SHEFFIELD CITY COUNCIL

Governance Committee

Meeting held 6 October 2022

PRESENT: Councillors Sue Alston (Chair), Penny Baker, Christine Gilligan Kubo, Dianne Hurst, Mark Jones, Mary Lea, Mike Levery, Bryan Lodge, Joe Otten and Sioned-Mair Richards (Substitute Member)

1.   APOLOGIES FOR ABSENCE

1.1   Apologies for absence were received from Councillors Julie Grocutt and Mick Rooney.

2.   EXCLUSION OF PUBLIC AND PRESS

2.1   No items were identified where resolutions may be moved to exclude the press and public.

3.   DECLARATIONS OF INTEREST

3.1   There were no declarations of interest made at the meeting.

4.   MINUTES OF PREVIOUS MEETING

4.1   **RESOLVED:** That the minutes of the meetings held on 30 June 2022 were agreed as an accurate record, subject to a typographical error at 5.2 of the minutes. It was the South West LAC (Local Area Committee) that piloted the first hybrid meeting, rather than the South LAC.

4.2   Councillor Otten informed the Committee that Mr Alan Kewley, who attended the previous Governance Committee to ask a public question, had sadly passed away. The Committee sent their condolences to Mr Kewley's family and friends.

5.   PUBLIC QUESTIONS AND PETITIONS

5.1   The Committee received the following public questions, prior to the meeting. These questions were summarised and responded to by the Head of Policy and Partnerships at the meeting. The questions submitted by the member of the public are published in full in these minutes.

5.2   **Questions from Ruth Hubbard**

1. I note the point at 8.3 of the minutes of the meeting of 30th June. I contacted both officers involved as soon as I saw the two reports, to identify my concerns and to ask the wording be withdrawn as otherwise I would feel I had to make a formal complaint. The reports made claim to some "co-design" and that "communities steered and shaped the key building blocks" for changed governance arrangements. I also contacted three other stakeholders to check my understanding, and they concurred with my view that the statements were grossly untrue.

So, I want to thank the officers involved for reporting honestly on this issue and point of disagreement at the last Governance Committee, for acknowledging the language used was excessive, and for apologising.

I also recognise the original statements made might reflect officer hopes and their understanding and expertise as to what would have been best approach and practice for the governance change exercise, but that the Governance Committee expressed no political will or leadership to adopt these approaches. As well as rejecting meaningful and shared work on shaping the new governance arrangements, I also note that this Committee repeatedly rejected the suggestion that the first *review* of the governance changes be seen as a *joint exercise* with stakeholders.

So [QUESTION] I trust and ask that there will be no repeat over-claims further down the road that the review exercise is somehow about co-design, or about communities steering and shaping key building blocks?

> Our ambition is that community involvement is central to our culture and ways of working across the whole council. We recognise, however, that this is going to be something that will require concerted work and effort over a period of time and is not something that we will have embedded in time for this review. That does not take away from our desire to hear from communities about their views on the system and how it is working as part of the review.

2. I note Item 7 of this meeting is on *Planning for the 6 Month Review of New Governance* and that this appears to be a verbal report. [QUESTION A] Does this even provide an adequate opportunity for members of the public and stakeholders to pose questions about the governance review plans?

The Committee did, however, also receive an early report at its last

meeting on 30th June on planning for the review. Webcasting was broken for this meeting so it's difficult to have a full picture of the discussion. However, at para 5.4 a number of quantitative metrics were suggested to inform the review. I apologise for being blunt but I thought the proposed metrics were wholly inadequate (I am happy to explain this to anyone who asks).

[QUESTION B] Is the Committee interested in suggested alternative metrics that relate to its governance principles? (I do not want to do the work this involves if you are not and as my experience over the last year has been of giving huge amounts of time, energy and input to little or no effect, and in trying to do justice to 20000 governance conversations in Sheffield.)

