

Minutes

Sunderland City Council

At a meeting of SUNDERLAND CITY COUNCIL held in the CIVIC CENTRE on WEDNESDAY, 25th SEPTEMBER, 2013 at 6.00 p.m.

Present: The Mayor (Councillor R Heron) in the Chair

Councillors	Allan	Fletcher	Martin, T	Tate
	Atkinson	Foster	Oliver	Thompson
	Ball	Francis	Padgett	Trueman, D.
	Bell	Gibson, E	Porthouse	Trueman, H.
	Blackburn	Gibson, P	Price	Turton
	Bonallie	Gofton	Richardson	Tye
	Curran	Howe	Scanlan	Wakefield
	Davison	Jackson	Scaplehorn	Watson, P
	Dixon	Kay	Scott	Watson, S
	Ellis	Kelly	Shattock	Williams
	Emerson	Lauchlan	Smith, P.	Wiper
	Errington	Lawson	Snowdon, D	Wood
	Essl	McClennan	Snowdon, DE	Wright, N
	Farthing	MacKnight	Stewart	Wright, T

The notice convening the meeting was read.

Minutes

20. RESOLVED that the minutes of the Meeting of the Council held on 19th June, 2013 and those of the Extraordinary Meeting held on 24th July, 2013 (copies circulated) be confirmed and signed as correct records subject to the inclusion of Councillor T. Martin in the attendance lists for both meetings.

Declarations of Interest

The following Councillors declared interests as follows: -

Item 12 – Notice of Motion	Councillor McClennan	Family Member employed by a bus company in the region
	Councillor Kay	Family Member employed by Northern Bus Company
Item 7 (4) – report of the Cabinet – Youth Justice Plan 2013/14 to 2015/16	Councillor Francis	Magistrate

Announcements

(i) Death of former Councillors Florence Otterson and Walter Scott

The Mayor paid tribute to former Councillors and colleagues, Florence Otterson and Walter Scott who had recently passed away.

Members and Officers stood for a minute's silence as a mark of respect.

(ii) Northumbria In Bloom Awards

At the invitation of the Mayor, Councillor Blackburn, the Portfolio Holder for Attractive and Inclusive City stated that the results of the annual Northumbria in Bloom competition were announced on 17th September 2013 at a ceremony held at The Stadium of Light. The event was attended by the Mayor Councillor R Heron and the Mayoress Mrs J Heron.

Councillor Blackburn was delighted to acknowledge the achievements of the city and announced the following major awards:-

- Sunderland – Large City Class – Trophy Winner and Gold Award
- Hetton-le-Hole and Houghton-le-Spring – Large Town Class – Gold Award to both
- Washington Village – Best Village Class – Gold Award
- Washington – Small City Class – Silver-Gilt Award

Councillor Blackburn also reported the achievements of the numerous schools, community groups, voluntary and business participants in this year's competition who had been successful in achieving the following:-

- Herrington Country Park
- Doxford International Business Park, and
- Ayton Gardens Allotments, Washington

Were all trophy winners for best in class and Gold awards.

- Rainton Bridge Business Park
- Houghton Racecourse Community Access Point
- East Bridge Street Residents
- The Roker Hotel
- Concord Bus Station, Washington
- Rainton Meadows Nature Reserve
- The Nuttery, Washington Village
- Mowbray Park
- Usworth Park
- Sunderland University
- Primrose Allotments
- Holley Park School
- Richard Avenue Primary School

All received Gold Awards

- Whitby Rise Care Home
- Princess Anne Park

- Warwick and Windsor Drive, Houghton-le-Spring
 - Monkwearmouth Railway Museum
- All received Silver-Gilt Awards

Councillor Blackburn also reported that Mr Norman Atkinson, a colleague from Streetscene, had received a special award from the judging committee for his Outstanding Contribution in Support of Northumbria in Bloom. Councillor Blackburn thanked all of the City Council Staff, Community Organisations and Businesses for their efforts in achieving the fantastic collection of awards.

