

CITY COUNCIL MEETINGS – 14TH DECEMBER 2022

RESOLUTIONS PASSED AT THE ORDINARY MEETING OF THE COUNCIL

1. **ENDORSEMENT OF THE PUBLICATION DRAFT SHEFFIELD LOCAL PLAN ('THE DRAFT SHEFFIELD PLAN')**

RESOLVED UNANIMOUSLY: That this Council:-

- (a) approves the Publication Draft Sheffield Plan for the purposes of public consultation;
- (b) approves the consultation programme for seeking the public's view on the Publication Draft Sheffield Plan;
- (c) approves the list of 'submission documents' as defined in paragraph 4.3.3 of Appendix 1 and listed in paragraph 4.3.4 of Appendix 1 that will form part of the public consultation;
- (d) requests that any 'schedule of suggested amendments' (referred to at paragraph 1.11.2 of Appendix 1), compiled after the consultation on the Publication Draft Sheffield Plan, be approved by the Strategy and Resources Committee and full Council prior to submitting the relevant documents to the Government;
- (e) delegates authority to the Chief Planning Officer, in consultation with the Chair, deputy chair and spokesperson of the Transport, Regeneration and Climate Policy Committee, to approve any non-material amendments to the Publication Draft Sheffield Plan and consultation programme prior to public consultation and any adjustments to the list of submission documents set out in paragraph 4.3.4;
- (f) approves the further minor amendments to the Publication Draft Sheffield Plan that are recommended by officers in paragraphs 1.6 to 1.21 (and detailed in Appendix 3); and
- (g) approves the list of additional 'submission documents' listed in paragraphs 1.22 and 1.23 of this report that will form part of the public consultation.
- (h) (1) notes that Site SD04 in Deepcar has been allocated as a site for housing development;

(2) believes that the cumulative impact of developing Site SD04 – given that the adjacent Site SD05 already has outline planning permission – would:-
 - (i) Cause irreparable damage to the local Green Network;
 - (ii) Further harm the landscape character of the area;
 - (iii) Merge the distinct settlements of Stocksbridge and Deepcar;

- (iv) Cause a deterioration in existing local flooding issues; and
- (v) Harm local wildlife and habitats;

(3) believes that these same objections apply to Site SD05 which is also an allocated site but acknowledges that this site already has outline planning permission; and

(4) considers that allocating Site SD04 as a site for housing development would not be appropriate and therefore proposes that it be removed from the Publication Draft Plan.

2. NO MORE EXCUSES ON HOUSING REPAIRS

RESOLVED: That this Council:-

- (a) notes with great sadness the death of Awaab Ishak in Rochdale, which was found by the Coroner for Manchester North to be a result of prolonged exposure to mould in his home which Rochdale Boroughwide Housing took no action to treat or prevent;
- (b) notes with concern that:-
 - (1) the Council currently has 6,193 overdue repairs logged, as of the 23rd of October;
 - (2) a significant number of the 6,193 overdue repairs are likely to relate to damp and mould, especially within the context of the Cost-of-Living crisis which has made it more challenging for tenants to heat their homes;
 - (3) several Councillors have reported that tenants suffering from damp and mould issues have felt blamed for the disrepair, rather than supported to manage the issues;
 - (4) customer complaints regarding the Repairs Service increased from 17 in 2020/21 to 115 in 2021/22;
 - (5) the Council has received more legal claims for disrepair as of the 18th of November (682) than it received for the whole of the 2021/2022 financial year (660);
 - (6) cuts to legal aid over the last decade have resulted in tenants finding it significantly more challenging to bring disrepair cases to court, with tenants' only option often being to use 'no win, no fee' solicitors, who have targeted estates

with high numbers of disrepair claims and often retain a large proportion of the awarded compensation; and

(7) Council spending on legal fees and compensation for legal disrepair claims is currently overspending by £2.6m on its £2.6m budget, and the Housing Repairs service as a whole is overspending by £7.3m, contributing to the overall HRA overspend of £12.7m;

(c) notes that:-

(1) the Social Housing Regulator has written to Chief Executives of all registered providers of social housing (including Sheffield City Council) requesting an assessment of the extent of damp and mould issues & hazards affecting our properties, what action we are taking to remedy these cases, and our procedures to ensure that individual damp and mould cases are identified and dealt with effectively, to be provided by the 19th of December 2022; and notes that the response to this will be brought to the Housing Policy Committee and published;

