

Sunderland City Council

At a meeting of SUNDERLAND CITY COUNCIL held in the CIVIC CENTRE on WEDNESDAY, 5th OCTOBER, 2011 at 6.00 p.m.

Present: The Mayor (Councillor N. Wright) in the Chair

Councillors	Allan	Francis	G. Miller	Thompson
	Anderson	Gallagher	Mordey	D. Trueman
	Ball	E. Gibson	Morrissey	H. Trueman
	Bell	P. Gibson	Oliver	Tye
	Blackburn	Gofton	Padgett	Wake
	Copeland	Hall	Porthouse	Walker
	Curran	Heron	D. Richardson	Waller
	Dixon	Howe	Rolph	Walton
	Ellis	Kelly	Scanlan	P. Watson
	Emerson	Lauchlan	Shattock	S. Watson
	Errington	MacKnight	Smiles	Williams
	Essl	Maddison	D. Smith	Wilson
	Fletcher	L. Martin	Snowdon	Wood
	Forbes	T. Martin	Speding	A. Wright
	S. Foster	F. Miller	Tate	T.H. Wright

The Notice convening the meeting was read.

Minutes

RESOLVED that the minutes of the Ordinary Meeting of the Council held on 20 July, 2011 together with the minutes of the Extraordinary Meetings of the Council held on 7th and 14th September, 2011 (copies circulated) be confirmed and signed as correct records.

Declarations of Interest

The following Councillors declared a personal interest in the under-mentioned item of business for the reason indicated:-

Item 8 – Written Questions (if any) under Rule 8.2	Councillors MacKnight and Scanlan	In relation to question 10 referring to the Pullman Lodge site.
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The following Councillor declared a personal and prejudicial interest in the under-mentioned item of business for the reason indicated and left the meeting during its consideration:-

Item 11 – Appointments to Committees and Outside Bodies	Councillor Errington	A family member is a member of staff at the South Tyneside NHS Foundation Trust
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Mayor's Announcements

(i) Former Councillor Ron Hunter

The Mayor paid tribute to a former Councillor and Deputy Mayor of Sunderland, Mr Ron Hunter, who had recently passed away. Members and Officers stood for a minute's silence as a mark of respect for their former colleague.

Reception of Petitions

RESOLVED that the under-mentioned petitions, submitted by the Councillors named, be received and referred for consideration in accordance with the Council's Petitions Scheme, to the Chief Officer indicated below:-

- (i) Councillor Mordey – Two petitions from residents and allotment holders at Corporation Road objecting to the proposed installation of a waste site – Deputy Chief Executive
- (ii) Councillor Heron – Petition for road safety measures at Philadelphia Lane - Executive Director of City Services; and
- (iii) Councillor Dixon – Petition to replace the closed Crowtree Leisure Centre Sauna – Executive Director of City Services.

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Bonallie, Charlton, Fairs, T. Foster, Kay, McClennan, I. Richardson, Scaplehorn, Scott, P. Smith, Stewart, Wakefield and Wiper.

The Cabinet reported and recommended as follows:-

1. Disposal Procedure for Surplus Land and Property and Amendment of Delegation Scheme and Financial Procedure Rules for acquisition and disposal of assets

That they had given consideration to a report of the Deputy Chief Executive recommending improvements to the Council's Disposal Procedure for Surplus Land and Property, and a revision to the Delegation Scheme and Financial Procedure Rules which would further improve the process for the acquisition and disposal of assets.

The Cabinet had approved the amendments to the Procedure for the Disposal of Surplus Land and Property as set out in the report and had accordingly recommended the Council to:-

- (i) amend paragraph 2.37 of the Delegation Scheme set out in Part 3 of the constitution in respect of the Deputy Chief Executive to provide as follows:-

“2.37 To authorise, in consultation with the Executive Director of Commercial and Corporate Services:-

- a) the acquisition and disposal of freehold and leasehold interests in land where the consideration is less than £250,000; and
- b) the acquisition and disposal of leasehold interests in land where the annual rental is less than £250,000.”

provided that in each case, save for:-

- (i) leases granted for a term of seven years or less; or
- (ii) where a disposal of a surplus property is proposed at less than best consideration to a Voluntary and Community Sector organisation in accordance with the Surplus Building Policy (Community Benefit) approved by Cabinet at its meeting on 6th April 2011 and the consideration or annual rental is less than £250,000.00 before any concession; or
- (iii) where the disposal is within the scope of the Deputy Chief Executive’s delegated authority to agree rent concessions;

in the reasonable opinion of the Deputy Chief Executive, the transaction represents the best consideration reasonably obtainable.”

