

CIVIC CENTRE,  
SUNDERLAND  
21 January 2019

**TO THE MEMBERS OF SUNDERLAND CITY COUNCIL**

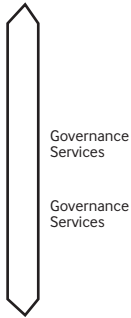
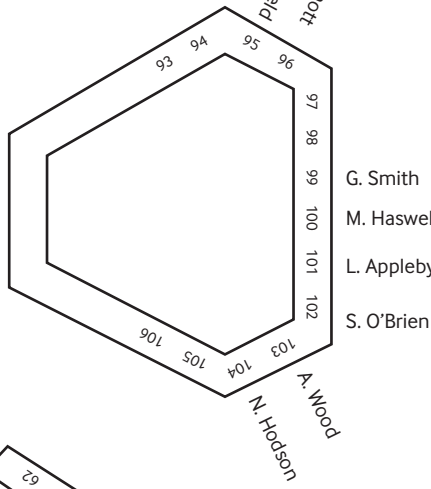
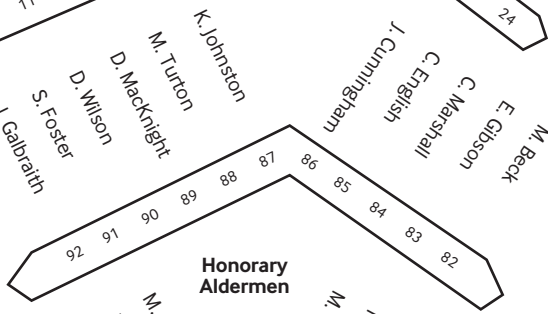
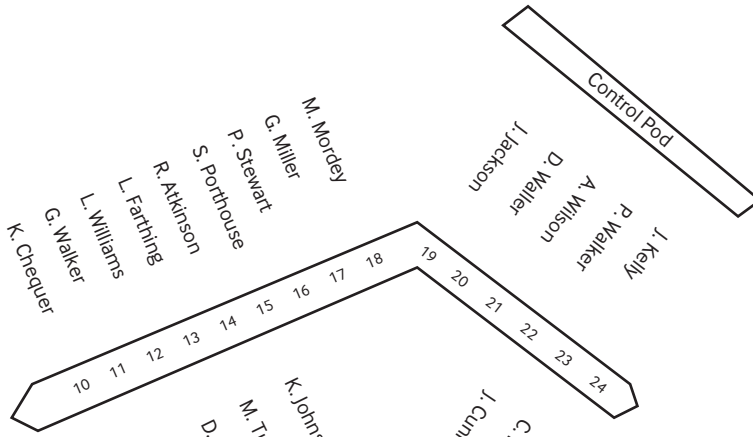
**YOU ARE SUMMONED TO ATTEND A MEETING** of Sunderland City Council to be held in the Council Chamber, Civic Centre, Sunderland, on **WEDNESDAY 30 JANUARY 2019** at **6.00 p.m.** at which it is proposed to consider and transact the following business:-

<b>Item</b>	<b>Page</b>
1. To read the Notice convening the meeting.	-
2. To approve the minutes of the Meeting of the Council held on 21 November 2018 (copy herewith).	1
3. Receipt of Declarations of Interest (if any).	-
4. Announcements (if any) under Rule 2(iv).	-
5. Reception of Petitions.	-
6. Apologies.	-
7. Written Questions by Members of the Public (if any) under Rule 9.	-

<b>8.</b>	<b>Report of the Cabinet (copy herewith).</b>	<b>21</b>
<b>9.</b>	<b>Written Questions (if any) under Rule 10.2.</b>	<b>-</b>
<b>10.</b>	<b>To consider the attached Motions (copy herewith).</b>	<b>49</b>
<b>11.</b>	<b>To consider the following reports:-</b>	
	<b>(i) Report on Special Urgency Decisions – report of the Leader (copy herewith).</b>	<b>57</b>
	<b>(ii) Declaration of Vacancy - Washington South Ward - report of the Head of Law and Governance (copy herewith).</b>	<b>59</b>
	<b>(iii) Appointments to Committees and Outside Bodies – report of the Head of Law and Governance (copy herewith).</b>	<b>61</b>



