

Council

Wednesday 4 September 2013

2.00 pm

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

The Press and Public are Welcome to Attend

COUNCIL

Wednesday 4 September 2013, 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 Vickie Priestley)
THE DEPUTY LORD MAYOR (Councillor Peter Rippon)

1	<i>Arbourthorne Ward</i> Julie Dore John Robson Jack Scott	10	<i>Dore & Totley Ward</i> Keith Hill Joe Otten Colin Ross	19	<i>Mosborough Ward</i> David Barker Isobel Bowler Tony Downing
2	<i>Beauchief & Greenhill Ward</i> Simon Clement-Jones Roy Munn Clive Skelton	11	<i>East Ecclesfield Ward</i> Garry Weatherall Steve Wilson Joyce Wright	20	<i>Nether Edge Ward</i> Nikki Bond Anders Hanson Qurban Hussain
3	<i>Beighton Ward</i> Helen Mirfin-Boukouris Chris Rosling-Josephs Ian Saunders	12	<i>Ecclesall Ward</i> Penny Baker Roger Davison Diana Stimely	21	<i>Richmond Ward</i> John Campbell Martin Lawton Lynn Rooney
4	<i>Birley Ward</i> Denise Fox Bryan Lodge Karen McGowan	13	<i>Firth Park Ward</i> Sheila Constance Alan Law Chris Weldon	22	<i>Shiregreen & Brightside Ward</i> Peter Price Sioned-Mair Richards Peter Rippon
5	<i>Broomhill Ward</i> Jayne Dunn Shaffaq Mohammed Stuart Wattam	14	<i>Fulwood Ward</i> Sue Alston Andrew Sangar Cliff Woodcraft	23	<i>Southey Ward</i> Leigh Bramall Tony Damms Gill Furniss
6	<i>Burngreave Ward</i> Jackie Drayton Ibrar Hussain Talib Hussain	15	<i>Gleadless Valley Ward</i> Steve Jones Cate McDonald Tim Rippon	24	<i>Stannington Ward</i> David Baker Katie Condliffe Vickie Priestley
7	<i>Central Ward</i> Jillian Creasy Mohammad Maroof Robert Murphy	16	<i>Graves Park Ward</i> Ian Auckland Bob McCann Denise Reaney	25	<i>Stockbridge & Upper Don Ward</i> Alison Brelsford Richard Crowther Philip Wood
8	<i>Crookes Ward</i> Sylvia Anginotti Rob Frost Geoff Smith	17	<i>Hillsborough Ward</i> Janet Bragg Bob Johnson George Lindars-Hammond	26	<i>Walkley Ward</i> Ben Curran Neale Gibson Nikki Sharpe
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> Trevor Bagshaw Adam Hurst Alf Meade
				28	<i>Woodhouse Ward</i> Mick Rooney Jackie Satur Ray Satur

John Mothersole

Chief Executive

Contact:

Paul Robinson, Democratic Services

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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. 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. 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, 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.

Members of the public have the right to ask questions or submit petitions to Council meetings. Please see the website or contact Democratic Services for further information.

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.

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.

**COUNCIL AGENDA
4 SEPTEMBER 2013**

Order of Business

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. MINUTES OF PREVIOUS COUNCIL MEETING

To receive the record of the proceedings of the meeting of the Council held on 3rd July, 2013 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 and Pensions – Section 41 of the Local Government Act 1985 – Council Procedure Rule 16.6(i).

(NB. Minutes of recent meetings of the three South Yorkshire Joint Authorities have been made available to all Members of the Council via the following link <https://meetings.sheffield.gov.uk/council-meetings/full-council>)

6. CHANGES TO THE CONSTITUTION

Report of the Chief Executive

7. AUDIT COMMITTEE

(a) Annual Report 2012-13

To receive the annual report of the Audit Committee on the work it has undertaken during 2012-13.

The Chair of the Committee (Councillor Ray Satur) will briefly introduce the report.

(b) Independent Members – Term of Office

Report of the Chief Executive.

8. LORD MAYOR'S ANNUAL REPORT 2012/13

Councillor John Campbell to present his annual report on his term of office as Lord Mayor during the Municipal Year 2012/13.

9. APPOINTMENT OF HONORARY RECORDER OF SHEFFIELD

Report of the Chief Executive

10. MEMBERS' ALLOWANCES - LOCAL AREA PARTNERSHIP CHAIRS

Report of the Chief Executive.

11. 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

12. NOTICE OF MOTION GIVEN BY COUNCILLOR SHAFFAQ MOHAMMED

That this Council:

(a) welcomes the redevelopment of The Moor, which was secured by the previous Administration and is progressing at pace;

(b) thanks the Government for its support in enabling St Pauls (Phase 3) to proceed, notably through the Growing Places Fund and the city-centre development deal;

(c) contrasts these successes with the calamitous collapse of the Council's partnership over the Sevenstones New Retail Quarter, following months of dither and delay by the current Administration;

- (d) also notes with dismay the £62,000 taxpayer bill for the Council's disastrous attempt to fight a Next homestore planning application on appeal;
- (e) highlights the following comments as damning indictments of the Administration's business policy:
 - (i) Lord Wolfson, Chief Executive of Next - Sheffield City Council is "closing its doors for business";
 - (ii) Sheffield Chamber of Commerce - "Sheffield's going backwards"; and
 - (iii) South Yorkshire Federation of Small Businesses - Sheffield City Council has "lost touch with the business reality of the 21st Century";
- (f) believes progress at The Moor and St Pauls demonstrates that Sheffield is ripe for investment but regrets that the current Administration's rabid 'anti-business' attitude is damaging this potential;
- (g) furthermore, recalls the Administration's abject failure to manage the Council's capital budget and laments its staggering indifference to the damage this budget scandal has caused for jobs and businesses across Sheffield;
- (h) estimates that the current Administration's incompetence has cost the City thousands of new jobs;
- (i) calls upon the Chief Executive to instigate an immediate independent inquiry into the failure to deliver the city-centre new retail quarter; and
- (j) further, sincerely hopes that the farce over Next will not be repeated with the application for an Ikea superstore and calls upon the Administration to work closely with all partners to ensure this application is successful.

13. NOTICE OF MOTION GIVEN BY COUNCILLOR GEORGE LINDARS-HAMMOND

That this Council:

- (a) is extremely concerned about the growing cost of living crisis under

the present Government;

- (b) notes that working people are today an average of £1,350 worse off a year since the present Government came to power and forecasts show that over the course of this Parliament, that figure will reach £6,660;
- (c) further notes that in the Yorkshire & Humber region the average fall in wages in real terms for all employees between 2010 and 2012 is 8.1% or £1,721 per year;
- (d) is dismayed at the growth of highly unaffordable credit from payday loans with interest rates often higher than 5000% APR.
- (e) is particularly concerned by evidence suggesting that their use is highest amongst our country's most deprived groups;
- (f) believes that credit unions offer far more suitable schemes for those in need of short-term credit and commits to further promote the activities of Sheffield Credit Union;
- (g) notes the excellent campaign by Paul Blomfield MP in proposing Parliamentary legislation to regulate the activities of payday lenders and calls on all Sheffield MPs to support his bill;
- (h) praises the University of Sheffield for banning payday loan companies from advertising on campus;
- (i) further supports other campaigns about payday loans including Unite the Union's 'Stop the sharks' campaign and Labour Student's campaign to tackle payday loan companies targeting students; and
- (j) commits to reviewing advertising policy on Council sites to look to exclude payday loan advertising.

14. NOTICE OF MOTION GIVEN BY COUNCILLOR BOB JOHNSON

That this Council:

- (a) is concerned that youth unemployment has edged towards a million, increasing by 15,000 on the quarter, to 974,000;
- (b) regrets that the Deputy Prime Minister's flagship Youth Contract has paid out for less than 4,700 placements for its target group of 18- to 24-year-olds who have been out of work for more than six months;
- (c) supports efforts by the present Administration through the Sheffield

Apprenticeship Programme, however, regrets that this local action is not backed up by national action from the Government;

- (d) is concerned that long-term unemployment continues to rise and the number of people out of work for more than twelve months increased on the quarter to 909,000;
- (e) regrets that more than half of the long-term unemployed have been out of work for more than two years, with 474,000 people being unemployed for more than two years, its highest level since June 1997;
- (f) believes that long-term unemployment is spiralling out of control because the Government's Work Programme has underperformed;
- (g) believes that the country urgently needs a real plan to get Britain back to work on a national level and supports Labour's Compulsory Jobs Guarantee, to get anyone locked out of employment for more than two years into a real paying job which they would be required to take;
- (h) is concerned that Remploy, Sharrow Industries and other vulnerable groups of workers, for instance, have suffered disproportionately due to Government cuts; and
- (i) is committed to assisting disabled people in employment and recognises that, wherever possible, through the Council's procurement and commissioning processes, opportunities for these workers should be sought and bidders should evidence how they can assist the Council in achieving this goal and securing employment and support for these vulnerable workers.

15. NOTICE OF MOTION GIVEN BY COUNCILLOR IAN AUCKLAND

That this Council:

- (a) is delighted that the 2014 Tour de France Grand Départ will take place in "God's Own County" and will conclude its Yorkshire phase in Sheffield;
- (b) hopes the event will inspire hundreds of Sheffielders – young and old – to get out of their houses and onto their bikes;
- (c) therefore, welcomes news that the Liberal Democrats in Government have secured £5 million to improve cycle routes in the Peak District;
- (d) believes record investment in cycle infrastructure is yet another

demonstration of the Liberal Democrats' commitment in Government to building a stronger economy and a fairer society;

- (e) however, regrets that Sheffield City Council failed to submit a bid to the separate £77 million fund targeted at urban areas, which could have supported cyclists in the city-centre;
- (f) understands from local cyclists that numerous schemes could have been progressed had the Council been prepared for such a process and notes that in other cities the fund is being used to pursue new cycle lanes and 20 mph zones;
- (g) regrets that city-centre cyclists are now losing out as a result of the Administration's lack of preparation or sheer incompetence; and
- (h) calls upon the Administration to develop a rolling list of priorities to ensure that future opportunities are not missed.

16. NOTICE OF MOTION GIVEN BY COUNCILLOR JACK SCOTT

That this Council:

- (a) notes that August 2013 marked the first year of the Streets Ahead Project, secured by the previous Labour Administration and the previous Government;
- (b) believes that the main opposition group have tried to erroneously claim that the Project was secured by the present Government when in fact all they have done is continue the previous Government's plans and regrets that the smallest opposition group have criticised the Project;
- (c) continues to fully support the Project, which has delivered the following achievements during the first year;
 - (i) resurfaced roads and pavements: 185 miles;
 - (ii) street light upgrades: 4,000;
 - (iii) energy saved from new street lights: 40%;
 - (iv) street cleaning litter collected: 75 tonnes per week – the equivalent weight of nine double decker buses;
 - (v) grass cutting: more than 2.8 million square metres of grass verges maintained each year – amount of grass cut equivalent to around 4,500 football pitches;
 - (vi) roadside drainage gullies cleaned: 63,500; and
 - (vii) distance travelled by city gritters last winter: Equivalent of five times around the world.
- (d) notes that the Project is on time and on budget;

- (e) welcomes that the scheme has directly created 282 new jobs including 29 apprentices and 15 graduate trainees, with hundreds more employed in the Project through suppliers; and
- (f) looks forward to seeing work start in Meadowhead, Woodseats, Beauchief and Hutcliffe Wood in September as the Project moves into its second year.

17. NOTICE OF MOTION GIVEN BY COUNCILLOR JACKIE DRAYTON

That this Council:

- a) believes that homophobic bullying is unacceptable and must be stamped out;
- b) welcomes that Stonewall has named the Council as one of the best authorities in the country for its ground-breaking work with schools to stamp out bullying against gay and lesbian youngsters, scoring it 91 per cent across its index;
- c) notes comments from Wes Streeting, Stonewall Head of Education “Sheffield City Council deserves enormous congratulations on securing a Top 10 place in Stonewall’s Education Equality Index. Homophobic bullying has a detrimental impact on the attendance, achievement and life chances of young people, so it’s fantastic to see the work of the Council highlighted through the Index to inspire others to take action to make schools a safe and supportive place to help all young people to achieve their potential.”;
- d) further notes that Sheffield City Council, in partnership with a host of other organisations, has been at the forefront of an anti-homophobic bullying charter – which a number of secondary schools have now signed up to, with more being urged to come forward and join; and
- e) thanks all the officers, schools, staff and young people who have worked hard for us to achieve this recognition.

18. NOTICE OF MOTION GIVEN BY COUNCILLOR ROBERT MURPHY

That this Council:

- (a) notes the presence of shale gas and coal bed methane in the Sheffield region;
- (b) notes the recent mass protests against shale gas drilling in both

Lancashire and West Sussex;

- (c) notes the controversy about both the supposed benefits of extracting on-shore gas resources and the local environmental impacts;
- (d) notes the recent evidence that 60-80% of world fossil fuel reserves need to be left in the ground if average global temperature rise is to remain within 2 degrees;
- (e) believes that there is also compelling evidence that UK shale gas and coal bed methane would form part of that 60-80%;
- (f) notes that the large amounts of water needed for hydraulic fracturing to extract shale gas (known as fracking) would reduce water supplies in this region, which are also threatened by the impact of climate change;
- (g) notes the well-documented risk of groundwater contamination as a result of fracking, which would exacerbate the pressure on water supplies and put residents at risk;
- (h) notes the unavoidable increase in noise, visual intrusion and air pollution from heavy traffic in communities close to fracking sites;
- (i) therefore welcomes the work of the Cabinet Member for Environment, Recycling and Streetscene in developing a Council policy on shale gas and coal bed methane extraction;
- (j) will seek to attract to the City appropriate funding for projects which increase energy efficiency, sustainability and self-sufficiency, stabilise energy bills, and create jobs in the green economy; and
- (k) directs officers to send a copy of this motion to the Secretary of State for Energy and Climate Change and the Minister of State for the Department for Energy and Climate Change and to all Sheffield MPs.

19. NOTICE OF MOTION GIVEN BY COUNCILLOR SHAFFAQ MOHAMMED

That this Council:

- (a) welcomes the recent High Court ruling that Barnet Council had acted unlawfully by driving up parking permit fees as a landmark victory for motorists;
- (b) notes that as a result of this Administration's budgets, parking permit charges have been hiked by up to 260% and that the Council looks set to pocket a £1.2 million surplus from the zones this year;

- (c) confirms that this hike has not only hit struggling families but also damaged small businesses across Sheffield;
- (d) recalls the decision of the main opposition group to oppose these hikes and regrets that the smallest opposition group failed to oppose the changes at the 2013/14 Special Budget Council meeting in March;
- (e) believes it is wrong for an administration to fleece local motorists to pay for their own political pet projects; and
- (f) calls for an immediate review of parking permit charges in light of the recent High Court ruling.

20. NOTICE OF MOTION GIVEN BY COUNCILLOR NEALE GIBSON

That this Council:

- (a) calls upon Barclays Bank to reconsider their decision to withdraw the accounts it holds for UK money-transfer firms, something that is believed will negatively affect thousands of people and businesses across the City, particularly ethnic minority communities;
- (b) notes that in Sheffield it will particularly affect the large number of families from Somaliland and the decision will also impact the wider international community, because this vital function allows money-transfer firms to send funds from the UK to places like the Indian subcontinent and Africa;
- (c) further notes that remittance flows play an important role in providing direct support to families and poverty alleviation and local business traders are therefore concerned that this decision may lead to closure of these companies, which provide a vital service;
- (d) is also concerned that the market for money-transfer will be limited to a handful of companies causing fees to rise, resulting in decreases of remittances and at worst drive remittance giving underground;
- (e) believes that whilst it is right for Barclays to undertake reviews of its anti-money laundering and counter-terrorism policies and take action against such activities, the criteria with which Barclays has decided to withdraw its accounts is unclear and further believes that Barclays needs to ensure it considers the wider value and contribution of money-transfer agencies to ethnic minority communities in Sheffield and across the country, as well as the economy of the UK and developing countries; and

- (f) urges Barclays to consider delaying the withdrawal of these accounts for an extended period of at least 6 months, while alternative solutions are sought.

21. NOTICE OF MOTION GIVEN BY COUNCILLOR ANDREW SANGAR

That this Council:

- (a) notes the proposed changes to Sheffield bus routes recently published by the Sheffield Bus Partnership; and
- (b) regrets that the consultation was held over the summer holidays, a principle which was slammed by the Cabinet Member for Communities and Inclusion as 'ridiculous'.



Chief Executive

Dated this 29th day of August 2013

The next ordinary meeting of the Council will be held on 2 October 2013 at the Town Hall

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

New standards arrangements were introduced by the Localism Act 2011. The new regime made changes to the way that members' interests are registered and declared.

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.

Under the Council's Code of Conduct, members must act in accordance with the Seven Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership), including the principle of honesty, which says that 'holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest'.

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.

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, and has been published on the Council's website as a downloadable document at [-http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests](http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests)

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 Standards Committee in relation to a request for dispensation.

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

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Agenda Item 3

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 3 July 2013, at 2.00 pm, pursuant to notice duly given and Summonses duly served.

PRESENT

THE LORD MAYOR (Councillor Vickie Priestley)
THE DEPUTY LORD MAYOR (Councillor Peter Rippon)

1	<i>Arbourthorne Ward</i> Julie Dore John Robson Jack Scott	10	<i>Dore & Totley Ward</i> Joe Otten Colin Ross	19	<i>Mosborough Ward</i> David Barker Isobel Bowler Tony Downing
2	<i>Beauchief & Greenhill Ward</i> Simon Clement-Jones Roy Munn Clive Skelton	11	<i>East Ecclesfield Ward</i> Garry Weatherall Steve Wilson Joyce Wright	20	<i>Nether Edge Ward</i> Nikki Bond Anders Hanson Qurban Hussain
3	<i>Beighton Ward</i> Helen Mirfin-Boukouris Chris Rosling-Josephs Ian Saunders	12	<i>Ecclesall Ward</i> Penny Baker Roger Davison Diana Stimely	21	<i>Richmond Ward</i> John Campbell Martin Lawton Lynn Rooney
4	<i>Birley Ward</i> Denise Fox Bryan Lodge Karen McGowan	13	<i>Firth Park Ward</i> Sheila Constance Alan Law Chris Weldon	22	<i>Shiregreen & Brightside Ward</i> Peter Price Sioned-Mair Richards Peter Rippon
5	<i>Broomhill Ward</i> Jayne Dunn Shaffaq Mohammed Stuart Wattam	14	<i>Fulwood Ward</i> Sue Alston Andrew Sangar Cliff Woodcraft	23	<i>Southey Ward</i> Leigh Bramall Tony Damms Gill Furniss
6	<i>Burngreave Ward</i> Jackie Drayton Ibrar Hussain Talib Hussain	15	<i>Gleadless Valley Ward</i> Steve Jones Cate McDonald Tim Rippon	24	<i>Stannington Ward</i> David Baker Katie Condliffe Vickie Priestley
7	<i>Central Ward</i> Mohammad Maroof Robert Murphy	16	<i>Graves Park Ward</i> Ian Auckland Bob McCann Denise Reaney	25	<i>Stockbridge & Upper Don Ward</i> Richard Crowther Philip Wood
8	<i>Crookes Ward</i> Rob Frost Geoff Smith	17	<i>Hillsborough Ward</i> Janet Bragg Bob Johnson George Lindars-Hammond	26	<i>Walkey Ward</i> Ben Curran Neale Gibson Nikki Sharpe
9	<i>Darnall Ward</i> Mazher Iqbal Mary Lea	18	<i>Manor Castle Ward</i> Jenny Armstrong Terry Fox Pat Midgley	27	<i>West Ecclesfield Ward</i> Trevor Bagshaw Adam Hurst Alf Meade
				28	<i>Woodhouse Ward</i> Mick Rooney Jackie Satur Ray Satur

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Sylvia Anginotti, Alison Brelsford, Jillian Creasy, Harry Harpham and Keith Hill.

2. DECLARATIONS OF INTEREST

Councillor Diana Stimely declared a personal interest in item number 14 on the Council Summons (Notice of Motion concerning Sheffield Castle) as a member of the Friends of Sheffield Castle Committee.

Councillor Terry Fox declared a disclosable pecuniary interest in item number 11 on the Council Summons (Notice of Motion concerning energy) because of his employment by NACODS, the National Association of Colliery Overmen, Deputies and Shotfirers.

Councillor Denise Fox declared a personal interest in item number 11 on the Council Summons (Notice of Motion concerning energy) on the grounds of her spouse's employment.

3. MINUTES OF PREVIOUS COUNCIL MEETING

The minutes of the meeting of the Council held on 5 June 2013 were approved as a correct record.

4. PUBLIC QUESTIONS AND PETITIONS AND OTHER COMMUNICATIONS

4.1 Communications

The Lord Mayor (Councillor Vickie Priestley) made a statement concerning the Council's policy on the recording of its meetings, as follows:

"I wish to make a statement with regard to the Council's policy on the recording of its meetings, as this matter has been the subject of publicity over recent weeks following the issuing of guidance by the Secretary of State for Communities and Local Government. The Council's policy does permit the use of television cameras and recording equipment at the discretion of the Chair of the meeting, and this shall generally be permitted provided adequate notice has been given and convenient arrangements can be made. No request for permission to record has been made for this meeting. However, in the event that the public gallery is full, the proceedings of the meeting will be transmitted in audio format to the overspill area in the Reception Rooms to enable members of the public to hear the proceedings."

The Council noted the statement and that a meeting of the Corporate Members' Group would consider the matter further at its next meeting.

4.2 Petitions

(a) Petition Opposing the Closure of The Meadows Nursery and Children's Centre

The Council received a petition, containing 406 signatures, opposing the proposed closure of The Meadows Nursery and Children's Centre.

On behalf of the petitioners, Lisa Stringfellow addressed the Council. She stated she was distressed to find that Meadows Nursery was closing. Her son had suspected autism and that it would be difficult to find another placement. She said that funding should be found to enable the nursery to continue. It was felt that the affected parents had been informed at the last moment. She suggested that Water Meadows School take on the management of the nursery.

The Council referred the petition to Councillor Jackie Drayton, the Cabinet Member for Children, Young People and Families. Councillor Drayton thanked the petitioners for bringing the matter to Council. She said that she was sorry that the circumstances were upsetting and that the questioner had only found out at short notice about a place which they thought was available to her son.

Action for Children felt unable to continue to run childcare at Meadows Nursery. The Council had been working with Water Meadows School to see whether it would be able to provide provision for 2 year olds. The School had decided that they would not be able to provide such a service. The Council was doing everything it could to make sure every child has a nursery place somewhere, although it was not able to promise a place at Meadows Nursery. The Council had to find a large amount of savings in early year's provision as the Government had reduced the funding available. Services for the most vulnerable had been protected. However, it was not possible to provide funding for all childcare. The Council would continue to ensure places for early learning for children.

(b) Petition Regarding the HGV Ban on Bocking Lane

The Council received a petition containing 16 signatures regarding the consultation process relating to the proposed alterations to the HGV (Heavy Goods Vehicle) ban on Bocking Lane.

On behalf of the petitioners, Ken Newton addressed the Council. He stated that residents had been given 8 days' notice in which to prepare a case concerning the alteration of the restrictions to HGV vehicles on Bocking Lane and he felt, therefore that people had received unfair treatment from the Council's Cabinet Highways Committee. He was advised that the Committee decision could be called in through the scrutiny process, although local Councillors had not been able to meet the deadline to request such a call-in. Bocking Lane was a Class C road and 20,000 vehicles had been recorded in a 12 hour period. In relation to the restriction on HGVs, he asked if the Council would evaluate the operation of enforcement in two years' time. He stated that he believed that the vast majority of residents were against the lifting of the restrictions on HGV's.

The Council referred the petition to Councillor Leigh Bramall, the Cabinet Member for Business, Skills and Development. He stated that an indicative decision had been made 8 months' ago and the relevant Traffic Regulation Order had also been made a considerable time before the 8 days to which the petitioners referred.

The issue had received scrutiny over a number of years and the matter had not been referred to the relevant scrutiny committee by the call-in process. Councillor Bramall stated that he understood that the petitioners might not be happy about the decision and acknowledged that it was a difficult decision for the Cabinet Highways Committee to make and one which had to balance different factors. The decision had to be made in the interests of all parties.

(c) Petition Opposing the Closure of Don Valley Stadium

The Council received an electronic petition containing 1049 signatures, opposing the closure of Don Valley Stadium.

On behalf of the petitioners, Christina Wright addressed the Council. She referred to the decision to close the Stadium, which was the third largest athletics stadium in the United Kingdom. In taking away the facilities offered by the Stadium, there would be a reduction in accessibility and inspiration for sport. The Stadium was a unique facility and had grown to become a source of pride and home grown sporting talent. Although the Council needed to save money, it would also lose an opportunity to promote the City as a place for athletes to train. Further use of the facilities would also create income and it would be sad to miss out the opportunities which the Stadium presented.

The Council referred the petition to Councillor Isobel Bowler, the Cabinet Member for Culture, Sport and Leisure. Councillor Bowler stated that she agreed with the petitioner in relation to the special character of the City, which included places that were unusual and unexpected. The Don Valley Stadium was a great resource. However, there was a lack of major events coming to the Stadium, especially music events as event organisers preferred arenas and festivals. Some athletics events were going to other cities with new stadia, for example, London and Glasgow.

Sheffield did continue to attract events at the English Institute of Sport (EIS), Ponds Forge and the Arena, which were all driving activity through the City's venues. As regards training, the EIS provided indoor facilities that were of an international standard. Woodburn Road Stadium would be re-opened with funding from Sport England and with the support of local athletics clubs. The closure of the Don Valley Stadium was in the context of the many significant savings which the Council was required to make and the alternative to closure of the Stadium included closure of several other facilities. She considered that most people would understand the closure of Don Valley Stadium in the context of other alternative savings and the alternative facilities at Woodburn Road.

Don Valley Stadium would also have needed capital expenditure. The Council

was moving to facilities with lower levels of revenue support. £300K was to be invested in Woodburn Road, a facility which would cost £70K per annum to keep open and would be run on the Council's behalf by an athletics club.

(d) Petitions Opposing the Bedroom Tax

The Council received two petitions on the subject of the 'bedroom tax', as follows:

- (i) an electronic and paper petition containing 2194 signatures opposing the bedroom tax.
- (ii) an electronic petition containing 8 signatures opposing the bedroom tax.

In respect of the first petition, and on behalf of the petitioners, Gareth Lane addressed the Council. He stated that he believed the bedroom tax to be a 'wicked and vindictive' tax, which would affect the poorest and most vulnerable members of the community. He said that the austerity agenda was supported by all three of the major political parties. He referred to people having attended court hearings and having felt criminalised and threatened.

It was requested that the Council defend people by refusing to evict people and re-designating bedrooms and that councillors who wished to join the campaign by the benefits justice campaign would be welcome.

There was no speaker to the second petition.

The Council referred the petitions to the Leader of the Council, Councillor Julie Dore. She thanked the petitioners and said that she understood that this was an emotive issue for people. She explained that Councillor Harry Harpham, the Cabinet Member for Homes and Neighbourhoods, had given his apologies for this meeting of the Council because he was at the Local Government Association, to attend a meeting concerning funding cuts to local government. Councillor Dore explained that a letter from 150 council leaders had been sent to the Government stating that local government could not sustain further funding cuts.

In relation to the bedroom tax, the Government had written to the Council, stating that it could not redesignate bedrooms and the consequence of such action would be a further reduction in funding. The rules relating to Housing Benefit were set by the Government and people claiming Housing Benefit had been told that, if they lived in a property with a spare bedroom, they could not claim benefit in respect of it. This included cases such as families whose son or daughter was in the armed forces and parents who looked after their children at home part of the time. Councillor Dore stated that the introduction of the bedroom tax would not actually save money and affected many people who were in work but on low incomes.

In reference to the issuing of court summons, Councillor Dore stated that summons had been issued but in respect of Council Tax.

Whilst it was not permitted to re-designate rooms, the Council was finding ways

to make it easier for people who were affected by the changes to welfare. This included access to affordable finance and the use of funding set aside by the Council to support the recommendations of the Fairness Commission. The Council had challenged the Government about the bedroom tax and funding cuts to local government which it was believed were unnecessary. Other councils, including Conservative and Liberal Democrat authorities, were also challenging the cuts. However, the Deputy Prime Minister did not agree with the Council on these matters. Councillor Dore reiterated, this was Government policy.

(e) Petition Regarding the Youth Worker at Woodthorpe Youth Club

The Council received a petition containing 203 signatures and regarding the Youth Worker at Woodthorpe Youth Club.

On behalf of the petitioners, Chris Smedley addressed the Council. She stated that the Woodthorpe Youth Club has closed because there was not a Youth Worker. The worker concerned had been doing the job for many years, but it had been decided now that she was not qualified.

The Council referred the petition to Councillor Jackie Drayton, the Cabinet Member for Children, Young People and Families. Councillor Drayton stated that she was aware that people locally felt strongly about the Youth Worker and Sheffield Futures had good words to say about her and in relation to her contribution to the Youth Club and the local community.

Sheffield Futures was a registered charity and the Council did not have a legal right to appoint or remove workers at Sheffield Futures. Councillor Drayton said that it was her understanding that the worker concerned did not want her personal circumstances brought into the public arena. It was also her understanding that the worker concerned was not removed or sacked, but that there had been a valid recruitment process.

The Club was closed at the present time because of the actions of some people in the community and the Council and Sheffield Futures were to work with young people who use the club to enable a proper programme to be in place and available for young people in the area.

(f) Petition Objecting to the Lack of Car Parking Provision in Batemoor

The Council received a petition containing 196 signatures, objecting to the lack of car parking provision in Batemoor.

On behalf of the petitioners, David Hoad addressed the Council. He stated that currently parking in Batemoor presented a dangerous situation, especially for children and older people and the Tenants and Residents Association had been asked to press for improvements to parking provision. Mr Hoad made reference to a potential solution, in relation to which the Council and its highways provider partner Amey, had been made aware and asked that the Council listen to the wishes of local people regarding the provision of more parking.

The Council referred the petition to Councillor Leigh Bramall, the Cabinet Member for Business, Skills and Development. Councillor Bramall stated that he was not familiar with the scheme to which Mr Hoad referred. He outlined the process previously followed concerning highways schemes which went through the Community Assembly and a related assessment and prioritisation. He added that the funding available through the Local Transport Plan was limited. Councillor Bramall undertook to look at the situation outlined by the petition and to provide a written response to the petition.

(g) Petition Requesting the Use of Land as a Children's Play Area and/or Allotments

The Council received a petition containing 77 signatures and requesting the use of land backing onto 156 Warminster Road as a children's play area and/or allotments.

On behalf of the petitioners, Glyn Hannan addressed the Council. He requested that the community be given permission to develop a piece of land which had been unused for 38 years and which backed onto 156 Warminster Road (Norton Hall residential home). The potential uses for the land included a children's play area and allotments for people in the immediate area. At present, the City Council owned the land. There was concern at the present condition of the land, including the high incidence of dog fouling.

The Council referred the petition to Councillor Jack Scott, the Cabinet Member for Environment, Recycling and Streetscene. Councillor Scott stated that he was aware of the piece of land to which the petition referred and that Council officers were examining options, including the development of allotments, for which there was a high demand in the area. He agreed that the site was an asset and leaving it vacant was not a good use of the land. Councillor Scott confirmed that the Council would continue to work with the local community and the Tenants and Residents Association to develop options for the site.

