
COUNCIL

Wednesday, 7th September, 2011 at 2.00 pm
Council Chamber, Town Hall, Sheffield

The Press and Public are Welcome to Attend

MEMBERS OF THE COUNCIL

THE LORD MAYOR (Councillor Sylvia Dunkley)
THE DEPUTY LORD MAYOR (Councillor John Campbell)

1	<i>Arbourthorne Ward</i> John Robson Jack Scott Julie Dore	10	<i>Dore & Totley Ward</i> Joe Otten Keith Hill Colin Ross	19	<i>Mosborough Ward</i> David Barker Isobel Bowler Gail Smith
2	<i>Beauchief/Greenhill Ward</i> Simon Clement-Jones Clive Skelton Louise McCann	11	<i>East Ecclesfield Ward</i> Steven Wilson Garry Weatherall Colin Taylor	20	<i>Nether Edge Ward</i> Qurban Hussain Anders Hanson Ali Qadar
3	<i>Beighton Ward</i> Chris Rosling-Josephs Helen Mirfin-Boukouris Ian Saunders	12	<i>Ecclesall Ward</i> Diana Stimely Roger Davison	21	<i>Richmond Ward</i> Martin Lawton Lynn Rooney
4	<i>Birley Ward</i> Denise Fox Karen McGowan Bryan Lodge	13	<i>Firth Park Ward</i> Chris Weldon Alan Law Joan Barton	22	<i>Shiregreen & Brightside Ward</i> Peter Price Peter Rippon Jane Bird
5	<i>Broomhill Ward</i> Stuart Wattam Shaffaq Mohammed Paul Scriven	14	<i>Fulwood Ward</i> Andrew Sangar Janice Sidebottom John Knight	23	<i>Southey Ward</i> Leigh Bramall Gill Furniss Tony Damms
6	<i>Burngreave Ward</i> Ibrar Hussain Talib Hussain Jackie Drayton	15	<i>Gleadless Valley Ward</i> Tim Rippon Cate McDonald Frank Taylor	24	<i>Stannington Ward</i> Vickie Priestley David Baker Arthur Dunworth
7	<i>Central Ward</i> Jillian Creasy Mohammed Maroof Robert Murphy	16	<i>Graves Park Ward</i> Ian Auckland Bob McCann Peter Moore	25	<i>Stocksbridge & Upper Don Ward</i> Philip Wood Alison Brelsford Jack Clarkson
8	<i>Crookes Ward</i> Geoff Smith Sylvia Anginotti Brian Holmes	17	<i>Hillsborough Ward</i> Robert Johnson Janet Bragg Joe Taylor	26	<i>Walkley Ward</i> Nikki Sharpe Ben Curran Diane Leek
9	<i>Darnall Ward</i> Harry Harpham Mazher Iqbal Mary Lea	18	<i>Manor Castle Ward</i> Jenny Armstrong Terry Fox Pat Midgley	27	<i>West Ecclesfield Ward</i> Alf Meade Trevor Bagshaw Kathleen Chadwick
				28	<i>Woodhouse Ward</i> Mick Rooney Ray Satur Jackie Satur

John Mothersole

Chief Executive

Contact:

Paul Robinson, Democratic Services
Tel: 0114 2734029
paul.robinson@sheffield.gov.uk

PUBLIC ACCESS TO THE MEETING

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. Meetings of the Council are normally open to the public. 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.

If you would like to attend the meeting, please report to the First Point Reception desk at the Town Hall, Pinstone Street entrance, where you will be directed to the meeting room.

You can see the reports to be discussed in public at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 a.m. and 5.00 p.m., Monday to Thursday and between 9.00 a.m. and 4.45 p.m. on Friday, or you can ring on telephone no. 2734552. You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda.

A copy of the agenda and reports is also available on the Council's website:

<http://www.sheffield.gov.uk/your-city-council/council-meetings/full-council>

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 require any further information please contact:

Paul Robinson, Democratic Services
Tel: 0114 2734029
paul.robinson@sheffield.gov.uk

FACILITIES

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.

COPIES OF THE AGENDA

The City Council's website contains details of meeting agendas, reports and minutes.

COUNCIL AGENDA – 7th September, 2011

Order of Business

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

3. MINUTES OF PREVIOUS COUNCIL MEETING

To receive the record of the proceedings of the meeting of the Council held on 6th July, 2011 and to approve the accuracy thereof.