**PATRICK MELIA, CHIEF EXECUTIVE.**

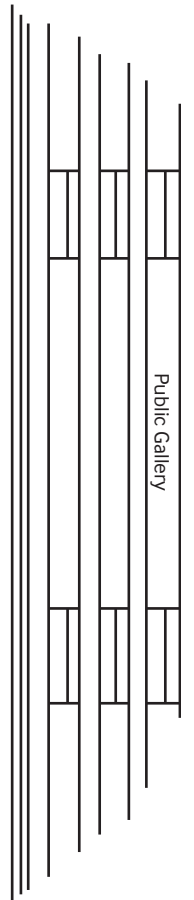
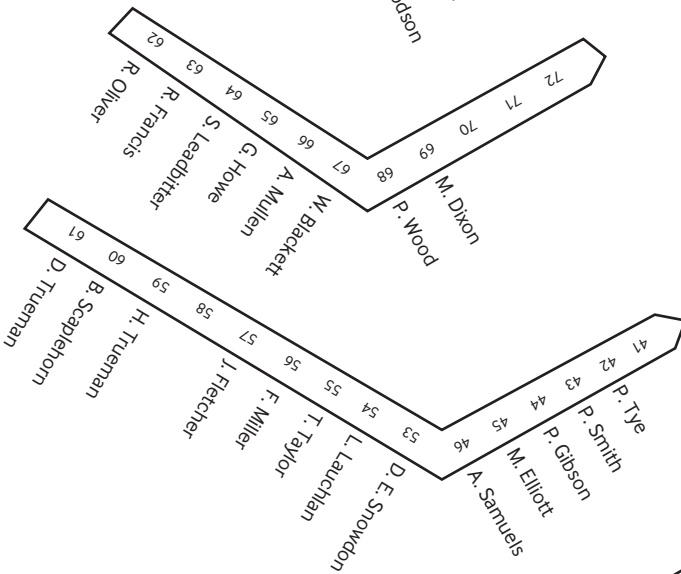
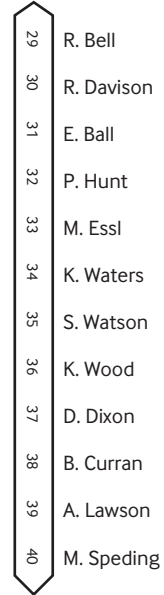
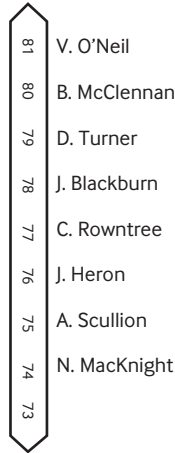


Head of Law and Governance  
E. Waugh

Mayor  
L. Scanlan

Chief Executive  
P. Melia

Deputy Mayor  
D. Snowdon





# ***Minutes***



## Sunderland City Council

At a meeting of SUNDERLAND CITY COUNCIL held in the CIVIC CENTRE on WEDNESDAY, 21 NOVEMBER, 2018 at 6.00 p.m.

**Present:** The Mayor (Councillor L. Scanlan) in the Chair  
The Deputy Mayor (Councillor D. Snowdon)

Councillors	Appleby	Foster	Marshall	Stewart
	Atkinson	Francis	McClennan	Taylor
	Ball	Galbraith	Miller, F	Trueman, D
	Beck	Gibson, E	Miller, G.	Trueman, H
	Bell	Gibson, P.	Mordey	Turner
	Blackburn	Haswell	Mullen	Tye
	Blackett	Heron	O'Brien	Walker, G.
	Chequer	Hodson	Oliver	Walker, P
	Curran	Howe	O'Neil	Waller
	Davison	Hunt	Rowntree	Williams
	Dixon, D.	Jackson	Samuels	Wilson, A.
	Dixon, M	Johnston	Scullion	Wilson, D.
	English	Lauchlan	Smith, G	Wood. A
	Essl	Lawson	Smith, P	Wood, K.
	Farthing	MacKnight, D	Snowdon, D.E.	Wood, P.
	Fletcher	MacKnight, N	Speding	

Also Present:-

Honorary Aldermen: - M. Forbes, M. Greenfield and R.D. Tate.

