



Council

Wednesday 2 October 2013

2.00 pm

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

The Press and Public are Welcome to Attend

COUNCIL

Wednesday 2 October 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 and recording is allowed under the direction of the Chair. Please see the website or contact Democratic Services for further information regarding public questions and petitions and details of the Council's protocol on audio/visual recording and photography at council meetings.

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

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
2 OCTOBER 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 4th September, 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. REPRESENTATION, DELEGATED AUTHORITY AND RELATED ISSUES

To consider any changes to the memberships and arrangements for

meetings of Committees etc., delegated authority, and the appointment of representatives to serve on other bodies

7. SCRAP METAL DEALERS ACT 2013

Report of the Chief Executive.

8. NOTICE OF MOTION GIVEN BY COUNCILLOR BRYAN LODGE

That this Council:-

notes the following resolution passed by the Cabinet at its meeting held on 18th September, 2013, following its consideration of a report of the Executive Director, Resources on the Council's Medium Term Financial Strategy 2014/15 to 2018/19 -

RESOLVED: That Cabinet:-

- (a) notes the forecast position for the next 5 years;
- (b) agrees the approach to business planning targets;
- (c) agrees to give consideration to reviewing the Council Tax Support Scheme for 2014/15 with decisions based on an assessment of the impact of the reductions made in 2013/14 and the other welfare reforms that have/are being introduced;
- (d) agrees that as part of the business planning process, any increases in specific grant are to be held corporately to assist in balancing the overall budget; and
- (e) refers the report to Full Council for consideration.

9. NOTICE OF MOTION GIVEN BY COUNCILLOR MARY LEA

That this Council:-

- (a) notes the article in "The Star" newspaper dated 17th September 2013 entitled 'Sheffield Council's anger at £40m health funding cut';
- (b) further notes that the article states 'The NHS Sheffield Clinical Commissioning Group's annual budget was set at £691m last year – but last week The Star reported that a proposed shake-up of the way funds are handed out would mean that is cut by 7.6 per cent, to just over £642m';
- (c) wholeheartedly agrees with comments by the Council's Chief

Executive that “The NHS is giving more money to places like Bournemouth because of the pressure of having ageing populations. But this money is needed here, too. It’s the equivalent of the funding settlement for local government which has seen councils in the north and cities take larger cuts”;

- (d) is appalled, but not surprised, by the motivation of a Conservative Government taking money away from cities such as Sheffield to give to some of the healthiest, wealthiest areas of the country and believes this is just the latest example of the Deputy Prime Minister failing to stand up for Sheffield;
- (e) calls on the Government to immediately scrap this unfair funding redistribution;
- (f) is further concerned of increased pressures on NHS services which are already impacting on NHS budgets before they have been cut by the Government and this is being compounded by the Government’s A&E crisis;
- (g) regrets that more than 5,000 nursing jobs have been lost on this Government’s watch;
- (h) notes findings from a recent report to the Health Select Committee stating “Staffing levels in emergency departments are an area of considerable concern to the committee. They are not sufficient to meet demand, with only 17% of emergency departments managing to provide 16-hour consultant coverage during the working week”;
- (i) acknowledges that Government cuts to funding for social care are contributing to the increasing waiting lists, producing a false economy due to the costs of increased waiting lists, and notes the scathing headline of the Independent newspaper article dated 16th August, 2013 ‘NHS Waiting List at five year high as cost cutting reforms strike’ which outlines criticisms of the Government’s health policy from a leading health journal;
- (j) fully supports the recent comments by The Rt. Hon. Andy Burnham, MP, Shadow Secretary of State for Health, “There has been a massive increase in the numbers of people aged over 90 going into A&E by ambulance – up by over 100,000, an increase of 66 per cent - as £1.8 billion is cut from council care budgets. That is why Labour has said we would invest £1.2 billion of the NHS underspend, which Jeremy Hunt has handed back to the Treasury, over the next two years to ease the crisis in social care, tackling a root cause of the pressure on A&E. For older people this could make a huge difference by enabling them to stay in their own homes for longer and providing the support they need to return home after hospital.”; and

- (k) fully supports policies outlined by the Shadow Secretary of State for Health for whole person care through integrating health and social care.

10. NOTICE OF MOTION GIVEN BY COUNCILLOR DAVID BAKER

That this Council:-

- (a) recalls the 10,000 signature petition presented to this Council, which opposed the closure of community libraries;
- (b) notes with dismay the Administration's plans, which could see sixteen community libraries closed;
- (c) believes these closures could be avoided if the Administration did not continue to waste money on costly pet projects and notes the main opposition group's budget amendment, which presented fully-costed measures to protect the libraries' budget within 2013/14; and
- (d) opposes the Administration's disastrous proposals.

11. NOTICE OF MOTION GIVEN BY COUNCILLOR HARRY HARPHAM

That this Council:-

- (a) believes that the "Bedroom Tax" is a cruel and unfair measure hitting vulnerable people through no fault of their own and was introduced by the Conservative-led government, with support of the LibDems in government;
- (b) believes that the outcomes of the Liberal Democrat's 2013 Conference demonstrates their Party's indifference to the hardship caused by the Bedroom Tax;
- (c) welcomes the effective and broad-based campaign run by local Sheffield campaigners and activists against this most unfair tax;
- (d) reiterates in the strongest possible terms this Council's opposition to the Bedroom Tax and warmly welcomes the commitment made by The Rt. Hon. Ed Miliband, MP, Leader of the Opposition, that a future Labour Government will repeal this unfair tax as part of the Labour Party's concrete action to support families with the cost of living crisis;
- (e) further believes that this commitment is affordable as it is to be paid for without additional borrowing by reversing the current Government's tax cut for hedge funds, unfair shares for rights scheme and tackling disguised employment in the construction industry; and

- (f) however, regrets that the Government's failure to listen means Sheffield families are suffering today and resolves to write to the Deputy Prime Minister, who is the only local MP who supports this tax, urging him to take action to reverse this cruel and unfair measure now.

12. NOTICE OF MOTION GIVEN BY COUNCILLOR BRYAN LODGE

That this Council:-

- (a) welcomes the Summer Saturdays' initiative which ran throughout the summer and saw Sheffield city centre host a series of events and activities designed to bring families into the city centre to stay, play, relax and enjoy the shops, entertainment and food and drink;
- (b) further welcomes the support for the event through investment from the Keep Sheffield Working fund to boost the city centre and pro-actively support businesses in the current climate;
- (c) notes that the Sheffield by the Sea initiative has again proved very popular and was put on at no cost to the Council and thanks all partners who provide support enabling these events;
- (d) welcomes other activity in the City to support the city centre such as The Star newspaper's Summer of Love drive;
- (e) welcomes the wider programme of events and community festivals that add to the vibrancy of the City; and
- (f) resolves to continue to support city centre retail and requests officers to report to Cabinet with further proposals to support the city centre economy.

13. NOTICE OF MOTION GIVEN BY COUNCILLOR IAN AUCKLAND

That this Council:-

- (a) praises the excellent MADE festival for entrepreneurs, which has brought an estimated £500,000 to the City;
- (b) notes with disappointment reports that the scope of the festival has been reduced in 2013;
- (c) regrets that the reported failure to deliver a festival of similar scale has led to further criticism of the Council as 'anti-business';
- (d) recalls that this latest criticism follows a string of dressing-downs by business groups and business leaders;

- (e) calls upon the Administration to drop its 'anti-business' rhetoric that is driving jobs and investment away from Sheffield; and
- (f) hopes that the MADE events to be held in 2013 will be a success and recommends that the festival returns to full strength in 2014.

14. NOTICE OF MOTION GIVEN BY COUNCILLOR JILLIAN CREASY

That this Council:-

- (a) remembers the resolution it passed in October 2012 requesting officers to bring forward a report to Cabinet dealing with the benefits and resource implications of using the Sustainable Communities Act;
- (b) thanks Sheffield for Democracy for providing the Cabinet Member and relevant officer with details of a simple and inexpensive method for consulting with local people about possible proposals and for offering assistance to organise any public meetings;
- (c) welcomes the recent campaign by Local Works, the national organisation which has promoted the adoption and use of the Sustainable Communities Act, to use it to call for a levy on large supermarkets;
- (d) notes that under the proposal, local authorities would be given the power to introduce a local levy of 8.5% on large retail outlets in their area with a ratable value of over £500,000 and that the revenue would be used to promote local economic activity, local services and facilities, community wellbeing and environmental protection;
- (e) notes that in Sheffield this would apply to 60 retail outlets (half of which are in Meadowhall) and raise in excess of £6million per year;
- (f) notes that similar measures have been introduced in Northern Ireland and Scotland without adversely affecting inward investment or the local economy;
- (g) welcomes the support for this measure by local authorities across the country and by the Shadow Minister for Communities and Local Government;
- (h) notes that the South and East Yorkshire branch of the Federation of Small Businesses also endorses the campaign; and
- (i) therefore urges the Cabinet Member and officers to expedite the Cabinet report requested in October 2012 so that the Sustainable Communities Act can be used to consult on the supermarket levy proposal as soon as possible.

15. NOTICE OF MOTION GIVEN BY COUNCILLOR ALISON BRELSFORD

That this Council:-

- (a) recalls the regrettable decision to close Don Valley Stadium;
- (b) reminds Members that the plan to delay closure, proposed by the main opposition group, would have actually saved the Council money in the 2013/14 financial year;
- (c) recalls the pledge of the Cabinet Member for Culture, Sport and Leisure that alternative facilities would be improved to required standards by the time Don Valley closed;
- (d) yet notes with concern the disparaging comments by members of the Sheffield athletics community regarding Woodbourn Road;
- (e) furthermore, highlights the difficulty of the Sheffield Eagles to find a new home in the City and expresses dismay that the team may be forced out of Sheffield;
- (f) welcomes the campaign to take community control of the Stadium and urges the Administration to provide assistance to community campaigners; and
- (g) requests the Cabinet Member to present an urgent plan to enable the demolition of the Stadium to be delayed until all outstanding issues are addressed.

16. NOTICE OF MOTION GIVEN BY COUNCILLOR PENNY BAKER

That this Council:-

- (a) recalls the pledge of previous Labour Administrations that the cost to Council-tax payers of the Park Hill refurbishment would not extend beyond paying the wages of Council staff working on the project;
- (b) notes with dismay the decisions of the current Administration to agree more than £2.8 million of Council spend at Park Hill;
- (c) notes with concern statements from the developer that they are “discussing funding” with the Council on future development of the site;
- (d) furthermore, highlights comments in a Cabinet paper agreed in August 2013 that stated: “There is a risk to delivering the full scope of major schemes such as Park Hill ... This could result in schemes ‘stalling’, leading to increased costs”;

- (e) believes these comments are of particular concern given the current Administration's decision to allow wide-reaching agreements to be signed-off behind closed doors; and
- (f) recommends that no further funding is agreed for this political vanity project at a time when every penny counts and funds need to be directed to vital front-line services.

A handwritten signature in black ink, reading "John Rotherde". The signature is written in a cursive style and is underlined with a single horizontal line.

Chief Executive

Dated this 25th day of September 2013

The next ordinary meeting of the Council will be held on 6 November 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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Minutes of the Meeting of the Council of the City of Sheffield held in the Town Hall, Sheffield, S1 2HH, on Wednesday 4 September 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)

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				28	<i>Woodhouse Ward</i> Mick Rooney Jackie Satur Ray Satur

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Ben Curran Tony Damms, Harry Harpham, John Robson and Diana Stimely.

