

Council

**Wednesday 1 November 2023
2.00 pm**

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

The Press and Public are Welcome to Attend - Please see "PUBLIC ACCESS TO THE MEETING" below, for details of how to access the meeting, and the safety measures which apply.

COUNCIL

Wednesday 1 November 2023, at 2.00 pm

MEMBERS OF THE COUNCIL

THE LORD MAYOR (Councillor Colin Ross)
THE DEPUTY LORD MAYOR (Councillor Jayne Dunn)

1	<i>Beauchief & Greenhill Ward</i> Simon Clement-Jones Richard Shaw Sophie Thornton	10	<i>East Ecclesfield Ward</i> Craig Gamble Pugh Robert Reiss Alan Woodcock	19	<i>Nether Edge & Sharrow Ward</i> Nighat Basharat Maroof Raouf Ibby Ullah
2	<i>Beighton Ward</i> Kurtis Crossland Ian Horner Ann Woolhouse	11	<i>Ecclesall Ward</i> Roger Davison Barbara Masters Shaffaq Mohammed	20	<i>Park & Arbourthorne Ward</i> Ben Miskell Nabeela Mowlana Sophie Wilson
3	<i>Birley Ward</i> Denise Fox Bryan Lodge Karen McGowan	12	<i>Firth Park Ward</i> Fran Belbin Abdul Khayum Abtisam Mohamed	21	<i>Richmond Ward</i> David Barker Mike Drabble Dianne Hurst
4	<i>Broomhill & Sharrow Vale Ward</i> Angela Argenzio Maleiki Haybe Brian Holmshaw	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> Talib Hussain Mark Jones Safiya Saeed	14	<i>Gleadless Valley Ward</i> Alexi Dimond Marieanne Elliot Paul Turpin	23	<i>Southey Ward</i> Mike Chaplin Tony Damms Jayne Dunn
6	<i>City Ward</i> Douglas Johnson Ruth Mersereau Martin Phipps	15	<i>Graves Park Ward</i> Ian Auckland Steve Ayris Mohammed Mahroof	24	<i>Stannington Ward</i> Penny Baker Vickie Priestley Richard Williams
7	<i>Crookes & Crosspool Ward</i> Tim Huggan Ruth Milsom Minesh Parekh	16	<i>Hillsborough Ward</i> Christine Gilligan Kubo Toby Mallinson Henry Nottage	25	<i>Stocksbridge & Upper Don Ward</i> Lewis Chinchin Julie Grocutt Janet Ridler
8	<i>Darnall Ward</i> Mazher Iqbal Mary Lea Zahira Naz	17	<i>Manor Castle Ward</i> Terry Fox Laura Moynahan Sioned-Mair Richards	26	<i>Walkley Ward</i> Tom Hunt Bernard Little Laura McClean
9	<i>Dore & Topley Ward</i> Joe Otten Colin Ross Martin Smith	18	<i>Mosborough Ward</i> Glynis Chapman Tony Downing Gail Smith	27	<i>West Ecclesfield Ward</i> Alan Hooper Mike Levery Ann Whitaker
				28	<i>Woodhouse Ward</i> Alison Norris Mick Rooney Paul Wood

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 <http://democracy.sheffield.gov.uk/ieListMeetings.aspx?Committeeld=154>. 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 most 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.

Meetings of the Council have to be held as physical meetings. If you would like to attend the meeting, please report to an Attendant in the Foyer at the Town Hall where you will be directed to the meeting room. However, it would be appreciated if you could register to attend, in advance of the meeting, by emailing committee@sheffield.gov.uk, as this will assist with the management of attendance at the meeting.

Please do not attend the meeting if you have COVID-19 symptoms. It is also recommended that you undertake a Covid-19 Rapid Lateral Flow Test within two days of the meeting. To aid safe access and protect all attendees, you are welcome to wear a face covering within the venue.

PLEASE NOTE: The Public Gallery in the Town Hall Council Chamber can accommodate 50 persons. Social distancing may not be possible in the Gallery depending on the numbers of members of the public in attendance at the meeting. An overspill area will be provided in the event that more than 50 members of the public attend - the webcast of the meeting will be live streamed to that room.

We are unable to guarantee entrance to the Public Gallery for observers, as priority will be given to registered speakers and those that have registered to attend.

Alternatively, you can observe the meeting remotely by clicking on the 'view the webcast' link provided on the [meeting page](#) of the website.

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
1 NOVEMBER 2023**

Order of Business

1. WELCOME AND HOUSEKEEPING ANNOUNCEMENTS

2. APOLOGIES FOR ABSENCE

3. EXCLUSION OF THE PRESS AND PUBLIC

To identify items where resolutions may be moved to exclude the press and public.

4. DECLARATIONS OF INTEREST

Members to declare any interests they have in the business to be considered at the meeting.

5. 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.

(NOTE: There is a time limit of one hour for the above item of business. In accordance with the arrangements published on the Council's website, questions/petitions are required to be submitted in writing, to committee@sheffield.gov.uk, by 9.00 a.m. on Monday, 30th October. Questions/petitions submitted after the deadline will be asked at the meeting subject to the discretion of the Chair.)