The notice convening the meeting was read.

### Minutes

Council was asked to note that due to difficulties with the electronic voting system at the last meeting none of Councillor H. Trueman's votes had registered.

The Cabinet Secretary advised that he had moved and Councillor O'Neil had seconded, the report of the Audit and Governance Committee. With that amendment, it was:-

25. RESOLVED that the minutes of the Meeting of the Council held on 19 September, 2018 (copy circulated), be confirmed and signed as a correct record.

## Declarations of Interest

The following Councillors declared interests as follows: -

Item 8 (1) – Submission of the Core Strategy and Development Plan 2015-2033 to the Secretary of State for Examination in Public	Councillor Davison	Area of Land.
Item 8 (3) – Gambling Act 2005 – Approval of Council’s Statement of Principles	Councillors Blackburn and Turner	Members of Hetton Town Council.
	Councillor Hodson	Father is a Consultee.
Item 12 – Motions on Notice	Councillor Rowntree	Member of Co-operative Party
Item 13 (iii) – Appointments to Committees and Outside Bodies	Councillor Rowntree	Member of Samuel Dobson Trust Board.

## Announcements

**The Mayor made the following announcements:**

### **(i) Salvation Army**

The Mayor personally thanked the Salvation Army for the support that they had given to residents in 500 homes in the Millfield ward who had recently been without electricity.

### **(ii) Deputy Mayor’s Consort**

The Mayor confirmed that the Deputy Mayor had formally designated Councillor Dianne Snowdon as his Consort for the remainder of the Municipal Year.

### **(iii) Northumbria in Bloom**

At the invitation of the Mayor, Councillor A. Wilson advised the Council that Sunderland City Council had achieved success in this year’s Northumbria in Bloom Awards.

Sunderland had won the ‘best city centre’ category, Rainton Bridge in Houghton was named as Best Business Park, and community gardening groups across the city were successful in the Royal Horticultural Society (RHS) It’s Your Neighbourhood Awards.

Councillor A. Wilson presented the trophies and award certificates for display in the Mayor’s Parlour.



#### **(iv) 18<sup>th</sup> Anniversary of the Sunderland Symphony Orchestra**

At the invitation of the Mayor, Honorary Alderman Greenfield advised that Sunderland Symphony Orchestra were celebrating their 18<sup>th</sup> Anniversary and thanked Sunderland City Council for their support over the years.

Honorary Alderman Greenfield presented the Council with a CD of the Roker Pier piece of music to be used for promotional work.

#### **Reception of Petitions**

No petitions were received.

#### **Apologies for Absence**

Apologies for absence were submitted to the meeting on behalf of Councillors Cunningham, Elliott, Kelly, Leadbitter, Porthouse, Scaplehorn, Waters and Watson and on behalf of Alderman Arnott.

#### **Written Questions under Rule 9**

Pursuant to Rule 9 of the Council Rules of Procedure, the Leader and Members of the Executive were asked questions which had been submitted by members of the public.

#### **Report of the Cabinet**

Councillor Hodson withdrew from the meeting during consideration of Item 3 - Gambling Act 2005 – Approval of Council's Statement of Principles.

The Cabinet reported and recommended as follows:-

#### **1. Submission of the Core Strategy and Development Plan 2015-2033 to the Secretary of State for Examination in Public**

That they had considered a report of the Executive Director of Economy and Place (copy attached) on the Core Strategy and Development Plan (hereafter referred to as the Plan) which includes minor modifications from the draft plan that was previously consulted upon under the provisions of Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Cabinet was requested to:-

- (a) Delegate authority to the Head of Planning and Regeneration in consultation with the Leader and Deputy Leader to make any modifications to the Core Strategy and Development Plan and associated documentation for submission to the Secretary of State.
- (b) Delegate authority to the Head of Planning and Regeneration in consultation with the Leader and Deputy Leader to go out to consultation on any further modifications to the Core Strategy and Development Plan that may be necessary and recommended by the Planning Inspector during the Examination in Public.
- (c) Delegate authority to the Head of Planning and Regeneration in consultation with the Leader and Deputy Leader to sign the Statement of Common Ground as part of the Duty to Co-operate.

