance Officers.
- £500,000 and Over: the virement may only be approved by the Executive in line with the [Leader's Scheme of Delegation](#).

Where a virement would represent a major change of policy it must be approved in accordance with the [Leader's Scheme of Delegation](#) regardless of its value.

If the cumulative effect of virements is over £500,000 during a financial year, these must be approved by the Executive (as above).

#### 3.5.4. Approval of Virements between reserves and Portfolios

The principle criterion for assessing requests for carry-forwards is that the overall budget of the Portfolio making the request must be underspending, i.e. the Portfolio cannot exceed its approved budget.

Carry-forwards or transfers to earmarked reserves should be linked to the annual revenue budget and, where possible, identified in the business planning process. Requests must be done in line with the financial procedure on such matters.

Requests by Executive Directors to carry forward underspends or establish earmarked reserves, may only be done following review by the Head of Strategic Finance or delegated officer and will be presented to the Executive as part of the quarterly Revenue Budget Monitoring process. Approved requests will be included, where feasible, in the Budget Implementation Plan for the relevant Service.

The Head of Strategic Finance, or delegated Officer, may approve the transfer to reserves of a restricted grant received by the Council i.e. one which has either conditions attached or is ring-fenced, where the related expenditure is not expected to be incurred in the current financial year.

The Head of Strategic Finance is responsible for formulating an annual Reserves Strategy for approval in line with the [Constitution](#). As part of their duty to make arrangements for the proper administration of financial affairs, the Head of Strategic Finance, or delegated Officer, will manage, in accordance with the approved strategy, the need for transfers to and from reserves, in consultation with the Cabinet Member for Finance. Where the proposed transfer is not consistent with the approved strategy, and does not relate to a restricted grant then, subject to the urgency procedure, the decision may only be taken by Full Council.

Revenue Budget allocations and Budget Implementation Plans are approved in accordance with the Council's [Constitution](#).

#### 3.5.5. Approval of Variations

Any change to the overall level of available resources as set out in Budget must be approved by Full Council in line with the Council's [Constitution](#).

Requests for variations may be submitted to the Council for approval as detailed below:

- Under £500,000 **and** not representing a major change of policy: The submission of a request for the variation may be approved by an Executive Director in consultation with the Head of Strategic Finance and the relevant portfolio holding Cabinet Member.
- £500,000 and over **or** representing a major change of policy: The submission of a request for the variation may only be approved by the Executive in line with the [Leader's Scheme of Delegation](#).

Variations to the Annual Revenue Budget that require Executive support will be proposed by the Executive Director and actioned by the Head of Strategic Finance.

Variations requiring Cabinet support will normally be presented to Cabinet as part of the normal budget monitoring cycle and in line with the requirements of the [Leader's Scheme of Delegation](#).

Any report to the Executive or to the Council recommending a variation to the Annual Revenue Budget must comply with [section 4](#) of these regulations in respect of the reporting and approval of Financial Implications.

#### 3.5.6. Recording Virements and Variations

All approved Virements and Variations must be recorded on the Council's Finance System.

### 3.5.7. Cash Limit Adjustments

Cash Limit adjustments can be done between services, within a service or between months on the Q-tier system. If the adjustment doesn't meet the definition of a virement and is under £100,000, these can be signed off by the relevant Finance Manager (one for each side of the transaction).

Over £100,000 and a Senior Finance Manager for the portfolio will need to authorise the adjustment.

### **3.6. Borrowing and Investment (Treasury Management)**

Only the Head of Strategic Finance may enter into any borrowing or investment on behalf of the Council.

The Head of Strategic Finance is responsible for formulating an annual Borrowing Strategy and Treasury Management Policy for approval by the Council in line with the [Constitution](#).

The Treasury Management Policy and associated Treasury Management Practices will be issued and updated in accordance with all relevant legislation and recommended Codes of Practice.

The Head of Strategic Finance is responsible for providing an annual report to Council on treasury management activities, transactions and decisions over the preceding twelve months. The prime criteria for the effectiveness of treasury management activities are the identification, monitoring and control of risk. Therefore, the analysis and reporting of activities will focus on the risk implications for the Council.

In undertaking the Council's borrowing and investment operations, the Head of Strategic Finance will ensure compliance with the Borrowing Strategy, the Treasury Management Policy and all associated Treasury Management Practices.

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## 4. Financial Implications

When decisions need to be taken, then it is important that those taking them have access to properly considered financial information.

Executive Directors are responsible for ensuring that the following reports contain a section entitled 'Financial Implications'.

- Executive Reports, supporting decisions taken by the Leader, the Cabinet, Individual Cabinet Members and Committees.
- Executive Reports supporting Officer Key Decisions.
- Executive Reports supporting Officer Non-Key Decisions that require publication.
- Reports to the Cabinet Members Team and the [Executive Management Team](#).

The financial implications section must summarise the capital and revenue implications of the proposals, together with details of any potential risks.

Officers involved in making Non-Key Decisions, that will not require publication, must also give proper consideration to the financial implications. This includes consultation with their A&I contact. The implications identified should be documented and retained, in case of future challenge or audit requirement.

Whilst not mandatory, it is nevertheless good practice, for reports made to other meetings, such as less formal Member's meetings, management teams etc., to also include a Financial Implications section.

In line with the provisions of the [Leader's Scheme of Delegation](#), the Executive Director of Resources or Head of Strategic Finance will issue guidance as to when matters should be referred to them in advance to enable them to form and communicate an opinion. This guidance must always be followed.

### 4.1. Sign-off of Financial Implications

The Head of Strategic Finance, or an authorised officer on his/ her behalf, is responsible for signing off all Financial Implications summaries and, where applicable, the Appendices to the report.

Only the Head of Commercial Business Development, as the budget holder for the Council's Capital Financing costs, or Officers specifically authorised to do this on his/ her behalf may approve Financial Implications which affect the cash-flow of the Council.

The Finance & Commercial Services Officer who is responsible for ensuring that the Officer who has prepared a report has received all the relevant advice, e.g. specialist financial or taxation advice, before they sign off financial implications.

The name of the Finance & Commercial Services Officer who has signed-off the financial implications must appear on the Financial Implications section of the covering checklist.

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## **5. Capital Programme**

### **5.1. Background**

#### **5.1.1. The Capital Programme**

The Capital Programme is made up of a number of schemes/ projects which meet the definition of capital spending. It is the planned list of projects, together with supporting funds, that is agreed by Council in March each year and can cover the next 5 years.

The Programme is made up of a number of different elements which may change from time to time. This means that Capital Programmes may not be comparable in terms of size and scope over time.

Accounting for capital projects will be in accordance with current and approved International Financial Reporting Standards (IFRS) and the Statement of Recommended Accounting Practice (SORP).

### **5.2. Roles and responsibilities**

#### **5.2.1. The Executive**

The Executive is responsible for ensuring that the Council's expenditure remains within the resources available to the Council. It is responsible for agreeing the Capital Programme before recommending it to Full Council, and for reviewing the quarterly monitoring reports.

This responsibility extends to the approval of any requests for in year additions and variations to approved projects to the value stated in [section 5.3.5](#) and as submitted through the guidelines laid down in these Regulations.

#### **5.2.2. Capital Programme Group**

The Capital Programme Group is responsible for:

- Oversight of Capital Management.
- Advising and making recommendations to the [Executive Management Team](#) on new project approvals. The recommendations will be made to Cabinet on a monthly basis.
- Approving progress to next stage of delivery, variations to existing projects.
- Approving the use of capital receipts and grants.

#### **5.2.3. Head of Commercial Business Development**

The Head of Commercial Business Development is responsible for ensuring that capital projects are financially approved and reported in line with these Regulations and for producing a schedule (timetable) for reviewing, approving, managing and reporting capital spending.

In conjunction with the Executive Directors, the Head of Commercial Business Development is responsible for approving Capital expenditure under the emergency approvals procedure detailed in [section 5.3.6](#) of these Regulations.

#### **5.2.4. Executive Directors**

Executive Directors are responsible for:

- Ensuring that managers within their areas of responsibility comply with these Regulations and the procedures and timescales related to capital project management as defined by the Head of Commercial Business Development.



- Complying with the relevant requirements of the [Leader's Scheme of Delegation](#), these Regulations and all associated external funding procedures, where a capital scheme is being financed, either wholly or in part through external funding.
- Complying with the relevant requirements of the [Leader's Scheme of Delegation](#), these Regulations and all associated external funding procedures, where a capital scheme is being delivered through partnership arrangements and, as a result of which, the Council is guaranteeing the liabilities of a third party.
- Approving, in conjunction with the Head of Commercial Business Development, capital expenditure in line with the emergency approvals procedure and the requirements of the [Leader's Scheme of Delegation](#).
- Ensuring that managers adhere to SCC's Project Management Guidelines as appropriate.

#### 5.2.5. Directors and Project Managers

Directors and Project Managers are responsible for:

- Ensuring that the Council has the relevant legal authority to undertake a Capital Project.
- Ensuring that all arrangements comply with these Regulations, [Standing Orders](#), published Codes of Practice and relevant EU and domestic procurement rules.
- Complying with the requirements of the [Leader's Scheme of Delegation](#), these Regulations and all associated procedures in relation to external funding where consideration is being given to external funding for a capital project, either wholly or in part.

#### 5.2.6. Budget Managers

It is Council Policy that all projects are managed in accordance with SCC's Project Management Guidelines. These define a Project Manager as the officer who is responsible for the day to day running of the project on behalf of the Project Sponsor/ Board. They are also responsible for delivery of the projects to cost, time and specification. To avoid unnecessary duplication of terminology in these Regulations the term Budget Manager can also be read to mean Project Manager.

Budget Managers are responsible for:

- Considering revenue, environmental, property, and opportunity costs related to a project.
- Considering the legal, human resources, equalities impact and sustainability implications of the project.
- Considering the impact of Value Added Tax (VAT) on Capital projects and property transactions (disposals, purchases and leasing of land/property) and to seek the advice of the Head of Strategic Finance if required. On a day-to-day basis this advice will be provided by the Council's Tax Manager.
- Managing the project to cost thus preventing overspends. They must consider the risks of, and the solutions to, any forecasted Capital overspends.

#### 5.2.7. Capital & Construction Team

The Capital & Construction Team is responsible, alongside the Budget Manager, for steering a project through the financial approval process.

The Capital & Construction Team is also responsible for:

- Reviewing, quality checking and, where appropriate, challenging the Budget Manager's monthly review of actual and forecasted expenditure and income.

- Reporting capital expenditure and its financing in accordance with the Capital Projects Approval Hierarchy ([section 5.3.4](#)) on a monthly basis.

### **5.3. Capital Programme Approval**

The proposed Capital Programme for the coming financial period is collated by the Head of Commercial Business Development, in collaboration with Executive Directors.

The Programme must be reviewed by the Capital Programme Group prior to recommendation to the [Executive Management Team](#) then to Cabinet.

The agreed Programme must be presented annually, by the Head of Commercial Business Development and the Executive Directors, to Full Council at the same time as the Annual Revenue Budget.

Inclusion of a project within the approved programme does not convey automatic authority for that project to commence.

The Budget Manager must obtain approval for each stage of design, procure, build, and completion through the delegated powers of the Head of Commercial Business Development or the Chief Property Officer (if appropriate) and the Capital Programme Group and in accordance with the provisions of the [Leader's Scheme of Delegation](#).

#### **5.3.1. The Capital Approval Form**

Financial Approval for projects within the Capital Programme, additions and deletions to/ from the programme and variations to approved projects are facilitated through the Capital Approval Form (CAF).

A fully endorsed CAF, including all required documentation, which has been approved at Cabinet (or otherwise in accordance with the [Leader's Scheme of Delegation](#)), is a necessary condition to proceed with a project and will be subject to stage approvals as deemed by the Capital Programme Group.

The CAF requires the following endorsements (signatures):

- For Annual Inclusions and Variations - the signatures of the Project Manager, sponsoring Director and the Capital & Construction Team.
- For Emergency approvals - the signatures of the Project Manager, sponsoring Director, Capital & Construction Team, an Executive Director and the Head of Commercial Business Development.
- For cases considered sensitive by, or otherwise at the direction of, the Executive Director and/ or the Head of Commercial Business Development, the signatures of the Project Manager, sponsoring Director, Capital & Construction Team and the Individual Cabinet Member for the Portfolio.

#### **5.3.2. Reports with financial implications**

All reports with capital implications or other requests for approvals must be included within the capital programme approval process as described in these Regulations.

#### **5.3.3. Project funding**

Capital expenditure cannot take place unless it is fully funded or any funding gaps are approved by the Head of Commercial Business Development.

In line with [section 6](#) of these Regulations, bids for external funding to support capital projects cannot take place unless approved by either the sponsoring Director or Head of Service.

In line with the [Leader's Scheme of Delegation](#) and [section 6](#) of these Regulations, offers of such funding cannot be accepted unless the Accountable Body status of the Council has been agreed in line with the [Leader's Scheme of Delegation](#).

Funding cannot be recognised until all conditions for its receipt have been met. Before this point any shortfall against actual expenditure must be covered by either Portfolio revenue contributions to capital or by specific agreement for each project through corporate funding sources.

Capital Funding cannot be used to fund revenue expenditure.

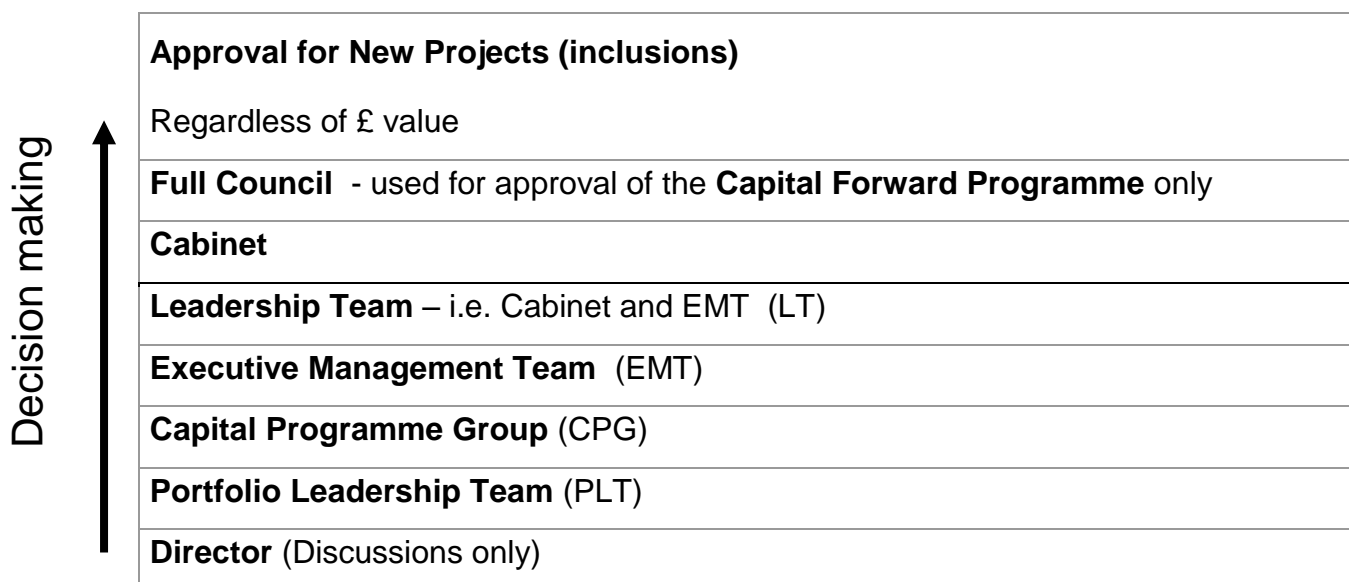
#### 5.3.4. Approval for New Projects / Inclusions / Changes

All new capital projects/ inclusions in year and significant changes to the Capital Programme (other than changes requiring the approval of Full Council (Article 4 of the Council's [Constitution](#)) must be approved by Cabinet or otherwise in line with the [Leader's Scheme of Delegation](#), and these Regulations. The approval chain is detailed below.

Approval for projects financed wholly or in part by external funding is conditional on agreement to the Council becoming the Accountable Body for that funding. This agreement must be obtained in line with the requirements of the [Leader's Scheme of Delegation](#) BEFORE any offers of funding are accepted.

Where the project involves the Council guaranteeing the liabilities of a third party then this must also be approved in accordance with the requirements of the [Leader's Scheme of Delegation](#).

#### Capital Projects Approval Hierarchy



The Head of Commercial Business Development, in conjunction with the Cabinet Member for Finance, can approve expenditure up to the value of £100,000 to permit the Council to undertake feasibility works on potential capital projects provided that:

- The Head of Commercial Business Development has been provided with evidence to enable him/ her to reasonably conclude that the project is viable and practical so that any recommendations from the study can be implemented and the study will not be an abortive cost.
- The entire project (i.e. feasibility and subsequent construction works) is fully funded.
- The works meet the requirements of the capital accounting rules to be eligible for classification as capital spend.

#### 5.3.5. Variations to projects in the Capital Programme

Changes to a project's finance require approval as a 'Variation' subject to necessary capital resources being available.

Variation Approval levels on an existing approved project are as follows:

- A variation in cost of up to £25k can be approved by the responsible Director.
- A variation in cost by more than £25k but no more than £100k requires EMT approval.
- A variation in cost by more than £100K but no more than £150K requires approval by the relevant Individual Cabinet Member(s).
- All other variations require Cabinet approval through the monthly monitoring report.

For authorisation purposes, Variations are measured cumulatively from the last approval by the Executive.

#### 5.3.6. Emergency approvals

Where an emergency approval is required, this must be provided in accordance with all applicable urgency procedures in the [Constitution](#) and the [Leader's Scheme of Delegation](#).

As an additional requirement, emergency approvals must be referred to the Executive Director of Resources or the Head of Commercial Business Development or any Officer authorised to act on his or her behalf.

Any such approvals shall be reported retrospectively to Cabinet in the next monthly report by the relevant Executive Director and the Head of Commercial Business Development. If, by the time the decision is retrospectively reported to Cabinet, no action has been taken an emergency approval may be rescinded by the Cabinet.

#### 5.3.7. Virements

Virements are not permitted between Capital schemes. Changes from Cabinet approved amounts must be treated as Variations.

#### 5.3.8. Slippage and / or accelerated spend

Where the timing of expenditure deviates from the annual profile approved by Cabinet, Budget Managers should reflect this in their monthly forecast and advise the Capital & Construction Team of the situation.

Where the forecast has changed such that expenditure will move between financial years, the monthly report to Cabinet will seek approval for this change.

#### 5.3.9. Change in Scope

Where the material output of a project will differ from that of the last fully approved version, Budget Managers must seek re-approval in accordance with the requirements for a new project, as described in [section 5.3.4](#) of these regulations.

#### 5.3.10. Revenue implications

The revenue expenditure implications of the proposed Capital Programme will be considered as part of the approval process outlined in these Regulations and as part of the [Annual Revenue Budget](#) and [MTFS](#) processes.

Where a Budget Manager identifies that the project will overspend even after all mitigating action, and that no alternative capital funding source is applicable, then the overspend must be made good from revenue funding.

#### 5.3.11. Capital Receipts

Any decision on the use of Capital Receipts will be taken as part of the overall approval for the project through recommendation by the Capital Programme Group as outlined in [section 5.3.4](#).

#### 5.3.12. Project Stage Approval

Approval for the Design, Procure and Build stages of a project will not be granted without recommendations from the Head of Commercial Business Development in respect of funding implications. As part of this process the Head of Commercial Business Development will need to consider both the Revenue and Capital implications of such approvals for the level of contractual commitments in future years.

The Budget Manager must obtain approval for each stage of design, procure, build, and completion through the delegated powers of the Head of Commercial Business Development or the Chief Property Officer (if appropriate) and the Capital Programme Group. In particular, the Budget Manager should note that only the Capital Programme Group can recommend to the Director of Finance & Commercial Services the award of a contract for capital works in line with the Council's [Standing Orders](#).

The build stage of a project cannot proceed until a thorough review has been produced by the Project Manager, approved by the appropriate sponsoring Director and reported to the Capital Programme Group. In line with the Council's Project Management Guidelines, where requested, a Project Review must be undertaken and appended in support of the submission for project stage approval.

#### 5.3.13. Procurement

Executive Directors and Directors must ensure that agreed formal procedures are in place with the Head of Capital Delivery Service and the Director of Finance & Commercial Services in respect of all procurement related to capital projects.

Where the project is financed, either wholly or in part through external funding then the requirements of the funder in relation to procurement must also be met.

### **5.4. Financial Management and Reporting of capital accounts**

#### 5.4.1. Financial Management

Inclusion of a project in the Capital Programme and its subsequent progression to completion will be managed through the use of the Council's financial management system.