6. MEMBERS' QUESTIONS

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

6.2 Questions relating to the discharge of the functions of the South Yorkshire Joint Authorities (under the provisions of Section 41 of the Local Government Act 1985) and of the South Yorkshire Mayoral Combined Authority – Council Procedure Rule 16.6(i).

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

7. REVIEW OF THE ALLOCATION OF SEATS ON COUNCIL COMMITTEES

To approve a new politically proportionate scheme of seat allocations on the Council's Committees following a change to the composition of the Council, in accordance with details to be circulated at the meeting.

A report of the Director of Policy and Democratic Engagement on the review of the allocation of seats on the Council's Committees is published with this agenda.

8. NOTICE OF MOTION REGARDING "STOPPING GENOCIDE IN GAZA" - GIVEN BY COUNCILLOR ALEXI DIMOND AND TO BE SECONDED BY COUNCILLOR MALEIKI HAYBE

That this Council:-

(a) notes:-

- (i) its unanimous vote in September 2019 to recognise Palestine as a sovereign state, the first Council to do so;
- (ii) that East Jerusalem, the West Bank, the Golan Heights and Gaza are illegally occupied by Israel; and that Gaza has been subject to 16 years of blockade;
- (iii) that the Israeli government has been withholding essential resources from Gaza and what UN Experts have described as "destroying or damaging homes, hospitals, markets and UN Reliefs and Works Agency (UNRWA)" and that Amnesty International has "documented unlawful Israeli attacks, including indiscriminate attacks, which caused mass civilian casualties and must be investigated as war crimes";
- (iv) that under Article II of the Convention on the Prevention and Punishment of the Crime of Genocide, genocide is defined as certain acts "committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group" and that, under Article I, the UK has confirmed that genocide is a crime under international law which it undertakes to prevent and to punish;
- (v) the UK, at the UN Security Council on 18 October 2023, refused to vote for "humanitarian pauses" to deliver lifesaving aid to millions in Gaza; and

(vi) Human Rights Watch, Amnesty International, B'tselem and the South African government recognise that the state of Israel is enacting a system of apartheid;

(b) believes:-

(i) all atrocities committed against civilians must be condemned and investigated;

(ii) all forms of racism, including anti-Palestinian racism, antisemitism and Islamophobia have no place in our city and condemns any attacks on Palestinian, Jewish or Muslim people;

(iii) Sir Keir Starmer was wrong to say, in an interview with LBC radio, that Israel "does have that right" to withhold food, water and electricity from Gaza, and he should apologise and retract this statement supporting collective punishment;

(iv) all political leaders have a responsibility to try to prevent genocide; and

(v) the only one way to secure peace between Israelis and Palestinians is for a just political settlement based on the end of the occupation of Palestinian territories and an end to what one UN Special Rapporteur has described as "apartheid practices", and another has described "settler-colonialism" and "ethnic cleansing";

(c) regrets flying the Israeli flag from the Town Hall; and

(d) therefore resolves to:-

(i) call upon the UK Government to:-

(i) call for an immediate ceasefire and to vote for this at the UN;

(ii) cease all arms sales to Israel and end military aid for Israel; and

(iii) call on Israel to resume negotiations with the Palestinians;

(ii) request that the Chief Executive submits this Motion to the UK Government; and

(iii) request that the Strategy and Resources Policy Committee consider whether the Council should join the Sheffield Coalition Against Israeli Apartheid.

9. NOTICE OF MOTION REGARDING "PROTECTED CHARACTERISTICS FOR CARE EXPERIENCED PEOPLE" - GIVEN BY COUNCILLOR DAWN DALE AND TO BE SECONDED BY COUNCILLOR JAYNE DUNN

That this Council:-

- (a) notes the campaign to make care experience a protected characteristic and the drive to extend Corporate Parenting beyond Children's Social Care;
- (b) notes the Council has:-
 - (i) developed a Voice and Influence Team which employs a group of Care Experienced Young People to deliver a range of consultation, training, and scrutiny activities to ensure the voice of Children in Care and Care Experienced Young People are central to service development and decision making;
 - (ii) a "Staying Close" project to enable Care Leavers to enjoy enhanced support to independence;
 - (iii) continued to support friendships and tackle loneliness with a programme of free activities and events;
 - (iv) implemented a new Pathway Plan snapshot document; this enables Care Leavers to clearly see their agreed plan as they transition to independence;
 - (v) developed a range of work experience, training and apprenticeship offers for Care Experienced young people; and
 - (vi) provided a full Tenancy Ready Programme to prepare Care Experienced young people for managing their own accommodation and award priority status to Care Leavers;
- (c) believes:-
 - (i) that despite the resilience of Care Experienced people, society too often does not take their needs into account;
 - (ii) Care Experienced people often face discrimination and stigma across housing, health, education, relationships, employment and in the criminal justice system;
 - (iii) as corporate parent, the Council has a responsibility to provide the best possible care and safeguard children who

are looked after by us as an Authority;

- (iv) Councillors should be champions of our looked after children and young people and challenge the negative attitudes and prejudice that exist; and
 - (v) the Public Sector Equality Duty requires public bodies, such as councils, to eliminate unlawful discrimination, harassment and victimisation of people with protected characteristics; and
- (d) therefore resolves to request that the Strategy and Resources Policy Committee, as part of the forthcoming Equalities Framework, consider:-
- (i) introducing a requirement that, when making any policy decisions, the Council recognises Care Experienced people are a vulnerable group who face discrimination;
 - (ii) treating care experience as if it were a Protected Characteristic so that future services and policies consider care experience through Equality Impact Assessments;
 - (iii) putting the needs of vulnerable people at the heart of decision-making through co-production and collaboration; and
 - (iv) calling upon all other bodies to adopt corporate parenting for children in care and care experienced people until such time as it may be introduced by legislation.