Reception of Petitions

21. 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:-

Councillor H. Trueman – Petition against the Closure of Libraries – Executive Director, People Directorate.

Councillor McClennan – Petition against the redevelopment of the Eastender Public House to student lets – Deputy Chief Executive.

Councillor Padgett – Petition requesting the closure of the bridge at Station Road, Columbia – Deputy Chief Executive.

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Anderson, Copeland, Forbes, Marshall, L. Martin, F. Miller, G. Miller, Mordey, Smiles, D. Smith, Speding, Taylor, Walker, Waller, A. Wilson, D. Wilson.

The Cabinet reported and recommended as follows:-

1. Honorary Freedom of the City

That they had given consideration to a joint report of the Chief Executive and the Executive Director of Commercial and Corporate Services (copy attached) that recommended that the Council formally confer the Honorary Freedom of the City upon Monsieur Joël Batteux OBE, Mayor of St Nazaire and Mr Niall Quinn MBE to formally recognise their outstanding contributions to the well-being and community spirit of the City as outlined in the report.

Accordingly the Cabinet recommended the Council to:-

- (i) Agree to the conferring, in accordance with the provisions of Section 249 of the Local Government Act 1972, of the Honorary Freedom of the City upon Monsieur Joël Battieux OBE, Mayor of St Nazaire and Mr Niall Quinn MBE, and

- (ii) Authority be given for the Chief Executive in consultation with the Leader of the Council, to agree all appropriate arrangements for the formal ceremony at an extraordinary meeting of the council to be held on 11th November 2013.

2. Appointment of Aldermen

That they had given consideration to a joint report of the Chief Executive and Executive Director of Commercial and Corporate Services (copy attached) which recommended that the Council agree arrangements for the appointment of Honorary Aldermen for the Council of the City of Sunderland to recognise distinguished service to the Council, the city and its communities, by former Members.

Accordingly the Cabinet recommended the Council to approve the arrangements for the Appointment of Honorary Aldermen for the Council of the City of Sunderland.

3. Proposed amendments to the Council's Delegation Scheme

That they had given consideration to a joint report of the Deputy Chief Executive and the Head of Law and Governance (copy attached) which sought approval to amend the Council's Delegation Scheme in order to authorise the Deputy Chief Executive to exercise the Council's full enforcement powers in respect of trees under Part VIII of the Town and Country Planning Act 1990 and also to authorise the Regulatory Committee, Deputy Chief Executive and Head of Street Scene to exercise functions under the Scrap Metal Dealers Act 2013.

Accordingly the Cabinet recommended that the Council approve the amendment to the Council's Delegation Scheme in Part 3 of the Constitution as follows:-

Paragraph 2.22 (Deputy Chief Executive) be deleted and substituted as follows:-

"2.22 To authorise the making of Tree Preservation Orders (including any variation or revocation order) (provided that if any statutory representations or objections are received to any such orders which the Council is required to consider they shall be reported to the Planning and Highways Committee for consideration) and to exercise the Council's enforcement powers in respect of trees under Part VIII of the Town and Country Planning Act 1990",

And

The further amendments set out in the Schedule to the report be made in relation to the exercise of functions under the Scrap Metal Dealers act 2013 and that the Head of Street Scene be appointed as the person to whom oral representations are to be made under paragraph 7(8) of Schedule 1 to the Scrap Metal Dealers Act 2013.

4. Youth Justice Plan 2013/14 to 2015/16

That they had given consideration to a report of the Executive Director of People Services (copy attached) which sought approval to the publication and distribution of the Youth Justice Plan 2013/14 to 2015/16. The report outlined the background, purpose and intentions of the Plan and provided the Plan intended for publication.

They also referred the report to the Scrutiny Committee for further advice and consideration. The Scrutiny Committee recommended that future reports give more detailed cost benefit analysis on order to demonstrate value for money. The Scrutiny Committee were satisfied with the remaining content of the Youth Justice Plan and had no further comment to make.

