



Council

Wednesday 5 September 2018

2.00 pm

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

The Press and Public are Welcome to Attend

COUNCIL

**Wednesday 5 September 2018, 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 Magid Magid)

THE DEPUTY LORD MAYOR (Councillor Tony Downing)

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

John Mothersole

Chief Executive

Contact:

Paul Robinson, Democratic Services

Tel: 0114 2734029

paul.robinson@sheffield.gov.uk

PUBLIC ACCESS TO THE MEETING

The Council is composed of 84 Councillors with one-third elected three years in four. Councillors are democratically accountable to the residents of their Ward. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them

All Councillors meet together as the Council. 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. 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
5 SEPTEMBER 2018**

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. PUBLIC QUESTIONS AND PETITIONS AND OTHER COMMUNICATIONS

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

4. MEMBERS' QUESTIONS

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

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

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

(NB. Minutes of recent meetings of the two South Yorkshire Joint Authorities have been made available to all Members of the Council via the following link -

<http://democracy.sheffield.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13165&path=0>)

5. NOTICE OF MOTION REGARDING "DEVELOPING A FAIRER MODEL TO DISTRIBUTE COMMUNITY INFRASTRUCTURE LEVY IN SHEFFIELD" - GIVEN BY COUNCILLOR IAN AUCKLAND AND TO BE SECONDED BY COUNCILLOR GAIL SMITH

That this Council:-

(a) notes the publication of the draft document outlining how the

Community Infrastructure Levy (CIL) will be allocated across the city, however condemns the current Administration for the unacceptable delays in bringing forward these proposals;

- (b) notes the consultation on CIL is currently live and ends on the 14th September, and is disappointed that the Administration chose to launch this important consultation during the peak school holiday period;
- (c) notes the following national guiding principles of how to spend the CIL:
 - (i) be allocated in line with Councillors' annual ward priorities, which have been informed by local community engagement, data and feedback from service providers / partner agencies; and
 - (ii) be allocated to electoral wards and provide local Councillors the opportunity to work closely with the community to decide how best to allocate the fund;
- (d) notes that the proposed allocation of the neighbourhood portion does not fully adhere to these guiding principles and is dismayed that this Administration in their initial draft has ignored these guiding principles;
- (e) believes that, in ignoring the guiding principles, the Administration is favouring selected parts of the city, and disadvantaging others;
- (f) notes that the Administration intends to use 85% of CIL for city-wide projects;
- (g) notes that in the draft document, in the neighbourhood portion, only 1.5% of CIL is guaranteed to be retained in communities where the development takes place and the rest is distributed based on Indices of Multiple Deprivation (IMD);
- (h) believes distributing the neighbourhood portion of CIL using IMD does not fairly compensate local communities for developments that take place directly in their areas unless in a Labour favoured area;
- (i) believes this goes directly against the guiding principles on how CIL is spent in local communities and this Administration is letting down the communities it should be serving; and
- (j) resolves to:
 - (i) encourage local residents to take part in the consultation process and share their views with the Administration; and
 - (ii) encourage local residents to set up their own parish council

or develop their own Neighbourhood Plans to allow them to allow their communities to receive a larger portion of CIL.

6. NOTICE OF MOTION REGARDING "SUPPORTING THE TUC'S GREAT JOBS AGENDA" - GIVEN BY COUNCILLOR JULIE DORE AND TO BE SECONDED BY COUNCILLOR BEN MISKELL

That this Council:-

- (a) notes that:
 - (i) insecure work includes people working on zero-hours contracts, temporary and agency work, and low-paid self-employment;
 - (ii) 3.5 million people could be in insecure work by the start of 2022 if current trends continue - a rise of 290,000; that's the equivalent of the entire working population of Sheffield;
 - (iii) workers on zero-hours and short-hours contracts earn a third less per hour than the average worker;
 - (iv) 1 in 13 Black, Asian and minority ethnic employees are in insecure jobs, compared to 1 in 20 white employees; and
 - (v) insecure work costs the HM Treasury £4 billion a year in lost income tax and national insurance contributions, along with extra benefits and tax credits;

- (b) further notes that:
 - (i) UK workers are, on average, £38 a week worse off than before the crash in 2008 (figures to April 2017); this is the longest squeeze on pay since Victorian times;
 - (ii) public sector workers' real wages are down thousands of pounds a year compared to 2010; for example, prison officers and paramedics are all down over £3,800 a year, firefighters are down nearly £2,900, while teachers are down approximately £2,500;
 - (iii) just one in three people (33%) say their employer offers regular training opportunities - and one in four workers (24%) say that no training is offered at their workplace at all apart from a new starters' induction;
 - (iv) more than a million workers suffer from ill-health related to their employment, and around 23 million working days are lost each year due to injury or illness in the workplace;

- (v) almost one in three workers have been bullied in the workplace;
 - (vi) more than a third (37%) of Black, Asian and minority ethnic workers have been bullied, abused or singled out at work; and
 - (vii) more than half (52%) of women and nearly two-thirds (63%) of women aged 18-24 years old have experienced sexual harassment at work;
- (c) believes that:
- (i) every job should be a great job: that means every worker must be paid fairly; work in a safe and healthy workplace; be treated decently and with respect; have guaranteed hours; have the chance to be represented by unions and be consulted on what matters at work; and have the chance to get on in life;
 - (ii) currently, too many jobs in the UK aren't great jobs – and too many people feel that great jobs aren't available where they live;
 - (iii) it is positive that there is now a public debate about how we improve jobs in the UK – much of it driven by union campaigning and legal action against employers like Sports Direct, Uber and Hermes; and
 - (iv) however, the proposals put forward by Mathew Taylor's review of employment standards for the Government are inadequate; and
- (d) resolves to:
- (i) support the TUC's Great Jobs Agenda, which sets out the actions employers and the Government must take for every job to be a great job, and tell the TUC of this support;
 - (ii) ask the Cabinet Member for Finance to present a paper to the Council's Cabinet setting out the actions the Authority proposes to take to ensure that every job in this Authority is a great job, and relating those to the six standards in the Great Jobs Agenda; at a minimum this should include:
 - (1) signing up to be a Living Wages authority, where no-one is paid less than the real Living Wage;
 - (2) reporting on how many workers are employed on zero

or short-hours contracts, or agency contracts, and what actions the Authority is taking to reduce this; and

- (3) setting out how the Authority proposes to use its procurement process to raise employment standards among its subcontractors;
- (iii) write to all MPs in Sheffield and the Sheffield City Region Mayor informing them of our position and encouraging them to support the Great Jobs Agenda too;
- (iv) invite the Regional Secretary of Yorkshire & Humber TUC to present the Great Jobs Agenda to the next meeting of the City Growth Board;
- (v) make increasing job quality a key part of the conversation when pursuing local economic development opportunities in Sheffield; and
- (vi) continue to value meaningful workforce engagement and representation through our recognised trade unions.

7. NOTICE OF MOTION REGARDING "THE RECYCLING SERVICE" - GIVEN BY COUNCILLOR KAREN MCGOWAN AND TO BE SECONDED BY COUNCILLOR MICHELLE COOK

That this Council:-

- (a) welcomes Sheffield's success in Reducing, Reusing, Recycling and Recovering household waste, with our achievement of one of the lowest levels of waste to landfill in the country at a rate of just 0.28% last year;
- (b) welcomes the new recycling service, noting that:
 - (i) the removal of the blue box will be welcomed, as it has proven to be unpopular with local people;
 - (ii) there is greater capacity in the new monthly 140 litre blue bin for paper and card than the old fortnightly blue box collection;
 - (iii) the new 240-litre brown bin gives much greater capacity for glass bottles, cans and plastic bottles to residents who had used the blue box, and a broadly similar monthly capacity to residents who used the blue bin;
 - (iv) that the greater efficiency for collection vehicles will reduce emissions, and notes further the innovative trial of electric bin lorries that have been engineered locally; and

- (v) the Council is maintaining a fortnightly black bin collection and has no plans to change this;
- (c) welcomes the value for money achieved in the new service, which provides a £750,000 saving to the waste service, and further notes:
 - (i) that the Government's austerity programme has made an unprecedented attack on public services since 2010 with local government facing the heaviest level of cuts;
 - (ii) the continued impact of Government cuts and increasing demand for services such as social care means that the Council has had to make cuts of around £430 million since 2010; and
 - (iii) that efficiency and improvements to services must be welcomed in this context, and no political group on the Council proposed alternative savings to the new recycling service in the 2018/19 budget; and
- (d) endorses recent calls by the Local Government Association for manufacturers to take responsibility for their production of unrecyclable plastics and work with councils to improve recycling, noting:
 - (i) that only a third of plastic supplied to households is currently recyclable;
 - (ii) that manufacturers could change to recyclable plastics or pay for complex recycling of other materials; and
 - (iii) that Sheffield's Energy Recovery Facility is an excellent resource in this context, allowing the recovery of energy from unrecyclable plastics.

8. NOTICE OF MOTION REGARDING "TRANSPORT FUNDING" - GIVEN BY COUNCILLOR ROBERT MURPHY AND TO BE SECONDED BY COUNCILLOR DOUGLAS JOHNSON

That this Council:-

- (a) notes that the Mayor of Sheffield City Region has submitted proposals to build a £250 million East Coast Main Line railway station at Doncaster/Sheffield Airport;
- (b) notes that the Sheffield City Region Combined Authority has recently part funded the £66.5 million new road between the M18 and Doncaster/Sheffield Airport;

- (c) notes that the second phase of the road, which in effect is an access road for a private business, cost £10.55 million and included £9.1 million from Sheffield City Region with the balance paid by Doncaster Council;
- (d) notes The Peel Group obtained the freehold of the Sheffield City Airport site for the price of £1, and then closed the airport and built a business park;
- (e) notes that the Doncaster/Sheffield Airport site also benefits from Government tax incentives through its Enterprise Zone and has already benefitted from millions of pounds in grants;
- (f) notes the criticism made by the then Chair of the Public Accounts Committee, the Rt. Hon. Dame Margaret Hodge MP, who said "The most profitable parts of the Peel Group are managing to pay no UK corporation tax" and that "They do not pay their fair share of tax.";
- (g) believes the main beneficiaries of these investments are property developers in the area, including Harworth Group and the owners of Doncaster/Sheffield Airport (Peel Airports Ltd., part of The Peel Group);
- (h) believes that the priority for rail passengers in Sheffield, the surrounding area, and travellers on our congested transport networks, is improvements to current services and investment in local routes;
- (i) believes numerous local improvements offer more direct benefits to regional travellers than a new link to the airport, for example, the reopening of stations such as Heeley, Millhouses and lines such as Sheffield Victoria to Stocksbridge; a direct connection between Doncaster and Barnsley; and improvements to cross-Pennine routes;
- (j) believes any further investment in links to Doncaster/Sheffield Airport should be made by the private sector; and
- (k) requests that a copy of this motion be forwarded to the Sheffield City Region Mayor and the Minister of State for Transport.