In line with the requirements of these Regulations, Budget Managers are required to carry out a monthly monitoring and forecasting process in respect of the 'actual to date' and 'forecast' position for both revenue and capital accounts.

#### 5.4.2. Reporting

The Head of Commercial Business Development is responsible, with Executive Directors, for providing a consolidated monthly report to the Executive in relation to capital accounts.

Monthly capital reporting will be based on a CAF, Project Closure Forms (PCF), financial monitoring and approval request reports.

At year end the Head of Commercial Business Development will report to the Executive the overall capital out-turn position at the same time as the Revenue out-turn position is reported to the Executive.

## **6. External Funding / Grants**

### **6.1. Background**

External Funding in its broadest sense refers to the identification and securing of additional resources, above and beyond those normally provided to organisations, which enables them to develop and enhance the quality of their services, better meet the needs of clients and to do something that could not otherwise be achieved.

The Council relies on a significant amount of external funding to finance the service activity and specific projects/ programmes needed to meet the city's priorities as highlighted in the [Corporate Plan](#).

### **6.2. Roles and responsibilities**

#### **6.2.1. The Head of Strategic Finance**

The Head of Strategic Finance is responsible for ensuring that:

- There are proper processes and procedures in place for the completion, assessment, authorisation and submission of applications for external funding and any subsequent claims. In practical terms this responsibility is discharged through the External Funding Team which is part of Strategic Finance within Finance & Commercial Services.
- Grant applications are correctly completed and submitted by the required date with a view to maximising the income to the Council in terms of cash flow.
- All completed grant claims and certifications are approved by the Head of Strategic Finance or other authorised Finance Officer as published in the Financial Protocol ([Appendix A](#)) and maintained by the Head of Strategic Finance.
- All documentation related to match funding, e.g. certificates, letters of comfort, heads of terms, contracts, are approved by the Head of Strategic Finance or other authorised Finance Officers as published in the Financial Protocol ([Appendix A](#)).
- All statutory financial returns related to external funding are completed and submitted in line with relevant guidelines.
- The income due from grant claims is received.
- Records are kept for the reconciliation of grants due and received. Such records must have robust audit trails and meet External Audit requirements.

Additionally, the Head of Strategic Finance or other authorised Finance Officers as published in the Financial Protocol ([Appendix A](#)) is responsible for agreeing the acceptance of all offers of External Funding made to the Council.

#### **6.2.2. Executive Directors**

Executive Directors are responsible for ensuring that:

- All available external funding is claimed, with due regard to risk and other relevant factors. In practical terms this responsibility will be discharged by the Directors and Budget Managers within their Portfolio. All applications for external funding within their area of responsibility are made in accordance with all the processes and procedures laid down by the Head of Strategic Finance.
- Offers of external funding are only accepted in accordance with the requirements of the [Leader's Scheme of Delegation](#), particularly in relation to agreement to the Council becoming the Accountable Body for the funding and/ or guaranteeing the liabilities of third parties.



- All the funding body's conditions and criteria including any additional procurement requirements are met.
- All required evidence related to the external funding body's qualifying conditions and/ or criteria is collected and retained as required.
- Where a third party is involved in the delivery of an externally funded project for which the Council is the Accountable Body, all necessary evidence is collected and retained.
- Grant claims are prepared and submitted as required.
- Where the City Council is providing match funding, all documentation as required by the funding body is duly authorised by the Head of Strategic Finance, or other authorised Finance Officers as published in the Financial Protocol ([Appendix A](#)). Documentation includes but is not confined to Match Funding Certificates, Letters of Comfort and Heads of Contract.
- Risks to the Council are appropriately identified, recorded and managed.
- Any legal implications and risks of working with third parties are appropriately addressed.
- All external funding within their area of responsibility is managed using the Council's systems and processes.

### **6.3. Accountable Body**

The **Accountable Body** is legally responsible for ensuring that the requirements of the funder are met. The decision to agree to the Council becoming the Accountable Body for external funding must be taken in line with the requirements of the [Leader's Scheme of Delegation](#) and BEFORE any offers of funding are accepted.

Where the Council is guaranteeing the liabilities of a third party this must also be approved in accordance with the requirements of the [Leader's Scheme of Delegation](#).

### **6.4. Grant / External Funding accounting**

All accounting processes related to external funding/ grants will be controlled by the External Funding Team in Finance & Commercial Services.

### **6.5. Audits of external funding**

Audits of external funding shall be carried out in accordance with the conditions/ criteria related to the funding.

Where there is a charge for the audit this is payable from the relevant Business Unit's budget.

### **6.6. Retention of documentation**

All evidence required by the funding body must be collected and retained in line with the conditions/ criteria related to the funding.

Where the retention period in the agreement exceeds the one prescribed in the Financial Records Retention Schedule ([Appendix C](#)) the funder's requirements will take precedence, otherwise they are followed.

Documents pertaining to European supported projects must be retained as prescribed by the Funder.

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## **7. Income Management**

### **7.1. Background**

The Council sets fees and charges for a wide range of the services and goods that it provides. The income that is generated from this is a major source of funding that helps to deliver the Council's key priorities as set out in the [Corporate Plan](#).

This section covers the principles that apply to setting fees and charges, the collection of income, the raising of sundry debtor accounts and debt recovery. These principles are in line with the values as set out in the [Corporate Plan](#).

Separate detailed rules apply to the management of Housing Rent, Council Tax, Business Rates and Benefit Overpayment debt and are therefore not covered by these Regulations.

Refer to [section 20](#) for Council Supply Agreements.

### **7.2. Roles and responsibilities**

#### **7.2.1. The Executive**

In accordance with the [Leader's Scheme of Delegation](#), the Executive is responsible for agreeing the overall charging policy for fees and charges levied by the Council even if the actual level of the charge is set by an outside body i.e. Government. In this context Fees and Charges excludes Council house rents, Council Tax, National Non-domestic Rates and Housing Benefit overpayments.

Fees and charges must be set as part of Business Planning process and be in line with the provisions of the 'Fair Fees and Charges' Policy as approved by the Executive. Recommendation of changes to fees and charges should be made as part of the Annual Revenue Budget Report to Council.

Any changes in Fees and Charges that are not approved as part of the Annual Revenue Budget Report to Council must be approved in line with the requirements of the [Constitution](#) and/ or the [Leader's Scheme of Delegation](#) as appropriate.

#### **7.2.2. Individual Cabinet members**

In accordance with the [Leader's Scheme of Delegation](#) Individual Cabinet Members are responsible for agreeing, in consultation with the Leader, changes to existing fees and charges in relation to their Portfolio areas other than those set by Full Council as part of the budget process.

#### **7.2.3. Executive Directors**

Executive Directors are responsible for:

- Seeking, where appropriate, to recover the full cost of their services through setting fair fees and charges in line with the provisions of the 'Fair Fees and Charges' Policy and all other statutory guidance.
- Having arrangements in place for payment up front wherever possible and for having appropriate arrangements for the storage and banking of cash.
- Ensuring adequate security arrangements for the storage and transportation of cash and requesting insurance cover and immediately informing the Police, Internal Audit and the Insurance and Risk Team where any theft of cash or its equivalent is discovered or suspected.



- Ensuring that where accounts are raised in respect of charges for works done, goods supplied or services rendered on behalf of the Council and all other income due to the Council are raised and issued to the customer(s) within the required timescales and in accordance with these Regulations and all associated policies and procedures.
- Ensuring that relevant staff use only the standard payment methods to collect payments from customers and that, in the interests of customer choice, more than one option is offered.
- How their Portfolio and, where applicable, their partner organisations, manage each payment option.
- Ensuring that, where partnership working arrangements are in place, the partner organisations only use the standard payment methods as determined by the Head of Commercial Business Development.
- Ensuring that all systems and processes related to customer payments comply with all relevant legal and security requirements, e.g. the Payment Card Industry Data Security Standard (PCI DSS), which is a set of guidelines designed to help keep customer's payment card data secure.
- Effectively managing the level of debt within their Portfolio, including working with the Income Collection and Management (ICAM) Team to reduce the level of unallocated payments, resolving customer disputes within the required timescales, identifying debts that are clearly irrecoverable and authorising them to be written off.
- Ensuring that all relevant documentation related to the supply is retained and accessible in the event of it being required for debt recovery procedures, up to and including court action.
- Ensuring that their staff are aware of the possibility of money laundering activities and that they comply with the Council's Anti – Money Laundering Policy.

#### 7.2.4. Head of Commercial Business Development

The Head of Commercial Business Development is responsible for:

- Determining the standard payments methods that may be used to collect income. These must be used by all Services and partner organisations as determined by the Head of Commercial Business Development. Payments cannot be made by any other means except by express permission of the Head of Commercial Business Development.
- Providing training and advice on these payment methods. On a day-to-day basis this responsibility will be discharged by the ICAM Team in Finance & Commercial Services.
- Providing training and advice on the raising of invoices. On a day-to-day basis this responsibility is discharged by the Financial Systems Support Group in Finance & Commercial Services.
- All debt recovery actions except Housing Rents. In respect of sundry debt this responsibility is discharged by the ICAM Team in Finance & Commercial Services. In respect of local taxation and Housing Benefit overpayment debt this responsibility is discharged by the Revenues and Benefits Team within Finance & Commercial Services.
- Providing advice on best practice for cash storage and banking.
- Receiving disclosures about Money Laundering activities within the Council.

- Having procedures and policies in place for the administration of Direct Debits for the collection of Sundry Debts.

#### 7.2.5. Executive Director of Resources

The Executive Director of Resources is responsible for providing insurance cover for cash and cheques awaiting banking as requested by Executive Directors.

#### 7.2.6. All officers involved in the sundry debt process

Officers responsible for raising invoices, credit notes, refunds, debt recovery and write-offs must not do so for debts owed by themselves or family members, or where they have a vested interest.

#### 7.2.7. Authority to Collect Cash

Only Officers with specific authorisation from their Manager, who have been issued with an appropriately endorsed "Style 1" photo identification card, may collect cash on behalf of the Council.

Before any new photo identification card may be issued authorising the holder to collect cash, the request must be approved by the Head of Commercial Business Development or his/ her designated Officer in line with the procedure for the issue of photo identification cards.

Managers should maintain a register containing details of the style of card held by each member of staff, and ensure that the card held is appropriate to the Officer's current duties.

#### 7.2.8. Separation of duties

The system adopted for the collection and banking of income must incorporate separation of duties between the different functions as a principal form of internal control.

To comply with this principle Managers must ensure that an officer does not carry out functions from both Table 1 and Table 2 (below) in any given time period. This ensures that, for example, an officer does not check that the amount of money they themselves have collected equals the money that has been banked.

**Table 1**

Function	Examples
Identifying charges or taking a booking	Telling a customer the cost of a particular service, e.g. removing a wasp's nest.  Booking an appointment for removal of wasps nest.
Billing	Sending an invoice (if appropriate to do so).
Collection and receipt of income	Collecting the payment, irrespective of the method of payment (i.e. cash/ credit card) for removing the nest and giving the customer a receipt for the payment. Receipts might be a 'till receipt' type or hand written one from a preprinted book.

**Table 2**

Function	Examples
Reconciling receipts to income	Adding up the payments received and all the receipts then making sure they come to the same amount.
Banking income	Doing the Banking Journals so the income appears on the finance system as being in the bank. This also puts it into the correct Business Unit.  Arranging for cash to be physically put into the Council's Bank Account. This may be done via the G4S collection service.
Monitoring income received, banked and outstanding	Checking money that has been banked equals the amount that is on the receipts.  Monthly monitoring of outstanding debts.

All transfers of money between members of staff must be evidenced by the recorded signature of the officer receiving the money.

### **7.3. Payment of fees and charges**

#### **7.3.1. Not - Invoiced**

Wherever possible the provision of credit, i.e. payment via an invoice, should be avoided and, wherever appropriate, customers should be asked to pay for services up-front or at the time of service delivery. This avoids the need for invoicing thus reducing both the potential for invoices not being paid by customers and administration costs to the Council.

The Council is legally required to provide a tax invoice, if requested to do so by a customer. Any requests received should be referred to the Taxation Team within Finance & Commercial Services.

See also [section 7.3.7](#) of these Regulations.

#### **7.3.2. Invoiced**

Payment by sundry debt invoice is, in effect, providing credit to the customer. This must be avoided wherever possible and invoices must only be raised where payment in advance or at the point of service delivery is inappropriate.

The minimum value for a sundry debt invoice is £25. Services wishing to raise an invoice for lower than this amount will need the approval of the Head of Commercial Business Development.

All sundry debtor accounts must be raised on the Accounts Receivable section of the finance system unless exceptions have been agreed with the Head of Commercial Business Development.

Invoices should be issued within 10 working days of the:

- Goods or services being supplied.
- Month end where there is an on-going service provision.

In line with standard accounting practice, income will be credited to the relevant Business Unit at the point the invoice is raised - not when it is actually received.

To comply with all relevant HM Revenue and Customs (HMRC) regulations the date of the invoice must be within 60 days of the actual date of supply. Where this timescale cannot be met, advice must be sought from the Council's Tax Manager.

The information on the Sundry Debt invoice must be correct, complete and supported by all necessary and relevant information. In the event of debt recovery action being taken, up to and including Court proceedings, this information will be required as evidence. Officers raising invoices are also responsible for ensuring that the correct VAT treatment is applied.

To ensure that invoices are raised correctly, they must only be raised by officers who have had appropriate training.

### 7.3.3. Standard Payment methods

Only the payment methods outlined in the tables below can be used by all Services and partner organisations as determined by the Head of Commercial Business Development. Payments cannot be made by any other means except by express permission of the Head of Commercial Business Development.

The methods and channels are not recommended for every service or customer group but are all options the Council will support.

The option of payment by cash at Service will be considered by Finance & Commercial Services on a case-by-case basis as required.

Costs associated with acquiring/ implementing payment methods will be funded by the Service requesting them.

**Table 1: Not Invoiced**

Not Invoiced / invoiced	Payment Methods	Payment Channel
Not invoiced	Credit or debit card online via the Council website.	On-line - Customer self-service
Not invoiced	Text payment via a mobile telephone.	Telephone - Customer self-service
Not invoiced	Credit or debit card over the phone where a member of staff enters the payment details into an electronic payments system on their PC.	Face to face - Customer assisted service
Not Invoiced	Credit or debit card using chip-and-pin machine [either mobile or at a Council/ partner office.	Face to face - Customer assisted service

**Table 2: Invoiced**

Not Invoiced / invoiced	Payment Channel	Payment Method
Invoiced	Credit or debit card online via the Council website.	On-line - Customer self-service
Invoiced	Credit or debit card using an automated telephone service.	Telephone - Customer self-service
Invoiced	Text payment via a mobile telephone.	Telephone - Customer self-service
Invoiced	Credit or debit card over the phone where a member of staff enters the payment details into an electronic payments system on their PC.	Face to face - Customer assisted service

Invoiced	Credit or debit card using chip-and-pin machine [either mobile or at a Council/ partner office.	Face to face - Customer assisted service
Invoiced	Cash at a Post Office; or PayPoint up to a certain value.	Face to face - Customer assisted service
Invoiced	Cheques and debit card at a Post Office up to a certain value.	Face to face - Customer assisted service
Invoiced	Direct Debit – within the parameters set by the Head of Commercial Business Development.	Face to face - Customer assisted service
Invoiced	BACS/ CHAPS – within the parameters set by the Head of Commercial Business Development.	Face to face - Customer assisted service

#### 7.3.4. Credit and Debit card transactions

There are no maximum or minimum transactions values associated with payment by credit or debit card.

The Council will accept all major debit and credit cards with the exception of American Express, Diners Club, JCB and Solo.

Credit cards may be used for both non-commercial debts such as Business Rates and rent arrears and commercial debt, such as hire of sporting facilities and pest control.

#### 7.3.5. Direct Debits

Direct debits must only be used to collect payment:

- For invoices that are raised on a regular basis (e.g. monthly rental agreements).
- Where an arrangement to pay an invoice in instalments has been agreed by the Head of Commercial Business Development or his/ her designated Officer.

Direct debits should not be used where the annual value to be collected is less than £100. This amount may be varied, from time to time, at the discretion of the Head of Commercial Business Development.

Where a customer's Direct Debit fails twice in a 12 month period then the option to pay by Direct Debit must be withdrawn and may only be reinstated with the agreement of the Head of Commercial Business Development or his/ her designated Officer.

Under the Direct Debit Guarantee scheme, the Council must give customers at least 10 working days' notice if the amount that is due to be collected will change. For accounts where the amount billed varies on a regular basis, such as Home Support, an invoice must be issued, for information purposes only, to ensure compliance with this scheme.

#### 7.3.6. Expected income over £50,000

Where receipt of a sum of £50,000 or over is expected, e.g. completion of property purchases, this must be reported to the Council's Treasury Management & Banking (TM&B) Team.

Knowing that a significant receipt is due will help this Team to manage the Council's cash flow which may well reduce the need for short term loans to cover Council expenditure.

#### 7.3.7. Money Laundering

Where there are significant cash payments, i.e. £1,000 or more in cash, or up to £2,500 in linked transactions, officers should check the identity of the client in line with the Council's Anti – Money Laundering Policy.

Payments in cash must not be accepted by employees of the Council or any of its agents where the amount is over the limit to be determined by the Council's Money Laundering Reporting Officer. Currently the limit has been determined as £2,500.

#### **7.3.8. Credit Notes and Refunds**

Credit notes are required for an invoice that has been incorrectly raised. However, credit notes represent a control risk and as such must be properly authorised. Credit notes must be authorised by the manager responsible for the budget affected.

Refunds are required if a customer or other member of the public has paid an incorrect invoice or has paid money into a Council bank account in error. Refunds may only be actioned by the Head of Commercial Business Development or his/ her designated Officers.

Where a refund is for a significant amount, i.e. £1,000 or more, officers should check the identity of the client in line with the Council's Anti – Money Laundering Policy, fees and interest charges.

#### **7.3.9. Credit card fees**

Transaction fees associated with accepting a credit card payment will be charged to the customer at the time of payment.

These fees will only recover banking and system transaction costs and not include any additional surcharges such as 'administration' costs.

#### **7.3.10. Debit card fees**

Debit card transaction fees will be funded centrally from within Finance & Commercial Services, subject to annual reviews of costs.

#### **7.3.11. Interest on late payment of debt**

Interest on late payment of debt by commercial customers will be applicable where agreed by the Head of Commercial Business Development.

### **7.4. Banking of collected income**

#### **7.4.1. Receipting and banking**

All income received on behalf of the Council must be receipted and paid into the appropriate bank account without unnecessary delay and in accordance with the procedures approved by the Head of Commercial Business Development for the banking of income.

Income must be paid in without deduction unless this is approved by the Head of Commercial Business Development. Third party and personal cheques must not be cashed from monies held on behalf of the Council.

#### **7.4.2. Safe storage of collected income**

Executive Directors are responsible for ensuring that all income collected prior to banking is safeguarded and that adequate insurance cover has been arranged.

The amount of cash allowed to be held in any one safe overnight will vary according to the particular insurance arrangements. Where the agreed limit is likely to be exceeded then arrangements must be made to bank the income as soon as possible.

The Head of Commercial Business Development will advise on best practice for cash storage and banking.

The Executive Director of Resources is responsible for providing insurance cover for cash awaiting banking as requested by Executive Directors and providing the insurance cover requested by Executive Directors.

#### 7.4.3. Reconciliation of receipts

Reconciliation of receipts to banked income should be performed on a regular basis and at least monthly, reflecting the value of the receipts. Staff responsible for reconciliation should not be involved in day to day banking or receipting procedures.

### 7.5. **Debt Recovery**

#### 7.5.1. Recovery process

The Council's standard payment terms and conditions are that, unless contractually agreed or in the case of a demand payable by installments, sundry debts are payable immediately and in full.

The Council will undertake robust action up to and including Court action to recover money owed to it. The costs of enforcement action to recover sundry debts, up to and including court action will be borne by the relevant Business Unit.

#### 7.5.2. Arrangements to Pay

Where a customer is unable to pay the full amount of a sundry debt invoice immediately then arrangements can be negotiated, in appropriate circumstances, to clear the debt in the shortest possible timescale.

These arrangements can be negotiated by the ICAM Team in consultation with the Business Unit Manager, or directly by the Manager. In the latter case the Business Unit Manager must inform the ICAM Team so that the arrangement can be documented and monitored.

Payment arrangements that exceed 12 months must be agreed by the Head of Commercial Business Development.

If the arrangement to pay is not maintained then debt recovery action will be commenced or continued.