> The intention for Item 7 is to workshop with Members in the Committee meeting today to consider the scope of the review and the key lines of enquiry that we should be undertaking before agreeing the final scope and launching the review in November 2022 (10th Nov Governance Committee). We'd of course welcome insight from stakeholders and citizens ahead of the scope being finalised at the 10th November meeting and indeed, citizens and stakeholders are key to the review and we will make sure there are a range of opportunities for people to contribute throughout.

3. The governance change exercise undertaken last year did not incorporate or address citizen and stakeholder aspirations and agendas for more democratic local governance under a modern committee system. There was no evident will from elected members to discuss the local democracy Sheffield aspires to be, or to draw on all the ideas and expertise of citizens and stakeholders about the different aspects of this and the range of ways our local governance might be democratised and operationalised. When raised in public questions or at the limited extractive consultation sessions, for example, most of these issues were then ignored or repeatedly rejected by the Governance Committee. So the overwhelmingly legal and technical exercise undertaken was very limited, albeit involving much work. Where additional work and discussion has taken place e.g. on co-chairing, and on member development, and on lengths of meetings - whilst important these largely reflect the internal or insular, technical and procedural concerns of elected members and officers rather than those of citizens and stakeholders.

So at this point citizen and community agendas for democratised local governance remain largely untouched and unaddressed, and are not evident or operationalised in the new council constitution.

ONE of these issues is clarity about, and exercise of, citizen rights

(including organisational and administrative issues and public access to information). Or even the ways in which citizens rights might be extended.

Whilst extending citizens rights was not addressed through governance change and remain extremely limited, I have observed the following over the last four months:

- Great variability in practiees for the treatment of public questions (some people giving speeches, others being told to hurry up even with comparatively short questions, some members of the public participating in the meeting, some questions not even read out if people are unable to attend, delayed answers/written answers being promised even when relatively simple questions have been submitted in advance.
- Some late committee reports, sometimes even after deadlines for submitting public questions have passed.
- I have not seen the quality of answers improve overall as much as I would have expected to see (there are some notable exceptions) despite the shift to members of the public submitting questions in advance. The issue of 'not answering questions' is also still there.
- Uncertainty by some chairs and committees when a Chair from one party answers a question and perhaps with other party members wishing to add to these answers. Some public questions turning into substantive committee discussions (but where issues are not on the agenda) – e.g. a 45 minute committee discussion at last Transport, Regeneration and Climate Policy Committee in response to a public question.
- Systems for receiving written replies – I have never had to not follow up for a written reply and this is now also evident in some LAC meetings – "I was promised a written reply in March and I have not received anything." – this leads to public frustration
- Inclusion of statutorily required Independent Members of Committees via webcast, but no apparent equivalent access for members of the public to ask their questions (that could also help deal with some equality of access issues/extend reach to members of the public).
- The poor quality of webcasting (as also mentioned by a member of the public at the last Governance Committee), and the fact it sometimes does not work at all e.g. last Governance Committee and North East LAC 26th July.

[QUESTION As part of its governance review will the Committee at least consider a small dedicated look at this one issue – citizen's rights and improving access to information and participation – even if it is within the very limited footprint of the citizens rights that

apparently exist within the constitution - and to develop an improvement plan.

Yes, elements of this are picked up in the draft scope that the Governance Committee are looking at today and, for example, public questions and accessibility of information about decisions have been suggested by Members as key areas to explore.

4. Some other unaddressed citizen, community and stakeholder issues are much bigger and more chronically embedded in council structures and cultures e.g. this Committee has repeatedly rejected integrating stakeholder input in committee decision making. And the expectation that all committees will use the limited toolkit to support decision-making is obviously misplaced – as far as I can see there has only been one mention in one committee of the toolkit and nor did this mention lead to a decision to actually use this.
Clearly the council has ongoing issues in relation to its relationship with citizens, communities and stakeholders (who are sometimes critical) and for its own decision-making and local governance. I imagine the Street Tree Inquiry will comment or make recommendations in this area and I note that this is also an issue for Sheffield Race Equality Commission.