2. DECLARATIONS OF INTEREST

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

3. PUBLIC QUESTIONS AND PETITIONS AND OTHER COMMUNICATIONS

3.1 Communications

Recording and Filming of Council Meetings

The Lord Mayor (Councillor Vickie Priestley) made a statement to Council concerning the recording and filming of Council meetings. She stated that the Council will be asked later at this meeting to approve changes to Procedure Rules within its Constitution to clarify the arrangements by which recording of the Authority's meetings will be facilitated under the direction of the Chairs of the meetings.

These changes will make it clear that 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.

3.2 Petitions

(a) Petition Regarding the Former Public Convenience on Haggstones Road, Worrall

The Council received a petition containing 309 signatures and requesting action with regard to the former public convenience on Haggstones Road, Worrall.

Representations on behalf of the petitioners were made by Ray Battye. Mr Battye, Chairman of the Worrall Environmental Group, stated that the site of the former public conveniences on Haggstones Lane, Worrall, had been in a state of development since 2005 when the conveniences were demolished. Planning permission was granted for a shop in 2008 and building work began, and then stopped after 18 months. What was currently in place was a half completed

construction, surrounded by metal fencing, which was unattractive and detracts from the appearance of the Village. Despite assurances from the owner in September 2012, that building would recommence, no such work had taken place. The matter had been on the Environmental Group's agenda for a considerable time and the Group decided to organise the petition, which had been signed by about one quarter of the people in Worrall.

He stated that it was significant that, in July 2014, the route of the Tour de France would pass through Worrall and the images of this (at present) unattractive site could be broadcast across international media. There was an opportunity to help to make the site complete by the time of that event in 2014. The petition asked the Council to do whatever it could to ensure that the site was not detrimental to the well kempt village of Worrall and the wider area both during and after the Tour de France.

The Council referred the petition to Councillor Leigh Bramall, the Cabinet Member for Business, Skills and Development. Councillor Bramall stated that there were legal timescales for the completion of developments following the granting of planning permission. He said that he was delighted that the Tour de France would be coming to this area in 2014. He would examine the matters raised in the petition and would respond to the petitioners.

(b) Petition Objecting to Selective Licensing in the Page Hall and Fir Vale Area

The Council received a petition containing 725 signatures and objecting to selective licensing in the Page Hall and Fir Vale area.

On behalf of the petitioners, Ahsan Ashraf addressed the Council. He stated that the petitioners did not support the proposals for the introduction of selective licensing in the Page Hall and Fir Vale area. Such a scheme did not deal with the problems in the area which included anti-social behaviour and litter. It was proposed instead that existing legislation be more effectively enforced. People wanted immediate action, rather than waiting for a selective licensing scheme, which would take time to implement. Interim Management Orders were required to deal with anti-social behaviour and Empty Dwelling Management Orders should be issued to address the 134 empty properties, representing 6.7 per cent of properties which needed to be put back into use. The Council should also use existing powers to deal with overcrowding in some properties and to bring about more timely eviction of tenants, where appropriate.

Mr Ashraf referred to the introduction of a selective licensing scheme in Salford, which was not considered to have been effective as, for a cost of £240K it had addressed problems only in relation to a few bad landlords.

He referred to some positive examples of other local authorities, including Leicester and Lewisham, which had incentivised landlords to house good tenants in properties. He also made reference to alternative approaches and to the measures within Anti-Social Behaviour Crime and Policing Bill 2013.

Mr Ashraf stated that people did not want a selective licensing approach which

adversely affected good landlords and tenants and which also led to an increase in homelessness. He also expressed concern at the cost of consultation relating to selective licensing, which had so far cost £32K. He also made reference to fighting in a consultation meeting and tensions, which represented a problem with the way in which the consultation had been undertaken.

The Council referred the petition to Councillor Julie Dore, the Leader of the Council. Councillor Dore explained that Councillor Harry Harpham, the Cabinet Member for Homes and Neighbourhoods had given apologies for the meeting today and he would normally have responded to the petitioners on these matters.

Councillor Dore stated that she accepted that this was an emotive issue. She had not been involved directly with this particular consultation process, which was designed to bring out and respond to the type of issues that people had identified. She emphasised that Selective Licensing was only one option to respond to the range of problems which the petition had outlined. Other engagement meetings had also taken place with residents, tenants and landlords as part of the consultation process. All points of view, including those raised by the petition submitted at this meeting, would be collected and taken into account. It was clear that people wanted matters to be addressed.

The Council will also look at examples of best practice elsewhere and assessment of how effective this had been. Councillor Dore stated that a response would be made to the range of issues raised in the petition.

(c) Petition Objecting to the Threat of Library Closures in the Ecclesfield Parish

The Council received a petition containing 173 signatures and objecting to the threat of library closures in the Ecclesfield Parish.

On behalf of the petitioners, Vic Bowden addressed the Council and stated that most of the signatures to the petition had been those of people in the parish of Ecclesfield. She stated that people were angry at the prospect of losing Ecclesfield and Chapeltown Libraries. Libraries provided services which supported people's mental wellbeing. The petition asked the Council to continue to maintain library services, which was a question of priorities.

The Council referred the petition to Councillor Mazher Iqbal, the Cabinet Member for Communities and Inclusion. Councillor Iqbal made reference to the disproportionate level of Government funding cuts, the results of which the Council had to manage. Up to 14 libraries were at risk. Consultation had taken place in the summer of 2012 and a call for action had commenced in February 2013, and had been delayed because of the late announcement by the Government of the spending review. Whilst no decision had yet been made as regards proposals for libraries, these would be published within the next fortnight.

(d) Petition Requesting a Reduction in the Speed Limit Outside Ecclesfield Secondary School

The Council received a petition containing 411 signatures, requesting a reduction in the speed limit outside Ecclesfield Secondary School.

On behalf of the petitioners, Colin Taylor addressed the Council. He stated that each year, 3 pupils at Ecclesfield School were involved in road accidents. He had campaigned in relation to road safety in the area for some time and a crossing had been installed through the Northern Community Assembly. A recent fatality had led to a delay in the introduction of a speed limit until after the outcome of the inquest was known. He stated that he had asked Councillor Weatherall, previously the Chair of the Community Assembly, about the inclusion of a 30 mph speed limit in the Streets Ahead Programme and Councillor Joyce Wright had been quoted as saying that speed was a matter for the police.

Mr Taylor said that it was not appropriate to have a 40mph speed limit outside a school, and the speed limit should be reduced as a matter of urgency to protect the safety of young people. He commented that he was pleased that 20 mph limits were introduced elsewhere in the City.

The Council referred the petition to Councillor Leigh Bramall, the Cabinet Member for Business, Skills and Development. Councillor Bramall stated that the amount of investment in the enforcement of school zag-zag and school entrance schemes had doubled and 20 mph zones were being introduced in the City. He stated that Councillor Weatherall had discussed with him the issue of road safety at Ecclesall School and with a view to reducing the speed limit outside the School and in relation to work with the North Sheffield Youth Forum. A feasibility study had been carried out to examine a reduction in the speed limit and there was a good case for something to be done. Subject to affordability, the Council was looking to fund such a scheme.

(e) Petition Requesting Enforcement of the 20 mph Speed Limit in Shiregreen

The Council received a petition containing 60 signatures, requesting enforcement of the 20 mph speed limit in Shiregreen.

The Council referred the petition to Councillor Leigh Bramall, the Cabinet Member for Business, Skills and Development. Councillor Bramall stated that there was a 20 mph speed limit already in place in Shiregreen and he expected that enforcement of the speed limit was the actual matter of concern. A response in writing would be made to the petitioners.

3.3 Public Questions

(a) Public question concerning Government Austerity Programme

Geoffrey Turner made reference to the recent Fair Deal for Sheffield campaign and the Council's criticism of the Government's austerity policies and the effects of budget cuts on Sheffield. He asked whether the Council would support and publicise an anti-austerity event to be held on 14 September, hosted by the Sheffield People's Assembly; and would it encourage elected Members to attend.

In response, the Leader of the Council, Councillor Julie Dore, stated that she did

support any challenge to the Government in respect of the cuts being made, particularly in relation to Sheffield. She asked Mr Turner to let her have details of the event, to enable her to make sure it was in line with Council policy. A Council Motion had previously been passed in support of the Fair Deal for Sheffield campaign and she stated that she especially supported that part of the event on 14 September 2013 at which the Cabinet Member, Councillor Jack Scott was a speaker.

(b) Public Question concerning Benefits and the Residency Test

Mr B O'Malley stated that the Council needed to follow up with the Home Office, UK Border Agency and Housing Benefit Department to see who is entitled to move from one EU country to another and claim benefits. He referred to the habitual residence test for people wishing to reside in the UK and he made reference to the need for people to prove they could actively support themselves. In Page Hall, he stated, the application of the residency test was in question.

In response, Councillor, the Leader of the Council, Julie Dore, stated that she would ask the questioner to identify where this may be an issue and the Council would then follow it up.

(c) Public Questions Concerning Burning of Waste in Firvale and dumping of household waste in Page Hall

Leslie Miller stated that he was concerned about the burning of rubbish by people in Firvale and to fires which people were having during and night and day which produced toxic fumes and affected people living nearby and which he was concerned were dangerous.

Shaun Outram spoke concerning litter and the dumping of household items of rubbish in Page Hall. He stated that a big clean-up had taken place in Page Hall on 3 July and he commented that the Council and local people had done a brilliant job in clearing up the area. However, there were still some households who were dumping rubbish. Photographs of the situation had been passed to a local Councillor. He said that CCTV had been promised to help enforcement, although it was not yet installed. He stated it was like living in a landfill site.

In response to both questions, the Cabinet Member for Environment, Recycling and Streetscene, Councillor Jack Scott, stated that fires were permitted in people's backyards, so long as they did not cause a nuisance. The Council wanted to make sure that people disposed of waste properly. He also made reference to the successful week of action in July, which took place in Page Hall. The Council could not promise to reinstate weekly bin collections. However, Councillor Scott stated that he was especially concerned about dangers presented by fires and would like to arrange a meeting with City Councillors, and representatives from the South Yorkshire Police and the Fire and Rescue, to look at concerns in relation to safety and pollution and to make sure that people understood the risks relating to fire.

Councillor Scott said that he was pleased at the achievements during the week of

action in Page Hall and the 120 local people who helped during the clean-up. He agreed that the week of action was only a first step and community and education work would need to continue. Enforcement also needed to be increased and tougher action taken, where necessary. CCTV was to be installed next week and Councillor Scott apologised for the delay. Uniform and plain clothes officers were undertaking enforcement work. It was important to keep the community engagement work going and use intelligence from local people to assist enforcement so that the area could be kept clean.

(d) Public Question Concerning Labour Party Trade Union Funding

Christopher Bains made reference to the Labour Party's potential loss of funding from the GMB trade union and asked whether the Council agreed that the Leader of the Labour Party, Rt Hon Ed Milliband, had "shot himself in the foot" in relation to trades union funding.

In response, the Leader of the Council, Councillor Julie Dore, stated that she was not a member of the GMB but was a member of the Unite trades union and she was more than happy to be affiliated with the Labour Party as, she believed, it was the only political party which fought on behalf of decent hard working people.

(e) Public Question Concerning Safeguarding Children in Page Hall Area

Bernadette Biggin referred to toddlers and young children from the migrant community in the Page Hall area, who she was concerned had little clothing and were begging and asking for money and might be at risk of harm. She asked why social services had not become involved in the situation. She also made reference to safeguarding legislation which was designed to protect children and ensure that children were growing up in a safe environment, with the best outcomes and protected from harm. She asked what agencies were doing to safeguard these children.

In response, the Cabinet Member for Children, Young People and Families, Councillor Jackie Drayton, thanked Bernadette Biggin for her question and said that she appreciated her concern and that of residents of Page Hall.

The safeguarding of all our children is really important and was absolutely vital. The City Council was committed to ensuring that children and young people in the City achieve their full potential and are safe and healthy and it would do everything possible to protect them from harm.