#### 7.5.3. Disputed debts

For the purposes of these Regulations a 'dispute' relates to an issue that must be resolved before the customer will pay an outstanding sundry debt.

When a debt is put into dispute, debt recovery action is suspended to allow time for the issue to be resolved.

The relevant Business Unit Manager is responsible for resolving the dispute and for doing so within 28 days. Where the Business Unit Managers considers that a longer timescale is required to resolve the dispute, they must contact the ICAM Team to request an extension. The request must be supported by details of the customer, the nature of the dispute and the extra length of time required must be specifically stated.

If a request to extend a dispute beyond 28 days has not been received, the appropriate debt recovery action will be re-instated, or where appropriate the debt will be written off.

#### 7.5.4. Legal action

Legal action will only be used as the last resort in the recovery process, and the final decision to utilise this action will be made by the ICAM Team Finance Manager.

Legal action will only be taken in the following circumstances:

- Where the full end to end legal enforcement process can be utilised (e.g. County Court bailiffs, High Court Enforcement action, etc.).
- The cumulative balance of the debt is in excess of £500. The ICAM Team Finance Manager can agree to lower this balance where appropriate.

- In order to comply with the criteria outlined in [section 7.7](#). Legal action must be taken within 12 months of the invoice date. This deadline may be extended in exceptional circumstances agreed by the ICAM Team Finance Manager.

## **7.6. Bad and Doubtful Debt Provisions**

When an invoice is raised the Business Unit is immediately credited with the income. For that income to be relied upon the debt must be paid within 60 days.

If a debt is not paid by day 60, a charge will be made against the Business Unit to make full provision for the debt not being paid.

Exceptions to this can only be approved by the Head of Commercial Business Development. A list of the agreed exceptions is maintained by the ICAM Team in Finance & Commercial Services.

The year-end bad debt provision will be calculated based on historic collection trends.

Creating a provision for bad or doubtful debt does not mean that recovery action will stop. The Council will continue to take recovery action after the provision is made.

### **7.6.1. Payments received after 60 days**

Where an outstanding debt is paid after day 60 and before day 91 the Business Unit will be credited with 50% of the income. The remaining 50% will be diverted to help balance the Council's overall budget.

If the debt is paid after day 90, 100% of the income will be diverted to help balance the Council's overall budget and the Business Unit will not receive any.

Exceptions to the '60 day rule' can only be approved by the Head of Commercial Business Development. A list of the agreed exceptions is maintained by ICAM Team in Finance & Commercial Services.

## **7.7. Bad Debt Write-offs**

If recovery action is unsuccessful, the Council may write-off debts that are correctly due to it but which, for whatever reason, are no longer collectable.

Where possible all recovery procedures should be pursued and exhausted within 12 months of the invoice date. After this timescale the outstanding debt should be considered for write off unless:

- It is covered by an on-going payment arrangement.
- There is on-going action, up to and including Court action, to recover the debt.
- The debt has been recorded on the Local Land Charges Register.

A list of unapproved write offs will be passed to the relevant Finance & Commercial Services Leadership Team (FCSLT) member to approve. The ICAM Team will then update Integra to complete the write off.

Writing off a debt involves removing a debt from the Council's accounts using money that has been set aside as part of the bad and doubtful debt provision and will only be done in exceptional circumstances.

Write-offs must be proposed by the relevant Executive Director and approved and actioned by the Head of Commercial Business Development.

By the time a debt is written off a full provision must have been created for it.

The Head of Strategic Finance will report debts, and the changes in the bad debts provision, to the Audit Committee as part of the annual accounts process.



## **7.8. Local Land Charges**

The Local Land Charge Register contains details of outstanding liabilities, e.g. road and other financial charges, home improvement grants, tree preservation orders, notices of restriction, etc., that will either secure the payment of a sum of money or limit the use of the said property. It is a statutory requirement that all Local Authorities within England and Wales compile, maintain and regularly update their Local Land Charges Register.

When Services secure a Sundry Debt account in the Local Land Charge Register, the following criteria will apply:

- Sundry Debt accounts recorded in the Land Charge Register will be managed in accordance with section 7 of these Regulations. This includes using the Council's standard debt recovery process and taking a bad debt provision.
- On an annual basis the Business Unit Manager responsible for the debt listed in the Local Land Register must review the account to ensure that it is still valid and collectable.
- Debts covered by a Land Charge that remain outstanding after 6 years will be reviewed by the Head of Commercial Business Development to determine whether the debt should be written off in the Finance system.

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## 8. Purchasing

This section covers the principles related to procurement in the Council, the roles and responsibilities of officers and the principles that apply to the Council's Purchase to Payment (P2P) process. These are standard across all portfolios and must be complied with, unless an exception has been approved in writing in advance by the Head of Strategic Finance.

All Orders for goods or services are to be placed on the Council's Finance system or other systems as approved by the Head of Strategic Finance. Irrespective of the system used, the controls and processes detailed in these regulations will apply.

All procurement must comply with [Standing Orders](#) and the [Leader's Scheme of Delegation](#).

### 8.1. Roles and responsibilities

#### 8.1.1. Director of Finance & Commercial Services

The Director of Finance & Commercial Services is responsible for:

- Ensuring that the Council's [Standing Orders](#) remain technically correct, up to date and fit for purpose.
- Ensuring that the Council's [Standing Orders](#) are adhered to. All unauthorised breaches must be reported to him/ her.
- Considering requests for a waiver of [Standing Orders](#) and actioning them where appropriate.
- Ensuring there are proper processes and procedures in place for the commissioning and procurement of goods and/ or services.
- Providing advice and guidance on the procurement process.
- Ensuring that training and guidance is available for officers involved in the P2P process.
- Approving suppliers used in the commissioning and procurement of goods and/ or services.

#### 8.1.2. Head of Strategic Finance

The Head of Strategic Finance is responsible for:

- Ensuring that VAT related records, e.g. invoices or credit notes are stored and made available in line with HMRC directives.
- Compliance with the requirements of the Construction Industry Scheme (CIS) in relation to tax deductions on the payment of invoices for construction work.
- Ensuring that, where required, the employment status of individuals, limited companies and partnerships is validated, payments are made and related records are stored and made available, all in line with HMRC directives.
- The approval and administration of all leasing and other credit arrangements. Records will be kept by the Head of Strategic Finance of all relevant financial information relating to these arrangements.

#### 8.1.3. Head of Strategic Finance and Executive Directors

The Head of Strategic Finance and Executive Directors are responsible for ensuring that all purchasing within their area of responsibility complies with the following principles:

- Expenditure shall not be incurred where it represents a departure from Council policy or where it is not wholly in accordance with the Council's approved Budget unless such expenditure is considered a matter of urgency. In these cases:
  - The Head of Strategic Finance must be consulted before incurring such expenditure, and all relevant provisions of the [Leader's Scheme of Delegation](#).
  - The [Constitution](#) must be complied with.
  - Particular attention is drawn to the urgency provisions in the Budget and Policy Framework Procedure Rules in Part 4 of the [Constitution](#).
- Where any consent is required from a Government Department or other relevant body, these shall be obtained before any expenditure or commitment is incurred.
- Appropriate controls must be in place that ensure the integrity of expenditure incurred in the name of the Council and constrains expenditure to within the legal powers of the Council.
- Suppliers providing services to the Council must have the necessary HMRC certification enabling them to be paid through the Council's payments system. Contractors failing to comply with the conditions or to provide evidence of the necessary certification should be set up as temporary employees of the Council and paid through the payroll.

#### 8.1.4. The Executive Directors

The Executive Directors are also responsible for ensuring that purchasing to payment arrangements within their area of responsibility comply with:

- These Regulations.
- The Council's [Constitution](#), [Leader's Scheme of Delegation](#) and [Standing Orders](#).
- [Procurement Guidelines](#)
- The Guide for the Procurement of Consultancy.
- HMRC requirements for checking employment status of individuals or groups of workers.
- Corporate financial policies and standards.
- EU and domestic law.
- Health and Safety Regulations.
- Environmental Policy.

#### 8.1.5. Budget Managers

Budget Managers with responsibility for incurring expenditure on behalf of the Council must ensure that:

- The Council is obtaining value for money and that all expenditure complies with the Council's [Standing Orders](#).
- In-House and existing contracted providers are used wherever possible. Where this is not considered appropriate, advice must be sought from Finance & Commercial Services on choosing an alternative supplier and [Standing Orders](#) must be complied with.
- Compliance with the Council's [Standing Orders](#) and all relevant procurement processes is documented and the evidence retained.
- Any relationships with existing or potential Council contractors are declared prior to the obtaining of quotations or the awarding of contracts.

#### 8.1.6. All Officers involved in P2P process

All officers involved in the ordering and purchasing processes must:

- Refer to the Council's [Standing Orders](#) for details of procurement procedures to be followed, with special attention to the need to use In-House and existing contracted providers.
- Formally declare any relationships with existing or potential Council contractors prior to the obtaining of quotations or the awarding of contracts.
- Withdraw from any P2P process when either they themselves or a member of their family or one of their close associates are involved directly or indirectly with the transaction.

Note: Officers' attention is drawn to the provisions of section 117, Local Government Act 1972, under which certain failures by an Officer to declare an interest in a contract with the Council may be punishable as a criminal offence.

### **8.2. Ordering of goods and services**

A purchase order is required for all purchases of goods and services and one must be processed and fully approved before requesting the supply.

Exceptions to this would be for the payment of individuals determined by the HMRC Employment Status Enquiry Tool as status 'employed', for which payment has to be made via the Payroll system in order to account for the correct taxation, recurring payments, 'multiple' and 'one-off' payments.

Verbal orders must not be used in normal Council operations and should take place only in wholly exceptional circumstances. Any verbal orders must be followed immediately by the issue of a fully authorised order. Officers making verbal orders can expect to be asked to support their decision by the Head of Strategic Finance and the Director of Finance & Commercial Services.

Different Purchase Order types are in place to meet expenditure requirements including those that are not for the supply of goods or services.

Orders must fully detail the goods and services to be supplied and the budget from which the expenditure is to be met. Final costs or an estimate of the costs of the goods or services ordered (net of VAT) should also be provided.

Orders must only be raised for goods and services provided to the Council or on official Council business. Individuals must not raise official orders for their own private use.

Variations must only be actioned through properly authorised amendments to orders. Issued orders must not be amended verbally with the supplier.

A small number of credit and procurement cards exist for use within the Council where special conditions exist. The use of credit/ procurement cards are intended to complement, rather than replace the purchase order procedure, and should only be used in exceptional circumstances, when the use of a purchase order is not feasible.

The Head of Strategic Finance shall approve all officer applications for procurement/ credit cards and may withdraw his/ her approval for the Officer to use the card at their discretion.

For each card, monthly credit and individual transaction limits will be determined by the Head of Strategic Finance on approval of the application. Requests for alterations to the limits will be considered where a valid business case exists at his/ her discretion.

The Head of Strategic Finance shall ensure that a register of all procurement cards issued is kept containing employee details, credit and transaction limits and date of issue.

The Executive Directors must inform the Head of Strategic Finance, in order that action may be taken to cancel stolen or lost cards or those issued to employees who have resigned from the Council.

### **8.3. Authorisation of expenditure**

#### **8.3.1. Purchase Orders**

Before authorising an order, Approvers must ensure that the proper approval for the spending has been obtained in line with the Council's decision making framework. In other words, the decision to spend the money must have been taken by Council, the Leader, Cabinet, a committee, an individual Member or an Officer exercising delegated powers.

These Officers must also ensure that the Council's procurement rules and [Standing Orders](#) have been complied with before approving any order.

Authorisation in accordance with the requirements set out below is not a substitute for formal approval as required by [Leader's Scheme of Delegation](#), the Council's [Standing Orders](#) and [Procurement Guidelines](#).

Before authorising an order, managers, who must have written authority from the relevant Executive Director to do so, should be satisfied that:

- The Order represents legitimate liabilities of the Council.
- The required checks have been evidenced.
- Sufficient budgetary provision exists to cover the payment.
- The expenditure is correctly coded.
- All necessary documentation is attached.

#### **8.3.2. Authorisation to pay Recurring Payments**

These will be authorised in line with the procedures as approved by the Head of Strategic Finance by Officers with the appropriate level of approval within the Council's finance system.

#### **8.3.3. Authorisation of Multiple, One-Off and Foreign Payments**

Multiple and One-Off payments must only be used in exceptional circumstances and must be approved by both the Head of Strategic Finance and the Director of Finance & Commercial Services.

#### **8.3.4. Authorisation Foreign Payments and Individuals paid via Payroll**

These will be authorised in line with the procedures as approved by the Head of Strategic Finance and the limits as detailed in the Authorisation Matrix below.

#### **8.3.5. Approval Hierarchy Levels**

The list of Officers authorised to approve Purchase Orders will comply with this section of the Regulations and will be held in the Council's Finance System or other systems as approved by the Head of Strategic Finance.

All purchase orders must be approved in line with the Council's approval hierarchy as shown below:

Order Amount	Financial Approval Limits
< £100	No further financial approval
Up to £250	Supervisor / Line Manager

Up to £500	Middle Manager
Up to £2,500	Business Unit Manager
Up to £25,000	Assistant Head of Service / Assistant Director
> £25,000	Head of Service / Director / Assistant Chief Executive / Chief Executive

The values in this matrix are set at levels deemed necessary by the Head of Strategic Finance for the proper control of expenditure.

Where, if after such consultation as he/ she deems to be appropriate, the Head of Strategic Finance considers that the values should be revised in order to maintain that control, she/ he may change them at any time.

For the avoidance of doubt, this matrix will apply to all orders including orders connected to the spending of Grant funding, contract payments and partnership arrangements where the Council's finance system is used to make a payment.

The existence of a Cabinet report approving a grant payment or awarding a contract does not over-ride the authorisation hierarchy.

This hierarchy will also apply to the authorisation of payments detailed above which do not require a Purchase Order.

#### **8.4. Delivery of Goods and Services**

Deliveries of goods and services should be checked to ensure that they are in accordance with the official order, taking account of, as a minimum:

- Cost.
- Quantity.
- Quality.
- Fitness for purpose.

Delivery notes must be retained for verification purposes in accordance with the Financial Documents Retention Schedule appended to these Regulations. Where possible, the reference from these documents should be recorded in the Finance system.

Officers are required to enter a receipt (Goods Received Note) on the Council's finance system, or other systems, as approved by the Head of Strategic Finance to confirm delivery of the goods or services.

#### **8.5. Payments to suppliers**

##### **8.5.1. Supplier invoices**

Suppliers will be expected to provide an electronic invoice to the Council's finance system. Invoices should be sent directly to the accounts payable invoice processing facility, as detailed on the Council's purchase order.

Where paper invoices are unavoidable these should be sent directly to the Council's accounts payable service at this same address, for prompt processing they should not be sent directly to the Service requesting the supply.

Failure to adhere to this rule may result in delays to the payment process.

Any paper invoices will be scanned and attached to the invoice records by the accounts payable service.

### 8.5.2. Payments

No payment will be made unless supported by an appropriately authorised Purchase Order and Goods Received Note to acknowledge satisfactory receipt of goods and services. Exceptions to this are Recurring, Multiple, One-Off, Individuals paid via Payroll, Foreign Payments and purchases made using a Credit or a Procurement Card and as described above.

Where the details on the supplier invoice, the Goods Received Note and the order are the same, or within tolerance levels agreed by the Head of Strategic Finance, the automated matching process will clear the invoice for payment in accordance with the Council's standard payment terms. This is referred to as a 3 way matching process.

Where the details are not the same and are outside the agreed tolerance levels, then the order raiser should liaise with the supplier and request a credit note from the supplier to resolve the mismatch if necessary.

### 8.5.3. Standard payment terms

The Council's standard payment terms are to make payment within 30 calendar days of the invoice date. Any variation to this standard must be agreed by the Director of Finance & Commercial Services either as part of the letting of a contract or by ad-hoc exception to the standard terms.

In accordance with the Council's [Standing Orders](#) advice must be sought from the Director of Finance & Commercial Services where a supplier makes a request for payment in advance.

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## **9. Internal charges**

The Council's internal charging system covers:

- Specific ordering and the consequent recharges.
- Agreed Annual Service Level Agreements and the consequent recharges.
- Overhead apportionment.

A fundamental requirement of the internal charging system is that both customers and suppliers are clear that the system is in operation and that they adhere to the relevant procedural guidance.

### **9.1. Roles and responsibilities**

#### **9.1.1. Executive Directors**

Executive Directors are responsible for ensuring that their managers and staff follow the procedures relating to internal charges, including the requirement for an internal order and the use of specified financial codes.

#### **9.1.2. Head of Strategic Finance**

The Head of Strategic Finance is responsible for ensuring that there are proper processes and procedures in place to support the internal charging system, including details of specific financial codes.

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## **10. Payroll, Expenses and Petty Cash Floats**

### **10.1. Roles and responsibilities**

#### **10.1.1. Executive Directors**

Executive Directors are responsible for ensuring:

- That payroll information is correct and is provided within the agreed timetables for the running of the payroll.
- That all amendments to the payroll, e.g. Post and Establishment changes, individual contract changes etc., are notified in line with the procedures as approved by the Director of Human Resources & Customer Services.
- That all payments to employees are:
  - Made through the payroll.
  - That they are made only to official employees.
  - In accordance with individual contracts of employment.
  - That all necessary information is supplied so that deductions including PAYE and Superannuation are properly administered.
- That when payroll costs are checked this is done so by officers not responsible for amendments to the payroll.

Executive Directors are responsible for determining any petty cash requirements for their Portfolio subject to approval by the Head of Strategic Finance or one of his/ her authorised officers. This amount should represent a balance between the need for ready access to cash for small local payments, the risk of holding cash on the premises and the security arrangements required.

They must ensure that procedures are in place to formally assign responsibility for all floats and that the officer is properly trained in the administration of the float.

#### **10.1.2. Director of Human Resources & Customer Services**

The Director of Human Resources & Customer Services is responsible for approving and controlling arrangements for the payment of all salaries, wages, pensions, expenses and any other payments to all employees and former employees of the Council.

#### **10.1.3. Head of Strategic Finance**

The Head of Strategic Finance is responsible for:

- Approving the arrangements for payment of all salaries, wages, pensions, expenses etc., made by the Director of Human Resources & Customer Services.
- Formulating and approving procedures related to Payments to Individuals and the administration of Petty Cash Floats.
- Approving changes to the accounting and taxation elements of the payroll system.

### **10.2. Payroll**

The payment of all salaries, wages, pensions, expenses and any other payments to all employees and former employees of the Council must only be made under arrangements approved and controlled by the Director of Human Resources & Customer Services and approved by the Head of Strategic Finance.

Amendments to the payroll, e.g. for absences and variations to pay, shall be limited to those Officers authorised to do so.

Payment of fees to individuals who are not Council employees must be made through the Purchase to Payment system and in accordance with the requirements of HMRC and the relevant procedures as laid down by the Head of Strategic Finance and the Director of Finance & Commercial Services.

Payment and personnel records must be held securely.

### **10.3. Expenses**

Members and officers will only be entitled to travel, subsistence and incidental expenses where these are incurred legitimately in performing duties on behalf of the Council in line with the agreed policy and rates. Claims should be made in line with relevant Council policies including the requirement to forward receipts to the Council's payroll service. All such payments will be made through the payroll system.

Payments of expenses to individuals who are not Council employees must be made through the Purchase to Payment system in accordance with the procedures as laid down by the Director of Finance & Commercial Services.

Expenses incurred by agency staff should be included in the Agency charge and paid through the Purchase to Payment system.

### **10.4. Petty Cash floats**

#### **10.4.1. Payments from a float and re-imbursements**

The use of monies from petty cash floats must be limited to non-payroll related expenditure up to a maximum of £25 for which there is proper authority and provision in the budget but which do not justify an order being raised through the Purchase to Payment system. Petty cash should not be used for the payment of regular suppliers other than in exceptional circumstances, when prior approval must be obtained from Heads of Service.

Wherever possible purchases should be made in advance and, if applicable, VAT receipts provided before the petty cash is issued.

At the manager's discretion, a maximum of £5 employee related expenses may be paid from a petty cash float where an employee has been requested to travel to meet a service need and has no way of funding this.

Personal or third party cheques must not be cashed or money borrowed from petty cash floats. Private monies are not to be used to supplement the floats.

Cash income from other sources must not be used to reimburse petty cash unless specific arrangements are in place.

#### **10.4.2. Responsibilities of the float holder**

Officers who have been assigned responsibility for a float must ensure that they follow the procedures related to the administration of petty cash floats as laid down by the Head of Strategic Finance.

#### **10.4.3. Personal credit card transactions**

The use of personal credit cards by officers for petty cash transactions shall be limited to exceptional circumstances where petty cash would be appropriate but is not available.