(h) Petition Regarding the Future of Ecclesall Library

The Council received a petition containing 52 signatures, regarding the future of Ecclesall Library.

On behalf of the petitioners, David Kirkham addressed the Council. He stated that Ecclesall Library was the best used branch library in the City and there was a need for the library service to be provided which was publically funded and with professional staff. He stated that libraries should not be handed over to trusts or cliques as it would remove them from the public interest and any potential failure would be the responsibility of the said trust.

The Council referred the petition to Council Mazher Iqbal, Cabinet Member for Communities and Inclusion.

(i) Petition Opposing the Withdrawal of Funding from Community Libraries

The Council received a petition containing 504 signatures and opposing the proposed withdrawal of funding from community libraries.

On behalf of the petitioners, Chaz Lockett addressed the Council. He referred to the Council savings, which would lead to a cut in funding for 14 of the City's libraries. He stated that the criteria upon which libraries would be judged were not yet known and there was concern about the process for the registration of expressions of interest in supporting the running of libraries.

He said there were reasons why people needed libraries and the knowledge which was available on the internet did not broaden the mind to the same extent as would reading a book. There were an array of events which took place in libraries and libraries were especially relevant to children and young people. One third of households did not have access to the internet and this proportion was seventy per cent for households in social housing. Libraries represented a vital service for internet access and information.

He believed that libraries could not be run by volunteers and that highly trained professional staff were required. He commented that staff in libraries had been told that they should not discuss funding cuts to libraries. He also stated that the Council and other Labour controlled local authorities should stand up for communities, especially those in the north of the Country, to oppose Government funding cuts.

The Council referred the petition to Councillor Mazher Iqbal, the Cabinet Member for Communities and Inclusion.

In response to both of the petitions submitted concerning libraries, Councillor Iqbal thanked the petitioners for presenting the petitions to the Council. He commented that he had met Mr Kirkham recently at an Ecclesall Forum event and had also met Mr Lockett. The Council had written to Government Ministers to highlight the unfairness of funding cuts and he also referred to the Fair Deal for Sheffield petition which had received over ten thousand signatures and to the funding cuts to the Council, which were unprecedented.

The Council wished to keep libraries in the City open, but the scale of funding cuts had led it to present a call for action to consider the future sustainability of libraries, working with the voluntary and business sectors and residents. 27 responses were received, 18 of which were from the voluntary sector, 6 from individual organisations, 2 from private organisations and 1 from a parish council.

There were 6,000 responses to consultation during the summer of 2012, which was designed to look at new ways of providing library services. Councillor Iqbal stated that a different model was needed in order to bring about a viable and sustainable library service and a further timetable in relation to the review would be confirmed in due course.

4.3 Public Questions

(a) Public question concerning changes to benefits

Dawn Saunders asked: what was the Council doing about the number of smaller one or two bedroom properties available for people who were facing eviction from larger properties to avoid people being made homeless.

Shirley Frost asked, if the Coalition Government could not be trusted to protect the poor and vulnerable, who will? She referred to hearings in the Magistrates' Court relating to Council Tax and to help she had given to people who were defending themselves against the Summons for Council Tax and she drew attention to people with health conditions, such as those with mental health needs, who were especially affected. She also asked the Council to consider issues including equalities, disability discrimination, its duty of care and the human consequences of changes to benefits. She requested a written answer to her question.

Lesley Boulton asked, in relation to the bedroom tax and Council Tax, was the Council intending to summons people and why were the public denied access to the Court?

Sue Wild asked why the Council was stating that, in relation to the bedroom tax, it would be illegal for it to oppose the Government. She stated that this was also the case in relation to the Poll Tax and people did go to prison at that time. She asked why the Council could not stand up and say that they will not introduce the tax.

Geoffrey Turner asked how does the Council's policy of threats of eviction for some of the most disadvantaged people of Sheffield align with its Labour principles.

Jane Williamson asked how the Council could justify continuing to impose the bedroom tax on vulnerable tenants and stated that if people were evicted as a result, it would be the Council's policy, rather than Government policy.

Paul Page asked, in relation to the non-payment of Council Tax, what made the Council issue summons to people who were already poor, to force them to travel into town, rather than look at each case individually.

Margaret Stone asked what estimates have the Council made of the number of people who are likely to be evicted from their council house due to the bedroom tax and the reduction in Council Tax Benefit and cuts to other benefits. She referred particularly to the effect on children, people with poor mental health and people who are mentally or physically disabled. She asked what does the Council expect to do to help those people.

Rob Lowe referred to the past campaigning in opposition to the Poll Tax and said if people stood up, it could make a difference and that was precisely what the Council's Labour Group should be doing. He stated that the Council should follow the example of Leeds City Council and try to re-classify bedrooms. He stated that the bedroom tax contravened the European Convention on Human Rights and this should be explored and the tax challenged on this basis. He stated that the

only way to stop poverty was to adopt socialism.

In response, Councillor Julie Dore, the Leader of the Council, stated that she had been part of the campaign relating to opposition to the Poll Tax, like many of her colleagues. The Poll Tax affected everybody and the campaign against it was effective. In contrast, the bedroom tax affected only a comparatively small number of people. The Government was hitting the poorest people and those who were least able to fight back themselves.

The law had changed as well and, if the Council did not set a balanced budget, the Chief Executive would take over and Whitehall would do the work on the Council's behalf relating to the budget.

Councillor Dore stated that the policy of the bedroom tax was a Government decision, which the Council could not overturn. The Council had previously received petitions and representations relating to Don Valley Stadium, libraries, youth work and childcare and there was concern that there would not be enough funding available to protect older and disabled people. The Council was trying to support people through the Social Fund; discretionary housing payments; the Council Tax Support fund; and initiatives funded by money set aside to implement the recommendations of the Fairness Commission, including affordable finance and extension of the credit union to enable access to money. The Council had made 300 opportunities available for young people without level 2 qualifications through the apprenticeship programme and it had introduced a living wage for City Council employees.

The Council had to work with Government Ministers and recently a Minister had come to Sheffield to discuss issues including the Work Programme, which, at the present time was not working effectively; and advice services.

Councillor Dore stated that the Council did oppose the cuts to its funding and pointed out that people's vote did count and they would have an opportunity to vote in the General Election in 2015.

Councillor Bryan Lodge, the Cabinet Member for Finance and Resources, stated that 35,000 people in the City would be required to pay Council Tax this year for the first time. Reminders had been sent out and Council officers had worked with people who were affected by the changes. A Hardship Fund had been set up and the Council was not pursuing people who had applied for access to the fund and would continue to support people.

The Council needed to collect Council Tax and the Government was not providing a transitional payment this year. All local authorities were in the same position and this was a Government policy decision. The Council had developed a scheme relating to Council Tax which looked forward. 6,000 people faced summons and on the day of their hearing, some people spoke with Council officers to resolve the matter. The issues concerning public access to the Magistrates' Court were a matter for the Court, although Councillor Lodge stated that he was enquiring with the Court in relation to the issue.

(b) Public questions concerning blacklisting by construction companies

Peter Davies asked if the Council agreed that companies such as Chrillion should have no part to play in public sector contracts when they are clearly guilty of blacklisting.

Simon Ray asked what guarantee the Council could give that it will not associate with blacklisting companies.

Mark Hudson asked if the Council would make a public statement regarding blacklisting.

Peter Shaw referred to a blacklisted construction worker who had to seek employment outside of the country as an electrical engineer. He stated that Kier had also blacklisted people in the United Kingdom. He also stated that Unite was campaigning against the practice of blacklisting, which affects people's lives and should be put to an end.

In response, Councillor Julie Dore, the Leader of the Council, stated that there was a Notice of Motion on the Council agenda relating to blacklisting. She said that the Council did not wish to be associated with blacklisting and that it was an unlawful practice. She confirmed that the Council did not wish to participate with contractors that practice anything which was unlawful. Councillor Dore stated that the Council had asked the Government to intervene in relation to blacklisting and had also written to local contractors. She also referred to a tripartite meeting, including the Council, contractors and trade unions, to ascertain that contractors did not carry out blacklisting. She called upon the Government to follow the Council's example on this issue.

(c) Public question concerning Libraries

Bridget Culbert asked when communities will found out about the expressions of interest in relation to the future of libraries given that this will affect the provision of the service and whether this issue should have been subject to full discussion earlier.

In response, Councillor Mazher Iqbal, the Cabinet Member for Communities and Inclusion, stated that there had been 27 responses in all to the invitation for expressions of interest in relation to the future of libraries. However, there was some sensitivity in relation to the negotiations that were taking place and further information could not be made available at this time. When further details were published, the list of the 27 organisations or individuals would be included within it.

(d) Public question concerning Remploy and Sharrow Industries

James Stribley asked whether the Council would agree that procurement tenders should include a paragraph stating that "bids should consider the Council's commitment to assisting Remploy and Sharrow Industries vulnerable workers"

He stated that this would assist workers in finding worthwhile paid employment. Bidders should evidence how they could assist the Council in this goal of securing employment and support for vulnerable workers.

In response, Councillor Bryan Lodge, the Cabinet Member for Finance and Resources, stated that the Council was looking at this issue and he agreed that it was right that the Council should try to include the wording as suggested by the question in the paragraph above. He stated that this would be implemented and included in tender documents.

(e) Public question concerning the living wage

Peter Davies stated that it was nearly one year since the City Council discussed the implementation of the living wage agreement and, so far, only one of the Council's partners, Amey, had agreed to implement the living wage and other partners had not. He asked what the Council was going to do.

Councillor Bryan Lodge, the Cabinet Member for Finance and Resources stated that there were a number of partners that had not implemented the living wage and that some contracts were subject to a re-tendering process, including services run by Kier Asset Partnership and homecare provision. He stated that a meeting was to be held which would include Council officers and trade unions to consider the re-tendering of contracts and consideration was to be given in relation to including references to the living wage within tender documentation.

(f) Public Question concerning the Children and Families Bill

Adam Butcher asked, with reference to the Children and Families Bill, what the impact would be on the position of people with a disability or those with special educational needs.

In response, Councillor Jackie Drayton, the Cabinet Member for Children, Young People and Families, stated that she had asked Council officers to provide her with a briefing in connection with the Children and Families Bill, and especially concerning the issues affecting young people with special educational needs. The Council had provided a response in relation to the Green Paper. Councillor Drayton stated that she would write to the questioner with further information.

(g) Public question concerning Judicial Review of Children's Centres

Hannah Gibbins asked how the decision in the High Court to go ahead with a full Judicial Review would impact upon the impending closure of Children's Centres and employee reductions in Children's Centres and Early Years' Services across the City.

In response, Councillor Jackie Drayton, the Cabinet Member for Children, Young People and Families, stated that the Council intended to fully defend the application for Judicial Review in this case and it was important that the Council plans could proceed. At present, there was nothing legally which prevented the Council from implementing the decision. A report updating Members would be

presented to the Children, Young People and Families Scrutiny Committee on 4 July 2013. The Council was continuing monitor and support those organisations involved and affected by the Government budget cuts and also continuing to ensure that it fulfilled its statutory duties.

(h) Public question concerning Sustainable Communities Act

Vicky Seddon stated that Sheffield had committed itself to take part in the next process of the Sustainable Communities Act and was one of the first councils to do so, with cross party support. Last time, the Council used the Citizen's Panel as a mechanism to agree with people what proposals to make. She asked what process and formula would be used this time and had any decisions been made already on what suggestions would be put into the process.

In response, Councillor Mazher Iqbal, the Cabinet Member for Communities and Inclusion, stated that the Sustainable Communities Act provided a way of challenging barriers that have an impact on local communities. The work previously undertaken relating to the Act was resource intensive in terms of the process which generated proposals to submit to the Government. However, the Council had lost 1,200 staff over the past 2 years and more staff would be lost this year. The Council therefore had to be realistic in relation to the second round of the Sustainable Communities Act. A Cabinet report would be produced, which would consider both the benefits and resources required.

(i) Public question concerning Burngreave New Deal for Communities and South Yorkshire Trading Standards

Martin Brighton referred to instances of incidents that had been years in the making, for example, the 'missing millions' of Burngreave New Deal for Communities or the South Yorkshire Trading Standards Unit. He asked what would the response be should an independent observer comment that the [Council's] current Chief Executive officer was handed a 'poisoned chalice'?

In response, Councillor Julie Dore, the Leader of the Council, stated that Mr Brighton had made an assertion regarding 'missing millions' and the Burngreave New Deal for Communities and the Chief Executive would have to answer for himself whether he thought he had been handed a 'poisoned chalice' as Mr Brighton had referred to it.

(j) Public questions concerning city centre shopping

Martin Brighton referred to Sheffield having dropped out of the top fifty places in the Country for having a good city centre shopping experience, to 63rd place. He asked, to what extent would the Council say this situation was a legacy of a decade ago?

In response, Councillor Leigh Bramall, the Cabinet Member for Business, Skills and Development, stated that it was disappointing that the City had dropped down the table in terms of the range of retail to which Mr Brighton referred. In terms of actual spend in the City Centre, Sheffield was in 27th place. He stated

that Council was working to achieve improvements.

Councillor Bramall stated that he assumed the question was referring to the development of a retail quarter in the City Centre, which, he believed was the right thing to do for the City Centre. However, there had been a number of factors which contributed to delays, including the high number of small properties which had to be assimilated in to the site, associated planning applications, the global economic crisis and the cancellation of the grant for the scheme by the Government. The economic crisis was a main factor.

However, developments were moving forward, for example on the Moor, which was leading to significant improvement and the situation relating to the New Retail Quarter was close to a resolution and the Council was committed to deliver a scheme, either through the developer Hammersons or in another way.

(k) Public questions concerning policy and procedure relating to reported abuse of adults

Martin Brighton made reference to the Council's policy and procedure for dealing with reported abuse of adults. He asked for an explanation of how the procedure is circulated to all elected Members and officers; how the procedure is applied and its use monitored and how errant officers or elected members are brought into line.

Councillor Mary Lea, the Cabinet Member for Health, Care and Independent Living responded that the procedures for dealing with reported abuse of adults were available on the Council's website and on its intranet and included awareness for employees who were in regular contact with vulnerable adults. Training was available to Councillors regarding the application of safeguarding procedures in conjunction with Sheffield's Safeguarding Office.

A report on the operation of these procedures was submitted to the Healthier Communities and Adult Social Care Scrutiny Committee and individual cases were monitored through the Safeguarding Office and the Safeguarding Partnership Board, which was the responsible body. Councillor Lea stated that she was a member of the Partnership Board. If Members or officers did not adhere to the policy and procedure, they were subject to actions ranging from and including awareness training, and examination of their support needs. It was also a potential disciplinary issue within the conduct and disciplinary procedures of the City Council

(l) Public question concerning accountability

Martin Brighton stated that, last month, a question was asked about how officers and elected Members are held to account for repeated and costly mistakes. The politicians answer, quite reasonably, was that accountability was by the ballot box. However, he stated, if costly mistakes are repeatedly being made, leadership is called for, and the errant officers and elected members need timely correction so as to prevent further losses to the taxpayer. He asked, how is this achieved.

Councillor Julie Dore, the Leader of the Council responded that, previously, conduct was a matter for the Standards Board for England and local Standards Committee and that the Council also now had a complaints process through which Councillor could be called to account in relation to their conduct. The Council also had a complaints procedure and a disciplinary and supervisory process.

(m) Public question concerning sanctions

Martin Brighton stated that, if a citizen makes untrue statements about an elected member or an officer, that citizen is rightly rebuked by the Council, with threat of sanctions. He asked, what are the sanctions applied to elected members or officers who make untrue statements about a citizen?

Councillor Julie Dore, the Leader of the Council responded that sanctions were applied in accordance with the procedures referred to above and depending upon the level and severity of matter.

(n) Public question concerning licensing charges

Martin Brighton asked: what is the Council's estimate of the extent of its exposure to financial compensation to local businesses consequent upon the recent court case showing that local authorities have been overcharging for alcohol and other licences.

Councillor Isobel Bowler, the Cabinet Member for Culture, Sport and Leisure, responded that an article had been published in the Sheffield Star concerning Westminster Council and that it was unlawful for a local authority to make a profit from charges applied to licensing. Fees could pay for the costs of licensing, including enforcement. Westminster Council were reported as having failed to discharge this responsibility correctly. Most local authorities, it was suggested, were not like the case of Westminster, where there were particular circumstances and difficulties. The advice from the Council's legal and licensing officers was that the Council would be able to defend its position in relation to licensing fees.

(o) Public questions concerning outsourcing

Nigel Slack referred to two questions which he had asked at a meeting of the Council's Cabinet on 19 June 2013 and to concerns that the responses made by respective Cabinet Members were at least uninformative and at worst patronising and belittling. He stated that he was not satisfied with the tone and quality of the responses given.

Mr Slack gave further detail of the issues he raised and what he was hoping for from the responses. Firstly, in relation to Amey:

- The two articles he referred to quoted a letter from Amey to some of their staff.
- Was this letter sent out?

- Does it quote potential losses in the first year of £540,000?
- Why do this level of losses imply a “major financial risk” and what does that mean for the project and the city?
- Will the redeployment of 22 staff be local or will they be offered jobs away from the area to encourage voluntary redundancy, thereby avoiding the taint of compulsory redundancy?

Secondly, in relation to Capita:

- Are they busting their profit cap of 10%? Open book accounting should enable you to know this.
- Since the company’s accounts clearly show a disconnect between the rewards for front line and senior management, is this company ethically suitable to hold any future contracts with this City?
- If you are unsure about what is ethically acceptable in this arena, should you be starting a discussion on a policy decision that you all agree on and that will also give the public confidence?

Councillor Jack Scott, the Cabinet Member for Environment, Recycling and Streetscene, responded that he was sorry that Mr Slack did not feel that the questions which he had submitted had been answered. He stated that it would be normal to assume that losses made in the early years of a contract would be made up in later years. Importantly, the outcomes that the Council purchased would not be affected. The City Council would carry the risks if Amey were not to carry the risk. Every month, Amey had replaced 1000 street lights, whereas previously, Streetforce had replaced 200 each year.

There were positive relationships with staff and the scale of the work being undertaken in the Streets Ahead project meant there had been no compulsory redundancies. The work had created 30 apprenticeships, 230 jobs and a further 500 jobs as part of the supply chain. Councillor Scott stated that he was proud of the work being undertaken.

Councillor Bryan Lodge, the Cabinet Member for Finance and Resources, stated with regard to information concerning the turnover and profit of Capita, he believed that a factual response was provided to Mr Slack’s questions to Cabinet on 19 June. The profit which Capita made in relation to Sheffield did not exceed the 10 per cent margin, to which he had referred. In relation to ethical conduct, it could be argued that Capita had higher standards than some other companies. The Council had a process for tendering and criteria upon which submitted tenders would be judged. The Council could look at providers who potentially offered improved remuneration to front line staff, for example. However, it had to consider contracts as a whole and in terms of what was best for Sheffield.

(p) Public question concerning Jessops Edwardian Wing

Nigel Slack asked whether the Council was represented at the recent High Court hearing to decide on the potential Judicial Review concerning the planning decision to demolish the Grade 2 listed building known as the Jessops Edwardian Wing? If so how many of the 5 Barristers that appeared for the defendants were

paid for by the Council and what did it cost?

In response, Councillor Leigh Bramall, the Cabinet Member for Business, Skills and Development, stated that with regard to the application for Judicial Review of the decision concerning the Jessops Edwardian Wing, the Council had employed the services of a Queen's Counsel and a more junior representative. He understood the decision of the Court was to be appealed. At this time, he did not have the precise costs of representation. The costs which would be awarded to the Council amounted to £5000, which was the maximum and this reflected the initial ruling of the Judge that the planning application process was both proper and appropriate. If the Council made a decision and it is challenged, it is right that it is able to defend itself. Councillor Bramall stated that the Council would await the outcome of the appeal.

(q) Public question concerning Food Safety

Nigel Slack referred to a recent report on Channel 4 News that the Government has turned the sale of Bovine Tuberculosis contaminated meat into a near 30,000 carcass per year industry. He asked if the Council had enquired of its catering contractors whether they use such contaminated meat in schools or residential homes, or what assurances it had received that they do not.

Councillor Jack Scott Cabinet Member for Environment, Recycling and Streetscene, responded that the Council had investigated all food providers and the Red Tractor providers of food for schools in particular. Trading Standards checked supplies of meat. The Food Standards Agency, with which the Council had regular contact, had requested the Council to conduct specific tests and a range of other testing was carried out by the Council's Trading Standards and Food Safety Teams. In schools, the Council had suspended the serving of burgers and other meats as a precaution. In relation to food quality, the Council was to look again at the City's Food Plan.

5. MEMBERS' QUESTIONS

Urgent Business

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

Questions

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

South Yorkshire Joint Authorities

There were no questions relating to the discharge of the functions of the South

Yorkshire Joint Authorities for Fire and Rescue, Integrated Transport, Pensions or Police under the provisions of Council Procedure Rule 16.6 (i).

6. REPRESENTATION, DELEGATED AUTHORITY AND RELATED ISSUES

RESOLVED: On the Motion of Councillor Pat Midgley, seconded by Councillor Gill Furniss, that (a) approval be given to the following changes to the memberships of Boards, etc:-

- | | | |
|---|---|--|
| Children, Young People and Family Support Scrutiny and Policy Development Committee | - | Councillor Ian Saunders to replace Councillor Ray Satur |
| Economic and Environmental Wellbeing Scrutiny and Policy Development Committee | - | Remove Councillor Ian Saunders to create a vacancy |
| Standards Committee | - | Councillor Peter Price to fill a vacancy |
| Allotments and Leisure Gardens Advisory Group | - | Councillor Jillian Creasy to fill a vacancy |
| Sheffield Homes Board of Directors | - | Councillors Tony Damms and Karen McGowan to fill vacancies |
| East Area Housing Board | - | Councillor Ibrar Hussain to fill a vacancy |
| North Area Housing Board | - | Councillors Garry Weatherall and Alan Law to fill vacancies |
| North West Area Housing Board | - | Councillors Richard Crowther and Bob Johnson to fill vacancies |
| South East Area Housing Board | - | Councillors Denise Fox and Chris Rosling Josephs to fill vacancies |
| South West Area Housing Board | - | Councillor Denise Reaney to fill a vacancy |
| | - | Councillor Roy Munn to fill a vacancy |

(b) representatives to other bodies be appointed, as follows:-

- | | | |
|---|---|---|
| Local Government Association Rural Commission | - | Councillor Tony Damms to fill a vacancy |
| Sheffield City Trust Group | - | Councillor Neale Gibson to replace |

Finances and General Purposes Committee		Councillor David Barker
Sheffield International Venues Ltd – Board of Directors	-	Councillor Neale Gibson to replace Councillor Peter Price
Sheffield Media and Exhibition Centre Ltd – Directors and Members	-	Councillor Nikki Sharpe to replace Councillor Neale Gibson
Southey/Owlerton Regeneration Board	Area -	Councillors Sioned-Mair Richards and Peter Price to fill vacancies

(c) it be noted that, in accordance with the authority given by the City Council at its annual meeting held on 15th May 2013, the Chief Executive had authorised the following appointments:-

Corporate Joint Committee with Trade Unions		Cllrs Julie Dore, Isobel Bowler, Leigh Bramall, Jackie Drayton, Harry Harpham, Mazher Iqbal, Mary Lea, Ian Saunders and Jack Scott to fill vacancies
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Shadow Sheffield City Region Authority	-	Councillor Julie Dore to fill a vacancy
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7. NOTICE OF MOTION GIVEN BY COUNCILLOR LEIGH BRAMALL

European ‘Transition Regions’ Funding

It was moved by Councillor Leigh Bramall, seconded by Councillor Helen Mirfin-Boukouris, that this Council:-

- (a) notes that the European Union has agreed that parts of the UK should receive ‘Transition Regions’ funding, which would include funding for South Yorkshire, despite opposition from the Government;
- (b) is dismayed that despite ‘Transition’ status, South Yorkshire is set to see a massively disproportionate reduction in its allocation of EU funding of up to 66%, due to the Government’s plans to re-allocate funding to protect Scotland, Wales and Northern Ireland from “sudden and significant reductions”;
- (c) deplores Government plans to, in effect, take European funding away from South Yorkshire to give it to Scotland, Wales and Northern Ireland, particularly when Scotland and Northern Ireland have a higher Gross Value Added score;

- (d) believes it is completely indefensible to take money away from South Yorkshire which would be spent on helping people into work, offering more apprenticeships and training, reducing emissions, building flood defences and helping business to export more and benefit from new technologies, and welcomes action taken by South Yorkshire MPs and MEPs in campaigning against this move;
- (e) is concerned by reports that Government Ministers in charge of allocating the funds are considering giving a larger share of funding to the south of England than was allocated in the last funding round in 2007; and
- (f) regrets that this Government and the Deputy Prime Minister, The Rt. Hon. Nick Clegg MP, have yet again let Sheffield and South Yorkshire down and urges them to urgently reconsider these proposals and give South Yorkshire a fair deal.

Whereupon, it was moved by Councillor Ian Auckland, seconded by Councillor Joe Otten, as an amendment, that the Motion now submitted be amended by the deletion of all the words after the words "That this Council" and the substitution of the following words therefor:-

- (a) welcomes the relative rise in prosperity in South Yorkshire, which has seen the region re-designated as a 'transition region';
- (b) regrets that, under the agreement approved by the previous Government, transition region funding to South Yorkshire reduced by 87% over just four years, from €153 million in 2007 to just €20 million by 2011;
- (c) notes reports, that far from Labour politicians' claims, South Yorkshire will actually see an increase in transition region funding next year from €20 million to €23 million;
- (d) highlights that this increase in funding comes in addition to massive levels of investment by the Coalition Government in Sheffield City Region, including:
 - (i) unlocking hundreds of millions of pounds of investment through the City Deal;
 - (ii) over £100 million for local businesses through the Regional Growth Fund;
 - (iii) more than £18 million for the Sheffield City Region through the Growing Places Fund;
 - (iv) £1.2 billion to enable the Streets Ahead project to proceed;
 - (v) £10 million to construct a Sheffield University Technical College and

another £10 million towards the world's most advanced research factory; and

- (vi) millions of pounds invested in Sheffield's transport infrastructure including trams, train services and greener buses;
- (e) further notes that the Administration is yet to publish how it has spent an existing £13 million of European Regional Development Fund currently allocated to a South Yorkshire JESSICA Fund; and
- (f) is disappointed that yet again the Administration are playing fast and loose with the facts in a desperate attempt to deflect attention from their own failings.

On being put to the vote, the amendment was negatived.

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

- For the amendment (18) - Councillors Simon Clement-Jones, Shaffaq Mohammed, Rob Frost, Colin Ross, Joe Otten, Penny Baker, Diana Stimely, Roger Davison, Sue Alston, Andrew Sangar, Cliff Woodcraft, Denise Reaney, Ian Auckland, Bob McCann, Anders Hanson, Katie Condliffe, David Baker, and Trevor Bagshaw.
- Against the amendment (58) - The Deputy Lord Mayor (Cllr Peter Rippon) and Councillors Julie Dore, John Robson, Jack Scott, Roy Munn, Clive Skelton, Ian Saunders, Chris Rosling-Josephs, Helen Mirfin-Boukouris, Bryan Lodge, Denise Fox, Karen McGowan, Jayne Dunn, Stuart Wattam, Jackie Drayton, Ibrar Hussain, Talib Hussain, Mohammed Maroof, Geoff Smith, Mary Lea, Mazher Iqbal, Joyce Wright, Steven Wilson, Garry Weatherall, Sheila Constance, Chris Weldon, Alan Law, Steve Jones, Tim Rippon, Cate McDonald, George Lindars-Hammond, Robert Johnson, Janet Bragg, Pat Midgley, Jenny Armstrong, Terry Fox, Tony Downing, David Barker, Isobel Bowler, Nikki Bond, Qurban Hussain, Lynn Rooney, John Campbell, Martin Lawton, Sioned-Mair Richards, Peter Price, Tony Damms, Leigh Bramall, Gill Furniss, Richard Crowther, Philip Wood, Neale Gibson, Nikki Sharpe, Ben Curran, Adam Hurst, Jackie Satur, Mick Rooney and Ray Satur.

Abstained on the amendment - The Lord Mayor (Councillor Vickie Priestley)
(2) and Councillor Robert Murphy.

After a right of reply by Councillor Leigh Bramall, the original Motion was then put to the vote and carried, as follows:-

RESOLVED: That this Council:-

- (a) notes that the European Union has agreed that parts of the UK should receive 'Transition Regions' funding, which would include funding for South Yorkshire, despite opposition from the Government;
- (b) is dismayed that despite 'Transition' status, South Yorkshire is set to see a massively disproportionate reduction in its allocation of EU funding of up to 66%, due to the Government's plans to re-allocate funding to protect Scotland, Wales and Northern Ireland from "sudden and significant reductions";
- (c) deplores Government plans to, in effect, take European funding away from South Yorkshire to give it to Scotland, Wales and Northern Ireland, particularly when Scotland and Northern Ireland have a higher Gross Value Added score;
- (d) believes it is completely indefensible to take money away from South Yorkshire which would be spent on helping people into work, offering more apprenticeships and training, reducing emissions, building flood defences and helping business to export more and benefit from new technologies, and welcomes action taken by South Yorkshire MPs and MEPs in campaigning against this move;
- (e) is concerned by reports that Government Ministers in charge of allocating the funds are considering giving a larger share of funding to the south of England than was allocated in the last funding round in 2007; and
- (f) regrets that this Government and the Deputy Prime Minister, The Rt. Hon. Nick Clegg MP, have yet again let Sheffield and South Yorkshire down and urges them to urgently reconsider these proposals and give South Yorkshire a fair deal.

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

For the Motion (58) - The Deputy Lord Mayor (Cllr Peter Rippon)
and Councillors Julie Dore, John Robson,
Jack Scott, Roy Munn, Clive Skelton, Ian
Saunders, Chris Rosling-Josephs, Helen
Mirfin-Boukouris, Bryan Lodge, Denise Fox,
Karen MCGowan, Jayne Dunn, Stuart

Wattam, Jackie Drayton, Ibrar Hussain, Talib Hussain, Mohammed Maroof, Geoff Smith, Mary Lea, Mazher Iqbal, Joyce Wright, Steven Wilson, Garry Weatherall, Sheila Constance, Chris Weldon, Alan Law, Steve Jones, Tim Rippon, Cate McDonald, George Lindars-Hammond, Robert Johnson, Janet Bragg, Pat Midgley, Jenny Armstrong, Terry Fox, Tony Downing, David Barker, Isobel Bowler, Nikki Bond, Qurban Hussain, Lynn Rooney, John Campbell, Martin Lawton, Sioned-Mair Richards, Peter Price, Tony Damms, Leigh Bramall, Gill Furniss, Richard Crowther, Philip Wood, Neale Gibson, Nikki Sharpe, Ben Curran, Adam Hurst, Jackie Satur, Mick Rooney and Ray Satur.

- Against the Motion (18) - Councillors Simon Clement-Jones, Shaffaq Mohammed, Rob Frost, Colin Ross, Joe Otten, Penny Baker, Diana Stimely, Roger Davison, Sue Alston, Andrew Sangar, Cliff Woodcraft, Denise Reaney, Ian Auckland, Bob McCann, Anders Hanson, Katie Condliffe, David Baker, and Trevor Bagshaw.
- Abstained on the Motion (2) - The Lord Mayor (Councillor Vickie Priestley) and Councillor Robert Murphy.