10. NOTICE OF MOTION REGARDING "REGULATING THE SUPPORTED ACCOMMODATION SECTOR" - GIVEN BY COUNCILLOR PENNY BAKER AND TO BE SECONDED BY COUNCILLOR SOPHIE THORNTON

That this Council:-

- (a) notes with alarm the significant projected overspend of £8.4m due to a shortfall in DWP subsidy for our Housing Benefit bill, which has increased rapidly, and specifically:-
 - (i) notes that £4.9m of this overspend is due to increased Council homeless placements in B&B's and hotels, and reaffirms its support for increasing social housing stock, work on void performance, and working with partner organisations to expand available housing to relieve homelessness; and

- (ii) notes that £3.5m of this overspend is due to increased numbers of people using exempt Supported Accommodation (SA), which is not commissioned by the Council or regulated by the Regulator of Social Housing (RSH), and notes that £2.6m of the overspend within supported accommodation is due to placements by a single provider, which has reportedly provided just one hour of support to residents per fortnight;
- (b) notes that:-
 - (i) serious concerns have been raised around the quality of support provided in the unregulated Exempt SA sector, with a Select Committee report stating that *“in the worst instances the system involves the exploitation of vulnerable people who should be receiving support, while unscrupulous providers make excessive profits by capitalising on loopholes [...] all paid for by taxpayers through housing benefit”*; and
 - (ii) despite limited information due to a nationwide lack of regulation, similar concerns have been raised within Sheffield, with one former provider perpetrating *“institutional financial abuse of residents”*, and one large currently operating provider prosecuted for providing *“unsafe and unsatisfactory accommodation”*;
- (c) believes that quality SA is necessary to support residents and relieve the crisis in homeless provision, however, believes that low quality supported accommodation is seriously harmful to vulnerable people and detrimental to the Council’s finances;
- (d) notes incoming new Local Authority powers from the Supported Housing (Regulatory Oversight) Act (subject to consultation), including:-
 - (i) an obligation to develop a SA strategy; and
 - (ii) a potential discretionary power to introduce a licensing scheme for exempt SA; and
- (e) therefore, resolves to ask the Housing Policy Committee to:-
 - (i) engage with Government consultation and consider supporting the introduction of a SA licensing scheme in Sheffield;
 - (ii) consider investigating whether the largest exempt accommodation providers are providing quality support for vulnerable people, and value for money for Sheffield taxpayers;
 - (iii) consider whether to introduce a policy to require future

tendered services to avoid referring into non-registered exempt supported accommodation where possible; and

- (iv) consider writing to the Government requesting reform to Housing Benefit subsidy regulations to remove this financial burden.

11. NOTICE OF MOTION REGARDING "STOPPING THE CONSERVATIVE GOVERNMENT SEWAGE POLLUTION SCANDAL" - GIVEN BY COUNCILLOR ALISON NORRIS AND TO BE SECONDED BY COUNCILLOR RUTH MILSOM

That this Council:-

(a) notes that:-

- (i) under this Government, water companies have polluted waters and coastal waters across the country with filthy raw sewage;
- (ii) people are appalled by disgusting sewage discharges into our rivers and coastal waters;
- (iii) this Government has slashed the monitoring of water pollution, enforcement actions and prosecutions;
- (iv) in Parliament, Conservative MPs have consistently failed to support tougher measures to stop the sewage scandal;
- (v) in 2022, there were 1335 spills counted in Penistone and Stocksbridge constituency lasting for 7,161 hours; and the local Conservative MP, Miriam Cates, has voted against ending the sewage scandal; and
- (vi) sewage and pollution in our rivers and coastal waters harm wildlife, hurt the visitor economy and can cause illness;

(b) believes that:-

- (i) the people of Sheffield are proud of our rivers and deserve high quality water standards;
- (ii) people using and enjoying our rivers and waterways – wild swimmers, anglers, walkers, kayakers – should not have to put up with sewage and pollution in our waters;
- (iii) volunteer ‘river ranger’ groups in Sheffield that monitor the health of our rivers do amazing work and deserve our praise

and thanks;