9. APPOINTMENT OF THE INDEPENDENT PERSONS

Report of the Director of Legal and Governance.

10. MINUTES OF PREVIOUS COUNCIL MEETING

To receive the record of the proceedings of the meeting of the Council held on 4th July 2018, and to approve the accuracy thereof.

11. REPRESENTATION, DELEGATED AUTHORITY AND RELATED ISSUES

To consider any changes to the memberships and arrangements for meetings of Committees etc., delegated authority, and the appointment of representatives to serve on other bodies.

Chief Executive

Dated this 28 day of August 2018

The next ordinary meeting of the Council will be held on 3 October 2018 at the Town Hall

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest (DPI)** relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either -
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Audit and Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

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Report to Council

Report of: Director of Legal and Governance

Date: 5 September 2018

Subject: Appointment of the Independent Persons

Author of Report: Sarah Cottam – Principal Committee Secretary,
Democratic Services

0114 273 5033

Summary:

The report advises Council of the recent appointment of two Independent Persons that assist the Monitoring Officer in dealing with Standards complaints following the recent recruitment process.

Recommendations:

That Council approves the appointment of the two Independent Persons (Mr. David Waxman and Ms. Jo Cairns) for a term of four years.

Background Papers:

None

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial implications
YES
Legal implications
NO
Equality of Opportunity implications
NO
Tackling Health Inequalities implications
N/A
Human rights implications
N/A
Environmental and Sustainability implications
N/A
Economic impact
N/A
Community safety implications
N/A
Human resources implications
N/A
Property implications
N/A
Area(s) affected
NONE
Relevant Cabinet Portfolio Leader
Cllr Olivia Blake
Is the item a matter which is reserved for approval by the City Council?
YES
Press release
NO

1. Introduction

- 1.1 The report advises Council of the recent appointments of two Independent Persons that assist the Monitoring Officer in dealing with Standards complaints, following a recent recruitment process.

2. Background

- 2.1 The Localism Act 2011 introduced a new statutory framework for dealing with Standards Issues. In July 2012, the Council adopted a new Code of Conduct, created a Standards Committee and adopted a procedure for investigating Standards Complaints. The Act also created the new role of Independent Person which must be appointed by a Council.
- 2.2 This role is reflected in the procedures adopted by the Council. In addition, the role may also involve serving on a panel that would advise the Council on matters relating to the dismissal of any of the three Statutory Officers (Head of Paid Services, Monitoring Officer and the Chief Finance Officer).
- 2.3 The Independent Persons must be consulted at various stages of the complaints' process and assist the Monitoring Officer in considering complaints that a Member may have breached the Code of Conduct.
- 2.4 The Council Meeting on 7 November 2012 appointed three Independent Persons for a term of four years. This was undertaken jointly with Barnsley Metropolitan Borough Council and the South Yorkshire Joint Fire and Rescue and Integrated Transport Authorities with the remuneration of the posts shared between the three authorities.
- 2.5 The Council Meeting on 6 July 2016 approved the merger of the Audit and Standards Committees and also the reduction in the number of Independent Persons from three to two when the posts were advertised.
- 2.6 Due to delays in commencing the recruitment process, the Council Meeting on 2 November 2016 approved an extension to the three existing Independent Persons until such time as the appointments for the two new Independent Persons were made.

3. Recruitment Process

- 3.1 A recruitment process began in April 2018 to appoint two Independent Persons to the new posts. The posts were advertised for a two week period on the Council's website and also on the free job websites at the Sheffield Universities. The existing Independent Persons were eligible to apply for the new posts.

- 3.2 The shortlisted candidates were interviewed on 17 July 2018 and the new appointments were made jointly with Barnsley Metropolitan Borough Council (BMBC).
- 3.3 The interview panel comprised of Cllr Josie Paszek, Chair of Audit and Standards Committee (SCC), Cllr Jim Andrew, Deputy Leader (BMBC), Gillian Duckworth, Director of Legal and Governance/Monitoring Officer (SCC) and Martin McCarthy, Service Director/Deputy Clerk (SY Joint Authorities). Four candidates were interviewed by the panel.
- 3.4 All of the applicants were considered by the panel to be of a satisfactory standard and had relevant related experience in dealing with standards complaints. However the panel considered that the following two applicants should be appointed to the position of Independent Person for a four year term:
- Mr. David Waxman
 - Ms. Jo Cairns

4. **Legal and Financial Implications**

- 4.1 There are no legal implications. The two Independent Persons receive their annual allowance of £737.00 on a monthly basis which is equivalent to the allowance paid to co-opted members of the Council. The allowances are split between Sheffield City Council and Barnsley Metropolitan Borough Council.

5. **Recommendation**

- 5.1 That the Council approves the appointment of the two Independent Persons (Mr. David Waxman and Ms. Jo Cairns) for a four year term.

Agenda Item 10

Minutes of the Meeting of the Council of the City of Sheffield held in the Council Chamber, Town Hall, Pinstone Street, Sheffield, S1 2HH, on Wednesday 4 July 2018, at 2.00 pm, pursuant to notice duly given and Summonses duly served.

PRESENT

THE LORD MAYOR (Councillor Magid Magid)
THE DEPUTY LORD MAYOR (Councillor Tony Downing)

1	<i>Beauchief & Greenhill Ward</i> Simon Clement-Jones Bob Pullin Richard Shaw	10	<i>East Ecclesfield Ward</i> Andy Bainbridge Steve Wilson	19	<i>Nether Edge & Sharrow Ward</i> Mohammad Maroof Jim Steinke Alison Teal
2	<i>Beighton Ward</i> Ian Saunders Sophie Wilson	11	<i>Ecclesall Ward</i> Roger Davison Shaffaq Mohammed Paul Scriven	20	<i>Park & Arbourthorne</i> Julie Dore Ben Miskell Jack Scott
3	<i>Birley Ward</i> Denise Fox Bryan Lodge Karen McGowan	12	<i>Firth Park Ward</i> Abdul Khayum Abtisam Mohamed	21	<i>Richmond Ward</i> Mike Drabble Dianne Hurst Peter Rippon
4	<i>Broomhill & Sharrow Vale Ward</i> Michelle Cook Magid Magid Kaltum Rivers	13	<i>Fulwood Ward</i> Sue Alston Andrew Sangar	22	<i>Shiregreen & Brightside Ward</i> Dawn Dale Peter Price Garry Weatherall
5	<i>Burngreave Ward</i> Jackie Drayton Talib Hussain Mark Jones	14	<i>Gleadless Valley Ward</i> Lewis Dagnall Cate McDonald Chris Peace	23	<i>Southey Ward</i> Mike Chaplin Tony Damms Jayne Dunn
6	<i>City Ward</i> Douglas Johnson Robert Murphy Martin Phipps	15	<i>Graves Park Ward</i> Sue Auckland Steve Ayris	24	<i>Stannington Ward</i> David Baker Penny Baker Vickie Priestley
7	<i>Crookes & Crosspool Ward</i> Adam Hanrahan Mohammed Mahroof Anne Murphy	16	<i>Hillsborough Ward</i> Bob Johnson George Lindars-Hammond Josie Paszek	25	<i>Stocksbridge & Upper Don Ward</i> Jack Clarkson Francyne Johnson
8	<i>Darnall Ward</i> Mazher Iqbal Mary Lea Zahira Naz	17	<i>Manor Castle Ward</i> Lisa Banes Terry Fox Pat Midgley	26	<i>Walkley Ward</i> Olivia Blake Ben Curran Neale Gibson
9	<i>Dore & Totley Ward</i> Joe Otten Martin Smith	18	<i>Mosborough Ward</i> David Barker Tony Downing Gail Smith	27	<i>West Ecclesfield Ward</i> John Booker Adam Hurst Mike Levery
				28	<i>Woodhouse Ward</i> Jackie Satur Paul Wood

1. APOLOGIES FOR ABSENCE

- 1.1 Apologies for absence were received from Councillors Ian Auckland, Keith Davis, Alan Law, Moya O'Rourke, Mick Rooney, Chris Rosling-Josephs, Colin Ross and Cliff Woodcraft.

2. DECLARATIONS OF INTEREST

- 2.1 Councillor Ben Miskell declared a personal interest in Item 5 – Notice of Motion regarding “Demanding A Fairer Funding Settlement For Sheffield Schools”, due to him being employed as a schoolteacher at a secondary school in the city.
- 2.2 Councillor Mike Drabble declared a personal interest in Item 6 – Notice of Motion regarding “The NHS at 70 Years”, due to him providing mental health counselling services within a GP practice.

3. PUBLIC QUESTIONS AND PETITIONS AND OTHER COMMUNICATIONS

3.1 Petitions

3.1.1 Petition Objecting to the Sale of Council-Owned Land on Westminster Avenue

The Council received a petition containing 67 signatures, objecting to the sale of Council-owned land on Westminster Avenue.

Representations on behalf of the petitioners were made by Stuart Wilson. Mr Wilson stated that land which was outlined in a planning application for 109 Hallam Grange Rise was Council land. The planning application was granted but there was not access to the land in question other than over Council owned land. He said that if the land was to be sold, it should be sold so as to obtain the best price and that any proposed development should not proceed without the land first being purchased by the applicant.

He referred to land being used as hard standing and the kerb dropped, although it had not been purchased from the Council. He asked why the Council had allowed this to happen. He had been informed that the Council was not able to find the original title documents. He asked how much land had effectively been taken due to an oversight and a lack of care and attention.

The Council referred the petition to Councillor Jack Scott, the Cabinet Member Transport and Development. Councillor Scott said that whilst he was not familiar with this matter, he would wish to obtain further information and would arrange a meeting with the petitioners, which would include the

Cabinet Member for Finance, Councillor Olivia Blake. He said that there was a potential difference between what planning policy guidelines say and the process by which the Council disposed of land.