4. PUBLIC QUESTIONS AND PETITIONS AND OTHER COMMUNICATIONS

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

5. MEMBERS' QUESTIONS

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

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

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

6. 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.

7. CHANGES TO THE CONSTITUTION

Report of the Deputy Chief Executive.

8. NOTICE OF MOTION GIVEN BY COUNCILLOR JULIE DORE

That this Council:-

- (a) notes with concern that recent figures have revealed that a total of 949,000 16- to 24-year-olds, or 20.2% of the young workforce, are unemployed;
- (b) is also concerned that the Chartered Institute of Personnel and Development (CIPD) has recently warned that the jobless rate for the young is likely to increase over the coming months as school leavers struggle to find work;
- (c) expresses further concern and disappointment that the Office for National Statistics has revealed that overall unemployment jumped by 38,000 to 2.49 million in the three months to June 2011 and that a record 1.26 million people reported that they were working part-time or in a temporary job because they had been unable to find a full-time role;
- (d) regrets the Government's decision to award the £3 billion Thameslink contract to German company Siemens, and notes with dismay the news that Bombardier is to cut more than 1,400 jobs at the UK's last remaining train manufacturing plant in Derby, after losing out on the contract;

- (e) is extremely disappointed with the actions of the current Government which are affecting people across the UK, but which are hitting young people disproportionately hard;
- (f) shares the concerns about the problems facing young people, as a result of the Government's austerity measures which were highlighted in an article published in the Guardian on 12 August 2011, entitled 'We don't want no trouble. We just want a job', which stated:

'In fact government austerity measures seen through a generational lens make for an even more depressing read. Housing benefits are being slashed for the young more than for the old through the mechanism of the share room rate. The house building budget has been slashed by 60% at a time when a housing shortage has hiked up prices, making it impossible to get on the housing ladder. And on top of the scrapping of the Future Jobs fund and the tripling of student fees, local councils have also aimed their cuts on youth services as they are not deemed essential services.'
- (g) confirms that increasing youth employment is a critical challenge for our City which will have long lasting impacts if not addressed;
- (h) wholeheartedly welcomes the administration's Sheffield Apprenticeship Programme which is designed to help 100 young people - who may not otherwise have the opportunity to pursue further training or employment in the current economic climate - into sustainable employment;
- (i) is extremely disappointed that the present largest opposition group have not come out in support of this scheme;
- (j) is furthermore disappointed that the largest opposition group continue to put political pride ahead of standing up for Sheffield; and
- (k) calls on all Members of this Council to support the Sheffield Apprenticeship Programme and to work to find other ways to support young people in Sheffield, particularly during this challenging economic climate.

9. NOTICE OF MOTION GIVEN BY COUNCILLOR ALISON BRELSFORD

That this Council:-

- (a) welcomes the Coalition Government's introduction of a New Homes Bonus, that will see Sheffield benefit by £12,000,000 over six years;
- (b) notes that nearly £2,000,000 of this unringfenced investment is available in this financial year and is as yet uncommitted;
- (c) notes that there are an estimated 6,500 empty homes in Sheffield;
- (d) requests that this investment is used to bring local empty homes back into use and commits to a Cabinet report being presented before the next meeting of Council, which includes an outline programme of how this investment will be utilised; and
- (e) welcomes that measures such as this will not only provide much needed extra local housing, but they will boost future income to the Council through the New Homes Bonus.

10. NOTICE OF MOTION GIVEN BY COUNCILLOR JULIE DORE

That this Council:-

- (a) expresses shock regarding the recent riots in UK cities including London, Birmingham, Manchester and Nottingham;
- (b) wholeheartedly condemns those who were involved in violence and looting, however believes that there are complex social causes at the root of the unrest which must be considered and addressed;
- (c) thanks Sheffields for their peaceable response to the riots in other parts of the country and expresses pride in Sheffield's unique identity and sense of community spirit;
- (d) notes that the 43 police services of England and Wales are facing truly unprecedented cuts in their budgets, noting that in the five years from October 2010 they will lose an average of 20% of their budgets;

- (e) further notes that Her Majesty's Inspectorate of Constabulary has warned that as many as 34,000 police jobs could be lost by 2015, nearly half of them frontline police officers;
- (f) believes that the recent riots only serve to reinforce the view that this is not the time to be forcing unprecedented cuts on the police service;
- (g) notes that even Conservative mayor of London, Boris Johnson, has urged the Government to reverse their plans for cutting police budgets;
- (h) calls on all Sheffield MPs to lobby the Government to rethink their approach to the cuts to the police service; and
- (i) directs that a copy of this motion be sent to the Home Secretary and all Sheffield MPs.