8. NOTICE OF MOTION GIVEN BY COUNCILLOR JULIE DORE

Local Government Funding Cuts

It was moved by Councillor Julie Dore, seconded by Councillor Sioned-Mair Richards, that this Council:-

- (a) fully supports the open letter signed by 151 Council Leaders from all political parties to the Chancellor of the Exchequer expressing concerns that further cuts to local government in the next spending review would have a devastating impact on services;
- (b) recalls comments from the Chief Secretary to the Treasury, The Rt. Hon. Danny Alexander MP, that local government has "borne the brunt of deficit reduction", noting that Council funding from central government will have been cut by 33 per cent since this Government came into power and in comparison Whitehall departments will have faced average reductions of 12 per cent;

- (c) agrees with the letter that local government bore the brunt of cuts in the last spending review and for the sake of the public it cannot afford to do so again;
- (d) believes it would be bad for the country, bad for people and bad for our prospects of economic recovery if funding for local services is cut further; and
- (e) urges the Government to listen to the Local Government Association letter and also to reconsider the distribution of cuts which has resulted in heavy cuts to Sheffield whilst some councils in the wealthiest parts of the country receive almost no cuts at all.

Whereupon, it was moved by Councillor Shaffaq Mohammed, seconded by Councillor Andrew Sangar, 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 substitution of the following words therefor:-

- (a) regrets that Labour politicians still refuse to accept responsibility for the massive budget deficit they created;
- (b) laments the previous Government, who increased the national deficit year-on-year from 2001 onwards, reaching a total of £43 billion prior to the economic crash;
- (c) is pleased that Liberal Democrats took the responsible decision in 2010 to enter Government and help clear up the previous Government's mess;
- (d) understands that the Labour Party leadership have now returned from the economic wilderness and accepted that they will need to work within the Government's revenue spending plans;
- (e) therefore, believes that Labour politicians are acting in a hypocritical way by campaigning against cuts, which they have no intention of reversing;
- (f) regrets that repairing the nation's finances has resulted in difficult decisions across all levels of public spending, especially local government, and shares concerns about the financial challenges facing local government;
- (g) however, highlights that reducing the level of cuts for local government would mean reductions in spending in other areas, such as health, education or welfare;
- (h) furthermore, believes spending decisions for Sheffield City Council would be easier if the Administration did not continue to waste local taxpayers' money on political vanity projects; and
- (i) therefore, calls on the Administration to eliminate wasteful spending to ensure vital front-line services can be protected.

On being put to the vote, the amendment was negatived.

It was then moved by Councillor Bryan Lodge, seconded by Councillor Jack Scott, as an amendment, that the Motion now submitted be amended by:-

1. the relettering of paragraph (e) as a new paragraph (f); and
2. the addition of a new paragraph (e) as follows:-
 - (e) regrets that the Comprehensive Spending Review completely disregarded the warnings of local leaders and produced more of the same with local government earmarked for one of the highest levels of reductions and Sir Merrick Cockell, Chairman of the Local Government Association, said the cut would "stretch essential services to breaking point in many areas".

On being put to the vote, the amendment was carried.

After a right of reply by Councillor Julie Dore, the original Motion, as amended, was then put as a Substantive Motion in the following form and carried:-

RESOLVED: That this Council:-

- (a) fully supports the open letter signed by 151 Council Leaders from all political parties to the Chancellor of the Exchequer expressing concerns that further cuts to local government in the next spending review would have a devastating impact on services;
- (b) recalls comments from the Chief Secretary to the Treasury, The Rt. Hon. Danny Alexander MP, that local government has "borne the brunt of deficit reduction", noting that Council funding from central government will have been cut by 33 per cent since this Government came into power and in comparison Whitehall departments will have faced average reductions of 12 per cent;
- (c) agrees with the letter that local government bore the brunt of cuts in the last spending review and for the sake of the public it cannot afford to do so again;
- (d) believes it would be bad for the country, bad for people and bad for our prospects of economic recovery if funding for local services is cut further; and
- (e) regrets that the Comprehensive Spending Review completely disregarded the warnings of local leaders and produced more of the same with local government earmarked for one of the highest levels of reductions and Sir Merrick Cockell, Chairman of the Local Government Association, said the cut would "stretch essential services to breaking point in many areas".

- | |
|--|
| (f) urges the Government to listen to the Local Government Association letter and also to reconsider the distribution of cuts which has resulted in heavy cuts to Sheffield whilst some councils in the wealthiest parts of the country receive almost no cuts at all. |
|--|

9. NOTICE OF MOTION GIVEN BY COUNCILLOR ANDREW SANGAR

Capital Programme 2012/13

At the request of Councillor Andrew Sangar (the mover of the motion) and with the consent of the Council, the Notice of Motion Numbered 9 on the Summons for this meeting was withdrawn.

10. NOTICE OF MOTION GIVEN BY COUNCILLOR CHRIS WELDON

'Blacklisting'

It was moved by Councillor Chris Weldon, seconded by Councillor Bob Johnson, that this Council:-

- (a) reiterates its support for the motion passed on 7th November 2012 condemning the practice of blacklisting;
- (b) notes comments by the Prime Minister on 12th June this year "the Government not only doesn't support blacklisting but has taken action against it";
- (c) further notes the reaction of Unite Assistant General Secretary, Gail Cartmail to the Prime Minister's comments:

"For Mr Cameron to claim the Tories have taken action against blacklisting is unbelievable and it's an insult to the victims. The Tories have done nothing to prevent blacklisting and Mr Cameron quite clearly opposes a full public inquiry. The Tories are displaying staggering complacency when they should be supporting a proper inquiry into this proven conspiracy."; and

- (d) resolves to write to the Deputy Prime Minister urging him to raise this issue with the Prime Minister, seeking a full investigation into blacklisting.

Whereupon, it was moved by Councillor Colin Ross, seconded by Councillor Penny Baker, as an amendment, that the Motion now submitted be amended by:-

- 1. the deletion of the words "the Deputy Prime Minister urging him to raise this issue with" in paragraph (d)

On being put to the vote, the amendment was negatived.

(Note: With the consent of the Council, and at the request of Councillor Colin Ross (the mover of the Amendment), the Amendment, as included in the List of Amendments, was altered by the deletion of part 2 of the Amendment.)

It was then moved by Councillor Ray Satur, seconded by Councillor Terry Fox, as an amendment, that the Motion now submitted be amended by the addition of new paragraphs (e) to (g) as follows:-

- (e) welcomes the correspondence and actions of the Leader of the Council to arrange a meeting with the respective unions and Sheffield contractors to resolve issues surrounding blacklisting;
- (f) welcomes the inclusion of a clause in the procurement contract demonstrating the Council's commitment to tacking action to address blacklisting; and
- (g) urges the Government to take similar actions to tackle blacklisting at a national level.

On being put to the vote, the amendment was carried.

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

RESOLVED: That this Council:-

- (a) reiterates its support for the motion passed on 7th November 2012 condemning the practice of blacklisting;
- (b) notes comments by the Prime Minister on 12th June this year "the Government not only doesn't support blacklisting but has taken action against it";
- (c) further notes the reaction of Unite Assistant General Secretary, Gail Cartmail to the Prime Minister's comments:

"For Mr Cameron to claim the Tories have taken action against blacklisting is unbelievable and it's an insult to the victims. The Tories have done nothing to prevent blacklisting and Mr Cameron quite clearly opposes a full public inquiry. The Tories are displaying staggering complacency when they should be supporting a proper inquiry into this proven conspiracy.";
- (d) resolves to write to the Deputy Prime Minister urging him to raise this issue with the Prime Minister, seeking a full investigation into blacklisting.
- (e) welcomes the correspondence and actions of the Leader of the Council to arrange a meeting with the respective unions and Sheffield contractors to resolve issues surrounding blacklisting;

- (f) welcomes the inclusion of a clause in the procurement contract demonstrating the Council's commitment to tacking action to address blacklisting; and
- (g) urges the Government to take similar actions to tackle blacklisting at a national level.

11. NOTICE OF MOTION GIVEN BY COUNCILLOR JACK SCOTT

Decarbonisation

It was moved by Councillor Jack Scott, seconded by Councillor Ray Satur, that this Council:-

- (a) fully supports the calls for a decarbonisation target in the Energy Bill and profoundly regrets that the recent amendment proposing one was defeated;
- (b) notes that had all Liberal Democrat MPs supported the amendment it could have been carried, however regrets that yet again MPs such as the Deputy Prime Minister placed their loyalty towards their Coalition colleagues above delivering real action on climate change;
- (c) believes that this typifies the present Government's abject failure to deliver meaningful action on climate change;
- (d) notes comments from Andy Atkins, Executive Director of Friends of the Earth: "The Liberal Democrat leadership's green credibility has been left in tatters after siding with the Conservatives to back a headlong dash for gas – this would send fuel bills rocketing and jobs overseas, and punch a gaping hole in our climate targets"; and also the comments of Doug Parr, Chief Scientist and Policy Director of Greenpeace UK: "For the sake of households struggling with gas bills, and for the sake of the climate, they [the Lib Dems] must not allow clean energy to be another concession to the Tory right."; and
- (e) warmly welcomes the commitment by HM Opposition to set a decarbonisation target in its election manifesto and believes this is an example of real action to tackle climate change.

Whereupon, it was moved by Councillor Joe Otten, seconded by Councillor Colin Ross, as an amendment, that the Motion now submitted be amended by:-

1. the deletion of paragraphs (b) to (e); and
2. the addition of new paragraphs (b) to (h) as follows:-

- (b) nevertheless welcomes the Bill as a roadmap for the UK's switch to "a low-carbon economy" and believes the Bill is a victory for Liberal Democrats in Government;
- (c) highlights the importance of Liberal Democrats in Government forcing Conservative Ministers to take warnings of climate change seriously, something that has been sadly ignored by previous Governments;
- (d) welcomes, in particular, the ground-breaking Green Deal, first proposed by Liberal Democrats, which the Council's Cabinet Member for Environment described as "fantastic news for Sheffield";
- (e) furthermore, notes research by the Department of Energy & Climate Change, which demonstrates that the Coalition Government's climate change policies will save consumers roughly £166 in energy bills by 2020;
- (f) hopes that whoever forms the next Government will legislate for an effective 2030 decarbonisation target in 2016;
- (g) however, believes at a local level this Council should also promote green and sustainable methods of energy production; and
- (h) therefore, reaffirms its commitment to become the country's first decentralised energy city, entirely reliant on green energy produced within the City.

On being put to the vote, the amendment was negated.

(Note: Councillor Robert Murphy voted for Paragraphs (f) to (h) and against Paragraphs (b), (c), (d) and (e) of part 2 of the above amendment and asked for this to be recorded.)

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

RESOLVED: That this Council:-

- (a) fully supports the calls for a decarbonisation target in the Energy Bill and profoundly regrets that the recent amendment proposing one was defeated;
- (b) notes that had all Liberal Democrat MPs supported the amendment it could have been carried, however regrets that yet again MPs such as the Deputy Prime Minister placed their loyalty towards their Coalition colleagues above delivering real action on climate change;
- (c) believes that this typifies the present Government's abject failure to deliver meaningful action on climate change;
- (d) notes comments from Andy Atkins, Executive Director of Friends of the Earth: "The Liberal Democrat leadership's green credibility has been left in

tatters after siding with the Conservatives to back a headlong dash for gas – this would send fuel bills rocketing and jobs overseas, and punch a gaping hole in our climate targets"; and also the comments of Doug Parr, Chief Scientist and Policy Director of Greenpeace UK: "For the sake of households struggling with gas bills, and for the sake of the climate, they [the Lib Dems] must not allow clean energy to be another concession to the Tory right."; and

- (e) warmly welcomes the commitment by HM Opposition to set a decarbonisation target in its election manifesto and believes this is an example of real action to tackle climate change.

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

For the Motion (57)

- The Deputy Lord Mayor (Cllr Peter Rippon) and Councillors Julie Dore, John Robson, Jack Scott, Roy Munn, Clive Skelton, Ian Saunders, Chris Rosling-Josephs, Helen Mirfin-Boukouris, Bryan Lodge, Denise Fox, Karen McGowan, Jayne Dunn, Stuart Wattam, Jackie Drayton, Ibrar Hussain, Talib Hussain, Mohammed Maroof, Robert Murphy, Geoff Smith, Mary Lea, Mazher Iqbal, Joyce Wright, Steven Wilson, Garry Weatherall, Sheila Constance, Chris Weldon, Alan Law, Steve Jones, Tim Rippon, Cate McDonald, George Lindars-Hammond, Robert Johnson, Janet Bragg, Pat Midgley, Jenny Armstrong, Terry Fox, David Barker, Isobel Bowler, Nikki Bond, Qurban Hussain, Lynn Rooney, John Campbell, Martin Lawton, Sioned-Mair Richards, Peter Price, Tony Damms, Gill Furniss, Richard Crowther, Philip Wood, Neale Gibson, Nikki Sharpe, Ben Curran, Adam Hurst, Jackie Satur, Mick Rooney and Ray Satur.

Against the Motion (18)

- Councillors Simon Clement-Jones, Shaffaq Mohammed, Rob Frost, Colin Ross, Joe Otten, Penny Baker, Diana Stimely, Roger Davison, Sue Alston, Andrew Sangar, Cliff Woodcraft, Denise Reaney, Ian Auckland, Bob McCann, Anders Hanson, Katie Condliffe, David Baker, and Trevor Bagshaw.

Abstained on the Motion (1)

- The Lord Mayor (Councillor Vickie Priestley).

(Note: 1. Councillors Councillors Simon Clement-Jones, Shaffaq Mohammed, Rob Frost, Colin Ross, Joe Otten, Penny Baker, Roger Davison, Sue Alston, Andrew Sangar, Cliff Woodcraft, Denise Reaney, Ian Auckland, Bob McCann, Anders Hanson, Katie Condliffe, David Baker, and Trevor Bagshaw voted for Paragraph (a) and against Paragraphs (b) to (e) of the Motion and asked for this to be recorded.

2. Councillor Terry Fox, having declared a disclosable pecuniary interest in the above item of business, took no part in the voting thereon.)

12. NOTICE OF MOTION GIVEN BY COUNCILLOR IAN AUCKLAND

Job Creation

It was moved by Councillor Ian Auckland, seconded by Councillor Denise Reaney, that this Council:-

- (a) believes that Liberal Democrats in Government are working to build a stronger economy and a fairer society;
- (b) notes that since the 2010 General Election, more than one million private sector jobs have been created in the United Kingdom, alongside a massive expansion in the number of young people starting apprenticeships;
- (c) wholeheartedly welcomes the Liberal Democrat 'A Million Jobs' campaign, which now aims to create one million more jobs in Britain;
- (d) in particular, backs measures delivered by the Coalition Government which will help generate jobs in the Sheffield City Region, and welcomes the following outcomes:
 - (i) new jobs and investment at the Advanced Manufacturing Park;
 - (ii) a new University Technical College for Sheffield, which will provide the skills the next generation of Sheffielders need to compete; and
 - (iii) 5,430 young people starting an apprenticeship in Sheffield in just one year, a 54% increase on the previous Government's last year in office;
- (e) thanks the Member of Parliament for Sheffield Hallam for helping to secure investment for our City and supports his proposals, made in a recent speech in Sheffield, for a Local Growth Committee to ensure more power is devolved to regions; and
- (f) agrees to give its full backing to the 'A Million Jobs' campaign and directs that a copy of this motion is forwarded to all Sheffield MPs.

Whereupon, it was moved by Councillor Geoff Smith, seconded by Councillor

Julie Dore, as an amendment, that the Motion now submitted be amended by:-

1. the deletion of all the words after the words 'in Government' in paragraph (a) and their substitution by the words 'and particularly the Deputy Prime Minister, offer a record of broken promises and betrayal, with their primary record being their failure to deliver any significant growth plan';
2. the deletion of paragraphs (b) to (f) and the addition of new paragraphs (b) to (h) as follows:-
 - (b) further believes that the Government, with Liberal Democrats' support, have presided over the weakest economic recovery in recent history and have a record of creating a flatlining economy during their time in Government;
 - (c) regrets that youth unemployment reached over 1 million whilst the Liberal Democrats were in Government and deplores the complacent failure of this Government who scrapped the Future Jobs Fund and have introduced a range of policies damaging to young people, including trebling tuition fees and scrapping Education Maintenance Allowance;
 - (d) remembers numerous measures introduced by the Government, with Liberal Democrats' support, which have damaged Sheffield's local economy, including scrapping the loan to Sheffield Forgemasters, abolishing Regional Development Agencies and the latest proposals to re-allocate huge amounts of EU economic development funding away from Sheffield and South Yorkshire;
 - (e) expresses its disbelief at claims that the Liberal Democrats are creating a fairer society and recalls that the Government, with Liberal Democrats' support, have cut the level of income tax paid by the highest earners at the same time as they have increased VAT, introduced unfair cuts to welfare, including the "Bedroom Tax", and cut tax credits, all impacting on hardworking families on low and middle incomes;
 - (f) notes that the current Administration have driven the growth in apprenticeships, funding a 100 Apprenticeship Scheme, the RISE graduation scheme, and developing and part-funding the unique Skills Made Easy apprenticeship programme;
 - (g) notes that this Administration's record sits in stark contrast to the record of the previous Administration, which did nothing to promote apprenticeships, and broke yet another promise to young people by secretly backtracking on a promise of its Leader to match the previous Government's investment in the Future Jobs Fund; and
 - (h) agrees to continue to support job creation in the City, however, is

extremely concerned that the Government's failure to produce a credible economic plan will continue to damage jobs and growth in Sheffield.

On being put to the vote the amendment was carried.

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 Liberal Democrats in Government and particularly the Deputy Prime Minister, offer a record of broken promises and betrayal, with their primary record being their failure to deliver any significant growth plan;
- (b) further believes that the Government, with Liberal Democrats' support, have presided over the weakest economic recovery in recent history and have a record of creating a flatlining economy during their time in Government;
- (c) regrets that youth unemployment reached over 1 million whilst the Liberal Democrats were in Government and deplores the complacent failure of this Government who scrapped the Future Jobs Fund and have introduced a range of policies damaging to young people, including trebling tuition fees and scrapping Education Maintenance Allowance;
- (d) remembers numerous measures introduced by the Government, with Liberal Democrats' support, which have damaged Sheffield's local economy, including scrapping the loan to Sheffield Forgemasters, abolishing Regional Development Agencies and the latest proposals to re-allocate huge amounts of EU economic development funding away from Sheffield and South Yorkshire;
- (e) expresses its disbelief at claims that the Liberal Democrats are creating a fairer society and recalls that the Government, with Liberal Democrats' support, have cut the level of income tax paid by the highest earners at the same time as they have increased VAT, introduced unfair cuts to welfare, including the "Bedroom Tax", and cut tax credits, all impacting on hardworking families on low and middle incomes;
- (f) notes that the current Administration have driven the growth in apprenticeships, funding a 100 Apprenticeship Scheme, the RISE graduation scheme, and developing and part-funding the unique Skills Made Easy apprenticeship programme;
- (g) notes that this Administration's record sits in stark contrast to the record of the previous Administration, which did nothing to promote apprenticeships, and broke yet another promise to young people by secretly backtracking on a promise of its Leader to match the previous

- Government's investment in the Future Jobs Fund; and
- (h) agrees to continue to support job creation in the City, however, is extremely concerned that the Government's failure to produce a credible economic plan will continue to damage jobs and growth in Sheffield.

(Note: Councillor Robert Murphy voted for paragraph (h) and abstained from voting on paragraphs (a) to (g) of the Substantive Motion and asked for this to be recorded.)

13. NOTICE OF MOTION GIVEN BY COUNCILLOR JULIE DORE

Arts and Creative Industries

RESOLVED: On the Motion of Councillor Julie Dore, seconded by Councillor Cate McDonald, that this Council:-

- (a) notes the importance to the UK of the arts and creative industries, with art and culture enriching the lives of individuals, reinforcing a sense of local community, and being vital to the economy, generating more than £36 billion a year and employing 1.5 million people;
- (b) calls on the Government actively to support the arts by developing a strategy for the arts and creative industries;
- (c) believes that this should include putting creativity at the heart of education, ensuring that creative industries have access to finance and funding, protecting intellectual property, supporting the arts and creative industries, including museums and galleries, in all nations and regions of the country, not just London, and attracting inward investment and providing support for exports;
- (d) recognises that it is not only right in principle that the arts should be for everyone but that the arts thrive when they draw on the pool of talent of young people from every part of the country and all walks of life; and
- (e) believes that a strong Department for Culture, Media and Sport, with a Secretary of State standing up for the arts, is crucial.

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

- For the Motion (74)
- The Deputy Lord Mayor (Cllr Peter Rippon) and Councillors Julie Dore, John Robson, Jack Scott, Roy Munn, Simon Clement-Jones, Clive Skelton, Ian Saunders, Chris Rosling-Josephs, Helen Mirfin-Boukouris, Bryan Lodge, Denise Fox, Karen McGowan, Jayne Dunn, Stuart Wattam, Shaffaq Mohammed, Jackie Drayton, Ibrar Hussain,

Talib Hussain, Robert Murphy, Mohammed Maroof, Rob Frost, Geoff Smith, Mary Lea, Mazher Iqbal, Colin Ross, Joe Otten, Joyce Wright, Steven Wilson, Garry Weatherall, Penny Baker, Roger Davison, Sheila Constance, Chris Weldon, Alan Law, Sue Alston, Andrew Sangar, Cliff Woodcraft, Steve Jones, Tim Rippon, Cate McDonald, Denise Reaney, Ian Auckland, Bob McCann, George Lindars-Hammond, Robert Johnson, Janet Bragg, Pat Midgley, Jenny Armstrong, Terry Fox, David Barker, Isobel Bowler, Nikki Bond, Qurban Hussain, Anders Hanson, Lynn Rooney, John Campbell, Martin Lawton, Sioned-Mair Richards, Peter Price, Tony Damms, Gill Furniss, Katie Condliffe, David Baker, Richard Crowther, Philip Wood, Neale Gibson, Nikki Sharpe, Ben Curran, Adam Hurst, Trevor Bagshaw, Jackie Satur, Mick Rooney and Ray Satur.

- Against the Motion (0) - Nil.
- Abstained on the Motion (1) - The Lord Mayor (Councillor Vickie Priestley).

14. NOTICE OF MOTION GIVEN BY COUNCILLOR LEIGH BRAMALL

Sheffield Castle Site

RESOLVED: On the Motion of Councillor Gill Furniss, seconded by Councillor Chris Rosling-Josephs, that this Council:-

- (a) notes that the Castle Market was built on the site of the original Sheffield Castle which was first mentioned in written records in 1184;
- (b) further notes that demolition of the current Castle Market presents a unique opportunity to excavate the Castle site and incorporate it into a wider regeneration strategy for the area;
- (c) notes the Administration's plans to fully excavate the ruins of the Castle's foundations and open them to the general public;
- (d) confirms that the Administration is in discussions with the Heritage Lottery Fund to try and secure the necessary resources to excavate the site;
- (e) furthermore, confirms the Administration's intention to incorporate community involvement as a key element of any plans for excavation and

- display of any Castle remains and/or artefacts found at the site; and
- (f) therefore commits to begin stakeholder engagement this summer with interested parties and the public, and to re-form the cross-party Castle Member Group and to work with the Friends of Sheffield Castle Group, to begin discussions on how to progress the project for the benefit of Sheffield and the Castlegate area.

15. NOTICE OF MOTION GIVEN BY COUNCILLOR SHAFFAQ MOHAMMED

Welfare Reform

It was moved by Councillor Shaffaq Mohammed, seconded by Councillor Katie Condliffe, that this Council:-

- (a) notes the announcement by the Shadow Chancellor, The Rt. Hon. Ed Balls MP, that the Labour Party are considering proposals for a Regional Benefits Cap;
- (b) believes this policy would amount to an attack on the people of Sheffield and regrets that the Labour Party leadership are proposing a policy so damaging to our City;
- (c) furthermore notes the comments of the ex-Chief Whip of the Labour Party and MP for Newcastle East, who ridiculed the proposals;
- (d) is delighted that the Liberal Democrat Chief Secretary to the Treasury, The Rt. Hon. Danny Alexander MP, has stated that there is “no prospect” of the current Government introducing a regional cap and highlights his comments that “In terms of regionalising benefits, for me as a Liberal Democrat, it's just a non-starter”; and
- (e) calls upon the Leader of the Council to write to the Shadow Chancellor, condemning this unfair proposal, and use her influence in the Labour Party to ensure this policy is not adopted.

Whereupon, it was moved by Councillor Simon Clement-Jones, seconded by Councillor David Baker, as an amendment, that the Motion now submitted be amended by:-

- 1. the re-lettering of paragraph (e) as a new paragraph (f); and
 - 2. the addition of a new paragraph (e) as follows:-
- (e) shares the concerns of a Labour Councillor for Nether Edge that the Labour Party have a “lack of courage” and that their values are not “obvious”;

On being put to the vote, the amendment was negated.

It was then moved by Councillor Mazher Iqbal, seconded by Councillor Martin Lawton, as an amendment, that the original Motion now submitted be amended by the deletion of all the words after the words "That this Council" and the substitution of the following words therefor:-

- (a) notes the present Government's shambolic mismanagement of welfare reform;
- (b) reiterates opposition to many of the Government welfare cuts, including the "Bedroom Tax", cuts to council tax benefit, the introduction of Personal Independence Payments, which is a clear intention to reduce benefits for the most vulnerable, and the mismanagement of the introduction of universal credit;
- (c) notes research by Sheffield Hallam University which indicates that the overall impact of welfare reform for Sheffield is likely to be in the region of £173 million per annum, which equates to a financial loss to this City of £471 per annum for an average working age adult in the City;
- (d) further notes that this research indicates that the wealthiest areas in the country are significantly less hit by these welfare reforms and believes that Sheffield is being unfairly targeted by the Government's welfare reforms; and
- (e) believes it is unbelievable for the Leader of the Main Opposition Group to criticise the Shadow Chancellor on the issue of welfare given their own party's disastrous record in Government.

On being put to the vote the amendment was carried.

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

RESOLVED: That this Council:-

- (a) notes the present Government's shambolic mismanagement of welfare reform;
- (b) reiterates opposition to many of the Government welfare cuts, including the "Bedroom Tax", cuts to council tax benefit, the introduction of Personal Independence Payments, which is a clear intention to reduce benefits for the most vulnerable, and the mismanagement of the introduction of universal credit;
- (c) notes research by Sheffield Hallam University which indicates that the overall impact of welfare reform for Sheffield is likely to be in the region of £173 million per annum, which equates to a financial loss to this City of £471 per annum for an average working age adult in the City;

- (d) further notes that this research indicates that the wealthiest areas in the country are significantly less hit by these welfare reforms and believes that Sheffield is being unfairly targeted by the Government's welfare reforms; and
- (e) believes it is unbelievable for the Leader of the Main Opposition Group to criticise the Shadow Chancellor on the issue of welfare given their own party's disastrous record in Government.

(Note: Councillor Robert Murphy voted for Paragraphs (b), (c) and (d) and abstained on Paragraphs (a) and (e) of the Substantive Motion and asked for this to be recorded.)

16. NOTICE OF MOTION GIVEN BY COUNCILLOR PENNY BAKER

Business Improvement Districts

It was moved by Councillor Penny Baker, seconded by Councillor Ian Auckland, that this Council:-

- (a) notes reports in The Sheffield Star on 17th June 2013 that Sheffield City Council is considering the introduction of a 'hotel tax';
- (b) believes a 'hotel tax' could ultimately damage Sheffield's economy and result in a loss of jobs;
- (c) regrets that the current Administration have dreamt up yet another poorly-thought-through 'anti-business' proposal; and
- (d) calls on the Administration to immediately rule out the possibility of a 'hotel tax' and work with local businesses instead of against them.

Whereupon, it was moved by Councillor Pat Midgley, seconded by Councillor Neale Gibson, as an amendment, that the Motion now submitted be amended by:-

1. the deletion of all the words after the words 'June 2013 that' in paragraph (a) and their substitution by the words "Sheffield Council, with its partners, is investigating a number of methods such as creating Business Improvement Districts which are partnerships within which businesses agree to contribute funding towards events that boost their own businesses."
2. the deletion of paragraphs (b) to (d) and the addition of new paragraphs (b) to (f) as follows:-
 - (b) notes that Business Improvement Districts operate successfully in other parts of the UK and are designed to enable local businesses

to identify opportunities to benefit their business;

- (c) confirms that Sheffield is progressing its first Business Improvement District to improve flood defences in the Lower Don Valley right now, with the support of local businesses;
- (d) confirms that no new Business Improvement District would be created without a ballot of businesses within the district, therefore meaning that any decision to create a Business Improvement District would be that of local businesses, not the Council;
- (e) further confirms that should a Business Improvement District be created, decisions directing spending of any income generated would also be made by local businesses; and
- (f) confirms that Business Improvement Districts are a way of putting local businesses in control of funding which can be spent to improve their business and resolves to continue to work with the business community to support the creation of one, should this be the wish of local businesses.

On being put to the vote the amendment was carried.

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

RESOLVED: That this Council:-

- (a) notes reports in The Sheffield Star on 17th June 2013 that Sheffield Council, with its partners, is investigating a number of methods such as creating Business Improvement Districts which are partnerships within which businesses agree to contribute funding towards events that boost their own businesses;
- (b) notes that Business Improvement Districts operate successfully in other parts of the UK and are designed to enable local businesses to identify opportunities to benefit their business;
- (c) confirms that Sheffield is progressing its first Business Improvement District to improve flood defences in the Lower Don Valley right now, with the support of local businesses;
- (d) confirms that no new Business Improvement District would be created without a ballot of businesses within the district, therefore meaning that any decision to create a Business Improvement District would be that of local businesses, not the Council;
- (e) further confirms that should a Business Improvement District be created, decisions directing spending of any income generated would also be made by local businesses; and

- (f) confirms that Business Improvement Districts are a way of putting local businesses in control of funding which can be spent to improve their business and resolves to continue to work with the business community to support the creation of one, should this be the wish of local businesses.

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Report to Council

Report of: Chief Executive

Date: 4 September 2013

Subject: Changes to the Constitution

Author of Report: Dave Ross – Democratic Services
0114 273 5033

Summary:

This report provides details of:-

- proposed changes to the Constitution
 - minor/consequential changes to the Constitution approved by the Director of Legal and Governance under delegated authority.
-

Recommendations:

That the Council:-

- (a) considers adopting the changes to the following Parts of the Constitution, as set out in the report and appendices:-
 - (i) Part 2 - Article 9
 - (ii) Part 3 – Responsibility for Functions
 - (iii) Part 4 – Council Procedure Rules
 - (iii) Part 4 - Access to Information Procedure Rules
 - (iv) Part 5 - Officers 'Code of Conduct
 - (v) Part 5 - Guidance Note on General Procedures at Planning and Highways Committee
 - (vi) Part 5 - Protocols for the South Yorkshire Health Scrutiny Joint Committee and Yorkshire and Humber Councils' Joint Health Scrutiny Committee

- (vii) Part 7 – Management Structure and Proper Officers; and
 - (b) notes the minor/consequential changes to the Constitution made by the Director of Legal and Governance, in consultation with the Lord Mayor, under delegated authority, outlined at paragraph 4 of the report.
-

Background Papers:

None

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial implications
NO
Legal implications
YES
Equality of Opportunity implications
NO
Tackling Health Inequalities implications
N/A
Human rights implications
N/A
Environmental and Sustainability implications
N/A
Economic impact
N/A
Community safety implications
N/A
Human resources implications
N/A
Property implications
N/A
Area(s) affected
None
Relevant Cabinet Portfolio Leader
Cllr Julie Dore
Relevant Scrutiny Committee if decision called in
Not applicable
Is the item a matter which is reserved for approval by the City Council?
Yes
Press release
NO

1. Introduction

- 1.1 This report provides details of proposed changes to the Council's Constitution and minor/consequential changes approved by the Director of Legal and Governance approved under delegated authority.

