

Sunderland City Council

At a meeting of SUNDERLAND CITY COUNCIL held in the CIVIC CENTRE on WEDNESDAY, 30TH JANUARY, 2013 at 6.00 p.m.

Present: The Mayor (Councillor I. Kay) in the Chair
The Deputy Mayor (Councillor R. Heron)

Councillors	Allan	Fletcher	Oliver	Thompson
	Anderson	Forbes	Padgett	Trueman, D.
	Atkinson	Foster	Porthouse	Trueman, H.
	Ball	Gibson, E	Price	Turton
	Bell	Gibson, P	Richardson	Tye
	Blackburn	Gofton	Scanlan	Wakefield
	Bonallie	Jackson	Scaplehorn	Walker
	Copeland	Kelly	Scott	Waller
	Curran	Lauchlan	Shattock	Watson, P
	Davison	Lawson	Smiles	Watson, S.
	Dixon	MackKnight	Smith, D	Williams
	Ellis	Marshall	Smith, P.	Wilson, A.
	Emerson	Martin, L	Snowdon, D	Wilson, D.
	Errington	Martin, T	Snowdon, DE	Wiper
	Essl	Miller, F	Speding	Wood
	Farr	Miller, G	Stewart	Wright, N.
	Farthing	Mordey	Tate	Wright, T.H

The notice convening the meeting was read.

Minutes

RESOLVED that the minutes of the ordinary meeting of the Council held on 28th November 2012 (copy circulated) be confirmed and signed as a correct record.

Declarations of Interest

Item 7(4) – Report of the Cabinet – Review of Non-Domestic Rates Discretionary Relief Policy to Academy and Voluntary Aided Schools	Councillor Ball	Governor of Ryhope Junior School Governor of St Paul’s CE Controlled Primary School
	Councillor Bell	Governor of Redhouse Academy Governor of Northern Saint Voluntary Aided CE School

Councillor Dixon	Governor of Farringdon Academy
Councillor Emerson	Governor of Ryhope Infant School
Councillor Forbes	Governor of St Anthony's Academy
Councillor P. Gibson	Governor of Farringdon School Sports College Governor of Portland College
Councillor Kay	Governor of St Aidan's RC School
Councillor Lawson	Governor of Our Lady Queen of Peace RC Primary School
Councillor G. Miller	Governor of Holley Park Academy
Councillor Porthouse	Governor of Farringdon Academy
Councillor P. Smith	St Leonards RC Voluntary Aided School Plains Farm Primary School
Councillor Paul Stewart	Governor of St John Bosco Primary School
Councillor Williams	Governor of Oxclose Community Academy
Councillor Wood	Governor of St Aidan's Voluntary Aided School

Item 7 – Cabinet Report
– Business Rates
Income Forecast
2013/14

Councillor Forbes	Board Member of Tyne and Wear Fire and Rescue Authority
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Announcements

(i) Death of Former Councillors Kath Rolph, Denis Whalen, Iris Baxter and Hilda Mann.

The Mayor paid tribute to former Councillors and colleagues, Kath Rolph, Denis Whalen, Iris Baxter and Hilda Mann who had recently passed away. Members and Officers stood for a minute's silence as a mark of respect.

(ii) Outstanding Achievement in Procurement Award

At the invitation of the Mayor, Councillor Blackburn informed the meeting of the Council's success in gaining an award for Outstanding Achievement in Procurement, from the Society of Procurement Officers in Local Government.

The submission was submitted by the Council on behalf of the South Tyne and Wear Waste Management Partnership and outlined the process and challenges that were overcome during the procurement process to select the private sector partner.

The award recognized amongst other things that this is the largest ever infrastructure project by partner authorities, resulting in a £330m saving with potential for further savings via energy sales.

It would also result in 66 operational jobs and 250 construction jobs for the region and would ensure that 190,000 tonnes of residual waste per annum are diverted from landfill.

(iii) Events

The Mayor informed Council that a Charity Valentine's night would take place on Friday 15th February, 2013 at Usworth Working Mens Club, a Charity Concert would be held on Saturday 16th March, 2013 at St Josephs Church, Millfield and the Mayor's Charity Ball would be held on Friday 26th April, 2013 at the Sunderland Stadium of Light.