11. NOTICE OF MOTION GIVEN BY COUNCILLOR COLIN ROSS

That this Council:-

- (a) welcomes the announcement that Sheffield's Local Enterprise Zone will create 12,600 new jobs in our region by 2015;
- (b) thanks the Local Enterprise Partnership who have led the work to bring a Local Enterprise Zone to Sheffield;
- (c) invites the chairman of the Local Enterprise Partnership, James Newman, to attend a future Council meeting in order to present the plans for the Local Enterprise Zone and ensure that all members of Council are fully briefed with a view to obtaining their support; and
- (d) believes that Local Enterprise Zones, the Regional Growth Fund, the proposed localisation of business rates and Tax Incremental Financing will all help Sheffield boost its local economy.

12. NOTICE OF MOTION GIVEN BY COUNCILLOR MARY LEA

That this Council:-

- (a) notes with great concern the recent proposed changes to NHS funding formulas which will see a reduction in funding to tackle health inequalities for areas with unhealthy populations;

- (b) is further concerned that this will have a negative impact on areas with low life expectancy or where levels of disease are above average;
- (c) notes for example that it has been reported that NHS Sheffield will see a cut of £14m from its budget to reduce health inequalities, while by contrast Surrey PCT will gain £61m and Hampshire PCT will get an additional £52m;
- (d) believes that this proposal is based on skewed political priorities and further believes that this policy will serve to worsen health inequalities in England, with areas in the North of England with the poorest level of health losing out to better off, healthier areas in the South;
- (e) is extremely concerned to hear reports that this policy will hit services that help people stop smoking, promote healthy eating and exercise, and raise awareness about the risks of sexually transmitted diseases, and will also make it harder to prevent the big killers like heart disease and cancer;
- (f) calls on all local Sheffield MPs to lobby against the proposed changes to funding formulas, as outlined in paragraph (a) above; and
- (g) directs that a copy of this motion be sent to the Secretary of State for Health and all Sheffield MPs.

13. NOTICE OF MOTION GIVEN BY COUNCILLOR IAN AUCKLAND

That this Council:-

- (a) reiterates previous resolutions which confirm that this authority remains in support of re-regulating local bus services through the introduction of a Statutory Quality Contract under the provisions of the Transport Act 2008;
- (b) is therefore disappointed that the South Yorkshire Integrated Transport Authority are pursuing voluntary bus agreements whilst plans for a Sheffield quality contract appear to have been shelved;
- (c) notes that the newly announced voluntary agreement for Sheffield is only available on certain routes and causes confusion with most users who simply want reliable, integrated, value for money and good quality bus services across the board; and

- (d) requests that all investment for bus priority measures be reviewed until this Council has assurances that quality contracts will be introduced in Sheffield as soon as possible.

14. NOTICE OF MOTION GIVEN BY COUNCILLOR JILLIAN CREASY

That this Council:-

- (a) notes that many people in Sheffield are concerned about the Government's handling of the NHS and the effect its policies are having on patient care;
- (b) considers that the Government's revised Health and Social Care Bill will, if it becomes law, have significant detrimental effects on healthcare in Sheffield and elsewhere;
- (c) considers that another major NHS reorganisation is likely to destabilise the system and leave patients, doctors and others confused about responsibilities;
- (d) believes the Bill is likely to result in the increased privatisation of healthcare;
- (e) believes that Government officials have already instructed local health bodies, including Sheffield Primary Care Trust, to identify three types of services that could be handled by different providers next year;
- (f) notes that the doctors' organisation, the British Medical Association, has recently called on the Government to withdraw the Health and Social Care Bill; and
- (g) therefore directs the Chief Executive to send a copy of this motion to the Secretary of State for Health, the Deputy Prime Minister and all local MPs, urging them to oppose the Health and Social Care Bill.