Councillor Drayton said that there was a lot of general work going on in the Page Hall area by agencies, including Multi Agency Support Teams (MAST), specialist health visitors, the Missing from Education Team, Sheffield Futures and youth services, Police Community Support Services and South Yorkshire Police, the Pakistani Advice Association and local community workers.

Specifically, a parenting course was to be held at the Pakistani Advice Community Association to help parents to understand their responsibilities in relation to children and including road safety, safeguarding and food. The local

authority had a statutory responsibility to investigate any child protection issues that are reported and needed to obtain specific details and evidence, if social workers were to be asked to be involved. The information could be given anonymously and in confidence, either to workers at the Pakistani Advice Community Association or directly to the MAST team and, once that had happened, a social worker assessment of the family concerned could be undertaken and action could be taken to support the child.

(f) Public Question Concerning Section 30 Order in Page Hall

Jane Howarth referred to groups of youths and adults who were congregating in the Page Hall area, which she stated, caused people to feel intimidated at all times of the day. Older people especially were afraid to leave their houses. Members of the groups were believed to be under the influence of alcohol and nuisance behaviour included, urinating in public and dropping items of litter including cans and bottles. A Section 30 Order was in place in the area, but was ineffective at night and something also needed to be done during the daytime. She asked why the Police were not dispersing adults and youths in gangs of 20, 30 or more and stated that the curfew was not being enforced.

The Cabinet Member for Communities and Inclusion, Councillor Mazher Iqbal, responded that the Police were responsible for the enforcement of the Section 30 Order which was in place in the Page Hall area. Work was taking place with local councillors and Rt Hon David Blunkett MP. This was the second occasion on which a Section 30 Order has been introduced in the area. The Police and communities were meeting on 5th September in relation to the issues facing the area. People were invited to attend.

The police were not able to move people on if they are not committing anti-social behaviour. After 9.30pm, the Police did have powers to take young people home.

Councillor Iqbal said that he had walked around Fir Vale and in speaking to people in the area, had heard mixed messages concerning the effectiveness of the Section 30 Order. He requested that people report incidents to the 101 telephone number so that as much evidence and intelligence could be gathered as possible. He stated that he would speak with the police concerning the matters which had been raised and ask them to respond.

(g) Public Questions Concerning the Libraries Review

Thomas Barstow asked when would a copy be made available of the proposals from the Library Review, as originally promised on 20 July 2013 and which of the Council's Scrutiny Committees would consider this as part of its work programme?

Colin Taylor asked is there a secret list of threatened libraries that has been shared with parish councillors. He also referred to Councillor Mazher Iqbal stating on Radio Sheffield on 3 September, that he would let people know which libraries are under threat within the next two weeks. He asked, why cannot this be announced today, as others were obviously in the know.

The Cabinet Member for Communities, Councillor Mazher Iqbal, responded, that the information concerning the Libraries Review would be made available within the next two weeks. The Council had made a commitment to provide a comprehensive, modern and affordable library service. The relevant Scrutiny Committee was the Economic and Environmental Wellbeing Scrutiny and Policy Development Committee and people would be informed if the matter was called-in for scrutiny. The issues facing libraries were not unique to Sheffield and some 200 libraries had been closed in the country. The funding for the Libraries service was affected by the cuts in Government funding to local authorities.

(h) Public Questions Concerning Bedroom Tax

Brian Hanson asked how people could be expected to pay the bedroom tax from the £102 that he had available each week, which was more than the amount some people received because he had a disability, on top of all other bills.

Gareth Lane stated that the Labour Party had promised to scrap the bedroom tax if it was elected to Government. He asked whether the City Council would pledge not to evict people who fell into arrears because of the bedroom tax.

Margaret Stone asked if the Council planned to monitor the effects on families of reductions to welfare benefits and the effect on services including those dealing with homelessness and malnutrition.

The Leader of the Council, Councillor Julie Dore responded by thanking Mr Hanson for a particularly passionate and emotive speech. She stated that the policy relating to the bedroom tax was a Government decision. As it was a national policy, there was little that the Council could do.

There were Government policies which also had a disproportionate effect on the most vulnerable people. These included changes which reduced tax credits, the increase in VAT, the removal of the Education Maintenance Allowance, a benefits cap and the rising cost of living. All of these things disproportionately affected the poorest and most vulnerable people. The City Council could not fill the gap left by these cuts and changes. Councillor Dore said that she was pleased that a future Labour government would repeal the legislation which introduced the bedroom tax and was the only party which would stand up for working people.

The Cabinet Member for Communities and Inclusion, Councillor Mazher Iqbal, stated that, in Sheffield, the working poor would lose £180 and the rising cost of living for those who worked would result in a shortfall in household income of £6,000 by 2016. The Council was monitoring the effect of welfare reforms and an officer group was established, working with advice services and the Credit Union on what can be done to mitigate the effects of welfare change.

A report concerning welfare reform had been considered by the Safer and Stronger Communities Scrutiny Committee and it had been agreed that future monitoring reports would be submitted to that Scrutiny Committee. The Scrutiny Chair, Councillor Chris Weldon, had agreed to write to the Deputy Prime Minister in relation to welfare reform.

Councillor Iqbal stated that the number of food banks was increasing and there was concern about payday loans, which was the subject of a Notice of Motion at this meeting of Council.

The Cabinet Member for Finance and Resources, Councillor Bryan Lodge stated that he would like to assure people that, with regard to arrears with Council Tax or the bedroom tax, the Council would not evict people, providing they had made arrangements with the service.

(i) Public Questions Concerning Selective Licensing

Wahid Nazir apologised for the behaviour of some of those people who attended a recent meeting concerning selective licensing which Councillor Mazher Iqbal also attended.

He referred to landlords in the University area of Sheffield, where the Council had raised similar concerns to those relating to the Page Hall area and where the 'Snug' scheme was introduced at a cost of £50 per property, and where properties were valued between £150K and £300K. He contrasted this with landlords in his own area of Page Hall, with properties at a value of £50K to £90K and where it was proposed to charge between £500 and £1,500 per property for a selective licence. Both proposals mention that landlords need to better manage their properties and tenancies and help reduce anti-social behaviour. He asked why this discrimination had occurred in relation to the proposals.

Ahsan Ashraf stated, in relation to selective licensing, that the costs of the license would be passed on to the tenants and this would make it more difficult for them to pay household bills.

Shafiq Uddin apologised to Councillor Iqbal in relation to the behaviour of some people who attended a meeting concerning selective licensing on 15 August.

He stated that for tenants from the European Union (EU) that arrive and are unable to provide a reference, they will not be able to live in a selective licence area. He stated that this would be a breach of the free movement of trade and labour EU Directive. He asked, how does the Council expect to deal with this issue?

The Leader of the Council, Councillor Julie Dore, responded that the Council was concerned and was looking at what happened at the meeting held on 15 August.

The purpose of the public consultation was to generate questions, responses and points of view in relation to proposals and look at alternatives. This was also evident by the points raised at the Council meeting today and at other engagement fora. Local Councillors were also involved in engagement activity and everyone had a responsibility to make sure that people demonstrated acceptable behaviour and to report incidents if appropriate.

The tenants, residents, landlords, Police and City Council all needed to make a

commitment to address the range of issues present in the Page Hall area. Selective licensing may not be the solution to these issues of concern and the purpose of consultation was to explore this further.

Councillor Mazher Iqbal, the Cabinet Member for Communities and Inclusion, in reference to the 15th August meeting, thanked Mr Nazir and Mr Uddin for their apology and their support.

(j) Public Questions Concerning Remploy

Peter Davies, GMB, asked if the Council would commit to making sure that all procurement and commissioning processes within the Council's influence included questions that clearly seek to establish what commitment partners have to the Council's goals, objectives and desires, especially as set out in Notice of Motion 14 at this meeting of Council.

Robert Carlson asked if the Council was aware that a businessman from Hull, Mr Gerard Toplass, Managing Director of Claughtons, had tried, unsuccessfully, to get Remploy and the Government to take another look at his bid to save Sheffield's Remploy factory. He asked what the Council could do to assist Mr Toplass.

James Stribley asked, given the Government's decision regarding Remploy, which had resulted in Remploy workers being made unemployed, did the Council agree that it is especially important that the Council seeks commitment from its partners to assist it in achieving its desire to secure employment and support for vulnerable workers.

In response, the Cabinet Member for Finance and Resources, Councillor Bryan Lodge, stated that he was not convinced by the case put forward in the decision to close the Remploy factory in Sheffield, particularly given the longer term considerations, including people's health, the opportunities for other employment and the cost of people claiming benefits. He wished those workers affected by the closure every success in finding alternative employment.

In relation to procurement, Councillor Lodge stated that, in connection to the commitment of partners, the wording suggested by Mr Stribley at the meeting of Council in July 2013 (relating to tender bids considering Remploy and Sharrow Industries vulnerable workers) was what the Council also wanted to incorporate into tender documents. He said that to help people into employment, it was important to gain the commitment of the Council's partners.

As regards the bid by Mr Toplass in relation to Remploy, Councillor Lodge stated that he had already spoken with the Director of Creative Sheffield in connection with Mr Toplass' bid back in August with regards to how the Council might support him. The long term effects of closing the Remploy factory needed to be considered. Clive Betts MP was interested and supportive of Remploy and Councillor Lodge stated that a statement was needed from the Department of Work and Pensions as to why it believed that the closure of the Remploy factory was the best value option.

(k) Public Questions Concerning Accountability, Sanctions and a Voluntary Community Group

Martin Brighton stated that, at the Council meeting in July, the question was raised about the accountability of elected Members whose flawed decisions are costing the taxpayer. Since then, he stated, there have been two more cases of failure to comply with the Freedom of Information Act. He said that this intransigence was costing the taxpayer many tens, if not hundreds of thousands of pounds and stated that surely, the Council leadership should intervene. He asked what intervention the Council Leader considers appropriate to prevent further unnecessary burdens upon the taxpayer.

Secondly, Mr Brighton stated that it is reasonable to assume that, where there is an agreement between the Council and voluntary community groups, both parties comply. If the voluntary community group does not comply, it is sanctioned. He asked what happens when the Council fails to comply?

Thirdly, Mr Brighton stated that it is a generally accepted principle that, if an appeal is made against a Council decision, then adverse actions such as sanctions are suspended until the outcome of the appeal. He asked: does this Council agree with/comply with this principle and can the Council please provide the policy documents and signpost the relevant procedures.

Fourthly, Mr Brighton stated that at full Council in July, the question was raised about Council policy when the Council makes untrue statements. He asked, should the Council impose sanctions based upon those untrue statements, is it not reasonable that the sanctions stop whilst the complaint about the untrue statements is investigated.

Finally, Mr Brighton asked the Council to please note that false and defamatory statements about a voluntary community group are being widely disseminated as part of a campaign to discredit that group among local peer groups, if not city-wide. He asked can there be any objection to that voluntary community group exercising its right of reply.

The Leader of the Council, Councillor Julie Dore, responded that in connection with the question concerning the Freedom of Information Act, she would require details of the elected Members concerned and the decision in relation to which they are alleged to have failed to comply under the Act.

Councillor Dore stated that, when the Council fails to comply with the terms of an agreement, there was a complaints procedure and people could make a complaint to the Local Government Ombudsman and to a Secretary of State. She asked Mr Brighton to let her have details of where he believed that the Council had failed to comply.

In relation to appeals, Councillor Dore stated that there would only be a suspension of sanctions depending on the outcome of the appeal. The relevant documents would depend on the subject matter of the appeal. Such appeals procedures included those relating to School Admissions and Planning decisions.

Councillor Dore stated that, if the Council takes a decision and someone believes it is on an untrue basis, then, until investigation, the imposition of that sanction is still in place.