Reception of Petitions

There were no petitions received.

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Francis, Howe, McClennan and Maddison.

The Cabinet reported and recommended as follows: -

1. Review of the Procurement Procedure Rules

That they had given consideration to a joint report of the Executive Director of Commercial and Corporate Services and Head of Law and Governance (copy attached) on proposed amendments to the Procurement Procedure Rules.

Accordingly the Cabinet recommended the Council to make amendments to the Procurement Procedure Rules, which were part of the Constitution, as set out in the report.

2. Localisation of Council Tax Support Scheme

That they had given consideration to a report of the Executive Director of Commercial and Corporate Services (copy attached) on the localisation of Council Tax Support Scheme, providing an update on the consultation results for the proposed Local Council Tax Support Scheme, explaining the implications of the Government's Transitional Grant Scheme and recommending that the Local Council Tax Support Scheme whose principal features were set out at Appendix B of the report, be implemented with effect from 1 April 2013. Further that they had agreed that the detailed scheme document – based upon the default scheme set out in the Council Tax Reduction Schemes (Default Scheme) Regulations 2012, modified as necessary to incorporate the features outlined in Appendix B of the report – be prepared by the Executive Director under delegated powers in consultation with the Leader and Cabinet Secretary, for submission to full Council.

Accordingly, the Cabinet recommended the Council to:-

- (i) Consider feedback received during the consultation period from
 - precepting authorities,
 - the public, including representatives/representative groups of Council Tax payers and Council Tax benefit claimants, voluntary organisations and community groups, and also consider the implications of the Government's Transitional Grant Scheme;
- (ii) approve the proposed Council Tax Support Scheme described in the report and now summarised in Appendix C and set out in full at www.sunderland.gov.uk/counciltaxsupport to take effect from 1st April 2013;
- (iii) authorise the Executive Director of Commercial and Corporate Services to administer the Local Council Tax Support Scheme including undertaking the consideration and determination of applications for support and authorise the Head of Law and Governance to amend the constitution accordingly to reflect this; and

- (iv) authorise the publication of the approved Scheme on the Council's website and in any additional manner determined by the Executive Director of Commercial and Corporate Services in consultation with the Leader of the Council and Cabinet Secretary.

3. Review of Discretionary Council Tax Discount on Empty Properties and Second Homes

That they had given consideration to a report of the Executive Director of Commercial and Corporate Services (copy attached) to review the policy on Council Tax discounts for Empty Properties and Second Homes as a result of the change in legislation to Exempt properties and the introduction of the Empty Homes Premium.

Accordingly the Cabinet recommended the Council to amend the current policy on Council Tax discounts for Empty Properties and Second Homes with effect from 1st April 2013 by:

- (i) Introducing the Empty Homes Premium of 150% on properties that have been empty and unfurnished for more than 2 years
- (ii) Awarding a discount of 25% on properties that have been empty for a period of up to 12 months that require, or are undergoing structural alterations.
- (iii) Awarding a discount of 25% on properties that are empty and unfurnished for up to 6 months with the exception of properties that are empty and unfurnished that are reoccupied within 1 month where the discount awarded will remain at 100%, and
- (iv) Reducing the discount on Second Homes from 10% to zero

4. Review of the Non-Domestic Rates Discretionary Relief Policy to Academy and Voluntary Aided Schools

That they had given consideration to a report of the Executive Director of Commercial and Corporate Services (copy attached) to review the current policy of Discretionary Relief for Non-Domestic Rates awarded to Academy and Voluntary Aided Schools.

Accordingly the Cabinet recommended the Council to amend the current policy on Non-Domestic Rates Discretionary Relief, by removing discretionary relief paid to Academy and Voluntary Aided Schools with effect from 1st April 2013.

5. Calculation of Council Tax Base

That they had given consideration to a report of the Executive Director of Commercial and Corporate Services (copy attached) seeking approval to the calculation of the Council Tax Base for 2013/2014 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 2013/2014 be approved.