In addition the Cabinet recommended the Council to:-

- (i) Approve for the purpose of submission to the Secretary of State the Submission Draft of the Core Strategy and Development Plan (Appendix A) which incorporates minor modifications, as set out in Appendix B; and
- (ii) Authorise the formal submission of the Core Strategy and Development Plan and associated documents (as listed in Appendix C) to the Secretary of State pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and Section 20 of the Planning and Compulsory Purchase Act 2004;

The report was also considered by the Economic Prosperity Scrutiny Committee and the Committee supported the recommendations of the report.

## **2. Enforcement of the Equality Act 2010 in relation to hackney carriages and private hire vehicles**

That they had considered a report of the Executive Director of Economy and Place (copy attached) powers conferred upon the Authority by Part 12, Chapter 1 of the Equality Act 2010 (the "Act") in relation to hackney carriages and private hire vehicles and their drivers.

The Cabinet was requested to delegate to the Executive Director of Economy and Place the powers conferred upon the Authority by Part 12, Chapter 1 of the Equality Act 2010 (the "Act") in relation to hackney carriages and private hire vehicles and their drivers including:

- (a) the maintenance of a list of accessible vehicles under section 167 of the Act;
- (b) the issuing of exemption certificates under sections 166, 169 and 171 of the Act;

- (c) the enforcement of the duties placed upon drivers and operators under sections 165 (duties in relation to passengers in wheelchairs), 168 (duties in respect of assistance dogs in hackney carriages) and 170 (duties in relation to assistance dogs in private hire vehicles) of the Act.

Accordingly the Cabinet recommended to Council that the Head of Law and Governance amend the Constitution to reflect the delegation referred to above.

### **3. Gambling Act 2005 – Approval of Council’s Statement of Principles**

That they had considered a report of the Executive Director of Economy and Place (copy attached) on the responsibility of the Council with regard to the publishing of a statement of principles under the Gambling Act 2005 (the “Act”).

The Cabinet was requested to recommend to Council to approve the draft statement of principles (attached as Appendix 1) in accordance with the Act.

The report was also considered by the Economic Prosperity Scrutiny Committee upon the consultation response and the revised draft statement of principles. The Committee resolved to recommend that the draft statement of principles be approved by the Council under the Gambling Act 2005.

The Leader of the Council, Councillor G Miller, duly seconded by the Deputy Leader, Councillor Mordey, moved the report of the Cabinet.

Councillor Oliver, duly seconded by Councillor Blackett, moved a reference back on Item 1 - Submission of the Core Strategy and Development Plan 2015-2033 to the Secretary of State for Examination in Public.

Upon being put to the vote, the reference back was defeated with 13 Members voting in favour: -

Councillors	Appleby	Haswell	Mullen	Smith, G
	Blackett	Hodson	O’Brien	Wood, A
	Dixon, M	Howe	Oliver	Wood, P
	Francis			

And 50 Members voting against:-

Councillors	Atkinson	Galbraith	Miller, F	Taylor
	Ball	Gibson, E	Miller, G.	Trueman, D
	Beck	Gibson, P.	Mordey	Trueman, H
	Bell	Heron	O'Neil	Turner
	Blackburn	Hunt	Rowntree	Tye
	Chequer	Jackson	Samuels	Walker, G.
	Curran	Johnston	Scullion	Walker, P
	Dixon, D.	Lauchlan	Smith, P	Waller
	English	Lawson	Snowdon, D.	Williams
	Essl	MacKnight, D	Snowdon, D.E.	Wilson, A.
	Farthing	MacKnight, N	Speding	Wilson, D.
	Fletcher	Marshall	Stewart	Wood, K.
	Foster	McClennan		

The Mayor proposed that approval and adoption of the Cabinet report be considered in two stages, with a separate vote on Cabinet's recommendations in respect of the Core Strategy and Development Plan 2015-2033 being taken first, followed by a vote on the remainder of Cabinet's recommendations. .