The Cabinet Member for Communities and inclusion, Councillor Mazher Iqbal, stated that he was not aware of the matter to which Mr Brighton referred in his final question concerning statements about a voluntary group. He stated that there was a complaints procedure. Where the Council contracted with other organisations, there were a number of agreed principles.

(l) Public Question Concerning Broadcasting of Council Meetings

Nigel Slack made reference to the change to the Council's procedural rules to allow members of the public to routinely record Council meetings. However, he stated, it would also enable those of a mind to do so, to edit, distort and poke fun at those same Councillors and their views and that he did not believe that this is a substitute for the Council providing a proper, complete and unedited broadcasting of Council meetings. Without such coverage, he said, it will be difficult, time consuming and potentially expensive for the Council to counter such parodies or potentially libellous portrayals of the Council's business.

Mr Slack stated that there was evidence that costs for official webcasting of Council meetings are much reduced from previous estimates provided by the Council, possibly at zero cost, and asked will the Council therefore undertake to review their stance on the potential for webcasting Council meetings.

In response, the Leader of the Council, Councillor Julie Dore, stated that, the Council would have to look at the detail of providing webcasting of its meetings held in public at potentially zero cost. Quite often, she stated, something such as broadcasting or webcasting at 'no cost' might also involve an element of advertising or sponsorship.

(m) Public Question concerning Community Involvement Structures

Nigel Slack made reference to the new arrangements aimed at replacing the Community Assemblies. He stated that the ward meetings are to be the focus for community involvement and asked can Council explain why they are required to meet only once a year?

He stated that each ward is to have a lead Ward Councillor appointed by Full Council and asked where is the local democracy in this, suggesting that they should be chosen by the Ward's own Councillors and, if necessary, ratified by Council. He asked about the process at the Council meeting for filling the posts of Lead Ward Councillor.

In reference to the Chairs of the Local Area Partnerships, which Mr Slack said had already been chosen by the Full Council, he asked; where is the local democracy in this choice and suggested the lead Ward Councillors should choose who leads their Area.

Mr Slack stated that the report suggests that the wards may also hold 'up to' four additional meetings supported and resourced by the administrative team. He asked what happens if wards wish to meet more often than that?

With respect to the Local Area Partnerships, and in reference to the report, Mr Slack asked the following:

- Where are the public in this arrangement?
- Where is the arrangement for the less influential local partners (the public) to be assisted by Council officers?
- In relation to Local Area Partnership Meetings, why should the public be excluded from any of these meetings and those discussing key issues should be particularly open to transparent scrutiny.

In reference to consultation on the proposals and responses, Mr Slack stated that less than 43% of the respondents thought the proposals were a reasonable way forward and only 19% thought the proposals took account of the varying needs of Sheffield's residents and said that we can only conclude that the current proposals suit the Council but not the community they are supposed to serve. He asked, will the Council undertake to improve these plans as a matter of urgency to reverse the whittling away of the City's democratic structures?

In response, the Cabinet Member for Communities and Inclusion, Councillor Mazher Iqbal, stated that, as Mr Slack had submitted a number of detailed questions on the subject of locality working, he would provide to him written responses, subject to Mr Slack's agreement.

(Note: Mr Slack indicated that he agreed to this suggested approach.)

(n) Public Question Concerning Questions to Cabinet Members

Mr Slack had submitted a third written question concerning the process of asking of public questions and providing supporting information and he asked how the Council prioritises the different democratic structures within the Council's Constitution and which were considered dispensable in the current climate.

The Leader of the Council, Councillor Julie Dore, responded to the question by stating that usually, for example at Meetings of the Council's Cabinet, Mr Slack would be allowed a longer time to ask questions. There was not necessarily a priority order of democratic structures within the Constitution.

4. MINUTES OF PREVIOUS COUNCIL MEETING

The minutes of the meeting of the Council held on 3 July 2013 were approved as a correct record.

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. CHANGES TO THE CONSTITUTION

RESOLVED: On the Motion of Councillor Pat Midgley, seconded by Councillor Penny Baker, that this Council:

- (a) approves the changes to the following Parts of the Constitution, as set out in the report of the Chief Executive now submitted, and its 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.

7. AUDIT COMMITTEE

7.1 Audit Committee Annual Report 2012/13

The Council received and noted the Annual Report of the Audit Committee 2012/13. The Chair of the Audit Committee (Councillor Ray Satur) gave an introduction to the work of the Committee and expressed thanks to Members of the Audit Committee and the officers who supported the Committee.

7.2 Audit Committee Independent Members' Term of Office

RESOLVED: On the Motion of Councillor Pat Midgley, seconded by Councillor Penny Baker, that this Council approves the recommendation made by the Audit Committee at its meeting held on 9th July 2013 that the maximum term for the appointment of the co-opted members of the Audit Committee be increased to five years to allow for flexibility in the recruitment process, in accordance with the details outlined in the report of the Chief Executive now submitted.

8. LORD MAYOR'S ANNUAL REPORT 2012/13

Councillor John Campbell introduced the Lord Mayor's Annual report for the Municipal Year 2012/13.

Council noted the report of Councillor John Campbell reviewing his term of office as Lord Mayor during the Municipal Year 2012/13, now submitted, and referred the recommendations contained in the report for consideration by the Director of Legal and Governance.

9. APPOINTMENT OF HONORARY RECORDER OF SHEFFIELD

RESOLVED: On the Motion of Councillor Julie Dore, seconded by Councillor Shaffaq Mohammed, that this Council appoints His Honour Judge Julian Nicholas Goose QC to the position of Honorary Recorder for Sheffield with effect from 5th September 2013, in accordance with the details outlined in the report of the Chief Executive now submitted.

10. MEMBERS' ALLOWANCES - LOCAL AREA PARTNERSHIP CHAIRS

RESOLVED: On the Motion of Councillor Bryan Lodge, seconded by Councillor Mazher Iqbal, that this Council approves the recommendation made by the Cabinet at its meeting held on 17th July 2013, that the role of the Local Area Partnership Chair be established with a Special Responsibility Allowance included in the new Band C 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, as set out in the report of the Chief Executive now submitted.

(Note: Councillor Trevor Bagshaw voted against paragraph (c) of the recommendation of Cabinet to which the Motion above relates and asked for this to be recorded.)

11. 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:-

- | | | |
|--|---|--|
| Licensing Committee | - | Councillor Joyce Wright to replace Councillor Phillip Wood |
| Economic and Environmental Wellbeing Scrutiny and Policy Development Committee | - | Councillor Ibrar Hussain to fill a vacancy |
| School Admissions Forum | - | Remove Councillor Talib Hussain to create a vacancy |
| Monitoring and Advisory Board | - | Councillor Mary Lea to replace Councillor Jenny Armstrong |
| East Area Housing Board | - | Councillor Sheila Constance to fill a vacancy |
| Local Action Partnership Chairs Group | - | Councillors Mazher Iqbal, Peter Price, Pat Midgley, Ray Satur, Neale Gibson, Garry Weatherall, Andrew Sangar and Steve Jones to fill vacancies |
| Locality Working – Lead Ward Councillors:- | | |
| Arbourthorne | - | Councillor John Robson to fill a vacancy |
| Beauchief and Greenhill | - | Councillor Clive Skelton to fill a vacancy |
| Beighton | - | Councillor Ian Saunders to fill a vacancy |
| Birley | - | Councillor Karen McGowan to fill a vacancy |

Broomhill	-	Councillor Jayne Dunn to fill a vacancy
Burngreave	-	Councillor Talib Hussain to fill a vacancy
Central	-	Councillor Robert Murphy to fill a vacancy
Crookes	-	Councillor Rob Frost to fill a vacancy
Darnall	-	Councillor Mary Lea to fill a vacancy
Dore and Totley	-	Councillor Colin Ross to fill a vacancy
East Ecclesfield	-	Councillor Garry Weatherall to fill a vacancy
Ecclesall	-	Councillor Diana Stimely to fill a vacancy
Firth Park	-	Councillor Chris Weldon to fill a vacancy
Fulwood	-	Councillor Andrew Sangar to fill a vacancy
Gleadless Valley	-	Councillor Steve Jones to fill a vacancy
Graves Park	-	Councillor Ian Auckland to fill a vacancy
Hillsborough	-	Councillor George Lindars-Hammond to fill a vacancy
Manor Castle	-	Councillor Pat Midgley to fill a vacancy
Mosborough	-	Councillor David Barker to fill a vacancy
Nether Edge	-	Councillor Nikki Bond to fill a vacancy
Richmond	-	Councillor Martin Lawton to fill a vacancy
Shiregreen and Brightside	-	Councillor Peter Price to fill a

		vacancy
Southey	-	Councillor Gill Furniss to fill a vacancy
Stannington	-	Councillor David Baker to fill a vacancy
Stocksbridge and Upper Don	-	Councillor Phillip Wood to fill a vacancy
Walkley	-	Councillor Neale Gibson to fill a vacancy
West Ecclesfield	-	Councillor Adam Hurst to fill a vacancy
Woodhouse	-	Councillor Ray Satur to fill a vacancy
Standards Committee Members	-	Councillors Talib Hussain and Peter Rippon to fill vacancies
Substitute Members	-	Councillors Ian Auckland and Colin Ross to fill vacancies
(b) representatives to other bodies be appointed, as follows:-		
Mental Health Partnership Board	-	Councillor Ben Curran to replace Councillor Clive Skelton
Duke of Edinburgh's Award Scheme – Sheffield Council	-	Councillor George Lindars-Hammond to replace Mr Alan Hooper
(c) it be noted that, under delegated powers, the Leader of the Council has appointed Councillors Jack Scott and Bryan Lodge to serve on the Emergency Planning Shared Services Joint Committee.		

(Note: Councillor Trevor Bagshaw abstained on the above Motion and asked for this to be recorded).

12. NOTICE OF MOTION GIVEN BY COUNCILLOR SHAFFAQ MOHAMMED

Business Support

It was moved by Councillor Shaffaq Mohammed, seconded by Councillor Ian Auckland, 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.

Whereupon, it was moved by Councillor Leigh Bramall, seconded by Councillor Chris Rosling-Josephs, 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 that the present Administration have made 'Business Friendly' and 'Focusing on Jobs' top priorities for the Council;
- (b) further welcomes the following programmes of the present Administration to support local businesses:-
 - (i) breaking down the barriers for Small Medium Enterprises (SMEs) to access the Regional Growth Fund;
 - (ii) the RISE Graduate Scheme which supports local SMEs employ graduates;
 - (iii) the export project supporting local SMEs in the export market;
 - (iv) the Sheffield Apprenticeship Programme;
 - (v) Skills Made Easy designed by Sheffield City Council, in partnership with the Local Enterprise Partnership (LEP), to put the purchasing power for training for the first time, in the hands of businesses in the Sheffield City Region (SCR);
 - (vi) Business Summits;
 - (vii) the small business loan fund;
 - (viii) up to 50% reductions in off street parking charges;
 - (ix) the Chapel Walk scheme;
 - (x) the Digital Direction Programme; and
 - (xi) securing a Start Up Loans for Young People, the only Council to have done so;
- (c) further welcomes the action of the present Administration of establishing the Keep Sheffield Working Fund, recognising the importance of supporting local businesses in the current challenging economic climate;
- (d) believes that this Administration's record sits in stark contrast to the record of the previous Administration, who 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;
- (e) welcomes the successful development of the Moor under the present Administration, a project that had stalled under the previous Administration;
- (f) further welcomes plans announced last month for the new St Paul's office development around the Peace Gardens;
- (g) believes that the previous Administration sat back for three years and did nothing to progress the New Retail Quarter and believes that the main opposition group offer nothing more than empty words;
- (h) welcomes the decision to part company with Hammerson which will allow the project to move forward and notes that this has been supported by the

Sheffield Chamber of Commerce;

- (i) further welcomes the action of the present Administration in securing the New Development Deal to inject funds into the retail quarter last November, prior to which the scheme was not viable and welcomes the work in the period since to redesign a new scheme that is viable in the current economic climate;
- (j) believes that the Administration is in a strong position to bring a high quality retail development to the Sheffield and resolves to continue to do everything it can to make this happen; and
- (k) regrets that the only anti-business rhetoric in the City comes from the main opposition group who continue to talk Sheffield down.