Councillor Scott said that the Council needed to make sure that things had been done properly. He also referred to a matter of English law which was that a person did not have to own land to put forward a planning development upon it. He said that he hoped that a satisfactory solution for everyone could be found.

3.1.2 Petition Requesting the Blocking off of a Stairwell at Flats on Oxford Street Due to Anti-Social Behaviour

The Council received a petition containing 19 signatures requesting the blocking off of a stairwell at flats on Oxford Street due to anti-social behaviour.

Representations on behalf of the petitioners were made by Gina Ahmed who stated that the anti-social behaviour referred to in the petition included drugs related activity, prostitution, urination and depositing of used needles. This had an adverse effect on young people and made people feel unsafe. The community had funded a hose to regularly clean the stairs. Some people who were not necessarily residents also used the stairs as a means of escape to the road from the police or to hide. There was also noise at night emanating from the stairwell. However, it was also a fire exit and the Council had previously said that it would not be possible to block the stairs off. This was an issue which adversely affected the lives of residents, including children and it was not considered to be fair that they should continue to live with such circumstances and the related health risks.

The Council referred the petition to Councillor Jim Steinke, the Cabinet Member for Neighbourhoods and Community Safety. Councillor Steinke said that he was aware of the matters which had been raised by the petitioners, both in relation to the flats on Oxford Street and in other similar circumstances. The issues were being considered by the police and Council officers, including in relation to drug related matters. He said that he had met earlier with the Neighbourhood Manager and with regard to the specific issue of the smell of urine in stairwells, there would be additional cleaning.

Councillor Steinke said that the request to block off access to the stairwell was a matter which would need further consideration both in this case and elsewhere. He would arrange for a written response to be made to the concerns raised in the petition.

3.1.3 Petition Requesting a Safe Pedestrian Crossing on Carter Knowle Road

The Council received a petition containing 401 signatures and requesting a safe pedestrian crossing on Carter Knowle Road.

Representations on behalf of the petitioners were made by Robin Storey. Mr

Storey stated that the petition concerned the junction of Carter Knowle Road and Ecclesall Road South. This was the only traffic light controlled junction between the city boundary and the city centre without provision for pedestrians. City bound vehicles were at a blind bend. It was common for drivers to go through the traffic lights on red. Both vehicle volume and speeds had increased over time and the Council was asked to help with a solution to the problems outlined in the petition.

The Chair of Ecclesall Forum then contributed by outlining the evidence relating to the petition, including drawings of the junction. These concerns had previously, been outlined to the Council in letters of 2002 and 2009. There was concern about the safety of pedestrians crossing Carter Knowle Road next to the Prince of Wales public house. The pavement had been lowered, so there was an expectation that pedestrians would cross at that point. Some vehicles continued through the traffic lights at amber and red. Due to traffic movements, there was only little or no time for pedestrians to safely cross the road, which was especially difficult for older people. The petition requested facilities with additional help for pedestrians to enable them to cross the road more safely.

The Council referred the petition to Councillor Jack Scott, the Cabinet Member for Transport and Development. Councillor Scott said that local councillors had made him aware of the issues relating to the junction and crossing. There were speed hump restrictions on Carter Knowle Road. No accidents had been recorded by the Council or the police at the junction.

Councillor Scott stated that a new zebra crossing was to be installed further down Carter Knowle Road, which would assist in slowing some of the traffic. He said that he would not commit to funding or finding resources at this stage. However, a full road safety audit would be carried out and which would include information supplied by the petitioners. He said that he looked forward to working with the petitioners and local councillors in this regard.

3.1.4 Petition Requesting a Ban on Animal Circuses in Sheffield

The Council received an electronic petition containing 201 signatures, requesting a ban on animal circuses in Sheffield.

Representations on behalf of the petitioners were made by Alex Hinchcliffe, who stated that the petition requested the Council to ban circuses which used animals, including domestic animals as it was considered to be unethical and necessary. He said it was not possible for travelling circuses to meet animals' welfare needs and there were concerns relating to the coercion of animals to perform certain actions and the relationship between an animal and commercial enterprise. He said that some actions may constitute abuse under the Animal Welfare Act. There was also no reason why such a ban could not be extended so as to apply to domestic animals. He referred to a statement by the RSPCA concerning the use of animals in circuses.

The Council was urged to deny Circuses access to parks and to extend the Council's existing policy to domestic animals. He said that he had little faith that circuses were able to properly look after the animals in their care.

The Council referred the petition to Councillor Mary Lea, the Cabinet Member for Culture, Parks and Leisure. Councillor Lea stated that the Council's existing policy regarding circuses applied to those using wild animals on Council land. The Council did not have the right to ban circuses from using private land. The government Department for Environment, Food & Rural Affairs (DEFRA) had the right to remove a licence for a circus.

Councillor Lea said that the Government had indicated that it would ban the use of wild animals in circuses. However, that had not yet happened. Horses and domestic animals were not covered by the existing Council policy relating to circuses. Councillor Lea said that she would like to meet with the petitioners and others such as the RSPCA (Royal Society for the Prevention of Cruelty to Animals), to look again at the policy and see what could be done.

3.1.5 Petition Requesting the Council to be More Open with Information on Contracts and Other Services it Purchases

The Council received an electronic petition containing six signatures, requesting the Council to be more open with information on contracts and other services it purchases. There was no speaker to the petition.

The Council referred the petition to Councillor Olivia Blake, Deputy Leader and Cabinet Member for Finance.

3.2 Public Questions

3.2.1 Public Question Concerning Hyperloop technology

Nigel Slack stated that Leeds City Council had expressed an ambition to see Hyperloop technology as part of a future transport strategy. He had asked at Cabinet in June 2017 about Sheffield becoming a part of this push for new technology solutions and the potential for its advanced manufacturing and research strengths to be part of that.

He asked whether the Council had yet had the promised conversations with those in the country working on this technology (Edinburgh University in particular) or pursued any positive steps in that regard.

Councillor Jack Scott, the Cabinet Member for Transport and Development, stated that the Council had written to universities regarding this issue and the correspondence had also been shared with Mr Slack. The Council had received a reply which had indicated that, whilst there was an awareness of Sheffield's strength in advanced manufacturing, because it was not near any design or building stage, Sheffield was not a priority for them to pursue or a priority for the Council to pursue at the moment. He said that at this time,

efforts needed to be directed to securing the right deal for HS2 and the upgrade of the railway line from Sheffield to Manchester. He was not persuaded at this time that Hyperloop technology was something to focus upon. He said that the position on that had not changed substantially since the meeting on this subject that had taken place in the previous year. Councillor Scott said that he would be pleased to send the documents to Mr Slack again.

3.2.2 Public Question Concerning Investment

Nigel Slack referred to the arrival of the British Games Institute and said that this had come about through investment in local business and with local funding. He also commented in relation to international investment in the city and asked the following questions:

What is the current status of the £1Bn investment from Mr Wang and his Chengdhu businesses; how much of that promised £220M has materialised as actual investment; and what are the realistic prospects for the future of this deal when direct foreign investment is reported to be down by 10%?

Councillor Mazher Iqbal, the Cabinet Member for Business and Investment, stated that he disagreed with the assertion by Mr Slack relating to international investment. He said that whilst there was the challenge of Brexit, Creative Sheffield and the City Council had done great work and there was a list of developments taking place in the city, which he could provide to Mr Slack. The Council continued to have dialogue with Mr Wang and his representatives regarding the viability of potential projects. There was also continuing discussion and issues were not necessarily straightforward. There were issues relating to confidence of potential investors to the UK relating to Brexit and there was also a challenge in relation to China of policy change. International delegations did come to speak with the Council. He said that he would be pleased to talk further with Mr Slack in relation to this subject.

3.2.3 Public Question Concerning Castle Gate

Nigel Slack stated that people had heard the good news of the appointing of archaeologists for the Castle Gate excavations yet, at the same time another heritage asset in the form of Birley Spa was being disposed of as, it seems, the first option is always the commercial solution above the community solution.

He asked if the Cabinet Member had rescheduled his meeting with the Friends of the Old Town Hall.

Councillor Mazher Iqbal, the Cabinet Member for Business and Investment, stated in relation to Birley Spa, that there had been a lot of effort to try to make the building work and he would be pleased to brief Mr Slack further in this regard.

With regards the Old Town Hall building, Councillor Iqbal said that a meeting with the Friends of the Old Town Hall was arranged on 12 July 2018.

3.2.4 Public Question Concerning Seven Hills Pool Closure

Lisa Siddall stated that a group of people were to consider the establishment of a charitable trust to run a hydrotherapy pool at Seven Hills School. She asked if the decision to close the pool could be deferred to give an opportunity to produce a management and business plan. She said the pool had only been built five years ago and asked whether the information regarding cost of the pool, which was believed to be £500K, was correct and whether the Cabinet Member had visited the pool.

Councillor Mary Lea, the Cabinet Member for Culture, Parks and Leisure, stated that Councillor Jayne Dunn had answered the questions which had been asked at the June Council meeting and concerning the hydrotherapy pool. Councillor Lea said that her understanding was that the existing pool was not suitable for pupils at Sevenhills with conditions which required a warm water hydrotherapy pool. Other pupils in Sheffield used the pool. However, there was alternative capacity in the city.

She said that in relation to the establishment of a charitable trust, the ownership was in the hands of the Academy and it might be advisable to speak with the Academy in the first instance. She said that whilst she knew All Saints School well, she had not visited the pool at Seven Hills. She said that she would be pleased to assist if she was able and would be willing to discuss this matter further.

Councillor Jayne Dunn, the Cabinet Member for Education and Skills, said that she had understood that further information would be provided by Lisa Siddall, prior to the Council sending a written response to her. A response had now been sent. Because the school was an Academy, the Council was limited in what it was able to do. However, it might be possible to help with regard to activity so that which was currently done might continue when there was a warm water pool. The new facility would address the needs of the children at the School. She suggested that a meeting was arranged to discuss this matter further.

3.2.5 Public Question Concerning Sex Establishment Policy

Charlotte Mead and Lisa Markham referred to a recent Judicial Review of the Council's Sex Establishment Policy and asked in the light of the outcome that the Council had conceded that it had failed to properly consider its public sector equality duty, what action would the responsible Cabinet Member now take.