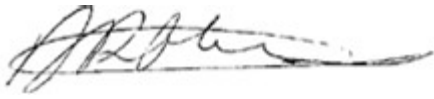
- (iv) it is a sad state of affairs that citizens have felt compelled to take action themselves to monitor sewage and pollution in our water due to government inaction;
 - (v) high profile campaigners like Feargal Sharkey and Paul Whitehouse have done excellent work to raise awareness about sewage in our rivers;
 - (vi) we need mandatory monitoring of sewage outlets; automatic fines for sewage discharges, with tough penalties for water companies whose outlets do not have monitoring in place, and ambitious targets to cut illegal discharges through sewage outflows and clean up our rivers, streams, and seas once and for all; and
 - (vii) Ofwat, the regulator, should be given the powers to ban the payment of bonuses to water bosses who are found to pump significant levels of raw sewage into our precious rivers, lakes and seas; and
- (c) resolves to ask the Government to:-
- (i) clean up our rivers and end the sewage scandal;
 - (ii) make polluters pay and to work with the Environment Agency and our other partners to identify, monitor and report pollution; and
 - (iii) hold Yorkshire Water to account to ensure they are investing in our water infrastructure and improving water quality.

12. APPOINTMENT TO CHIEF OFFICER POST : APPROVAL OF SALARY PACKAGE

To approve, with or without amendment, the recommendations in the report of the Chief Operating Officer, published with this agenda, seeking approval to the salary package for the new post of Director of People and Culture.

13. MEMBERSHIPS OF COUNCIL BODIES, REPRESENTATIVES TO SERVE ON OTHER BODIES 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, which may be proposed at the meeting.



David Hollis
General Counsel

Dated this 24 day of October 2023

The next ordinary meeting of the Council will be held on 6 December 2023 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 Policy Committees, 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 Standards Committee in relation to a request for dispensation.

Further advice can be obtained from David Hollis, General Counsel by emailing david.hollis@sheffield.gov.uk.

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SHEFFIELD CITY COUNCIL Report to Council

Report of: Director of Policy and Democratic Engagement

Date: 1st November 2023

Subject: Review Of Allocations Of Seats On Council
Committees

Author of Report: Jason Dietsch, Head of Democratic Services

Purpose of Report:

This report provides details of a review of the allocation of seats on the Council's Committees following a change to the composition of the Council arising from the establishment, on 14th October 2023, of a new political group on the Council (the Sheffield Community Councillors Group).

Recommendations: That the Council:-

- (a) notes the information set out in the report on the review of the allocation of seats on the Council's Committees;
 - (b) notes the initial allocation of seats to political groups on individual committees before final adjustment, as set out in Appendix 1 of the report; and
 - (c) agrees (i) the final adjustments of seats to ensure that each group has the required number of seats overall in comparison to the total number of seats available on all committees to reflect their composition on the Council as a whole, in accordance with the schedule to be circulated at the meeting and (ii) the appointment of Members to committees to reflect the wishes of the political groups, in accordance with the schedule to be circulated at the meeting and including substitutes where appropriate.
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Background Papers:

1. Constitution of Sheffield City Council.
 2. Establishment of Council Committees in 2023/24 and Appointment of Members to Serve on those Committees - Report submitted to the annual meeting of the Council on 17th May 2023.
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Category of Report: OPEN

Statutory and Council Policy Checklist

Financial & Commercial Implications
NO Cleared by: Matthew Ardern
Legal Implications
YES Cleared by: Petra Der Man
Equality of Opportunity Implications
NO Cleared by: Adele Robinson
Climate impact
NO
Tackling Health Inequalities Implications
NO
Human rights Implications
NO
Economic impact
NO
Community safety implications
NO
Human resources implications
NO
Property implications
NO
Area(s) affected
None
Is the item a matter which is reserved for approval by the City Council?
YES
Press release
NO

1. Introduction

- 1.1 This report outlines the requirements set out in the Local Government and Housing Act 1989 to allocate seats on Council Committees to political groups on a politically proportionate basis. The Local Government (Committees and Political Groups) Regulations 1990 require local authorities to review the allocation of seats to political groups as soon as practicable after a change to the political groups, or a change of membership of a group, on the Authority.
- 1.2 The report provides details of the updated political composition of the Council resulting from the establishment, on 14th October 2023, of a new political group on the Council (the Sheffield Community Councillors Group), and contains a review of the allocation of seats on the Council's Committees in the light of that change to the composition of the Council and based on the Committees (and their sizes) which were approved at the annual meeting of the Council on 17th May 2023 for operation in the Municipal Year 2023-24. There are a total of 180 seats across all the Council's Committees that are subject to political proportionality.
- 1.3 The current Council Committees, their terms of reference, and the functions delegated to them, are set out in Part 3.3 of the Council's Constitution (Matters Delegated To Council Committees And Sub-Committees).