In the meantime – and since the governance change – we have seen the emergence of a number of difficult community-based issues. These include – but are not limited to – Hillsborough and Tramlines, the Rose Garden Café and the governance of our parks and other important community assets, the Norfolk Park Resident Parking Scheme proposals, and the implementation of Low Traffic Neighbourhoods. These issues have emerged largely in the context of the systematic failure of this Committee to address citizen and community governance concerns through governance transition. One common issue that almost always arises across multiple issues is the exclusion and lack of voice, involvement and influence in early decision-making and in formulating plans.

At some point elected members will have to acknowledge to a greater degree some of the chronic challenges it faces for local governance.

In the meantime [QUESTION A] what happened to the *Involve* final report. This Committee received a rather generic interim report but the last I heard the final report was going to come out for comment to a range of stakeholders who had participated in some consultation (for comment) and then the final report was to come to this Committee. Where is that report?

We accept and apologise for the delay on this – and I should stress that this delay has not been caused by Involve. Involve produced a draft of the report within the agreed timescales along with a series of case studies which builds on an adds depth to the headline summary report that has previously been presented to the Committee. The issue has purely been limited officer capacity to support Involve to get the draft shared. We will share the report with the stakeholders that contributed to it in the next fortnight and its content will be vital to informing the involvement/participation.

5. [QUESTION B] How much did the Council spend on *Involve* and are the outputs and outcomes known? I always felt this money – given the expertise in the city – might have been spent in Sheffield (especially now we have a community wealth building policy) but what has been the value of *Involve* to the city and its citizens and communities?

Its around £25k. As discussed at the last Governance Committee meeting, there is a huge amount for us to do as a council and with communities to ensure that we are genuinely connected to and involving communities in decision making, services and all our work. It is clearly unrealistic that Involve's work alone – no matter how strong – will deliver this alone but as the paper to the June Governance Committee set out, if we want to see real change, we need to listen to our communities and we also need to bring in the best quality expertise from Involve and others to build our skills and build a culture of community involvement in SCC.

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6. PLANNING FOR THE 6 MONTH REVIEW OF NEW GOVERNANCE

6.1 The Committee received a presentation from the Interim Director of Legal and Governance. It was explained that the presentation outlined a proposed approach to shaping the 6-month review.

6.2 The Head of Policy and Partnerships, Laurie Brennan, presented the report to the Committee. The presentation would also be uploaded onto the Council's meeting webpages, following the meeting.

6.3 Members of the Committee were asked to give their views on the whether they thought the outlined approach to the review felt appropriate, whilst going through the presentation.

6.4 Members of the Committee asked questions and made comments, and the key points to note were: -

6.5   In relation to the whole presentation, a Member of the Committee thought the approach felt very Town Hall centred. He mentioned that the presentation did not identify any best practice suggestions that demonstrated what the Council was doing in regard to public engagement. The work being undertaken in Page Hall was used as an example of how the Council should engage with communities.

The Head of Policy and Partnerships, Laurie Brennan agreed with the comments made. He mentioned there was a risk that public engagement was only seen in physical form, for example with public participation at Council meetings and public question/petitions, whereas the day-to-day interactions between the Council and the public was huge. Therefore, they should look to bring more of that to light. He also explained that Involve was looking at engagement across the whole City, and were looking at improving engagement internally.

6.6   In relation to slide 6 of the presentation, a Member of the Committee asked if the review of Full Council was a separate formal review, and whether the Lord Mayor/Deputy were invited to take part in that review.

The Head of Democratic and Member Services, Jason Dietsch informed the Committee that the Whips had been tasked with reviewing the operations and arrangements relating to Full Council. He confirmed that the Lord Mayor and Deputy were invited to take part in that review.