2. Background

- 2.1 To ensure that the Constitution is kept up to date, there is a regular review process and, where changes are required, these are submitted to Full Council for approval. Changes were last approved by Full Council in June 2013.
- 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. A number of changes were approved in June 2013 and further details are set out at paragraph 4.

3. Proposed Changes and Reasons

- 3.1 Following the latest review, a number of changes are proposed to the Constitution and areas of significant change have been discussed with the Corporate Members' Group. The majority of changes are relatively minor.
- 3.2 Part 4 - Access to Information Procedure Rules and Council Procedure Rules (Recording of Meetings)
- 3.2.1 The Corporate Members' Group has reviewed Sheffield City Council's arrangements for permitting recording of the Authority's meetings. This review was announced by the Lord Mayor at the July Council meeting. As a result, it is proposed to amend paragraph 3.3 of Access To Information Procedure Rules and paragraph 21 of Council Procedure Rules, both located in Part 4 of the Constitution (Rules of Procedure), to clarify the arrangements by which recording of the Authority's meetings will be facilitated under the direction of the Chairs of the meetings. The changes to the Procedural Rules are set out in Appendix A.
- 3.2.2 Further to the steer given by the Corporate Members' Group, the Monitoring Officer will shortly issue operating protocols and guidance in relation to recording of the proceedings of meetings and the publication of recorded material, and these will be communicated to all Members of the Council and published on the Council's website, as appropriate.

3.3 Part 2 - Article 9 (Standards Committee)

- 3.3.1 Following discussion by members of the Standards Committee and at the Corporate Members' Group, it is proposed to make minor amendments to the membership of the Committee. It is suggested that to assist with the operation of the Committee, a pool of 4 Substitute Members is established comprising 2 Labour and 2 Liberal Democrat Members. To ensure that the Substitute Member has sufficient time to prepare for the meeting, it is suggested that the Chief Executive must be notified in writing of the substitution at least one full working day before the day of the Committee.
- 3.3.2 It also proposed that one of the Co-opted members should be present at meetings of the Committee and, where a Parish or Town Council matter is being considered, a representative of one of those Councils should also be present. The changes to Article 9 are set out at Appendix B.

3.4 Part 3 - Senior Officer Employment Committee

- 3.4.1 It is proposed to amend the Terms of Reference of the Senior Officer Employment Committee to clarify the role relating to the appointment of officers who report directly to the Chief Executive or an Executive Director for all or most of their duties. The change is set out at Appendix C.

3.5 Part 4 - Access to Information Procedure Rules

- 3.5.1 A minor change is proposed to Access for Information Procedure Rule 15 (Special Urgency for Taking a Key Decision) to clarify that a key decision taken under that Rule would be exempt from call-in. The change is set out at Appendix D.

3.6 Part 5 - Officers 'Code of Conduct (Whistleblowing Policy)

- 3.6.1 The list of Whistleblowing Contact Officers and Coordinators in the Whistleblowing Policy (Appendix D to the Officer's Code of Conduct) has been updated and also includes details of Contact Advisors. The changes are set out at Appendix E.

3.7 Part 5 - Guidance Note on General Procedures at Planning and Highways Committee

- 3.7.1 The Guidance Note has been updated to reflect the move to one Planning and Highways Committee in May 2013. The changes are set out at Appendix F.

3.8 Part 5 - Protocols for the South Yorkshire Health Scrutiny Joint Committee and Yorkshire and Humber Councils' Joint Health Scrutiny Committee

- 3.8.1 There are two references to the former 'prejudicial interests' in the Health Scrutiny Protocols and these have been replaced with reference to 'Disclosable Pecuniary Interests' that were introduced in July 2012. The changes are set out at Appendix G.

3.9 Part 7 – Management Structure and Proper Officers

3.9.1 The Management Structure has been updated to reflect the current responsibilities for the Chief Executive and Executive Directors. The list of Proper Officers has been updated to reflect changes to a small number of responsible officers, a change in a post title and the addition of the Head of Governance and Involvement as the Lead Scrutiny Officer. The changes are set out at Appendix H.

4. **Minor/Consequential Changes to the Constitution**

4.1 The Director of Legal and Governance has delegated authority, in consultation with the Lord Mayor, to make any minor and consequential drafting changes to the Constitution and is required to report details of any such changes to Council. Changes to the following parts of the Constitution were approved in June 2013:-

- Council Procedure Rule 25 and Part B Miscellaneous Matters
- Protocol for Member/Officer Relations
- Scrutiny Procedure Rules
- Members' Allowances Scheme

4.2 All Councillors were previously informed of these changes that are set out at Appendix I.

5. **Legal Implications**

5.1 Except where delegated by Council (see paragraph 2.2 above), variations to the Constitution may only be made by Full Council.

6. **Financial Implications**

6.1 There are no financial implications.

7. **Recommendations**

7.1 That the Council:-

- (a) considers adopting the changes to the following Parts of the Constitution, as set out in the report and appendices:-
 - (i) Part 2 - Article 9
 - (ii) Part 3 – Responsibility for Functions
 - (iii) Part 4 – Council Procedure Rules
 - (iii) Part 4 - Access to Information Procedure Rules
 - (iv) Part 5 - Officers 'Code of Conduct
 - (v) Part 5 - Guidance Note on General Procedures at Planning and Highways Committee

- (vi) Part 5 - Protocols for the South Yorkshire Health Scrutiny Joint Committee and Yorkshire and Humber Councils' Joint Health Scrutiny Committee
- (vii) Part 7 – Management Structure and Proper Officers; and
- (b) notes the minor/consequential changes to the Constitution made by the Director of Legal and Governance, in consultation with the Lord Mayor, under delegated authority, outlined at paragraph 4 of the report.

Chief Executive

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ACCESS TO INFORMATION PROCEDURE RULES

1. SCOPE

These rules apply to all meetings of the Council, its Committees, Overview and Scrutiny and Policy Development Committees, Area Committees, the Standards Committee and Regulatory Committees and the Executive (together called meetings).

2. ADDITIONAL RIGHTS TO INFORMATION

These rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

3. RIGHTS TO ATTEND MEETINGS

- 3.1 Members of the public and the media shall, subject to the exceptions contained in these and other Rules in this Constitution, be entitled to attend all meetings to which these Rules apply.
- 3.2 Attendance at meetings may be limited by the capacity of the room in which the meeting is held. The Chair of the meeting may eject members of the public from a meeting in respect of disturbance or unruly behaviour. At meetings of the Full Council, in addition to Members and officers of the Council, admittance to the floor of the Council Chamber shall be at the discretion of the Lord Mayor.
- 3.3 Photography, video and sound recording ~~shall be at the discretion of the Chair of the meeting. This shall generally be permitted where meetings are held in public, provided adequate notice has been given and convenient arrangements can be made.~~ at meetings shall be permitted under the direction of the Chair of the meeting in accordance with paragraph 21 of the Council Procedure Rules.

4. NOTICE OF MEETING

The Council will give at least five clear working days' notice (excluding the days on which the meeting is called and on which it is held) of any meeting to which these Rules apply by posting details of the meeting at Sheffield Town Hall and/or Howden House and on the Council's website, except that where the meeting is convened at shorter notice in accordance with these Rules, details shall be posted from the time the meeting is convened.

the Body will, immediately and without debate, put to the vote that the Member be excluded for the remainder of the meeting

19.2 If a majority of the Members of the Body present vote in favour, the Chair shall order the Member to leave the meeting and/or may adjourn the meeting for such period as he/she in his/her discretion shall consider expedient.

19.3 In the event of a general disturbance which in the opinion of the Chair renders the due and orderly despatch of business impossible, the Chair in addition to any other power vested in him/her may, without the question being put, adjourn the meeting for such period as he/she in his/her discretion shall consider expedient.

19.4 Any complaint about alleged misconduct on the part of a Member which may give rise to a breach of the Members' Code of Conduct must be reported to the Monitoring Officer.

20 Disturbance by Members of the Public

If a Member of the public interrupts proceedings of a meeting the Chair shall warn him/her. If he/she continues the interruption or repeatedly interrupts, the Chair shall order his/her removal from the meeting room. In the case of meetings where there is a general disturbance in any part of the meeting room open to the public the Chair shall order that part to be cleared.

21 Use of Equipment such as Mobile Phones and ~~other such Recording Equipment~~

Mobile telephones, pagers and other such equipment must be switched to silent mode during meetings of the Council and other Bodies. so as not to disturb the conduct of the meeting. Photography, video and sound recording of the proceedings of meetings whilst open to the public shall be permitted under the direction of the Chair of the meeting and in accordance with any protocols and guidance issued by the Council's Monitoring Officer. The Chair has discretion to withdraw or suspend this permission should he or she deem it necessary, for example if the recording is disrupting the conduct of the meeting, or where a member of the public participating in a meeting objects to being recorded. In order to assist the Chair to manage the recording of the meeting, any member of the public wishing to record must inform the Chair and the recording must be clearly visible. The Chair of a Body, as appropriate, shall decide as to whether the use of television cameras and recording equipment should be permitted in meetings.

Article 9 - The Standards Committee and Health and Wellbeing Board

9.01 Standards Committee

The Council (in this Article 'the City Council') will establish a Standards Committee to determine complaints under the Code of Members' Conduct referred to it by the Monitoring Officer and promote high standards of Councillor conduct.

9.02 Composition

(a) Committee Membership

The Standards Committee will comprise:

(i) not more than eight Members of the City Council with proportionality disapplied (5 Labour and 3 Liberal Democrat members, with one Member from each Party to be present at each meeting), ~~and~~

~~(ii), on an interim basis until guidance is issued by the Government, the membership will also include up to 5-4 non-voting co-opted members (the 4 existing Independent Members of the Standards Committee and including~~ 1 representative of the three Parish ~~and~~ Town Councils drawn from a pool of 3 representatives);

(b) Chair and Deputy Chair

The Chair and Deputy Chair of the Committee and of its Sub-Committees shall be appointed by the Committee or Sub-Committee; ~~and~~

(c) Quorum

The quorum for meetings of the Committee and any of its Sub-Committees shall be three Members and must include representatives of two political parties.

(d) Appointment of Substitutes

Where an Appointed Member of the Standards Committee is unable to attend a meeting of that Committee, he/she may arrange for a Substitute Member to attend, subject to the following conditions:-

- (i) a Committee Member wishing to be substituted will seek a substitute from the approved list of 2 Members for his/her Party Group;
- (ii) the Chief Executive or his/her representative must be notified in writing of the substitution at least one full working day before the day of the Committee; and
- (iii) the substitution shall last for the duration of the meeting, including an adjourned meeting.

9.03 Role and Functions

The Standards Committee and its Sub-Committees will have the terms of reference set out in Part 3 of this Constitution. The Committee will exercise the following role and functions:

- (a) promoting and maintaining high standards of conduct by Councillors, Co-opted Members;
- (b) advising the Council on the adoption or revision of the Councillors' Code of Conduct and Protocols relating to Councillor and Officer behaviour;
- (c) discharging, the functions of hearing complaints against Councillors concerning the Councillors' Code of Conduct referred by the Monitoring Officer;
- (d) the exercise of the above functions in relation to the Parish Councils wholly or mainly in its area and the Members of those Parish Councils.

9.04 Health and Wellbeing Board

The Health and Wellbeing Board is established in accordance with and to discharge the statutory functions under the Health and Social Care Act 2012 from 1 April 2013.

The role of the Board is to be a strong and effective partnership which improves the commissioning and delivery of services across the NHS and the Council, leading in turn to improved health and wellbeing for the people of Sheffield.

9.05 Membership

SENIOR OFFICER EMPLOYMENT COMMITTEE

Terms of Reference

- (a) To consider, subject to legal requirements relating to the Council's Statutory Officers and to the Officer Employment Rules in Part 4 of this Constitution, and make recommendations to the Council on all matters relating to the appointment, discipline and dismissal of the Chief Executive.
- (b) To determine, subject to legal requirements relating to the Council's Statutory Officers and to the Officer Employment Rules in Part 4 of this Constitution, all matters relating to the appointment, discipline and dismissal of:-
- Executive Directors;
 - ~~Officers who report directly to the Chief Executive or an Executive Director for all or most of their duties (excluding anyone whose duties are solely secretarial or clerical or otherwise in the nature of support services);~~
 - The Council's Statutory Officers, other than the Chief Executive.
- (c) To determine, subject to legal requirements relating to the Council's Statutory Officers and to the Officer Employment Rules in Part 4 of this Constitution, all matters relating to the appointment of:-
- Directors who report directly to the Chief Executive or an Executive Director for all or most of their duties
- (~~e~~) To establish such Sub-Committees as appropriate to undertake recruitment and to hear individual matters, which may include authority to make appointments and other decisions, and authority to make recommendations direct to the Council.

STANDARDS COMMITTEE

Terms of Reference

- (a) Promoting and maintaining high standards of conduct by Councillors, Co-opted Members Representatives on Committees and Sub-Committees.

- (b) where the decision taker is an individual, his or her name and title, if any, and where the decision taker is a body, its name and a list of members;
- (c) the date on which, or the period within which, the decision will be taken;
- (d) a list of the documents submitted to the decision taker for consideration in relation to the matter.
- (e) the address from which, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed is available;
- (f) that other documents relevant to those matters may be submitted to the decision maker;
- (g) the procedure for requesting details of those documents (if any) as they become available;

14. **GENERAL EXCEPTION FOR A MATTER NOT IN THE FORWARD PLAN**

If it has not been possible to give 28 days' notice of a matter which is likely to be a Key Decision, then the decision may only be made if :-

- (a) the Monitoring Officer has given written notice to the Chair of a relevant Scrutiny and Policy Development Committee, or if there is no such person, each Member of that Committee, by notice in writing of the matter about which the decision is to be made;
- (b) the Monitoring Officer has made copies of that notice available to the public at the offices of the Council and on the Council's website;
- (c) at least 5 clear days have elapsed since the Monitoring Officer complied with paragraphs (a) and (b) in this Rule;
- (d) As soon as reasonably practicable after the Monitoring Officer has complied with paragraphs (a), (b) and (c) he or she must—

(i) make available at the Sheffield Town Hall offices, a notice setting out the reasons why it has not been possible to give 28 days'; and (ii) publish that notice on the Council's website.

- (e) where the executive decision is to be taken at a meeting of the Cabinet or a Cabinet Committee, or by Individual Member or Officer, the public access requirements of these Rules must be complied with.

15. **SPECIAL URGENCY FOR TAKING A KEY DECISION**

Where the date by which a Key Decision must be taken makes it impracticable to comply with the previous General Exception Rule, then the decision can only be taken if the decision taker (if an individual) or the Chair of the Body making the decision, has obtained agreement that making the decision is urgent and cannot reasonably be deferred from

(a) the Chair of a relevant Scrutiny and Policy Development Committee; or

(b) if there is no such person or that person is unable to act, the Lord Mayor; or

(c) if neither of those persons is able to act, the Deputy Lord Mayor.

As soon as reasonably practicable after the Monitoring Officer has complied with paragraph (a), (b) and (c) he or she must—

(i) make available at the Sheffield Town Hall offices, a notice setting out the reasons why it has not been possible to give 28 days'; and (ii) publish that notice on the Council's website.

A Key Decision taken under paragraphs ~~14 and~~ 15 of these Rules will be exempt from call-in.

The Leader will submit an annual report to the Council containing details of each executive decision taken under this Rule. The report will include:-

(a) particulars of each decision made; and

(b) a summary of the matters in respect of which each decision was made.

Appendix C

WHISTLEBLOWING CONTACT OFFICERS

If you are unable to report a genuine concern by any of the means explained in the policy, you may choose to telephone one of your Directors’ numbers as listed below. Outside normal office hours, a voicemail or answer machine facility will be in operation. Please remember that you must leave your name and telephone number at which you can be contacted.

Deputy Chief Executive Team

Joe Fowler	Director of Communications and Performance	34019
James Henderson	Director of Policy and Research	53126
Edward Highfield	Director of Economy, Enterprise & Skills	53126
Chris Shaw	Director of Health Improvement	53126
Lynne Bird	Director of Legal and Governance	34018

Resources Leadership Team

Eugene Walker	Director of Finance	35872
Julie Toner	Director of Human Resources	34081
Cheryl Blackett	Head of Human Resources, Policy & Governance	34080
Sue Palfreyman	Head of Human Resources, Service Delivery	35530
Sue Kelsey	Interim Head of Schools HR Service	2930880
Nalin Seneviratne	Director of Property & Facilities Management	34120
Paul Green	Director of Information Services	36818
Barry Moller	Commercial Director	2053819
Julie Bullen	Director of Customer Services	36967
Kevin Foster	Director of Transformation Programme	2053478
Neil Dawson	Head of Transport Services	2037595

Children, Young People and Families

Jayne Ludlam	Deputy Executive Director of Children & Families	2930063
John Doyle	Director of Business Strategy	35663
Maggie Williams	Children’s Commissioner	2930968
Tony Tweedy	Director of Lifelong Learning, Skills & Communities	2296140

Place

John Charlton	Deputy Executive Director/Director of Streetforce	36552
Paul Billington	Director of Culture and Environment	35071
Les Sturch	Director of Development Services	35909
Mick Crofts	Director of Business Strategy	36148
Sue Millington	Senior Strategy Manager	35128
Andy Nolan	Director of Sustainable Development	36135

Communities		
<u>Eddie Sherwood</u>	<u>Director of Care and Support Communities</u>	<u>34840</u>
<u>Miranda Plowden</u>	<u>Director of Commissioning</u>	<u>35057</u>
<u>Jan Fitzgerald</u>	<u>Interim Director of Community Services</u>	<u>34486</u>
<u>Bev Coukham</u>	<u>Director of Business Strategy</u>	<u>35094</u>
<u>James Henderson</u>	<u>Director of Policy, Performance & Communications</u>	<u>2753126</u>
<u>Chris Shaw</u>	<u>Director of Health Improvement</u>	<u>2735015</u>
<u>Lynne Bird</u>	<u>Director of Legal & Governance</u>	<u>2734018</u>
<u>Eugene Walker</u>	<u>Director of Finance</u>	<u>2735872</u>
<u>Julie Toner</u>	<u>Director of Human Resources</u>	<u>2734081</u>
<u>Cheryl Blackett</u>	<u>Head of Human Resources, Specialist & Advisory Services</u>	<u>2734080</u>
<u>Sue Palfreyman</u>	<u>Head of Human Resources, Business Systems, Capability, Development & Change</u>	<u>2735530</u>
<u>Nalin Seneviratne</u>	<u>Director of Capital & Major Projects</u>	<u>2057017</u>
<u>Paul Green</u>	<u>Director of Information Services</u>	<u>2736818</u>
<u>Barry Mellor</u>	<u>Director of Commercial Services</u>	<u>2053928</u>
<u>Julie Bullen</u>	<u>Director of Customer Services</u>	<u>2736972</u>
<u>Neil Dawson</u>	<u>Director of Transport & Facilities Management</u>	<u>2037592</u>
<u>Jayne Ludlam</u>	<u>Interim Director of Children, Young People & Families</u>	<u>2735726</u>
<u>Matthew Sampson</u>	<u>Acting Deputy Executive Director CYPF</u>	<u>2734913</u>
<u>John Doyle</u>	<u>Director of Business Strategy</u>	<u>2735663</u>
<u>Maggie Williams</u>	<u>Deputy Executive Director CYPF</u>	<u>2930968</u>
<u>Tony Tweedy</u>	<u>Director of Lifelong Learning, Skills & Communities</u>	<u>2296140</u>
<u>Edward Highfield</u>	<u>Director of Creative Sheffield</u>	<u>2232349</u>
<u>Paul Billington</u>	<u>Director of Culture and Environment</u>	<u>2734700</u>
<u>Les Sturch</u>	<u>Director of Regeneration & Development Services</u>	<u>2735449</u>
<u>Mick Crofts</u>	<u>Director of Business Strategy & Regulation</u>	<u>2735776</u>
<u>Andy Nolan</u>	<u>Lead - Sustainable Cities Programme</u>	<u>2057415</u>
<u>Eddie Sherwood</u>	<u>Director of Care and Support Communities</u>	<u>2734840</u>
<u>Joe Fowler</u>	<u>Director of Commissioning</u>	<u>2734605</u>
<u>Jan Fitzgerald</u>	<u>Interim Director of Community Services</u>	<u>2734486</u>
<u>Bev Coukham</u>	<u>Director of Business Strategy</u>	<u>2053105</u>
<u>Janet Sharpe</u>	<u>Interim Director of Housing</u>	<u>2735074</u>

WHISTLEBLOWING CO-ORDINATORS

Human Resources

<u>Cheryl Blackett</u>	<u>Head of Human Resources, Policy and Governance</u>	<u>34080</u>
<u>Sue Palfreyman</u>	<u>Head of Human Resources, Service Delivery</u>	<u>35530</u>
<u>Sue Kelsey</u>	<u>Interim Head of Schools HR Service</u>	<u>2930880</u>

Legal and Governance

<u>Lynne Bird</u>	<u>Director of Legal and Governance</u>	<u>34019</u>
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Audit		
Steve Gill	Chief Internal Auditor	34363
Finance		
Eugene Walker	Director of Finance	35872
Health and Safety		
Steve Clark	OD Manager, Safety and Employee Well-being	34796
Safeguarding		
Cath Erine	Service Manager	36870
Karen Bennett	Service Manager	2053846
Des Charles	Service Manager	35819
Human Resources		
<u>Cheryl Blackett</u>	<u>Head of Human Resources, Policy and Governance</u>	<u>2734080</u>
<u>Sue Palfreyman</u>	<u>Head of Human Resources, Service Delivery</u>	<u>2735530</u>
Legal		
<u>Lynne Bird</u>	<u>Director of Legal & Governance</u>	<u>2734018</u>
Finance		
<u>Eugene Walker</u>	<u>Director of Finance</u>	<u>2735872</u>
Health and Safety		
<u>Steve Clark</u>	<u>HR Manager</u>	<u>2734796</u>
Safeguarding		
<u>Cath Erine</u>	<u>Service Manager</u>	<u>2736870</u>
<u>Karen Bennett</u>	<u>Service Manager</u>	<u>2053846</u>
<u>Des Charles</u>	<u>Service Manager</u>	<u>2735819</u>
Audit		
<u>Fraud Hotline</u>		<u>2736060</u>

TRADE UNION REPRESENTATIVES

Jon Mordecai	UNISON	2736307
Mark Keeling	UNITE	2736486
Shelagh Carter	GMB	2768017

CONTACT ADVISERS

<u>Marjorie Fee</u>	<u>07989 359564</u>
<u>Gary Dickson</u>	<u>07803 888493</u>

<u>Satya Thompson</u>	<u>07876 038745</u>
<u>Tracey Jack</u>	<u>07785 294106</u>
<u>Fiona Sinclair</u>	<u>07799 342583</u>
<u>Karen Ramsay</u>	<u>07768 698577</u>
<u>Fayzeh Mohamed</u>	<u>07730 815657</u>
<u>Josie Billings</u>	<u>07785294639</u>

(Contact Officers/Co-ordinators/Trade Union Representatives/Contact Advisers last updated May 2013)

(Contact Officers/Co-ordinators/Trade Union Representatives last updated June 2012)

**GUIDANCE NOTE ON GENERAL PROCEDURES
 AT PLANNING AND HIGHWAYS COMMITTEE
 MEETINGS**

Issue Date: September 2012

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Introduction

This Guidance is for Planning and Highways Committee Members attending Committees and is intended to supplement the Corporate Code Of Conduct For Members, (the Code of Conduct) and any Code Of Conduct for Council Members And Officers In Relation To Planning Matters issued from time to time by the City Council with regard to the operation of Committees and the determination of Planning matters

This Guidance is not binding upon Members but sets out examples of both best practice and inappropriate conduct to aid in the interpretation of the above Codes and it is in the best interests of the City Council, the Committees and individual Members to follow this guidance, as compliance or non-compliance with this Guidance may be a material consideration in any subsequent investigation of a complaint as to Member's conduct. This Guidance Note is on general procedures for Committees and specific guidance on particular matters such as Telecommunications will be issued from time to time by the legal contact officers for Members.

The aim of this Guidance is to reduce the number of situations where things said or done by Members attending the Committees are misconstrued resulting in damage to the Council's reputation and loss of confidence in the planning system unnecessary legal challenges, planning appeals and awards of costs against the City Council

This Guidance may be amended at any time to accommodate changes in the law, procedure and best practice and revised copies will be circulated to all Members prior to the next meeting of the relevant Committee.

1. Members' Training

Members are reminded that determining matters under the Town and Country Planning Act 1990 and related legislation at a Committee requires a degree of knowledge and familiarity of planning law and procedure on their part. Member training is offered as a prerequisite to all new Members to Committees and regular updates and training for existing Members is offered by Planning Officers as is required due to legislative or policy change.

No Member may be appointed to serve on a Planning and Highways Committee until they have received the necessary training. This is to ensure that correct procedures are followed and proper planning considerations are employed in decision making. The integrity of the planning system and the need for public confidence require this.

2. Chair's Briefing Meetings

Chair's Briefing Meetings will be held, ~~subject to the discretion of the Chair of the relevant Committee in consultation~~ with Officers, and will ~~generally be advisable to~~ deal with circumstances such as the late submission of relevant information and of procedural issues concerning the conduct of the Committee hearing ~~which have arisen after publication of the Agenda. If the Agenda does not raise any such issues, the Chair of the Committee may therefore dispense with any Briefing Meeting.~~

2.1 Planning and Highways Committee Briefing Meetings

2.1.1 The role of any Briefing Meeting which is held is to basically, allow developers to present large-scale development proposals to the Committee early in the planning process, and wherever possible at the pre-application stage, so that the developers will benefit from early feedback on any concerns that the Committee Members may have about the proposal. This gives the developer the opportunity to amend their proposals if they wish and avoids the possibility that the Committee's eventual decision on the application might come as a surprise to the developer. Planning Committee Members are required to attend any Briefings to ensure that developers get any feedback necessary.

2.2 Such meetings are not to be used for discussion of the merits of any proposal.

~~2.3 Where a legal issue is raised during a Briefing Meeting concerning a point of law or procedure, such as to the exclusion of the press and public (see paragraph 4 below) specialist legal advice must be sought from the Legal Services contact Officer for that meeting of the Committee. No Members other than Committee Members should attend briefing meetings.~~

3. The Public Nature of Committee Meetings

3.1 All Committees are public meetings of a committee of the City Council and it is a legal requirement that the public and the press are admitted to all such meetings.

3.2 The issue of transparency of proceedings is especially important in planning matters where a controversial application determined by an officer under a delegated power or in a closed session may lead to

unfounded allegations of bias which can only be removed by having the matter determined in public. A controversial application in this context may mean a matter which is relatively simple to determine in terms of planning policy, but which may encounter significant public opposition due to the nature and proximity of the anticipated use e.g. a major metropolitan landfill site 250 metres from a small town.

- 3.3 In addition Planning Authorities are expected to consider the views of local residents in determining planning applications, with the failure to do so resulting in a potential award of costs at a subsequent planning appeal. Excluding the press and public could therefore be used against the City Council to make a claim for such costs.
- 3.4 The Committee is a Regulatory Body for the purposes of the Council Procedure Rules in that it discharges on behalf of the City Council those planning and highways regulation duties imposed by statute. This means that the cap as to length of meeting under Clause 5.10 Part 4, Council Procedure Rules does not apply to meetings of the Committee so as to allow full access to the public to all items on the Agenda of the Committee without premature termination of the public right to make representations caused by overrunning.

~~4. Obtaining Advice on the Exclusion of The Press And Public~~

- ~~4.1 On those very rare occasions where the exclusion of the press and public from a meeting may be required, specialist legal advice should have been obtained from the Legal Services contact officer before this issue is raised at the start the meeting of the Committee to ensure that Members and officers are familiar with the procedure and that it is correct to apply the procedure in that case.~~
- ~~4.2 In any circumstance where this issue has been raised for the first time after the start of the Committee, an adjournment of the Committee should be obtained to allow for specialist legal advice to be sought from Legal Services contact officer and given to the Members. Legal Services will ensure that where possible a contact officer is available for every Area Committee meeting. Officers will be notified in advance prior to the start of the Committee meeting the identity of the contact officer. Other matters on the agenda can be dealt with by Members whilst this advice is being sought to avoid undue delay.~~

4.5 The Submission Of Late and/or Confidential Information

- 4.5.1** Sometimes information is submitted to a Member by an objector or other third party which if it were received in time would normally be incorporated into a report on an agenda, or supplementary agenda, but for one reason or another has been received too late for this to occur. This information may be in the form of a written submission or a set of photographs or some other audio-visual aid, submitted just before the Committee Meeting directly to Members by persons supporting or objecting to a particular item on the Agenda and without notice to the Officers.
- 4.5.2** If such late information is submitted directly to a Member, the Member should pass on this information as soon as possible to the Planning Officer (or the Committee Secretary if the meeting is about to commence) to determine the best course of action given the amount of information received and the stage of the proceedings, as well as when this information first became available for submission. Depending upon these factors this may mean that the particular item in question has to be deferred until the next meeting of the Committee. This should only occur in the most extreme circumstances when determination on the date of the current Committee is impossible.
- 4.5.3** The deliberate late submission of information on a contentious item should not be used as an excuse for a deferral of that item to the next Committee. Members should therefore consider very carefully any circumstances where a party has had access to information relevant to the determination of an item but has withheld submitting this information until after the publication of the Agenda. In such circumstances it may be advisable to put such an item to the end of the Agenda and/or allow a short adjournment for officers to assess the late information and make a verbal report back to the Committee to the Committee. This would prevent undue delay arising in the determination of contentious issues which might lead to unnecessary planning appeals.
- 4.5.4** Sometimes a person will attempt to supply information to a Member which is claimed to be confidential in nature. Members should remember that they have a general duty of confidentiality under paragraph 3 of Part 1 of the Code of Conduct, and any action taken by the Member concerning the use of such confidential information should be in accordance with that duty.

45.5 The principle of transparency in the planning process will generally find against any relevant information to the planning process being withheld from public scrutiny, restricting any right of confidentiality which may be sought by the person providing the information. In such circumstances the Member will normally be required to ask the person supplying the confidential information to decide between openly providing this information or of withdrawing this information from consideration whatsoever, so as to comply with both the duty under paragraph 3 of part 1 of the Code of Conduct, and the public principle of transparency.

45.6 Only where the City Council have been advised by the appropriate authorities that there is a legitimate and well founded threat to life or property from the publication of such information, would a right of confidentiality be ever considered to exist sufficient to overcome the principle of transparency. Mere commercial or personal interests on their own will never justify the breach of the principle of transparency.

5.6 The Submission of Defamatory and Offensive Information

56.1 Overtly defamatory or offensive remarks in a representation will not be accepted, even if legitimate planning issues are also raised. Its publication would not only bring the planning process into dispute, but may also render the Council liable in damages if malice can be proved. Correspondents will be informed that they will need to be resubmitted with such comments removed.