- (ii) That 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 2012 the amount calculated by Sunderland City Council as its Council Tax Base for the year 2013/2014, shall be £64,094 and for the area of Hetton Town Council shall be £3,122.

6. Business Rates Income Forecast 2013/14

That they had given consideration to a report of the Executive Director of Commercial and Corporate Services (copy attached) concerning the forecast income in respect of business rates for 2013/2014 which must be submitted to Government following Council approval no later than 31st January 2013. Further, that the income forecast included in the report should be amended if necessary taking into consideration further information notified by government about the calculation – and that the Executive Director of Commercial and Corporate Services be given delegated power to prepare the final version of the NNDR1 form in consultation with the Leader and Cabinet Secretary, for submission to full Council.

Accordingly the Cabinet was seeking Council approval to the amended NNDR1 form which estimated the business rates income for the coming financial year and recommended to Council that:-

Council approves the attached NNDR1 form (Appendix 1) of estimated business rates income for the year 2013/14 in accordance with new regulations which will form the basis of the necessary allocation of the estimated total business rate income for the year in the following proportions:

- Amount of NNDR to be paid to Central Government - £41,682,298;
- Amount of NNDR to be retained by Council - £40,885,578;
- Amount of NNDR to be passed to Tyne and Wear Fire and Rescue Authority - £834,400.

7. Revenue Budget Proposals 2013/2014

That they had given consideration to a joint report of the Chief Executive and Executive Director of Commercial and Corporate Services (copy attached) to advise of the provisional budget proposals for 2013/2014, as a basis for the continuation of budget consultation, prior to the receipt of the final Local Government Finance Settlement 2013/2014.

They also referred the report to the Scrutiny Committee for further advice and consideration. The Scrutiny Committee supported the Cabinet recommendation to recommend the Council to approve the provisional Revenue Budget proposals 2013/2014.

The Scrutiny Committee congratulated the Executive Director of Commercial and Corporate Services and his Finance Team on managing to present the provisional Revenue Budget proposals to the Council in the required budgetary timescales despite the very late notification of the provisional settlement from Government and final amendments to budget related documentation being needed following the receipt of further notified changes from Government.

Accordingly the Cabinet 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 2013/2014.

8. Revenue Budget Third Review 2012/2013

That they had given consideration to a report of the Executive Director of Commercial and Corporate Services on the overall Revenue position following the third review for 2012/2013 including proposed contingency transfers and budget transfers for the third quarter of 2012/2013.

In accordance with the Council's Budget and Policy Framework certain transfers require Council approval. The following extract refers to those transfer of funds:

'savings of £5million are anticipated to arise in respect of capital financing charges due to both slippage in the capital programme and additional income from interest on investments as a result of continued robust treasury management. These savings will be used to meet the in year service pressures if required at outturn, with the balance set aside in the Strategic Investment Reserve to meet transitional costs arising in 2012/13 and 2013/14 and/or potential Equal Pay liabilities. Any final underspendings on contingencies will also be transferred to support transitional costs arising from future years budgets.'

They also referred the above extract of the budget transfers to the Scrutiny Committee for further advice and consideration. The Scrutiny Committee supported the Cabinet recommendation to recommend the Council to approve the transfer of funds.

Accordingly the Cabinet recommended the Council to approve the budget transfers for the third quarter of 2012/2013 as set in the above extract.

9. Capital Programme - Third Review 2012/2013, Provisional Resources 2013/2014 and Treasury Management Review 2012/2013

That they had given consideration to a report of the Executive Director of Commercial and Corporate Services which detailed changes made to the Capital Programme 2012/2013 since the Second Capital Review, the inclusion of additional schemes and revisions to costs and resourcing for 2012/2013 since the Second Capital Review, the allocation of capital resources for 2013/2014, subject to any adjustments required when final resource announcements are made and the progress in implementing the Treasury Management Strategy for 2012/2013.

They also referred the report to the Scrutiny Committee for advice and consideration in the context of inclusion of an additional scheme for 2012/2013 costing over £250,000 which is set out in the attached extract. The Scrutiny Committee supported the Cabinet recommendation to recommend the Council to include the additional scheme for 2012/2013.