- (ii) amend paragraph 2.58 of the Delegation Scheme set out in Part 3 of the constitution in respect of the Deputy Chief Executive to provide as follows:-

“2.58 To agree abnormal development costs for all sites”

- (iii) amend paragraph 20.4 of the Financial Procedure Rules to provide as follows

“Cabinet approval is required for the purchase and disposal of freehold and leasehold interests in land where the consideration is £250,000 or more or, in any case, save for:-

- (i) leases granted for a term of seven years or less; or
- (ii) where a disposal of a surplus property is proposed at less than best consideration to a Voluntary and Community Sector organisation in accordance with the Surplus Building Policy (Community Benefit) approved by Cabinet at its meeting on 6th April 2011 and the consideration or annual rental is less than £250,000.00 before any concession; or
- (iii) where the disposal is within the scope of the Deputy Chief Executive’s delegated authority to agree rent concessions;

where the disposal of a freehold or leasehold interest is at less than best consideration.”

- (iv) amend paragraph 20.5 of the Financial Procedure Rules to provide as follows

“Cabinet approval is required for the purchase and disposal of leasehold interests in land where the annual rental is £250,000 or more or, in any case, save for:-

- (i) leases granted for a term of seven years or less; or
- (ii) where a disposal of a surplus property is proposed at less than best consideration to a Voluntary and Community Sector organisation in accordance with the Surplus Building Policy (Community Benefit) approved by Cabinet at its meeting on 6th April 2011 and the consideration or annual rental is less than £250,000.00 before any concession; or
- (iii) where the disposal is within the scope of the Deputy Chief Executive’s delegated authority to agree rent concessions;

where the disposal of a leasehold interest is at less than best consideration”

- (v) authorise the Head of Law and Governance to make such other amendments to the constitution as are required to give effect to and ensure consistency with the decisions of Council as set out in paragraphs (i) (i) to (v) above.

2. Youth Justice Plan 2011-2012

That they had given consideration to a report of the Executive Director of Children's Services seeking approval to the publication and distribution of the Youth Justice Plan 2011/2012. The report outlined the background, purpose and intentions of the Plan and provided the Plan intended for publication.

They had also referred the report to the Children, Young People and Learning Scrutiny Committee for further advice and consideration. The Scrutiny Committee in considering the report, had congratulated the service on yet another excellent report, and endorsed the Youth Justice Plan prior to its submission to the Youth Justice Board.

Accordingly the Cabinet recommended the Council to consider the contents of the report and approve the Youth Justice Plan 2011-2012 and agree to its publication and distribution.

3. Establishment of a Local Authority Owned Company

That they had agreed to the establishment and development of a local authority owned company, with a Board of Directors to consist of three elected members, to take over the care and support provided in a number of care establishments for adults with learning disabilities, autism and complex needs in Sunderland.

Accordingly the Cabinet had recommended the Council to appoint three members to the Board of Directors of the new company.

In moving the report of the Cabinet the Leader referred to item 1 of the report, "Disposal Procedure for Surplus Land and Property and Amendment of Delegation Scheme and Financial Procedure Rules for acquisition and disposal of assets" and drew attention to the proposal that the Deputy Chief Executive, in undertaking her delegated powers, should consult with the Leader and the Cabinet Secretary. In relation to this he moved that this be expressly reflected in the Delegation Scheme at paragraph 2.37 of Part 3 of the constitution so that it be stated that consultation will be undertaken with the Leader, the Cabinet Secretary and the Executive Director of Commercial and Corporate Services.

In relation to item 3 of the report, "Establishment of a Local Authority Owned Company" he moved that Councillors Fletcher, Hall and Wilson be nominated as the three members of the Board of Directors of the local authority owned company.

The report of the Cabinet having then been put to the meeting, it was:-

RESOLVED that paragraph 2.37 of Part 3 of the Constitution be amended to reflect that consultation will be undertaken with the Leader, the Cabinet Secretary and the Executive Director of Commercial and Corporate Services, that Councillors Fletcher, Hall and Wilson be appointed to the Board of Directors of the new company and that, otherwise, the report of the Cabinet be approved and adopted and the views of the Scrutiny Committee be noted.

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.

Councillor Oliver, seconded by Councillor Wood, moved an extension to the time for responding to Written Questions which was agreed.

Action Taken on Petitions

The Council received the under-mentioned report on action taken in relation to a petition which had been presented to Council.

- (i) **749 name Petition requesting the provision of full-time Traffic Signals on the A19 and A690 Roundabout. Presented by former Councillor Michael Dixon on 26th January, 2011**

The petition had been considered by the Executive Director of City Services, who had determined that the petitioners' request for the provision of full time signals should be declined.