56.2 There may be instances where an unsubstantiated allegation may contain information material to the determination of a course of enforcement action or a planning application. A developer or land owner may regard the allegations as defamatory, but if they cannot be safely ignored and are material to the delegated or Committee decision to be made, their consideration will be justified.

67. Unreasonable Conduct In Decision Making

67.1 Members must be aware that making a decision based on grounds not related to planning issues will be considered to be unreasonable conduct by both Planning Inspectors and the High Court, resulting in this decision causing an award of costs against the City Council at a planning or enforcement appeal and/or the decision being quashed on judicial review with an award of costs against the City Council.

67.2 All planning authorities have the discretion not to adopt the professional or technical advice of its Planning Officers, so that a

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decision against the advice of the Planning Officer will not automatically be considered to be unreasonable conduct. Regard should be had however to paragraphs 6.01 and 6.02 of Part 1 of the Code of Conduct, concerning decision making.

- | **67.3** Members will sometimes face considerable public support for or against a particular item on the Agenda of the meeting. Whilst the views of local residents have to be taken into account when determining a planning application, if those views are not relevant to a planning issue it is unreasonable conduct for Members to take them into account when making a decision. Planning Officers seek to identify planning and non-planning issues raised as part of the consultation process and decisions as an aid to Members in this regard.

- | **67.4** Decisions which ignore Local or National Policy Guidance will generally be deemed to be unreasonable and may result in costs being awarded to the appellant. Decisions which seek to evade National or Local Policy Guidance by adopting grounds for refusal which are in line with that policy but which are clearly not applicable to the circumstances of the particular application will also generally be deemed to be unreasonable and may result in costs. Again Planning Officers will refer to relevant National and Local policy guidance in their reports as an aid to Members in this regard.

- | **67.5** Disagreement with the Planning Officers will normally be reasonable where it involves Members giving different weight to certain material planning considerations, based on careful consideration of the advice given by planning officers and of the supporting evidence. Planning decisions often involve weighing up conflicting considerations leading to a balanced judgement and reports to the Planning Committee will indicate where there is conflicting evidence or where a recommendation is finely balanced. Genuine differences of opinion between the Planning Officer and the Members on such issues can therefore exist without either bringing the planning system into disrepute or risking an award of costs.

- | **67.6** Members should also be aware that when authorising enforcement proceedings that unreasonable decisions will put the Council at financial risk. A Stop Notice can create substantial costs for a developer or land owner and the Council is only protected from a substantial compensation claim if the development being stopped is unlawful. Any Enforcement Notice that requires the owner/occupier to do more than is required may not only result in an award of costs but may also result in a substantial claim for compensation should the

accompanying Enforcement Notice be dismissed on appeal. The Planning Officers report will provide guidance for Members as to what is reasonable in the circumstances of the case on these points.

7.8. Maintaining Public Confidence in the Committees

7.8.1 Public confidence in the local operation of the planning system can be undermined by Members making unreasonable decisions (as set out in paragraph 7 above), as this may result in an increase in the number of appeals which the City Council lose. Success on these appeals may encourage disappointed applicants to make appeals for all applications in the hope that an Inspector will be more likely to grant planning permission than the Committee. In such a situation the City Council would have an increasing amount of officer time and resources spent on matters not suitable for appeal in the first place.

~~8.2 As currently constituted there are two Committees each served by their own Members. Members should not at any time in the course of a meeting of the Committee comment at all upon any matter which is, or has been, or will be on the Agenda of the other Committee, or about the conduct of any other Member or Planning Officer in relation to an Committee.~~

~~8.3 Members should also be careful not to give the impression or appearance of joining in or reacting to any such comments made by member of the public, press, or other persons, which may be misconstrued in a positive or negative fashion as being in favour or against the decision of another Committee.~~

7.28.4 Members should be especially careful when dealing with the media in respect of matters pertaining to the Committees, as adversely reported comments may also result in a loss in public confidence.

7.38.5 Members should note that conduct undermining confidence in the planning system may also constitute conduct bringing the authority into disrepute under paragraph 4 of Part 1 of the Code of Conduct.

8.9 Maintaining Public Confidence in the Role of Planning Officers

8.9.1 Members should at all times during meetings of Committees maintain a professional relationship with Planning Officers as set out in paragraph 2.05 of the Code of Conduct, sticking strictly to the Items contained within the Agenda and to the order of business as set out in the

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Agenda, rather than seek to raise matters with the Planning Officer not on the Agenda which may be misconstrued by those present.

- | **89.2** Members should be careful as regards individual approaches to Planning Officers immediately before or after Committees. If the approach is in relation to an item on the Agenda, this may be misconstrued as an attempt by other persons present to influence the Planning Officer's professional and impartial advice and give rise to the appearance of a personal or ~~prejudicial~~ Disclosable Pecuniary interest existing where no such interest exists. All matters pertaining to an item on the Agenda, including questions to the Planning Officer should be dealt with under the normal order of business in open meeting.

- | **89.3** Members who would be barred from an item on the Agenda of a particular Committee due to having a Disclosable Pecuniary Interest should take special care when making any approach to the Planning Officer. If these approaches are immediately prior to or immediately after the Committee meeting, or that particular Agenda Item, then this may be misconstrued as an attempt to unduly influence the Committee through the Planning Officer, even if the approach is unrelated to anything on the Agenda.

- | **89.4** Members can legitimately question the views of planning officers in a robust manner and openly express disagreement with their professional views. This can lead to a better understanding of the issues involved by all persons present, to the benefit of the planning system.

- | **89.5** Members should however seek to avoid an unduly adversarial, repetitive or demeaning style of questioning, as this may reflect badly upon both the planning officer and the Member to the detriment of public confidence in the operation of the planning system. It is important that the professional standing and credibility of planning officers and the objectivity and efficacy of Committee Members is maintained in order that the public has confidence in the Council's planning system and is not unduly sceptical in its operation.

- | **89.6** Members are further referred to paragraphs 2.04 through to 2.07 (inclusive) of the Code of Conduct which deals with the general obligations between Members and Officers.

9.10 Allegations of Misconduct of Officers

- 9.10.1** Members should be reminded that Planning Officers and other Officers will often work with the professionals acting on behalf of a developer to improve a poor or marginal scheme through a series of negotiations over often quite lengthy periods of time. This is part of the duties of Planning Officers and does not of itself imply that there has been improper collusion between the Planning Officer and the Developer, or that the Developer has exercised undue influence over the Planning process.
- 9.10.2** If a Member reasonably believes that improper collusion exists, or that undue influence is being exercised by a Developer in respect of a Planning Officer then this allegation should be notified to the Monitoring Officer before the meeting of the Committee. The Monitoring Officer will then inform the Director of Development Services and take action with regard to informing external investigators such as the South Yorkshire Police. The Member should thereafter provide whatever evidence or assistance may be required in the proper investigation of this matter by the City Council and/or the Police.
- 9.10.3** In the event of an allegation of improper collusion or undue influence being raised prior to the Committee meeting, the planning case file and Report will be reviewed by a Planning Officer senior to the Planning Officer preparing the report and previously unconnected to the application and any amendments to the Report will be presented by that senior Planning Officer.
- 9.10.4** In no circumstances should a Member seek to make an allegation of improper collusion or undue influence in the course of the Committee meeting itself. Aside from disrupting the proper conduct of the meeting and bringing the planning system into disrepute, this would prejudice the proper investigation of the allegation and personally leave the Member open to investigation for misconduct and an action for slander by the Developer and his agents, as well as the Planning Officer, should the allegation not be substantiated. A Member should not also therefore seek to defer a determination following an allegation of misconduct made by a member of the public.
- 9.10.5** Members need to be aware that conduct which falls outside these guidelines can be the subject of an application for judicial review on the ground that the Committee failed to deal with the particular application in a proper manner: it does not matter that the decision may have been correct in planning terms. It could also justify an application for costs in

a planning appeal. Allegations of bias and/or improper collusion could potentially also be the subject of an action for slander; statements of that nature only attract qualified privilege which can be withdrawn if malice is proved.

104 Commencement of Committee Meeting

- 104.1 Prior to the start of the meeting the Committee Secretary will have found out which members of the public wish to speak on which items on the agenda. The order of the agenda should therefore be revised in consultation with the Chair, to move those items up the agenda which have the most interest to those members of the public present so as to allow it to be dealt with first and to avoid disruption of the meeting.
- 104.2 The Committee Secretary will then announce the revised order of business and will explain, for the benefit of the public, the procedure for addressing the Committee. The Committee Secretary will also announce, after consultation with the Planning Officer, if any application is now not to be considered at the current meeting or has been completely withdrawn by the applicant.
- 104.3 In respect of applications which are now to be considered at the next Committee Meeting, any members of the public present who attended the meeting of the Committee to speak to that application should be offered the chance to either speak to that application with their comments incorporated into the revised report for that application, or to return to the next meeting of the Committee when the item would normally return for consideration. The preferred option would be for members of the public to attend to speak to that application at the next Committee meeting.
- 104.4 To speed up the proceedings, it will be assumed that Members will have read the reports on the agenda. Presentations will however be invited where they help to focus the Committee on the material considerations, where there are supplementary reports or to help the public understand why decisions are being made.
- 104.5 Members leaving the room during consideration of an item can not thereafter take part in the decision on that item upon their return, as they cannot be seen to have been in full possession of the information required to make that determination, and may have been influenced by events occurring outside the Committee during their absence.

112 Meeting Procedure and Decision Making

112.1 Members are reminded of the procedure for considering each application as follows:-

- Planning Officer introduction to report, where appropriate (see paragraph 11.4 above) .
- Public representations – speaker(s) against recommendation first; speaker(s) for recommendation second.
- Planning Officer response to public representations.
- Member report back on any site visit held.
- Member questions.
- Planning Officer responses.
- Member comments.
- Voting on Planning Officer recommendations (with any amendments/ suggested changes/ additional conditions, etc.) as per Council Procedure Rules.
- Give reasons for grant or refusal of application.
- When granting a planning application, to indicate whether or not it should be required that any amendments to the application which need planning permission which are subsequently submitted by the applicant to be reported to the Committee for a decision.

112.2 Members may ask for the vote to be recorded, as normally no record is taken of the numbers for or against on a particular determination, only whether or not the matter was agreed or refused by the Committee. Clause 18.4 of part 4, Council Procedure Rules sets out in full the proper procedure for a formal recorded vote.

112.3 Separate guidance in the form of a Guidance Note To Chair On Disruption Of Planning And Highways Committee By Members Of The Public exists in relation to the disruption of Committee Meetings by members of the public, which includes the intimidation of Members.

13.12. Requests for Site Visits

- 13.1.1 Wherever possible, planning officers and the Chair of the Committee will try and anticipate where a site visit might be required and organise it in advance of the Committee, to avoid unnecessary delay. A clear case should be presented by any Member suggesting an additional site visit and consideration given to any advice from officers present about available information that might negate the need for a visit. Paragraph 6 of the Code of Conduct contains specific rules regarding this issue.
- 13.1.2 When the Planning Officer suggests a decision on an application be deferred pending a site visit and a member of the public is present at that meeting and may be unable to attend the following meeting, then he/she should be allowed to speak and a note of such representations will be made and taken into account when that application is considered.
- 13.1.3 Members are reminded that the Code of Conduct at paragraphs 6 and 7 regulates Members conduct with regard to both formal Committee Site Visits and individual site visits.
- 13.1.4 Attendance at a formal Committee Site Visit is not mandatory for Members voting on the subsequent item on the Agenda, but Members are expected to attend if they feel that they could not make a decision without a site visit in any particular case or to ensure that sufficient Members attend to maintain public confidence in the need for the visit. If a Member cannot for whatever reason attend upon the formal Committee Site Visit and feel that they need to visit the application site before making their decision, they should undertake an individual site visit prior to the Committee, or abstain from the decision at the Committee.

13.4 Calling for A Public Inquiry

- 13.4.1 When an application is refused, and is likely to be the subject of an appeal there is sometimes pressure at a Committee from objectors and other members of the public present for a public inquiry to be held in respect of any potential appeal, as it is erroneously believed that the City Council have the power to hold such an inquiry, and that a public inquiry will be more likely to be swayed by the representations of the objectors.

134.2 The Planning Inspectorate determine which of the three types of appeal is the most appropriate for any particular appeal. The three types of appeal are :-

- Written representations;
- Informal hearing;
- Public inquiry.

An appeal will be written representations if both the appellant and the Council agree to it. These appeals are undertaken purely on the basis of documents submitted by the parties and are the cheapest and quickest form of appeal.

134.3 If there is no agreement as to written representations being the most appropriate form of appeal then the appeal will be either an informal hearing or a public inquiry at the sole decision of the Planning Inspectorate. Both parties may make representations regarding which is the more appropriate method of appeal, but the decision is solely that of the Planning Inspectorate.

134.4 In practical terms there is very little difference between an informal hearing and a public inquiry for an objector as both are held in public and both allow for objectors to make representations. The only real difference is that the public inquiry allows for evidence to be given under oath. All three types of appeal will deal with exactly the same material planning considerations. An appeal is as likely to be upheld on its planning merits after written representations as it would at an informal hearing or a public inquiry.

14.5 **Declarations of Interest**

145.1 Members should be clear about declaring an interest and when they should leave the room when the matter is discussed. Part 2 of the Code of Conduct contains specific Rules regarding this issue. If in doubt, Members should seek [specialist legal advice](#) from the [Legal Contact Officer beforehand](#) [prior to the start of the meeting](#). Whilst officers will give advice, it should be noted that the decision itself rests with the Member.

15.6 **Observers and Public Speaking at Committee Meetings**

156.1 The current practice of allowing only one spokesperson for each principal point of view is at the Chair's discretion. There are rules regarding this issue at paragraph 5 of the Code of Conduct. Whilst the

public do not have a right to speak, there will be times when additional speakers will wish to make representations. Sometimes denying a member of the public the chance to speak can create difficulties and Chairs are reminded to exercise this discretion having regard to the right to a fair hearing under Article 6.1 of the Human Rights Act 1998 and paragraph 5.2(c) of the Code of Conduct.

156.2 Members' are reminded that public speaking is normally limited to a maximum of 5 minutes (as opposed to 3 minutes at Council and Cabinet meetings). Paragraph 5.2(d)-(g) of the Code of Conduct contains rules regarding this point. The Committee Secretary will keep a check of the time and inform the Chair when the 5 minutes is about to elapse. It would be helpful at that time if the Chair would advise the speaker to draw to a conclusion if it is not apparent that the speaker has nearly finished. A note of the public speakers and the key points made by them will be made by the Committee Secretary and retained on file with the agenda. ~~(do they?)~~

156.3 Cabinet Members attending Committee meetings as observers should take no part in the conduct of the meetings and should only contribute when specifically invited to do so by the Committee. The procedure for Councillors wishing to address the Committee is the same as for members of the public.

1716. Role of the Chair

167.1 The Chair, in running the meeting, should be mindful of the need to retain a degree of independence as far as possible, and to be fair to all Members of the Committee. It is suggested that best practice be followed by the Chair in being the last speaker on an item of business, prior to the vote being taken.

167.2 If there are equal numbers of votes for and against a decision, the Chair will have a second or casting vote in accordance with Clause 18.2 of part 4, Council Procedure Rules. There is no restriction on how the Chair chooses to exercise a casting vote.

167.3 The Chair is expected to maintain order and to allow the Committee to perform its proper functions without disruption by either Members of the Committee or by members of the public. The powers of the Chair in relation to dealing with disruption by Members of the public are set out in a separate Guidance Note to Chair On Disruption Of Planning And Highways Committee By Members Of The Public. Committee Members should not seek to condone the behaviour of members of the public in

acts of disruption, and support the Chair in the proper exercise of those powers under the Council Procedure Rules.

167.4 Feedback from businesses and members of the public who have attended Committee meetings suggest that they can sometimes be confused as to why decisions have been made. The Chair has a role in ensuring that decisions are clearly explained, especially if against the officer recommendation in the report.

17.8 After the Committee

178.1 The determination by the Committee may not be the end of the planning process in respect of some applications. Where an applicant appeals, the process may continue for up to a year after the Committee meeting. Members should therefore be aware of outstanding appeals which are reported back on the Committee Agenda, and avoid statements and conduct which might give the indication of unreasonable conduct in the making of the decision.

178.2 Whilst Members would be free to join and even organise lobby groups related to a particular application after the determination of a decision (subject to paragraph 17.1 above), Members should bear in mind that a duplicate application may be made by the applicant to the application refused which will require determination in the future. It may well be that Members may be forced to declare an interest and possibly be barred from taking part in this subsequent determination, if their statements and conduct indicate that they could not approach this duplicate application with an open mind.

178.3 Members must bear in mind that Planning and Legal Officers are under a duty to pursue every such appeal against refusal with due diligence and rigour under their separate professional codes irrespective of their initial advice to the Committee. Committee Members should not therefore seek to influence the conduct of any subsequent appeal case by the City Council. Members should be aware that they are able to make representations at all types of appeal in their own name as an objector or supporter to the development, and attend in person at both informal hearings and public inquiries to make those representations.

178.4 The decision of the Inspector will be reported back to the Committee at the first available opportunity. Members should not use this report back to comment adversely upon the Inspectors decision, or upon the conduct of the appeal, or the original application as this would undermine confidence in the planning system. In the overwhelming

majority of planning appeals the Inspector will reach a decision substantially similar to the original report of the Planning Officer, dismissing the appeal against the decision of the Committee based upon that report.

178.5 In a minority of cases the Inspector may uphold the appeal despite the Planning Officer's report and the decision of the Committee. Whilst there is a right for Inspector's decisions to be reviewed that is by an application for judicial review in the High Court based on evidence that the decision was unreasonable in planning terms or followed a misinterpretation of law or planning policy; it is not a right of appeal.

~~Decisions to take judicial review proceedings may have considerable financial consequences for the Council and should therefore only be taken after obtaining Counsel's opinion. Although the Director of Legal and Governance has delegated powers to institute and defend legal proceedings generally, unless that is necessary to ensure that statutory timetables are met (in which case a report would be brought to the relevant Committee at the earliest opportunity) a decision to institute proceedings would be taken by the relevant Committee following a joint report by the Head of Planning and the Director of Legal and Governance.~~

178.6 There will also be a very small number of appeals which have been dismissed following refusal by Committee Members contrary to Planning Officers advice. There may be good reasons for the decision of the Inspector in such cases which are unrelated to the quality of the advice given in the original report, but the Head of Planning will review the case and ensure that any lessons that need to be are learnt.

Comment [DG(1): A decision to bring proceedings is an executive function that is delegated to Director of Legal and Governance in the Leader's Scheme

Principles for Joint Health Scrutiny

22. The health of the areas residents is dependent on a number of factors including the patterns of deprivation and the quality of services provided by the NHS, the Local Authorities and local partnerships. The success of joint health scrutiny is dependent on the Members of the Joint Committee as well as the NHS.
23. The Local Authorities and NHS bodies will be willing to share knowledge, respond to requests for information and carry out their duties in an atmosphere of courtesy and respect in accordance with their Codes of Conduct. Personal and ~~prejudicial~~ Disclosable Pecuniary interests will be declared in all cases, in accordance with the Code of Conduct.
24. The scrutiny process will be open and transparent in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000 and meetings will be held in public. Only information that is expressly defined in regulations to be confidential or exempt from publication will be considered in private.
25. Different approaches to scrutiny reviews may be taken in each case. The Joint Committee will seek to act as inclusively as possible and will take evidence from a wide range of opinion including patients, carers, the voluntary sector, NHS regulatory bodies and staff associations. Attempts will be made to ascertain the views of hard to reach groups, young people and the general public.
26. The Joint Committee will establish links with the other public and patient involvement bodies (PCT and Trust Patient Forums) established by the Commission for Public and Patient Involvement in Health under the NHS Reform and Health Care Professions Act 2002.
27. The Regulations covering health scrutiny require the Chief Executive of NHS bodies to attend meetings of Health Scrutiny Committees. The Joint Committee however recognises that, in certain circumstances, the Chief Executive may not find it possible to attend and other appropriate Officers will then attend, dependent upon the matter under review. Reasonable time will be given for the provision of information by those asked to provide evidence to the Joint Committee.
28. Evidence and final reports will be written in plain English where possible. Acronyms and technical terms will be explained.

1.5 Notwithstanding these arrangements, individual authorities may wish to comment on proposals by NHS bodies under the broader duties imposed on NHS Bodies by Section 242 of the National Health Service Act 2006.

1.6 This protocol has been developed and agreed by all the local authorities with responsibility for health scrutiny in the Yorkshire and the Humber region (Bradford, Calderdale, Kirklees, Leeds, Wakefield, York, North Lincolnshire, Barnsley, Doncaster, Rotherham, Sheffield, East Riding, North Yorkshire, North East Lincolnshire and Hull) as a framework for carrying out joint scrutiny of health in the region in response to a statutory consultation by an NHS body.

2.0 COVERAGE

2.1 Whilst this protocol deals with arrangements within the boundary of Yorkshire and the Humber, it is recognised that there may be occasions when consultations may affect adjoining regions. Arrangements to deal with such circumstances would have to be determined and agreed separately, as and when appropriate.

3.0 PRINCIPLES FOR JOINT HEALTH SCRUTINY

3.1 The basis of joint health scrutiny will be co-operation and partnership with a mutual understanding of the following aims:

- To improve the health of local people and to tackle health inequalities
- Ensuring that people's views and wishes about health and health services are identified and integrated into plans, services and commissioning that achieve local health improvement.
- Scrutinising whether all parts of the community are able to access health services and whether the outcomes of health services are equally good for all sections of the community.

3.2 The Local Authorities and NHS bodies will be willing to share knowledge, respond to requests for information and carry out their duties in an atmosphere of courtesy and respect in accordance with their Codes of Conduct. Personal and ~~prejudicial~~ Disclosable Pecuniary interests will be declared in all cases, in accordance with the Code of Conduct.

3.3 The scrutiny process will be open and transparent in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000 and meetings will be held in public. Only information that is expressly defined in regulations to be confidential or exempt from publication will be considered in private.

MANAGEMENT STRUCTURE

1.1 Chief Officers

Chief Executive and Head of Paid Service

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

Chief Executive

Responsible for:-

~~Performance and Communications~~
~~Scrutiny and Corporate Planning~~
~~Health Improvement and Health Inequalities~~
~~Support to SFP Health Partnership~~
~~Healthy City Project~~
~~Sheffield City Region~~
~~Strategy for Economy, Skills and Enterprise~~
~~Economic Investment Planning~~
~~Policy and Research~~
~~Voluntary Sector Strategy and Funding~~
~~City Information~~
~~Spatial Information applications including GIS~~
~~Democratic Services and Member Development~~
~~Organisational Change, Customer Strategy~~
~~Governance & Involvement, including Elections~~
~~Emergency Planning / Business Continuity~~
~~Legal Services including Land Charges~~
~~Register Office~~
Director of Policy, Performance and Communications

- Corporate Policy and Strategy
- Research and Analysis
- Performance Management
- Strategic and Business Planning
- Communications, including Campaigns, Marketing, Press and PR, and internal Communications
- City Information
- Partnerships Development
- Strategy for VCF Sector and Related Funding
- Equalities, Social Justice and Community Involvement

- Scrutiny
- Elections and Referenda
- Electoral Registration

Director of Sheffield First Partnership

- Sheffield City Strategy
- Sheffield Outcomes Framework
- State of Sheffield Report
- Sheffield Executive Board
- Sheffield Partnerships Collaboration
- Sheffield Whole Place (City) Budgets Programme
- Business First Partnership Unit

Executive Director Resources

Responsible for:-

- ~~Finance, including Revenues and Benefits through Capita contract~~
- ~~Commercial Services, including Corporate Procurement and Strategic Contract Management~~
- ~~Property Services and Facilities Management, including Kier Partnership~~
- ~~Customer Services, including Corporate Contact Centre and First Point and Complaints~~
- ~~Transport Services~~
- ~~Business Information Solutions, including Capita contracted services~~
- ~~Transformation Service and Business Management and Support~~
- ~~Human Resources, including HR Connect contracted services through Capita~~

Director of Finance

- Revenue Budget and Accounting
- Capital Programme Budgeting and Accounting
- Project Finance
- Internal Audit
- External Grant Funding
- Housing and Council Tax Benefits Client Team
- Council Tax Collection
- Collection of Sundry Debt

Director of Commercial Services

- Commercial, Commissioning, Procurement and Contract Management, Processes and Support
- E-Business (Trading electronically with the Council's Suppliers)
- Business Services Category (Procurement)

- Construction Category (Procurement)
- Young People, Health and Care Category (Procurement)
- Commercial Projects
- Strategic Contract Management (e.g. Capita, Veolia, Highways PFI, Kier LLP, Kier Property and FM)
- Supplier Relationships
- All External Spend Data and related Freedom of Information Requests
- Approach/Process for Trade Supplier Payments
- Managing Community Right to Challenge Submissions

Director of Customer Services

- Customer Services (Contact Centre, First Point, Reception Services)
- Corporate Complaints Team
- Blue Badge Service
- City Wide Alarms Call Handling Service
- 101 Service/Out of Hours Service
- Post Offices
- Customer First Programme
- E-Services (Council Website)
- Armed Forces Community Covenant
- Translation and Interpretation
- Customer Service Strategy and Projects
- Sheffield Registry Office
- Communications and Customer Care Team – Council Housing Service

Director of Business Information and Transformation

- Transformation Service – Business Change
- Business Analysis
- Enterprise Architecture
- IT Service Management
- Programme and Project Management
- Strategy and Planning
- Information Security
- ICT Governance and Assurance
- ICT Outsourced Partnership Management
- Information Management
- IS Business Partnering
- IT Training

Director of Human Resources

- HR Business Partners
- HR Policy and Specialist Advice on Employment Matters
- HR Advice and Support on People Management

- Brockwood Park Training Centre
- Schools HR Service – Strategy and Governance
- Learning and Development Delivery Service
- HR Support for Major Change Projects
- Occupational Health
- Health and Safety
- HR Connect – Capita HR Transactions
- HR Connect – Capita Payroll

Director of Legal and Governance

- Legal Services
- Land Charges
- Monitoring Officer
- Standards
- Constitution
- Governance
- Democratic Services
- Member Development
- Mayoral Team
- Political Assistants and Group Support Officer
- Members Support

Director of Transport and Facilities Management

- Transport Fleet and Contract Management
- Transport Strategy and Governance
- HGV/PVC Operator Licences
- Passenger Transport for Vulnerable Adults and Children
- Taxi Driver and Vehicle Testing
- Vehicle Testing, Maintenance and Repairs
- Specialist Transport to Major City Events
- Chauffeur Service
- Community Buildings Team
- Schools Property Services
- Facilities Management, including Statutory Compliance and Maintenance - all Portfolios (except Housing)
- Property Records
- Kier Asset Partnership Ltd. Shared Services – Facilities Management

Executive Director Children, Young People and Families

Responsible for:-

- ~~Capacity Planning and Development~~
- ~~Assets and Building Schools for the Future~~

-
- ~~• Change Management and Organisational Development Schools~~
 - ~~• Admissions~~
 - ~~• Children and Families~~
 - ~~• Fieldwork Services~~
 - ~~• Fostering and Adoption~~
 - ~~• Safeguarding~~
 - ~~• Learning Difficulties and Disabilities~~
 - ~~• Multi-Agency-s~~
 - ~~• Parenting and Looked After Children~~
 - ~~• Commissioning Health Services~~
 - ~~• Family Support Services~~
 - ~~• Special Educational Needs provision and services~~
 - ~~• Early Years and Children's Centres~~
 - ~~• Inclusion Centres~~
 - ~~• Transforming Learning including schools CPD~~
 - ~~• Educational Attainment of Looked After Children~~
 - ~~• Behaviour, and Healthy Schools Strategy including Anti-Bullying Strategy~~
 - ~~• School Attendance~~
 - ~~• Inclusion and Learning Services~~
 - ~~• Schools~~
 - ~~• Special Schools~~
 - ~~• Special Educational Needs~~
 - ~~• Transforming Learning and BSF Vision~~
 - ~~• Behaviour, Attendance and Anti-Bullying Scheme~~
 - ~~• EMTAS~~
 - ~~• Lifelong Learning, Skills and Communities~~
 - ~~• Learning, Skills and Employment~~
 - ~~• 14-19 Partnership~~
 - ~~• Adult Learning~~
 - ~~• Youth Offending~~
 - ~~• Youth Commissioning~~
 - ~~• Employment and Skills~~
 - ~~• Extended School~~
 - ~~• Children's Commissioning Services~~
 - Acting Director of Children and Families Service
 - Children's Social Work Services
 - Fostering Service
 - Adoption Service
 - Safeguarding Service
 - Learning Difficulties and Disabilities Service
 - Multi-Agency Support Teams
 - Early Intervention and Prevention Services
-

- Attendance Services
- Parenting Strategy
- Looked After Children Services
- Corporate Parenting
- Commissioning Health Services
- Children's Centres Support Services
- Children's Residential Services
- Aldine House Secure Home
- Strategic Contracting and Access to Resource Service
- Aiming High and Short Break Services
- Early Years Planning and Sufficiency
- Strategic Leadership of the Early Years
- Leadership of the Review of Early Years
- Childcare
- Young Children's Centres
- Children's Centres Inspections
- Childminders
- 0-5 Strategy
- Youth Justice Service

Deputy Executive Director Inclusion and Learning Services

- Advocacy for Children & Young People.
- Primary, Secondary and Special Schools – Performance Monitoring, Challenge and Communication
- Targeted Support for Vulnerable Groups including those with EAL
- Educational Attainment of Looked After Children
- Behaviour Service, including Inclusion Centres
- School Governor Service
- School Sports Strategy, including Swimming
- School Music Service
- Learning Support Service
- Outdoor Education Service
- E-Learning
- School Places Planning and Commissioning
- Commissioning School Transport
- Early Years Learning Outcomes
- Children Missing from Education
- School Admissions and Admission Appeals
- SEN Services and Commissioning of SEN Places, Provision and Transport
- Strategic Lead for SEN
- Strategic Lead for Services to Schools
- De-escalation Service for Schools, Communities and Parents

- Early Years Inclusion
- Maintained Nursery Schools

Director of Business Strategy

- Capital Strategy, including BSF
- CYPF and Schools Resourcing Strategies
- Revenue Budget and Business Planning Strategy, including Traded Services
- Emergency Planning and Business Continuity
- Schools Transport Strategy and Delivery
- School Food Services
- CYPF Information Strategy
- Risk Assessment and Management (including Information Risk)
- Financial Probity and Performance
- Governance and Compliance
- Strategic Resource Planning
- School Financial and Resource Planning Advice and Guidance
- Business Partner Relationship Management:
 - Asset Management
 - Human Resources
 - Finance
 - Information Communication Technology
 - Procurement
 - Efficiency Programme
 - Customer First
 - Transformation Change Programmes – Capital, Budget, Strategic Outcomes, Academy Conservation Programme, Modern Efficient Council (MEC), Corporate Strategy

Director, Lifelong Learning, Skills and Communities

- 14-19 Partnership, Planning and Provision
- Adult Community and Family Learning
- Integrated Youth Support
- Employment and Skills
- Extended Learning and Support
- Community Cohesion
- Portfolio Policy, Planning and Performance
- Sheffield City Region Skills Lead for the City Deal

Executive Director, Communities

Responsible for:-

Business Strategy

- ~~Improvement and Development~~
- ~~Quality and Safeguarding~~
- ~~Business Partner Liaison~~

Commissioning

- ~~Strategic Commissioning and Partnerships~~
- ~~Housing Commissioning and Regulation~~
- ~~Accountable Body Services Team~~