On being put to the vote the amendment was carried.

After a right of reply from Councillor Shaffaq Mohammed, the original Motion, as amended, was then put as a Substantive Motion in the following form and carried:-

RESOLVED: That this Council:-

- (a) welcomes that the present Administration have made 'Business Friendly' and 'Focusing on Jobs' top priorities for the Council;
- (b) further welcomes the following programmes of the present Administration to support local businesses:-
 - (i) breaking down the barriers for Small Medium Enterprises (SMEs) to access the Regional Growth Fund;
 - (ii) the RISE Graduate Scheme which supports local SMEs employ graduates;
 - (iii) the export project supporting local SMEs in the export market;
 - (iv) the Sheffield Apprenticeship Programme;
 - (v) Skills Made Easy designed by Sheffield City Council, in partnership with the Local Enterprise Partnership (LEP), to put the purchasing power for training for the first time, in the hands of businesses in the Sheffield City Region (SCR);
 - (vi) Business Summits;
 - (vii) the small business loan fund;
 - (viii) up to 50% reductions in off street parking charges;
 - (ix) the Chapel Walk scheme;
 - (x) the Digital Direction Programme; and
 - (xi) securing a Start Up Loans for Young People, the only Council to have done so;
- (c) further welcomes the action of the present Administration of establishing the Keep Sheffield Working Fund, recognising the importance of supporting local businesses in the current challenging economic climate;

- (d) believes that this Administration's record sits in stark contrast to the record of the previous Administration, who 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;
- (e) welcomes the successful development of the Moor under the present Administration, a project that had stalled under the previous Administration;
- (f) further welcomes plans announced last month for the new St Paul's office development around the Peace Gardens;
- (g) believes that the previous Administration sat back for three years and did nothing to progress the New Retail Quarter and believes that the main opposition group offer nothing more than empty words;
- (h) welcomes the decision to part company with Hammerson which will allow the project to move forward and notes that this has been supported by the Sheffield Chamber of Commerce;
- (i) further welcomes the action of the present Administration in securing the New Development Deal to inject funds into the retail quarter last November, prior to which the scheme was not viable and welcomes the work in the period since to redesign a new scheme that is viable in the current economic climate;
- (j) believes that the Administration is in a strong position to bring a high quality retail development to Sheffield and resolves to continue to do everything it can to make this happen; and
- (k) regrets that the only anti-business rhetoric in the City comes from the main opposition group who continue to talk Sheffield down.

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

For Paragraphs (a) (b) (c) - The Deputy Lord Mayor (Cllr Peter Rippon) and (e) (58) Councillors Julie Dore, 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 and Jillian Creasy, 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, Anthony Downing, David Barker, Isobel Bowler, Nikki Bond, Qurban Hussain, Lynn Rooney, John Campbell, Martin Lawton, Sioned-Mair Richards, Peter Price, Leigh Bramall, Gill Furniss, Richard Crowther, Philip Wood, Neale Gibson, Nikki Sharpe, Adam Hurst, Alf Meade, Jackie Satur, Mick Rooney and Ray Satur.

Against Paragraphs (a) (b) (c) and (e) (17) - Councillors Shaffaq Mohammed, Rob Frost, Sylvia Anginotti, Colin Ross, Joe Otten, Penny Baker, Roger Davison, Sue Alston, Andrew Sangar, Cliff Woodcraft, Denise Reaney, Ian Auckland, Bob McCann, Katie Condliffe, David Baker, Alison Brelsford and Trevor Bagshaw.

Abstained Paragraphs (a) (b) (c) and (e) (1) - The Lord Mayor (Cllr Vickie Priestley).

For Paragraphs(d) (g) (j) and (k) (56) - The Deputy Lord Mayor (Cllr Peter Rippon) and Councillors Julie Dore, 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, Anthony Downing, David Barker, Isobel Bowler, Nikki Bond, Qurban Hussain, Lynn Rooney, John Campbell, Martin Lawton, Sioned-Mair Richards, Peter Price, Leigh Bramall, Gill Furniss, Richard Crowther, Philip Wood, Neale Gibson, Nikki Sharpe, Adam Hurst, Alf Meade, Jackie Satur, Mick Rooney and Ray Satur.

Against Paragraphs(d) (g) (j) and (k) (17) - Councillors Shaffaq Mohammed, Rob Frost, Sylvia Anginotti, Colin Ross, Joe Otten, Penny Baker, Roger Davison, Sue Alston, Andrew Sangar, Cliff Woodcraft, Denise Reaney, Ian Auckland, Bob McCann, Katie

Condliffe, David Baker, Alison Brelsford and Trevor Bagshaw.

- Abstained on Paragraphs(d) - The Lord Mayor (Cllr Vickie Priestley) and
(g) (j) and (k) (3) Councillors Robert Murphy and Jillian Creasy.
- For Paragraph (f) (73) - The Deputy Lord Mayor (Cllr Peter Rippon) and Councillors Julie Dore, Jack Scott, Roy Munn, 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, Mohammed Maroof, Rob Frost, Geoff Smith, Sylvia Anginotti, Mary Lea, Mazher Iqbal, Colin Ross, Joe Otten, Joyce Wright, Steven Wilson, Garry Weatherall, Penny Baker, Roger Davison, Sheila Constance, Chris Weldon, Alan Law, Sur 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, Anthony Downing, David Barker, Isobel Bowler, Nikki Bond, Qurban Hussain, Lynn Rooney, John Campbell, Martin Lawton, Sioned-Mair Richards, Peter Price, Leigh Bramall, Gill Furniss, Katie Condliffe, David Baker, Richard Crowther, Philip Wood, Alison Brelsford, Neale Gibson, Nikki Sharpe, Adam Hurst, Alf Meade, Trevor Bagshaw, Jackie Satur, Mick Rooney and Ray Satur.
- Against Paragraph (f) (2) - Councillors Robert Murphy and Jillian Creasy.
- Abstained on Paragraph (f) - The Lord Mayor (Cllr Vickie Priestley).
(1)
- For Paragraph (h) (75) - The Deputy Lord Mayor (Cllr Peter Rippon) and Councillors Julie Dore, , Jack Scott, Roy Munn, 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, Jillian Creasy, Mohammed Maroof, Rob Frost, Geoff Smith, Sylvia Anginotti, 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, Anthony Downing, David Barker, Isobel Bowler, Nikki Bond, Qurban Hussain, Lynn Rooney, John Campbell, Martin Lawton, Sioned-Mair Richards, Peter Price, Leigh Bramall, Gill Furniss, Katie Condliffe, David Baker, Richard Crowther, Philip Wood, Alison Brelsford, Neale Gibson, Nikki Sharpe, Adam Hurst, Alf Meade, Trevor Bagshaw, Jackie Satur, Mick Rooney and Ray Satur.

Against Paragraph (h) (0)

Nil.

Abstained on Paragraph (h) -
(1)

The Lord Mayor (Cllr Vickie Priestley),

For Paragraph (i) (56)

The Deputy Lord Mayor (Cllr Peter Rippon) and Councillors Julie Dore, 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, Anthony Downing, David Barker, Isobel Bowler, Nikki Bond, Qurban Hussain, Lynn Rooney, John Campbell, Martin Lawton, Sioned-Mair Richards, Peter Price, Leigh Bramall, Gill Furniss, Richard Crowther, Philip Wood, Neale Gibson, Nikki Sharpe, Adam Hurst, Alf Meade, Jackie Satur, Mick Rooney and Ray Satur.

Against Paragraph (i) (19)

Councillors Shaffaq Mohammed, Robert Murphy and Jillian Creasy, Rob Frost, Sylvia Anginotti, Colin Ross, Joe Otten, Penny Baker, Roger Davison, Sue Alston, Andrew Sangar, Cliff Woodcraft, Denise Reaney, Ian Auckland, Bob McCann, Katie Condliffe, David Baker, Alison Brelsford and Trevor Bagshaw.

Abstained on Paragraph (i)
(1)

The Lord Mayor (Cllr Vickie Priestley).

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

Access to Credit

It was moved by Councillor George Lindars-Hammond, seconded by Councillor Mazher Iqbal 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.

Whereupon, it was moved by Councillor Andrew Sangar, seconded by Councillor Roger Davison, 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) is flabbergasted that Labour politicians have the nerve to attack the Government on the cost of living, given that the previous Government:
 - (i) crashed the economy, which is why the cost of living is higher now;
 - (ii) scrapped the 10p tax, leaving half a million of the lowest paid worse off; and
 - (iii) increased the state pension by an insulting 75p;
- (b) backs the actions of Liberal Democrats in Government, which have stabilised the economy, keeping interest rates and mortgage payments low, while cutting tax for working families, freezing fuel duty and raising the state pension by record levels;
- (c) notes with grave concern the unscrupulous practices of payday lenders and the distressing impact on consumers;
- (d) regrets that the previous Government failed to take effective action despite thirteen years in power;
- (e) supports the steps taken by the current Government to more effectively regulate the pay-day lending market, including:
 - (i) passing regulatory control to the Financial Conduct Authority, which will clamp down on irresponsible practices with tough enforcement powers;
 - (ii) referring the industry to the Competition Commission through the Office of Fair Trading;
 - (iii) developing new restrictions on the advertising of pay day loans; and
 - (iv) introducing effective financial education in schools;
- (f) welcomes reports that roughly a third of lenders referred to the Office of Fair Trading have already left the market due to the tough enforcement action taken;
- (g) however, calls upon the Government to carefully consider independent research by the University of Bristol, which stated that:

"The evidence reviewed for this research does not show unequivocally that [interest rate restrictions] reduce the cost of borrowing to consumers, particularly those on low incomes";

- (h) furthermore, welcomes the comments of the Archbishop of Canterbury that “We’re not in the business of trying to legislate you out of existence, we’re trying to compete you out of existence”;
- (i) therefore, supports the Government’s decision to invest £38 million to help credit unions modernise and effectively compete with pay-day lenders; and
- (j) resolves to continue to promote credit unions and other ethical lenders in Sheffield.

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

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

RESOLVED: 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. |
|--|

(Note: Councillors Shaffaq Mohammed, Rob Frost, Sylvia Anginotti, Colin Ross, Joe Otten, Penny Baker, Roger Davison, Sue Alston, Andrew Sangar, Cliff Woodcraft, Denise Reaney, Ian Auckland, Bob McCann, Katie Condliffe, David Baker, Alison Brelsford and Trevor Bagshaw voted for paragraphs (d), (e), (f), (h), (i) and (j) and against paragraphs (a), (b), (c) and (g) of the Substantive Motion and asked for this to be recorded.)

14. NOTICE OF MOTION GIVEN BY COUNCILLOR BOB JOHNSON

Unemployment

It was moved by Councillor Bob Johnson, seconded by Councillor Nikki Sharpe, 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.