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## **11. Bank Accounts and Credit Cards**

### **11.1. Bank Accounts**

Bank accounts in the name of the authority may only be opened and/ or closed with the authority of the Head of Strategic Finance. This includes associated bank accounts which the Council does not directly control, e.g. joint arrangements, etc. The Head of Strategic Finance is responsible for all negotiations of banking terms with the Council's Bankers. In practical terms this responsibility is discharged through the TM&B Team, which is part of Strategic Finance within Finance & Commercial Services.

All stand-alone systems which actually create payments and do not interface with the financial ledgers must have a separate bank account and consequent local reconciliation responsibilities. These are the Payroll interfaces, and systems which create BACS files or print cheques.

### **11.2. Reconciliations**

Bank reconciliations should be completed on at least a monthly basis by an officer who is not responsible for the processing of payment and receipt transactions through the bank accounts. The Head of Strategic Finance, via the TM&B Finance Manager, is responsible for ensuring that reconciliations, together with supporting documentation, are reviewed and appropriately certified.

### **11.3. Banking transactions**

The Head of Strategic Finance is responsible for maintaining an authorised signature list for Banking Transactions. The authorised signatories will be determined and approved by the Head of Strategic Finance in consultation with the Individual Cabinet Member for Finance. Authorised Signatories will normally be senior Officers who report directly to the Head of Strategic Finance.

A copy of the list is available in the [Financial Protocol](#) appended to these Regulations.

### **11.4. Credit/ Procurement cards etc.**

Credit cards, charge cards and other payment methods held in the Council's name may only be opened, closed and managed by the Head of Strategic Finance.

#### **11.4.1. Reconciliations**

Reconciliations of credit cards, etc. accounts should be completed on at least a monthly basis by an officer who is not responsible for the processing of payment and receipt transactions through the bank accounts. The Head of Strategic Finance will ensure that reconciliations, together with supporting documentation, are reviewed and appropriately certified.

### **11.5. Banking arrangements**

The Head of Strategic Finance will maintain an authorised signature list for Banking Transactions. The authorised signatories will be determined and approved by the Head of Strategic Finance in consultation with the Individual Cabinet Member for Finance. Authorised Signatories will normally be senior Officers who report directly to the Head of Strategic Finance.

A copy of the list is available in the [Financial Protocol](#) appended to these Regulations.

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## **12. Taxation**

### **12.1. Roles and responsibilities**

#### **12.1.1. Executive Directors**

Executive Directors are responsible for ensuring that the VAT element of any transaction is considered with the objective of maximising VAT recovery where this is consistent with effective delivery of the service and minimising the level of irrecoverable VAT being incurred by the Council. In practice this means that they are responsible for:

- Ensuring that VAT is properly accounted for on all transactions entered into by the Council.
- Keeping VAT records within their area of activity, with a proper allocation of costs to exempt and other activities.
- Complying with all VAT legislation and regulations applicable to the delivery of their service.
- Monitoring and planning for any changes in VAT legislation or regulations which affect their areas of activity.
- Advise the Head of Strategic Finance of any capital projects and property transactions (disposals, purchases and leasing of land/property) that are under consideration and have the risk of irrecoverable VAT being incurred by the Council, whether by way of exempt input tax or otherwise.

Executive Directors must also advise the Head of Strategic Finance of any capital projects that are under consideration which contain the risk of irrecoverable VAT being incurred by the Council, whether by way of exempt input tax or otherwise.

In circumstances where an individual, rather than a company, is engaged to provide a service to the Council; Executive Directors are responsible for ensuring that all HMRC regulations relating to that engagement are adhered to.

#### **12.1.2. Head of Strategic Finance**

The Head of Strategic Finance is responsible for ensuring that:

- Appropriate taxation advice is available to Executive Directors to ensure compliance with relevant legislation.
- Where the tax implications of a project are of sufficient complexity to warrant additional support then appropriate external advice will be sought. In these circumstances the Head of Strategic Finance will rely on the wording of CIPFA's Statement of Professional Practice to determine when appropriate help, advice and guidance is required.
- An appropriately skilled team is available to discharge the Council's VAT responsibilities. This Team will receive all training necessary to provide appropriate service delivery and challenge.

The Head of Strategic Finance is also responsible for the preparation and submission of VAT Returns to HMRC. Such Returns are to be submitted at times which maximise the cash flow benefit to the Council, but in any event not later than the deadlines agreed with HMRC.

### **12.2. Penalties and charges**

Portfolio budgets will bear the financial impact of any penalties or other charges imposed by HMRC in respect of transactions entered into by that Portfolio.

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### **13. Stores, Stock, Equipment and Security**

Executive Directors are responsible for the care, custody and recording of stocks and equipment. This will include the following:

- Controlling access to stores etc. and ensuring that stocks and assets are only used on Council business.
- Ensuring that arrangements are sufficient to ensure that additions to, as well as issues from, stock are controlled and accurately entered on the appropriate records.
- Maintaining a record of stock in hand of each item held to be physically checked at a frequency determined by Executive Directors which reflects such factors as stock values, usage, etc.
- Maintaining a register of assets removed from Council premises. This includes but is not limited to assets such as laptops, mobile phones and RAS cards issued to officers.
- Maintaining an inventory of all assets over £100 in value, together with all attractive and portable items below this figure. The inventory should detail make, model, serial number and purchase value. Items should be recorded promptly in the inventory, at the point of purchase. The inventory should as a minimum be checked on an annual basis by physical verification of assets by an officer not involved in its compilation. A list of missing items should be provided to the Heads of Service, who will decide on the action to be taken.
- Reporting obsolete items to the relevant Head of Service for approval to write-off. Following formal, documented approval, the relevant Inventory Records should be amended accordingly.
- Providing the Head of Strategic Finance with a certificate of the stock and value held by their Portfolios at the end of each financial year as well as such information as is required in relation to stores for the accounting, costing and financial records.

Assets shall not be removed from the Council's premises, unless on official Council business and should not be used other than for official Council purposes or in line with arrangements sanctioned by the Council, Cabinet, an Executive Director or a Director.

All information assets such as non-public paper records, IT equipment used to access information and the computer network, must be identified, recorded and have an appointed asset owner and be appropriately protected at all times. Further details can be found in the Council's Information Governance and Security Policy.

Some external funding regimes require specific arrangements for recording the equipment that is purchased and used to deliver the objectives of the funding. Executive Directors are responsible for ensuring that all requirements are met in this respect.

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## **14. Retention of Records**

### **14.1. Roles and responsibilities**

#### **14.1.1. Executive Directors**

Executive Directors are responsible for ensuring that all records, as defined by the Council's Document and Records Management Policy are managed in line with that Policy and that they are retained for a period that satisfies the requirements of HMRC, the Council's External Auditors and any other appropriate Body. The [Financial Records Retention Schedule](#), appended to these Regulations, provides guidance on appropriate retention schedules.

For any service specific records, Executive Directors are responsible for determining the retention periods with the appropriate external bodies.

Where activities, decisions or transactions are being carried out on behalf of the Council, such as in a partnership agreement, Executive Directors are responsible for ensuring that appropriate records management contractual terms are in place, so as to comply with the Council's Document and Records Management Policy.

#### **14.1.2. Head of Strategic Finance**

The Head of Strategic Finance is responsible for producing and maintaining a schedule on the retention periods covering financial records in accordance with current best practice. The [Financial Records Retention Schedule](#) is appended to these Regulations.

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## **15. Financial Systems**

The Council's finance system (Integra) will be the Council's prime source of accounting and financial information.

### **15.1. Roles and responsibilities**

#### **15.1.1. Head of Strategic Finance**

The Head of Strategic Finance is responsible for:

- The Council's accounting system from which the Council's audited Accounts are produced.
- Controlling access to the Council's systems and information.
- Ensuring both the accuracy and security of the data.
- Ensuring that the financial controls of systems interfacing with the corporate accounting system are robust and in line with the Council's information governance policies.

#### **15.1.2. Executive Directors**

Executive Directors are responsible for:

- Reconciling relevant feeder systems back to the information reported in the corporate accounting system.
- Ensuring that Portfolio systems, e.g. Controcc, produce financial returns in a format and to timescales required by the Head of Strategic Finance.
- Controlling the access to Portfolio systems and information, and for ensuring both the accuracy and security of the data.
- Ensuring, in consultation with the Data Protection Act, General Data Protection Regulation (GDPR) and the Information Security Officer that the data held on their systems, whether held as hard copy or in electronic format, is in accordance with EU or domestic data protection legislation. Business Partners from the Business Change and Information Systems (BCIS) Team should be consulted for advice and guidance on data protection and information management issues.
- Ensuring that the Head of Strategic Finance and their BCIS Business Partner are consulted prior to the purchase and implementation of any new computerised financial systems. This includes any income collection systems.

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## **16. Accounting**

The Head of Strategic Finance is responsible for the form and content of the Council's Accounts and for producing the Council's Accounts for approval by the [Audit & Standards Committee](#).

The Accounts must present a true and fair view of the financial position and transactions in respect of that financial year and be prepared in accordance with statutory requirements and all applicable professional Codes of Practice.

The Accounts will be prepared on an accruals basis.

The Accounts will be prepared on a prudent basis with income only included if it is likely to be received. Proper allowance should be made for known liabilities and losses.

### **16.1. Accounting during the Financial Year**

All Accounts and Accounting Systems must be properly maintained throughout the year to provide timely and accurate information.

All financial transactions must be properly accounted for and adequately supported and referenced back to original documents and working papers, which initiated the transaction.

Holding and Suspense Accounts must be reconciled at least monthly. Reconciliations must be produced and authorised by Officers not directly responsible for the transactions in the accounts.

Control accounts, e.g. debtors, Bank Accounts, etc., must be reconciled monthly.

Access to accounting information will be controlled by the Head of Strategic Finance.

### **16.2. Year-end Requirements**

At the end of each financial year the Head of Strategic Finance will produce a timetable and notes of guidance for the production of Final Accounts.

All balances on Control Accounts, e.g. Debtor Control, must be justified. Balances may only be carried forward into the next year if there is a reasonable prospect that they will be cleared.

The Accounts for the year should be "closed" at the end of business on 31 March and all income received and payments made to that date must be accounted for. The Officers responsible must certify sums held, i.e. not banked, at the close of business on 31 March.

Accruals must be supported by evidence and the Head of Strategic Finance will require copies of evidence for material accruals. The process and amounts will be specified in the year-end guidance issued by the Head of Strategic Finance.

The Officers responsible for cash floats and other cash accounts must balance and certify the amount of cash held at the close of business on 31 March.

Officers responsible for stocktaking must certify the value of stock/ stores at close of business on 31 March.

Expenditure and income due for the year, but not paid or received by 31 March must be accounted for. The Officers responsible must certify the transactions concerned.

Appropriate working papers, records and prime documentation must be maintained in support of the above requirements. These will be used to substantiate the Accounts and provide a clear Audit trail.

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## **17. Internal Audit**

The Council's s151 Officer is responsible for maintaining a continuous internal audit of all the Council's financial records and operations. They shall be given such facilities, information and explanations as is deemed necessary to enable this to be done. Internal Audit has been provided with the authority to access any Council Officer and information necessary to carry out their duties on behalf of the section 151 Officer.

The Charter and Terms of Reference for the Internal Audit function are contained in the Senior Finance Manager's (Internal Audit) annual report to the [Audit & Standards Committee](#).

An Annual Audit plan is prepared by the Senior Finance Manager (Internal Audit) and agreed by the [Audit & Standards Committee](#) and the Council's section 151 Officer. This is designed to cover the most significant risks faced by the Council.

As part of the audit planning process, and in line with the requirements of the Council's Risk Management Framework, Executive Directors are responsible for managing risk and for informing Internal Audit of the risks that are prevalent in their area. They are also responsible for agreeing and implementing relevant Audit recommendations.

Internal Audit report the output of its activity to the Council's [Audit & Standards Committee](#).

### **17.1. Reporting potential or actual theft, fraud or corruption**

Executive Directors are responsible for ensuring that they have in place adequate processes for ensuring that the section 151 Officer is immediately notified of any circumstances indicating the possibility, or actual identification, of irregularity in funds, stores or other property of the Council. The reporting of such matters to the Council's Internal Audit Service shall be considered adequate for discharging this responsibility.

The Council's "Code of Conduct for Employees" and 'Whistleblowing Policy' as contained in the Council's [Constitution](#) requires any Council officer, who becomes aware of potential theft, fraud or corruption, to bring any concerns to the attention of the appropriate manager.

All employees of the Council are required to conduct themselves and carry out their duties in line with the requirements of the Code of Conduct and to comply with all Council agreed policies and procedures.

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## **18. Companies, Joint Ventures, Partnerships, Joint Committees etc.**

Where the Council has a controlling interest in Companies, Joint Ventures, Partnerships, Joint Committees, or is the Lead Authority, then these organisations will be required to use the Council's finance system and to follow these regulations.

Where the Council is involved as a minority interest in partnership arrangements or Joint Committees that use their own finance systems, the arrangement must include an agreement on appropriate, robust financial governance control arrangements to the satisfaction of the Head of Strategic Finance. In these circumstances the controls in these Regulations will be used as a starting point for that agreement.

No agreement shall be entered into with a Partnership which commits the Council to additional expenditure or other financial risk without approval as set out in the arrangements contained in other sections of these Regulations and the [Leader's Scheme of Delegation](#). The relevant Executive Director, in conjunction with the Head of Strategic Finance will report at least annually to the appropriate portfolio holding Member and the Cabinet Member for Finance on the financial affairs of the partnership body.

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## **19. Grant (Gift) arrangements**

### **19.1. Roles and Responsibilities**

#### **19.1.1. Director of Finance & Commercial Services**

The Director of Finance & Commercial Services is responsible for ensuring there are proper processes and procedures in place for the commissioning and procurement of goods and/ or services, and for the making of grant aid or 'investing' agreements.

#### **19.1.2. Executive Directors**

Executive Directors are responsible for ensuring that any funds that are established to make individual grants from are properly approved in accordance with the [Leader's Scheme of Delegation](#).

They are responsible for ensuring that all grant payments to voluntary organisations or other recipients of grant aid are properly approved in accordance with the [Leader's Scheme of Delegation](#), these Regulations and all other relevant documentation.

Where a grant payment is withdrawn or reclaimed, Executive Directors are responsible for ensuring that this is agreed in accordance with the [Leader's Scheme of Delegation](#).

Executive Directors are also responsible for ensuring that the external relationship with any recipient of grant aid is managed in accordance with all guidance provided by the Director of Legal Services.

Executive Directors are responsible for ensuring that any Grant/ Gift arrangements within their area of responsibility are made in line with the [Procurement Guidelines](#), and all other relevant processes and procedures.

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## **20. Council Supply Agreements**

Executive Directors are responsible for ensuring that Council Supply Agreements within their area of responsibility are approved in accordance with the requirements of the [Leader's Scheme of Delegation](#), including the need to seek the opinion of either the Executive Director of Resources or the Head of Strategic Finance.

A Council Supply Agreement means a contractually binding agreement under which the Council agrees to provide works, services or supplies to a third party in return for payment, in money or in-kind, otherwise than in fulfilment of a statutory duty, but does not include an agreement under which the Council receives grant aid.

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## Appendices

### A. Financial Protocol for Financial Year 2019-20

#### A.1. Introduction

The Council's Financial Regulations set out the high level financial rules within which all officers are required to work, without exception. More detailed Financial Procedures are available on Finance Point that set out how the detailed processes underpinning these Regulations operate.

This annual Financial Protocol complements the Regulations and Policies by describing the roles and relationships of the main parties involved in the Council's financial management arrangements. It is therefore a means to help ensure that these roles and relationships:

- Ensure adherence to Financial Regulations and Policies.
- Help the Council to achieve Sound Financial Management and meeting our customers' needs and aspirations.
- Support the statutory ("section 151" – see below) duties of its Chief Finance Officer (CFO).

The Protocol will be refreshed annually by the Head of Strategic Finance for signing off by the Executive Director/ Director as applicable and where appropriate the Director of Business Strategy (DOBS).

Where the Portfolio concerned does not have an Executive Director and/ or a DOBS then the responsibilities of these roles, as defined within this Protocol, shall be assumed on the following basis:

- The Portfolio Director will undertake the responsibilities of the Executive Director.
- The Executive Director/ Director will undertake the responsibilities of the DOBS, as applicable.

The Council faces very challenging times because of the scale of previous and anticipated public expenditure reductions. There is a need for Portfolio Leadership teams to ensure the relevant controls and management culture is in place to deliver the demanding budget reductions.

The Finance & Commercial Services service has reduced its numbers over recent years, which has reduced the level of support provided to Portfolio management teams. This requires greater self-management on the part of business unit managers in line with existing agreed good practice. The Director of Finance & Commercial Services, in conjunction with the DOBS, will be responsible for judging that the level of resource is appropriate for the assessed financial risk of each service.

The Executive Director and the DOBS will ensure that service managers afford the necessary attention to discharging their financial responsibilities including the timely and diligent completion of forecasting and reporting responsibilities.

## **A.2. Role of the Executive Director - Resources**

The Executive Director of Resources will be the responsible officer (CFO) for the purposes of s151 of the Local Government Act 1972 and s114 of the Local Government Finance Act 1988. The Executive Director of Resources therefore has a statutory responsibility to ensure that the Council makes arrangements for the proper administration of the Council's financial affairs. This includes ensuring the production and monitoring of the Financial Regulations. The Executive Director of Resources will recommend amendments to the Financial Regulations to the Council where they consider these to be in line with any changes to recommended best practice or essential service requirements or otherwise appropriate.

The Executive Director of Resources, as a member of the Council's [Executive Management Team](#), will ensure that the s151 role is discharged at this strategic level. On a day-to-day basis all s151 responsibilities may be discharged by the Head of Strategic Finance, who will act on behalf of the Executive Director of Resources in ensuring proper discharge of these statutory responsibilities. The Head of Strategic Finance is authorised to sign any and all grant claims, statutory returns or other documents that require the authority of the s151 officer on behalf of the Council. Nothing in this paragraph diminishes the ultimate financial responsibility of the Executive Director of Resources.

## **A.3. Role of the Head of Strategic Finance**

### **A.3.1. Statutory Requirements**

The Executive Director of Resources is the Council's responsible officer (CFO) for the purposes of s151 of the Local Government Act 1972 and s114 of the Local Government Finance Act 1988. On a day-to-day basis these duties are discharged by the Head of Strategic Finance.

The duties of the CFO can be summarised as:

- s151 - One officer shall have the responsibility to ensure that the Local Authority makes arrangements for the proper administration of its financial affairs.
- s114/114A - The CFO shall make a report if it appears that the Authority, a Committee, an Officer, the Executive or someone on behalf of the Executive:
  - Has made, or is about to make, a decision involving the Authority incurring expenditure which is unlawful.
  - Has taken, or is about to take, action which if pursued would be unlawful and likely to cause loss or deficiency on part of the Authority.
  - Is about to make an unlawful entry in the accounts.

The CFO shall also make a report if it appears that expenditure of the Authority is likely to exceed its resources.

### **A.3.2. Contravention of Standing Orders**

In addition to the above statutory requirements, the CFO shall make a report if, in their view, [Standing Orders](#) have been contravened.

### A.3.3. Responsibility for the Finance & Commercial Services Service

The Director of Finance & Commercial Services is responsible for the whole of the unified Finance & Commercial Services service within the Council. Beyond its statutory duties Finance will:

- Lead on the Corporate Financial Strategy for the Council, in conjunction with the [Executive Management Team](#).
- Set clear corporate standards for financial management and ensure adherence to them.
- Provide an effective BP and A&I service to Portfolios.
- Maximise efficiency and effectiveness by providing excellent shared and self-service financial services.
- Ensure that finance staff are confident and competent in their duties.
- Provide support and training for service managers in finance competencies.

### A.3.4. Financial Implications of Decisions

Where the Council's Financial Regulations require the financial implications of a decision to be signed off, then this will be done by either BP or the A&I Team on behalf of the Head of Strategic Finance.

DOBS will also need to be involved in this process, but they cannot substitute for Finance's involvement and input.

The rules governing the reporting of financial implications can be found in section 4 of the Financial Regulations.

### A.3.5. Financial Returns and Grant Claims

The Head of Strategic Finance or authorised Finance Officers will sign-off all Financial Returns and Grant Claims for the Council. Details of the authorised Finance Officers are shown below and will be published alongside the [Constitution](#) as amended from time to time. The authorised Finance Officers will be responsible for signing returns/claims relating to their managerial areas of responsibility, but will also authorise other returns/claims to cover absence.