Upon being put to the vote, with 47 Members voting in favour:-

Councillors	Atkinson	Galbraith	Miller, F	Taylor
	Ball	Gibson, E	Miller, G.	Trueman, D
	Beck	Gibson, P.	Mordey	Trueman, H
	Bell	Heron	O'Neil	Turner
	Blackburn	Hunt	Rowntree	Tye
	Chequer	Jackson	Samuels	Walker, G.
	Curran	Johnston	Scullion	Walker, P
	Dixon, D.	Lauchlan	Smith, P	Waller
	English	Lawson	Snowdon, D.	Williams
	Essl	MacKnight, N	Snowdon, D.E.	Wilson, A.
	Farthing	Marshall	Speding	Wood, K.
	Fletcher	McClennan	Stewart	

And 16 Members voting against:-

Councillors	Appleby	Foster	MacKnight, D	Smith, G
	Blackett	Haswell	Mullen	Wilson, D.
	Dixon, M	Hodson	O'Brien	Wood, A.
	Francis	Howe	Oliver	Wood, P.

Accordingly it was:-

26. RESOLVED that:

- (i) For the purpose of submission to the Secretary of State the Submission Draft of the Core Strategy and Development Plan (Appendix A) which incorporates minor modifications, as set out in Appendix B be approved; and

- (ii) Authorisation be given to the formal submission of the Core Strategy and Development Plan and associated documents (as listed in Appendix C) to the Secretary of State pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and Section 20 of the Planning and Compulsory Purchase Act 2004;

In respect of the remainder of Cabinet's recommendations, upon being put to the vote, with 63 Members voting in favour:-

Councillors	Appleby	Foster	McClennan	Stewart
	Atkinson	Francis	Miller, F	Taylor
	Ball	Galbraith	Miller, G.	Trueman, D
	Beck	Gibson, E	Mordey	Trueman, H
	Bell	Gibson, P.	Mullen	Turner
	Blackburn	Haswell	O'Brien	Tye
	Blackett	Heron	Oliver	Walker, G.
	Chequer	Howe	O'Neil	Walker, P
	Curran	Hunt	Rowntree	Waller
	Davison	Jackson	Samuels	Williams
	Dixon, D.	Johnston	Scullion	Wilson, A.
	Dixon, M	Lauchlan	Smith, G	Wilson, D.
	English	Lawson	Smith, P	Wood. A
	Essl	MacKnight, D	Snowdon, D.	Wood, K.
	Farthing	MacKnight, N	Snowdon, D.E.	Wood, P.
	Fletcher	Marshall	Speding	

It was:-

27. RESOLVED that:-

- (i) the Head of Law and Governance be authorised to amend the Constitution to reflect the delegation referred to within the Cabinet report; and
- (ii) the draft statement of principles (attached as Appendix 1) in accordance with the Gambling 2005 Act be approved.

### **Report of the Audit and Governance Committee**

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

#### **1. Annual Audit Letter 2017/2018**

That the Audit and Governance Committee had given consideration to the Annual Audit Letter (copy attached) covering the year 2017/2018 prepared by the Council's external auditor Mazars LLP.

The Committee welcomed the positive report and accordingly, the Committee recommended Council to note the Annual Audit Letter for 2017/2018.

The Cabinet Secretary, Councillor Stewart, duly seconded by Councillor O'Neil, moved the report of the Audit and Governance Committee and accordingly it was:-

28. RESOLVED that the Annual Audit Letter for 2017/2018 be noted.

### Written Questions under Rule 10.2

Pursuant to Rule 10.2 of the Council Rules of Procedure, Members of the Council asked questions of the Leader and Members of the Executive.