Whereupon, it was moved by Councillor Colin Ross, seconded by Councillor Ian Auckland, 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) recalls the failure of the last Government to tackle the scandal of youth unemployment, with numbers rising steadily from 2004 onwards, reaching almost half a million prior to the economic crash;
- (b) praises the tough action taken by Liberal Democrats in Government, which has stabilised the British economy and is delivering economic growth;
- (c) welcomes action by Liberal Democrats in Government to support young people into jobs, including increased spending of £250 million on apprenticeships within the first year of the Coalition – a 50% increase on the previous Government's commitments;
- (d) notes that Sheffield has seen a massive 54% increase in the number of young people starting an apprenticeship, bringing the total number of people who have benefited from an apprenticeship since 2010 to 12,270;
- (e) reiterates that all participants on the Sheffield Apprenticeship Programme will receive at least Level 2 training, funded by the Coalition Government, and thanks the Government for this support;
- (f) reminds Members that it was the main opposition group that first suggested doubling the number of young people on the Sheffield Apprenticeship Programme and identified funding to do so;
- (g) is also delighted that a radical apprenticeship scheme forms a key pillar of the Government's City Deal with Sheffield and thanks Liberal Democrats in Government, in particular the Deputy Prime Minister, for helping to secure the deal;
- (h) supports the numerous other actions that have been taken to support young people into jobs in Sheffield, including:
 - (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;
 - (iii) a £1.2 billion investment enabling the Streets Ahead project to proceed, creating new jobs and apprenticeships;

- (iv) massive investment in Sheffield's transport infrastructure including buses, trams and trains; and
- (v) a cut in National Insurance contributions, allowing businesses to create new jobs, which was opposed by the Administration;
- (i) contrasts this record of action to the Labour Party whose economic plans remain far from credible and would add an estimated £201 billion to the national debt; and
- (j) endorses the Liberal Democrats' 'A Million Jobs' campaign, which aims to support more young people in apprenticeships.

On being put to the vote, the amendment was negated. The original Motion was then put to the vote and carried, as follows:-

RESOLVED: 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.

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

2. Councillors Jillian Creasy and Robert Murphy voted for paragraphs (a) to (f), (h) and (i); and abstained from voting on paragraph (g) of the Motion and asked for this to be recorded.)

15. NOTICE OF MOTION GIVEN BY COUNCILLOR IAN AUCKLAND

Cycle Routes

It was moved by Councillor Ian Auckland, seconded by Councillor David Baker, 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 Sheffields – 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.

Whereupon, it was moved by Councillor Leigh Bramall, seconded by Councillor Cate McDonald, as an amendment, that the Motion now submitted be amended by:-

1. the deletion in paragraph (c) of the words “Liberal Democrats in Government” and their substitution by the words “present Administration”; and
2. the deletion of paragraphs (d) to (h) and the addition of new paragraphs (d) to (i) as follows:-
 - (d) regrets that the Liberal Democrats in Government abolished Cycling England and its £60 million annual budget and the Cycling City and Towns Programme that was established by the previous Government;
 - (e) believes that the Government were mistaken to go soft on road safety, in abandoning the previous Government’s road death reduction targets;
 - (f) is concerned by reports that the Secretary of State for Communities and Local Government said that the only people who were bothered about cycling were the “elite”;
 - (g) remembers the Leader of the main opposition group’s comments criticising Council investment in cycling in 2011 stating “Labour have got their priorities wrong” as a result of investing in cycle lane schemes in Penistone Road, the Halfway to Killamarsh Connect 2 Route and a cycleway along Meadowhead, Bochum Parkway and Dykes Lane, and deplores the cynical hypocrisy of the main opposition group;
 - (h) welcomes that the present Administration have already instructed officers to develop new routes which could benefit from future funding opportunities prior to the announcement of the Cycling Ambition Programme, and notes the lack of plans inherited from the previous Administration; and
 - (i) further welcomes the present Administration’s commitment to commission a scrutiny committee review to look at how cycling can be delivered in the City, the most significant piece of work with cycling in the City’s history.

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) 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 Sheffields – young and old – to get out of their houses and onto their bikes;
 - (c) therefore, welcomes news that the present Administration have secured £5 million to improve cycle routes in the Peak District;
 - (d) regrets that the Liberal Democrats in Government abolished Cycling England and its £60 million annual budget and the Cycling City and Towns Programme that was established by the previous Government;
 - (e) believes that the Government were mistaken to go soft on road safety, in abandoning the previous Government’s road death reduction targets;
 - (f) is concerned by reports that the Secretary of State for Communities and Local Government said that the only people who were bothered about cycling were the “elite”;
 - (g) remembers the Leader of the main opposition group’s comments criticising Council investment in cycling in 2011 stating “Labour have got their priorities wrong” as a result of investing in cycle lane schemes in Penistone Road, the Halfway to Killamarsh Connect 2 Route and a cycleway along Meadowhead, Bochum Parkway and Dykes Lane, and deplores the cynical hypocrisy of the main opposition group;
 - (h) welcomes that the present Administration have already instructed officers to develop new routes which could benefit from future funding opportunities prior to the announcement of the Cycling Ambition Programme, and notes the lack of plans inherited from the previous Administration; and
 - (i) further welcomes the present Administration’s commitment to commission a scrutiny committee review to look at how cycling can be delivered in the City, the most significant piece of work with cycling in the City’s history.

(Note: 1.Councillors Simon Clement-Jones, Shaffaq Mohammed, Rob Frost, Sylvia Anginotti, Colin Ross, Joe Otten, Penny Baker, Roger Davison, Sue Alston, Andrew Sangar, Cliff Woodcraft, Denise Reaney, Ian Auckland, Bob McCann, Katie Condliffe, David Baker, Alison Brelsford and Trevor Bagshaw voted for paragraphs (a), (b), (c), (h) and (i); and abstained on paragraphs (d) to (g) of the Motion and asked for this to be recorded.

2. Councillors Jillian Creasy and Robert Murphy voted for paragraphs (a) and (b),(c) (h) and (i); and abstained from voting on paragraphs (d) (e) (f) and (g) of the Motion and asked for this to be recorded.)

16. NOTICE OF MOTION GIVEN BY COUNCILLOR JACK SCOTT

Streets Ahead Project

It was moved by Councillor Jack Scott, seconded by Councillor Nikki Bond, 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.

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

1. the deletion of paragraphs (a) and (b);
2. the re-lettering of paragraphs (c) to (f) as new paragraphs (e) to (h); and
3. the addition of new paragraphs (a) to (d) as follows:-

- (a) recalls the previous Government's complete mismanagement of the nation's finances and their desperate last-ditch attempts to win votes through increasingly erratic and unfunded spending commitments;
- (b) therefore, underlines its belief that a spending commitment from the last Government was not worth the paper it was written on;
- (c) thanks Liberal Democrats in Government for helping to secure the £1.2 billion of funding to actually enable the Streets Ahead Project to proceed;
- (d) regrets that the smaller opposition group opposed the historic project, which will finally rid Sheffield of its pot-hole city tag;

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

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

RESOLVED: 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.

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

17. NOTICE OF MOTION GIVEN BY COUNCILLOR JACKIE DRAYTON

Homophobic Bullying

RESOLVED: On the Motion of Councillor Jackie Drayton, seconded by Councillor Neale Gibson, 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

Shale Gas and Coal Bed Methane Extraction

It was moved by Councillor Robert Murphy, seconded by Councillor Jillian Creasy, 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.

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

1. the deletion in paragraph (i) of the word “therefore” and its substitution by the word “cautiously”;
2. the deletion in paragraph (j) of the words “will seek” and their substitution

by the word “seeks”;

3. the re-lettering of paragraphs (i) and (j) as new paragraphs (j) and (k) and the addition of a new paragraph (i) as follows:-
 - (i) supports the robust application of environmental, safety and local planning regulations to protect the rights of local communities;
4. the re-lettering of original paragraph (k) as a new paragraph (m) and the addition of a new paragraph (l) as follows:-
 - (l) therefore, regrets that so little progress has been made by the current Administration on the Decentralised Energy City Strategy agreed by the Cabinet in 2011;

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

It was moved by Councillor Jack Scott, seconded by Councillor Mohammed Maroof, as an amendment, that the Motion now submitted be amended by the re-lettering of paragraph (k) as a new paragraph (l) and the addition of a new paragraph (k) as follows:-

- (k) believes it is completely irresponsible for the Government to be offering massive tax-cuts for fracking and this money should instead have been used to kick-start a major national retrofit scheme, which would reduce carbon emissions and bills and create thousands of green-collar jobs;

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 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;
- (k) believes it is completely irresponsible for the Government to be offering massive tax-cuts for fracking and this money should instead have been used to kick-start a major national retrofit scheme, which would reduce carbon emissions and bills and create thousands of green-collar jobs; and
- (l) 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.

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

For Paragraphs (a), (b), (c), (d), (i), (j) and (l) (74) - The Deputy Lord Mayor (Cllr Peter Rippon) and Councillors Julie Dore, 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, Jillian Creasy, Mohammed Maroof, Rob Frost, Geoff Smith, Sylvia Anginotti, Mary Lea, Mazher Iqbal, Colin Ross, Joe Otten, Joyce Wright, Steven Wilson, Garry Weatherall, Penny Baker, 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, Terry Fox, Anthony Downing, David Barker, Isobel Bowler, Nikki Bond, Qurban Hussain, Lynn Rooney, John Campbell, Martin Lawton, Sioned-Mair Richards, Peter Price, Leigh Bramall, Gill Furniss, Katie Condliffe, David Baker, Richard Crowther, Philip Wood, Alison Brelsford, Neale Gibson, Nikki Sharpe, Adam Hurst, Alf Meade, Trevor Bagshaw, Jackie Satur, Mick Rooney and Ray Satur.

Against Paragraphs (a), (b), (c), (d), (i), (j) and (l) (0) - Nil.

Abstained Paragraphs (a), (b), (c), (d), (i), (j) and (l) (1) - The Lord Mayor (Cllr Vickie Priestley).

For Paragraphs (e), (f), (g) and (h) (57) - The Deputy Lord Mayor (Cllr Peter Rippon) and Councillors Julie Dore, 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 and Jillian Creasy, 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, Terry Fox, Anthony Downing, David Barker, Isobel Bowler, Nikki Bond, Qurban Hussain, Lynn Rooney, John Campbell, Martin Lawton, Sioned-Mair Richards, Peter Price, Leigh Bramall, Gill Furniss, Richard Crowther, Philip Wood, Neale Gibson, Nikki Sharpe, Adam Hurst, Alf Meade, Jackie Satur, Mick Rooney and Ray Satur.

Against Paragraphs (e), (f), (g) and (h) (0) - Nil.

Abstained Paragraphs (e), (f), (g) and (h) (17) - Councillors Simon Clement-Jones, Shaffaq Mohammed, Rob Frost, Sylvia Anginotti, Colin Ross, Joe Otten, Penny Baker, Sue Alston, Andrew Sangar, Cliff Woodcraft, Denise Reaney, Ian Auckland, Bob McCann,

Katie Condliffe, David Baker, Alison Brelsford and Trevor Bagshaw.

- For Paragraph (k) (57) - The Deputy Lord Mayor (Cllr Peter Rippon) and Councillors Julie Dore, 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 and Jillian Creasy, 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, Terry Fox, Anthony Downing, David Barker, Isobel Bowler, Nikki Bond, Qurban Hussain, Lynn Rooney, John Campbell, Martin Lawton, Sioned-Mair Richards, Peter Price, Leigh Bramall, Gill Furniss, Richard Crowther, Philip Wood, Neale Gibson, Nikki Sharpe, Adam Hurst, Alf Meade, Jackie Satur, Mick Rooney and Ray Satur.
- Against Paragraph (k) (17) - Councillors Simon Clement-Jones, Shaffaq Mohammed, Rob Frost, Sylvia Anginotti, Colin Ross, Joe Otten, Penny Baker, Sue Alston, Andrew Sangar, Cliff Woodcraft, Denise Reaney, Ian Auckland, Bob McCann, Katie Condliffe, David Baker, Alison Brelsford and Trevor Bagshaw.
- Abstained on Paragraph (k) (1) - The Lord Mayor (Cllr Vickie Priestley).