Accordingly, the Cabinet recommended the Council to approve the inclusion of the additional scheme for 2012/2013 and associated resourcing of the Capital Programme since the Second Review of the Capital Programme was approved by Council in October 2012.

10. Establishment of Sunderland Events Management Company

That they have given consideration to a joint report of the Director of Corporate Affairs and Communications and the Executive Director of Commercial and Corporate Services (copy attached) on a proposed approach to development of the Sunderland Events Management Company and the next steps for action in order to establish the company as a local authority owned company at the earliest opportunity.

Accordingly the Cabinet recommended the Council to appoint three Directors to the Board of the Company. The Leader proposed and it was agreed that Councillors Richardson, Scanlan and Walker be appointed to the Board of Directors of the Company.

During consideration of Item 4 of the Cabinet report, those Members who served on the Governing Body or the Board of Directors of an Academy or Voluntary Aided School left the meeting and the Deputy Mayor took the chair.

RESOLVED that item 4 of the report of the Cabinet be approved and adopted.

Those Members who had left the Chamber during consideration of item 4 returned to the meeting and the Mayor resumed the chair for the remaining items of the Cabinet report.

RESOLVED that the views of the Scrutiny Committee be noted and the remainder of the report of Cabinet 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.

Action Taken on Petitions

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

- (i) **Petition to provide additional parking facilities in the vicinity of Lakeside Towers – Presented by Councillor Porthouse on 26 September, 2012.**

The Head of Streetscene has considered the petition for additional parking places at Lakeside Towers and recognizes the issues, however, there is no opportunity to improve the facilities within the existing Highway Boundary and this limits the Council's ability to intervene.

The provision of new parking facilities must be considered the responsibility of the owner/developer of the site and therefore a copy of the petition and the Head of Streetscene's response has been copied to Gentoo for their consideration.

Councillor Porthouse, the Portfolio Holder Councillor Blackburn and the lead petitioner have been informed accordingly.

Notices of Motion

- (i) **Notice of Motion – Sunderland Schools converting to Academy Status**

Councillor Oliver seconded by Councillor Wood, moved the following motion in relation to Sunderland Schools converting to Academy Status:-

“This Council welcomes the increasing number of schools in Sunderland converting to academy status.”

Councillor P. Smith, seconded by Councillor G. Miller moved the following amendment:-

After status add 'where it is in the best interests of the pupils involved.'

Upon being put to the vote the amendment was carried with 68 Members voting in favour, viz:-

The Mayor (Councillor I. Kay) in the Chair
The Deputy Mayor (Councillor R. Heron)

Councillors	Allan	Fletcher	Padgett	Trueman, D
	Anderson	Forbes	Porthouse	Trueman, H
	Atkinson	Foster	Price	Turton
	Ball	Gibson, E	Richardson	Tye
	Bell	Gibson, P	Scanlan	Wakefield
	Blackburn	Gofton	Scaplehorn	Walker
	Bonallie	Jackson	Scott	Waller
	Copeland	Kelly	Shattock	Watson, P
	Curran	Lauchlan	Smiles	Watson, S
	Davison	Lawson	Smith, D	Williams
	Dixon	MacKnight	Smith, P	Wilson, A
	Ellis	Marshall	Snowdon, D	Wiper
	Emerson	Martin, T	Snowdon, DE	Wood
	Errington	Miller, F	Speding	Wright, N
	Essl	Miller, G	Stewart	Wright, T.H
	Farr	Mordey	Tate	
	Farthing	Oliver	Thompson	

1 Members voting against, viz:-

Councillor L. Martin

The new substantive motion having then been put to the meeting, it was:-

RESOLVED that this Council welcomes the increasing number of schools in Sunderland converting to academy status where it is in the best interest of the pupils involved.

(ii) Notice of Motion – Meals at Full Council Meetings

Councillor Wakefield seconded by Councillor Ellis moved the following motion in relation to Meals at Full Council Meetings:-

'Given the continuing economic problems facing the residents of the City of Sunderland, we the undersigned believe the current practice of providing a substantial free meal to all Councillors and visitors after Full

Council meetings is no longer acceptable and urge all Members to vote to stop this practice effective from the next meeting of the Council and thereafter, with the exception of the annual meeting of the Council when the new Mayor takes office.'