Accordingly the Cabinet recommended the Council to consider the contents of the report and approve the Youth Justice Plan 2013/14 to 2015/16 and agree to its publication and distribution.

The Leader of the Council, duly seconded by the Deputy Leader, moved the report of the Cabinet.

Upon the report of the Cabinet being put to the Council it was:-

22. RESOLVED that the report of the Cabinet be approved and adopted.

Honorary Freedom of the City

The Chief Executive submitted a report (copy circulated) that recommended that the Council formally confer the Honorary Freedom of the City upon Mr Trevor Mann CBE to formally recognise his outstanding contributions to the well-being and community spirit of the City as outlined in the report.

The Leader of the Council, duly seconded by the Deputy Leader, moved the report.

Upon the report being put to the Council it was:-

23. RESOLVED that the Council:-

- (i) Agrees to conferring, in accordance with the provisions of Section 249 of the Local Government Act 1972, of the Honorary Freedom of the City upon Mr Trevor Mann CBE; and
- (ii) Gives authority for the Chief Executive in consultation with the Leader of the Council, to agree all appropriate arrangements for the formal ceremony at an extraordinary meeting of the Council to be held on a date to be fixed.

The Audit and Governance Committee reported and recommended as follows:-

1. Annual Report on the work of the Audit and Governance Committee 2012/13

That they had given consideration to a report by the Executive Director of Commercial and Corporate services on the work of the Audit and Governance Committee during 2012/13, demonstrating how they have fulfilled their delegated responsibilities.

Accordingly the Committee recommended the Council to note the Annual report on the Work of the Audit and Governance Committee 2012/13.

Councillor T. Wright, seconded by Councillor Farthing, moved the report of the Audit and Governance Committee.

24. RESOLVED that the report of the Audit and Governance 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.

Action Taken on Petitions

The Council received the under mentioned reports on action taken in relation to the following petitions which had been presented to Council.

- (i) Petition from residents of and visitors to the Dairy Lane Estate, Houghton le Spring, particularly Longacre and Dunelm Drive calling for action for Sunderland City Council to take all necessary action to prevent a recurrence of flooding – Presented by Councillor Ellis on 28 November 2012**

The petitioners requested the Council to take all necessary action to prevent a recurrence of flooding in their homes which appeared to be being caused by flooding in Gilpin Wood and the culverting of run-off water from the Rainton Meadow Industrial Estate to discharge adjacent to homes.

The Council noted the petitioners' requests to take all necessary action to prevent future flooding to their homes. The Council had worked and would continue to work with the Environment Agency and NWL in funding and implementing cost effective solutions to mitigate the flooding problems on the estate. The effects of the works undertaken would continue to be monitored during future rainfall events.

The lead petitioner would be informed of the decision after the Council meeting.

(ii) Petition to Protect The Green at Redburn Row, Houghton-le-Spring and the field lying to the rear of Redburn Row – Presented by Councillor Ellis on 19 June 2013

The petitioners requested the Council to protect The Green at Redburn Row, Houghton-le-Spring and the field lying to the rear of Redburn Row.

The site, locally known as The Green, Redburn Row and the land immediately to the south, is identified as 'white land' on the proposals map of the City Council's adopted Unitary Development Plan (UDP) (1998) and, as such, any proposals for development would be subject to the provisions of policy EN10. This policy dictated that where the UDP did not indicate any proposals for change, the existing pattern of land use was intended to remain and development in such areas must be compatible with the principal use of the neighbourhood.

In addition, the area in question was also situated within a settlement break and nature conservation area and, as such, regard should also be given to policies CH6 and B3 of the UDP. Policy CN6 stated that important open breaks and wedges within and between settlements would be retained and enhanced, although the supporting text to the policy did state that incursions into the settlement break comprising minor extensions to existing land use may be acceptable. Policy B3 sought to protect public and private open space from development which would have a serious adverse effect on its amenity, recreational or nature conservation value; proposals would be considered in light of their contribution to urban regeneration and to the importance of such space to the established character of the area.