6.7   In relation to slide 7 of the presentation, a Member of the Committee asked whether it was clear as to when Members were looking at constitutional rules, or alternatively, aspects that had been governed by political agreement. He mentioned how there was no rules that required the Council to have Group Spokespersons on committees, although stated how important they had been since the change to a Committee System.

The Head of Policy and Partnerships explained there would be many aspects, like that one, which will be identified in the review. He mentioned how it would be important for Committees to share what was working well and not, for the purposes of the review and so that other Committees could adopt best practice.

The Interim Director Legal and Governance, David Hollis explained how the role of Group Spokesperson could be covered by both. The Committee could recommend that Groups Spokespersons were identified within the role of Chairs of Committees.

Emily Standbrook-Shaw (Policy and Improvement Officer) referred to the review of governance arrangements in 2019. She mentioned that a key message following that review was not necessary around

constitutional aspects, but about the Council's behaviours and ways of working. It was important that this was considered in this review.

The Head of Democratic and Member Services informed the Committee that the Independent Remuneration Panel (IRP) were considering the Special Responsibility Allowance (SRA) for the role of Groups Spokesperson. Although they wished to understand more about the role. Therefore, the role of Groups Spokesperson could be defined as part of the review and fed back to the IRP.

6.8   A Member of the Committee believed it could be useful for the Governance Committee to pre-negotiate cross-party agreements, through the review.

6.9   A Member of the Committee suggested it be useful to have two separate rules, for whether the political make up of the Council was in a hung position or had a different political make up and Council was not in a hung position.

6.10   The Member of the Committee raised that something that should be discussed through the review was the extent to which Committees were able to debate matters in full at Committee meetings and the role of pre-agenda meetings which included the Chair, Deputy and Spokesperson.

6.11   In relation to slide 7 of the presentation, a Member of the Committee believed there were gaps around the timeliness of decision making. She also mentioned that the cost of the new committee system was an important consideration. Therefore, there should be references to the cost of the system, through the review.

The Head of Policy and Partnerships explained that part of the Transition to a Committee System piece of work, there was an appendix that outlined costs of the new system in more detail. He added that this should be brought back for the attention of Members, in the review.

6.12   The Chair (Councillor Sue Alston) stated that it would be beneficial to have sight of the Council's constitution throughout the review, so that Members of the Committee could reflect upon it whilst making recommendations.

6.13   The Head of Policy and Partnerships mentioned that a wide range of people will be consulted through the review. These would include all Elected Members, Council Officers, Stakeholders and members of the public.

6.14   A Member of the Committee suggested that the review also needed to look at the role of Task and Finish Groups and the relationship between Strategy and Resources Policy Committee and the other

Policy Committees. He added that after the review, the functionality of the committee system needed to be re-enforced to Members and Officers.

6.15 In relation to slide 8 of the presentation, a Member of the Committee stated that Members of the Transport, Regeneration and Climate Policy Committee, actively went out and engaged with members of the public, and worked with Officers to change how consultation was delivered.

The Head of Policy and Partnerships agreed there were many ways in which citizen engagement could be delivered. He mentioned that through the review, best practice from all the Policy Committees should be considered and adopted if necessary.

6.16 A Member of the Committee referred to a previous comment about the ongoing work in Page Hall. It was stated that not many people knew what the Council was doing there, and how that piece of engagement should be fed in, so that different committees could adopt such best practice.

The Chair mentioned the importance of Members sharing pieces of good work like this in the review.

6.17 In relation to slide 8 of the presentation, a Member of the Committee asked when dealing with responses to public questions/petitions, do Elected Members get to check the responses, before Officers responded to members of the public. It was mentioned that in the Council's previous system, Officers would usually formulate a response, then check them with Cabinet Members, before responding.

The Head of Democratic and Member Services suggested that the process of dealing with public questions/petitions should be picked up as part of the review.

6.18 Another Member of the Committee explained that he, as Chair of a Policy Committee, recently had questions submitted in advance, yet there were no draft responses provided. Therefore, agreed the process needed to be clearer.