(2) the Secretary of State for Levelling Up, Housing and Communities has similarly written to all Council leaders with a Housing Act 2004 Section 3(3) directive to provide an assessment of damp and mould issues affecting privately rented properties, an assessment of action that may need to be taken concerning this, and data on the above for the last three years, and notes that the response to this will be brought to the Housing Policy Committee and published;

(3) the Housing Ombudsman issued a report in October 2021 (Spotlight on Damp and Mould: It's Not Lifestyle), which contained several recommendations for member landlords, including to "review our initial response to reports of damp and mould to ensure they avoid automatically apportioning blame or using language that leaves residents feeling blamed";

(4) since 2010 government has significantly increased pressures on the HRA, through sustained lack of investment for local authorities and the public services which communities rely on; and

(5) from 2010-2018 government put a cap on council borrowing for housebuilding, which significantly added to the pressure of housing waiting lists with the Council unable to build to meet demand, and that national policies such as 'right-to-buy' depletes housing stock; meaning less revenue generated for the HRA to better deal with issues related to housing repairs;

(d) believes that workers in the Housing Repairs team are working hard to tackle the backlog, but that political mismanagement has led to the current issues facing the service;

(e) believes that Council tenants deserve repairs to be completed within a reasonable timeframe, and that fulfilling this requirement is critical to keeping our tenants healthy and safe;

- (f) believes it is outrageous that the last Decent Homes Standard was set in 2006 (with five Conservative prime ministers since then) and that the current government must deliver their long awaited Decent Homes Standard for all social rented and private rented homes;
- (g) commits to working with all of the city's MPs in challenging government to bring forward this legislation;

This Council therefore resolves to:-

- (h) support Councillor Clement-Jones's recent call at the Audit and Standards Committee on the 17th of November for an enquiry into the issues raised in paragraph (b);
- (i) request that the Housing Policy Committee considers whether to add to its work programme consideration of new approaches to handling disrepair issues, such as:-
 - (1) appropriate officers providing the Housing Policy Committee with a broad appraisal of council housing disrepair and a strategy for improvement, including how they will implement the recommendations of the Housing Ombudsman's 2021 report "Spotlight on Damp and Mould";
 - (2) creating an Alternative Disrepair Resolution Scheme, to give tenants an alternative to no-win, no-fee solicitors when seeking compensation for housing disrepair, as has been implemented by several other local authorities, including Lambeth and Southwark; and
 - (3) giving our tenants the right to directly employ an approved contactor if repairs are not carried out within an agreed time frame.
 - (4) an external review of Housing Repairs as part of the wider Housing Service review taking place next year, with the goal of fundamentally re-organising how the service is delivered, believing that the Council must do better in learning from other cities who are dealing with comparable problems, and ensure that best practice is being adopted throughout all housing services, including repairs; and
 - (5) adopting Selective Licensing schemes throughout the city, noting that issues in private sector housing have a considerable impact on social housing with badly maintained neighbourhoods leading to even greater pressure on council housing repairs, and believing that the city's neighbourhoods are being let down by rogue private landlords; and
- (j) affirms that the Council must ultimately provide a service which is geared around the needs of tenants and delivers for all of the city's neighbourhoods.

3. ADOPTING THE ALL-PARTY PARLIAMENTARY GROUP (APPG) ON BRITISH MUSLIMS' DEFINITION OF ISLAMOPHOBIA

RESOLVED UNANIMOUSLY: That this Council:-

- (a) notes that as part of the response to the Race Equality Commission, the Council has committed to making continuous improvements, develop racial literacy and eradicate racial inequalities which exist within the Council and the services it delivers, across the diverse communities we serve, and as part of this has developed a three-year improvement plan to help the Council, and more widely the city, to become an anti-racist city;
- (b) notes that this country is comprised of many different ethnic groups who have joined over the centuries, that our country has rightly welcomed those who have faced persecution in their home country, and notes with pride Sheffield's role in becoming the first city of sanctuary;
- (c) welcomes the contribution at all levels of society made by immigrant communities and those born here, and regrets that prejudice holds back the contribution that they make to our society;
- (d) reaffirms that discrimination based on ethnicity, religion or sexual orientation and other protected characteristics has no place in our society;
- (e) believes that to better understand all facets of islamophobia it is important to have a clear definition and, therefore, suggests the All-Party Parliamentary Group (APPG) on British Muslims' definition of Islamophobia, that "Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness", together with the explanatory guidelines put forward by the Coalition Against Islamophobia, should be considered;
- (f) notes that Islamophobia is a growing issue, both locally and nationally; Muslims were targeted in 45% of all religious hate crime offences recorded in England and Wales in 2020/21;
- (g) notes that these national figures are borne out in Sheffield, with South Yorkshire Police reporting a 43% increase in reports of Islamophobic hate crimes in Sheffield in 2021 compared to the previous year;
- (h) notes that the records show that the majority of hate crimes targeting Muslims in Sheffield do not reach a resolution, whether that's a charge brought, a caution issued or a community-based resolution, with fewer than 15% of hate crimes in 2021 resolved in one of these ways;
- (i) agrees that, as per the Public Sector Equality Duty enshrined in the 2010 Equality Act, the Council must give due regard to the need to eliminate unlawful discrimination and advance equality of opportunity for members of communities with a protected characteristic, including Muslims and believes this should mean