Community Services

- ~~Community Buildings Team~~
- ~~Locality Management Team~~
- ~~Community Safety~~
- ~~Libraries, Archives and Information~~

Care and Support

- ~~Social Work Assessment and Care Management~~
- ~~Transforming Adult Social Care~~
- ~~In-house Provider Services (including Care4you and People with Disabilities and Sensory Impairment)~~
- ~~Housing Solutions, Asylum Accommodation and Support Service~~
- ~~Joint Learning Disability Service~~

Director of Business Strategy

- Improvement and Development:
 - Performance Management, including,
 - Programme Development and Monitoring
 - Business and Portfolio Strategy, Planning and Monitoring
 - Business Improvement, Efficiency and VFM
 - Business Transformation/Change Management Information
 - Monitoring and Management
 - Business Continuity
 - Business Systems Maintenance and Development
- Quality and Safeguarding:
 - Safeguarding and Strategic Overview and Governance
 - Serious Incidents and Serious Case Reviews
 - Governance and Quality Improvement
 - Staff and Customer Involvement/Workforce Development
 - Risk Management, Information Governance and Business Continuity
 - Equalities, Diversity and Inclusion

- Business Partner Liaison

Director of Community Services

- Locality Management Arrangements
- Community Safety, Cohesion and Migration
- Libraries, Archives and Information
- Drug and Alcohol/Domestic Abuse Co-ordination (DACT)
- Healthy Communities Programme

Director of Care and Support

- Community, Hospital and Intermediate Care, Social Work Assessment and Care Management Teams, including safeguarding assessments of people in need
- Self-Directed Support and Personal Budgets for People Needing Social Care and Support
- In-House Provider Services (including Care4You and People with Disabilities and Sensory Impairment
- Housing Solutions (homelessness prevention, assessments and allocations), Asylum Accommodation and Support Service and Equipment and Adaptations
- Joint Learning Disability Service
- Local Assistance Scheme

Director of Commissioning

- Housing Commissioning:
 - Future of Council Housing
 - Housing Revenue Account Business Plan
 - Lettings Policy Review
 - Leaseholders, Right to Buy and Financial Services
 - Private Rented Standards
 - Social Landlords Relationships
 - Housing-related Support
- Adult Social Care Commissioning:
 - Intelligence and Forecasting
 - Older People
 - Mental Health
 - Learning Disabilities
 - Carers
 - Service Development (personalisation, prevention, integrated services)

o ~~Contracts and Partnerships~~

Executive Director Place

Responsible for:-

- ~~• Activity Sheffield~~
- ~~• Arts and Museums~~
- ~~• Facilities~~
- ~~• City Centre Management~~
- ~~• Policy, Projects & PM~~
- ~~• Public Realm Maintenance~~
- ~~• Bereavement Services~~
- ~~• Graffiti Removal~~
- ~~• Development Services~~
- ~~• PFI Client~~
- ~~• Transport and Highways~~
- ~~• Design and Project Management~~
- ~~• Planning Division~~
- ~~• Waste (Including Abandoned Vehicles)~~
- ~~• Building Control~~
- ~~• Parking Services~~
- ~~• Licensing~~
- ~~• Flood Risk Management~~
- ~~• Carbon Reduction~~
- ~~• Air Quality~~
- ~~• Parks & Countryside Service~~
- ~~• Trees and Woodlands~~
- ~~• Development Services~~
- ~~• Business Strategy and Regulation~~
- ~~• Environmental Protection~~
- ~~• Pest Control~~
- ~~• Trading Standards~~
- ~~• Health Protection~~
- ~~• Medico Legal Centre~~
- ~~• Street Force~~
- ~~• PFI/ Strategic Partner~~
- ~~• Neighbourhoods Investment Programme~~
- ~~• Housing, Enterprise and Regeneration~~
- ~~• BIG~~
- ~~• City Development~~
- ~~• Over-arching Housing Strategy~~
- ~~• Thriving District and Local Centres~~

- ~~• Rural Community Strategy~~
- ~~• Liveability~~
- ~~• Sustainable Development~~
- ~~• Climate Change and Environment Strategy~~
- ~~• Creative Sheffield and Marketing Sheffield~~

Director of Capital and Major Projects

- Corporate Property Services
- Estate and Valuation Services
- Sheffield Markets Services
- Property Disposals and Acquisitions
- Rural Estates Management
- Commercial Estate Management
- Kier Asset Partnership Ltd Shared Services – Estate and Valuation Services
- Capital Investment and Capital Delivery Service
- Emergency Planning/Business Continuity, including shared service with Rotherham
- Interim responsibility for:-
- Sustainable Development
- Climate Change
- Policy and Projects
- Home Insulation Programme and Green Deal
- Environmental Strategy
- Renewable Energy and District Energy

Director of Culture & Environment

- Arts Projects
- Activity Sheffield
- City Centre Management
- City and Community Events
- Trees and Woodlands
- Parks and Countryside
- Public Realm Maintenance
- Bereavement Services
- Non-Highways Graffiti Removal
- Public Toilets
- Sports and Arts Trusts
- Allotments
- Ranger Service

Director of Regeneration and Development Services

- Air Quality
- Building Standards and Public Safety

- Flood Risk Management
- Highways Maintenance (PFI Client)
- Planning
- South Yorkshire Archaeology
- South Yorkshire Forest
- Transport, Traffic and Parking Services
- Interim Lead for Housing, Enterprise and Regeneration:-
- Local Growth Fund
- Thriving District Centres
- Over-arching Housing Strategy, Investment and Regeneration
- Sheffield Housing Company
- City Development
- Scowerdons, Weaklands and Newstead Housing Regeneration Project

Director of Business Strategy and Regulation

- Business Partner Relationship Management
- Business Planning
- Governance and Compliance
- Performance Management
- Programme Management
- Resilience Management
- Risk
- Business Continuity
- Emergency Planning
- Strategic Resource Planning
- Operational Services:
- Coroner's Advice
- Medico-Legal Centre (MLC)
- Licensing
- Regulatory Services
- Health Protection
- Environmental Protection
- Trading Standards
- Pest Control
- Waste Management (including abandoned vehicles)

Director of Marketing Sheffield

- Marketing of Sheffield
 - City Branding
 - City Promotion
 - Commissioning of Major Events
 - Leisure and Business Tourism
 - Stakeholder Engagement with Private Sector
-

- Change Management Role
- Champion Creative Sheffield
- External Relations with National Organisations (Visit England etc.)
- Interface with LEP

Director of Creative Sheffield

- Business/Inward Development
- Sector Development
- Indigenous Business Aftercare/Support
- SME Business Support
- Enterprise in Schools
- First Point for Business
- Economic Strategy/Policy
- Sheffield City Region and Local Enterprise Partnership

Director of Public Health

Responsible for:-

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

Director of Health Improvement

- Health Improvement
- Health Inequalities
- WHO Healthy City Project
- Public Health and NHS Transition Work
- Health and Improvement Plan
- Health Impacts of Housing
- Business Planning and Performance for Public Health Office

2. PROPER OFFICERS

2.1 The following are the Proper officers of the Council for the purposes stated:-

Local Government Act 1972	Description	Proper Officer
Section 83	Officer to witness and receive declarations of acceptance of office.	Joint Head of Democratic Services
Section 84	Officer to whom a person elected to any office under the Council may give written notice or resignation.	Joint Head of Democratic Services
Section 88 (2)	Officer who may convene a meeting of the Council for the election to fill casual vacancy of chairman of the Council.	Joint Head of Democratic Services
Section 89 (1)	Officer who may receive notice in writing of a casual vacancy in the office of Councillor from two local government electors.	Elections Officer
Section 96 (1)	Officer who may receive from councillors general notices of pecuniary interests and to keep a record of such disclosures.	Joint Head of Democratic Services
Section 100B (2)	Officer who may think fit to exclude from reports open to inspection parts relating to	Director of Legal and Governance, in consultation with the

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

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 Part 7 – Management Structure and Proper Officers (Minor amendments
 February and June 2013)

Section 191	Officer to receive notices from Ordnance Survey Office in relation to ascertaining or locating Local Authority boundaries.	Director of Legal and Governance.
Section 204 (3)	Officer to whom notice of application for a Justices License under schedule 1 of the Licensing Act 1964 should be given.	Principal Licensing Officer.
Sections 210 (6) and (7)	Officer in whom power is vested to exercise any power with respect to a charity exercisable by any officer of a former authority.	Director of Legal and Governance.
Section 225	Officer with whom documents may be deposited pursuant to law, to make notes or endorsements and give acknowledgements or receipts.	Director of Legal and Governance.
Section 228	Officer responsible for keeping accounts open for inspection by any member of the Authority.	Executive Director, Resources.
Sections 229	Officer who shall certify that a document is a photographic copy of a document in the custody of the Council.	Director of Legal and Governance
Section 234 (1)	Officer who may authenticate	Director of Legal and

Sheffield City Council - Constitution
 Part 7 – Management Structure and Proper Officers (Minor amendments
 February and June 2013)

	notices, orders or other documents on behalf of the Council.	Governance
Section 238	Officer responsible for certifying copies of bye-laws.	Director of Legal and Governance
Schedule 12 Paragraph 4 (2) (b)	Officer who may sign and send to all Councillors a summons to attend Council meetings.	Chief Executive.
Schedule 12 Paragraph 4 (3)	Officer who may receive notice from a Councillor providing an address to which a summons to a meeting is to be sent.	Joint Head of Democratic Services
Schedule 14 Paragraph 25	Officer who may certify resolutions passed under this paragraph.	Director of Legal and Governance
Local Government Act 1974	Description	Proper Officer
Section 30 (5)	Officer responsible for arranging publication in newspapers of notice of Local Commissioner's report on investigation of a complaint.	Director of Legal and Governance
Local Government (Miscellaneous	Description	Proper Officer

Provisions) Act 1976		
Section 41	Officer responsible for certifying copies of resolutions, minutes and other documents.	Director of Legal and Governance
Highways Act 1980		
	Description	Proper Officer
Section 59	Officer responsible for certifying that extraordinary expenses have been incurred in maintaining the highway by reason of damage caused by excessive weight or other extraordinary traffic.	Head of Highway Maintenance Transport and Highways
Section 205	Officer responsible for undertaking duties as specified in the schedules in relation to private street works.	Head of Highway Maintenance Transport and Highways
Section 210	Officer responsible for certifying amendments to estimated costs and provisional apportionment of costs under the private street works code.	Head of Highway Maintenance Transport and Highways
Sections 211, 212 & 216	Officer responsible for making final apportionment of costs as detailed in the schedules under the private street works code.	Head of Highway Maintenance Transport and Highways
Section 295	Officer responsible for issuing	Head of Transport, Traffic and Parking

	notices requiring removal of materials from non-maintainable streets in which works are due to take place.	<u>Services and Highways/ Highway Network Manager & Sheffield Traffic Manager</u>
Section 321	Officer responsible for authenticating notices and other documents.	Head of Transport, <u>Traffic and Parking Services/Head of Highway Maintenance and Highways</u>
Schedule 9 Paragraph 4	Officer responsible for signing plans showing proposed prescribed improvement or building lines.	Head of <u>Highway Maintenance Transport and Highways</u>
Registration of the People Act 1983	Description	Proper Officer
Section 8	Officer to act as Registration Officer for the registration of Parliamentary and Local Government Electors.	Elections Officer
Section 28	Officer to act as Acting Returning Officer at Parliamentary Elections.	Chief Executive
Section 35	Officer appointed as Returning Officer for local elections.	Chief Executive
Section 67	Officer to whom declarations and public notice of election agents' appointments are made.	Elections Officer
Section 131	Officer responsible for providing accommodation for holding election court.	Elections Officer

Buildings Act 1984		
Buildings Act 1984	Description	Proper Officer
Section 78 (8)	Officer responsible for taking immediate action in relation to dangerous buildings.	Director of Regeneration and Development Services
Local Government Finance Act 1988		
Local Government Finance Act 1988	Description	Proper Officer
Section 114	Officer responsible for making financial reports to the authority.	Executive Director, Resources.
Section 116	Officer responsible for notifying auditor of date, time and place of meeting to consider Section 114 report and of decision of such meeting.	Executive Director, Resources.
Local Government & Housing Act 1989		
Local Government & Housing Act 1989	Description	Proper Officer
Section 2 (4)	Officer with whom the list of politically restricted posts shall be deposited.	Chief Executive.
Section 4	Officer designated as Head of Paid Service.	Chief Executive.
Section 5	Officer Designated as Monitoring Officer.	Director of Legal and Governance.

Local Government (Committees & Political Groups) Regulations 1990	Description	Proper Officer
Section 8 (1) & (5)	Officer to whom notice is delivered about the constitution of a political group, or the change of name of a political group.	Joint Head of Democratic Services.
Section 9 and 10	Officer to whom notice is delivered about a Councillor's membership of, or cessation of membership of, a political group.	Joint Head of Democratic Services.
Section 13	Officer to whom the wishes of a political group are expressed.	Joint Head of Democratic Services.
Section 14	Officer responsible for notifying a political group about allocations and vacancies of seats.	Joint Head of Democratic Services
Local Government Act 2000	Description	Proper Officer
Section 81	Officer responsible for establishing and maintaining a register of interests.	Joint Head of Democratic Services

The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000	Description	Proper Officer
Regulation 3 (1)	Officer responsible for producing a written statement of all executive decisions made at a public or private meeting of Cabinet, including the information specified in regulation 3 (2).	Joint Head of Democratic Services
Regulation 4	Officer responsible for producing a written statement of all executive decisions made by individual Councillors.	Joint Head of Democratic Services
Regulation 5 (1)	Officer responsible for ensuring that a copy of the following documents is available for public inspection: <ul style="list-style-type: none"> • the written statement referred to in regulation 3 • part or all of any report considered by the decision maker and 	Joint Head of Democratic Services

	relevant to the decision made.	
Regulation 6	Officer responsible for compiling a list of background papers to the report referred to in regulation 5.	Joint Head of Democratic Services
Regulation 11 (7) (c)	Officer who may supply to a newspaper a copy of any document supplied to Cabinet members, if he or she thinks fit.	Joint Head of Democratic Services
Regulation 12 (1)	Officer responsible for publishing the information relating to key decisions specified in regulation 12 (1).	Joint Head of Democratic Services
Regulation 13	Officer responsible for publishing the Forward Plan.	Joint Head of Democratic Services
Regulation 15 (1)	Officer responsible for informing the relevant Committee Chairman of decision to be made and not in the Forward Plan.	Joint Head of Democratic Services
Regulation 17	Officer responsible for determining whether compliance with regulations 17 (1) or 17 (2) would involve the disclosure of either exempt	Director of Legal and Governance

	information or advice provided by a political advisor or assistant.	
Regulation 21 (4)	Officer who may form an opinion as to whether a document contains or is likely to contain information confidential information, exempt information or the advice of a political advisor or assistant.	Director of Legal and Governance
The Local Authorities (Referendums) (Petitions and Directions) (England) Regulations 2000	Description	Proper Officer
Regulation 4 (2)	Officer who publishes the number that is equal to 5 per cent of the number of local government electors for the authority's area.	Director of Legal and Governance/Elections Officer
The Local Authorities (Standing Orders) (England) Regulations 2000	Description	Proper Officer
Schedule 1 Paragraphs 5 and 6	Officer responsible for receiving notification of proposed	Director of Human Resources

	appointment of certain officers, notifying executive members of that proposed appointment and for receiving and notifying of objections to the proposed appointment.	
Health and Social Care Act 2012	Description	Proper Officer
Section 30 to 37	Officer to carry out the role of Director of Public Health.	Director of Public Health
<u>Local Democracy, Economic Development and Construction Act 2009</u>	<u>Description</u>	<u>Proper Officer</u>
<u>Section 31</u>	<u>Officer to carry out the role of Lead Scrutiny Officer</u>	<u>Head of Governance and Involvement</u>

RECORD OF DELEGATED DECISION

Record of Decision of the Director of Legal and Governance, Lynne Bird –
273 4018

Dated **12 June 2013**

Subject Minor Changes to the Constitution – Council Procedure Rules,
Protocol for Member/Officer Relations and Scrutiny Procedure
Rules

Reasons

In making the changes to the Constitution agreed at the Council Meeting on 5 June 2013, a small number of further minor changes have arisen.

It is proposed to bring Council Procedure Rule 25 in line with current practice relating to the Appointment and Membership of Council Meetings.

It is also necessary to update two references to the 'Director of Corporate Resources' to read 'Executive Director, Resources' and amend the post title of the officer designated as the Lead Scrutiny Officer.

Recorded Decision

In accordance with the authority delegated to the Director of Legal Services by the City Council on 5th January 2011 to make minor and consequent changes to the Constitution, I have after consultation with the Lord Mayor on 12 June 2013 authorised the changes recorded below, which will come into immediate effect and will be reported back to Full Council at the next appropriate opportunity.

Council Procedure Rule 25 (page 101)

25 Appointment and Membership of Council Committees~~Cabinet, Overview and Scrutiny and Policy Development Committees, etc. except Advisory Groups~~

- 25.1 The Council shall at its Annual Meeting appoint and agree, in accordance with political balance rules if applicable, membership and terms of reference for its Committees, which must include at least one Overview and Scrutiny and Policy Development Committees. It shall also appoint such other Committees as it considers appropriate, such as, Regulatory Committees, a Standards Committee, an Audit Committee, Area Committees and such other Bodies as it is required by law and as it deems necessary to appoint for the ensuing year. ~~together with representatives on external organisations.~~

Council Procedure Rules Part B (page 106)**(B) MISCELLANEOUS MATTERS****B1 Officers**

- (1) For the purposes of Section 4 of the Local Government and Housing Act 1989, as modified by Schedule 5 to the Local Government Act, 2000, the Head of Paid Service shall be the Chief Executive.
- (2) For the purposes of Section 5 of the Local Government and Housing Act 1989, "the Monitoring Officer" shall be the Director of Legal and Governance.
- (3) For the purposes of Section 151 of the Local Government Act 1972, the officer with responsibility for the administration of the financial affairs of the Council "the Chief Financial Officer" shall be the Executive Director, ~~of Corporate~~ Resources.

Protocol for Member/Officer Relations (page 368)**Key Officer Roles**

Statutory Posts Certain Senior Officers hold posts with mandatory statutory responsibilities including the Chief Executive, the Monitoring Officer (Director of Legal and Governance), appointed under Section 5 of the Local Government and Housing Act 1989 and the Chief Finance Officer (Executive Director, ~~of Corporate~~ Resources) appointed under Section 151 Local Government Act 1972. Members must respect these responsibilities and accept that these Officers may be required to give advice or make decisions which Members may not agree with or support.

Scrutiny Procedure Rule 16 (page 166)**16. Call-In**

The decision records in respect of all Executive meetings or Committees of the Executive, Area Committee Executive decisions, Individual Cabinet Member decisions and Officer Key Decisions will normally be published within two days of the meeting and copies will be made available to each member of the Council and to the statutory education representatives. Members wishing to call-in such a decision for scrutiny must do so by 4.00 p.m. up to 4 working days following notification of the Executive decision(s)

Any decision not called in for scrutiny by that deadline will come into force and may then be implemented.

Five Members, including two from the relevant Scrutiny Committee, must give notice to call-in a decision for scrutiny. Notice of call-in must be submitted to the Director of Legal and Governance and ~~Director Head of Performance-Governance and Communications-Involvement~~ (as Lead Scrutiny Officer) who will record the date and time of receipt of such notice. Not more than two notices of call-in will be accepted for any individual decision, but other Members may be able to register an interest in the item with the relevant Scrutiny Committee Chair.

Lynne Bird
Director of Legal and Governance

Signed.....

Date.....

RECORD OF DELEGATED DECISION

Record of Decision of the Director of Legal and Governance, Lynne Bird –
273 4018

Dated **12 June 2013**

Subject Minor Change to the Constitution – Members’ Allowances
Scheme

Reasons

The Members Allowances Scheme was revised by the City Council on 15th May 2013. As a result of the changes made to the Special Responsibility Allowances (SRAs) in Schedule 1 (special responsibilities in respect of which special responsibility allowances are payable), not all of the Shadow Cabinet Members now receive an SRA, as the number of allowances available to the opposition groups is determined by the size of the group. However, the role of Shadow Cabinet Member is still a recognised position of responsibility within the Authority. Schedule 2 of the Scheme (duties in respect of which travel, out-of-City subsistence and childcare allowances are available) was not amended by the Council and still includes “Meetings by Members **in receipt of a special responsibility allowance** with a Chief Officer or relevant officer or on any other matter arising from the statutory duties of the Council as deemed necessary.”, and excludes “For Councillors **not in receipt of a special responsibility allowance**, attendance at informal discussions, meetings or visits between Councillors and/or with officers or with other organisations, as these duties are deemed to form part of the Councillor’s constituent duties.” It is therefore proposed to remedy this anomaly by way of a minor consequential change to the Scheme by replacing the specific references to “in receipt of a Special Responsibility Allowance” with the reference to “in a recognised position of responsibility”.

Recorded Decision

In accordance with the authority delegated to the Director of Legal Services by the City Council on 5th January 2011 to make minor and consequent changes to the Constitution, I have after consultation with the Lord Mayor on 12th June 2013 authorised the changes recorded below, which will come into immediate effect and will be reported back to Full Council at the next appropriate opportunity.

The revised wording is highlighted in bold.

Part 6 – Members’ Allowances Scheme – Schedule 2 (Approved Duties)

Approved Duties –

- Meetings by Members **in a recognised position of responsibility** with a Chief Officer or relevant officer or on any other matter arising from the statutory duties of the Council as deemed necessary

Excluded Duties –

- For Councillors **not in a recognised position of responsibility**, attendance at informal discussions, meetings or visits between Councillors and/or with officers or with other organisations, as these duties are deemed to form part of the Councillor’s constituent duties.

Lynne Bird
Director of Legal and Governance

Signed.....

Date.....

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AUDIT COMMITTEE

ANNUAL REPORT 2012/13

To be considered at the Council Meeting on 4 September 2013



FOREWORD

I am pleased to present this report to Council on the work of the Audit Committee in 2012/13. The report shows how the Committee has contributed to monitoring and improving the Council's governance and internal controls.

It has been another productive and busy year. Over five meetings we have focussed on our core business which included approving the Council's accounts. We have also followed up issues where we feel this would add value, such as in monitoring the recommendations from High Opinion Audit reports. In addition, the Committee has been kept up to date with latest developments, such as the Public Sector Internal Auditing Standards.

The Committee has been monitoring progress in delivering Internal Audit activity against the new auditable areas. It is pleasing to note that there have been no issues arising from this change.

Steve Gill, Chief Internal Auditor, took early retirement in March 2013 after 27 years with the Council and 15 years in that position. Steve had been heavily involved in the establishment of this Committee and its smooth running over the years. Following his retirement, Laura Pattman (Assistant Director Finance) took responsibility for Internal Audit and Kayleigh Inman (Senior Finance Manager) was appointed as the Audit Lead. I look forward to working with them both.

I am always keen to see individuals recognised for their hard work and both the External Auditor and the Committee congratulated Clair Sharratt (Finance Manager, Strategic Finance) for her work on the Accounts, particularly in respect of the implementation of the new Capital Accounting System.

We are always looking at ways of improving the training and development of members of the Committee and have identified risk management and fraud as two areas that can be developed.

In May 2011, we appointed two independent co-optees who have become valuable members of the Committee. It is with regret that we were informed that Beryl Seaman will be leaving the Committee at the end of this year for pastures new. Although she does not leave until December, I would like to thank Beryl for her commitment and contribution to the Committee and will miss working with her.

The Committee cannot work effectively without the contribution of its members whose commitment to effective management and Audit in Sheffield City Council deserves our gratitude. I would also like to place on record my thanks to John Mothersole and his Executive Management Team for the manner in which they help and support not only the function of the Audit Committee but also the spirit of open full and frank release of information. I value the support from officers across the Council and the External Auditor and his Team.

It would be remiss of me not to thank David Ross from Democratic Services and Councillor Joe Otten, Deputy Chair, for their support and assistance and for making my job as Chair of the Committee easier.

Finally, there are no issues or areas of concern I wish to draw to the attention of Council and I recommend that Council receives this report on the work of the Audit Committee in 2012/13.



Councillor Ray Satur, Chair of the Audit Committee 2012/13

AUDIT COMMITTEE ANNUAL REPORT 2012/13

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1. INTRODUCTION

- 1.1 This is the sixth year of the Audit Committee and this Annual Report highlights the work of the Audit Committee and how it has contributed to monitoring and improving the Council's corporate governance and internal controls.

2. COMMITTEE INFORMATION

2.1 Meetings/Membership

- 2.1.2 There were five meetings of the Committee during the year and the Members were:

- Councillor Ray Satur (Chair)
- Councillor Joe Otten (Deputy Chair)
- Councillor Anders Hanson
- Councillor Steve Jones
- Councillor Martin Lawton
- Councillor Sioned-Mair Richards
- Rick Plews - Independent non-voting co-opted member
- Beryl Seaman - Independent non-voting co-opted member

2.2 Support to the Committee

- 2.2.1 The Committee has benefitted from being well supported by Council Officers. This included the Chief Executive, Executive Director, Resources, Director of Finance, Chief Internal Auditor, Deputy Director of Finance, Director of Modern Governance, Director of Legal and Governance and officers in Finance, Internal Audit, Modern Governance, Democratic Services and other Portfolios. There has also been close working with the Director and his Senior Audit Manager at KPMG, the Council's External Auditor.

3. WORK OF THE COMMITTEE DURING THE YEAR

- 3.1 This section contains a summary of the work undertaken during the year and highlights any particular issues that the Committee raised. The Committee's terms of reference and a list of the items considered are attached as appendices to the report.

3.2 **Work Programme**

- 3.2.1 At the start of the year there is discussion with senior officers and the Chair and Deputy of the Committee on the work programme for the year. This is based around the terms of reference and items the Committee requests during the year. The work programme is then reviewed at each Committee meeting.

3.3 **Internal Audit Activity**

- 3.3.1 The Committee considered:

- The Chief Internal Auditor's Annual Report 2012
- Progress in Delivering Internal Audit Activity
- Progress on Internal Audit reports with a High Opinion

- Internal Audit Plan 2013/14
- Public Sector Internal Auditing Standards

Chief Internal Auditor's Annual Report 2012

- 3.3.2 The report highlighted the work undertaken during the year by Internal Audit and supported the Annual Governance Statement. The Committee noted the Chief Internal Auditor's opinion that he was satisfied that the core systems included control arrangements which were adequate to allow the Council to conduct its business appropriately.

Delivering Internal Audit Activity

- 3.3.3 Last year's Internal Audit Planning report informed the Committee of the fundamental shift in the utilisation of Internal Audit's resources. Reports were received during the year on progress in delivering Internal Audit activity against the new auditable areas and there were no issues or concerns reported to or raised by the Committee.
- 3.3.4 As a result of the Chief internal Auditor taking early retirement in March 2013 and the impact of the budget reductions, a new Finance Management structure was introduced. Laura Pattman, Assistant Director Finance (Business Partnering, Children, Young People and Families) took responsibility for Internal Audit from 28 March 2013. Kayleigh Inman (Finance Manager) was also appointed as the Audit Lead. A report was requested for January 2014 on progress in the operation of the new Internal Audit Structure.

Internal Audit Plan 2013/14

- 3.3.5 The Committee endorsed the programme of Internal Audit work for 2013/14 and noted that there would be a quarterly progress report.

Public Sector Internal Auditing Standards

- 3.3.6 The Public Sector Internal Auditing standards became mandatory from 1 April 2013. The Committee received details of the new requirements, how these would apply in the public sector, the arrangements that were in place in Internal Audit and the additional work required to ensure compliance with the Standards and where the Council's approach was different from the Standards.
- 3.3.7 The work undertaken was endorsed and the Committee requested a progress report in January 2014.

Internal Audit Reports with a High Opinion

- 3.3.8 The Committee continued to monitor progress made against recommendations from Internal Audit reports with a High Opinion. An auditable area receiving a High Opinion was considered by Internal Audit to be an area where the risk of the activity not achieving its objectives is high and sufficient controls to manage risks were not present at the time of the review. The Executive Management Team was also receiving update reports.
- 3.3.9 It was agreed that future progress reports would include an action tracker to monitor

outstanding actions on Internal Audit reports with a High Opinion.

- 3.3.10 Reports from the Executive Director, Place were submitted detailing action to address outstanding actions from recommendations in the Internal Audit reports relating to Financial Management from Trusts and Marketing Sheffield (further information is included at paragraph 3.7.10).

3.4 External Audit

- 3.4.1 The Committee considered:

- Audit Plan 2012/13
- Certification of Claims and Returns Annual Report 2011/12
- Annual Audit Fee Letter 2013/14
- IT Risk Assessment Summary Report
- Annual Governance Report 2011/12

Audit Plan 2012/13

- 3.4.2 The Audit Plan described how KPMG, as the Council's External Auditor, would deliver the audit of the financial statements for the Council and also set out the approach to value for money work for 2012/13. The key risks were also outlined that would be the focus during the audit of the financial statements relating to the Council's savings plans, Highways PFI, Digital Region Limited, property plant and equipment and pensions' costs and liabilities.

Certification of Claims and Returns Annual Report 2011/12

- 3.4.3 The Director, KPMG submitted a report on the certification work on the Council's claims and returns for 2011/12 in relation to grants and subsidies it received from the Government and grant paying bodies. Five grants and returns had been certified with a total value of £481m and, arising from the work, four had been certified without amendment. The report included the recommendations arising from the work and details of progress made in implementing the recommendations arising from previous certification work.
- 3.4.4 A report from the Executive Director, Resources in April 2013 indicated that the recommendations from the Annual Report had been implemented.

Annual Audit Fee Letter 2013/14

- 3.4.5 The Director, KPMG, submitted details of the External Audit Work and Fee for the Council for 2013/14 and a report of the Audit Commission on the 'Proposed Work Programme and Scale of Fees 2013/14'. He reported that the planned fee was unchanged in 2013/14. However, although the proposed fee for work on the certification of grant claims and returns was £36,118, the figure on the Audit Commission's website indicated £46,100. The Director was awaiting further information on the difference in the figures.

IT Risk Assessment Summary Report

- 3.4.6 A report was submitted on the annual Information Technology risk assessment of the Council's IT arrangements. The report included an action plan containing the agreed

recommendations from the 2010/11 report and the findings identified during the 2011/12 review.

Annual Governance Report 2011/12

3.4.7 The Director, KPMG submitted his Annual Governance Report on the audit of the Council's 2011/12 financial statements and this was accepted by the Committee. Further details are available at paragraph 3.6.3.

3.5 Regulatory Framework and Risk Management

3.5.1 The Committee considered:

- Annual Governance Statement 2011/12
- Compliance with International Auditing Standards
- Financial/Commercial Monitoring of External Relationships
- Audit Commission Report - Protecting The Public Purse/Update on Counter Fraud Initiatives
- Strategic Risk Management

Annual Governance Statement 2011/12

3.5.2 The Council's Annual Governance Statement (AGS) was submitted in September 2012. It forms part of the Council's Statutory Accounts and explains how the Council complies with the Code of Corporate Governance. The AGS identified significant control weaknesses in three areas (relating to Museums Sheffield, HR Data Reliability Concerns and Improving Compliance with Payment Card Industry Regulations) and set out the action being taken to address those weaknesses.

3.5.3 It was noted that Sheffield took a more detailed approach to producing its AGS than a number of other local authorities and the process had also been audited by Internal Audit and they had commented that it was low risk and well managed.

