

## Sunderland City Council

At a meeting of SUNDERLAND CITY COUNCIL held in the CIVIC CENTRE on WEDNESDAY, 28<sup>TH</sup> JANUARY, 2009 at 6.00 p.m.

**Present:** The Mayor (Councillor M. Smith) in the Chair  
The Deputy Mayor (Councillor D. Richardson)

Councillors	Allan	M. Forbes	O'Connor	Vardy
	Anderson	Foster	Old	Wake
	Ball	Francis	I.J. Richardson	Wakefield
	Bell	E. Gibson	Rolph	Walker
	Blackburn	P. Gibson	Scaplehorn	J. Walton
	Chamberlin	Gofton	J. Scott	L. Walton
	Charlton	A. Hall	Shattock	Wares
	Copeland	Howe	D. Smith	P. Watson
	I. Cuthbert	Kelly	P. Smith	S. Watson
	M. Dixon	Leadbitter	Snowdon	Whalen
	P. Dixon	Paul Maddison	Speding	A. Wilson
	Ellis	L. Martin	Stewart	D. Wilson
	Errington	T. Martin	Tate	Wood
	Fairs	Miller	Trueman	A. Wright
	Fletcher	Mordey	Tye	T.H. Wright
	D. Forbes	Morrissey		

The Notice convening the meeting was read.

### Minutes

RESOLVED that the minutes of the meeting of the Council held on 19<sup>th</sup> November, 2008 (copy circulated) be confirmed as a correct record.

### Declarations of Interest

The following Councillors declared personal interests in the following items on the agenda for the reasons indicated:-

Item 7(i)	Councillor P. Smith	Local Government Pension Scheme
	Councillor D. Errington	Family member affected by Single Status

	Councillor K.M. Rolph	Member of Tyne and Wear Pension Fund, Member of South Tyne and Wear Waste Management Partnership Executive Board, Member of Trades Union - UNISON
	Councillor Tate	Member of the Tyne and Wear Superannuation Fund, Member of the GMB, Member of Hetton Town Council
Item 7(ii)	Councillors F. Anderson and Blackburn	Member of Hetton Town Council
	Councillor P. Smith	BSF Academies Working Group, Children's Trust Board, Early Years Childcare Partnership, Corporate Parenting Board, Sunderland Safeguarding Board (Observer)
Item 7(iii)	Councillor P. Smith	BSF/Academies Working Group

### **Mayor's Announcements**

There were no announcements.

### **Reception of Petitions**

RESOLVED that the undermentioned petitions submitted by the Councillors respectively named be received and referred for consideration to the Officer indicated below:-

- (i) Councillor M. Dixon – petition from residents of St. Chad's Ward requesting manual gritting of the footpaths at the Lakeside Towers during icy weather – Director of Development and Regeneration;
- (ii) Councillor Fletcher – petition from residents of Hampshire Place/Warwick Drive requesting that the Council convene a meeting at St. Bede's School, Hampshire Place, Washington for the purpose of resolving the problems associated with the parking of school traffic and its detrimental affect on

residents within the immediate and associated areas – Director of Development and Regeneration.

### **Apologies for Absence**

Apologies for absence were submitted to the meeting on behalf of Councillors Arnott, A. Cuthbert, G. Hall, Heron, Peter Maddison, Oliver, Stephenson, Symonds, Timmins and N. Wright.

### **The Cabinet reported as follows:-**

#### **1. Revenue Budget 2009/2010**

That they had given consideration to a joint report of the Chief Executive (Designate) and the City Treasurer (copy circulated) noting the impact of the provisional Local Government Finance Settlement on the Budget Planning Framework for 2009/2010 and submitting the provisional budget proposals for 2009/2010 as a basis for continuation of budget consultation, prior to the receipt of the final Local Government Finance Settlement.

Accordingly the Cabinet had recommended the Council to approve the provisional budget proposals, as a basis for the continuation of budget consultation, prior to the receipt of the final Local Government Finance Settlement 2009/2010.

They had also referred the report to the Policy and Co-ordination Review Committee for further advice and consideration. The Review Committee had agreed that the Council be recommended to endorse the provisional budget proposals and had accepted the assurances of the City Treasurer regarding continuation of funding.

#### **2. Calculation of Council Tax Base**

That they had given consideration to a report of the City Treasurer (copy circulated) seeking approval to the calculation of the Council Tax Base for 2009/2010 in accordance with the Local Government Finance Act 1992 and recommended to Council that:-

- (i) the report for the calculation of the Tax Bases for the City Council and Hetton Town Council for 2009/2010 be approved, and
- (ii) pursuant to the report and in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, as amended by Local Authorities (Calculation of Council Tax Base) (Amendment) (England) Regulations 2003, the amount calculated by the City of Sunderland Council as its Council Tax Base for the year 2009/2010, shall be £80,089 and for the area of Hetton Town Council shall be £4,032.