2. Political Balance

- 2.1 The political balance requirements of the Local Government and Housing Act 1989 ("the Act") and the Local Government (Committees and Political Groups) Regulations 1990 ("the Regulations") apply, with some limited exceptions, to any committees and sub-committees established under the Constitution. The allocation of seats on committees must be determined so that each political group gets the same proportion as the number of their members to the total membership of the Authority. The political balance statutory provisions do not apply to a statutory Licensing Committee established under the Licensing Act 2003, but the political balance rules do apply to a Licensing Committee when it is discharging other regulatory functions. In addition, the Regulations provide that the political balance rules do not apply to a Local Area Committee whose voting members are all Members of the Council elected for the electoral wards within the area of the committee and which discharges functions only in respect of that particular area. The Health and Wellbeing Board is also exempt from the requirement for political balance.
- 2.2 The Council has a duty when allocating or reviewing the allocation of seats on committees to give effect, so far as is reasonably practicable, to the following four principles:-
 - (i) that not all the seats on the committee are allocated to the same political group;

(ii) that the majority of the seats on the committee is allocated to a particular political group, if the number of persons belonging to that group is a majority of the Authority's membership (no group on Sheffield City Council currently satisfies this criterion);

(iii) subject to the above two principles, that the total number of seats on the ordinary committees of the Authority are allocated to each political group in the same proportion as the group's membership of the Authority; and

(iv) subject to the above three principles, the number of seats on each committee are allocated to each political group in the same proportion as the group's membership of the Authority.

2.3 Alternative arrangements which depart entirely from political proportionality could only be put in place provided the Council votes for this without any Member voting against such a Motion. In practice, arrangements will never be perfectly politically proportionate, due to the need to appoint whole people to committees. The legislation allows for this within the boundaries of what is 'reasonably practicable' without therefore requiring an unopposed vote.

2.4 Regulation 16 of the Regulations clarify the allocation and appointment duties for cases where some Members are members of political groups and others are not, and require that:-

- allocation of seats is determined so that each group gets the same proportion of the total number of seats as the proportion of their group members to the total number of members of the authority;
- appointment to 'spare' seats (not allocated by that determination) must be to non-grouped members.

There is no statutory requirement that all Members must have a proportionate number of, or indeed any, seats. However, Sheffield City Council does make provision (under Council Procedure Rule 25.6) for every Member of the Council to be appointed a member of at least one Policy Committee or Regulatory Committee, unless otherwise determined by the Council. Furthermore, the Council chooses to provide a proportionate number of seats to its non-grouped members (Councillors Lewis Chinchen and Sophie Wilson) by sharing the 'spare' seats equally between them.

3. Composition of the Council

3.1 Following the municipal elections held on 4th May, 2023, the composition of the Council remained unchanged from the position in 2022/23. The Council had 3 political groups - the Labour Group with 39 Members (which included 12 Labour and Co-operative Party Members); the Liberal Democrat Group with 29 Members; and the Green Group with 14 Members. There were also two Councillors who were not members of any group on the Council - Councillor Lewis Chinchen, a Conservative Party

candidate who was elected in May 2021 in the Stocksbridge and Upper Don Ward, and Councillor Sophie Wilson, representing the Park and Arbourthorne Ward, who serves as an independent Member.

3.2 On 4th October 2023, Councillors Tony Damms, Denise Fox, Terry Fox, Julie Grocutt, Dianne Hurst, Bryan Lodge and Garry Weatherall gave notice that they had resigned from the Labour Group on the Council with immediate effect. On 14th October 2023, those seven Elected Members formed a new political group on the Council (to be known as the Sheffield Community Councillors). On 20th October 2023, Councillor Paul Wood gave notice of his resignation from the Labour Group on the Council and that he had joined the Sheffield Community Councillors Group.

3.3 This means that the new composition of the Council, and percentage allocation, is as follows:-

Labour Group	$31 \div 84 \times 100$	=	36.91%
Liberal Democrat Group	$29 \div 84 \times 100$	=	34.52%
Green Group	$14 \div 84 \times 100$	=	16.67%
Sheffield Community Cllrs Group	$8 \div 84 \times 100$	=	9.52%
Cllr Lewis Chinchen	$1 \div 84 \times 100$	=	1.19%
Cllr Sophie Wilson	$1 \div 84 \times 100$	=	1.19%

3.4 This is the percentage allocation that has to be applied in order to address the requirements of the third and fourth principles set out in (iii) and (iv) of paragraph 2.2 above.

4. Allocation Of Seats On Committees To Political Groups

4.1 In order to address the political balance requirements in the correct priority order, it is necessary to determine the total number of seats to be included in the overall calculation. The percentage allocation set out in paragraph 3.3 is then applied to that total number of seats, resulting in total overall seat allocations being awarded to each political group and to any individual Councillors who are not a member of a group.

4.2 The arrangements approved by the Council at its annual meeting on 17th May 2023, provided a total of 180 seats across all the Council's Committees that are subject to political proportionality. The committees included in the overall proportionality calculations were the eight Policy Committees (and their two standing Sub-Committees – Health Scrutiny & Charity Trustee), the Finance Committee, the two Regulatory Committees (Planning & Highways Committee and the [Regulatory] Licensing Committee), Audit & Standards Committee, Governance Committee, Admissions Committee, Senior Officer Employment Committee and the Appeals and Collective Disputes Committee.

4.3 The previous entitlements to seats on those Committees were 84 (Labour), 62 (Liberal Democrat), 30 (Green), 2 (Cllr Chinchen) & 2 (Cllr Wilson).