They asked if the Cabinet Member could confirm that there would be an investigation into the matters conceded at the Judicial Review, and particularly; the legal and professional advice given to the Licensing

Committee; failure to apply information gained during the consultation process in the formulation of the final policy; and the decision making process of the Licensing Committee, including the recent re-licensing of Spearmint Rhino, the only licensed strip and lap dancing club in the City.

They stated that the very recent license in respect of the Spearmint Rhino was granted according to a policy which had effectively been quashed by the outcome of the Judicial Review and asked what did the Cabinet Member intend to do.

Councillor Jack Scott, the Cabinet Member for Transport and Development, responded to the questions. He said that the grounds and the outcome of the Judicial Review were being looked at closely. It was vital that there was an assessment and lessons were learned from this happening a second time. He said that there was work being done with the Chairs of the Licensing Committee to convene a range of partners and stakeholders and separately in relation to a further piece of consultation which the Council had committed to doing. However, it was important to assess what happened, before further consultation commenced. The Judicial Review outcome did not automatically affect the decision concerning the Spearmint Rhino. However, it gave the Council an opportunity to consider what it wished to achieve in its Sex Establishment Policy. He said that he looked forward to meeting a range of stakeholders in relation to the matter to make sure that the right policy was in place for the City.

3.2.6 Public Question Concerning Accommodation for Refugees

Manuchehr Maleki-Dizayi asked how many homeless refugee families with children had been forced to stay in the Burngreave bed and breakfast over the past 12 months, how many children were in those families and how long did they stay there? He asked why the Council treated homeless refugee children differently to other homeless children in Sheffield.

Questions were asked on behalf of Rev Dr Leonora Charles Loughrey (Gogo) as to whether Sheffield City Council followed Barnsley Metropolitan Borough Council's policy of providing weekly financial support to refugee parents as well as children with no recourse to public funds.

John Grayson said that Council policy concerning families with no recourse to public funds stated that until appropriate accommodation was provided it may be necessary to provide hostel type accommodation and made reference to the role of social workers in identifying appropriate properties according to the needs of families and location. He asked why the Council had breached its own policies by placing refugee families in unsuitable bed and breakfast accommodation for up to two years.

Robert Spooner stated that the South Yorkshire Migration and Asylum Action Group had identified that lone mothers and homeless refugee children had been made to live in the Earl Marshall bed and breakfast accommodation alongside recovering and mentally ill single men for six

months to a year. He said the Council had admitted that two further refugee families with children had spent two years in the Earl Marshall bed and breakfast. He asked whether the Council would now publically undertake not to place homeless children in the Earl Marshall.

Councillor Jim Steinke, the Cabinet Member for Neighbourhoods and Community Safety, responded that there was a discrepancy between information in the questions that had been put and the information which he had before him. He said that he did not have information as to the number of homeless refugee families and children in the accommodation in Burngreave at this meeting. However, at this time, there were no families in bed breakfast accommodation placed by housing and no families placed in excess of six weeks; and this was clearly contrary to the evidence presented by the questions above. He suggested therefore that a meeting was arranged with the questioners, to include himself and the Cabinet Member for Children and Families, and Council officers to establish the facts.

Councillor Steinke said that with regard to the treatment of homeless refugee children, he would state that they should not be treated differently to other children and the Council should look at ways in which it might respond to what was happening. A key issue was the question of whether the Council could provide weekly financial support to parents as well as children with no recourse to public funds. A significant number of families had status to remain given by the Home Office and then had no recourse to public funds imposed and were therefore placed in a situation of destitution. He said that the Council did provide support to families, and it was important for families to challenge Home of Office decisions relating to no recourse to public funds. However, there was a challenge with regard to those with no recourse to public funds decisions by the Home Office.

He said that with regard to the alleged breach of Council policy (with regard the use of bed and breakfast accommodation), there was a discrepancy between the facts presented by the questioner and those with which he had been provided. He suggested that a meeting be arranged and that the particular cases in question were identified.

Councillor Jackie Drayton, the Cabinet Member for Children and Families, stated that she did not have exact numbers of families placed in Burngreave bed and breakfast accommodation but she would say that one child placed in bed and breakfast accommodation was one too many. Placing children and families in bed and breakfast accommodation was a last resort. She referred to a social media comment, which claimed that she had refused to stop using Earl Marshall bed and breakfast for families. She responded that she had never said that. However, bed and breakfast was one of the options for families and others. This option was only used as a last resort. The City Council did not and should not treat homeless refugee children differently to other children. In circumstances where a family had no recourse to public funds, if they had children, the Council was able to give support to the children and it tried to give support and keep families together. The Council did give support to parents but Councillor Drayton said that she was not

certain if Barnsley's approach was the same and this was something which might be looked at in greater detail.

Councillor Drayton said that both her and Councillor Steinke's Cabinet portfolios (Housing and Children and Families respectively) monitored the situation with regard to children and families and a panel had been established to monitor families in certain circumstances and there was a scheme whereby families were visited to monitor how they were getting on. A no recourse to public funds panel had also been established to include representatives from both housing and children and families.

Families were only housed in bed and breakfast accommodation in an emergency. Properties were inspected and deemed suitable for use in emergency situations. She said that the process would perhaps need to be checked, although she had already requested officers to do so. She said there were currently no families with children from Sheffield in the Earl Marshall bed and breakfast. However, there were children from Barnsley that had been placed there and the children's service in Sheffield was helping to monitor the wellbeing of those children and the family.

She agreed that it would be helpful to meet with the questioners to look in more detail at the matters which had been raised.

3.2.7 Public Questions Concerning Streets Ahead

Justin Buxton asked a question concerning payments to Amey LG and Amey OV. He said that no contracts were recorded in the contracts register. He said that he had previously raised the issue and received an email to say the matter had been investigated and he was now asking for an update.

Justin Buxton asked if the Leader of the Council was aware of an ongoing investigation by the Forestry Commission as to the legality of the work relating to tree felling in Sheffield and whether it was prudent to pursue legal action relating to the felling of trees.

Dave Dillner asked how many Council officers who were involved in the sign off on felling recommendations from Amey had the training, education and experience demanded by British Standards, including BS3998.

Sheldon Hall referred to the listening walkabouts by the Cabinet Member for Environment and Streetscene and asked when the Council would announce more formal talks with representatives of campaign groups in relation to trees.

Councillor Lewis Dagnall, the Cabinet Member for Environment and Streetscene responded to the questions. In relation to the question concerning an investigation into payments to Amey LG and Amey OV, he said that he would respond in writing.

As regards the question concerning the Forestry Commission, he said that

the Council believed that highways work and tree replacement work was legal.

Councillor Dagnall said that with regard to formal talks, he was not in a position to confirm the timescales at this time. He said this would begin during the summer and hoped to confirm this in the coming weeks as regards a formal dialogue with campaigners and also with residents and stakeholders.

In relation to the question concerning the British Standard, Councillor Dagnall said that he would provide a response in writing.

3.2.8 Public Questions Concerning Injunction

Nigel Slack asked how applying for a new three year injunction against tree felling protesters and adding ever more draconian restrictions demonstrates a spirit of trust and compromise; how much will this new injunction cost to take to court; and does Council recognise that pursuing the same failed strategy time and again and expecting a different outcome is one definition of insanity?

Justin Buxton asked whether an executive decision was taken by the Leader to extend and vary the court injunction or whether it had been delegated to the Director of Legal and Governance.

Sheldon Hall asked if the Leader of the Council would confirm that she supports and endorses the renewed injunctions in relation to protesters.

Councillor Lewis Dagnall responded to the questions. He stated that the final decision in relation to the establishment of an injunction was with the Director of Legal Services. As Cabinet Member, both he and the Leader of the Council were consulted and briefed and asked to express a view, and they expressed the view that, based on the evidence before them, it was felt necessary to extend the injunction at that point in time. At the same time, the Council was working hard to achieve a sustainable compromise and engage residents and stakeholders.

Councillor Dagnall said that he did not think it was appropriate or useful for the question of Mr Slack to refer to 'insanity' both in terms of the work to seek parity of esteem for mental and physical health and as regards matters of reasonable argument or disagreement. He said that he was optimistic that a sustainable compromise could be achieved with regard to moving on as a city with the Streets Ahead programme. With regard to legal proceedings, a cost would not be confirmed until the proceedings were concluded.

The injunction was not against campaigners or protest. It was a limited intervention in order that work might be conducted safely for the benefit of workers, individuals who may wish to cross safety barriers and for the public. It was important to establish clearly that it was outside the realms of

peaceful protest to take part in activity which was dangerous. The Council was also in dialogue with residents and campaigners to try to reach a compromise and a political solution on policy. However, there could not be compromise on health and safety at work.

4. MEMBERS' QUESTIONS

4.1 Urgent Business

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

4.2 Written Questions

4.2.1 A schedule of questions to Cabinet Members, submitted in accordance with Council Procedure Rule 16, and which contained written answers, was circulated. Supplementary questions, under the provisions of Council Procedure Rule 16.4, were asked and were answered by the appropriate Cabinet Members until the expiry of the 30 minute time limit for Members' Questions (in accordance with Council Procedure Rule 16.7).

4.3 South Yorkshire Joint Authorities

4.3.1 Questions relating to the discharge of the functions of the South Yorkshire Joint Authorities for Fire and Rescue and Pensions (under the provisions of Council Procedure Rule 16.6i) were not able to be asked before the expiry of the 30 minute time limit for Members' Questions (in accordance with Council Procedure Rule 16.7).