19. NOTICE OF MOTION GIVEN BY COUNCILLOR SHAFFAQ MOHAMMED

Parking Permit Charges

It was moved by Councillor Shaffaq Mohammed, seconded by Councillor Penny Baker, 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) believes it is wrong for an administration to fleece local motorists to pay for their own political pet projects; and
- (e) calls for an immediate review of parking permit charges in light of the recent High Court ruling.

Note: With the agreement of Council and at the request of Councillor Shaffaq Mohammed, the above Motion was altered by the deletion of Paragraph (d) of the Notice of Motion as included in the Summons for this meeting.

Whereupon, it was moved by Councillor Robert Murphy, seconded by Councillor Jillian Creasy, as an amendment, that the Motion now submitted be amended by the addition of new paragraphs (d) and (e) and the re-lettering of subsequent paragraphs as follows:-

- (d) believes Pay and Display machines are an integral part of Permit Parking Zones and that Pay and Display enables drivers from outside using the area to contribute to the upkeep of schemes that benefit all motorists using the zone; and
- (e) believes it is unfair that residents and businesses in the often deprived areas adversely affected by parking should subsidise City wide transport spending.

It was then moved by Councillor Leigh Bramall, seconded by Councillor Denise Fox, 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 the need to increase parking permit charges is a result of the unprecedented level of cuts imposed upon the Council by the Government and notes that the Council has had to save over £180 million in the past three years;
- (b) acknowledges comments by the Chief Secretary to the Treasury, the Rt. Hon. Danny Alexander MP, that local government has "borne the brunt of deficit reduction" and notes that whilst Sheffield is hit with heavy cuts, wealthier areas of the country are receiving next to no cuts at all and believes that this is fundamentally unfair;
- (c) notes that, even with the increases, the cost of Sheffield resident parking permits are now £36 per year which is the same level they were before 2010 and, with the huge level of cuts imposed on the Council,

understands it is no longer possible to maintain the reduced rate;

- (d) deplores the hypocrisy of the main opposition group who doubled the pay and display rates in 2011 and, after campaigning against a rise in the price of permits from £10 to £20, they did a U-turn and failed to reverse it in their 2013/14 budget proposal;
- (e) regrets the misleading nature of the Leader of the main opposition group's motion who has included all income from pay and display and enforcement, adding other income to make it look like the Administration is making profit from people who have permits when this is not the case; and
- (f) notes that the argument the main opposition group are making which includes enforcement and pay and display income, figures from the 2011/12 budget which the previous Administration passed produced a surplus of £870k and regrets that this embarrassing level of hypocrisy demonstrates there is no length that the Leader of the main opposition group will not go to, to score a cheap political point no matter how misleading or disingenuous.

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

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

- For the amendment (55) - The Deputy Lord Mayor (Cllr Peter Rippon) and Councillors Julie Dore, 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, Terry Fox, Anthony Downing, David Barker, Isobel Bowler, Nikki Bond, Qurban Hussain, Lynn Rooney, John Campbell, Martin Lawton, Sioned-Mair Richards, Peter Price, Leigh Bramall, Gill Furniss, Richard Crowther, Philip Wood, Neale Gibson, Nikki Sharpe, Adam Hurst, Alf Meade, Jackie Satur, Mick Rooney and Ray Satur.
- Against the amendment (19) - Councillors Simon Clement-Jones, Shaffaq

Mohammed, Robert Murphy and Jillian Creasy, Rob Frost, Sylvia Anginotti, Colin Ross, Joe Otten, Penny Baker, Sue Alston, Andrew Sangar, Cliff Woodcraft, Denise Reaney, Ian Auckland, Bob McCann, Katie Condliffe, David Baker, Alison Brelsford and Trevor Bagshaw.

Abstained on the amendment - The Lord Mayor (Cllr Vickie Priestley).
(1)

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

- RESOLVED: That this Council:-
- (a) regrets that the need to increase parking permit charges is a result of the unprecedented level of cuts imposed upon the Council by the Government and notes that the Council has had to identify savings of over £180 million in the past three years;
 - (b) acknowledges comments by the Chief Secretary to the Treasury, the Rt. Hon. Danny Alexander MP, that local government has “borne the brunt of deficit reduction” and notes that whilst Sheffield is hit with heavy cuts, wealthier areas of the country are receiving next to no cuts at all and believes that this is fundamentally unfair;
 - (c) notes that, even with the increases, the cost of Sheffield resident parking permits are now £36 per year which is the same level they were before 2010 and, with the huge level of cuts imposed on the Council, understands it is no longer possible to maintain the reduced rate;
 - (d) deplores the hypocrisy of the main opposition group who doubled the pay and display rates in 2011 and, after campaigning against a rise in the price of permits from £10 to £20, they did a u-turn on their position and failed to reverse it in their 2013/14 budget proposal;
 - (e) regrets the misleading nature of the Leader of the main opposition group’s motion who has included all income from pay and display and enforcement, adding other income to make it look like the Administration is making profit from people who have permits when this is not the case; and
 - (f) notes that the argument the main opposition group is making which

includes enforcement and pay and display income, figures from the 2011/12 budget which the previous Administration passed produced a surplus of £870k and regrets that this embarrassing level of hypocrisy demonstrates there is no length that the Leader of the main opposition group will not go to, to score a cheap political point no matter how misleading or disingenuous.

20. NOTICE OF MOTION GIVEN BY COUNCILLOR NEALE GIBSON

Barclays Bank – Money Transfer Accounts

RESOLVED: On the Motion of Councillor Neale Gibson, seconded by Councillor Mohammed Maroof, 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

Sheffield Bus Partnership

It was moved by Councillor Andrew Sangar, seconded by Councillor Cliff Woodcraft, 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'.

Whereupon, it was moved by Councillor Ian Auckland, seconded by Councillor Simon Clement-Jones, as an amendment, that the Motion now submitted be amended by the addition of new paragraphs (c) to (f) as follows:-

- (c) welcomes any improvements to the network but does not believe that these changes should come at the expense of a worse service to other communities;
- (d) specifically opposes changes to the 17, 20, 20a and 123 services, which will see a reduced service to Norton Lees, Thorpe House, Norton, Chancet Wood and Endcliffe;
- (e) believes these proposed changes serve as yet another demonstration of the failure of the Sheffield Bus Partnership to deliver the improved service promised by the Administration; and
- (f) calls upon the Partnership to listen to public outcry and scrap the proposed changes to the aforementioned services.

On being put to the vote, the amendment was negated

It was then moved by Councillor Leigh Bramall, seconded by Councillor Jayne Dunn, as an amendment, that the original Motion now submitted be amended by:-

1. the addition of a new paragraph (a) as follows:-
 - (a) Agrees with comments from Transport Minister, Norman Baker MP, that the Sheffield Bus Partnership Agreement is "good news for the City";
2. the re-lettering of original paragraph (a) as a new paragraph (b);
3. the deletion of original paragraph (b); and
4. the addition of a new paragraph (c) as follows:-

- (c) is committed to developing a stable, sustainable bus network, and wants people to say what they think to make Sheffield's bus network even better.

On being put to the vote the amendment was carried.

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

For the amendment (55) - The Deputy Lord Mayor (Cllr Peter Rippon) and Councillors Julie Dore, 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, Terry Fox, Anthony Downing, David Barker, Isobel Bowler, Nikki Bond, Qurban Hussain, Lynn Rooney, John Campbell, Martin Lawton, Sioned-Mair Richards, Peter Price, Leigh Bramall, Gill Furniss, Richard Crowther, Neale Gibson, Nikki Sharpe, Adam Hurst, Alf Meade, Jackie Satur, Mick Rooney and Ray Satur.

Against the amendment (19) - Councillors Simon Clement-Jones, Shaffaq Mohammed, Robert Murphy and Jillian Creasy, Rob Frost, Sylvia Anginotti, Colin Ross, Joe Otten, Penny Baker, Sue Alston, Andrew Sangar, Cliff Woodcraft, Denise Reaney, Ian Auckland, Bob McCann, Katie Condliffe, David Baker, Alison Brelsford and Trevor Bagshaw.

Abstained on the amendment (1) - The Lord Mayor (Cllr Vickie Priestley).

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

RESOLVED: That this Council:-

- (a) Agrees with comments from Transport Minister, Norman Baker MP, that

- the Sheffield Bus Partnership Agreement is “good news for the City”;
- (b) notes the proposed changes to Sheffield bus routes recently published by the Sheffield Bus Partnership; and
 - (c) is committed to developing a stable, sustainable bus network, and wants people to say what they think to make Sheffield's bus network even better.

(Note: Councillors Robert Murphy and Jillian Creasy voted for Paragraphs (b) and (c) and against Paragraph (a) and asked for this to be recorded)

REPORT OF THE CHIEF EXECUTIVE

MEETING OF THE CITY COUNCIL
2nd OCTOBER, 2013

SCRAP METAL DEALERS ACT 2013

At its meeting on 12th September 2013, the Licensing Committee received a report of the Chief Licensing Officer informing the Committee of the implications of the Scrap Metal Dealers Act 2013, which comes into effect on 1st October 2013. The new Act replaces the Scrap Metal Dealers Act 1964 and part of the Vehicle (Crime) Act 2001 that deals with motor salvage operators. The report sought approval to proposed fees and application documents for a Scrap Metal Dealer Licence and recommended that the Council's Constitution be amended to reflect the legislative changes.

Matters relating to changing the Constitution are functions of the Full Council, and therefore the Council is required to approve the recommendation of the Licensing Committee in relation to amending the Constitution.

The changes required to be made to the Constitution are in Part 3 (Responsibility For Functions), and specifically at B25 (power to license scrap yards) and B71 (power to register motor salvage operators) in paragraph 3.3.2 (Council Functions Which May Be Delegated To Committees Or Officers) and in the terms of reference of the Licensing Committee in paragraph 3.3.5, where there are references to the Scrap Metal Dealers Act 1964 and the Vehicle (Crime) Act 2001.

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

SCRAP METAL DEALERS ACT 2013

5.1 The Chief Licensing Officer submitted a report informing Members of the new Scrap Metal Dealers Act 2013.

...

5.8 **RESOLVED:** That (a) the Committee approves the new forms, proposed new fees and recommends that the Council amends the Licensing Committee's published scheme of delegation to reflect the legislative changes; and

(b) greater publicity is given to the commencement of the new Act.

(NOTE: A copy of the Chief Licensing Officer's report has been circulated to all Members of the City Council with the Council Summons.)

John Mothersole
Chief Executive

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SHEFFIELD CITY COUNCIL Committee Report

Report of: Chief Licensing Officer, Head of Licensing

Date: 12th September 2013

Subject: Scrap Metal Dealers Act 2013

Author of Report: Shimla Finch - 2037751

Summary: To inform Members of the new Scrap Metal Dealers Act 2013, its implications, to approve the fees and application documents for a Scrap Metal Dealer licence and recommend that the published scheme of delegation be amended to reflect the legislative changes

Recommendations: That members consider all the information provided in the report and that included in any attachments before determining whether to approve the fee and application documents.