3.5.4 A report giving details of the progress made in mitigating the three control weaknesses was considered in January 2013. The Committee asked that the Annual Governance Statement for 2012/13 was considered at two meetings next year.

Compliance With International Auditing Standards

3.5.5 The report of the Assistant Director Finance (Business Partnering, Children Young People and Families and Internal Audit) highlighted to the Committee how it could demonstrate to the External Auditor that it had exercised the required oversight in order to meet the requirements of the International Standards on Auditing.

3.5.6 The Committee confirmed that the report gave an accurate reflection of the reports that the Committee has received and considered throughout the year and it has an overview of the Council's systems of internal control so that it is assured that it is fulfilling the requirements of "those charged with governance" under the International Auditing Standards.

Commercial/Financial Monitoring of External Relationships

- 3.5.7 The Committee continued to receive reports providing an update on monitoring of the financial and commercial risks of the Council's major external relationships.

Audit Commission Report - Protecting The Public Purse

- 3.5.8 The Assistant Director Finance (Business Partnering, Children Young People and Families and Internal Audit) submitted a report that informed the Committee of the contents and key recommendations of the Audit Commission's annual report on 'Protecting the Public Purse 2012' and provided an update of fraud investigation activity within the Council. Appended to the report was a completed checklist for 'those responsible for governance' that identified the key fraud risks.

- 3.5.9 It was agreed that the Chair of the Committee and officers would examine the Rotherham model, where the Audit Committee Chairs of public bodies examined fraud and risk three times each year, and if this would be useful for Sheffield or could be replicated across South Yorkshire. Also, consideration would be given to a possible annual session for the Committee on emerging issues on fraud.

Strategic Risk Management

- 3.5.10 The Corporate Risk Manager gave a presentation on the Council's current Risk Management arrangements. The Committee noted the assessment of the Council's Risk Management arrangements and emerging risks and endorsed the measures being taken to strengthen those arrangements and mitigate those risks.
- 3.5.11 The Corporate Risk Manager proposed to make arrangements for training/briefings on risk management for members of the Committee in 2013/14.

3.6 Accounts

- 3.6.1 The Committee considered:
- Summary of the Statement of Accounts
 - Statement of Accounts 2011/12
 - Annual Governance Report 2011/12

Statement of Accounts and Annual Governance Report 2011/12

- 3.6.2 In August 2012, the Committee received a report of the Executive Director, Resources providing a summary of the 2011/12 Statement of Accounts, including a number of the key notes to the accounts. The report also outlined the approval process for the statement of accounts, comments on the financial performance of the Council and included information relating to debtor income write off, requested previously by the Committee. The Statement of Accounts was considered by the Committee in September 2012.
- 3.6.3. The External Auditor's Annual Governance Report summarised the findings from the 2011/12 audit of the accounts. The report included the messages arising from his audit of the Council's Financial Statements and the results of the work he had undertaken to assess the Council's arrangements to secure value for money in the use of resources. The report also outlined the key audit risks and findings relating to

Digital Region Ltd, Trading Standards, Housing Revenue Account Reform, implementation of the new capital accounting system, the valuation of property, plant and equipment, heritage assets and pensions accounting.

- 3.6.4 The Committee approved the Accounts and accepted the Annual Governance Report. The External Auditor had issued an unqualified opinion on the 2011/12 financial statements and concluded that the Council had made proper arrangements to secure economy, efficiency and effectiveness in the use of our resources. The Executive Director, Resources submitted a report in April 2013 on progress in implementing the recommendations from the Annual Governance Report relating to reconciliation.

3.7 **Follow up reports**

- 3.7.1. A number of reports were submitted at the request of the Committee.

Whistleblowing Policy

- 3.7.2 A report was submitted in August 2012 that provided information on activity under the Whistleblowing Policy since the revised policy was introduced in April 2010, set out the revised policy and procedure which incorporated feedback on its operation and informed the Committee of the recruitment and training of additional contact advisors to support employees who raised concerns under Whistleblowing and Dignity and Respect Policies.

- 3.7.3 The Committee requested the Head of Human Resources, Specialist and Advisory Services to test with staff in a year's time, the effectiveness of the revised Policy, possibly through the workforce survey.

South Yorkshire Digital Region

- 3.7.4. The Chief Executive submitted a report in September 2012 providing an update on the latest progress of the Digital Region Broadband project, of which Sheffield City Council was a shareholder and customer. The report outlined the background to Digital Region Limited (DRL) and alternative options of closure and a new business model. He indicated that there may be a viable route going forward of developing a new model in collaboration with a major telecommunications company and to procure a new supplier who would maintain the network with responsibility for operating costs, sales, marketing and revenues. However, it was recognised that this was a clear area of risk.

External Appointments

- 3.7.5 Arising from a request from the meeting of the Committee on 15 May 2012 that "the Deputy Chief Executive be requested to review the role of Councillors on all Trust Boards", the Director of Modern Governance submitted a report containing guidance on the appointment of Members and Officers to external organisations. He stated that the guidance had been considered by the Executive Management Team and no comments had been received from the Whips and the three political Group Leaders.

- 3.7.6 The Committee suggested a number of minor amendments and requested that the guidance was submitted to Cabinet and Council, as appropriate, and that a survey was undertaken in a year's time on how useful the guidance had been for those

serving on external organisations. In addition, the Director of Legal Services was requested to consider whether separate guidance was required for the appointment by the Council of members of the public to Charitable Trusts.

South Yorkshire Pension Queries

- 3.7.7 The Committee has been monitoring the backlog of South Yorkshire pensions' queries. It was informed in January 2013 that the backlog had been cleared.

Progress on ICT Audit

- 3.7.8 The External Auditor submitted a report in August 2012 on the annual Information Technology (IT) risk assessment of the Council's IT arrangements on the management of ICT User accounts. The central finding of the report highlighted the lack of clarity in policy terms and Council direction to its IT partner, Capita IT Sheffield, on suspension and deletion of dormant User accounts.
- 3.7.9 A progress report from the Director of Information Services was considered in January 2013 indicating that this issue had been the focus of activity by Business Information Solutions and Capita IT Sheffield and had resulted in a comprehensive action plan. The Director indicated that all the actions set out in the Appendix to the report would be completed by 30 April 2013.

Marketing Sheffield

- 3.7.10 The Committee raised concerns that not all the recommendations from the Internal Audit report on Marketing Sheffield had been implemented. The Executive Director, Place submitted a report in January 2013 to provide assurance that significant progress was being made in response to the 2012 audit recommendations and referred to follow-up audit work being undertaken by Internal Audit. Arising from a report on that follow-up work considered by the Committee in April 2013, a further report was requested for July 2013 on the recommendations/actions that had not been implemented.

4. Training and Development

- 4.1 A briefing session was held to assist members in advance of consideration of the Statement of Accounts and Annual Governance Report.
- 4.2 Councillor Joe Otten and Rick Plews attended a useful CIPFA training event 'The Influential Audit Committee' in January 2013 which focussed on the impact Audit Committees can have to improve governance, assurance and public accountability.
- 4.3 It is proposed that training/briefings on risk management would be arranged for 2013/14. The Committee also requested officers to examine whether there could be an annual session on emerging issues on fraud.
- 4.4 Consideration was also being given to the Rotherham model where the Audit Committee Chairs of public bodies examined fraud and risk three times a year and whether there could be a Sheffield or South Yorkshire model.

5. **Outcomes**

5.1 The Audit Committee aims to add value through its activity and, in particular, it has:

- Approved the Statement of Accounts.
- Accepted the Annual Governance Report.
- Demonstrated that it has a significant overview of the Council's systems of internal control so it is assured that it is fulfilling the requirements of "those charged with governance" under the International Auditing Standards.
- Noted that the Chief Internal Auditor was satisfied that the core systems included control arrangements which were adequate to allow the Council to conduct its business properly.
- Monitored the actions arising from the Annual Governance Statement.
- Requested follow-up reports, where appropriate.
- Requested that an action tracker is included in the progress reports on Internal Audit reports with a High Opinion.

6. **The Year Ahead**

6.1 The Committee will seek to build on what it has achieved this year and continue to work within its terms of reference and address issues that arise during the year.

6.2 It will look to include training on risk management and emerging issues on fraud. In addition, consideration will be given as to whether to replicate the Rotherham model where the Audit Committee Chairs of public bodies examine fraud and risk three times a year.

6.3 Beryl Seaman is one of the two Independent Co-opted Members appointed in 2011 and has indicated that she will be standing down at the end of 2013. As a result, there will be a recruitment process to fill her vacancy.

Councillor Ray Satur, Chair of the Audit Committee 2012/13

July 2013

Appendix A - Items Considered During the Year

1 August 2012

- Progress Report on Human Resources/Payroll Procedures
- Whistleblowing Policy
- Section 106 Planning Income
- Progress on High Opinion Audit Reports
- Summary of Internal Audit Output
- IT Risk Assessment Summary Report
- Financial/Commercial Monitoring of External Relationships
- Summary of the Statement of Accounts
- Work Programme

26 September 2012

- Annual Governance Statement 2011/12
- External Audit Annual Governance Report 2011/12
- Statement of Accounts 2011/12
- Chief Internal Auditor's Annual Report 2012
- Delivering Internal Audit Activity
- South Yorkshire Digital Region
- External Appointments
- Work Programme

13 December 2012

- South Yorkshire Pension Queries
- Annual Audit Letter 2011/12
- Audit Arrangements 2012/13
- Certification of grants and Returns Annual report 2011/12
- IT Risk Assessment Progress Report
- Delivering Internal Audit Activity
- Audit Committee Annual Report 2011/12
- Financial/Commercial Monitoring of External Relationships
- Marketing Sheffield
- Work Programme

31 January 2013

- South Yorkshire Pension Queries
- Progress on ICT Audit
- External Audit Plan 2012/13
- Delivering Internal Audit Activity
- Progress on High Opinion Audit Reports
- Annual Governance Statement 2011/12 – Progress Report
- Marketing Sheffield Progress Report
- Work Programme

17 April 2013

- Audit Commission Report on Protecting the Public Purse/Update on Counter Fraud Initiatives
- Internal Audit Plan 2013/14
- Compliance with International Auditing Standards
- Public Sector Internal Auditing Standards
- Delivering Internal Auditing Activity Progress Report
- Annual Audit Fee Letter 2013/14
- Response to Audit Commission Reports
- Strategic Risk Management
- Marketing Sheffield – Update on Follow-up Work
- Work Programme

Appendix B - Audit Committee Terms Of Reference

- (1) To approve the Council's Statement of Accounts (which includes the Annual Governance Statement) in accordance with the Accounts and Audit Regulations 2003 as amended.
- (2) To consider the Annual Letter from the Auditor or the Audit Commission in accordance with the Accounts and Audit Regulations 2003 as amended and to monitor the Council's response to any issues of concern identified.

Audit Activity

- (3) To consider the Chief Internal Auditor's annual report and opinion, and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the Council's corporate governance arrangements.
- (4) To consider summaries of specific internal audit reports as requested.
- (5) To consider reports dealing with the management and performance of the internal audit service.
- (6) To consider any report from internal audit on agreed recommendations not implemented within a reasonable timescale.
- (7) To consider specific reports as agreed with the external auditor.
- (8) To comment on the scope and depth of external audit work and to ensure it gives value for money.
- (9) To liaise with the Audit Commission over the appointment of the Council's external auditor.

Regulatory Framework and Risk Management

- (10) To maintain an overview of the Council's Constitution in respect of contract procedure rules, financial regulations and codes of conduct and behaviour (except in relation to those matters which are within the Terms of Reference of the Standards Committee e.g. code of conduct and behaviour of Members).
- (11) To monitor the effective development and operation of risk management and corporate governance in the Council.

- (12) To monitor Council policies on “Raising Concerns at Work” and the anti-fraud and anti-corruption strategy and the Council’s complaints process.
- (13) To oversee the production of the Council’s Annual Governance Statement and monitor progress on any issues.
- (14) To consider the Council’s arrangements for corporate governance and any necessary actions to ensure compliance with best practice.
- (15) To consider the Council’s compliance with its own and other published standards and controls.

Accounts

- (16) To consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.



Report to Council

Report of: Chief Executive

Date: 4 September 2013

Subject: Audit Committee Independent Members – Term Of Office

Author of Report: Dave Ross – Democratic Services
0114 273 5033

Summary:

This report provides details of a recommendation from the Audit Committee to increase the maximum term for a co-opted non-voting independent member on the Audit Committee from four to five years.

Recommendation:

That the Council considers the recommendation from the meeting of the Audit Committee on 9 July 2013 that:-

“the maximum term for the appointment of the co-opted members of the Audit Committee is increased to five years to allow for flexibility in the recruitment process”

Background Papers:

None

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial implications
NO
Legal implications
No
Equality of Opportunity implications
NO
Tackling Health Inequalities implications
N/A
Human rights implications
N/A
Environmental and Sustainability implications
N/A
Economic impact
N/A
Community safety implications
N/A
Human resources implications
N/A
Property implications
N/A
Area(s) affected
None
Relevant Cabinet Portfolio Leader
Cllr Bryan Lodge
Relevant Scrutiny Committee if decision called in
Not applicable
Is the item a matter which is reserved for approval by the City Council?
Yes
Press release
NO

1. Introduction

- 1.1 This report provides details of the recommendation from the Audit Committee to increase the maximum term for a co-opted non-voting independent member on the Audit Committee from four to five years.

2. Background

- 2.1 The Council Meeting on 5 May 2010 approved the appointment to the Audit Committee of 2 non-voting co-opted members with financial, business, voluntary or community sector experience for a minimum of 2 years and maximum of 4 years.
- 2.2 The Committee was given delegated authority to agree the recruitment and selection process for the co-opted members. Beryl Seaman and Rick Plews were appointed in May 2011 for 4 years. Beryl Seaman has recently indicated that she will be standing down at the end of this year.

3. Proposal from the Audit Committee

- 3.1 At its meeting on 9 July 2013, the Audit Committee considered a report of the Director of Legal and Governance outlining the recruitment process for filling the vacancy that will arise for a co-opted non-voting independent member of the Committee.
- 3.2 Currently both the co-opted members have 4 year terms to May 2015. The Committee agreed that, rather than both terms ending at the same time and to ensure a degree of continuity, the terms should end in 2015 and 2017. The advertisement for the vacancy would indicate a term from January 2014 to May 2017.
- 3.3 Also to allow flexibility in filling any future vacancies, it was recommended that the maximum term of the appointments is increased to five years but that a four year term would be the norm. This would be of assistance where a member retired during their last year.
- 3.4 Arising from consideration of the report, it was:-
- “Resolved: That the Committee:-
- (a) approves the process and timetable set out in the report for the filling of Beryl Seaman’s vacancy for a non-voting co-opted independent member of the Committee from January 2014 to May 2017; and
 - (b) recommends to Council that the maximum term for the appointment of the co-opted members of the Audit Committee is increased to five years to allow for flexibility in the recruitment process.”

4. **Legal Implications**

4.1 There are no legal implications.

5. **Financial Implications**

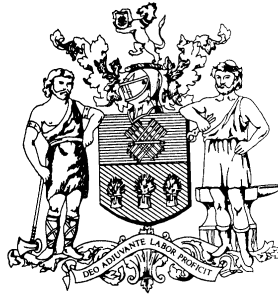
5.1 There are no financial implications arising directly from this report. The co-optees are entitled to receive the Co-optees' Allowance payable under the Members' Allowances Scheme and this is currently £707.98 per annum.

6. **Recommendation**

6.1 That the Council considers the recommendation from the meeting of the Audit Committee on 9 July 2013 that:-

“the maximum term for the appointment of the co-opted members of the Audit Committee is increased to five years to allow for flexibility in the recruitment process”

Chief Executive



**LORD MAYOR'S
ANNUAL REPORT
2012/2013**

LORD MAYOR'S ANNUAL REPORT 2012/13

1. Introduction

- 1.1 This report provides a review of my year in office and includes suggested improvements.

2. Thanks

- 2.1 It has been a great honour to serve Sheffield as Lord Mayor during 2012/13.

I would also like to record my thanks to those who have supported me throughout the year. The Secretaries, Chauffeurs, Macebearer and the Kier front of house staff, porters and catering staff. Often forgotten, but they are the ambassadors and often the first people the members of the public see before they see the Lord Mayor. All of them provide an invaluable service for which I am grateful.

- 2.2 My thanks also to the events team who have had a very special year to manage and at all the events I have attended as Lord Mayor, particularly the swimming, they have spoken highly of the support they have received from the events team time and time again which is why they keep coming back to Sheffield as their base.
- 2.3 Clearly the outstanding memory for me as the Lord Mayor is how special the people of Sheffield made it. A special year which included the Queen's Diamond Jubilee, the Olympic Torch coming to Sheffield, Jessica Ennis returning successfully to Sheffield with a gold medal and Jamaica's 50th independence anniversary, just to mention a few.
- 2.4 I would also like to place on record my appreciation to Catherine who played her part as Lady Mayoress, her support has been invaluable and she did a fantastic job, on occasions standing in for me when I was unable to attend due to ill-health. Clearly, throughout the year she grew in stature and confidence.

3. The Year In Office

- 3.1 The year was filled with a number of memorable events.
- 3.2 Overwhelmingly, the people of Sheffield and organisations respect the non political role the Lord Mayor holds, but there are a few organisations/groups who try to manipulate the Lord Mayor's office inappropriately for their own agendas.

- 3.3 The parlour is a very grand and impressive room, and I had the pleasure of entertaining many visitors from all different backgrounds, from both within and outside of the City.
- 3.4 I hosted many events in the Town Hall for the voluntary sector, commerce, overseas visitors, delegations, NHS, universities, schools, TARAs (Tenants and Residents Associations) etc.
- 3.5 During my year of office, events took us across the length and breadth of the City, on occasions outside of the City, Wembley, Tidworth Army Base, Buckingham Palace and Kuwait.
- 3.6 I have tried during my year of office to promote Sheffield in an ambassadorial role supported by the Lady Mayoress.
- 3.7 I have tried to highlight some of the key events we supported during our year in office.
- 3.8 The year started with the celebration of the Queen's Diamond Jubilee celebrations and we attended a number of events across the City from street parties to events in church halls, schools and youth clubs.
- 3.9 The Olympic torch passing through Sheffield was another memorable event. On the day, we visited schools and parks across the City before joining the celebrations in Sheffield City Centre. Thousands of members of the public turned out to share the moment.
- 3.10 Many teams and individuals from around the world took the opportunity to use the fantastic facilities we have available in Sheffield, although we were not able to say a welcome to all of them, we did meet the Great Britain basketball team, the Great Britain volleyball team, Korea's women's volleyball team, Australia's women's basketball team, Great Britain boxing team, and Russia and China's rhythmic gymnastic team. As well as this, we attended all the swimming qualifying championships which were held here in Sheffield at Ponds Forge.
- 3.11 Jessica Ennis's return to the City with her gold medal was the highlight of the year. Twenty thousand people in Sheffield City Centre, a highly charged electric atmosphere. It was a wonderful homecoming and welcome back and I was proud to have been the Lord Mayor in office who was able to deliver that welcome on behalf of the City.
- 3.12 I was invited by the Governor of Kuwait to be a visitor to his Country. The warmth and friendship that was bestowed upon myself and the Lady Mayoress will long be remembered.
- 3.13 We visited many sites and met Ministers, Faith Leaders and citizens of Kuwait. In the long term, it is hoped that Sheffield can establish a partnership agreement with Kuwait, something I know they are very keen to develop.

3.14 The aim of the visit was to seek more support for the Alemaan Trust community centre which is being built in Sheffield. Kuwait has underpinned the cost of this development which will not just be an asset for the Muslim community in Sheffield, but will be a multi cultural centre which all faiths and community groups will be able to access.

3.15 As I am doing this report, I am still not aware how much has been raised for the Lord Mayor's Charities as I am still awaiting for cheques to be cleared into the Lord Mayor's account managed by the Lord Mayor's office.

4. Conclusion

4.1 It was a wonderful year and one which I will always take great pride that I was Sheffield's Lord Mayor. The support I have received on the many visits and events we attended will always be with myself and Catherine.

5. Recommendations

5.1 Although not wishing to portray negative aspects about my year in office, concerns have been raised previously regarding corporate gifts.

5.2 When visitors come to the Parlour they often bring gifts, but the Lord Mayor has very little to offer them in return. This is something which needs to be considered to enable future Lord Mayor's to reciprocate the gifts they receive.

5.3 I have written to the Director of Legal and Governance with a detailed report and recommendations as to how the Lord Mayor's charity should be administered. I am very disappointed that I cannot tell you the amount which has been raised from the Lord Mayor's charity as the figures are not yet available. In particular I would like to see one account with a balance sheet made available to the Lord Mayor.

5.4 I would ask Council meeting to note this report and give consideration to the recommendations.

Councillor John Campbell



Report to Council

Report of: Chief Executive

Date: 4 September 2013

Subject: Appointment of Honorary Recorder of Sheffield

Author of Report: Jason Dietsch – Democratic Services
0114 273 4117

Summary:

This report concerns the proposed appointment to the position of Honorary Recorder of Sheffield.

Recommendations:

That the Council formally resolves to appoint His Honour Judge Julian Nicholas Goose QC to the position of Honorary Recorder for Sheffield with effect from 5th September 2013.

Background Papers:

Letters from the Head of Courts and Tribunals Judicial Appointments dated 22nd May and 1st July 2013

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial implications
NO
Legal implications
YES
Equality of Opportunity implications
NO
Tackling Health Inequalities implications
N/A
Human rights implications
N/A
Environmental and Sustainability implications
N/A
Economic impact
N/A
Community safety implications
N/A
Human resources implications
N/A
Property implications
N/A
Area(s) affected
None
Relevant Cabinet Portfolio Leader
Councillor Julie Dore
Relevant Scrutiny Committee if decision called in
Not applicable
Is the item a matter which is reserved for approval by the City Council?
Yes
Press release
NO

1. Introduction

- 1.1 This report asks Council to consider the appointment of His Honour Judge Julian Nicholas Goose QC to the position of Honorary Recorder of the City of Sheffield with effect from 5th September 2013.

2. Background

- 2.1 At the time of local government reorganisation in 1974, Cities and Boroughs exercised by charter, custom or by statute powers of appointment of local officers of dignity. Amongst the honorary appointments made are those of Honorary Recorders, which can only be made to an individual who is a Circuit Judge or Recorder appointed under the Courts' Act. The role of Honorary Recorder is a ceremonial position but it acknowledges the importance of the judiciary in the life of the City.
- 2.2 The City of Sheffield first made an appointment to the position of Honorary Recorder in April 1996, when the Council formally appointed His Honour Judge Michael Walker as Honorary Recorder of the City of Sheffield.
- 2.3 On 5th December 2001, the Council appointed His Honour Judge Alan Goldsack QC as Honorary Recorder in succession to Judge Michael Walker. Judge Goldsack retired from his position in May 2013.

3. Matter for Consideration

- 3.1 The Director of Legal and Governance was notified on 1st July 2013 that the Lord Chancellor has appointed Julian Nicholas Goose QC as the Senior Circuit Judge, Resident Judge at Sheffield Combined Court Centre with effect from 2nd July 2013. He will be known as His Honour Judge Goose QC and replaces His Honour Judge Goldsack QC.
- 3.2 The Head of Courts and Tribunals Judicial Appointments has agreed that the Council consider offering the Honorary Recordership of Sheffield to His Honour Judge Goose QC.

4. Legal Implications

- 4.1 The post of Honorary Recorder is established under powers derived from section 54 of the Courts Act 1971 and by sections 245 and 246 of the Local Government Act 1972.

5. Financial Implications

- 5.1 There are no financial implications.

6. **Recommendations**

- 6.1 That the Council formally resolves to appoint His Honour Judge Julian Nicholas Goose QC to the position of Honorary Recorder for Sheffield with effect from 5th September 2013.

Chief Executive

MEMBERS' ALLOWANCES – LOCAL AREA PARTNERSHIP CHAIRS

At its meeting on 17th July 2013, the Cabinet received a report of the Executive Director, Communities seeking to reshape the Council's current local partnership arrangements and community engagement work with our geographic communities. These replace the previous Community Assembly arrangements. The report included proposals in relation to the payment of a Special Responsibility Allowance to the Local Area Partnership Chairs.

Matters relating to the Members' Allowances Scheme are functions of the Full Council, and therefore the Council is required to approve the recommendation of Cabinet in relation to the payment of the Special Responsibility Allowance.

The Cabinet minute is set out below, and the Council is asked to approve paragraph (c) of the resolution:-

A NEW APPROACH TO ENGAGING AND INVOLVING COMMUNITIES

- 10.1 The Executive Director, Communities submitted a report seeking to reshape the Council's current local partnership arrangements and community engagement work with our geographic communities. These replace the previous Community Assembly arrangements.
- 10.2 **RESOLVED:** That Cabinet:-
- (a) approves the creation of a Ward Pot Budget of £300,000 to be allocated between the City's 28 electoral wards as described in paragraph 3.3 of the report;
 - (b) notes that the appointment of the Lead Ward Member for each ward and their resulting appointments to sit on an appropriate Local Area Partnership, will be matters for the Full Council to determine, and that the Council had now appointed the 7 Local Area Partnership Chairs;
 - (c) recommends to the Council that, in view of the role profile attached to the report now submitted, it confirms that the role of the Local Area Partnership Chair be established with a Special Responsibility Allowance included in the new Band C (old Band B2) of Schedule 1 to its Members' Allowances Scheme, and that the payment of this allowance be backdated to 16th May 2013 in recognition that the Chairs had been operating in shadow form since that date, helping to lay the foundations for the new ways of locality working;
 - (d) requests that the Chief Executive establishes a pool of 14 senior officers and allocates them to an area/s to support the work of each Local Area Partnership;
 - (e) authorises the Director of Community Services:-
 - (i) to determine how the Ward Pot Budget for each ward is spent, subject to the proviso that this authority must be exercised in close consultation with all the elected Members for the ward concerned with a view to wherever possible achieving consensus over the use of funds, and to determine the

terms on which such expenditure is incurred including authorising the completion of any related funding agreement or other legal documentation, subject to compliance with Contracts Standing Orders and Financial Regulations;

- (ii) to determine the composition of and settle the terms of reference and rules of procedure for the Local Area Partnerships, in consultation with the Cabinet Member for Communities and Inclusion;
 - (iii) agrees the detailed arrangements for the Local Area Team, subject to Council policies and procedures and due consideration of the outcome of any related consultations, and provided the arrangements were within the maximum available initial budget; and
- (g) requests that the Chief Executive make appropriate arrangements, in consultation with the Chair of the Scrutiny Management Committee and the Chair of the LAP Chairs' Group to facilitate the consideration of issues of local concern through the Council's scrutiny arrangements.

(NOTE: A copy of the Executive Director's report and the role profile for the Local Area Partnership Chair (Appendix A) has been circulated to all Members of the City Council with the Council Summons.)

John Mothersole
Chief Executive



SHEFFIELD CITY COUNCIL Cabinet Report

Report of: Executive Director, Communities

Date: 17th July 2013

Subject: Proposal for a new approach to engaging and involving local communities

Author of Report: Vince Roberts, 0114 273 4486

Summary:

This paper seeks to reshape the Council's current local partnership arrangements and community engagement work that goes on in our *geographic communities*.

It proposes the Council:

- take a **Ward based** approach where Ward Councillors are supported to take the lead for engaging with the communities they serve;
 - establishing a **Ward Pot of £300,000**;
 - establishing **seven Local Area Partnerships**, one for each Area of four Wards, chaired by a lead Elected Member selected by Full Council with an appropriate Special Members Allowance.
-

Reasons for Recommendations:

The proposed model is recommended on the basis that it:

- targets support to communities where engagement and involvement is most needed and where capacity for self-support may be limited;

- develops the community leadership role of councillors in working with communities to support their interests;
- makes the ward and neighbourhood the focus of most activity rather than the much larger former Community Assembly area/meetings which few residents identified with, while acknowledging that some partnership working is required at a wider area level;
- would enable the Ward Pot arrangements to be up and running before the summer to ensure that the small investments that make a big difference can enhance provision during the summer holidays. These proposals would establish the Ward Pot guidance and decision making process as soon as possible;
- has taken into account the consultation and equalities impact assessment;
- is within the budget set by the Council.

Recommendations:

Cabinet is recommended to agree the proposals set out in this report and in particular:-

- (a) to agree the creation of a Ward Pot Budget of £300,000 to be allocated between the City's 28 electoral wards as described in paragraph 3.3;
- (b) to note that the appointment of the Lead Ward Member for each ward and their resulting appointments to sit on an appropriate Local Area Partnership, will be matters for the Full Council to determine, and that the Council has now appointed the 7 Local Area Partnership Chairs;
- (c) to recommend to the Council that, in view of the role profile attached to the report now submitted, it confirms that the role of Local Area Partnership Chair be established with a Special Responsibility Allowance included in the new Band C (old Band B2) of Schedule 1 to its Members' Allowances Scheme, and that the payment of this allowance be backdated to 16th May 2013 in recognition that the Chairs have been operating in shadow form since that date, helping to lay the foundations for the new ways of locality working;
- (d) to request the Chief Executive:-
 - (i) to establish a pool of 14 senior officers and allocate them to an area/s to support the work of the elected ward members and the work of each Local Area Partnership;
- (e) to authorise the Director of Community Services:-
 - (i) to determine how the Ward Pot Budget for each ward is spent, subject to the proviso that this authority must be exercised in close consultation with all the elected Members for the ward concerned with a view to

wherever possible achieving consensus over the use of funds, and to determine the terms on which such expenditure is incurred including authorising the completion of any related funding agreement or other legal documentation, subject to compliance with Contracts Standing Orders and Financial Regulations;

- (ii) to determine the composition of and settle the terms of reference and rules of procedure for the Local Area Partnerships, in consultation with the Cabinet Member for Communities and Inclusion;
 - (iii) to agree the detailed arrangements for the Local Area Team, subject to Council policies and procedures and due consideration of the outcome of any related consultations, and provided the arrangements are within the maximum available initial budget;
- (f) to request the Chief Executive to make appropriate arrangements, in consultation with the Chair of the Scrutiny Management Committee and the Chair of the LAP Chairs' group [or whatever it's called], to facilitate the consideration of issues of local concern through the Council's scrutiny arrangements.

Background Papers: Consultation Materials
Equality Impact Assessment

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial Implications
YES Cleared by: Andrea Nix
Legal Implications
YES Cleared by: Andrew Bullock
Equality of Opportunity Implications
YES Cleared by: Phil Reid
Tackling Health Inequalities Implications
YES
Human rights Implications
NO:
Environmental and Sustainability implications
YES
Economic impact
YES
Community safety implications
YES
Human resources implications
YES
Property implications
NO
Area(s) affected
ALL
Relevant Cabinet Portfolio Leader
Cllr Mazher Iqbal, Cabinet Member for Communities & Inclusion
Relevant Scrutiny and Policy Development Committee if decision called in
Safer & Stronger Communities Scrutiny Committee
Is the item a matter which is reserved for approval by the City Council?
NO
Press release
NO

Proposal for a new approach to engaging and involving communities

1. Introduction

- 1.1. This paper seeks to reshape the Council's current local partnership arrangements and community engagement work with our *geographic communities*. These replace the previous Community Assembly arrangements.
- 1.2. The proposals contained within this paper have come about following extensive work by the *Members' Voice and Influence Task and Finish Group* and the consultation with the public that was undertaken between the 16th and 28th January 2013. A further consultation on the detailed proposals took place between 23rd April and 3rd June 2013.
- 1.3. Further work is being undertaken to reshape how, as a Council, we engage with communities of *interest* (such as those with a common interest who want to come together on a city wide basis, for instance tenants or environmental groups) and *identity* (e.g. older people, or people with disabilities).
- 1.4. The report makes proposals for how the Council could support and facilitate our work with geographic communities work more efficiently within the overall budget set by the Council, and provides a structure for the expansion of support at a later date if more resources become available. In developing proposals we want to support communities to become *stronger* and more *resilient* – more able to help themselves, gain influence, and deal with what the world throws at them.