5. NOTICE OF MOTION REGARDING "DEMANDING A FAIRER FUNDING SETTLEMENT FOR SHEFFIELD SCHOOLS" - GIVEN BY COUNCILLOR JAYNE DUNN AND TO BE SECONDED BY COUNCILLOR MIKE DRABBLE

5.1 It was moved by Councillor Jayne Dunn, and seconded by Councillor Mike Drabble, that this Council:-

- (a) contends that due to eight years of prolonged and unnecessary austerity, funding for the education system is no longer sufficient and Sheffield schools are disproportionality bearing the brunt of this;
- (b) notes that whilst the Government are finally providing an increase in much needed funding, the combination of eight years of standstill budgets and decisions around national insurance, funding of pay increases, etc. mean that schools have seen their budgets cut by an incredible 30% or more in real terms over this period;
- (c) notes that the Government have implemented a national funding

formula in an attempt to readdress the balance, but in actuality the funding changes will mean that Sheffield schools will be worse off by £12.1m this year and £5.7m next year – a cut equivalent to £170 per pupil in 2018/19 and £80 per pupil in 2019/20;

- (d) contends that despite the Government’s rhetoric of “fairness”, regional imbalances remain in the current system, for instance, an average sized secondary school in Sheffield would receive £822,000 more each year if it was situated in Manchester;
- (e) believes there is insufficient funding nationally in the school system and, despite the best efforts of teachers and parents, such inadequate funding will inevitably see the continued depletion of resources from our schools, and shows that not enough is being done to address the historical imbalance in the funding allocation for Sheffield schools;
- (f) believes that school funding does not need to be like this and notes that a Labour government would give our schools the resources they need; by reversing funding cuts and increasing the schools budget in real terms, to build a National Education Service that allows every child to fulfil their potential;
- (g) contends further that it is possible to stop the cuts and ensure all schools have the funding they need, and that to do so it would cost an estimated £5.66 billion across the UK by 2022 and the Labour Party’s fully costed 2017 General Election manifesto demonstrated how this could be paid for;
- (h) notes that the Administration is working closely with representatives, parents, teachers and unions from across Sheffield’s schools and together a united and strong opposition to the changes has emerged;
- (i) highlights that this Administration has written to the Secretary of State for Education demanding a fair settlement for Sheffield schools, and further notes that Labour councillors will continue to campaign and challenge the Government for a fair funding settlement for the city’s schools;
- (j) notes the wide-ranging campaign demanding better for Sheffield schools, including the recently launched public petition, co-authored by Learn Sheffield and this Administration, to put pressure on the Government; and
- (k) believes that schools are proud of Sheffield’s education community and the collaborative way it is approaching this, when the Government is doing everything to encourage division and set schools against each other.

5.2 Whereupon, it was moved by Councillor Mohammed Mahroof, seconded by Councillor Andrew Sangar, as an amendment, that the Motion now

submitted be amended by:-

1. the deletion of paragraph (a) and the re-lettering of original paragraphs (b) to (d) as new paragraphs (a) to (c).
2. the addition of a new paragraph (d) as follows:-
 - (d) is shocked and dismayed that under the new funding formula for schools, every pupil in Sheffield will have £743 less invested in their education than their peers in Manchester and refuses to believe that is the 'fairer' system the Conservative Government promised;
3. the deletion of original paragraphs (f) and (g).
4. the addition of a new paragraph (f) as follows:-
 - (f) believes that every child deserves a high quality education wherever they live and notes a Liberal Democrat government will do this by investing £7 billion extra in children's education, so that no school loses money per pupil in cash terms, and notes that with this fully costed investment, a Liberal Democrat government will:-
 - (i) reverse all cuts to frontline school and college budgets, protecting per pupil funding in real terms;
 - (ii) introduce a fairer National Funding System with a protection for all schools, so that no school loses money per pupil in cash terms; and
 - (iii) protect the Pupil Premium which targets extra help at disadvantaged pupils;
5. the re-lettering of original paragraph (h) as a new paragraph (g).
6. the deletion of original paragraphs (i) and (j).
7. the addition of new paragraphs (h) and (i) as follows:-
 - (h) notes the wide-ranging campaign supported by the Sheffield Star and Sheffield Telegraph demanding better for Sheffield schools, including the recently launched public petition, co-authored by Learn Sheffield and the Council, to put pressure on the Government;
 - (i) notes that Liberal Democrat councillors support the petition and will be encouraging citizens of Sheffield to sign it and support the campaign,
8. the re-lettering of original paragraph (k) as a new paragraph (j).
9. the addition of new paragraphs (k) and (l) as follows:-

- (k) notes that Liberal Democrats attended the inaugural meeting of the Sheffield Education Alliance, a non-partisan group set up to campaign for the improvement and funding of education for all Sheffield children; and
- (l) calls for a cross-party campaign working with the Sheffield Education Alliance, Learn Sheffield and the Administration to demand the Government addresses the funding disparity and ensure schools are funded fairly in Sheffield.

5.3 It was then moved by Councillor Alison Teal, seconded by Councillor Douglas Johnson, as an amendment, that the Motion now submitted be amended by the deletion of paragraphs (h) to (k) and the addition of new paragraphs (h) to (o) as follows:-

- (h) believes the issue of education has frequently suffered from decisions being made on ideological grounds rather than evidence;
- (i) notes the academies programme has introduced free market principles of competition into the education 'market place' and is placing increasing difficulty on local authorities;
- (j) believes that the growing lack of transparency and public accountability brought about by the academisation process is eroding local councils' ability to influence and work with local education providers;
- (k) notes the Education Act of 1870 required the state to provide a school place for every child and these were managed by democratically elected local bodies;
- (l) believes that handing over large sums of public money to a small group of individuals, despite some oversight from central government, will lead to increasingly inequitable educational opportunities and sub-optimal use of public funding;
- (m) notes that, while academies are prohibited from making profits, we are witnessing the transfer of public money and loss of public scrutiny and control of local education to private ownership;
- (n) believes that the academisation process is already failing Sheffield children as the exclusion rate has greatly increased and the continual backlog of assessment to be done for SEND children means that many children are not receiving the support they need; and
- (o) therefore asks that the Council makes every effort to resist the academisation process and retain all the schools it possibly can under democratic local authority control.

- 5.4 After contributions from five other Members, and following a right of reply from Councillor Jayne Dunn, the amendment moved by Councillor Mohammed Mahroof was put to the vote and was negated.
- 5.4.1 (NOTE: Councillors Kaltum Rivers, Douglas Johnson, Robert Murphy, Martin Phipps and Alison Teal voted for paragraph (h) of part 7 and paragraph (l) of part 9 of the amendment, and abstained on all other parts/paragraphs of the amendment, and asked for this to be recorded.)
- 5.5 The amendment moved by Councillor Alison Teal was then put to the vote and was also negated.
- 5.6 The original Motion was then put to the vote and carried as follows:-

RESOLVED: That this Council:-

- (a) contends that due to eight years of prolonged and unnecessary austerity, funding for the education system is no longer sufficient and Sheffield schools are disproportionately bearing the brunt of this;
- (b) notes that whilst the Government are finally providing an increase in much needed funding, the combination of eight years of standstill budgets and decisions around national insurance, funding of pay increases, etc. mean that schools have seen their budgets cut by an incredible 30% or more in real terms over this period;
- (c) notes that the Government have implemented a national funding formula in an attempt to readdress the balance, but in actuality the funding changes will mean that Sheffield schools will be worse off by £12.1m this year and £5.7m next year – a cut equivalent to £170 per pupil in 2018/19 and £80 per pupil in 2019/20;
- (d) contends that despite the Government’s rhetoric of “fairness”, regional imbalances remain in the current system, for instance, an average sized secondary school in Sheffield would receive £822,000 more each year if it was situated in Manchester;
- (e) believes there is insufficient funding nationally in the school system and, despite the best efforts of teachers and parents, such inadequate funding will inevitably see the continued depletion of resources from our schools, and shows that not enough is being done to address the historical imbalance in the funding allocation for Sheffield schools;
- (f) believes that school funding does not need to be like this and notes that a Labour government would give our schools the resources they need; by reversing funding cuts and increasing the schools budget in real terms, to build a National Education Service that allows every child to fulfil their potential;
- (g) contends further that it is possible to stop the cuts and ensure all

schools have the funding they need, and that to do so it would cost an estimated £5.66 billion across the UK by 2022 and the Labour Party's fully costed 2017 General Election manifesto demonstrated how this could be paid for;

- (h) notes that the Administration is working closely with representatives, parents, teachers and unions from across Sheffield's schools and together a united and strong opposition to the changes has emerged;
- (i) highlights that this Administration has written to the Secretary of State for Education demanding a fair settlement for Sheffield schools, and further notes that Labour councillors will continue to campaign and challenge the Government for a fair funding settlement for the city's schools;
- (j) notes the wide-ranging campaign demanding better for Sheffield schools, including the recently launched public petition, co-authored by Learn Sheffield and this Administration, to put pressure on the Government; and
- (k) believes that schools are proud of Sheffield's education community and the collaborative way it is approaching this, when the Government is doing everything to encourage division and set schools against each other.

5.6.1 (NOTE: 1. Councillors Simon Clement-Jones, Bob Pullin, Richard Shaw, Adam Hanrahan, Mohammed Mahroof, Joe Otten, Martin Smith, Roger Davison, Shaffaq Mohammed, Paul Scriven, Sue Alston, Andrew Sangar, Sue Auckland, Steve Ayriss, Gail Smith, David Baker, Penny Baker, Vickie Priestley and Mike Levery voted for paragraphs (c), (d), (e), (h), (j) and (k), and against paragraphs (a), (b), (f), (g) and (i) of the Motion, and asked for this to be recorded;

2. Councillors Kaltum Rivers, Douglas Johnson, Robert Murphy, Martin Phipps and Alison Teal voted for paragraphs (a), (e) and (j) and abstained from voting on paragraphs (b) to (d), (f) to (i) and (k) of the Motion, and asked for this to be recorded; and

3. Councillors Jack Clarkson and John Booker voted for paragraphs (a) to (g), (i) and (j), and against paragraphs (h) and (k) of the Motion, and asked for this to be recorded.)