Councillor O'Brien moved an extension to the time for responding to written questions which was duly seconded by Councillor Oliver. Upon being put to the vote the motion was defeated with 13 Members voting in favour:-

Councillors	Appleby	Haswell	Mullen	Smith, G
	Blackett	Hodson	O'Brien	Wood, A
	Dixon, M	Howe	Oliver	Wood, P
	Francis			

And 49 Members voting against:-

Councillors	Atkinson	Foster	Marshall	Stewart
	Ball	Galbraith	Miller, F	Trueman, D
	Beck	Gibson, E	Miller, G.	Trueman, H
	Bell	Gibson, P.	Mordey	Turner
	Blackburn	Heron	O'Neil	Tye
	Chequer	Hunt	Rowntree	Walker, G.
	Curran	Jackson	Samuels	Walker, P
	Davison	Johnston	Scullion	Waller
	Dixon, D.	Lauchlan	Smith, P	Williams
	English	Lawson	Snowdon, D.	Wilson, A.
	Essl	MacKnight, D	Snowdon, D.E.	Wilson, D.
	Farthing	MacKnight, N	Speding	Wood, K.
	Fletcher			

### Motions on Notice

#### (i) Developing a Community Wealth Programme for Sunderland

Councillor Stewart, duly seconded by Councillor G. Walker, moved an alteration to the following motion which was unanimously agreed, from the first line of the motion to delete the words "per annum":-

So that the altered Motion read:

"With cuts in local service budgets since 2010 of over £290m on our council, imposed nationally by Liberal Democrats and Tories, it is becoming increasingly apparent that, for all the success in attracting inward investment, we need to do more to develop wealth creation and retention within our local communities to mitigate against these cuts.

We therefore propose that Sunderland, as a Co-operative Council, look to develop strategies to retain local community wealth, putting control back into the hands of local communities so that wealth is broadly held and where benefits are recirculated.

In doing so we call upon Sunderland Council to make a long-term commitment to community wealth building by imbedding this approach as part of the current review of the corporate plan, appointing the Cabinet Secretary to oversee its development and implementation”.

Councillor Hodson, duly seconded by Councillor O’Brien, proposed an amendment that the phrase “imposed nationally by Liberal Democrats and Tories” be removed.

Upon being put to the vote, the amendment was defeated with 13 Members voting in favour:-

Councillors	Appleby Blackett Dixon, M Francis	Haswell Hodson Howe	Mullen O’Brien Oliver	Smith, G Wood, A Wood, P
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And 49 Members voting against:-

Councillors	Atkinson Ball Beck Bell Blackburn Chequer Curran Davison Dixon, D. English Essl Farthing Fletcher	Foster Galbraith Gibson, E Gibson, P. Heron Hunt Jackson Johnston Lauchlan Lawson MacKnight, D MacKnight, N	Marshall McClennan Miller, F Miller, G. Mordey O’Neil Rowntree Samuels Scullion Smith, P Snowdon, D. Snowdon, D.E.	Speding Stewart Trueman, D Trueman, H Turner Tye Walker, G. Walker, P Waller Williams Wilson, A. Wood, K.
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The substantive motion was then put to the vote and was carried with 49 Members voting in favour:-

Councillors	Atkinson Ball Beck Bell Blackburn Chequer Curran Davison Dixon, D. English Essl Farthing Fletcher	Foster Galbraith Gibson, E Gibson, P. Heron Hunt Jackson Johnston Lauchlan Lawson MacKnight, D MacKnight, N	Marshall McClennan Miller, F Miller, G. Mordey O’Neil Rowntree Samuels Scullion Smith, P Snowdon, D. Snowdon, D. E.	Speding Stewart Trueman, D Trueman, H Turner Tye Walker, G. Walker, P Waller Williams Wilson, A. Wood, K.
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And 13 Members voting against:-

Councillors	Appleby	Haswell	Mullen	Smith, G
	Blackett	Hodson	O'Brien	Wood, A
	Dixon, M	Howe	Oliver	Wood, P
	Francis			

Accordingly, it was:-

29. RESOLVED that:-

With cuts in local service budgets since 2010 of over £290m on our council, imposed nationally by Liberal Democrats and Tories, it is becoming increasingly apparent that, for all the success in attracting inward investment, we need to do more to develop wealth creation and retention within our local communities to mitigate against these cuts.

We therefore propose that Sunderland, as a Co-operative Council, look to develop strategies to retain local community wealth, putting control back into the hands of local communities so that wealth is broadly held and where benefits are recirculated.

In doing so we call upon Sunderland Council to make a long-term commitment to community wealth building by imbedding this approach as part of the current review of the corporate plan, appointing the Cabinet Secretary to oversee its development and implementation.