they are able to participate in society on an equal footing with their non-Muslim counterparts;

(j) believes that Islamophobia is one of the principal barriers to the participation of Muslims in public, economic, political, and social spheres of life and must urgently be addressed;

(k) believes that:-

(1) adopting a definition of Islamophobia is essential to tackling Islamophobia in a targeted and effective manner;

(2) without a definition of Islamophobia, one cannot identify how Islamophobia manifests itself and functions and therefore, cannot devise meaningful strategies to address it; and

(3) the Strategy and Resources Policy Committee should consider if this definition of islamophobia, and the supporting guidelines, is incorporated as part of its on-going work into the Race Equality Commission; and

(l) requests that the Strategy and Resources Policy Committee considers whether to add to its work programme consideration of:-

(1) working with schools, transport companies, the police force, and other public and private bodies, to tackle Islamophobia at a local level;

(2) collaborating with the local Muslim community to challenge Islamophobia and to meet their needs such that they are encouraged and safe to participate in public life;

(3) taking further steps to tackle and raise awareness of Islamophobia, such as organising Islamophobia training, holding local events on the issue of Islamophobia, etc.; and

(4) working with other local stakeholders such as local MPs to raise awareness of Islamophobia in Parliament and urge the UK Government to adopt the APPG definition of Islamophobia.

4. MOVING TOWARDS AN ETHICAL DEBT COLLECTION POLICY AND ENDING THE USE OF BAILIFFS

RESOLVED: That this Council:-

- (a) believes that, due to the ideologically driven actions of the Government over the past decade, alongside a crisis in global capitalism, ordinary people in Sheffield are facing a cost of living crisis and looming recession, and that, as a result, household debt has grown to unsustainable levels;
- (b) notes that over half of all adults in the UK are in debt or seriously worried about falling in to debt;
- (c) further notes that last year, Citizens Advice estimated that 3.5 million people were in arrears with their council tax across the country;
- (d) believes that the Autumn Budget has made clear that the Government are not interested in helping residents or councils deal with the cost of living crisis and the increase in debt, instead pushing councils to increase council tax, further exacerbating the financial struggles of ordinary people and attempting to pass the blame for financial hardship on to Local Authorities;
- (e) notes that Citizens Advice estimate that 33% of council tax problems are caused by the way that councils collect the payment;
- (f) further notes that analytics group Policy in Practice have recently presented evidence that stricter collection policies, including bailiff use, do not increase collection rates;
- (g) recognises that being visited by bailiffs is a distressing experience which can be devastating for people's mental health, and notes that over 50% of people in debt have mental health problems and people in debt are 8 times more likely to think about suicide;
- (h) notes that residents who face bailiff action are also liable for the fees they charge, which begin at £75 for the 'compliance stage' of enforcement (receiving a letter), and often rise to an average of £310 during the lifetime of a debt, and believes that, in Sheffield, this only serves to increase the level of indebtedness of many of our residents and siphons money out of our local economy, harming the city at large;
- (i) notes that in April 2018, Hammersmith & Fulham London Borough Council announced an end to bailiff action, and they have subsequently seen a rise in council tax collection rates;
- (j) further notes that Southwark LBC, Newham LBC and Bristol City Council have also recently implemented more ethical debt collection policies;
- (k) also notes that The Trussel Trust has reported in their 'State of Hunger' report that local government debt leads people to destitution and foodbank usage;