### **3. Capital Programme – Third Review 2008/2009 and Provisional Resources 2009/2010**

That they had given consideration to a report of the City Treasurer on the outcome of the Third Review of the Capital Programme since the Second Capital Review 2008/2009 and the provisional allocation of resources for 2009/2010. The report advised of the:-

- reprofiling to projects since the Second Capital Programme Review was reported;
- inclusion of additional schemes and revisions to cost for 2008/2009 and associated resourcing since the Second Capital Programme Review was reported;
- overall updated Capital Programme following the Third Review;
- latest notifications of supported capital allocations for 2009/2010.

Accordingly the Cabinet recommended the Council to approve the additional schemes in 2008/2009.

They also referred the extract of the additional schemes in 2008/2009 to the Policy and Co-ordination Review Committee, for advice and consideration. The Review Committee had endorsed the report and agreed that the Council be recommended to approve the proposed additional schemes for 2008/2009 as set out in the extract to the report.

Councillor P. Watson, seconded by Councillor Anderson, moved the report of the Cabinet. At the conclusion of the debate on the Cabinet report Councillor P. Watson exercised his right of reply and Councillor Allan, seconded by Councillor Anderson moved that the time limit on his speech be extended.

Upon being put to the vote the motion to extend the time limit was carried with 47 Members voting in favour thereof, viz:-

The Mayor (Councillor M. Smith)

The Deputy Mayor (Councillor D. Richardson)

Councillors	Allan	Foster	I.J. Richardson	Trueman
	Anderson	E. Gibson	Rolph	Tye
	Ball	P. Gibson	Scaplehorn	Wakefield
	Bell	Gofton	J. Scott	Walker
	Blackburn	A. Hall	Shattock	Wares
	Charlton	Kelly	D. Smith	P. Watson
	Copeland	T. Martin	P. Smith	S. Watson
	I. Cuthbert	Miller	Snowdon	Whalen
	P. Dixon	Mordey	Speding	A. Wilson
	Errington	O'Connor	Stewart	D. Wilson
	Fletcher	Old	Tate	T.H. Wright
	D. Forbes			

And 17 Members voting against, viz:-

Councillors	Chamberlin	Francis	L. Martin	J. Walton
	M. Dixon	Howe	Morrissey	L. Walton
	Ellis	Leadbitter	Vardy	Wood
	Fairs	Paul Maddison	Wake	A. Wright
	M. Forbes			

The substantive motion was subsequently put to the meeting, and it was:-

RESOLVED that the report of the Cabinet, together with the views of the Review Committees, be approved and adopted.

### **The Standards Committee reports and recommends as follows:-**

#### **1. Protocol for Members in relation to Business Dealings with the Council**

That they had given consideration to a report of the City Solicitor (copy circulated) advising of a protocol that had been prepared on business dealings between the Council and Elected Members and attaching a copy of the draft Protocol for consideration by the Council.

The Committee had recommended the Council to adopt the draft Protocol in relation to Members' Business Dealings with the Council with the addition of the requirement for an annual report to be submitted to the Standards Committee on notifications made by Members (This had been provided for at clause 10.3).

Councillor Charlton, seconded by Councillor Wares, moved the report of the Standards Committee and it was:-

RESOLVED that the report of the Standards Committee be approved and adopted.

### **The Personnel Committee reported as follows:-**

#### **1. Appointment of Chief Executive**

At its meeting on 27<sup>th</sup> November 2008 the Personnel Committee had short-listed three candidates for the post of Chief Executive. All Members of the Cabinet had been notified of the names and career histories of all three candidates and, in accordance with the requirements of the Constitution, the Leader of the Council had notified that neither he nor any Member of the Executive had any objections to the making of an offer of appointment to any of the three short-listed candidates.

The Personnel Committee had interviewed the candidates on Friday, 12<sup>th</sup> December, 2008 and had recommended that Dr. David Smith be appointed to the post of Chief Executive, together with the positions of Council Returning Officer and Electoral Registration Officer.

Councillor S. Watson, seconded by Councillor A. Wilson, moved the report of the Personnel Committee. Councillor L. Martin, seconded by Councillor Morrissey, moved that the report be referred back to the Personnel Committee for further consideration.