Head of Strategic Finance	Grants and returns relating to Financial Planning, Tax, Accounting, Treasury, Control, Insurance, Audit, Risk, External Funding and other corporate issues.
Head of Accounting & Infrastructure	Grants and returns relating to the People, Place and Resources Portfolio, systems and training.
Head of Business Partner	Any grants and returns to cover absence.
Head of Commercial Business Development	Grants and returns relating to Projects, Capital, Construction, Revenues & Benefits and Debt Recovery.
Head of Procurement & Supply Chain	Grants and returns relating to Category and Contract management and Sourcing.

#### A.3.6. Documentation related to banking transactions

The Head of Strategic Finance or authorised Finance Officers will sign-off documentation related to banking transactions (see section 11.3 of Council's Financial Regulations). Authorised officers are:

Executive Director of Resource
Director of Finance & Commercial Services
Head of Strategic Finance
Head of Accounting & Infrastructure
Head of Business Partner
Head of Commercial Business Development
Head of Procurement & Supply Chain
Senior Finance Manager (Planning & Tax)
Senior Finance Manager (Accounting, Treasury & Control)
Senior Finance Manager (Place & Resources Business Partner)
Senior Finance Manager (People Business Partner)
Senior Finance Manager (Revenues & Benefits and ICAM)
Senior Finance Manager (Systems & Control)

#### A.3.7. Approval of virements between Services and Portfolios

The Head of Strategic Finance or authorised Finance Officers will sign-off requests for virements under £500,000 between Portfolios and Services (see section 3.5.3 of the Council's Financial Regulations). Authorised officers are:

Head of Strategic Finance
Head of Accounting & Infrastructure
Head of Business Partner

#### A.3.8. Emergency approval of capital schemes

All requests for emergency approvals of capital schemes must be referred to the Executive Director of Resources or the Head of Strategic Finance or Finance & Commercial Services Officers authorised to act on his or her behalf. Authorised officers are:

Head of Strategic Finance
Head of Commercial Business Development



#### **A.3.9. BP and A&I Team**

Part of the unified Finance & Commercial Services service, the Director of Finance & Commercial Services will designate BP and A&I resources to provide financial advice and support to each Portfolio. Their respective reporting line will be within the Director of Finance & Commercial Services structure.

The BP and A&I Teams will be held accountable for their performance to the Portfolio, via the DOBS role on behalf of the Executive Director and Portfolio Leadership Team. The ultimate responsibility for their performance remains with the Director of Finance & Commercial Services.

The Director of Finance & Commercial Services will ensure that arrangements are in place to effectively manage the relationships between Finance, Service, DOBS and Executive Directors.

### **A.4. Role of the Executive Director**

#### **A.4.1. Responsibility to run services within their budget**

The Executive Director confirms responsibility to run services within their respective portfolio budget agreed at the meeting of the Sheffield City Council on 6<sup>th</sup> March 2019, subject to subsequent adjustments approved within the Council's Financial Regulations, [Constitution](#) and Leader's Scheme of Delegation of Executive Functions.

#### **A.4.2. Framework of Financial Accountability**

In order to meet the statutory requirements and to protect the Council's overall financial interest the Executive Director agrees that:

- They will develop and maintain a clear, written accountability framework for the budgets held by each service and Business Unit/ Cost Centre manager which will be linked to the sign off of this Protocol.
- Arrangements are in place to ensure that the Portfolio has a clear framework for ensuring compliance with the Council's Financial Regulations and Financial Policies.
- Their DOBS will liaise with the A&I Team and provide assurance annually to the Executive Director and Executive Director of Resources that the arrangements are sound.

Executive Directors are responsible for ensuring that these arrangements are working effectively, that there are proper arrangements for making managers accountable for the use of financial resources and for reviewing financial management performance.

#### **A.4.3. Provision of financial advice to Portfolio**

The BP and A&I Teams will act on behalf of the Director of Finance & Commercial Services in their Portfolio and will be given the access to information and meetings that this requires.

The BP and A&I Teams will be the professional financial adviser to the Portfolio and will agree the financial implications of reports, as required by the Council's Financial Regulations.

## **A.5. Joint Responsibilities of the Director of Finance & Commercial Services and Executive Directors**

The Executive Directors and Director of Finance & Commercial Services will work co-operatively within the Council's Financial Regulations to ensure the effective management of the Council's financial arrangements. This will involve a commitment to influence the culture of financial management in the Council through joint working between Finance and service managers in areas such as:

- Ensuring there are adequate forums for staff meetings and communications, e.g. between BP, A&I, DOBS and other Directors.
- Training and development of Finance staff and service managers to meet required financial competencies.
- Rotation and secondment of Finance staff to meet service needs and individual development needs.

## **A.6. Role of the DOBS**

### **A.6.1. General responsibilities of the DOBS**

The DOBS is responsible for ensuring that:

- The Executive Director of Resources' s151 responsibilities can be discharged.
- Portfolio business is conducted in a manner that meets the highest standards of financial management.
- The resources of the Portfolio's services are targeted at priorities and demonstrate value for money (vfm).

### **A.6.2. Reporting of financial issues**

In relation to financial issues and implications the DOBS is responsible for:

- Making an immediate report to the Director of Finance & Commercial Services on any financial issues of significance.
- Ensuring that financial implications are brought to the attention of PLT or other decision making bodies in the Portfolio.
- Ensuring that decisions are not taken without sign off of the financial implications by either the BP or A&I Teams.

### **A.6.3. Framework of Financial Accountability**

The DOBS is responsible for:

- Developing and maintaining a framework of financial accountability with the A&I Team.
- Providing annual assurance to the Executive Director and Head of Strategic Finance on the accountability frameworks for budgets and compliance with the Financial Regulations.
- Working closely with the A&I Team for the Portfolio to agree a more detailed protocol on roles and key processes, such as the financial strategy and budget monitoring.

#### A.6.4. Collaboration and Communication

The DOBS is responsible for ensuring that:

- Finance has direct access to Portfolio Leadership Teams or other meetings in the Portfolio when required.
- There are opportunities for regular liaison with the A&I Team and the Director of Finance & Commercial Services.
- The BP or I&A Teams are the only means through which financial services and advice are provided to the Portfolio (preventing “grow back” of financial services).

#### A.6.5. Recruitment to post of DOBS

The Executive Director of Resources will be involved in agreeing role descriptions and all recruitment processes to the DOBS posts.

#### **Signed:**

Executive Director of Resources.....

Executive Director of Place.....

Director of Finance & Commercial Services.....

Head of Strategic Finance.....

DOBS & Regulation (Place).....

Date: .....

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## B. Financial Implications template

The Financial Implications template can be accessed [here](#)

## C. Financial Records: Recommended Retention Schedule

(Note that all figures used relate to years, e.g. Current + 6 is Current Year's records plus the previous 6 years documents).

### C.1. Accountancy/Financial

General example of type of Record	Recommended Retention	Action after retention
Abstract of accounts	Current + 6	Destroy as confidential records
Annual Budget	Current + 6	Destroy as confidential records
Annual statements	Current + 6	Destroy as confidential records
Budgetary control records	Current + 6	Destroy as confidential records
Costing records	Current + 6	Destroy as confidential records
Estimate working papers	Current + 2	Destroy as confidential records
Financial ledgers	Current + 6	Destroy as confidential records
Grant claim records	Current + 6	Destroy as confidential records
Investment records	Current + 2	Destroy as confidential records
Journals	Current + 6	Destroy as confidential records
Leasing Records	Current + 2	Destroy as confidential records
Record re closing ledgers	Current + 6	Destroy as confidential records
School Fund records	Current + 6	Destroy as confidential records
Telephone call records	Current + 2	Destroy as confidential records
VAT claims	Current + 6	Destroy as confidential records
VAT records	Current + 3	Destroy as confidential records
Voluntary fund accounts	Current + 6	Destroy as confidential records

### C.2. Bank related records

Type of Record	Recommended Retention	Action after retention
Bank pay-in books/slips	Current + 6	Destroy as confidential records
Bank reconciliation	Current + 6	Destroy as confidential records
Bank statements	Current + 6	Destroy as confidential records
Cancelled cheques	Current + 2	Destroy as confidential records
Cheque books and counterfoils	Current + 6	Destroy as confidential records
Cheque lists (creditors/ payrolls)	Current + 2	Destroy as confidential records
Loan records and correspondence	Current + 2	Destroy as confidential records
Paid cheques	Current + 4	Destroy as confidential records
Returned cheque records	Current + 2	Destroy as confidential records

### C.3. Contracts

Type of Record	Recommended Retention	Action after retention
<b>Pre Contract Advice</b>		
The process of calling for expressions of interest	2 years after contract let or not proceeded with	Destroy as confidential records
<b>Specification and Contract Development</b>		
The process involved in the development and specification of a contract	Ordinary Contract: 6 years after the terms of contract have expired.  Contracts Under Seal: 12 years after the terms of the contract have expired.	Destroy as confidential records  Destroy as confidential records
<b>Tender Issuing and Return</b>		
The process involved in the issuing and return of a tender (Opening Notice)	1 year after start of contract	Destroy as confidential records
<b>Evaluation of Tender</b>		
Successful tender document	Ordinary Contract: 6 years after the terms of contract have expired.  Contracts Under Seal: 12 years after the terms of the contract have expired.	Destroy as confidential records  Destroy as confidential records
Unsuccessful tender document	1 year after start of contract	Destroy as confidential records
<b>Post Tender Negotiation</b>		
The process in negotiation of a contract after a preferred tender is selected	1 year after the terms of contract have expired	Destroy as confidential records
<b>Awarding of Contract</b>		
The process of awarding contract	Ordinary Contract: 6 years after the terms of contract have expired.  Contracts Under Seal: 12 years after the terms of the contract have expired.	Destroy as confidential records  Destroy as confidential records
<b>Contract Management</b>		
Contract operation and monitoring	2 years after terms of the contract have expired.	Destroy as confidential records
Management and amendment of contract	Ordinary Contract: 6 years after the terms	Destroy as confidential records

	of contract have expired. Contracts Under Seal: 12 years after the terms of the contract have expired.	Destroy as confidential records
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#### C.4. Creditor records

Type of Record	Recommended Retention	Action after retention
Copy orders	Current + 2	Destroy as confidential records
Credit notes	Current + 6	Destroy as confidential records
Creditor invoices	Current + 6	Destroy as confidential records
Delivery notes	Current + 2	Destroy as confidential records
Imprest documentation (petty cash)	Current + 2	Destroy as confidential records
Period payment records	Current + 6	Destroy as confidential records

#### C.5. Income records

Type of Record	Recommended Retention	Action after retention
Cash books	Current + 6	Destroy as confidential records
Correspondence (income)	Current + 2	Destroy as confidential records
Debtor accounts (records non-current)	Current + 2	Destroy as confidential records
Dinner/milk registers	Current + 6	Destroy as confidential records
Income posting slips and tabulations	Current + 2	Destroy as confidential records
Periodic income records	Current + 2	Destroy as confidential records
Receipt books	Current + 2	Destroy as confidential records
Record of receipt books issued	Current + 2	Destroy as confidential records
Registrar's quarterly returns	Current + 2	Destroy as confidential records
Sales records	Current + 2	Destroy as confidential records

### C.6. Insurance records

Type of Record	Recommended Retention	Action after retention
Expired insurance contracts	Current & Permanent preservation	Destroy as confidential records
Insurance claim (fire)	Current + 4	Destroy as confidential records
Insurance claim (vehicle)	Current + 4	Destroy as confidential records
Insurance claim (public employer's liability)	Current + 6	Destroy as confidential records
Insurance policy documentation	Current & permanent	Destroy as confidential records
Insurance register	Current & permanent	Destroy as confidential records

### C.7. Miscellaneous records

Type of Record	Recommended Retention	Action after retention
Capital works tabulations	Current + 2	Destroy as confidential records
Car leasing and mileage records	Current + 6	Destroy as confidential records
Car Loans	Current + 6	Destroy as confidential records
Computer system documentation	Current + 2	Destroy as confidential records
Inland Revenue docs	Current + 6	Destroy as confidential records
Internal requisitions	Current + 1	Destroy as confidential records
Inventory records	Current + 6	Destroy as confidential records
Land searches	Current + 6	Destroy as confidential records
Member allowance (statutory registers)	Current + 2	Destroy as confidential records
Minutes	Current + 2	Destroy as confidential records
Postal remittance registers	Current + 2	Destroy as confidential records
Road fund licence records	Current + 2	Destroy as confidential records
School meal records	Current + 2	Destroy as confidential records
Small holdings records	Current + 2	Destroy as confidential records
Stock lists	Current + 2	Destroy as confidential records
Travel claims	Current + 6	Destroy as confidential records
Vehicle logs	Current + 2	Destroy as confidential records

## C.8. Payroll Records

Type of Record	Recommended Retention	Action after retention
BACS amendments and output	Current + 3	Destroy as confidential records
Copy payslips	Current + 6	Destroy as confidential records
Correspondence	Current + 6	Destroy as confidential records
Payroll adjustment documentation	Current + 6	Destroy as confidential records
Part – time employees' claim forms	Current + 6	Destroy as confidential records
SSP records	Current + 4	Destroy as confidential records
SSP variations	Current + 3	Destroy as confidential records
Staff transfer records	Current + 6	Destroy as confidential records
Starters forms	Current + 2	Destroy as confidential records
Tax and NI records	Current + 6	Destroy as confidential records
Tax code notifications	Current + 2	Destroy as confidential records
Timesheets and Pay Returns	Current + 6	Destroy as confidential records
Union documentation	Current + 2	Destroy as confidential records
Personnel files	Current + 2	Destroy as confidential records
Staff contracts	Current + 6	Destroy as confidential records
Unsuccessful applications	Current + 1	Destroy as confidential records

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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 6 November 2019, at 2.00 pm, pursuant to notice duly given and Summonses duly served.

## PRESENT

THE LORD MAYOR (Councillor Tony Downing)  
THE DEPUTY LORD MAYOR (Councillor Gail Smith)

- |   |  |  |
|---|--|--|
| 1 <i>Beauchief &amp; Greenhill Ward</i><br>Simon Clement-Jones<br>Bob Pullin<br>Richard Shaw    | 10 <i>East Ecclesfield Ward</i><br>Andy Bainbridge<br>Vic Bowden<br>Moya O'Rourke    | 19 <i>Nether Edge &amp; Sharrow Ward</i><br>Peter Garbutt<br>Jim Steinke<br>Alison Teal    |
| 2 <i>Beighton Ward</i><br>Bob McCann<br>Chris Rosling-Josephs<br>Sophie Wilson                  | 11 <i>Ecclesall Ward</i><br>Roger Davison<br>Barbara Masters<br>Shaffaq Mohammed     | 20 <i>Park &amp; Arbourthorne</i><br>Julie Dore<br>Ben Miskell                             |
| 3 <i>Birley Ward</i><br>Denise Fox<br>Bryan Lodge<br>Karen McGowan                              | 12 <i>Firth Park Ward</i><br>Abdul Khayum<br>Alan Law<br>Abtisam Mohamed             | 21 <i>Richmond Ward</i><br>Mike Drabble<br>Dianne Hurst<br>Peter Rippon                    |
| 4 <i>Broomhill &amp; Sharrow Vale Ward</i><br>Angela Argenzio<br>Michelle Cook<br>Kaltum Rivers | 13 <i>Fulwood Ward</i><br>Sue Alston<br>Andrew Sangar<br>Cliff Woodcraft             | 22 <i>Shiregreen &amp; Brightside Ward</i><br>Dawn Dale<br>Peter Price<br>Garry Weatherall |
| 5 <i>Burngreave Ward</i><br>Jackie Drayton<br>Talib Hussain<br>Mark Jones                       | 14 <i>Gleadless Valley Ward</i><br>Lewis Dagnall<br>Cate McDonald<br>Paul Turpin     | 23 <i>Southey Ward</i><br>Mike Chaplin<br>Tony Damms<br>Jayne Dunn                         |
| 6 <i>City Ward</i><br>Douglas Johnson<br>Ruth Mersereau<br>Martin Phipps                        | 15 <i>Graves Park Ward</i><br>Ian Auckland<br>Sue Auckland<br>Steve Ayris            | 24 <i>Stannington Ward</i><br>David Baker<br>Penny Baker<br>Vickie Priestley               |
| 7 <i>Crookes &amp; Crosspool Ward</i><br>Tim Huggan<br>Mohammed Mahroof<br>Anne Murphy          | 16 <i>Hillsborough Ward</i><br>Bob Johnson<br>George Lindars-Hammond<br>Josie Paszek | 25 <i>Stocksbridge &amp; Upper Don Ward</i><br>Julie Grocutt<br>Francyne Johnson           |
| 8 <i>Darnall Ward</i><br>Mazher Iqbal<br>Mary Lea<br>Zahira Naz                                 | 17 <i>Manor Castle Ward</i><br>Terry Fox<br>Pat Midgley<br>Sioned-Mair Richards      | 26 <i>Walkley Ward</i><br>Olivia Blake<br>Neale Gibson                                     |
| 9 <i>Dore &amp; Totley Ward</i><br>Joe Otten<br>Colin Ross<br>Martin Smith                      | 18 <i>Mosborough Ward</i><br>Tony Downing<br>Kevin Oxley<br>Gail Smith               | 27 <i>West Ecclesfield Ward</i><br>Alan Hooper<br>Adam Hurst<br>Mike Levery                |
|   |  | 28 <i>Woodhouse Ward</i><br>Mick Rooney<br>Jackie Satur<br>Paul Wood                       |

**1. APOLOGIES FOR ABSENCE**

- 1.1 Apologies for absence were received from Councillors Jack Clarkson, Ben Curran and Jack Scott.

**2. DECLARATIONS OF INTEREST**

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

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

3.1 Petitions

3.1.1 Petition Calling on the Council to Support Hong Kong Democracy

The Council received a petition containing 2625 signatures, calling on the Council to support Hong Kong Democracy.

Representations on behalf of the petitioners were made by Angus Fong and Cecilia Cheong.

They stated that, since being handed back to China in 1997, Hong Kong had changed beyond recognition and said that the extradition bill was the latest in a series of attempts to erode the human rights and freedoms of Hong Kong. They said that there had been inaction by the Hong Kong government and which essentially endorsed widespread police brutality.

They made reference to corruption and said there was little confidence in the law enforcement and the relationship of legislation, judiciary and law enforcement. It was said that people did not feel safe or free and that Hong Kong no longer felt like their home.

There was a wish to harness the support of people in Sheffield which, they said was considered to be a second home and people had stood in solidarity with Hong Kong when they signed this petition, which called upon the City Council to make a stand against the regime in Hong Kong and condemning violations of human rights and to uphold the rights and freedoms of people in Hong Kong.

The Council referred the petition to the Leader of the Council, Councillor Julie Dore who thanked the petitioners for bringing this matter to the Council and she remarked on the passion with which the petitioners had spoken about their home in Hong Kong and their second home in Sheffield. She said that she was pleased to hear people say that they saw Sheffield as their second home, because of the City's long tradition and history of welcoming people from across the world and of showing support for human rights and democracy. Political parties in the UK had shown solidarity with the people of Hong Kong and with regards peaceful protests in Hong Kong and the right to retain the two

system policy which was agreed at the handover in 1997.

She said that Sheffield would wish to support people in any way possible to help them show support to fellow Hong Kong people and their home. She also spoke of a visit she had made to Hong Kong in 1987 and the pleasure she had in sharing the culture and in seeing the beautiful place that it had been. She contrasted that to what was happening in Hong Kong at this time.

Councillor Dore said that the Council would do all that it was able to support the Hong Kong community in Sheffield and she knew there were councillors that would continue to give support through their own personal and individual support. She said that if there was anything more that people believed the Council could do such as with regards to personal safety, she asked people to bring it to the attention of the Council immediately so as to ensure that people were able to go about their lives in Sheffield safely.

### 3.1.2 Petition Requesting the Council to Create a New Footpath Along Greenhill Parkway

The Council received a joint electronic and paper petition containing 404 signatures, requesting the Council to create a new footpath along Greenhill Parkway.

Representations on behalf of the petitioners were made by Sarah Whiteley-Winter who stated that the petition was for the creation of a new footpath between the first gennel at the back of James Andrew Crescent to the roundabout at the junction of Greenhill Parkway and Reney Road/Gervase Road next to Greenhill Primary school playing field. She outlined the reasons why a footpath was considered to be necessary and would benefit the local community. Firstly, the closure of a medical practice at Lowedges and the transfer of patients to the Avenue Medical Practice, which would mean that the quickest direct route for people was along Greenhill Parkway, which was flat and straight and easier for older people and those with children, prams and mobility scooters.

She explained that secondly, a footpath would enable easier access to Greenhill Library from Lowedges. The linking of a proposed new crossing and the proposed footpath would create a more holistic solution for pedestrians using local facilities.