6. NOTICE OF MOTION REGARDING "THE NHS AT 70 YEARS" - GIVEN BY COUNCILLOR CHRIS PEACE AND TO BE SECONDED BY COUNCILLOR ANNE MURPHY

6.1 It was moved by Councillor Chris Peace, and seconded by Councillor Anne Murphy, that this Council:-

- (a) believes that the NHS is in crisis after eight years of government underfunding and privatisation from the Conservatives and Liberal Democrats, and notes that patients are waiting longer hours in overcrowded A&Es, waiting lists are rising and hospitals are facing huge financial problems;
- (b) notes that 70 years ago, the Labour Party created the National Health Service (NHS), despite opposition from the Conservatives;
- (c) contends that the NHS is one of the crowning achievements of the post-war Labour government, and that the ideal that healthcare should be free to all is as important today as it was 70 years ago;
- (d) praises the commitment and compassion of staff working in the NHS and in social care throughout the last seventy years and to those currently employed who are having to work under ever increasing pressures;
- (e) believes that the NHS has helped transform British society for the better and its positive impact on the health of the UK population over the last seventy years is immeasurable;
- (f) believes that for all the public goodwill towards the NHS, recent governments have failed to support this precious institution sufficiently and despite the Rt. Hon Theresa May MP's rhetoric of providing a "70th birthday present for the NHS", the recent announcement of additional funding for the NHS confirmed that this Government has failed to give the NHS the funding it needs;
- (g) notes that patients are facing record waiting times for treatment, A&Es have had their worst performance figures on record this year, social care has been pushed into a state of emergency, the NHS currently has nearly 100,000 staff vacancies and NHS Trusts are almost £1 billion in deficit;
- (h) contends that the Government's pledge to increase spending by 3.4% has been widely criticised for not going far enough to rectify eight years of austerity;
- (i) notes that the Government's announcement excludes public health budgets, training and capital – meaning it's an increase of around 3% for health services, when we have a childhood obesity crisis, cuts to sexual health and addiction services, workforce shortages and a backlog of £5 billion repairs;
- (j) further notes that the Labour Party's 2017 General Election manifesto pledged to invest an extra 5%, with nearly £9 billion extra going into the NHS and social care for this year alone;

- (k) notes that Labour's spending commitment was fully costed, and would have seen the big corporations and the very wealthy being required to pay their fair share of tax to fund it;
- (l) notes that the 3.4% funding for NHS services (excluding the aforementioned funding for preventive, training and capital budgets) is still below the 3.7% average increase the NHS has seen over the last 70 years;
- (m) further notes that the Labour government of 1997 - 2010 funded the NHS an extra 6% each year – which transformed and revitalised health services in the UK following years of neglect from Conservative governments of Margaret Thatcher and John Major - with hospital and GP waiting times significantly reduced and public satisfaction with health services reaching record levels;
- (n) notes that Labour's 6% yearly increase over 13 years in government is in stark contrast to the miserly 1% yearly rise seen under the Conservative-Liberal Democrat coalition from 2010 to 2015; and
- (o) believes that Labour is the only Party who can be trusted to stand up for the NHS and support is given to Labour's consultation on how to re-establish a universally public NHS; with the ambition of bringing more health provision back in-house, and to dismantle the structures created under the Conservative-Liberal Democrat coalition's Health and Social Care Act (2012) which led to billions of pounds wasted, greater privatisation and fragmentation, and instead, a Labour government would seek to, in the words of Jonathan Ashworth MP, Shadow Secretary of State for Health "move to an NHS based on partnership and planning where privatisation is banished".

6.2 Whereupon, it was moved by Councillor Gail Smith, seconded by Councillor Steve Ayriss, as an amendment, that the Motion now submitted be amended by:-

1. the deletion of paragraphs (a) to (c).
2. the addition of new paragraphs (a) and (b) as follows:-
 - (a) condemns the current Government and their approach to NHS and social care funding and the crisis this has left the services in;
 - (b) recognises that the burden of social care is the biggest financial pressure facing local authorities and there is set to be a £30billion funding gap by the year 2020;
3. the re-lettering of original paragraph (g) as a new paragraph (c).
4. the deletion of original paragraphs (f) and (h) to (o).

5. the addition of new paragraphs (f) to (m) as follows:-
- (f) notes the Liberal Democrat policy of an immediate 1p rise on the basic, higher and additional rates of Income Tax, which would raise £6 billion in additional revenue and be ring-fenced to be spent only on NHS and social care services;
 - (g) believes only this policy will provide a new long term funding settlement for social care, which is desperately needed to sustain vital services and relieve pressure on the NHS, particularly for places like Sheffield which has a relatively low council tax base but a high level of need;
 - (h) believes that the public would support the 1p in the pound tax rise and notes that, when polled by Opinium, two thirds of people polled would be happy to pay an extra penny in the pound ring-fenced for health and social care, even when shown how much it would personally cost them;
 - (i) welcomes all those who have contributed to the success of the NHS in its inception from the Liberal, Sir William Beveridge, on whose acclaimed report the NHS was founded, and notes that, born out of the closer cooperation of the health organisations during the war, it now spends 40 times as much in real terms than it did at the beginning, and believes the NHS's continuing success depends on the goodwill of those in power and the willingness to increase taxes to pay for it;
 - (j) notes that former health minister, the Rt. Hon. Norman Lamb MP, and other senior political figures including the Labour MP Frank Field, are calling for a cross-party commission on the future of the NHS and believes that we need this 'Beveridge Report for the 21st century' in the form of a cross-party commission to investigate, work with stakeholders and find solutions to the NHS funding crisis;
 - (k) notes that in the Council budget for 2018/19, the Liberal Democrat Group made two proposals that would have significantly improved the standard of social care in Sheffield, which were to:-
 - (i) create a "Helping Hand" fund for adult social care to provide a substantive pot of money for desperately needed, urgent, short term support; and
 - (ii) use the central government adult social care grant to further fund training to support front line staff and help to ensure standards of care are always at the highest standard of quality possible and to secure retention of staff;
 - (l) asks the Leader of the Council to write to the Secretary of State for Health calling for a cross-party commission on the future of the NHS;

and

- (m) asks the Leader of the Council to write to the local NHS trusts to pass on the Council's congratulations to staff on the 70th anniversary of the NHS and to thank them for their service over the past 70 years.

6.3 It was then formally moved by Councillor John Booker, and formally seconded by Councillor Jack Clarkson, as an amendment, that the Motion now submitted be amended by the addition of new paragraphs (p) to (s) as follows:-

- (p) notes the Government's Quantitative Easing package so far in this country is £435 billion, and believes it should not go into the financial markets, but be spent in our society where it is needed and, furthermore, notes that the State is the original source of currency and the Government cannot be short of the very money it creates;
- (q) further notes that, under the powers available to the government, the NHS can be funded by the Treasury requesting the Bank of England to credit the NHS account with the necessary funding;
- (r) notes that the NHS can be funded in exactly the same way as the £435bn Quantitative Easing Programme was funded, i.e. by creating the money out of thin air, by the Bank of England under the request of the Chancellor of the Exchequer, and therefore the Government can create as much money as it needs to run the services under its control effectively, the only constraints being real resources such as labour, equipment and materials; and
- (s) also notes that taxation does not wholly pay for Government services at the national level and we do not 'Tax and Spend' but rather 'Spend and Tax', as the spending must come first or there is nothing to tax; and that taxation performs essential functions in the economy, including removing money from circulation in order to control inflation, promoting economic activity, correcting market failures, reducing inequality and legitimising democracy, as well as ensuring that the pound is widely accepted as a means of payment in society.

6.4 After contributions from six other Members, and following a right of reply from Councillor Chris Peace, the amendment moved by Councillor Gail Smith was put to the vote and was negatived.

6.4.1 (NOTE: Councillors Kaltum Rivers, Douglas Johnson, Robert Murphy, Martin Phipps and Alison Teal voted for part 2 and paragraph (j) of part 5 of the amendment and abstained from voting on all other parts/paragraphs of the amendment, and asked for this to be recorded.)

6.5 The amendment moved by Councillor John Booker was then put to the vote

and was also negated.

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

RESOLVED: That this Council:-

- (a) believes that the NHS is in crisis after eight years of government underfunding and privatisation from the Conservatives and Liberal Democrats, and notes that patients are waiting longer hours in overcrowded A&Es, waiting lists are rising and hospitals are facing huge financial problems;
- (b) notes that 70 years ago, the Labour Party created the National Health Service (NHS), despite opposition from the Conservatives;
- (c) contends that the NHS is one of the crowning achievements of the post-war Labour government, and that the ideal that healthcare should be free to all is as important today as it was 70 years ago;
- (d) praises the commitment and compassion of staff working in the NHS and in social care throughout the last seventy years and to those currently employed who are having to work under ever increasing pressures;
- (e) believes that the NHS has helped transform British society for the better and its positive impact on the health of the UK population over the last seventy years is immeasurable;
- (f) believes that for all the public goodwill towards the NHS, recent governments have failed to support this precious institution sufficiently and despite the Rt. Hon Theresa May MP's rhetoric of providing a "70th birthday present for the NHS", the recent announcement of additional funding for the NHS confirmed that this Government has failed to give the NHS the funding it needs;
- (g) notes that patients are facing record waiting times for treatment, A&Es have had their worst performance figures on record this year, social care has been pushed into a state of emergency, the NHS currently has nearly 100,000 staff vacancies and NHS Trusts are almost £1 billion in deficit;
- (h) contends that the Government's pledge to increase spending by 3.4% has been widely criticised for not going far enough to rectify eight years of austerity;
- (i) notes that the Government's announcement excludes public health budgets, training and capital – meaning it's an increase of around 3% for health services, when we have a childhood obesity crisis, cuts to sexual health and addiction services, workforce shortages and a backlog of £5 billion repairs;

- (j) further notes that the Labour Party's 2017 General Election manifesto pledged to invest an extra 5%, with nearly £9 billion extra going into the NHS and social care for this year alone;
- (k) notes that Labour's spending commitment was fully costed, and would have seen the big corporations and the very wealthy being required to pay their fair share of tax to fund it;
- (l) notes that the 3.4% funding for NHS services (excluding the aforementioned funding for preventive, training and capital budgets) is still below the 3.7% average increase the NHS has seen over the last 70 years;
- (m) further notes that the Labour government of 1997 - 2010 funded the NHS an extra 6% each year – which transformed and revitalised health services in the UK following years of neglect from Conservative governments of Margaret Thatcher and John Major - with hospital and GP waiting times significantly reduced and public satisfaction with health services reaching record levels;
- (n) notes that Labour's 6% yearly increase over 13 years in government is in stark contrast to the miserly 1% yearly rise seen under the Conservative-Liberal Democrat coalition from 2010 to 2015; and
- (o) believes that Labour is the only Party who can be trusted to stand up for the NHS and support is given to Labour's consultation on how to re-establish a universally public NHS; with the ambition of bringing more health provision back in-house, and to dismantle the structures created under the Conservative-Liberal Democrat coalition's Health and Social Care Act (2012) which led to billions of pounds wasted, greater privatisation and fragmentation, and instead, a Labour government would seek to, in the words of Jonathan Ashworth MP, Shadow Secretary of State for Health "move to an NHS based on partnership and planning where privatisation is banished".