4.4 Assuming that total number remains at 180 seats, the allocation based on the new composition is:-

Labour Group	180 x 36.91% = 66.44
Liberal Democrat Group	180 x 34.52% = 62.14
Green Group	180 x 16.67% = 30.01
Sheffield Community Councillors Group	180 x 9.52% = 17.13
Cllr Lewis Chinchen	180 x 1.19% = 2.14
Cllr Sophie Wilson	180 x 1.19% = 2.14

This gives 179 seats based on whole number allocation (66+62+30+17+2+2) so the Group with the highest part whole number gets an additional seat. That is the Labour Group (.44).

The new allocations are therefore 67 (Labour), 62 (Liberal Democrat), 30 (Green), 17 (Sheffield Community Councillors), 2 (Cllr Chinchen) and 2 (Cllr Wilson).

4.5 The entitlements of the Liberal Democrat Group, the Green Group and Cllrs Chinchen & Wilson are unaffected, based on retaining 180 seats in total. The 17 seats to be allocated to the Sheffield Community Councillors Group are from the Labour Group allocation, reducing that Group's entitlement from 84 seats to 67 seats.

4.6 In relation to the fourth political balance principle (the number of seats on each committee are allocated to each political group in the same proportion as the group's membership of the Authority), for each individual committee, the number of seats on the committee are initially allocated in the same proportion as the group's representation on the Council. For example, on a committee with 13 seats available for allocation this would be calculated as follows:-

Divide the number of seats available on the committee between the groups in the same proportion as the number of seats a group has on the Council:-

Labour Group	$31 \div 84 \times 13$	=	4.80
Liberal Democrat Group	$29 \div 84 \times 13$	=	4.49
Green Group	$14 \div 84 \times 13$	=	2.17
Sheffield Community Cllrs Group	$8 \div 84 \times 13$	=	1.24
Cllr Lewis Chinchen	$1 \div 84 \times 13$	=	0.15
Cllr Sophie Wilson	$1 \div 84 \times 13$	=	0.15

This shows that 11 seats are allocated based on whole number allocation - 4 to the Labour Group, 4 to the Liberal Democrat Group, 2 to the Green Group and 1 to the Sheffield Community Councillors Group. 2 seats remain for allocation and are awarded on the highest decimal part claim, i.e. to the Labour Group (.80) and to the Liberal Democrat Group (.49), giving an overall allocation of 5 : 5 : 2 : 1 : 0 : 0 seats (Labour : Liberal Democrat : Green : SCC : Chinchen : Wilson), being the total of 13 available for allocation.

- 4.7 Once the initial allocation of seats has been applied to each of the committees to be included in the overall proportionality calculations, the total number of seats allocated via this process to each political group and to any individual Councillors who are not a member of a group, is calculated. These total initial seat allocations are then compared with the total allocations awarded under the calculation made on the total number of seats (in relation to the third political balance principle), and appropriate adjustments made to the allocations on individual committees to ensure that the third principle is met (i.e. that the total number of seats on the ordinary committees of the Authority are allocated to each political group in the same proportion as the group's membership of the Authority).
- 4.8 Appendix 1 to this report (Initial Allocation Of Committee Seats) shows the initial allocation, in accordance with proportionality rules, of seats to each political group on each of the committees that are subject to political proportionality. This also shows that, in order to ensure that each political group has their correct entitlement of seats across all the committees, adjustments will need to be made to these initial allocations by the groups agreeing to give up/take on seats on particular committees.
- 4.9 To achieve the required overall proportionality, the following adjustments need to be made to the initial allocation:-
- Labour Group must gain 1 seat
 - Liberal Democrat Group must gain 1 seat
 - Green Group must lose 6 seats
 - Councillor Chinchin must gain 2 seats *
 - Councillor Wilson must gain 2 seats *
- * at least one of which needs to be on a Policy Committee or Regulatory Committee (in accordance with Council Procedure Rule 25.6), which states that "Every Member of the Council shall be appointed a member of at least one Policy Committee or Regulatory Committee, unless otherwise determined by the Council." Councillors Chinchin and Wilson can choose not to be appointed to serve on any Policy or Regulatory Committee, if they so wish.
- There are no adjustments required to be made in relation to the seats allocated to the Sheffield Community Councillors Group.
- 4.10 Those six adjustments of seats need to be on six separate Committees in order to give effect, so far as is reasonably practicable, to the fourth political balance principle (the number of seats on each committee are allocated to each political group in the same proportion as the group's membership of the Authority).
- 4.11 A schedule detailing the final seat allocations, incorporating the required adjustments, will be supplied at the Council meeting for approval, together with revised appointments of Councillors to give effect to the new seat allocations.

5. Risk Analysis and Implications of the Recommendations

5.1 Legal Implications

- 5.1.1 The legal implications for a review of the political composition of the membership of the Council's Committees are contained within the body of this report.

5.2 Financial and Commercial Implications

- 5.2.1 There are no financial or commercial implications. Under the Council's Members' Allowances Scheme, special responsibility allowances (SRAs) are paid for certain roles, such as being a Chair or Deputy Chair of a Policy or Regulatory Committee, but the review of seat allocations based on the Council's existing committee structure will not impact on those allowances.

5.3 Equality of Opportunity Implications

- 5.3.1 There are no equality of opportunity implications arising from the review of seat allocations on the Council's Committees.