The Executive Director had, however, agreed to increase the hours of operation of the part time traffic signals at the junction of the A19/A690 to run from 06:30 hours to 20:00 hours on all days and following a parallel accident investigation that the hours of operation of the traffic signals at the A19/A183 junction also run from 06:30 hours to 20:00 hours, on all days.

The Ward Councillors and the lead petitioner had been notified.

Notices of Motion

- (i) **Notice of Motion – Enterprise Zone**

Councillor Oliver, seconded by Councillor Wood, moved the following motion in relation to the award of an Enterprise Zone:-

“This Council welcomes the decision to award Sunderland an Enterprise Zone and pledges to use all available means to secure the economic regeneration of the City.”

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

After the word “award” add the word “the”.

Delete the word “Sunderland” and add the words “North East Local Enterprise Partnership”.

After the words “pledges to” add the word “continue to”.

After the words “to use” add the words “our successful strategy of utilising”.

Upon being put to the vote the amendment was carried with, 48 Members voting in favour thereof, viz:-

The Mayor (Councillor N. Wright) in the Chair

Councillors	Allan	S. Foster	G. Miller	Tate
	Anderson	Gallagher	Mordey	Thompson
	Ball	E. Gibson	Padgett	D. Trueman
	Bell	P. Gibson	Porthouse	H. Trueman
	Blackburn	Gofton	D. Richardson	Walker
	Copeland	Hall	Rolph	Waller
	Curran	Heron	Scanlan	P. Watson
	Ellis	Kelly	Shattock	S. Watson
	Emerson	Lauchlan	Smiles	Williams
	Errington	MackKnight	D. Smith	Wilson
	Essl	T. Martin	Snowdon	T.H. Wright
	Fletcher	F. Miller	Speding	

and 10 Members voting against, viz:-

Councillors	Dixon	Maddison	Oliver	Wood
	Francis	L. Martin	Walton	A. Wright
	Howe	Morrissey		

Upon being put to the vote the new substantive motion was carried with 45 Members voting in favour, viz:-

The Mayor (Councillor N. Wright) in the Chair

Councillors	Allan	S. Foster	F. Miller	Tate
	Anderson	Gallagher	G. Miller	Thompson
	Ball	E. Gibson	Mordey	D. Trueman
	Bell	P. Gibson	Padgett	H. Trueman
	Blackburn	Gofton	Rolph	Walker
	Copeland	Hall	Scanlan	Waller
	Ellis	Heron	Shattock	P. Watson
	Emerson	Kelly	Smiles	S. Watson
	Errington	Lauchlan	D. Smith	Williams
	Essl	MackKnight	Snowdon	Wilson
	Fletcher	T. Martin	Speding	T.H. Wright

4 members voting against, viz:-

Councillors	Curran	Dixon	Porthouse	D. Richardson
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And 8 Members abstaining from the vote, viz:-

Councillors	Francis Howe	Maddison Morrissey	Oliver Walton	Wood A. Wright
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Accordingly, it was:-

RESOLVED that this Council welcomes the decision to award the North East Local Enterprise Partnership and Enterprise Zone and pledges to continue to use our successful strategy of utilising all available means to secure the economic regeneration of 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.

Appointments to Committees and Outside Bodies – Early Implementer Health and Wellbeing Board, Wear Estuary Forum, Health and Wellbeing Scrutiny Committee, South Tyneside NHS Foundation Trust and Local Government Association Urban Commission

The Executive Director of Commercial and Corporate Services submitted a report (copy circulated) requesting Council to consider appointments in respect of the above Bodies.

(For copy report – see original minutes).

The Leader of the Council having moved that the recommendations contained in the report be approved, it was:-

RESOLVED that approval be given to:-

- (i) the appointment of Councillor Wiper in place of Councillor Oliver to the Early Implementer Health and Wellbeing Board and that the Membership of the Board be amended to include a second GP Consortium Member to be Co-opted by the Board;
- (ii) the appointment of the Portfolio Holder for Safer City and Culture as the Council's representative on the Wear Estuary Forum;

- (iii) the approval of the Co-option to the Health and Wellbeing Scrutiny Committee for the municipal year 2011/2012 of the four nominees as set out in paragraph 4.2 of the report;
- (iv) the nomination of the Portfolio Holder for Health and Wellbeing to the Council of Governors of the South Tyneside NHS Foundation Trust;
and
- (v) the appointment of the Leader and Deputy Leader as the Council's new representatives on the Local Government Association Urban Commission.

The Mayor then closed the meeting having thanked everyone for their attendance and contributions to the meeting.

(Signed) N. WRIGHT,
Mayor.