6.19 A Member of the Committee talked about meeting members of public's expectations, when dealing with public questions/petitions. It was stated that a policy needed to be defined for when the 30-minute time limit for public questions/petitions was reached, when not all questions had been answered.

6.20 The Interim Director of Legal and Governance, David Hollis suggested that part of the review, the Committee considered whether the public would benefit from having multiple responses to their

public questions/petitions.

6.21   In relation to slide 9 of the presentation, a Member of the Committee asked that with the Council currently been in a hung position, whether they needed to consider the new committee system functioning in both hung and not hung situations.

The Head of Policy and Partnerships believed these aspects had already been incorporated and considered, when designing the system.

6.22   In relation to slide 10 of the presentation, the Chair of the Committee advised that Members highlighted anything they wished to be considered as part of the LGA (Local Government Association) Peer Challenge.

6.23   In relation to slide 10 of the presentation, a Member of the Committee suggested the LGA Peer Challenge looked at how the relationship between Members and Officers needed to change, with the transition to a new committee system.

The Head of Policy and Partnerships agreed to feed this comment into the LGA Peer Challenge.

6.24   In relation to slide 13 of the presentation, a Member of the Committee asked if there would be other ways that people could feed into the review, as not everyone will have the time to contribute to the whole committee sessions.

Emily Standbrook-Shaw (Policy and Improvement Officer) advised there would be alternative ways for people to share their views and feed into the review. It was mentioned that one platform that could be looked at was citizen space.

6.25   In relation to slide 13 of the presentation, a Member of the Committee asked if there were alternative environments available, that allowed people to contribute to the review. Having to attend meetings in-person, for the Committee, could discourage people from contributing.

The Head of Policy and Partnerships believed this was a good idea. He also mentioned how this demonstrated inclusiveness.

6.26   In relation to slide 13 of the presentation, a Member of the Committee suggested that other rooms in the Town Hall be used to hold evidence hearings and whole committee sessions, as part of the review. It was also stated that not everyone would feel comfortable attending the Town Hall or speaking online. Therefore, consultation could be taken to people in their communities.

6.27   A Member of the Committee mentioned how the Council had to operate under a committee system for at least 10 years since implementation. Therefore, as part of the review, the Committee should consider how the system will be reviewed and how often it will be reviewed, within that 10-year period.

6.28   Slide 15 of the presentation set out the recommendations for the Governance Committee. The Interim Director of Legal and Governance explained that he had added an additional recommendation, for Members to request that he produce a report on the more detailed arrangements for the review, to include scope and arrangements for engagement, to be submitted at the next meeting of the committee.

6.29   The Interim Director of Legal and Governance clarified the recommendations to the Committee, which they would need to consider as follows:

That Governance Committee (1) notes the presentation concerning the 6 month review by the Interim Director of Legal and Governance; (2) notes and agreed the outlined scope and discussions as the starting point for further consideration to define the scope of the review; (3) agrees to set up a working group of all Governance Committee Members to meet regularly and support the ongoing progress of the review within the proposed timetable; and (4) requests that the Interim Director of Legal and Governance produce a report on the more detailed arrangements for the review, to include scope and arrangements for engagement, to be submitted at the next meeting of the Committee.

6.30   RESOLVED: on the motion of Councillor Dianne Hurst, seconded by Councillor Joe Otten: That Governance Committee (1) notes the presentation concerning the 6 month review by the Interim Director of Legal and Governance; (2) notes and agreed the outlined scope and discussions as the starting point for further consideration to define the scope of the review; (3) agrees to set up a working group of all Governance Committee Members to meet regularly and support the ongoing progress of the review within the proposed timetable; and (4) requests that the Interim Director of Legal and Governance produce a report on the more detailed arrangements for the review, to include scope and arrangements for engagement, to be submitted at the next meeting of the Committee.

7.   DATE OF NEXT MEETING

7.1   It was noted that the next meeting of the Committee would be held on 10 November 2022.