Background Papers: Attached to this report
[Scrap Metal Dealers Act 2013](#)
[Scrap Metal Dealers Act 2013 – Explanatory Notes](#)
[LGA Guide to the Scrap Metal Dealers Act 2013: Applications](#)
[Home Office guidance on fee setting](#)

Category of Report: OPEN

REPORT OF THE CHIEF LICENSING OFFICER (HEAD OF LICENSING) TO THE LICENSING COMMITTEE

No: 51/13

SCRAP METAL DEALERS ACT 2013

1.0 PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to inform Members of the new Act, its implications, to approve the fees and application documents for a Scrap Metal Dealer licence and recommend that the published scheme of delegation be amended to reflect the legislative changes

2.0 INTRODUCTION AND BACKGROUND TO THE ACT

- 2.1 The Scrap Metal Dealers Act 2013 received Royal Assent on 28 February 2013 and is due to come into effect on the 1st October 2013.
- 2.2 The new Act will replace the Scrap Metal Dealers Act 1964 and part of the Vehicle (Crime) Act 2001 that deals with motor salvage operators.
- 2.3 The statute revises the regulatory regime for scrap metal dealing and vehicle dismantling. Local Authorities will continue to act as the main regulator but the new statute gives the authority more powers, including the power to refuse and revoke licences if the dealer is considered 'unsuitable'. Both the local authority and the Police have been given powers to enter and inspect premises.
- 2.4 The changes in the legislation have been prompted by the impact of metal theft – this has become an increasing problem across the UK as the value of metal has risen. A wide range of bodies in both the public and private sectors are commonly affected. Targets include transport, electricity and telephone infrastructure, street furniture and memorials - this affects commercial and residential buildings, together with churches and schools.
- 2.5 In 2012 the Government brought in some initial steps through the introduction of the Legal Aid, Sentencing and Punishment of Offenders Act 2012, as follows:-
- to prohibit cash payments for scrap metal;
 - to amend Police powers of entry into unregistered scrap metal sites; and
 - to increase the existing financial penalties for offences under the Scrap Metal Dealers Act 1964.

3.0 KEY FEATURES OF THE ACT

- 3.1 The aim of the Act is to revise the regulatory regime for scrap metal dealing and vehicle dismantling and to give the Police and Local Authorities more powers to refuse and revoke licences as well as greater rights of entry and inspection.
- 3.2 A 'Scrap Metal Dealer' is defined under the Act as follows:

(2) A person carries on business as a scrap metal dealer if the person—

- (a) carries on a business which consists wholly or partly in buying or selling scrap metal, whether or not the metal is sold in the form in which it was bought, or
 - (b) carries on business as a motor salvage operator (so far as that does not fall within paragraph (a)).
- (4) For the purposes of subsection (2)(b), a person carries on business as a motor salvage operator if the person carries on a business which consists —
 - (a) wholly or partly in recovering salvageable parts from motor vehicles for re-use or sale and subsequently selling or otherwise disposing of the rest of the vehicle for scrap,
 - (b) wholly or mainly in buying written-off vehicles and subsequently repairing and reselling them,
 - (c) wholly or mainly in buying or selling motor vehicles which are to be the subject (whether immediately or on a subsequent re-sale) of any of the activities mentioned in paragraphs (a) and (b), or
 - (d) wholly or mainly in activities falling within paragraphs (b) and (c).
- 3.3 Currently, Sheffield have 21 registered as Motor Salvage Operators and 91 as Scrap Metal Dealers who will require licences under the new Act.
- 3.4 The Act brings in two types of licences either a '**site licence**' or a '**collector's licence**'. A person can only hold one licence in a Local Authority's area but can hold a licence in more than one local authority.
- 3.5 A site licence requires all of the sites at which the licensee carries on the business as a scrap metal dealer within the local authority area to be identified and a site manager to be named for each site. In doing so, they will be permitted to operate from those sites as a scrap metal dealer, including transporting scrap metal to and from those sites from any local authority area.
- 3.6 A collector's licence authorises the licensee to operate as a mobile collector in the area of the issuing local authority, permitting them to collect any scrap metal as appropriate. This includes commercial as well as domestic scrap metal.
- 3.7 The licence does not permit the collector to collect from any other local authority area. A separate licence should be obtained from each local authority from which the individual wishes to collect in. A collector's licence does not authorise the licensee to carry on a business at a site within any area. Should a collector wish to use a fixed site, they will need to obtain a site licence from the relevant local authority.
- 3.8 The Act also specifies that a licence will be issued by the local authority in whose area a scrap metal site is situated, or (in respect of a mobile collector) in the area that the collector operates.
- 3.9 An applicant for a licence must be 'suitable' and the Local Authority, when determining suitability, can have regard to:
 - Whether the applicant or any site manager has been convicted of any relevant offence

- Whether the applicant or any site manager has been the subject of any relevant enforcement action
 - Any previous refusal for issue of or renewal of a scrap metal licence
 - Any previous refusal for an environmental permit or registration
 - Any previous revocation of a scrap metal licence
 - Whether the applicant has demonstrated that there will be adequate procedures to comply with the act.
 - All of the above will apply to any director, or any secretary of a company if the applicant is not an individual
- 3.10 Currently the Licensing Authority is awaiting regulations from the Secretary of State as to the named relevant offences.
- 3.11 After receipt of an application the Local Authority must consult with:
- The Environment Agency
 - The Police
 - Any other Authority as may be required to determine suitability
- 3.12 The Act has introduced the requirement that the Environment Agency keep and maintain a register of scrap metal licences issued in England and that the register must be open for public inspection.
- 3.13 The Act introduces the requirement that the scrap metal dealer verifies the identity of the person's full name and address of the metal supplier and keeps copies of the proof of identification. In addition the dealer must keep records of the type and description of the metal(s) including weight and identifying marks, the date and time of receipt, the vehicle registration of any vehicle delivering the metal and copies of cheques used to pay for metal. All records must be kept for 3 years. The Act also prohibits the payment of cash for metal.
- 3.14 Police officers and local authority officers have been given powers to inspect licensed premises and can require production of any scrap metal at the premises, inspect records kept and take copies of those records. Further, the Act provides police or local authority powers to issue closure notices to unlicensed scrap dealing premises and apply to a justice of the peace for a closure order.
- 3.15 The current legislation only permits registration with minimal information and no fee payable. The new act will require more detailed information to be submitted on application and will allow the local authority to set a fee. The fee must be on a cost recovery basis and local authorities will have to have regard to guidance issued by the Secretary of State.

4.0 TRANSITIONAL ARRANGEMENTS

- 4.1 In order to provide time for Councils to process applications without existing businesses being in a position where they cannot operate, the Home Office is implementing a transition period. The details of which are set out below:
- All scrap metal dealers can apply for a scrap metal dealer's licence under the 2013 Act from 1st October 2013.

- A scrap metal dealer who is currently registered under the Scrap Metal Dealers Act 1964 or Vehicles (Crime) Act 2001 (Motor Salvage Operators) will be deemed to have a licence under the Act from the 1st October, provided the dealer submits an application for a licence between the 1st October and 15th October 2013. This temporary licence will be valid until a licence decision is issued. A formal licence decision will be issued by the local authority by the 1st December 2013.
- Local authorities will complete checks to assess applicants' suitability to hold a licence between 15th October 2013 and 1st December 2013.
- If a registered scrap metal dealer does not submit an application on or by 15th October 2013 their deemed licence will lapse on 16th October 2013. A deemed temporary licence which has lapsed does not give rise to a right to appeal. The dealer must submit an application and wait for a licence to be issued before they can trade legally.
- A local authority can impose conditions on a deemed temporary licence pending an appeal for the refusal of a licence.
- Scrap metal dealers who are not registered under the Scrap Metal Dealers Act 1964 or the Vehicles (Crime) Act 2001 can apply for a scrap metal dealer's licence from 1st October 2013 but must wait for a licence to be issued before they can trade legally.
- The offence of buying scrap metal for cash will come into force on 1st October 2013.
- Local authority officers and police officers will have the right to enter and inspect sites from 1st October 2013.
- The majority of the other enforcement provisions within the Act will come into force on 1st December 2013

5.0 FEE SETTING

- 5.1 The Act provides that an application for a licence must be accompanied by a fee. The fee will be set locally by each local authority on a cost recovery basis, but local authorities will have a duty to have regard to guidance issued by the Secretary State which outlines the issues that should be considered when setting the fee and what activities the fee can cover. The fee will be an essential component of the new regime as it will provide local authorities with the funding needed to administer the system and ensure compliance.
- 5.2 The EU services directive states that a licence fee can only be used to pay for the cost associated with the licensing process. In effect, each local authority must ensure that fees charged do not exceed the costs of providing the service.
- 5.3 The Home Office has published guidance to assist local authorities in setting these fees; the general principle is that fees should reflect:
- The cost of administering and processing applications.
 - Having experienced licensing officers review them
 - Storage
 - Consulting and reviewing on the suitability of applicants
 - History checks

- Decision making process
- The cost of issuing licences in a suitable format
- Contested applications
- Compliance- Entry, inspection

5.4 The licence fee cannot be used to support enforcement activity against unlicensed scrap metal dealers. Any activity taken against unlicensed operators must be funded through central Council funds.

5.5 In taking into consideration of the above and in reference to the fee guidance issued by the Home Office, the Licensing Authority recommends the following fees for approval which will recover our known costs.

5.6	Site Licence	-	New	-	£350
		-	Renewal	-	£300
	Collectors Licence	-	New	-	£150
		-	Renewal	-	£100
	Site / Collectors Licence Variation	-		-	£75
	Copy of Licence	-		-	£10.50

5.7 If approved these fees will be reviewed and determined every year as normal practice to ensure full cost recovery.

6.0 APPLICATION FORMS

6.1 Schedule 1 of the Act sets out what information must accompany an application, paragraph 4(1) also states that Councils are entitled to request any further information they regard relevant to consider an application.

6.2 The Local Government Authority (LGA) has produced a template application form which covers the information the legislation specifies. This form is not prescribed and Sheffield's Licensing Authority has made amendments to include further documentation.

6.3 A draft application form for the grant or renewal of a licence with our guidance is attached at Appendix 'A'. Applicants will be requested to enclose a basic disclosure from Disclosure Scotland with their applications which will disclose any unspent convictions which may be relevant.

6.4 A draft application for the variation of a Scrap Metal Dealers licence is attached at Appendix 'B'.

7.0 LEGAL IMPLICATIONS

7.1 The scheme is a statutory requirement placed upon the Council. The Act completely replaces the previous registration scheme local authorities operated for scrap metal dealers. Local authorities will now be responsible for the licensing of scrap metal dealers and enforcement of the licensing regime alongside the Police.

- 7.2 Appeals against a decision of the Council to refuse an application, to impose a condition on the licence or to revoke or vary the licence will be to the Magistrates' Court.
- 7.3 The Scrap Metal Dealers Act 2013 (Commencement and Transitional Provisions) Order 2013. *This Order brings into force the Scrap Metal Dealers Act 2013 ("the 2013 Act"), which repeals the Scrap Metal Dealers Act 1964 and the system of registration contained therein, and replaces it with a new system of licensing, to be administered by local authorities. The 2013 Act also replaces the system of registration for motor salvage operators under the Vehicles (Crime) Act 2001, in that motor salvage operators will now be treated as scrap metal dealers who fall to be licensed under the new regime.*
- 7.4 Power to licence scrap yards pursuant to section 1 of the Scrap Metal Dealers Act 1964 is a matter presently falling within the terms of reference to Licensing Committee, meaning that it will be necessary to amend the published scheme of delegation to reflect the legislative changes.

8.0 FINANCIAL IMPLICATIONS

- 8.1 There are no financial implications for the Council arising from this report. Should Members agree the proposed fees as detailed in the report; the Council will recover its reasonable costs in relation to administering / enforcing the above licensing system.

9.0 RECOMMENDATIONS

- 9.1 That members consider all the information provided in the report and that included in any attachments before determining whether to approve the fees and application documents.

10.0 OPTIONS OPEN TO THE BOARD

- 10.1 That Members of the Licensing Committee approve the new forms, proposed new fees and recommend that the published scheme of delegation be amended to reflect the legislative changes.
- 10.2 That Members of the Licensing Committee make further amendments to the documents before approving the new forms and proposed new fees.

Stephen Lonnia
Chief Licensing Officer & Head of Licensing
Business Strategy & Regulation
Place

16th August 2013

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