6.6.1 (NOTE: 1. Councillors Simon Clement-Jones, Bob Pullin, Richard Shaw, Adam Hanrahan, Mohammed Mahroof, Joe Otten, Martin Smith, Roger Davison, Shaffaq Mohammed, Paul Scriven, Sue Alston, Andrew Sangar, Sue Auckland, Steve Ayris, Gail Smith, David Baker, Penny Baker, Vickie Priestley and Mike Levery voted for paragraphs (b) to (e), (g) to (i), (l) and (m), and against paragraphs (a), (f), (j), (k), (n) and (o) of the Motion, and asked for this to be recorded;

2. Councillors Kaltum Rivers, Douglas Johnson, Robert Murphy, Martin Phipps and Alison Teal voted for paragraphs (d) to (i), against paragraph (o) and abstained from voting on paragraphs (a) to (c) and (j) to (n) of the Motion, and asked for this to be recorded; and

3. Councillors Jack Clarkson and John Booker voted for paragraphs (b) to (l) and (n), and abstained from voting on paragraphs (a), (m) and (o) of the Motion, and asked for this to be recorded.)

7. NOTICE OF MOTION REGARDING "OPPORTUNITY TO DEVELOP A MORE COLLABORATIVE APPROACH TO DEALING WITH SHEFFIELD'S STREET TREES" - GIVEN BY COUNCILLOR ADAM HANRAHAN AND TO BE SECONDED BY COUNCILLOR SIMON CLEMENT-JONES

7.1 It was moved by Councillor Adam Hanrahan, and seconded by Councillor Simon Clement-Jones, that this Council:-

(a) notes (i) the use of civil injunctions by the Council against those campaigning against the felling of Sheffield's street trees;

(ii) the very clear acknowledgement of the Leader of the Council that she "positively agreed" to the use of such injunctions and was supportive of the recent High Court proceedings; and

(iii) that elected politicians have the right to set policy that decide if the Council does or does not use civil injunctions as a way of dealing with the street tree felling situation;

(b) therefore, is both surprised and dismayed that the Administration is seeking to extend the time period of the injunctions for another three years and also extend the remit of the injunctions,

(c) believes that this is all contrary to the spirit of compromise and working with campaigners to find solutions to the tree felling issue which the new Cabinet Member for Environment and Streetscene has publically stated; and

(d) calls upon the Administration to use the current pause in tree felling to live up to the Cabinet Member's promises of compromise and change to the way street trees are dealt with in our city.

7.2 Whereupon, it was moved by Councillor Lewis Dagnall, seconded by Councillor George Lindars-Hammond, as an amendment, that the Motion now submitted be amended by the deletion of all the words after the words "That this Council" and the addition of the following words:-

(a) notes that since tree replacement work was paused in March, the present Administration has been meeting with, and listening to, residents and stakeholder groups about how the current situation regarding tree replacement works can be resolved;

(b) believes that the vast majority of interested parties are committed to engaging in constructive dialogue to work together to find a solution, and that the priority should now be to find a form of compromise

from the Council, the contractor and campaigners which will enable us to move forward;

- (c) regarding the injunction:-
 - (i) notes that with the conclusion of the recent court cases, there are no further historical cases of breach of injunction that the Council intends to bring forward;
 - (ii) notes that it is hoped that, as a result of compromise from all sides, further cases will not arise and ultimately the Council will not have to rely upon the court injunction;
 - (iii) notes that it is extremely important that front-line workers should be able to go about their work without any risk to their health and safety;
 - (iv) notes that the current injunction, which supports the Council in discharging its highways maintenance duty and protects these workers by enforcing the safety zones around their work, is due to expire shortly; and
 - (v) believes that, given a compromise has not yet been found, and based on the evidence, it is right for the Council to apply to renew the injunction at this stage; and
- (d) sincerely hopes that efforts to reach a compromise will be successful, the terms of the injunction will be adhered to, and that, in the future, a further court injunction will no longer be necessary.

7.3 It was then moved by Councillor Douglas Johnson, seconded by Councillor Alison Teal, as an amendment, that the Motion now submitted be amended by the addition of new paragraphs (e) to (i) as follows:-

- (e) furthermore, notes the recent rejection by the High Court of one of the Council's applications to commit further tree campaigners for contempt, including to prison;
- (f) notes that clause 19 of the Streets Ahead contract places the responsibility (and therefore cost) of managing trespass and protest firmly on Amey Hallam Highways Ltd;
- (g) notes that this Administration has already spent hundreds of thousands of pounds of public money on legal proceedings against campaigners and believes it is not a good use of public money in a time of austerity;
- (h) believes this Administration should not spend further public money on legal battles with campaigners and should instead spend the money on vital services like social care; and

- (i) therefore, asks the Leader of the Council to withdraw the application to extend the injunction against residents of this city and elsewhere.

7.3.1 (NOTE: With the agreement of the Council and at the request of the mover of the amendment (Councillor Douglas Johnson), the amendment as circulated at the meeting was altered by (1) the substitution, in paragraph (g), of the word “hundreds” for the word “tens”; and (2) the addition of the words “and elsewhere” at the end of paragraph (i).)

7.4 It was then moved by Councillor Shaffaq Mohammed, and formally seconded by Councillor Penny Baker, as an amendment, that the Motion now submitted be amended by:-

1. the re-lettering of paragraph (d) as a new paragraph (i), and the addition of new paragraphs (d) to (h) as follows:-

- (d) notes the recent publication of the Police and Crime Commissioner report into policing of tree felling operations;

- (e) notes that the report found that Sheffield City Council and Amey were reliant on the police to enable them to fell trees and accused them of ‘washing its hands of the issue’;

- (f) notes that, in response to the report, the Cabinet Member responsible for trees welcomed the report “as an opportunity to reflect and learn lessons from previous experience,” and confirmed his hope for “achieving a compromise”;

- (g) notes the recent call for a change from strong leader model to a more open and transparent committee system by “It’s Our City” campaign group, due to the current leadership’s controversial handling of the tree felling issue;

- (h) notes this change was called for by Liberal Democrats in a motion that was proposed at the last Full Council meeting, however, regrets that Labour councillors opposed the motion;

2. the addition of new paragraphs (j) and (k) as follows:-

- (j) seeks that the Leader of the Council and Cabinet Members reconsider the use of these type of civil injunctions and reports back thereon to the next Full Council meeting; and

- (k) calls upon the Leader of the Council and the Cabinet Member for Environment and Streetscene to cease the use of these types of civil injunctions against tree campaigners and instead work with tree campaigners to reach the much touted compromise.

7.5 Following a right of reply from Councillor Adam Hanrahan, the amendment

moved by Councillor Lewis Dagnall was put to the vote and was carried.

7.6 The amendment moved by Councillor Douglas Johnson was then put to the vote and was negated.

7.7 The amendment moved by Councillor Shaffaq Mohammed was then put to the vote and was also negated.

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

RESOLVED: That this Council:-

- (a) notes that since tree replacement work was paused in March, the present Administration has been meeting with, and listening to, residents and stakeholder groups about how the current situation regarding tree replacement works can be resolved;
- (b) believes that the vast majority of interested parties are committed to engaging in constructive dialogue to work together to find a solution, and that the priority should now be to find a form of compromise from the Council, the contractor and campaigners which will enable us to move forward;
- (c) regarding the injunction:-
 - (i) notes that with the conclusion of the recent court cases, there are no further historical cases of breach of injunction that the Council intends to bring forward;
 - (ii) notes that it is hoped that, as a result of compromise from all sides, further cases will not arise and ultimately the Council will not have to rely upon the court injunction;
 - (iii) notes that it is extremely important that front-line workers should be able to go about their work without any risk to their health and safety;
 - (iv) notes that the current injunction, which supports the Council in discharging its highways maintenance duty and protects these workers by enforcing the safety zones around their work, is due to expire shortly; and
 - (v) believes that, given a compromise has not yet been found, and based on the evidence, it is right for the Council to apply to renew the injunction at this stage; and
- (d) sincerely hopes that efforts to reach a compromise will be successful, the terms of the injunction will be adhered to, and that, in the future, a further court injunction will no longer be necessary.

- 7.8.1 (NOTE: 1. Councillors Simon Clement-Jones, Bob Pullin, Richard Shaw, Adam Hanrahan, Mohammed Mahroof, Joe Otten, Martin Smith, Roger Davison, Shaffaq Mohammed, Paul Scriven, Sue Alston, Andrew Sangar, Sue Auckland, Steve Ayriss, Gail Smith, David Baker, Penny Baker, Vickie Priestley and Mike Levery voted for paragraphs (b), (c)(i) to (iv) and (d) and against paragraphs (a) and (c)(v) of the Substantive Motion, and asked for this to be recorded; and
2. Councillors Kaltum Rivers, Douglas Johnson, Robert Murphy, Martin Phipps and Alison Teal voted for paragraph (a) and against paragraphs (b) to (d) of the Substantive Motion, and asked for this to be recorded.)

8. NOTICE OF MOTION REGARDING "BREXIT BRITAIN" - GIVEN BY COUNCILLOR JOHN BOOKER AND TO BE SECONDED BY COUNCILLOR KEITH DAVIS

- 8.1 It was formally moved by Councillor John Booker, and formally seconded by Councillor Jack Clarkson, that this Council:-
- (a) notes that more than 17 million voters voted 'Leave', giving the Government the largest democratic mandate in the history of British politics and believes (i) there should be no question of turning back, (ii) Article 50 is a trap designed to obstruct countries from leaving the EU and (iii) there was no legal or moral obligation to use Article 50, the UK has the legal right to withdraw from the EU unilaterally;
 - (b) expresses the view that Parliament must resume its supremacy of law-making without restriction, and that Britain must be completely free from the jurisdiction of the European Court of Justice, and must be free to relinquish its membership of the European Court of Human Rights, if we wish to do so;
 - (c) believes that Britain must have full control of immigration and asylum policies, and border control, and must not be bound by any freedom of movement obligation;
 - (d) also believes that the UK must take its seat in its own right on the World Trade Organisation (WTO) and resume its sovereign right to sign trade agreements with other entities or supra-national bodies; must have full rights to set its own tariff and non-tariff barriers consistent with WTO rules; and must leave both the EU single market and the customs union;
 - (e) further believes that the UK's full maritime sovereignty must be restored and we must have control of our maritime exclusive economic zone, which stretches 200 miles off the coast, or to the half-way point between the UK and neighbouring countries, and that there must be no constraints on our fishing fleet, other than those

decided upon by the UK Parliament;

- (f) expresses the view that the UK must not pay any 'divorce' payments to the EU, nor contribute to the EU budget, and must be paid back its share of financial assets from entities such as the European Investment Bank, in which £9 billion of UK money is vested; and
- (g) is concerned at the possibility of a withdrawal agreement being signed which means the UK leaves the EU in name but not in substance, and believes that if the Rt. Hon. Theresa May MP signs such an agreement she will have betrayed Britain to the EU, just as every Prime Minister has done since 1972.

