



SHEFFIELD CITY COUNCIL Report to Council

Report of: Director of Legal and Governance

Date: 2 February 2022

Subject: Temporary Change to the Constitution

Author of Report: Jason Dietsch, Head of Democratic & Member Services

Summary:

This report seeks approval for a temporary change to be made to the Council Procedure Rules in Part 4 of the Council's Constitution, to stipulate a limit on the number of budget amendments able to be submitted by each political group for consideration at the Special Meeting of the Council to be held on 2nd March 2022.

Recommendations:

That the Council (a) approves the addition to Section 12 (Amendments to Motions) of the Council Procedure Rules in Part 4 (Rules of Procedure) of the Constitution, as set out in the appendix to this report; and

(b) asks officers to give consideration, in consultation with the leaderships of the political groups on the Council, to the possibility of introducing, for the setting of the budget for 2023/24 onwards, an alternative process for determining the Council's budget, whereby the political groups could submit multiple amendments for consideration by the Council.

Background Papers: NONE

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial Implications
NO Cleared by:
Legal Implications
NO Cleared by:
Equality of Opportunity Implications
NO Cleared by:
Tackling Health Inequalities Implications
NO
Human rights Implications
NO:
Environmental and Sustainability implications
NO
Economic impact
NO
Community safety implications
NO
Human resources implications
NO
Property implications
NO
Area(s) affected
Relevant Scrutiny Committee if decision called in
Not applicable
Is the item a matter which is reserved for approval by the City Council?
YES
Press release
NO

1. Introduction

- 1.1 To ensure an efficient and effective process for setting the budget in March 2022, approval is sought for a temporary change to be made to the Council Procedure Rules contained in Part 4 of the Council's Constitution, to stipulate that no more than one budget amendment may be submitted by each political group for consideration at the Special Meeting of the Council to be held on 2nd March 2022.

2. Proposed Change and Reasons

- 2.1 It is proposed that a new paragraph 12.6 is added to the Council Procedure Rules as follows:-

12.6 For the purposes of the Special Meeting of the Council scheduled to take place on 2 March 2022, and in relation to the item of business to approve a Revenue Budget and Capital Programme, the number of amendments per political group is limited to one and for the avoidance of doubt the limit of one also relates to the political party holding one seat on the Council.

The appendix to this report is the extract of Section 12 of the Council Procedure Rules, and shows this additional paragraph as a tracked change.

- 2.2 The Special Meetings of the Council held at the beginning of March each year to approve the Council's budget for the financial year ahead, have operated in accordance with an accepted convention for a number of years. This is borne out of the practicality of having to deliver a lawful balanced budget within the space of a meeting. The convention is for officers to work with each group to provide them with an alternative budget that they can propose as an amendment to the one approved by the Co-operative Executive. Each of the proposed amendments can only be voted on as a whole amendment to ensure the Council has a workable balanced budget at the end of the meeting. This has worked successfully to deliver certainty around the process for a number of years, however it is not prescribed by the Council Procedure Rules within the Constitution.
- 2.3 One of the political groups has suggested an alternative process for determining the Council's budget, whereby the political groups could submit multiple amendments for consideration by the Council.
- 2.4 This municipal year, the Council is operating under a position of no overall control. Although the Labour and Green Groups have entered into a Co-operation Agreement to form the Council's Executive, this does not mean that those two groups will always vote together at the full Council meetings. This position, combined with the suggestion that multiple amendments be permitted to be submitted by each political group, would lead to complications in modelling potential budget

outcomes if different combinations of amendments were voted through at the budget Council meeting.

- 2.5 It is therefore proposed that in relation to this year's Budget Council meeting, multiple amendments from each political group is not permitted (but is considered in relation to the setting of the budget for 2023/24) and that the previous practice should continue to apply whereby each political group submits just one amendment proposing an alternative budget to the one approved by the Co-operative Executive. As in previous years, officers will model the impact of the main Co-operative Executive budget, and the impact of each Group's amendment singly.
- 2.6 In order to give certainty to the arrangements to be applied in relation to the setting of the 2022/23 budget, it is proposed to make an addition to the Council Procedure Rules to give effect to this.

Extract From The Sheffield City Council Constitution:
Part 4 – Council Procedure Rules

12 Amendments to Motions

12.1 Subject to the provisions of Council Procedure Rules 11, 13 and 17.13, every amendment shall be submitted in writing to the Chief Executive (except for an amendment to any motion not detailed in the Council Summons), by not later than 12 noon on the day preceding the Council Meeting to which it is proposed to be submitted.

12.2 An amendment to a motion must be relevant to the motion and will either be:-

- (i) to refer the matter to an appropriate body or individual for consideration or reconsideration.
- (ii) to leave out words;
- (iii) to leave out words and insert or add others; and
- (iv) to insert or add words, as long as the effect of (ii) to (iv) is not to negate the motion such that it departs from the subject of the motion.

12.3 The Chief Executive may reject an amendment if it:-

- (a) negates the motion such that it departs from the subject of the motion;
- (b) is not a matter for which the Council has a responsibility or which affects the City or its inhabitants;
- (c) is defamatory, frivolous or offensive;
- (d) is substantially the same as a motion or amendment which has been put at a meeting of the Council in the past six months, unless Council Procedure Rule 10.4 has been complied with;
- (e) requires the disclosure of confidential or exempt information; or
- (f) contains information which is factually inaccurate.

12.4 Each amendment shall be numbered and include the names of the Members who propose to move and second the amendment at the meeting, and a copy shall be placed on each Member's desk in the Council Chamber before the commencement of the Council Meeting.

12.5 The names of the mover and the seconder of any motion or amendment may be changed at any time prior to its being spoken upon.

12.6 For the purposes of the Special Meeting of the Council scheduled to take place on 2 March 2022, and in relation to the item of business to approve a Revenue Budget and Capital Programme, the number of amendments per political group is limited to one and for the avoidance of doubt the limit of one also relates to the political party holding one seat on the Council.

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