Thirdly, children and parents attending Greenhill Primary School would find it useful to be able to cross over to the correct side of the road when convenient and avoid walking through the mud. She referred to access to Greenhill School and the difficulty for people in crossing the road and for motorists and said that a path, as proposed in the petition, would make the situation much safer.

Fourthly, there would be improved access to both St Peter's Church and Greenhill Methodist Church and the territorial army building. She said that people to whom she had spoken had been very enthusiastic about the proposals for a new path.

The Council referred the petition to Councillor Bob Johnson, the Cabinet Member for Transport and Development. Councillor Johnson thanked the petitioners for bringing this matter to Council. He stated that a similar request had been presented to the Council in June 2019 and was assessed at that time and concerns had included access to the medical centre. He said that the assessment criteria took into account access to local facilities and services. He said that since that time, there had been no recorded injury accidents or any involving pedestrians over the last five years.

The Council received requests for highways schemes from all over the City for similar schemes and, whilst it would like to respond positively to all such requests, unfortunately the financial constraints meant that requests were listed and assessed in accordance with criteria and this request would also be subject to that process.

### 3.2.3 Petition Requesting Speed Cameras on High Street, Mosborough

The Council received an electronic petition containing 429 signatures, requesting speed cameras on High Street, Mosborough.

Representations on behalf of the petitioners were made by Brooke Staves. She asked the Council to consider traffic calming measures on Mosborough High Street and said that her pet dog had been killed on 13 September when a motorist had failed to stop and someone else's pet was also killed on 9 October. She had formed a community group which had come together and agreed that something needed to be done.

She said that there was an issue with vehicle speed on the A6135 and the High Street, Mosborough and this had been the case for many years. Attempts had been made to put pedestrian crossings on High Street and there had been temporary speed cameras in place. There were also reports concerning dangerous driving, damage to property and near miss incidents caused by dangerous driving in recent months.

Brooke Staves explained that the request was for increased and improved signage throughout the village to remind drivers that there was a 30 mph speed limit. There was not much signage in Mosborough and it was difficult to cross the road. She pointed out that there was a school, nurseries and pubs. A smiley face, vehicle activated sign which was in place had been broken for some time. She said that 429 people had signed the petition and that both speed and the ability for people to cross the road were issues. Emergency vehicles used the road and so speed bumps would not be appropriate. However, speed cameras or zebra crossings might be considered.

The Council referred the petition to Councillor Bob Johnson, Cabinet Member for Transport and Development. Councillor Johnson thanked the petitioners for bringing this issue to Council. He stated that the issue had been brought to his attention, including by the local MP and local councillors. He had arranged to visit and to look at what measures could be put in place and would be pleased to meet with the petitioners and the MP and local councillors on the matter.

3.1.4 Petition Requesting the Council to Immediately Halt the Planned Sale of the Three Owlthorpe Field Sites and Commit to Preserving Them as a Natural Community Resource

The Council received a petition containing 926 signatures requesting the Council to immediately halt the planned sale of the three Owlthorpe Field sites and commit to preserving them as a natural community resource.

There was no speaker to the petition.

The Council referred the petition to Councillor Bob Johnson, Cabinet Member for Transport and Development.

3.2 Public Questions

3.2.1 Public Question Concerning the Big City Conversation

Sue Kondallor commented on the petition with regards a change of the Council's governance arrangements and asked if the Council would acknowledge that the Big City Conversation was not addressing the change of governance issue and was no substitute for it, rather it addressed other issues from drainage to street begging; give an update to the Council on progress made so far in this matter; and commit to more transparency and give regular updates on progress.

Councillor Terry Fox, the Cabinet Member for Finance, Resources and Governance and Deputy Leader of the Council, said that he acknowledged that many people had signed the governance petition and had started off the process for a referendum. He said that within the agenda for this meeting of Council was a discussion concerning the Big City Conversation. He understood that some people wished to look at community engagement and others wished to examine forms of governance. The Council was seeking a conversation on both of those aspects and it wanted to listen to what a wide range of people around Sheffield had to say. Part of the Big City Conversation would allow the Council opportunity to reach over 80 thousand residents in the city and to get in touch with them on a regular basis and on a range array of subjects. When an event was held at the Moor Market during Local Democracy Week, drainage and street begging were the major concerns raised by people. A public meeting had also been held on governance which was independently facilitated by a member of the public, Mr Slack and which included invited experts.

Councillor Fox said that the cross party Scrutiny Committee was also examining governance issues and this was open to the public and was webcast. An online survey had also commenced and had over 200 hits just in its first week and there was a Big City Conversation ballot box in the Town Hall and the Council was encouraging people to say what issues were important to them. That conversation was also related to governance and how the Council made decisions and he said that both he and the Leader of the Council had been on the tram talking to residents about issues that affected them and how

they would want to get involved in decision making.

Councillor Fox commented in relation to people's expectations, that this was a very time committed process and that Council officers were working on this activity. He said that approximately 90 people attended the public event on governance which was a credit to Mr Slack and Council officers. The Council was trying to make the process as open and transparent as possible and would be publishing all of the major issues that were important to the residents of the city, some of which would be governance but might also include issues like drainage and street begging and what the Council had to do was give people a chance to get their voice heard. There should also be opportunity for people to raise issues with councillors locally. He also said that discussions had been held with other political groups on the Council as to how this might be delivered.

### 3.2.2 Public Question Concerning the Anglican Chapel in the General Cemetery

Jim Diamond asked, in relation to plans for the General Cemetery, what steps the Council had taken in response to a clear steer given by the National Heritage Lottery Fund earlier this year to explore taking the Anglican Chapel back into public ownership for the benefit of the people of Sheffield.

Councillor Mary Lea, the Cabinet Member for Culture, Parks and Leisure, stated that the Chapel which was at the Cemetery Road end of the Cemetery was on a long lease which had been agreed many years ago with a local businessman who she believed was involved in the steering group as a stakeholder.

She said that her understanding was that discussions had taken place over a number of years in relation to the Chapel, although she had not been involved in those discussions because she had not been the relevant Cabinet Member at the time. The cost of returning the Chapel to Council ownership had been considered too high.

Councillor Lea said that she understood that the grant from the Heritage Lottery did encourage the Council to look at the option of taking the Chapel back into Council ownership but it was not a condition of the grant funding. However, she said it was something that could be looked at and that she would have further discussions about the options and possibilities. Whilst she could not guarantee anything, it would be appropriate to look at the issue again and to discuss it further.

### 3.2.3 Public Question Concerning Council's Planning Department

Mark James referred to reports in the press concerning potential job losses in the Planning Department and he asked whether this reflected that the Council had not broken with austerity or rather than challenging neoliberalism, it actually embraced it.

Councillor Bob Johnson, Cabinet Member for Transport and Development,

stated that there was a review and restructure taking place in relation to the Planning Service but that was subject to a collective dispute and he would not therefore make any further comment until that dispute had been resolved.

#### 3.2.4 Public Question Concerning Parking on Pavements

Harry Browse stated that he had spoken with a resident of Norfolk Park who had mobility issues and used a wheelchair and had informed him that they felt increasingly concerned about illegal parking and its effect on their ability to go to work or to the pharmacy. He asked what was being done to ensure people with mobility issues were not disproportionately affected by illegal parking in the Manor and Norfolk Park area.

Councillor Bob Johnson, Cabinet Member for Transport and Development, responded that the Council was reviewing pavement parking and was one of four Local Authorities which had made representations to the Government about what might be done and that had been a relatively positive discussion and proposals were being worked upon as to how the findings would be addressed.

Councillor Johnson said that, in the meantime, if there was an incident of obstructive parking, it would be a matter for the police. The proposals in representations made to the Government would actually decriminalise pavement parking, which would allow Council enforcement officers to be able to act, which they were not able to do at the present time, unless there were double yellow lines. At present, there was little a local authority could do and it was a matter for the police. However, it was possible that there would be some changes as a result of the submissions made to the Government.

#### 3.2.5 Public Question Concerning Hong Kong Community

Chesna Wu and Cecilia Cheong thanked Members of Sheffield City Council and in particular Councillor Paul Wood, for the support given to the Hong Kong community in Sheffield by working with partners such as South Yorkshire Police to help protect people.

They said that one month ago, people were attacked by a student from mainland China with a bottle and they faced intimidation from others. They said it was a frightening event. Photographs of many of the Hong Kong community in Sheffield were deliberately taken and then distributed on websites hosted in mainland China with their addresses in Sheffield.

They asked the Cabinet Member to help by writing to the University of Sheffield and helping to facilitate a meeting. They also commented that over the past months, they did not feel that they had been provided with enough support and protection. They asked for the Cabinet Member to also pledge to continue to help ensure that they were safe to exercise their democratic rights and freedom in Sheffield and without fear of intimidation.

Ching Ching Lam stated that people in other cities had also been concerned about their safety and commented upon being fortunate in Sheffield to have had help from the Council. A question was asked as to whether it was possible for the Council to lead the way in setting an example for other places to take action to protect local people from Hong Kong and others by requesting local MPs to present the matter to Parliament so that other cities could follow in upholding freedom of speech.

Councillor Paul Wood, the Cabinet Member for Neighbourhoods and Community Safety, acknowledged the thanks given to him and the work of Councillors Ben Miskell and Sophie Wilson with regards to this matter.

He said that with regards to the individual to which the questions had referred, he had received a briefing from the police and had been informed that the person was not at the University of Sheffield but at an English language college and that his course had been terminated. He had also been informed that a request had been made to have his right to remain in the UK revoked and that he be returned to China. He undertook to meet with those asking questions with regards to the details of situation and to clarify issues relating to that individual.

He said that the Council would support people with concerns and he would also be pleased to arrange a meeting with both of the universities and those affected by this situation to make sure they were content with the security measures that were in place.

### 3.2.6 Public Question Concerning the Earl Marshall Bed and Breakfast

John Grayson asked a question concerning the Earl Marshall bed and breakfast. He said that, following discussions with various professional staff with clients in the Earl Marshall and a visit to the premises, he had made further findings. He said that staff locked outside doors from 10.30pm until 7.00am and people were not allowed in or out during that time. He said that there was no evidence of people having been provided with breakfast and asked whether the Council paid for breakfast which was not provided.

He informed the Council that, on arriving at the Earl Marshall, vulnerable single women were asked to pay £5 for a room key or they had to stay in unlocked rooms and one woman who could not pay was asked for her passport instead.

He said that a woman had alleged that she had been raped in the Earl Marshall bed and breakfast and the police were investigating. He said that there was no security between 7.00am and 10.30pm and there was no reception desk or staff office near to the front door.

There were no toiletries available or clothes store for homeless women and recently, when there was an infestation of cockroaches, one woman was told to leave for four nights with no alternative accommodation. He asked whether, in view of this information, the Council would end its contract with the Earl Marshall bed and breakfast.



Councillor Paul Wood, the Cabinet Member for Neighbourhoods and Community Safety, said that he would request that the matters now raised by Mr Grayson were fully investigated and that he would be pleased to provide a response to Mr Grayson as soon as possible.

### 3.2.7 Public Question Concerning Treatment of Homeless People

John Grayson asked a question concerning the treatment of people and in particular, people at Howden House presenting as homeless. He asked whether the Council would urgently investigate the way people were treated. He said that people waited for long periods of time at Howden House and that there were no hot drinks available and no drinking water with people being told to take drinking water from toilet sinks.

He said that requests for a pen and paper were simply rejected and there were no facilities to charge phones in Howden House, although staff expected that homeless people would contact them by phone. He said that other agencies working with homeless people in Sheffield routinely had such facilities. He asked why homeless people were not allowed to bring their bags into Howden House and forced to wait outside with their bags for hours.

Mr Grayson also asked why homeless women disclosing mental illness were rejected as homeless and told to obtain a medical assessment and placed back on the street and why homeless women were routinely told to return to sleep on the streets for three nights before they could be accepted as homeless.

He said that professional workers had said that people who did not speak English were routinely rejected as homeless and never offered interpreter services. A worker with vulnerable women had informed him that it was normal to see women crying and that people were disrespected and given no dignity. He asked the Council to undertake an independent, immediate and thorough investigation into how homeless people were treated in Howden House.

Councillor Paul Wood, the Cabinet Member for Neighbourhoods and Community Safety, responded that he had already instructed a full investigation in relation to Howden House following a complaint which was brought to him by Councillor Kaltum Rivers. That included a number of the issues also raised by Mr Grayson in his questions and another complaint had been made in relation to processes and how the Council was dealing with people at Howden House and as to how a homeless family had been treated. He had requested that the outcomes be reported to him and he would then also report back to Mr Grayson on the matter.

### 3.2.8 Public Question Concerning Planning and Tall Buildings

Nigel Slack commented upon a remark made by the previous Cabinet Member that 'the sky's the limit' and in relation to proposals for high storey buildings and said that he believed these were not striking designs and were not designed to enhance the city. He asked whether the City needed another 1200

student beds.

He said that he had looked at some of the 'Micro Climate' reports in current planning applications (19/03779/FUL & 19/02380/EIA) and commented that the reports themselves were so technical as to defy understanding by anyone other than a similar expert. The conclusions were about how to mitigate the impact of the wind flow issues and in one instance, determined that a planned rooftop garden would be unusable in the current design. It also called for large scale planting of street trees around the development to help make the street level more comfortable for pedestrians.

Mr Slack asked the following questions:

- Whether anybody in Council understood the technical details of these reports.
- The rationale of developers using Polish universities to create the reports and if there were no Universities with a better understanding of the city to do this work.
- As the reports suggested that further work was needed to properly assess the wind flow impacts of tall buildings, he asked whether this would be required before this application was submitted to the Planning Committee.
- He also said that the reports did not evaluate the impact of currently planned or proposed developments in the immediate area and asked whether the Council required a fuller 'Macro Climate' review, as demonstrated in the attached article?
- Whether remedial works that emerge later would be the developer's responsibility or the Council's responsibility?
- Did it not make more sense to design buildings that enhanced the streetscape of the city rather than create wind flow issues that would have a detrimental impact on footfall, pedestrian comfort, and therefore business success in the city?

Councillor Bob Johnson, the Cabinet Member for Transport and Development, stated that the Council remained extremely ambitious to encourage sustainable growth and investment and it recognised the need to increase density in existing built-up areas and in particular the city centre, to take the pressure off greenbelt and green spaces.

It was therefore true to say that 'the sky is the limit' for the right scheme in the right location. The final design of such schemes was subject to detailed design development and with specialist officers requiring specialist information such as a microclimate report to which Mr Slack had referred.

He advised that the scheme referred to in the question and Rockingham Street was not solely for students and was within a known model of co-housing and

was currently being assessed by officers.

Councillor Johnson said that microclimate assessments were complex and the Council had officers familiar with understanding such technical reports. It did not determine the producer of such reports because that was a matter for the applicant rather than the Council. Further work was being done in relation to impacts of wind flow and that would be available before a decision was made. Future tall buildings would require similar assessments, as appropriate. There would not be a need for remedial works in future for the building in question and the detailed information on the impacts and associated remediation, if needed, would be provided for consideration as part of the application process.

### 3.2.9 Public Question Concerning Planning Application (site of Old Coroner's Court)

Nigel Slack referred to a decision by the Planning Committee to refuse the application to build an apartment block on the site of the Old Coroner's Court in Nursery Street (Ref.19/02258/FUL). He asked how likely the Council considered it to be that the developer would appeal; and what steps the Council was taking in advance of such an appeal to work with the developer, the agent and the designers of the scheme to identify an alternative scheme which avoided the complete loss of a heritage asset which all parties seemed to agree it would be desirable to keep.

He also asked the following questions:

- If it sought an alternative to demolition, could the Council provide reassurance that it would take into account recent precedents close by in Nursery Street.
- Would the Council contest any appeal and encourage the developer to find a mutually acceptable alternative to total demolition of this historic building.
- How would the Council use the experience of the Old Coroner's Court to find a better way to protect threatened heritage assets, whether listed or not.

Councillor Bob Johnson, the Cabinet Member for Transport and Development, responded that it was in the hands of the developer as to how they intended to progress the scheme. Council officers were available to discuss options with them. The schemes to date that showed any hint of retention did not fit in with the locality or the existing element and discussions did take account of other precedence in the area. The Council would contest an appeal, if one was submitted.

## **4. MEMBERS' QUESTIONS**

### 4.1 Urgent Business

- 4.1.1 There were no questions relating to urgent business under the provisions of

Council Procedure Rule 16.6(ii).

4.2 Written Questions

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

4.3 South Yorkshire Joint Authorities

- 4.3.1 The Lord Mayor (Councillor Tony Downing) reported that Councillor Douglas Johnson had given advance notice of a question relating to the South Yorkshire Fire and Rescue Authority, and this has enabled Councillor Tony Damms, the Council's Spokesperson on the Fire and Rescue Authority, to provide a detailed response. He stated that written copies of the question and response had been circulated in the Chamber.
- 4.3.2 Councillor Roger Davison asked a question relating to the South Yorkshire Fire and Rescue Authority, commenting that some Members had heard reports of attacks on firefighters yesterday evening, and he queried whether any details of these reported attacks had emerged yet.
- 4.3.3 Councillor Tony Damms, the Council's Spokesperson on the Fire and Rescue Authority, responded that he was unaware at this point of any such details, but that, should any details emerge, he would ensure that Council Members are fully apprised of them.
- 4.3.4 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).

**5. NOTICE OF MOTION REGARDING "ACTIONS FOR THE BETTERMENT OF SHEFFIELD AND THOSE WHO LIVE HERE" - GIVEN BY COUNCILLOR DOUGLAS JOHNSON AND TO BE SECONDED BY COUNCILLOR PAUL TURPIN**

- 5.1 It was moved by Councillor Douglas Johnson, and seconded by Councillor Paul Turpin, that this Council endorses, and requests the Administration to consider implementation of, the following policies and actions designed to make life better for the people of Sheffield:-
- (a) to implement a Workplace Parking Levy for Sheffield, raising funds to improve public transport, walking and cycling routes, making it easier for people to choose to leave their cars at home;
  - (b) to consult the public on the draft local plan at the earliest opportunity, including stronger policies on building more affordable housing and

tackling the climate emergency;

- (c) to establish a climate emergency committee to develop strategies, and implement actions to bring about the necessary changes to meet our zero carbon emissions target by at least 2030;
- (d) to introduce an effective climate change impact assessment for every formal decision of the Council;
- (e) to adopt a "Wellbeing Economy" for Sheffield: placing the health and wellbeing of the people of Sheffield at the heart of all decision-making, and measuring the success of Sheffield's economy not just by GDP, but by how the economy has improved people's quality of life, through measurements like the Happy City Index and Free Time Index;
- (f) to reduce inequality by introducing a maximum 10:1 pay ratio for the City Council;
- (g) to establish a properly resourced team of sustainability officers to work on real progress towards making Sheffield carbon-neutral;
- (h) to recognise the ongoing value of the city's library service and reward the hard work of volunteers who have supported their local branch libraries by providing funding for a paid, professional librarian in every branch library; and
- (i) to improve democracy in Sheffield City Council by developing the long-standing Green Party campaigns of creating a modern committee system with webcasting, with further improvements including publishing in writing the public questions and answers, including those answered later in writing, and Members' questions and answers, including supplementary answers and those answered later in writing.