6. ALTERNATIVE OPTIONS CONSIDERED

- 6.1 'Do nothing' is not an option for the Council. It is under a legal obligation to review the allocation of seats to political groups as soon as practicable after a change to the political groups, or a change of membership of a group, on the Authority.
- 6.2 Alternative arrangements which depart entirely from political proportionality could only be put in place provided the Council votes for this without any Member voting against. No such alternative arrangements are being proposed.
- 6.3 The six adjustments of seats that need to be made on six separate Committees, as mentioned in paragraph 4.9 and showing in Appendix 1, could be determined by identifying the largest variances within the initial allocations, i.e. the strict application of proportionality. However, an alternative proposal accommodating the preferences of the political groups as part of a politically proportionate scheme, would be acceptable, if it is able to be agreed by full Council, and the legislation allows for this within the boundaries of what is 'reasonably practicable' without requiring an unopposed vote.
- 6.4 The Council could decide to change the sizes of one or more of its Committees if it determined there was good reason to do so for political or practical expediency. This would necessitate a recalculation of the total and initial allocations of seats in light of the revised size/s.

7. REASONS FOR RECOMMENDATIONS

- 7.1 The recommendations in the report enable the Council to comply with the requirements set out in the Local Government and Housing Act 1989, to allocate seats on Council Committees to political groups on a politically proportionate basis.

James Henderson
Director of Policy and Democratic Engagement

Appendix 1

Initial Allocation Of Committee Seats, in accordance with proportionality rules (November 2023)

Group name -->		Labour		Liberal Democrat		Green		Lewis Chinchon (Con)		Sophie Wilson (Ind)		Sheffield Community Councillors		TOTAL
Seats on Council -->		31		29		14		1		1		8		84
Total entitlement to seats on politically proportionate committees	180	67		62		30		2		2		17		0
Overall allocation of seats on politically proportionate committees	180		66		61		36		0		0		17	0
Cttee name	Cttee size	exact entitlement on committee	proposed allocation on committee	exact entitlement on committee	proposed allocation on committee	exact entitlement on committee	proposed allocation on committee	exact entitlement on committee	proposed allocation on committee	exact entitlement on committee	proposed allocation on committee	exact entitlement on committee	proposed allocation on committee	Variation between number of seats available and number of seats allocated
Strategy & Resources Policy Committee	11	4.06	4	3.80	4	1.83	2	0.13	0	0.13	0	1.05	1	0
Adult Health & Social Care Policy Committee	9	3.32	3	3.11	3	1.50	2	0.11	0	0.11	0	0.86	1	0
Communities Parks & Leisure Policy Committee	9	3.32	3	3.11	3	1.50	2	0.11	0	0.11	0	0.86	1	0
Education, Children & Families Policy Committee	9	3.32	3	3.11	3	1.50	2	0.11	0	0.11	0	0.86	1	0
Economic Development & Skills Policy Committee	9	3.32	3	3.11	3	1.50	2	0.11	0	0.11	0	0.86	1	0
Housing Policy Committee	9	3.32	3	3.11	3	1.50	2	0.11	0	0.11	0	0.86	1	0
Transport, Regeneration & Climate Policy Committee	9	3.32	3	3.11	3	1.50	2	0.11	0	0.11	0	0.86	1	0
Waste & Streetscene Policy Committee	9	3.32	3	3.11	3	1.50	2	0.11	0	0.11	0	0.86	1	0
Finance Committee	9	3.32	3	3.11	3	1.50	2	0.11	0	0.11	0	0.86	1	0
Health Scrutiny Sub-Committee	9	3.32	3	3.11	3	1.50	2	0.11	0	0.11	0	0.86	1	0
Charitable Trusts Sub-Committee	5	1.85	2	1.73	2	0.83	1	0.06	0	0.06	0	0.48	0	0
Planning & Highways Committee	13	4.80	5	4.49	5	2.17	2	0.15	0	0.15	0	1.24	1	0
Licensing Committee	15	5.54	6	5.18	5	2.50	3	0.18	0	0.18	0	1.43	1	0
Audit & Standards Cttee	7	2.58	3	2.42	2	1.17	1	0.08	0	0.08	0	0.67	1	0
Governance Committee	11	4.06	4	3.80	4	1.83	2	0.13	0	0.13	0	1.05	1	0
Admissions Cttee	7	2.58	3	2.42	2	1.17	1	0.08	0	0.08	0	0.67	1	0
Senior Officer Employment Cttee	15	5.54	6	5.18	5	2.50	3	0.18	0	0.18	0	1.43	1	0
Appeals and Collective Disputes Cttee	15	5.54	6	5.18	5	2.50	3	0.18	0	0.18	0	1.43	1	0
Variance between rounded overall entitlement to seats and overall allocations of seats	0													0

Total entitlement to seats on politically proportionate committees - After rounding, Labour has largest part entitlement (of 0.43) to the final seat.

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SHEFFIELD CITY COUNCIL Report to Council

Report of: Claire Taylor, Chief Operating Officer

Date: 1 November 2023

Subject: Appointment to Chief Officer Post – Approval of Salary Package

Author of Report: Caroline Nugent (Interim Director of People and Culture)
Tel: 0114 273 4081

Purpose of Report:

This report asks Council to consider the salary package and to approve this on the basis that the salary package is proposed to be above £100k.