- (l) notes that the Debt Justice Campaign, using the National Audit Office's calculations to the Financial Conduct Authority, estimates that over indebtedness is costing the local and national government £9.7 billion per year in extra health, social care, employment and housing support, and believes that pushing residents into debt and poverty is a false economy for Sheffield;
- (m) notes that the Council has agreed to continue providing the Citizens Advice Bureau with grant money of £827k per year, and notes that Citizens Advice is currently not providing face to face support in most areas of Sheffield;
- (n) welcomes the good work that Local Area Committees are doing to re-establish face to face advice services, and believes that providing face to face support is crucial to helping residents facing complex debt issues;
- (o) also believes that ending debt collection practices such as bailiff use, makes financial sense;
- (p) believes that identifying issues early is of primary importance, and notes that a report on the review of the Council's debt management policy will be the subject of a report to the Strategy & Resources Policy Committee in the new year;
- (q) notes the work of the Council's cross-party Cost of Living Crisis Group, and the dedicated work of council employees in supporting residents through financial hardship, and believes that debt collection and the use of bailiffs, and its implications, need to be considered by this Group in investigating the adoption of an ethical debt collection service;
- (r) notes recent research from Martin Lewis's Money and Mental Health Policy Institute which found that 15% of people with mental health problems had missed at least three payments on one council tax bill, compared to 4% of people without a mental health problem;
- (s) believes that it is important to make the distinction between those who can't pay debt, and those who won't, when using bailiffs and that targeted support is essential as well as a compassionate understanding of each individual's circumstances, be that financial, social or health related;
- (t) believes that in the private rented housing sector, some tenants are at the mercy of rogue landlords and exorbitant rents, trapping people into a spiral of debt;
- (u) requests that the Strategy and Resources Policy Committee considers whether to add to its work programme consideration of what an ethical debt collections policy could mean in Sheffield, including, but not limited to:-
- Payment Flexibility
 - Greater discretionary support
 - Identifying Vulnerable households and data sharing between departments
 - Establishing whether or not residents can afford repayments
 - Ensuring everyone in debt is given free local debt advice
 - Removing in year collections targets

- Having an irrecoverable debt policy which mitigates for that fact that a percentage of debt will not be recovered
- Ending Bailiff use
- Starting open communication with Hammersmith and Fulham Council to get feedback on how their policy is having a positive effect on the council's finances and the wellbeing of their residents
- Creating a targeted approach to tax collection, as has been trialled in Lewes District Council and Eastbourne Borough Councils, to identify residents who are genuinely struggling to pay their debts versus those who have the ability to pay
- Working closely with mental health services to provide additional assistance to people with mental health needs who are in council tax arrears
- Working with the Citizens Advice Bureau to re-establish self-referral and face to face support for complex debt
- Fully implementing the Stop the Knock campaign's "Six Steps for Local Authorities", which consist of:-
 - (i) making a clear public commitment to reduce the Council's use of bailiffs over time;
 - (ii) reviewing the Council's signposting to free debt advice, including phone/online channels;
 - (iii) adopting the Standard Financial Statement to objectively assess affordability;
 - (iv) putting in place a formal policy covering residents in vulnerable circumstances;
 - (v) exempting Council Tax Support recipients from bailiff action; and
 - (vi) signing the Council Tax Protocol and reviewing the Authority's current practice against the 'Supportive Council Tax Recovery' toolkit.

5. APPOINTMENT TO THE OFFICE OF SENIOR CORONER SOUTH YORKSHIRE (WEST)

RESOLVED UNANIMOUSLY: That this Council, in accordance with the details set out in the report of the Executive Director, Operational Services, (a) notes that the written consent of the Lord Chancellor and Chief Coroner to the proposed appointment has been received and (b) appoints Tanyka Rawden to the office of Senior Coroner South Yorkshire (West) in accordance with the Coroners and Justice Act 2009.

**6. URGENT ITEM OF BUSINESS – STATUTORY OFFICER DESIGNATION :
CHIEF FINANCE OFFICER**

RESOLVED UNANIMOUSLY: That this Council, in accordance with the details set out in the joint report of the Council's Monitoring Officer and Director of Human Resources and Customer Services:-

- (a) notes the appointment of Tony Kirkham as Interim Director of Finance and Commercial Services with responsibility for management of the Finance and Commercial Services Directorate and line management of the other Directors in the Resources portfolio as a member of the Council's Senior Leadership Team;
- (b) agrees the designation of Tony Kirkham as Chief Finance Officer (Section 151 Officer) in accordance with Section 151 of the Local Government Act 1972 with effect from 1st January 2023;
- (c) notes that any specific references to the "Director of Finance and Commercial Services" throughout the Constitution include an interim appointment to that role;
- (d) agrees that the references to "Executive Director, Resources" as a Proper Officer at Part 7A and in the Management Structure at Part 7B of the Constitution be read as "Interim Director of Finance and Commercial Services"; and
- (e) agrees that generic references to Executive Directors throughout the Constitution be deemed to include the Interim Director of Finance and Commercial Services.