5.2 Whereupon, it was moved by Councillor Mark Jones, seconded by Councillor Bob Johnson, 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 this Administration brought forward the city's carbon neutral target from 2050 to no later than 2030, following Labour's local manifesto commitments, and that as part of this, a Citizens Assembly, drawn to represent all parts of the city including young people, will be commissioned to consider the necessary actions in the city to implement this change;
- (b) notes the following measures have already been enacted by this Administration to move Sheffield to carbon-neutral and improve the city's air:-
  - (i) anti-idling zones outside of all primary and secondary schools,

and other notable places, such as hospitals and health centres, to reduce the amount of fumes breathed in by children and vulnerable adults and workers;

- (ii) piloting schemes to close targeted roads to traffic for set periods of time to create a better, less polluted and congested environment, targeted at benefiting children whose developing lung capacity can be significantly impacted by airborne pollution, throughout the city's residential areas and the city centre, as seen recently with the temporary closure of Division Street; and
  - (iii) proposals for a Clean Air Zone and charge for the most polluting vehicles – the cleanest buses, taxis and delivery vehicles will not be charged – and to support our taxi drivers and bus companies so their fleets will reach the standard where they will not be charged for entering the zone;
- (c) notes that this Administration is bidding for the 'Transforming Cities Fund' from the Department for Transport (DfT) that could see £85 million invested in sustainable travel in Sheffield over three years - paying for a mix of cycling, walking and mass transport corridors running throughout the city where we know they are most needed;
- (d) notes that this Administration has committed to producing a Local Plan that ensures a sustainable city centre and focusses on the protection of the green belt, and with public consultation at every stage to deliver the city that Sheffield citizens want;
- (e) notes that the city's Green City Partnership Board already brings organisations across the city together to improve the city's environment and transport, but that, as part of the climate emergency, there is a pressing need to go further;
- (f) believes, therefore, that the following suggestions from the original motion should be considered by the forthcoming Citizens Assembly to address the climate emergency:-
- (i) looking into a climate emergency committee to develop strategies, and implement actions to bring about the necessary changes to meet our zero-carbon emissions target by at least 2030;
  - (ii) considering the introduction of climate change impact assessments for appropriate Council decisions;
  - (iii) investigating the feasibility and desirability of establishing a properly resourced team of sustainability officers to work on real progress towards making Sheffield carbon-neutral and help develop the world leading technologies needed to supply good quality jobs;

- (g) notes that reducing health inequalities is a priority for this Administration and believes that Sheffield's wellbeing should be judged by much more than GDP growth alone, and that Sheffield City Council's Health and Wellbeing Board, bringing health providers across the city together, monitors the overall health and wellbeing of Sheffield, with indicators taken from the Marmot Review and based on the wider determinants of health and wellbeing across the life course whilst providing context and direction for tackling health inequalities;
- (h) believes that tackling inequalities is a priority for this Administration and that it is committed to ensure fairness in the labour market, and notes that the pay ratio for the lowest to highest wage earner at the Council is a little over 11:1, with median pay at £23,958, i.e. a ratio of 8:1, well within the 20:1 guidance in the Hutton 2011 Review of Fair Pay in the Public Sector and lower than other comparable local authorities such as Leeds and Manchester, and furthermore that this compares very favourably with the private sector where the ratio is as high as 1,000:1;
- (i) believes, seemingly unlike Sheffield Green Councillors (based on their previous budget proposals), that the best way of reducing inequality is raising pay for those on the lowest wages rather than just capping those at the top, and support is given to the campaign from GMB, Unite and Unison for pay justice and the pay claim submitted by the National Joint Council (NJC) local government unions for a £10 per hour minimum wage and a 10 per cent uplift across all other pay points in 2020/21;
- (j) believes, in addition, that this cost must be met entirely by central government and this demand should be made as soon as there is a new Secretary of State for local government;
- (k) commits to meeting with local NJC union representatives to convey support for the pay claim, and that everything possible should be done to encourage all local government workers to join a union;
- (l) believes that austerity has made the country deeply unequal and unjust, and that, with savings of £480 million having to be made from the Council's budget in the last ten years, Sheffield's public services have inevitably been damaged because of government austerity, resulting in a lost decade of investment and progression on issues that are rapidly becoming all too critical;
- (m) notes that the city's library service has done outstandingly well in this context, and of course our libraries are much more than borrowing and lending books and offer much more to the public, and that this has been achieved through the hard work of volunteers, but that, with funding as it is from central government, providing a paid librarian in every branch would cost the Council in excess of £800,000 per annum, a figure which was absent in the original motion, and this also fails to take into account the change and cost this would have on the co-delivered and associate libraries;

- (n) notes, in addition, that despite the financial difficulties, Sheffield has kept all its libraries open over the last decade, unlike many other cities, and that this is down to the volunteers who run them, the officers who support them and previous councillors who worked hard to ensure their survival; and
- (o) notes that this Administration set-up webcasting for council meetings, and will always explore ways to better communicate with all our residents, and has welcomed looking at different governance systems and that the cross party review into this will report in January 2020.

5.3 It was then moved by Councillor Ian Auckland, seconded by Councillor Mike Levery, 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) condemns as completely unacceptable the long delay in developing the Sheffield Plan, which makes Sheffield more vulnerable to unacceptable development, which may include green fields in the green belt, and also increases the risk of yet another round of changes in national policy rendering abortive much local effort and expense;
- (b) welcomes the revival of interest across the political spectrum in the provision of bus services (and the encouragement of Active travel), yet is concerned that this could well be too late to arrest the spiral of decline unless long term funding is provided by central government to local authorities, under the control of local authorities, and funding not subject to artificial short application deadlines, and equally artificial spending deadlines;
- (c) also recognises the importance of a local contribution which often can leverage in a significant multiplier of external funds, and therefore calls for a quick and open minded review of options for raising funds locally, to improve public transport, walking and cycling routes; and
- (d) reaffirms that the answer to most local transport problems is a bus, increasingly low or zero carbon at the tail pipe, running on a comprehensive, stable, reliable, fully integrated network, integrated with other modes, and with an affordable and simple range of fares, and from which flows the possibility of active travel choices for all.

5.4 After contributions from five other Members, and following a right of reply from Councillor Douglas Johnson, the amendment moved by Councillor Mark Jones was put to the vote and was carried.

5.5 The amendment moved by Councillor Ian Auckland was then put to the vote and paragraph (a) was negatived and paragraphs (b) to (d) were carried on the basis that they were to be additional paragraphs to the Substantive Motion.



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

RESOLVED: That this Council:-

- (a) notes that this Administration brought forward the city's carbon neutral target from 2050 to no later than 2030, following Labour's local manifesto commitments, and that as part of this, a Citizens Assembly, drawn to represent all parts of the city including young people, will be commissioned to consider the necessary actions in the city to implement this change;
- (b) notes the following measures have already been enacted by this Administration to move Sheffield to carbon-neutral and improve the city's air:-
  - (i) anti-idling zones outside of all primary and secondary schools, and other notable places, such as hospitals and health centres, to reduce the amount of fumes breathed in by children and vulnerable adults and workers;
  - (ii) piloting schemes to close targeted roads to traffic for set periods of time to create a better, less polluted and congested environment, targeted at benefiting children whose developing lung capacity can be significantly impacted by airborne pollution, throughout the city's residential areas and the city centre, as seen recently with the temporary closure of Division Street; and
  - (iii) proposals for a Clean Air Zone and charge for the most polluting vehicles – the cleanest buses, taxis and delivery vehicles will not be charged – and to support our taxi drivers and bus companies so their fleets will reach the standard where they will not be charged for entering the zone;
- (c) notes that this Administration is bidding for the 'Transforming Cities Fund' from the Department for Transport (DfT) that could see £85 million invested in sustainable travel in Sheffield over three years - paying for a mix of cycling, walking and mass transport corridors running throughout the city where we know they are most needed;
- (d) notes that this Administration has committed to producing a Local Plan that ensures a sustainable city centre and focusses on the protection of the green belt, and with public consultation at every stage to deliver the city that Sheffield citizens want;
- (e) notes that the city's Green City Partnership Board already brings organisations across the city together to improve the city's environment and transport, but that, as part of the climate emergency, there is a pressing need to go further;

- (f) believes, therefore, that the following suggestions from the original motion should be considered by the forthcoming Citizens Assembly to address the climate emergency:-
  - (i) looking into a climate emergency committee to develop strategies, and implement actions to bring about the necessary changes to meet our zero-carbon emissions target by at least 2030;
  - (ii) considering the introduction of climate change impact assessments for appropriate Council decisions;
  - (iii) investigating the feasibility and desirability of establishing a properly resourced team of sustainability officers to work on real progress towards making Sheffield carbon-neutral and help develop the world leading technologies needed to supply good quality jobs;
- (g) notes that reducing health inequalities is a priority for this Administration and believes that Sheffield's wellbeing should be judged by much more than GDP growth alone, and that Sheffield City Council's Health and Wellbeing Board, bringing health providers across the city together, monitors the overall health and wellbeing of Sheffield, with indicators taken from the Marmot Review and based on the wider determinants of health and wellbeing across the life course whilst providing context and direction for tackling health inequalities;
- (h) believes that tackling inequalities is a priority for this Administration and that it is committed to ensure fairness in the labour market, and notes that the pay ratio for the lowest to highest wage earner at the Council is a little over 11:1, with median pay at £23,958, i.e. a ratio of 8:1, well within the 20:1 guidance in the Hutton 2011 Review of Fair Pay in the Public Sector and lower than other comparable local authorities such as Leeds and Manchester, and furthermore that this compares very favourably with the private sector where the ratio is as high as 1,000:1;
- (i) believes, seemingly unlike Sheffield Green Councillors (based on their previous budget proposals), that the best way of reducing inequality is raising pay for those on the lowest wages rather than just capping those at the top, and support is given to the campaign from GMB, Unite and Unison for pay justice and the pay claim submitted by the National Joint Council (NJC) local government unions for a £10 per hour minimum wage and a 10 per cent uplift across all other pay points in 2020/21;
- (j) believes, in addition, that this cost must be met entirely by central government and this demand should be made as soon as there is a new Secretary of State for local government;
- (k) commits to meeting with local NJC union representatives to convey support for the pay claim, and that everything possible should be done

to encourage all local government workers to join a union;

- (l) believes that austerity has made the country deeply unequal and unjust, and that, with savings of £480 million having to be made from the Council's budget in the last ten years, Sheffield's public services have inevitably been damaged because of government austerity, resulting in a lost decade of investment and progression on issues that are rapidly becoming all too critical;
- (m) notes that the city's library service has done outstandingly well in this context, and of course our libraries are much more than borrowing and lending books and offer much more to the public, and that this has been achieved through the hard work of volunteers, but that, with funding as it is from central government, providing a paid librarian in every branch would cost the Council in excess of £800,000 per annum, a figure which was absent in the original motion, and this also fails to take into account the change and cost this would have on the co-delivered and associate libraries;
- (n) notes, in addition, that despite the financial difficulties, Sheffield has kept all its libraries open over the last decade, unlike many other cities, and that this is down to the volunteers who run them, the officers who support them and previous councillors who worked hard to ensure their survival;
- (o) notes that this Administration set-up webcasting for council meetings, and will always explore ways to better communicate with all our residents, and has welcomed looking at different governance systems and that the cross party review into this will report in January 2020;
- (p) welcomes the revival of interest across the political spectrum in the provision of bus services (and the encouragement of Active travel), yet is concerned that this could well be too late to arrest the spiral of decline unless long term funding is provided by central government to local authorities, under the control of local authorities, and funding not subject to artificial short application deadlines, and equally artificial spending deadlines;
- (q) also recognises the importance of a local contribution which often can leverage in a significant multiplier of external funds, and therefore calls for a quick and open minded review of options for raising funds locally, to improve public transport, walking and cycling routes; and
- (r) reaffirms that the answer to most local transport problems is a bus, increasingly low or zero carbon at the tail pipe, running on a comprehensive, stable, reliable, fully integrated network, integrated with other modes, and with an affordable and simple range of fares, and from which flows the possibility of active travel choices for all.

- 5.6.1 (NOTE: The Deputy Lord Mayor (Councillor Gail Smith) and Councillors Simon Clement-Jones, Bob Pullin, Richard Shaw, Bob McCann, Tim Huggan, Mohammed Mahroof, Joe Otten, Colin Ross, Martin Smith, Vic Bowden, Roger Davison, Barbara Masters, Shaffaq Mohammed, Sue Alston, Cliff Woodcraft, Ian Auckland, Sue Auckland, Steve Ayris, Kevin Oxley, David Baker, Penny Baker, Vickie Priestley, Alan Hooper and Mike Levery voted for paragraphs (p) to (r) and abstained from voting on paragraphs (a) to (o) of the Substantive Motion. The request to have these votes recorded in the minutes was made to the Monitoring Officer by the Interim Deputy Leader of the Liberal Democrat Group (Councillor Simon Clement-Jones) immediately after the vote had been taken.)

**6. NOTICE OF MOTION REGARDING "THE BIG CITY CONVERSATION" - GIVEN BY COUNCILLOR TERRY FOX AND TO BE SECONDED BY COUNCILLOR BRYAN LODGE**

- 6.1 It was moved by Councillor Terry Fox, and seconded by Councillor Bryan Lodge, that this Council:-

- (a) notes that as part of the recent Local Democracy Week a drop-in stall was set-up at the Moor Market for three days, with people asked for their views about the issues that affect them and how they want to have their say in the upcoming Big City Conversation;
- (b) notes that many conversations were held over these days with Sheffield shoppers and there were 433 written responses recorded, with the key issues being transport, the environment, homelessness, rough sleeping and begging in the city centre, anti-social behaviour, housing and city centre regeneration;
- (c) notes that on 31st October, the Big City Conversation launched across Sheffield, and that this is a chance for everyone in the city to get involved and have their say on the things that really matter;
- (d) believes that this is a positive opportunity to seek improvements to how the Council works and gain a wide range of views from different people, groups and partners across the city through community engagement, to not only look at different governance systems, but to hear about how the Council can better engage and serve the people of Sheffield;
- (e) believes that it is crucially important to hold consultation events in every ward of the city and that this should be directed to where people actually are, such as tenant and resident associations, shopping centres, sports centres, community groups, and online, to ensure that as many opinions as possible are heard;
- (f) notes that a series of events is under way, the first one will be on 30th October specifically looking at governance issues, which will hear from a range of national experts, local business and community groups to

discuss how the Council operates, and these events will be independently chaired; and

- (g) believes that this is a fantastic opportunity to explore how decisions are made that affect everyone in Sheffield and that people's views must be properly heard in how to best approach this.

6.1.1 (NOTE: With the agreement of the Council and at the request of the mover of the Motion (Councillor Terry Fox), the Motion as published on the agenda, was altered by the substitution of the date "31st October" for the date "5th November" and the word "launched" for the word "launches" in the 1<sup>st</sup> line in paragraph (c).)

6.2 Whereupon, it was moved by Councillor Steve Ayriss, and seconded by Councillor Tim Huggan, as an amendment, that the Motion now submitted be amended by the addition of new paragraphs (h) to (j) as follows:-

- (h) believes that the people of Sheffield must be given a choice on the type of committee system they want for Sheffield;
- (i) believes that a committee system that works for Sheffield, must listen to local people, react to local issues, devolve power and decision-making to Councillors in local communities and empower the people of Sheffield; and
- (j) additionally, requests that the Centre for Public Scrutiny is tasked to undertake groundwork interviews and to give input into the recommendations to Full Council for a decision, to prevent institutionalised views.

6.3 It was then moved by Councillor Peter Garbutt, and seconded by Councillor Alison Teal, as an amendment, that the Motion now submitted be amended by:-

1. the addition of a new paragraph (c) as follows:-
  - (c) looks forward to these 433 and all further responses being made available to all Members and the public;
2. the re-lettering of original paragraphs (c) to (g) as new paragraphs (d) to (h); and
3. the addition of new paragraphs (i) to (m) as follows:-
  - (i) notes with surprise the suggestion that councillors talk to their constituents, as this gives the impression they don't already, which in the case of Green councillors isn't true;
  - (j) asserts that, without the petition from It's Our City, this exercise would not be taking place;

- (k) regrets the Administration's insufficient early engagement with It's Our City in a timely and positive way which could have avoided the need for a costly referendum;
- (l) further notes that the carrying out of this consultation should not interfere with the drawing up of a proposal for a committee system; and
- (m) believes all formal consultation events should be politically neutral and that any attempt to unduly influence them in party political ways would be highly reprehensible.

6.4 After contributions from six other Members, and following a right of reply from Councillor Terry Fox, the amendment moved by Councillor Steve Ayris was put to the vote and was carried, except for paragraph (j) which was negated.

6.4.1 The votes on the amendment moved by Councillor Steve Ayris were ordered to be recorded and were as follows:-

For paragraphs (h) and (i) of the amendment (78) - The Deputy Lord Mayor (Councillor Gail Smith) and Councillors Simon Clement-Jones, Bob Pullin, Richard Shaw, Bob McCann, Chris Rosling-Josephs, Sophie Wilson, Denise Fox, Bryan Lodge, Karen McGowan, Angela Argenzio, Michelle Cook, Kaltum Rivers, Jackie Drayton, Talib Hussain, Mark Jones, Douglas Johnson, Ruth Mersereau, Martin Phipps, Tim Huggan, Mohammed Mahroof, Anne Murphy, Mazher Iqbal, Mary Lea, Zahira Naz, Joe Otten, Colin Ross, Martin Smith, Andy Bainbridge, Vic Bowden, Moya O'Rourke, Roger Davison, Barbara Masters, Shaffaq Mohammed, Abdul Khayum, Abtisam Mohamed, Sue Alston, Cliff Woodcraft, Lewis Dagnall, Cate McDonald, Paul Turpin, Ian Auckland, Sue Auckland, Steve Ayris, Bob Johnson, George Lindars-Hammond, Josie Paszek, Terry Fox, Pat Midgley, Sioned-Mair Richards, Kevin Oxley, Peter Garbutt, Jim Steinke, Alison Teal, Julie Dore, Ben Miskell, Mike Drabble, Dianne Hurst, Peter Rippon, Dawn Dale, Peter Price, Garry Weatherall, Mike Chaplin, Tony Damms, Jayne Dunn, David Baker, Penny Baker, Vickie Priestley, Julie Grocutt, Francyne Johnson, Olivia Blake, Neale Gibson, Alan Hooper, Adam Hurst, Mike Levery, Mick Rooney, Jackie Satur and Paul Wood.

- Against paragraphs (h) and (i) of the amendment (0) - NIL.
- Abstained from voting on paragraphs (h) and (i) of the amendment (1) - The Lord Mayor (Councillor Tony Downing).
- For paragraph (j) of the amendment (33) - The Deputy Lord Mayor (Councillor Gail Smith) and Councillors Simon Clement-Jones, Bob Pullin, Richard Shaw, Bob McCann, Angela Argenzio, Kaltum Rivers, Douglas Johnson, Ruth Mersereau, Martin Phipps, Tim Huggan, Mohammed Mahroof, Joe Otten, Colin Ross, Martin Smith, Vic Bowden, Roger Davison, Barbara Masters, Shaffaq Mohammed, Sue Alston, Cliff Woodcraft, Paul Turpin, Ian Auckland, Sue Auckland, Steve Ayris, Kevin Oxley, Peter Garbutt, Alison Teal, David Baker, Penny Baker, Vickie Priestley, Alan Hooper and Mike Lavery.
- Against paragraph (j) of the amendment (45) - Councillors Chris Rosling-Josephs, Sophie Wilson, Denise Fox, Bryan Lodge, Karen McGowan, Michelle Cook, Jackie Drayton, Talib Hussain, Mark Jones, Anne Murphy, Mazher Iqbal, Mary Lea, Zahira Naz, Andy Bainbridge, Moya O'Rourke, Abdul Khayum, Abtisam Mohamed, Lewis Dagnall, Cate McDonald, Bob Johnson, George Lindars-Hammond, Josie Paszek, Terry Fox, Pat Midgley, Sioned-Mair Richards, Jim Steinke, Julie Dore, Ben Miskell, Mike Drabble, Dianne Hurst, Peter Rippon, Dawn Dale, Peter Price, Garry Weatherall, Mike Chaplin, Tony Damms, Jayne Dunn, Julie Grocutt, Francyne Johnson, Olivia Blake, Neale Gibson, Adam Hurst, Mick Rooney, Jackie Satur and Paul Wood.
- Abstained from voting on paragraph (j) of the amendment (1) - The Lord Mayor (Councillor Tony Downing).
- 6.5 The amendment moved by Councillor Peter Garbutt was then put to the vote and was carried, except for paragraphs (i) to (k) of part 3 of the amendment, which were negatived.
- 6.5.1 (NOTE: The Deputy Lord Mayor (Councillor Gail Smith) and Councillors Simon Clement-Jones, Bob Pullin, Richard Shaw, Bob McCann, Tim Huggan,

Mohammed Mahroof, Joe Otten, Colin Ross, Martin Smith, Vic Bowden, Roger Davison, Barbara Masters, Shaffaq Mohammed, Sue Alston, Cliff Woodcraft, Ian Auckland, Sue Auckland, Steve Ayris, Kevin Oxley, David Baker, Penny Baker, Vickie Priestley, Alan Hooper and Mike Lavery voted for parts 1, 2 and paragraphs (j) to (m) of part 3 of the amendment, and abstained from voting on paragraph (i) of the amendment, and asked for this to be recorded.)