As a result of unprecedented Government cut-backs, the Council is facing extreme pressures on increasingly limited budgets. Over the past two years the Council has received heavy cuts to its funding from Government, and has had to find savings of around £140 million. Over the last two years the Council has found these savings whilst avoiding significant impact on visible frontline services.

This year the Council had to find a further £50 million of savings, with more cuts in the following years. Efficiency savings will not be sufficient and the Council consequently has to reduce the budgets of many frontline services.

Within these constraints, the Council's approach is to protect where possible those services provided for the most vulnerable people in our community and to examine where they spend on discretionary provision.

- 1.5. Our aims are to ensure we reinvest the remaining resources we have in the most efficient and effective ways. This means fundamentally redesigning our approach by:
 - Targeting support to communities where engagement and involvement is most needed and where capacity for self-support may be limited;

- Developing the community leadership role of Councillors in working with communities to support their interests;
 - Making the ward and neighbourhood the focus of most activity rather than the much larger former Community Assembly area/meetings which few residents identified with while acknowledging that some partnership working is required at a wider area level.
- 1.6. It is clear that, with the scale of reductions proposed, we will not be able to resource the breadth of locality working and associated governance arrangements across the city to former levels and support communities through grant funding to anything like the current provision. The proposals in this report provide a solid basic framework that is affordable within the budget set by Council and can be used as the foundation of locality work, which can be enhanced at a later date if required.
- 1.7. Our proposals are summarised in section 2. Greater details are provided in sections 3-7 and further work will be undertaken to further develop the proposals.
- 1.8. A new approach requires the development of new community planning mechanisms, new ways of undertaking community scrutiny and creative ways of involving local people, including use of social media and on line approaches. The resources available will have to:
- be targeted towards enabling communities to help themselves;
 - be prioritised to areas of greatest need and tension;
 - foster good relations, reduce barriers to involvement and enable inclusive communities;
 - support and develop new ways of engagement; and
 - support Councillors to lead in their local area.
- 1.9 The proposals have been developed in line with the Council's values and priorities in our corporate plan, Standing up for Sheffield, including our commitment to fairness; enabling individuals and communities; and working better together. We have been particularly mindful of the work of the Fairness Commission, and have used the Fairness Framework developed by the Commission to guide our thinking during the development of these proposals.

They particularly recognise the Commission's priority to tackle and ameliorate those inequalities that cause the greatest damage to the life-chance and wellbeing of some Sheffield communities and individual citizens. Those in greatest need should take priority.

The proposals will also help to contribute to the Council's outcomes of making everywhere a great place to live, and tackling poverty and increasing social justice.

2. Proposal Summary:

Outlined below are the key elements of the new operating model.

- 2.1 Setting up a **ward based** approach where Ward Councillors are supported to take the lead for engaging with the communities they serve. To support the administrative and decision making processes, a **Lead Ward Member** will need to be appointed for each Ward who will be the first point of contact for communication and also represent the Ward on the **Local Area Partnership** (see 2.4 below). It is proposed that there will be a senior officer of the Council available to support the work of the Ward Councillors, covering between one and three Wards, depending on need with fourteen in total. Administrative support will be provided by the **Local Area Partnership Team**.
- 2.2 Establishing a **ward based discretionary budget of £300,000, called the Ward Pot**. This will be allocated at £2,000 per ward (£56,000 in total) plus £244,000 to be distributed by IMD. (Ecclesall approx. £3,570 and Manor Castle £19,664). Ward Councillors, working together and with the allocated senior officer will develop a '**Ward Plan**' consisting of a small number of priorities to inform spending decisions. These funds will then be allocated with regard to the ward priorities.
- 2.3 Recognising the move away from Community Assemblies as part of the City Council's formal governance structures. The former **Community Assembly geographical boundaries will continue** to support partnership working and service delivery by the Council and partners. These will be called the North Area, North East Area, East Area, South East Area, South Area, South West Area and the Central Area.
- 2.4 Establishing **Local Area Partnerships** for each of the Areas chaired by a lead Elected Member with an appropriate Special Member's Allowance called the **Local Area Partnership Chair**. The Local Area Partnerships will have a membership appropriate to the priority issues identified for each area. Each Local Area Partnership will be chaired by an Elected Member agreed at Full Council and include a **Lead Ward Member** from each of the remaining three wards. At a minimum, membership will include representatives from the public sector, local VCF sector, private sector and others as appropriate. Support will be provided by the Local Area Partnership Team and in addition there will be a Lead Council Officer. The LAPs will be responsible for establishing an area plan taking account of the priorities identified by the Ward Members (three per Ward.)
- 2.5 The arrangements will be supported by the centrally managed, flexible **Local Area Team** of officers at an initial cost of £400k. There will be a named officer for each area who will be primarily responsible for supporting the Member led Local Area Partnership which will be underpinned by the Ward based arrangements and priorities. Administrative support will be provided by the Local Area Team for the Ward based structures.

- 2.6 It is recognised that from time to time there will be issues arising at Ward level that will require additional resourcing and attention by the Council and partners. In such circumstances it will be for the Local Area Partnership through the Lead Council Officer and Local Area Partnership Chair to raise the issue with the Director of Community Services and the relevant Cabinet Member. Following consultation with the Corporate Management Team and discussion with appropriate services, additional resourcing may be made available as required, but this would need to be found within the Council's approved budget and be approved in accordance with the Council's usual governance arrangements. It is also proposed that there be a **Local Area Partnership Chairs Group**, chaired by the relevant Cabinet Member with membership of the Chairs of the Local Area Partnerships.
- 2.7 Cabinet in the Community will continue on a rolling basis around the City and will be held in a Ward, but with an invitation to attend being extended specifically to residents and businesses in neighbouring Wards with meetings being generally open to members of the public.

Outlined below is additional detail in relation to each area identified above.

3 Locality Working – replacement of Community Assemblies

3.1 The Ward Structure:

It is proposed that we recognise what works for communities and move to a flexible, rolling programme of Ward based events that focus on the big issues in different communities and provide an opportunity for the community to engage with their Ward members and scrutinise local services. The previous approach to formal Community Assembly meetings did not attract or engage many local people. Key features of the proposals will include less bureaucratic meetings, more opportunities for local people to discuss and engage with local councillors, and more consistent links with other local events such as Police and Communities Together (PACT) and Neighbourhood Action Group (NAG) meetings, etc. These events will be led by Ward Councillors with administrative support offered by the Local Area Team.

- 3.2 Under a Ward based approach, we propose that as a minimum, once a year communities and local partners get together to develop ward based Ward Plans, agreeing 3 key priorities for their area. Local Councillors will lead in these events, with some administrative support from the Local Area Team and engagement by the Lead Council Officer. Depending on the type of key priorities and actions required these could be supplemented by additional Councillor-led ward based events and meetings. Where issues and activity require, local Councillors could initiate events crossing ward boundaries, to link in with the Local Area Partnerships and events.
- 3.3 The proposed delivery model will focus on the work of Ward Councillors at a Ward Level. A Lead Ward Councillor will be selected who will act as the key point of contact for the new structure and represent the Ward Councillors on the Local Area Partnership.

- 3.4 Each Ward will be presented with a periodic Ward profile that can be used, alongside the knowledge of the Ward Councillors and their engagement with their community, to establish a small number of priorities that will form the basis of a plan and for periodically reporting on progress. A template for the production of the plan will be provided to ensure a level of consistency across the 28 wards.

The Plan will be the evidence base for decisions around the Ward Pot and will also be fed into the Local Area Partnership so issues common across Wards can be taken forward in their planning process.

Each Ward will have access to a Lead Council Officer (total of 14 taken from the Council's Senior Management Team) who can provide advice and support on developing a plan and also act as the first point of contact for Ward Councillors if existing channels of communication with the Council are problematic.

Ward Councillors will also be given an information pack of key contacts within the Council so they know who to raise Ward issues with and to raise questions or concerns.

They will receive regular eBriefs and training to ensure they have access to up-to date information about services and the City which they may find useful in terms of leading their Communities.

Administrative support and resources will be available to enable them to hold up-to four events/meetings a year at which they may wish to engage with their local communities, invite services to discuss delivery issues or undertake walk-about. (This list is in no way exhaustive: Ward members will have other formats which they wish to work with.)

3.5 Ward Pot

There will be a budget allocation for each Ward to help the delivery of identified Ward Priorities. This will be a light touch grant programme, but Council Standing Orders will be followed. Beneficiaries could be eligible groups, organisations or public sector services. Ward funds could be used to fund Council activity that would not otherwise be undertaken.

- 3.6 Each Ward would be allocated a minimum amount of £2,000 (equivalent to £56,000 across all 28 wards). A further £244,000 will be distributed according to need across the City.

The needs based element of the allocation to each ward will be decided using the National **Index of Multiple Deprivation (IMD)**. IMD shows comparative level of multiple deprivations across England at a small area level and links to the findings of the Fairness Commission.

It will also be possible for Members to use the ward budgets to join forces with other wards (i.e. on joint projects) or to match fund other local programmes (e.g. Community First).

This is in line with the first point of the Fairness Framework produced by the city's Fairness Commission's report, namely:

The first priority is for the city to tackle and ameliorate those inequalities that cause the greatest damage to the life-chance and wellbeing of some Sheffield communities and individual citizens. Those in greatest need should take priority.

- 3.7 It is proposed that decisions about expenditure of Ward based budgets are delegated to the Director of Community Service, with the proviso that this authority must be exercised in close consultation with all the Ward Members, and with a view to achieving, where possible, consensus over the use of funds.

There will be no additional cost of administering the Ward Pot, which will be done within existing resources.

Outlined below is the proposed allocation for each Ward.

Discretionary Budget:		£300,000	
Apportioned by IMD with minimum allocation			
	Minimum Allocation		£2,000
Ward	Minimum Allocation	IMD Allocation	Total Allocation
Arbourthorne	£2,000	£15,032	£17,032
Beauchief and Greenhill	£2,000	£9,925	£11,925
Beighton	£2,000	£5,901	£7,901
Birley	£2,000	£8,723	£10,723
Broomhill	£2,000	£4,674	£6,674
Burngreave	£2,000	£15,359	£17,359
Central	£2,000	£10,611	£12,611
Crookes	£2,000	£2,499	£4,499
Darnall	£2,000	£12,903	£14,903
Dore and Totley	£2,000	£2,274	£4,274
East Ecclesfield	£2,000	£6,796	£8,796
Ecclesall	£2,000	£1,570	£3,570
Firth Park	£2,000	£17,394	£19,394
Fulwood	£2,000	£1,992	£3,992
Gleadless Valley	£2,000	£12,638	£14,638
Graves Park	£2,000	£4,486	£6,486
Hillsborough	£2,000	£6,494	£8,494
Manor Castle	£2,000	£17,664	£19,664
Mosborough	£2,000	£7,127	£9,127
Nether Edge	£2,000	£4,895	£6,895
Richmond	£2,000	£11,200	£13,200
Shiregreen and Brightside	£2,000	£13,334	£15,334
Southey	£2,000	£15,314	£17,314
Stannington	£2,000	£5,048	£7,048
Stocksbridge and Upper Don	£2,000	£6,094	£8,094
Walkley	£2,000	£8,655	£10,655
West Ecclesfield	£2,000	£6,165	£8,165
Woodhouse	£2,000	£9,234	£11,234
Total	£56,000	£244,000	£300,000

3.8 Local Area Partnerships

Though the proposal is that the focus of the new locality arrangements will be at ward level, there are some advantages in retaining the current seven geographical areas of the city as operational entities. This will be reviewed, but in the first instance it is proposed to retain current boundaries and to call them simply 'Areas'. This will prevent disruption to other agencies who have focused their work around the seven Community Assembly areas, and also ensure there are no unnecessary administrative costs in changing boundaries, '.

The Local Government Boundary Review for Sheffield to be completed by March 2015 will lead to changes to ward boundaries, and wider organisational

boundaries, and therefore the boundaries of the Local Area Partnerships will be reviewed at this point.

- 3.9 Partnership working will remain an integral feature of the new arrangements and it is proposed that good practice from the existing partner panels is continued. This will involve creating seven Local Area Partnerships (one for each area), with active involvement from local and city organisations, businesses and the voluntary sector.

These will be different to the former Partner Panels as they will be led by Councillors and will focus on becoming structures as much owned by partners as the Council. We will be working with the Sheffield Executive Board to develop the approach further.

It is envisaged that these Local Area Partnerships will operate as the key arena in which Councillors, in partnership with the community, can take forward actions to address the area's priorities and also act as the place where local services and issues can be scrutinised. The particular partners who will sit on the Local Area Partnerships will be determined locally, in line with the needs of different parts of the city.

- 3.10 To ensure that the Local Area Partnerships are informed by and respond to the needs of local communities, they will be chaired by an elected member from the area selected by Full Council and will have representation from one elected member (the lead Ward Member) from each of the other three wards in that area. Together they will be responsible for producing an Area Plan that will be informed by the priorities identified within the Ward Plans. They will be supported by Senior Officers from across the Partnership, and an officer from the Local Area Team.

The role profile for the role of Local Area Partnership Chair is attached at Appendix A.

4. The Local Area Team (LAT)

- 4.1 The proposed staffing arrangements are affordable within the budget agreed by Full Council in March 2013. It is possible to grow or shrink the proposals, dependent upon future affordability.
- 4.2 It is proposed that a team of around 11 FTE officers is created to support as a priority, the Local Area Partnerships and priority issues and activity in the area. It is also envisaged that the team will support ward councillors by helping them arrange their Ward meetings/events. The level of practical support will depend upon the resources available, but in the first instance will focus on basic administrative functions. The team's main priority will be to support ward Councillors in dealing with pressing local issues – e.g. escalating community tensions, friction relating to a development, after-effects of serious incidents, development opportunities etc.
- 4.3 The team will maintain officer links with different geographical localities of the city, although its work will focus primarily on supporting the Local Area

Partnership arrangements. Areas where our strategic and operational intelligence suggests tensions are high, or where there is major change or cause for concern (e.g. when flagged through community tension monitoring for example) will also receive some additional support.

- 4.4 A key feature of the move to a Ward based model will be increased engagement of senior Council officers (to be called the Lead Council Officer) to build strong relationships with influential local partners, and facilitate partnership working as required.
- 4.5 In addition to the Local Area Team, it is proposed that there will be 14 such senior Council Officers . They will not be a new, dedicated resource and, instead will need to manage the role as part of their normal day to day job. The number of wards a Lead Council Officer is linked to will depend on the geography, size and complexity of the issues faced by that part of that city.
- 4.6 The Lead Council Officer's role will firstly be to help local Councillors and communities plan and prioritise for their area, and to assist the Local Area Partnerships in seeking active engagement and leadership from partner agencies locally. Secondly, they will respond to crises in the neighbourhood, galvanising services and agencies to help resolve issues. This role has been built into the new Director/Heads of Service job descriptions created as part of the senior management review. It is expected that this will be for 2 wards on average, but ranging between 1 and 3 wards (depending on the level of challenge in the areas covered). The role of the Lead Council Officer would be to deal with local issues by exception, galvanizing support from other officers.
- 4.7 The detailed working arrangements for the Local Area Partnership and the Lead Council Officer are still under development and it is proposed that they be finalised by the Director of Community Services in consultation with the Lead Cabinet Member.

5. Cabinet in the Community:

- 5.1 In order to maintain a direct link with key decision makers, 'Cabinet in the Community' is proposed to be retained as a regular feature, giving the opportunity for local people and agencies to raise local issues with the Council's Cabinet Team. It is expected that the Local Area Team would take account of the issues being raised through these routes when determining how best to prioritise their activity

6. Support to Ward Councillors

- 6.1 It is recognised that this new way of working will place additional responsibilities and demands on the individual ward Councillors. To support the transitional arrangements, Councillors will be given clear support and guidance on how the new arrangements may operate and encourage innovative approaches to the role.
- 6.2 In addition to the induction programme, all Members will be supported by:

- New guidance on the ward arrangements including organising community events and running meetings; promoting local engagement and communications; the new funding arrangements; and expectations on services in responding to Ward plans.
- Annually updated ward information packs covering profiles of each ward, key issues and strategic developments, and information on key service providers, external partners and Voluntary, Community and Faith organisations and forums operating in each ward.
- Direct engagement in consultation activity on specific service development activity directly impacting on their areas and notification of strategic plans and proposals affecting adjoining wards that Members may wish to discuss locally
- Publication of the schedule of ward events to discuss local issues and agree local priorities, as part of overall approaches designed to get closer and listen to communities, and strengthen the role of Elected Members as community leaders
- Councillors to be supported to use social media effectively to help them in their role as community leaders, and to aid communication and engagement with their communities and stakeholders.

7. Escalating Ward Issues:

- 7.1 It is proposed that the existing Community Assembly Chairs' Group is maintained. This will be chaired by the relevant Cabinet Member. Membership will include the chair of each Local Area Partnership and officers from the Local Area Team. This body will not hold any formal decision making powers. Lead Council Officers will also be invited to attend at the request of the chair.
- 7.2 It is recognised that from time to time there will be a need for ward councillors to escalate issues that require additional resources or a corporate response. In the first instance issues should be raised with the relevant member of the Local Area Team, Lead Council Officer and Local Area Partnership Chair. Ultimately it may be for the Cabinet Member for Communities and Inclusion to decide on the best course of action, but as a guide:
- Issues that are Area (rather than Ward) specific should be raised at the Local Area Partnership via the Lead Ward Councillor.
 - Issues of service delivery should be raised with the relevant Head of Service.
 - Issues of policy should be raised with the relevant Cabinet Member in accordance with the Leader's Scheme of Delegation.
 - Issues that are complex or require a 'whole Council' response should go to the Director of Community Services and the Cabinet Member for

Communities and Inclusion for consideration of how best to proceed, within the Council's governance arrangements.

- 7.3 Arrangements will be developed to ensure that issues of local concern influence the work programme of the Council's scrutiny arrangements.
- 7.4 It is recognised that with reduced resourcing some of the Councillor requests that were historically addressed by staff within Locality Management (particularly around case work, service requests/enquiries, meeting arranging) can no longer be provided at the same level. However, as with any transitional arrangement, expectations will need to be managed and priorities assessed. This will be an on-going process and discussion and will primarily take place through the Local Area Chairs' Group, to ensure consistency across the City.

8. Consultation

- 8.1 The Council has undertaken a 6 week consultation on these proposals. This has included public meetings in each of the seven areas, full information on the Council's website, an on-line survey, and an all-day summary event held at St Mary's Community Centre. The consultation closed on 3rd June 2013.
- 8.2 The consultation has told us that there were a range of views about the best way forward. However the largest number of respondents (90) thought the proposals were a reasonable way forward given the budget available (some with a few reservations). 69 responses were undecided or unspecified and 51 did not agree.

The majority of responses (109) were undecided or unspecified about whether the proposals took account of the varying needs of Sheffield's residents. 60 responses did not agree and 40 responses agreed.

A range of ideas and suggestions were received as part of the consultation.

- 8.3 The full consultation report is attached at Appendix B.

9. Financial Implications

- 9.1 The proposals are designed to meet the budget agreed by Full Council in March 2013, while providing ward members and communities with the support they need.
- 9.2 This represents a reduction from £2.6m in 2011/12 to £580k in 2012/13, which forms part of the Council's response to the need to reduce spending by £50m over the year.
- 9.3 The proposals in this report increase the budget for Local Area Partnership arrangements from £580k to £700k, increasing the number of officers from 6.5 to 9.5. This has been achieved by transferring in extra resources from the Cohesion, Migration and Safety Team. All resources are included in the Council's base budget for 2013/14.

10. HR Implications

10.1 The reduction in staffing will be managed within the Council's HR processes and procedures. Where possible, mitigation against redundancy will be put in place.

11. Legal Implications

11.1 The proposed arrangements set out in this report are designed to comply with the law relating to the delegation of powers to Members and Officers.

11.2 This report proposes that the Director of Community Services be given delegated power to allocate the ward fund. At this stage it is not known exactly how these funds will be applied. Therefore, the legal implications which arise from specific proposals will have to be addressed when specific proposals are formulated, in consultation with officers in Legal Services.

11.3 However, it is likely that in implementing the proposals reliance will be placed on the 'general power of competence' (the 'GPC') conferred on the Council by Section 1(1), Localism Act 2011. Section 1(1) provides that, "A local authority has power to do anything that individuals generally may do." This is clearly a very broad power. It is not, however, carte blanche for the Council to act in any way it pleases. As one example of this, Section 2(1) provides that, "If exercise of a pre-commencement power of a local authority is subject to restrictions, those restrictions apply also to exercise of the general power so far as it is overlapped by the pre-commencement power."

11.4 The procurement of any goods, works or services must be undertaken in accordance with all relevant provisions of Sheffield City Council's Constitution including the Council's Contracts Standing Orders and Financial Regulations and all applicable procurement rules.

11.5 In exercising their discretion, the Cabinet and Officers exercising delegated powers need to be mindful of the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010. This is the duty to have due regard to the need to:-

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

This includes having due regard to the need to:-

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; and

- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.

Generally speaking Section 158 of the Act permits the Council to take positive action where this is a proportionate means of:-

- (a) enabling or encouraging persons who share a protected characteristic to overcome or minimise a disadvantage connected to that characteristic,
- (b) meeting the needs of persons who share a protected characteristic which are different from the needs of persons who do not share it, or
- (c) enabling or encouraging persons who share a protected characteristic to participate in an activity in which participation by persons sharing that characteristic is disproportionately low.

The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

12. Equality Impact

12.1 An Equality Impact Assessment was completed as part of the Council's budget process. The proposals outlined will have a range of potential equality impacts due to the reduction in funding and support to Communities in Sheffield. However, the EIA and analysis of consultation findings does not suggest that the recommendations in this report should lead to any disproportionate negative or discriminatory impact on particular groups, as long as mitigating actions identified in the EIA are implemented.

12.2 Mitigating actions identified in the initial EIA included:

- on-going monitoring of the fund and priorities will be built into the process and will include equality information;
- each ward will have a profile completed to inform decision making that provides information about the demography and needs within each area;
- the work of Assembly Team members will be assessed during the process of transition to identify functions and roles that can either cease, be transferred to another party and alternative arrangements put in place.

12.2 Numbers of responses in the consultation from different equality groups do not provide any statistical certainty for analysis, however on the basis of responses provided it appears there is no significant difference in responses in terms of protected groups.

12.3 Some issues, concerns, and suggestions were highlighted by individuals and groups which relate to protected groups (for example about the accessibility/inclusivity of future models of engagement with the community and groups) but these do not suggest that the proposals would lead to any disproportionate negative or discriminatory impact on particular groups. Issues

that do arise will be addressed during implementation of the proposed model. Some community cohesion concerns/perceptions were also highlighted, which would need to be considered particularly as part of the communications about the new model.

13. Reasons for Recommendations:

The proposed model is recommended on the basis that it:

- targets support to communities where engagement and involvement is most needed and where capacity for self-support may be limited;
- develops the community leadership role of councillors in working with communities to support their interests;
- makes the ward and neighbourhood the focus of most activity rather than the much larger former Community Assembly area/meetings which few residents identified with, while acknowledging that some partnership working is required at a wider area level;
- would enable the ward pot arrangements to be up and running before the summer to ensure that the small investments that make a big difference can enhance provision during the summer holidays. These proposals would establish the Ward Pot guidance and decision making process as soon as possible;
- has taken into account the consultation and equalities impact assessment;
- is within the budget set by the Council.

Recommendations:

Cabinet is recommended to agree the proposals set out in this report and in particular:-

- (a) to agree the creation of a Ward Pot Budget of £300,000 to be allocated between the City's 28 electoral wards as described in paragraph 3.3;
- (b) to note that the appointment of the Lead Ward Member for each ward and their resulting appointments to sit on an appropriate Local Area Partnership, will be matters for the Full Council to determine, and that the Council has now appointed the 7 Local Area Partnership Chairs;
- (c) to recommend to the Council that, in view of the role profile attached to the report now submitted, it confirms that the role of Local Area Partnership Chair be established with a Special Responsibility Allowance included in the new Band C (old Band B2) of Schedule 1 to its Members' Allowances Scheme, and that the payment of this allowance be backdated to 16th May 2013 in recognition that the Chairs have been operating in shadow form since that date, helping to lay the foundations for the new ways of locality working;

- (d) to request the Chief Executive:-
 - (i) to establish a pool of 14 senior officers and allocate them to an area/s to support the work of the elected ward members and the work of each Local Area Partnership;
- (e) to authorise the Director of Community Services:-
 - (i) to determine how the Ward Pot Budget for each ward is spent, subject to the proviso that this authority must be exercised in close consultation with all the elected Members for the ward concerned with a view to wherever possible achieving consensus over the use of funds, and to determine the terms on which such expenditure is incurred including authorising the completion of any related funding agreement or other legal documentation, subject to compliance with Contracts Standing Orders and Financial Regulations;
 - (ii) to determine the composition of and settle the terms of reference and rules of procedure for the Local Area Partnerships, in consultation with the Cabinet Member for Communities and Inclusion;
 - (iii) to agree the detailed arrangements for the Local Area Team, subject to Council policies and procedures and due consideration of the outcome of any related consultations, and provided the arrangements are within the maximum available initial budget;
- (f) to request the Chief Executive to make appropriate arrangements, in consultation with the Chair of the Scrutiny Management Committee and the Chair of the LAP Chairs' group [or whatever it's called], to facilitate the consideration of issues of local concern through the Council's scrutiny arrangements.

Terms used in this report:

Local Area Partnership: The partnership that covers an area of 4 Wards

Local Area Partnership Chair: The elected Member selected by Council to Chair this meeting.

The Lead Ward Councillor: The elected Member selected to represent the Ward on the Local Area Partnership.

Lead Council Officer: One of 14 senior officers of the Council selected to support the Ward Councillors and Local Area Partnerships.

Ward Pot: The amount allocated to each Ward from the over allocation of £300,000.

APPENDIX A

Role of Local Area Partnership Chair

1. Background:

Within the emerging operating framework there are new roles for a Local Area Partnership Chair and Lead Council Officer. Outlined in this briefing are potential role profiles for the functions.

2. Local Area Partnership Chair: Draft role profile

2.1 Role and responsibilities of the Local Area Partnership Chair (7 in total)

The Lead Area Member will be appointed at Annual Council and have the key roles of:

- Chairing the Local Area Partnership and other meetings supporting the decision making process
- Owning a Local Area Plan on behalf of the Partnership
- Representing the Local Area Partnership
- Supporting the enhanced role of Ward Councillors.

2.2 The Chair will be expected to encourage and support the active participation of Ward Councillors on the Local Area Partnership, local residents and key partners, in all elements of the work of the Elected Members, including:

- Establishment and future development of the Local Area Partnership
- Preparation, agreement, implementation, and monitoring of an Area Plan
- Identifying and implementing approaches to effective Community involvement
- Influencing service delivery at a local level.
- Ensuring the Local Area Partnership operates in a manner that effectively represents the interests of the wider local community
- Liaising with the Local Area Team and Lead Officers to plan and co-ordinate the Local Area Partnership work programme and forward plan.
- Proactively liaising with Council Officers and partners/agencies to achieve the objectives of the Area Plan and ensure that the outcomes are delivered and funding decisions are consistent with any statutory, funding or other requirements, including the Council's Constitution, Financial Framework, Standing Orders and Commissioning and Procurement Guidelines.
- Ensuring that the Local Area Partnership works effectively with service providers to ensure the provision of services that meet local needs.
- Contributing to a combined periodic report on progress, setting out the Local Area Partnership's achievements to the Council and partners as required.
- The Lead Elected Member will have the key role of representing the Council in all dealings with the public, media and other bodies in respect of the work of the Local Area Partnership. This will involve:
- Representing the views of the Local Area Partnership based on decisions made and views expressed at relevant meetings and forums

- Representing the interests of the Local Ward Members and local community through two way communication with the Council and other key decision makers. This includes exercising rights:
 - to put views and recommendations to Cabinet on issues of strategy and policy
 - to draw matters to the attention of a Scrutiny and Policy Board
 - to draw matters to the attention of the Chief Executive or relevant Executive Director
 - representing the Local Area Partnership at events across the area as appropriate, cross area co-ordinating arrangements, city-wide events, and meetings with neighbouring Ward Members and Area Partnerships.

2.3 Chairing Local Area Partnership Meetings

The Local Area Partnership Meetings will involve three Lead Ward Members from the other 3 Wards in each Area, representatives from the Local VCF sector and public sector and private sector partners as appropriate . There will be a minimum of three meetings a year based around the requirements of the Area Plan. These meetings can use a structure relevant to the work of the Partnership. Some may be held in public as Q&A sessions or discussion forums, others may be held in private to explore key issues affecting the local area.

At these meetings, the Chair will oversee:

- a) agreeing and checking delivery of the Area Plan including assessing quantitative and qualitative information
- b) directing how local services should be delivered to achieve improvements
- d) considering and expressing views on what services and partners are asking the Local Area Partnership
- e) exploring and informing major council and partner activity such as new developments, regeneration schemes or service redesign
- f) considering issues arising from Ward Members that require direction and action.
- g) elevating issues to the Council for additional resourcing and prioritisation

2.4 Support

The Local Area Partnership Chair will be supported by:

- the Local Area Team who will advise on all agreed agenda items
- the Lead Council Officer who will advise on issues concerning Council policy and protocols and governance standards (including standing orders)
- the Local Area Partnership Chairs Group that will meet monthly, chaired by the lead Cabinet Member to discuss the operation of the Local Area Partnerships across the City and explore cross area boundary issues.

3. **Lead Council Officer (formerly Lead Director) – Draft Job Profile**

The Lead Council Officers (14 in total) will be selected by the Executive Management Team.

They will be at Director or Head of Service Level (AD level).

They will cover between 1-3 Wards depending upon the comparative priority of each Ward (i.e. Wards that are seen as high priority because of need may have a dedicated Lead Council Officer, Wards with less pressing issues may share a Lead Council Officer with up-to 3 Wards).

They will support the Ward Members in:

- Identifying 3 Priorities for the Ward
- Providing advice and guidance on the workings of the Council and managing case work
- Being the first point of contact for addressing issues and problems that require advice and guidance
- Reporting on progress and issues for resolution
- Managing difficult situations, conflict and problem solving.

They will also:

- Represent the Council on the Local Area Partnerships
- Support the Local Action Partnership Chair on performing their function and role (see Draft Role Profile) for
- Promote joined up action at the Area and Ward level
- Help develop the Area Plans and report on progress
- Advise on appropriate courses of action and options in terms of addressing priorities within the area.
- Problem solve
- Ensure that the Local Area Partnership is fit for purpose and has clear aims, objectives and representation from the key stakeholders, including the Local VCF sector and community advocates.

They will receive administrative officer support from the Local Area Team (named officer) and the Head of Locality Management.

Vince Roberts – Head of Locality Management

12.3.2013