Upon being put to the vote the reference back was defeated with 21 Members voting in favour of the motion, viz:-

Councillors	Chamberlin	Francis	Morrissey	Wake
	I. Cuthbert	Howe	I. Richardson	J. Walton
	M. Dixon	Leadbitter	J. Scott*	L. Walton
	Ellis	Paul Maddison	D. Smith	Wood
	Fairs	L. Martin	Vardy	A. Wright
	M. Forbes			

(\* Councillor J. Scott subsequently indicated that he believed his vote was incorrectly recorded).

1 Member abstaining, viz:-

Councillor D. Richardson

And 42 Members voting against, viz:-

The Mayor (Councillor M. Smith)

Councillors	Allan	Foster	Old	Tye
	Anderson	E. Gibson	Rolph	Wakefield
	Ball	P. Gibson	Scaplehorn	Walker
	Bell	Gofton	Shattock	Wares
	Blackburn	A. Hall	P. Smith	P. Watson
	Charlton	Kelly	Snowdon	S. Watson
	Copeland	T. Martin	Speding	Whalen
	P. Dixon	Miller	Stewart	A. Wilson
	Errington	Mordey	Tate	D. Wilson
	Fletcher	O'Connor	Trueman	T.H. Wright
	D. Forbes			

The substantive motion was then put to the vote and was carried with 46 Members voting in favour thereof, viz:-

The Mayor (Councillor M. Smith)

The Deputy Mayor (Councillor D. Richardson)

Councillors	Allan	D. Forbes	Old	Trueman
	Anderson	Foster	Rolph	Tye
	Ball	E. Gibson	Scaplehorn	Wakefield
	Bell	P. Gibson	J. Scott	Walker
	Blackburn	Gofton	Shattock	Wares
	Chamberlin	A. Hall	D. Smith	P. Watson
	Charlton	Kelly	P. Smith	S. Watson
	Copeland	T. Martin	Snowdon	Whalen

P. Dixon	Miller	Speding	A. Wilson
Errington	Mordey	Stewart	D. Wilson
Fletcher	O'Connor	Tate	T.H. Wright

And 18 Members voting against, viz:-

Councillors	Cuthbert	Francis	L. Martin	J. Walton
	M. Dixon	Howe	Morrissey	L. Walton
	Ellis	I. Richardson	Vardy	Wood
	Fairs	Leadbitter	Wake	A. Wright
	M. Forbes	Paul Maddison		

And it was:-

RESOLVED that the report of the Personnel Committee be approved and adopted.

### **Written Questions under Rule 8.2**

Pursuant to Rule 8.2 of the Council Rules of Procedure Members of the Council asked questions of the Leader and Members of the Executive.

### **Notice of Motion – Cervical Screening**

Councillor Snowdon, seconded by Councillor Trueman moved a motion in relation to cervical screening.

Upon being put to the meeting the motion was carried unanimously and it was:-

RESOLVED that in light of emerging medical opinion, this Council asks the Government to seriously consider reducing the age of cervical screening in England from the present 25 years of age to 18 years of age.

### **Notice of Motion – Business Tax**

Councillor A. Wright, seconded by Councillor Morrissey moved the following motion:-

“This Council urges the Government not to impose the proposed Local Authority – collected supplementary tax on business and believes that the imposition of further tax burdens on business will be counter-productive to the promotion of economic development.”

Councillor P. Watson, seconded by Councillor Allan moved the following amendment:-

First line delete “urges the Government not to impose the proposed”, insert “notes the Government’s Bill proposes to grant”.

Second line delete “Authority - collected supplementary tax on business”, insert “Authorities a power to collect a local supplement on business”.

Third line delete “imposition” “business” and “will be counter-productive to the”, insert “impose” and “businesses”.

Fourth line insert “for the” before “promotion” and add after “economic development” “is properly one for individual Councils to determine”.

Add new sentence, “Further this Council will not use these powers without full consultation with and the agreement of business partners in the City”.

On the amendment being put to the meeting, it was unanimously agreed.

The new substantive motion was then put to the meeting and it was unanimously carried and it was:-

RESOLVED that this Council notes the Government’s Bill proposes to grant Local Authorities a power to levy a local supplement on businesses and believes that the decision to impose further tax burdens on businesses for the promotion of economic development is properly one for individual Councils to determine. Further this Council will not use these powers without full consultation with and the agreement of business partners in the City.

### **Quarterly Report on Special Urgency Decisions**

The Leader of the Council submitted a quarterly report (copy circulated) on executive decisions which had been taken under Rule 16 of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000.

(For copy report – see original minutes).

RESOLVED that the report be noted.

(Signed) M. SMITH,  
Mayor.