15. NOTICE OF MOTION GIVEN BY COUNCILLOR NIKKI SHARPE

That this Council:-

- (a) notes that the Legal Aid, Sentencing and Punishment of Offenders Bill is currently in the Committee Stage in the House of Commons;

- (b) is concerned at the impact that the combined reduction in Legal Aid and the changes in personal injury funding will have on access to justice for the most vulnerable;
- (c) deplores the failure of the Lib Dem and Conservative members of the Bill Committee to oppose the Bill and to recognise its potentially devastating effect on those who most need help;
- (d) regrets that Nick Clegg MP did not vote against the Bill when it had its second reading;
- (e) calls upon all Sheffield MPs to vote against the Bill at every opportunity if it remains substantially unchanged;
- (f) notes that it is still not too late for the Government to listen to those in the voluntary sector and the support groups for those with devastating diseases such as asbestos related disease who will have to face the impact of the changes in Legal Aid and in personal injury case funding and urges them to do so; and
- (g) directs that a copy of this motion be sent to the Secretary of State for Justice and all Sheffield MPs.

16. NOTICE OF MOTION GIVEN BY COUNCILLOR SHAFFAQ MOHAMMED

That this Council:-

- (a) echoes comments from the Deputy Prime Minister and other Sheffield MPs, which praised the 'Sheffield Spirit' in light of the unacceptable rioting, violence and theft that has recently been witnessed in other cities;
- (b) praises local youth workers, the police, community leaders and others whose work is invaluable in helping local young people shun criminality and choose the right path; and
- (c) reserves the highest praise for Sheffield's young people themselves, who refused to join in with the greed-fuelled criminal activity that was taking place in other cities.

17. NOTICE OF MOTION GIVEN BY COUNCILLOR JULIE DORE

That this Council:-

- (a) welcomes the developing relationship between Sheffield and its sister city Chengdu in the People's Republic of China;
- (b) is delighted by the 'Sheffield in Chengdu' project under which a unique 'Sheffield Town' is to be built in the city of Chengdu which will act as a model for Chengdu's 'Garden City' programme, and welcomes the progress made in the project through the recent trade mission from Sheffield to Chengdu;
- (c) acknowledges the calibre of the 'Sheffield team' consisting of a consortium of local businesses who will be carrying out the master planning and creating the design framework for the project, with advice and encouragement from the City Council;
- (d) welcomes the economic and business benefits this will bring to Sheffield; and
- (e) therefore resolves to confirm its support for its involvement in the project and directs that a copy of this Resolution under the Common Seal of the City Council be delivered to Chengdu Municipal Government.

18. NOTICE OF MOTION GIVEN BY COUNCILLOR JILLIAN CREASY

That this Council:-

- (a) notes with concern the Government's legal aid reforms, which would remove access to free legal advice for an estimated 650,000 individuals a year, at a time when they most need it;
- (b) believes the impact of the proposals is to:
 - (i) remove the provision of most free legal advice in employment, family, consumer contracts, welfare benefits, debt, immigration and housing currently provided by private practice solicitors, Citizens Advice Bureaux, Sheffield Law Centre and independent advice centres;
 - (ii) cut the provision of effective advice at preventative stages, which currently avoids the need for legal proceedings;
 - (iii) cut a massive 77% of legal aid funding to voluntary sector organisations such as Sheffield's local

advice centres; and

- (iv) increase the cost of litigation to the NHS, according to the NHS Litigation Authority, whose Chief Executive has stated the cuts “would result in an overall increase in public expenditure”;
- (c) also notes the Government’s proposal to “reform” the Equality and Human Rights Commission by stopping it funding local advice services to provide free anti-discrimination advice;
- (d) believes that equal access to justice is the foundation of civilised society;
- (e) believes these cuts will have only a negative impact on the citizens of Sheffield who need timely and accurate legal advice as to their rights and responsibilities;
- (f) commits to all possible steps to support the local advice sector, which has established itself as providing excellent service for the citizens of Sheffield;
- (g) therefore resolves to support the *Justice for All* campaign for free legal advice, which aims to ensure everyone is treated fairly under the law, and directs the Chief Executive to sign up this Council to the campaign; and
- (h) directs the Chief Executive to send a copy of this motion to the Secretary of State for Justice, the Home Secretary, the Minister for Women and Equalities, the Deputy Prime Minister and all local MPs, urging them to support free legal advice.

19. NOTICE OF MOTION GIVEN BY COUNCILLOR ROBERT MURPHY

That this Council:-

- (a) notes the Council Resolution of 2nd February 2011, which included “(g) calls for the Administration to bring forward plans for citywide 20mph limits on residential roads (excluding main roads)”, which was supported by members of the current Administration;
- (b) notes that according to the AA Foundation for Road Safety Research very few accidents occur outside school itself and for children under 11 the journey to school does not constitute a high risk; secondary school children are at much greater risk but still less than 20% of child casualties

occur on the journey to and from school;

- (c) believes a citywide default 20 mph speed limit on residential roads has a number of benefits over a piecemeal approach, from removing uncertainty for motorists to ease of installation and greater impact on reducing road casualties; and
- (d) calls for the Administration to bring in a default 20 mph limit in residential areas and begin a city-wide roll out, starting with the areas suffering the worst accident statistics.