Councillor Speding, seconded by The Deputy Leader moved the following amendment:-

'After City of Sunderland, delete 'we the undersigned believe' and replace with 'this Council believes that' after and delete 'urge all Members to vote to stop this practice effective from the next meeting of the Council and thereafter, with the exception of the annual meeting of the Council when the new Mayor takes office' and replace with 'therefore resolves to refer this issue along with the associated subsistence allowance provisions to the Independent Remuneration Panel for their earliest consideration.'

Upon being put to the meeting, the amendment was carried.

The new substantive motion having then been put to the meeting it was:-

RESOLVED that given the continuing economic problems facing the residents of the City of Sunderland, this Council believes that the current practice of providing a substantial free meal to all Councillors and visitors after Full Council meetings is no longer acceptable and therefore resolves to refer this issue along with the associated subsistence allowance provisions to the Independent Remuneration Panel for their earliest consideration.

(iii) Notice of Motion – Coalition Government Policies

Councillor Kelly seconded by Councillor T. Wright moved the following motion regarding the Coalition Government's Policies:-

'This Council notes with grave concern the devastating effect that this Governments' policies are having on the children and most vulnerable of this City and calls upon the Tory led coalition Government to stop their deliberate targeting of those least able to defend themselves

Upon being put to the vote the motion was carried with 59 Members voting in favour, viz:-

The Mayor (Councillor I. Kay) in the Chair
The Deputy Mayor (Councillor R. Heron)

Councillors	Allan	Gibson, E	Scanlan	Wakefield
	Atkinson	Gibson, P	Scaplehorn	Walker
	Ball	Gofton	Scott	Waller
	Bell	Jackson	Shattock	Watson, P.
	Blackburn	Kelly	Smiles	Watson, S.

Bonallie	Lauchlan	Smith, D	Williams
Copeland	Lawson	Smith, P.	Wilson, A.
Curran	MacKnight	Snowdon, D	Wright, N.
Davison	Marshall	Snowdon, DE	Wright, T.H
Dixon	Martin, T	Speding	
Emerson	Miller, F	Stewart	
Errington	Miller, G	Tate	
Essl	Padgett	Thompson	
Farthing	Porthouse	Trueman, D.	
Fletcher	Price	Trueman, H.	
Foster	Richardson	Tye	

4 Members voting against, viz:-

Councillors	Forbes	Oliver	Wiper	Wood
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1 Member abstained, viz:-

Councillor	Ellis
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It was therefore:-

RESOLVED that this Council notes with grave concern the devastating effect that this Governments' policies were having on the children and most vulnerable of this City and called upon the Tory led coalition Government to stop their deliberate targeting of those least able to defend themselves

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 Regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

(For copy report – see original minutes)

RESOLVED that the content of the report be noted.

Arrangements for the Exercise of Executive Functions

The Leader of the Council submitted a report (copy circulated) advising that the Constitution provides that any amendments made by the Leader to the arrangements for the exercise of executive functions shall be reported to Council for information.

As a result of the changes to the senior management structure that were reported to the meeting of Council on 28 November 2012, appropriate amendments have been made to the delegations of executive functions to officers, in order to reflect the reallocation of responsibilities.

(For copy report – see original minutes)

RESOLVED that the report be noted.

Appointments to Committees and Outside Bodies – South Tyneside NHS Foundation Trust and Marine Activity Centre Board

The Executive Director of Commercial and Corporate Services submitted a report (copy circulated) requesting Council to consider appointments to the South Tyneside NHS Foundation Trust and the Marine Activity Centre Board.

(For copy report – see original minutes).

The Leader moved the recommendations contained within the report.

RESOLVED that approval be given to: -

- (i) the nomination of the Portfolio Holder for Public Health, Wellness and Culture to the Council of Governors of the South Tyneside NHS Foundation Trust; and
- (ii) the nomination of the Executive Director of Health, Housing and Adult Services to replace the Executive Director of City Services on the Marine Activity Centre Board.

(Signed) I. Kay
Mayor.