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

RESOLVED: That this Council:-

- (a) notes that as part of the recent Local Democracy Week a drop-in stall was set-up at the Moor Market for three days, with people asked for their views about the issues that affect them and how they want to have their say in the upcoming Big City Conversation;
- (b) notes that many conversations were held over these days with Sheffield shoppers and there were 433 written responses recorded, with the key issues being transport, the environment, homelessness, rough sleeping and begging in the city centre, anti-social behaviour, housing and city centre regeneration;
- (c) looks forward to these 433 and all further responses being made available to all Members and the public;
- (d) notes that on 31st October, the Big City Conversation launched across Sheffield, and that this is a chance for everyone in the city to get involved and have their say on the things that really matter;
- (e) believes that this is a positive opportunity to seek improvements to how the Council works and gain a wide range of views from different people, groups and partners across the city through community engagement, to not only look at different governance systems, but to hear about how the Council can better engage and serve the people of Sheffield;
- (f) believes that it is crucially important to hold consultation events in every ward of the city and that this should be directed to where people actually are, such as tenant and resident associations, shopping centres, sports centres, community groups, and online, to ensure that as many opinions as possible are heard;
- (g) notes that a series of events is under way, the first one will be on 30th October specifically looking at governance issues, which will hear from a range of national experts, local business and community groups to discuss how the Council operates, and these events will be independently chaired;
- (h) believes that this is a fantastic opportunity to explore how decisions are



made that affect everyone in Sheffield and that people's views must be properly heard in how to best approach this;

- (i) believes that the people of Sheffield must be given a choice on the type of committee system they want for Sheffield;
- (j) believes that a committee system that works for Sheffield, must listen to local people, react to local issues, devolve power and decision-making to Councillors in local communities and empower the people of Sheffield;
- (k) further notes that the carrying out of this consultation should not interfere with the drawing up of a proposal for a committee system; and
- (l) believes all formal consultation events should be politically neutral and that any attempt to unduly influence them in party political ways would be highly reprehensible.

**7. NOTICE OF MOTION REGARDING "ENDING INDEFINITE IMMIGRATION DETENTION" - GIVEN BY COUNCILLOR ZAHIRA NAZ AND TO BE SECONDED BY COUNCILLOR ANNE MURPHY**

At the request of the proposed mover of the motion (Councillor Zahira Naz), and with the consent of both the proposed seconder of the motion (Councillor Anne Murphy) and of the meeting, item 7 on the agenda (Notice of Motion Regarding "Ending Indefinite Immigration Detention"), together with the two proposed amendments (numbered 5 & 6 on the List of Amendments circulated at the meeting), were withdrawn from consideration.

**8. NOTICE OF MOTION REGARDING "ACTIVE TRAVEL" - GIVEN BY COUNCILLOR RICHARD SHAW AND TO BE SECONDED BY COUNCILLOR TIM HUGGAN**

8.1 It was moved by Councillor Richard Shaw, and seconded by Councillor Tim Huggan, that this Council:-

- (a) believes that every person's journey, regardless of whether they walk, cycle, take public transport or private car, is of equal importance and that every person should be able to make any journey within Sheffield by foot, by cycle or by public transport as safely as they would otherwise by car;
- (b) believes that every community across Sheffield could benefit from infrastructure improvements to active travel, walking or cycling, in particular improvements to public health;
- (c) notes that 29% of journeys less than 500m in South Yorkshire are by

car, rising to 72% of journeys of less than 5km;

- (d) notes that The Propensity to Cycle Tool based on Government data suggests Sheffield could achieve 24-27% share of all journeys by cycle;
- (e) notes the current Sheffield City Council target of 4% cycling share of journeys by 2034, compared with the Sheffield City Region target of 11% by 2040;
- (f) notes that current modal share for cycles in Sheffield is less than 1%;
- (g) believes therefore that many short car journeys are possible via walking, cycle or public transport and that their current share is due to a poor public transport system and a built environment that discourages people from making journeys by foot or cycle instead of by car;
- (h) believes that this Authority must invest in walking and cycling networks and provide people with a genuine choice between using the car, or walking, cycling or using public transport;
- (i) notes the proposed Bee Network active travel network in Manchester, a joined up cycling and pedestrian network with segregated lanes for walkers and cyclists;
- (j) welcomes the appointment this year of Dame Sarah Storey, Great Britain's most decorated female Paralympian, as the active travel commissioner for Sheffield City Region, and supports her four pledges for improving active travel:-
  - (i) being led by communities;
  - (ii) enabling walking and cycling rather than encouraging it;
  - (iii) requiring infrastructure to meet or exceed requirements; and
  - (iv) requiring infrastructure to be accessible for all;
- (k) calls for the Administration to work with Sheffield City Region, Sustrans and neighbouring authorities to design and create an active travel network for Sheffield, so that any citizen can travel safely by walking or cycling from any part of Sheffield to another; and
- (l) calls for the creation of a local cycling and walking improvement plan for every ward in Sheffield through working with local ward councillors, to identify and prioritise improvements for every community in Sheffield.

8.2 Whereupon, it was moved by Councillor Bob Johnson, seconded by Councillor Anne Murphy, as an amendment, that the Motion now submitted be amended by the deletion of paragraph (l) and the addition of new paragraphs (l) to (n) as follows:-

- (l) notes this Administration's bid for funding through the 'Transforming Cities Fund' from the Department for Transport (DfT) that could see £85 million invested in sustainable travel in Sheffield over three years - paying for a mix of cycling, walking and mass transport bus corridors running throughout the city where we know they are most needed;
- (m) reaffirms that encouraging a shift to low carbon sustainable journeys is a key priority for this Administration, and understands this is exactly the type of work the Fund will support, and throughout this process the Administration will be consulting and working with local communities in the development of these projects; and
- (n) believes franchising would be a big help in improving Sheffield's buses but that, ultimately, the best bus service for the city would be delivered by re-regulation powers from central government, and notes that the Labour Party has committed to doing this nationally.

8.3 It was then moved by Councillor Martin Phipps, and formally seconded by Councillor Ruth Mersereau, as an amendment, that the Motion now submitted be amended by:-

- 1. the deletion of paragraph (a) and the addition of a new paragraph (a) as follows:-
  - (a) believes that a modal shift from private car travel to public and active transport is essential in light of the declared climate emergency and that every person should be able to make any journey within Sheffield by foot, by cycle or by public transport as safely as they would otherwise by car;
- 2. the addition of new paragraphs (m) to (s) as follows:-
  - (m) notes that a Workplace Parking Levy, such as the one implemented in Nottingham, could raise millions of pounds for infrastructure improvements for buses, cycling, walking routes and trams, as well as disincentivising private car commuting;
  - (n) believes that extending the tram network across the city would be a clean alternative to cars;
  - (o) notes that proceeds from a Workplace Parking Levy could also pay for effective enforcement of parking infringements;
  - (p) believes that pavement parking is a real barrier to walking, cycling, prams and wheelchairs and is particularly dangerous for disabled people;
  - (q) notes the amount of information residents of Sheffield provide about dangerous pavement parking to the Council;

- (r) notes that the Scottish Government has recently resolved to ban pavement parking at a national level from 2021; and
- (s) resolves to treat dangerous pavement parking seriously and to review pavement parking city-wide as part of the local cycling and walking improvement plan and, on a ward level basis, working with local ward councillors, residents and community groups to highlight hotspots and to identify and implement solutions.

8.4 It was then moved by Councillor Simon Clement-Jones, and seconded by Councillor Sue Auckland, as an amendment, that the Motion now submitted be amended by the addition of new paragraphs (m) to (r) as follows:-

- (m) welcomes the launch of the “My Cycle, My Mobility Aid” campaign by the inclusive cycling charity, Wheels for Wellbeing, to improve the recognition and rights of disabled cyclists and legally recognise use of cycles as a mobility aid;
- (n) notes that 3 in 4 disabled cyclists use their cycle as a mobility aid, with the same proportion finding cycling easier than walking, but regularly face discrimination because they are not using a traditionally recognised mobility aid;
- (o) notes also the concerns of disabled cyclists that they often have to park cycles far away from entrances to council facilities and other public buildings;
- (p) therefore recognises cycles as mobility aids;
- (q) calls upon the Government to:-
  - (i) amend the Use of Invalid Carriages on Highways Regulations (UICHR) 1988, to recognise the use of cycles as a mobility aid;
  - (ii) change existing laws to permit the use of appropriate mobility scooters on cycle lanes, together with the creation of Dutch-style ‘mobility lanes’, which would be accessible by bicycles, non-standard cycles and appropriate mobility scooters; and
  - (iii) launch a public information campaign to raise awareness of the fact that many disabled people can and do cycle, and use their cycle as a mobility aid; and
- (r) directs that a copy of this motion is sent to all Sheffield MPs and the Secretary of State for Transport.

8.5 After contributions from two other Members, and following a right of reply from Councillor Richard Shaw, the amendment moved by Councillor Bob Johnson was put to the vote and was carried.

8.6 The amendment moved by Councillor Martin Phipps was then put to the vote and was carried, except for paragraphs (m) and (o) of part 2 of the amendment, which were negatived. Paragraphs (n) and (p) to (s) of part 2 of the amendment were carried on the basis that they were to be additional paragraphs to the Substantive Motion.

8.6.1 The votes on the amendment moved by Councillor Martin Phipps were ordered to be recorded and were as follows:-

For part 1 and paragraphs (n) and (p) to (s) of part 2 of the amendment (52) - Councillors Chris Rosling-Josephs, Sophie Wilson, Denise Fox, Bryan Lodge, Karen McGowan, Angela Argenzio, Michelle Cook, Kaltum Rivers, Jackie Drayton, Talib Hussain, Mark Jones, Douglas Johnson, Ruth Mersereau, Martin Phipps, Anne Murphy, Mary Lea, Zahira Naz, Andy Bainbridge, Moya O'Rourke, Abdul Khayum, Abtisam Mohamed, Lewis Dagnall, Cate McDonald, Paul Turpin, Bob Johnson, George Lindars-Hammond, Josie Paszek, Terry Fox, Pat Midgley, Sioned-Mair Richards, Peter Garbutt, Jim Steinke, Alison Teal, Julie Dore, Ben Miskell, Mike Drabble, Dianne Hurst, Peter Rippon, Dawn Dale, Peter Price, Garry Weatherall, Mike Chaplin, Tony Damms, Jayne Dunn, Julie Grocutt, Francyne Johnson, Olivia Blake, Neale Gibson, Adam Hurst, Mick Rooney, Jackie Satur and Paul Wood.

Against part 1 and paragraphs (n) and (p) to (s) of part 2 of the amendment (25) - The Deputy Lord Mayor (Councillor Gail Smith) and Councillors Simon Clement-Jones, Bob Pullin, Richard Shaw, Bob McCann, Tim Huggan, Mohammed Mahroof, Joe Otten, Colin Ross, Martin Smith, Vic Bowden, Roger Davison, Barbara Masters, Shaffaq Mohammed, Sue Alston, Cliff Woodcraft, Ian Auckland, Sue Auckland, Steve Ayriss, Kevin Oxley, David Baker, Penny Baker, Vickie Priestley, Alan Hooper and Mike Levery.

Abstained from voting on part 1 and paragraphs (n) and (p) to (s) of part 2 of the amendment (1) - The Lord Mayor (Councillor Tony Downing).

For paragraphs (m) and (o) of part 2 of the amendment - Councillors Angela Argenzio, Kaltum Rivers, Douglas Johnson, Ruth Mersereau, Martin

(8) Phipps, Paul Turpin, Peter Garbutt and Alison Teal.

Against paragraphs (m) and (o) of part 2 of the amendment (69)

- The Deputy Lord Mayor (Councillor Gail Smith) and Councillors Simon Clement-Jones, Bob Pullin, Richard Shaw, Bob McCann, Chris Rosling-Josephs, Sophie Wilson, Denise Fox, Bryan Lodge, Karen McGowan, Michelle Cook, Jackie Drayton, Talib Hussain, Mark Jones, Tim Huggan, Mohammed Mahroof, Anne Murphy, Mary Lea, Zahira Naz, Joe Otten, Colin Ross, Martin Smith, Andy Bainbridge, Vic Bowden, Moya O'Rourke, Roger Davison, Barbara Masters, Shaffaq Mohammed, Abdul Khayum, Abtisam Mohamed, Sue Alston, Cliff Woodcraft, Lewis Dagnall, Cate McDonald, Ian Auckland, Sue Auckland, Steve Ayris, Bob Johnson, George Lindars-Hammond, Josie Paszek, Terry Fox, Pat Midgley, Sioned-Mair Richards, Kevin Oxley, Jim Steinke, Julie Dore, Ben Miskell, Mike Drabble, Dianne Hurst, Peter Rippon, Dawn Dale, Peter Price, Garry Weatherall, Mike Chaplin, Tony Damms, Jayne Dunn, David Baker, Penny Baker, Vickie Priestley, Julie Grocutt, Francyne Johnson, Olivia Blake, Neale Gibson, Alan Hooper, Adam Hurst, Mike Levery, Mick Rooney, Jackie Satur and Paul Wood.

Abstained from voting on paragraphs (m) and (o) of part 2 of the amendment (1)

- The Lord Mayor (Councillor Tony Downing).

8.7 The amendment moved by Councillor Simon Clement-Jones was then put to the vote and was carried on the basis that the new paragraphs (m) to (r) were to be additional paragraphs to the Substantive Motion.

8.7.1 The votes on the amendment moved by Councillor Simon Clement-Jones were ordered to be recorded and were as follows:-

For the amendment (77)

- The Deputy Lord Mayor (Councillor Gail Smith) and Councillors Simon Clement-Jones, Bob Pullin, Richard Shaw, Bob McCann, Chris Rosling-Josephs, Sophie Wilson, Denise Fox, Bryan Lodge, Karen McGowan, Angela Argenzio, Michelle Cook, Kaltum Rivers, Jackie Drayton, Talib

Hussain, Mark Jones, Douglas Johnson, Ruth Mersereau, Martin Phipps, Tim Huggan, Mohammed Mahroof, Anne Murphy, Mary Lea, Zahira Naz, Joe Otten, Colin Ross, Martin Smith, Andy Bainbridge, Vic Bowden, Moya O'Rourke, Roger Davison, Barbara Masters, Shaffaq Mohammed, Abdul Khayum, Abtisam Mohamed, Sue Alston, Cliff Woodcraft, Lewis Dagnall, Cate McDonald, Paul Turpin, Ian Auckland, Sue Auckland, Steve Ayriss, Bob Johnson, George Lindars-Hammond, Josie Paszek, Terry Fox, Pat Midgley, Sioned-Mair Richards, Kevin Oxley, Peter Garbutt, Jim Steinke, Alison Teal, Julie Dore, Ben Miskell, Mike Drabble, Dianne Hurst, Peter Rippon, Dawn Dale, Peter Price, Garry Weatherall, Mike Chaplin, Tony Damms, Jayne Dunn, David Baker, Penny Baker, Vickie Priestley, Julie Grocutt, Francyne Johnson, Olivia Blake, Neale Gibson, Alan Hooper, Adam Hurst, Mike Levery, Mick Rooney, Jackie Satur and Paul Wood.

Against the amendment (0) - NIL.

Abstained from voting on the amendment (1) - The Lord Mayor (Councillor Tony Downing).

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

RESOLVED: That this Council:-

- (a) believes that a modal shift from private car travel to public and active transport is essential in light of the declared climate emergency and that every person should be able to make any journey within Sheffield by foot, by cycle or by public transport as safely as they would otherwise by car;
- (b) believes that every community across Sheffield could benefit from infrastructure improvements to active travel, walking or cycling, in particular improvements to public health;
- (c) notes that 29% of journeys less than 500m in South Yorkshire are by car, rising to 72% of journeys of less than 5km;
- (d) notes that The Propensity to Cycle Tool based on Government data suggests Sheffield could achieve 24-27% share of all journeys by cycle;

- (e) notes the current Sheffield City Council target of 4% cycling share of journeys by 2034, compared with the Sheffield City Region target of 11% by 2040;
- (f) notes that current modal share for cycles in Sheffield is less than 1%;
- (g) believes therefore that many short car journeys are possible via walking, cycle or public transport and that their current share is due to a poor public transport system and a built environment that discourages people from making journeys by foot or cycle instead of by car;
- (h) believes that this Authority must invest in walking and cycling networks and provide people with a genuine choice between using the car, or walking, cycling or using public transport;
- (i) notes the proposed Bee Network active travel network in Manchester, a joined up cycling and pedestrian network with segregated lanes for walkers and cyclists;
- (j) welcomes the appointment this year of Dame Sarah Storey, Great Britain's most decorated female Paralympian, as the active travel commissioner for Sheffield City Region, and supports her four pledges for improving active travel:-
  - (i) being led by communities;
  - (ii) enabling walking and cycling rather than encouraging it;
  - (iii) requiring infrastructure to meet or exceed requirements; and
  - (iv) requiring infrastructure to be accessible for all;
- (k) calls for the Administration to work with Sheffield City Region, Sustrans and neighbouring authorities to design and create an active travel network for Sheffield, so that any citizen can travel safely by walking or cycling from any part of Sheffield to another;
- (l) notes this Administration's bid for funding through the 'Transforming Cities Fund' from the Department for Transport (DfT) that could see £85 million invested in sustainable travel in Sheffield over three years - paying for a mix of cycling, walking and mass transport bus corridors running throughout the city where we know they are most needed;
- (m) reaffirms that encouraging a shift to low carbon sustainable journeys is a key priority for this Administration, and understands this is exactly the type of work the Fund will support, and throughout this process the Administration will be consulting and working with local communities in the development of these projects;



- (n) believes franchising would be a big help in improving Sheffield's buses but that, ultimately, the best bus service for the city would be delivered by re-regulation powers from central government, and notes that the Labour Party has committed to doing this nationally;
- (o) believes that extending the tram network across the city would be a clean alternative to cars;
- (p) believes that pavement parking is a real barrier to walking, cycling, prams and wheelchairs and is particularly dangerous for disabled people;
- (q) notes the amount of information residents of Sheffield provide about dangerous pavement parking to the Council;
- (r) notes that the Scottish Government has recently resolved to ban pavement parking at a national level from 2021;
- (s) resolves to treat dangerous pavement parking seriously and to review pavement parking city-wide as part of the local cycling and walking improvement plan and, on a ward level basis, working with local ward councillors, residents and community groups to highlight hotspots and to identify and implement solutions;
- (t) welcomes the launch of the "My Cycle, My Mobility Aid" campaign by the inclusive cycling charity, Wheels for Wellbeing, to improve the recognition and rights of disabled cyclists and legally recognise use of cycles as a mobility aid;
- (u) notes that 3 in 4 disabled cyclists use their cycle as a mobility aid, with the same proportion finding cycling easier than walking, but regularly face discrimination because they are not using a traditionally recognised mobility aid;
- (v) notes also the concerns of disabled cyclists that they often have to park cycles far away from entrances to council facilities and other public buildings;
- (w) therefore recognises cycles as mobility aids;
- (x) calls upon the Government to:-
  - (i) amend the Use of Invalid Carriages on Highways Regulations (UICHR) 1988, to recognise the use of cycles as a mobility aid;
  - (ii) change existing laws to permit the use of appropriate mobility scooters on cycle lanes, together with the creation of Dutch-style 'mobility lanes', which would be accessible by bicycles, non-standard cycles and appropriate mobility scooters; and

- (iii) launch a public information campaign to raise awareness of the fact that many disabled people can and do cycle, and use their cycle as a mobility aid; and
- (y) directs that a copy of this motion is sent to all Sheffield MPs and the Secretary of State for Transport.

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

- 9.1 RESOLVED: On the Motion of Councillor Peter Rippon, seconded by Councillor Dianne Hurst, that the minutes of the meeting of the Council held on 2<sup>nd</sup> October 2019, 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 Dianne Hurst, that:-

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

Safer and Stronger Communities Scrutiny and Policy Development Committee	- Councillor Peter Rippon to replace Councillor Tony Damms
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Scrutiny and Policy Development Committee Substitute Members	- Councillor Martin Smith to replace Councillor David Baker
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Planning and Highways Committee Substitute Members	- Councillor Jim Steinke to fill a vacancy
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Castlegate Member Working Group	- Councillor Ben Miskell to replace Councillor Moya O'Rourke
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Appeals and Collective Disputes Committee	- Councillor Zahira Naz to replace Councillor Jackie Satur
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Sheffield Conservation Advisory Group	- Councillor Mike Drabble to fill a vacancy
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- (b) representatives be appointed to serve on other bodies as follows:-

Sheffield City Region Combined Authority Scrutiny Committee	- Councillor Colin Ross to replace Councillor Shaffaq Mohammed
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Local Government Association General Assembly	- Councillor Terry Fox to replace Councillor Olivia Blake
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Migration Yorkshire (Y&H  
Strategic & SY Sub-Regional  
Migration Groups)

- Councillor Garry Weatherall to replace  
Councillor Sophie Wilson as Deputy for  
Councillor Paul Wood

Sheffield Teaching Hospitals  
NHS Foundation Trust

- Councillor Dianne Hurst to replace  
Councillor Francyne Johnson

Special Interest Group of  
Municipal Authorities

- Councillor Terry Fox to replace  
Councillor Olivia Blake

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