Recommendations: That the Council:-

- (a) notes the salary package
- (b) approves the proposed total salary range for the permanent post of Director of People and Culture, which is above £100,000 per annum.

Background Papers: NONE

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial & Commercial Implications
YES
Legal Implications
YES
Equality of Opportunity Implications
NO
Climate impact
NO
Tackling Health Inequalities implications
NO
Human Rights implications
NO
Economic impact
NO
Community Safety implications
NO
Human Resources implications
YES
Property implications
NO
Area(s) affected
NONE
Is the item a matter which is reserved for approval by the City Council?
YES
Press release
NO

1. INTRODUCTION & BACKGROUND

1.	<p>The Director of People and Culture role is new and has more strategic responsibilities than the previous role of Director of HR and Employee Engagement and will be key in supporting the transformational aspirations of the Council.</p> <p>It is not a replacement of the Director of HR and Employee Engagement role, which is published in the Council's Pay Policy Statement, Annexe 1 as Director Grade (DG) 4 £94,022 to £97,396</p>
2	<p>The Council's Pay Policy Statement was approved by the Council at its Budget meeting held on 1 March 2023. Annexe 1 of the Statement sets out the officer posts which are covered by the Policy Statement. As the post being recruited to is a new role, it is not listed in Annexe 1.</p>
3.	<p>It is the policy of this authority to establish a remuneration package for each Chief Officer post that is sufficient to attract and retain staff who have the appropriate skills, knowledge, experience, abilities, and qualities that is consistent with the authority's requirements for the post in question at the relevant time. Grading decisions are determined through a process of Job Evaluation which assesses the key factors of each role.</p>
4.	<p>The Pay Policy Statement also states, at paragraph 25, that "the Authority will ensure that, at the latest before an offer of appointment is made, any salary package for any post (not including schools) that is in excess of £100k will be considered by full Council. The salary package will be defined as base salary, any fees, routinely payable allowances, and benefits in kind that are due under the contract." In preparing its Pay Policy Statement, the Council has had regard to the Department for Communities and Local Government's guidance under Section 40 of the Localism Act 2011, <i>Openness and Accountability in Local Pay</i>.</p> <p>Council is asked to approve the salary package:</p> <p>Director of People and Culture: DG 3 £99,784 to £106,960. This is the job evaluated grade for the role.</p>
5.	<p>The Senior Officer Employment Sub-Committee concluded final interviews on 10 October 2023. In relation to these recruitment exercises, the Senior Officer Employment Sub-Committee has the authority to appoint a Chief Officer. After the offer of appointment has been accepted, the appointment will be reported to the next available meeting of the Council for information.</p>
6.	<p>To secure the appointment of the successful applicant, it is proposed to offer the salary at the maximum point £106,960. The Chief Executive has delegated authority, in line with the published Pay Policy delegations, to finalise the pay discussions and agree the final remuneration package.</p>

3.	RISK ANALYSIS & IMPLICATIONS
3.1	<u>Legal Implications</u>
3.1.1	<p>The Council has published its current Pay Policy Statement in accordance with sections 38 - 43 of the Localism Act 2011. Paragraph 8 of the Council's Pay Policy Statement provides that, "It is the policy of this authority to establish a remuneration package for each Chief Officer post that is sufficient to attract and retain staff of the appropriate skills, knowledge, experience, abilities and qualities that is consistent with the authority's requirements of the post in question at the relevant time." the latest before an offer of appointment is made, any salary package for any post (not including schools) that is in excess of £100k will be considered by Full Council." The salary package "...will be defined as base salary, any fees, routinely payable allowances and benefits in kind that are due under the contract".</p> <p>The Guidance, made under s.40 of the Localism Act 2011, requires that councils seek approval of payments of salary and benefit packages in excess of £100,000. This guidance is reflected in the Council's statutory Pay Policy Statement which requires that all pay and benefits packages in excess of £100,000 are approved by full Council.</p> <p>Pursuant to the Equality Act 2010, ["the Act"] the Council must in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act, • Advance equality of opportunity between people who share a protected characteristic and those who do not, • Foster good relations between people who share a protected characteristic those who do not. <p>The Council's recruitment practices including both salary and recruitment packages are tailored to address the provisions of the Equality Act 2010 requirements.</p>
3.2	<u>Financial and Commercial Implications</u>
3.2.1	The post is within the budgeted establishment and provision has been made to fund the salary on appointment.
3.3	<u>Equality of Opportunity Implications</u>
3.3.1	This is a vacant post, which we recruited to. We positively promote the Council as an employer of choice and encourage diversity by ensuring

	that our recruitment practices are designed to attract and recruit talented people from all sections of the community. The resourcing approach taken, was to ensure a diverse range of applicants were available for the Senior Officer Employment Sub-Committee to interview and the Council was successful in achieving this.
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4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 This role has been evaluated to establish the job rate and salary for the role.

5. REASONS FOR RECOMMENDATIONS

- 5.1 Based on the job evaluation, it is recommended that Full Council approves this salary package, which is above £100,000.

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