8.2 Whereupon, it was formally moved by Councillor Adam Hurst, and formally seconded by Councillor Lisa Banes, as an amendment, that the Motion now submitted be amended by the deletion of all the words after the words "That this Council" and the addition of the following words:

- (a) believes that, moving forward, the priority should be to prioritise jobs and living standards, build a close new relationship with the EU, protect workers' rights, consumer rights and environmental standards, provide certainty to EU nationals and give a meaningful role to Parliament throughout negotiations;
- (b) believes that negotiating priorities should have a strong emphasis on retaining the benefits of the Single Market and the Customs Union – which are essential for maintaining industries, jobs and businesses in Britain;
- (c) believes it is important that the Government ensures the regions of the UK will receive funds on the same basis as they did when we were in the EU;
- (d) further believes we should guarantee existing rights for all EU nationals living in Britain and secure reciprocal rights for UK citizens who have chosen to make their lives in EU countries; EU nationals do not just contribute to our society, they are part of our society, and they should not be used as bargaining chips;
- (e) welcomes the Labour Party's commitment to retain the Human Rights Act and adhere to the European Court of Human Rights;
- (f) confirms that asylum and EU freedom of movement are completely unrelated, and condemns the continued misrepresentation and muddying of the waters by UKIP, particularly demonstrated by the disgraceful "Breaking Point" poster unveiled by Nigel Farage MEP in the EU referendum campaign;
- (g) is concerned that a Conservative Brexit will weaken workers' rights, deregulate the economy, slash corporate taxes, sideline Parliament

and democratic accountability, and cut Britain off from our closest allies and most important trading partners;

- (h) believes that leaving the EU with 'no deal' is the worst possible deal for Britain and that it would do damage to our economy and trade and that 'no deal' should be rejected as a viable option and, if needs be, the Government should negotiate transitional arrangements to avoid a 'cliff-edge' for the UK economy; and
- (i) recognises that the issues that affect our continent now will continue to do so in the future and it is important that we continue to work constructively with the EU and other European nations on issues such as climate change, refugee crises and counter-terrorism.

8.3 It was then formally moved by Councillor Joe Otten, and formally seconded by Councillor Sue Alston, as an amendment, that the Motion now submitted be amended by the deletion of all the words after the words "That this Council" and the addition of the following words:-

- (a) believes:-
 - (i) that there is mounting and undisputable evidence of the damage that 'Brexit' would cause both to the national economy and to the local economy in Sheffield and the surrounding region;
 - (ii) this would involve damage to our international relationships, the reducing influence with other states and the complete loss of say and control over the rules of the European Single Market and Customs Union, the largest market in the world;
 - (iii) that the Government has totally mismanaged the Brexit negotiations and has failed to work closely with local authorities and listen to our concerns;
 - (iv) that businesses within the Sheffield City Region, like those elsewhere in the UK, are reconsidering investment plans in new production and new jobs while they await the Brexit deal; and
 - (v) that the current rights of EU citizens living in the UK should always be fully protected and not used as a bargaining chip by the UK Government;
- (b) notes:-
 - (i) that extensive polling analysis by YouGov has revealed that a second referendum would swing to Remain, as Leave voters have 'second thoughts' on their original vote in 2016;

- (ii) the increasing problems that the NHS is having in recruiting nurses and doctors since the decision to leave the European Union was made and that this is having a real impact on the health of local residents;
 - (iii) with concern, the potential impact of Brexit both on our local economy and on established mutually beneficial partnerships and links with European cities;
 - (iv) that the UK economy is now the slowest growing economy in Europe, reducing the prosperity of the UK and our local residents;
 - (v) that new investment in the Sheffield City Region is being jeopardised and new job opportunities are being lost; and
 - (vi) that inflation caused by Brexit-related depreciation of the pound is driving up living costs for the poorest residents, a further squeezing of living standards; and
- (c) resolves to ask the Leader of the Council to:-
- (i) write to our local Members of Parliament and the Rt. Hon. James Brokenshire MP (Secretary of State for Housing, Communities & Local Government), expressing this Council's strong desire for a vote on the final deal, including the option to maintain full EU membership; and
 - (ii) write to all Leaders of local authorities in the UK urging them to also adopt a policy calling for a vote on the final deal, including an option to maintain full EU membership.

8.4 The amendment moved by Councillor Adam Hurst was put to the vote and was carried.

8.4.1 (NOTE: Councillors Simon Clement-Jones, Bob Pullin, Richard Shaw, Adam Hanrahan, Mohammed Mahroof, Joe Otten, Martin Smith, Roger Davison, Shaffaq Mohammed, Paul Scriven, Sue Alston, Andrew Sangar, Sue Auckland, Steve Ayris, Gail Smith, David Baker, Penny Baker, Vickie Priestley and Mike Levery voted for paragraphs (b) to (i) and abstained from voting on paragraph (a) of the amendment, and asked for this to be recorded.)

8.5 The amendment moved by Councillor Joe Otten was then put to the vote and was negated.

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

RESOLVED: That this Council:-

- (a) believes that, moving forward, the priority should be to prioritise jobs and living standards, build a close new relationship with the EU, protect workers' rights, consumer rights and environmental standards, provide certainty to EU nationals and give a meaningful role to Parliament throughout negotiations;
- (b) believes that negotiating priorities should have a strong emphasis on retaining the benefits of the Single Market and the Customs Union – which are essential for maintaining industries, jobs and businesses in Britain;
- (c) believes it is important that the Government ensures the regions of the UK will receive funds on the same basis as they did when we were in the EU;
- (d) further believes we should guarantee existing rights for all EU nationals living in Britain and secure reciprocal rights for UK citizens who have chosen to make their lives in EU countries; EU nationals do not just contribute to our society, they are part of our society, and they should not be used as bargaining chips;
- (e) welcomes the Labour Party's commitment to retain the Human Rights Act and adhere to the European Court of Human Rights;
- (f) confirms that asylum and EU freedom of movement are completely unrelated, and condemns the continued misrepresentation and muddying of the waters by UKIP, particularly demonstrated by the disgraceful "Breaking Point" poster unveiled by Nigel Farage MEP in the EU referendum campaign;
- (g) is concerned that a Conservative Brexit will weaken workers' rights, deregulate the economy, slash corporate taxes, side-line Parliament and democratic accountability, and cut Britain off from our closest allies and most important trading partners;
- (h) believes that leaving the EU with 'no deal' is the worst possible deal for Britain and that it would do damage to our economy and trade and that 'no deal' should be rejected as a viable option and, if needs be, the Government should negotiate transitional arrangements to avoid a 'cliff-edge' for the UK economy; and
- (i) recognises that the issues that affect our continent now will continue to do so in the future and it is important that we continue to work constructively with the EU and other European nations on issues such as climate change, refugee crises and counter-terrorism.

- 8.6.1 (NOTE: Councillors Simon Clement-Jones, Bob Pullin, Richard Shaw, Adam Hanrahan, Mohammed Mahroof, Joe Otten, Martin Smith, Roger Davison, Shaffaq Mohammed, Paul Scriven, Sue Alston, Andrew Sangar, Sue Auckland, Steve Ayriss, Gail Smith, David Baker, Penny Baker, Vickie Priestley and Mike Levery voted for paragraphs (b) to (i) and abstained from voting on paragraph (a) of the Substantive Motion, and asked for this to be recorded.)

9. ANNUAL SCRUTINY REPORT 2017-18

- 9.1 The Council received the annual report providing an overview of scrutiny activity undertaken by each of the Scrutiny and Policy Development Committees during the 2017/18 Municipal Year, and proposed activity for 2018/19.
- 9.2 RESOLVED: That the Annual Report of the Scrutiny and Policy Development Committees 2017/18 be noted.

10. MINUTES OF PREVIOUS COUNCIL MEETING

- 10.1 RESOLVED: On the Motion of Councillor Peter Rippon, seconded by Councillor Dianne Hurst, that the minutes of the meeting of the Council held on 6th June 2018, be approved as a true and accurate record.

11. REPRESENTATION, DELEGATED AUTHORITY AND RELATED ISSUES

- 11.1 RESOLVED: On the Motion of Councillor Peter Rippon, seconded by Councillor Dianne Hurst, that:-

(a) approval be given to the following changes to the memberships of Committees, Boards, etc.:-

Children, Young People and Family Support Scrutiny and Policy Development Committee	- Councillor Steve Wilson to replace Councillor Lisa Banes and Councillors Bryan Lodge and Chris Rosling-Josephs to fill vacancies
Economic and Environmental Wellbeing Scrutiny and Policy Development Committee	- Councillor Lisa Banes to replace Councillor Jackie Satur
Healthier Communities and Adult Social Care Scrutiny and Policy Development Committee	- Councillor Jackie Satur to replace Councillor Bryan Lodge
Allotments and Leisure Gardens Advisory Group	- Councillors Lisa Banes and Garry Weatherall to fill vacancies

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

- | | | |
|---|---|---|
| Sheffield City Region
Combined Authority Audit
Committee | - | Councillor Penny Baker to serve as an
additional Liberal Democrat member of
the Committee |
| Sheffield City Region
Combined Authority Scrutiny
Committee | - | Councillor Penny Baker to serve as an
additional Liberal Democrat member of
the Committee |
| Parkwood Landfill Liaison
Group | - | Councillor Neale Gibson to replace
Councillor Karen McGowan |
| Sheffield Clean Air Partnership | - | Councillor Neale Gibson to replace
Councillor Karen McGowan |
| South Yorkshire Passenger
Transport Users' Advisory
Group | - | Councillor Neale Gibson to replace
Councillor Karen McGowan |
| Yorkshire Regional Flood and
Coastal Committee | - | Councillor Neale Gibson to replace
Councillor Paul Wood |