A handwritten signature in black ink, appearing to read "John Netherde", with a horizontal line underneath it.

Chief Executive

Dated this 30th day of August, 2011

**The next ordinary meeting of the Council
will be held on 5th October, 2011 at the Town Hall**

ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

DEMOCRATIC PROCESS

The Council's Code of Conduct applies to all Members of the Council including co-opted Members and independent Members.

This note is intended to provide general guidance for Members on declaring interests.

However, you may often need to obtain specific advice on whether you have an interest in a particular matter. If you need advice, you can contact:

- the Director of Legal Services
- another Council lawyer; or
- Democratic Services.

If at all possible, you should try to identify any potential interest you may have before the meeting so that you and the person you ask for advice can fully consider all the circumstances before reaching a conclusion on what action you should take.

Do you have a personal interest in any matter on the agenda or meeting?

You will have a personal interest in a matter if it:

- i. (a) relates to an interest that you have already registered on the Register of Interests;
- ii. (b) relates to an interest that should be registered but you have not yet done so; or
- iii. (c) affects your well-being or financial position or that of members of your family or your close associates, to a greater extent than it would affect the majority of people in the ward affected by the decision.

Note: The definition of family is very wide and includes a partner, step-relations, and in-laws. A "close associate" is someone whom a reasonable member of the public might think you would be prepared to favour or disadvantage.

If you have a personal interest you must:

- i. declare the existence and nature of the interest (in relation to the relevant agenda item) at the beginning of the meeting, before it is discussed or as soon as it becomes apparent to you; but
- ii. you can remain in the meeting, speak and vote on the matter unless the personal interest is also prejudicial.

However, in certain circumstances you may have an exemption which means that you might not have to declare your interest.

Exemption 1. You will have an exemption where your interest arises solely from your membership of or position of control/management in:

- a body to which you have been appointed or nominated by the authority; and/or
- a body exercising functions of a public nature (e.g. another local authority).

In these exceptional cases, provided that you do not have a **prejudicial interest** you only need to declare your interest if you intend to speak on the matter.

Exemption 2: You will have an exemption if your personal interest is simply having received a gift or hospitality over £25 which you registered more than 3 years ago.

If you have an exemption:

- i. you need only declare your interest if you address the meeting; and
- ii. you can vote without declaring the interest providing you do not speak.

When will a personal interest also be prejudicial?

Your personal interest will also be prejudicial if a member of the public who knows the relevant facts would reasonably think the personal interest is so significant that it is likely to prejudice your judgement of the public interest; and

- i. either the matter affects your financial position or the financial position of any person or body through whom you have a personal interest. For example, an application for grant funding to a body on your register of interests or a contract between the authority and that body; or

- ii. the matter relates to the determining of any approval, consent, licence, permission or registration that affects you or any relevant person or body with which you have a personal interest. For example, considering a planning or licensing application made by you or a body on your register of interests.

Exemptions: You will not have a prejudicial interest if the matter relates to the following:

- i. the Council's housing functions – if you hold a lease or tenancy with the Council, provided that the matter under consideration is not your own lease or tenancy;
- ii. school meals, transport or travel expenses – if you are the parent or guardian of a child of school age, provided that the matter under consideration is not the school the child attends;
- iii. statutory sick pay;
- iv. Members' allowances;
- v. ceremonial honours for Members; or
- vi. setting the Council Tax.

If you have a prejudicial interest, you must:

- (a) Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you.
- (b) Leave the room unless members of the public are allowed to make representations, give evidence or answer questions about the matter. If that is the case, you can also attend to make representations, give evidence or answer questions about the matter.
- (c) Once you have finished making representations, answering questions etc., you must leave the room. You cannot stay in the room whilst the matter is being discussed neither can you remain in the public gallery to observe the vote on the matter. In addition, you must not seek to improperly influence a decision about the matter.

FURTHER INFORMATION

Advice can be obtained from Lynne Bird, Director of Legal Services on 0114 2734018 or email lynne.bird@sheffield.gov.uk