It was understood that the area known as 'The Green' had been and was currently used on occasions by local residents for recreational activities. However in terms of its planning status, the area in question was not afforded any land use policy protection in this regard. Therefore the Council could not, through current planning legislation, ensure that this area of land and the land immediately to the south remained for such informal uses in the future.

In respect of land ownership it was understood that the Council do own a small section of the land known as 'The Green' and the larger area of land to the south. However, as became evident in a recent planning application, for the change of use of open space to private garden to the side/rear of Thornton Cottage, the majority of the area in question did not appear to be in the ownership of any particular individual or company.

Therefore it was considered that any development proposals for the parcels of land in question, including applications for change of use, would be subject to the requirements of Article 11 and 12 of the Development Management Procedure order 2010 (notice of applications

for planning permission and certificates in relation to notice of applications for planning permission) and the considerations as set out in the aforementioned policies.

Councillor Ellis and the Lead Petitioner had been notified of the action taken.

(iii) Petition Requesting the Reinstatement of Bus Service 13 along Doxford Park Way on Sunday daytime and a revision of its termination point – Presented by Councillor Marshall on 26 September 2012

The following actions took place following submission of the petition:-

(i) The petition was forwarded to the Acting Clerk & Treasurer for the Integrated Transport Authority (ITA) on 15 October 2012 for investigation of the issues raised by the Petitioners.

(ii) The issues raised by the Petitioners have been investigated by Nexus, on behalf of the ITA, and the matter had been discussed at meetings of the ITA.

(iii) Following the ITA meeting of 23 May 2013 the Director General of Nexus wrote to the Lead Petitioner, outlining the outcome of their investigations. In addition Nexus sent Councillor Marshall, by email on 3 June 2013, a copy of their letter to the Lead Petitioner. Therefore Councillor Marshall and the Lead Petitioner had been informed of the outcome of the petition.

(iv) The outcome of Nexus' investigations into the issues raised by the petitioners was as follows, as set out in the letter from Nexus to the Lead Petitioner:-

"Nexus were asked to discuss the issues raised in the petition with the bus operator, Stagecoach. The changes were made as a result of a commercial decision taken by the commercial operator. Stagecoach will keep under review the operation of services 4 and 13 in the Doxford Park area in an effort to minimise the impacts of the loss of Sunday daytime service of Doxford Park Way and to reduce the current dwell time of Service 13. Nexus is continuing to explore these issues and possible solutions with Stagecoach and progress was being made. I hope we will ultimately be able to find a resolution to the issues outlined in your petition. We will provide you with further updates, once Stagecoach has given these issues further consideration"

(v) It was recommended that Nexus' statement, made on behalf of the ITA, be noted.

Notices of Motion

(i) Notice of Motion – Bus Services

Councillor Wood, seconded by Councillor Oliver moved the following motion in relation to bus services:-

“This Council welcomes the prospect of better bus services for city residents and hopes they can be achieved in partnership with local bus companies”.

The Leader of the Council, seconded by the Deputy Leader moved the following amendment:-

After the word ‘in’ insert the words ‘**the most appropriate**’
After the word ‘with’ delete the word ‘**local**’

Upon being put to the meeting, the amendment was carried unanimously. The new substantive motion was then put to the meeting and carried unanimously.

Accordingly it was:-

25. RESOLVED that this Council welcomes the prospect of better bus services for city residents and hopes they can be achieved in the most appropriate partnership with bus companies.

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)

26. RESOLVED that the report be noted.

Appointment to the Health and Wellbeing Board NHS Provider Forum

The Executive Director of Commercial and Corporate Services submitted a report (copy circulated) which requested the Council to consider an appointment to the NHS Provider Forum, a new group which had been established by the Sunderland Health and Wellbeing Board.

(For copy report – see original minutes)

27. RESOLVED that Councillor Speding be appointed to the NHS Provider forum.

(Signed) R. HERON,
Mayor.

