

Agenda Item 7



Author/Lead Officer of Report: Jayne Foulds

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Report of: Jayne Foulds, South East Community Services Manager and Nik Hamilton, South East Head of Communities

Report to: South East Local Area Committee

Date of Decision: 28th September 2021

Subject: Authorisation of the Community Services Manager to take decisions on behalf of the Committee

Is this a Key Decision? If Yes, reason Key Decision:-	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
- Expenditure and/or savings over £500,000	<input type="checkbox"/>	
- Affects 2 or more Wards	<input type="checkbox"/>	
Which Executive Member Portfolio does this relate to? Community Engagement and Governance		
Which Scrutiny and Policy Development Committee does this relate to? <i>Overview and Scrutiny Management Committee</i>		
Has an Equality Impact Assessment (EIA) been undertaken in respect of this decision?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If YES, what EIA reference number has it been given? <i>(Insert reference number)</i>		
Does the report contain confidential or exempt information?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-		
<i>"The (report/appendix) is not for publication because it contains exempt information under Paragraph (insert relevant paragraph number) of Schedule 12A of the Local Government Act 1972 (as amended)."</i>		

Purpose of Report:

The Leader made a decision on 17th August 2021 to allocate a budget of £100,000 to each Local Area Committee and a request has been made to the Leader that his Scheme of Delegation of Executive Functions be amended to give Local Area Committees the power to approve expenditure from the budgets allocated to them.

This report sets out the mechanism for the Committee to enable decisions to be taken quickly and to respond to emerging issues by authorising the Community Services Manager to make decisions on expenditure between Committee meetings, subject to certain conditions.

Recommendations:

It is recommended that the South East Local Area Committee:

Authorises the Community Services Manager to make decisions on expenditure from any budgets allocated to the Local Area Committee provided that:

- The decision is taken in consultation with the Local Area Committee Chair
- Spending is in line with any specific purposes of the allocated budget
- The decision may not approve expenditure of more than £5,000
- A report detailing the delegated spending decisions taken by the Community Services Manager is presented to the next Local Area Committee meeting.

Background Papers:

(Insert details of any background papers used in the compilation of the report.)

None

Lead Officer to complete:-	
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.
	Finance: Kayleigh Inman
	Legal: Andrea Simpson
	Equalities: Adele Robinson
Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.	
2	Head of Service who approved submission: Nik Hamilton
3	LAC Chair consulted: Cllr Tony Downing
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the Head of Service indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.
	Lead Officer Name: Jayne Foulds
	Job Title: South East Community Service Manager
Date: 21st September 2021	

1. PROPOSAL

- 1.1 At its Extraordinary Meeting on 18th March 2021 Full Council agreed to establish seven Local Area Committees and approved in principle proposals concerned with empowering communities including that the Administration would provide extra money for communities.

The Leader made a decision on 17th August 2021 to provide a budget of £100,000 to each Local Area Committee to be spent in line with its community plan.

As Local Area Committees are further developed and additional powers are devolved to the committees, additional budgets may also be devolved directly to the committees for specific purposes.

- 1.2 A request has been made to the Leader that his Scheme of Delegation of Executive Functions be amended to give Local Area Committees the power to approve expenditure from any budgets allocated to them. Local Area Committees can only make a decision in exercise of these powers if are taken at their formal meetings which are scheduled to take place approximately four times per year.

- 1.3 There may be occasions when decisions on expenditure cannot wait until the next meeting. For example, during the early stages additional funding may be required to contribute to the development of the Local Area Community Plan. Later on, funding might be needed to arrange for rapid engagement of local communities on an emerging local issue ahead of a meeting to make decisions on that issue.

It is proposed that in these circumstances the Local Area Committee authorises the Community Services Manager to make decisions on expenditure subject to the following restrictions:

- Spending is limited to a maximum of £5,000 on each occasion
- The decision is taken in consultation with the Local Area Committee Chair
- Spending is in line with any specific purposes of the allocated budget
- A report detailing the delegated spending decisions taken by the Community Services Manager is presented at the next Local Area Committee meeting.

2. HOW DOES THIS DECISION CONTRIBUTE?

- 2.1 Local Area Committees directly support the Communities and Neighbourhoods and Our Council commitments in the 'Our Sheffield: One Year Plan' but to be effective they need to have the capability to respond quickly to emerging local issues.

3. HAS THERE BEEN ANY CONSULTATION?

3.1 There has been no consultation on this decision, and none is required.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

4.1.1 Decisions need to consider the requirements of the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010.

This is the duty to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The Equality Act 2010 identifies the following groups as a protected characteristic: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation.

4.1.2 The overall impact of this decision is likely to be positive and not disproportionate from an equality, diversity and inclusion perspective. Local communities will have a far greater say in local decision making for services which impact their daily lives.

The devolution of responsibilities will improve inclusion for local people and the work of the Sheffield Equality Partnership will support and enhance the approach from a citywide and underserved communities' perspective.

4.1.3 However, in order to ensure this approach takes into account people who share protected characteristics under the Public Sector Duties the Local Area Committee Plan will be supported by appropriate equality monitoring of budget and an Equality Impact Assessment for each area.

An Equality Impact Assessment (EIA 916) was also carried out in respect of the establishment of Local Area Committees.

4.2 Financial and Commercial Implications

4.2.1 There are no additional financial implications. This report is only concerned with decisions made in respect of budgets that have already been allocated to the Local Area Committee.

Procurement of supplies and/or services will be carried out in line with Standing Orders.

4.3 Legal Implications

- 4.3.1 The Local Government Act 2000 provides that the Leader of the Council may arrange for executive functions to be discharged by an area committee and that the area committee may further arrange for a function to be discharged by an officer unless the Leader directs otherwise. The Leader's Scheme of Delegation confirms that area committees are empowered to make arrangements for their delegated functions to be discharged by an officer.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 All decisions relating to budgets allocated to the Local Area Committee could be decided at Formal Committee Meetings only. Whilst this approach would ensure the involvement of all members of the committee, it would mean that decisions to allocate spending for emerging and urgent local issues may not be made in a timely fashion.

6. REASONS FOR RECOMMENDATIONS

- 6.1 The proposal to authorise decisions on any budgets allocated to the Committee can be discharged, in part, by the Community Services Manager will ensure the Committees can respond quickly to emerging local issues.

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