## **(ii) Parental Leave Policy for Elected Members**

Councillor Atkinson, duly seconded by Councillor Mordey, moved the following motion:-

“This Council notes:

- That analysis of the 2018 Local Election results by the Fawcett Society found that 34% of councillors in England are women, up 1% since 2017. Of the seats that were up for election in 2018, 38% went to women, up just 3 percentage points on 2014 when these seats were last contested;
- As of summer 2017, only 4% of councils in England and Wales have parental leave policies, according to research by the Fawcett Society;
- That the role of a councillor should be open to all, regardless of their background, and that introducing a parental leave policy is a step towards encouraging a wider range of people to become councillors, and is also a step to encourage existing councillors who may want to start a family to remain as councillors;
- That parental leave must apply to parents regardless of their gender, and that it should also cover adoption leave to support those parents who choose to adopt.

This Council resolves:

- To adopt the parental leave policy drafted by the LGA Labour Group's Women's Taskforce to give all councillors an entitlement to parental leave after giving birth or adopting;



- To ensure that councillors with children and other caring commitments are supported as appropriate;
- To notify the LGA that this council has passed a motion at full council to adopt the parental leave policy.”

The motion having been unanimously agreed it was:-

30. RESOLVED that:-

This Council notes:

- That analysis of the 2018 Local Election results by the Fawcett Society found that 34% of councillors in England are women, up 1% since 2017. Of the seats that were up for election in 2018, 38% went to women, up just 3 percentage points on 2014 when these seats were last contested;
- As of summer 2017, only 4% of councils in England and Wales have parental leave policies, according to research by the Fawcett Society;
- That the role of a councillor should be open to all, regardless of their background, and that introducing a parental leave policy is a step towards encouraging a wider range of people to become councillors, and is also a step to encourage existing councillors who may want to start a family to remain as councillors;
- That parental leave must apply to parents regardless of their gender, and that it should also cover adoption leave to support those parents who choose to adopt.

This Council resolves:

- To adopt the parental leave policy drafted by the LGA Labour Group’s Women’s Taskforce to give all councillors an entitlement to parental leave after giving birth or adopting;
- To ensure that councillors with children and other caring commitments are supported as appropriate;
- To notify the LGA that this council has passed a motion at full council to adopt the parental leave policy.

### **(iii) Recent attacks on Firefighters in the City**

Councillor Oliver, duly seconded by Councillor Francis, moved the following motion:-

“This Council, on behalf of the vast majority of law-abiding people in Sunderland, condemns the recent attacks on firefighters in the city and will support a zero-tolerance approach to anyone caught attacking any firefighter who do one of the most dangerous and essential jobs in our society.”

The Leader of the Council, Councillor G. Miller, duly seconded by Councillor Curran, moved the following amendment to the motion:-

From the title of the motion delete the word “Firefighter” and insert “Emergency Service Workers”

From the second line of the Motion delete the words “firefighters” and insert “emergency service workers”

From the third line of the Motion delete the word “firefighter” and insert “such workers”

From the fourth line of the Motion delete the word “one” and insert “some”

So that the amended Motion would read:

“This Council, on behalf of the vast majority of law-abiding people in Sunderland, condemns the recent attacks on emergency service workers in the city and will support a zero-tolerance approach to anyone caught attacking any such workers who do some of the most dangerous and essential jobs in our society.”

It having been indicated to the meeting that the proposed amendment was accepted, it was:-

31. RESOLVED that:-

This Council, on behalf of the vast majority of law-abiding people in Sunderland, condemns the recent attacks on emergency service workers in the city and will support a zero-tolerance approach to anyone caught attacking any such workers who do some of the most dangerous and essential jobs in our society.

**(iv) Review of scrutiny arrangements of Children's Services and Together for Children**

Councillor Haswell, duly seconded by Councillor Hodson, moved the following motion:-

“This Council notes that:

Independent reports in 2015 and 2018 have highlighted a need for improvements to be made in the management of scrutiny and oversight of Children’s services in Sunderland.

Council further notes that:

Following these reports, significant changes have been made to improve the provision of services to children in Sunderland, and since then the management and oversight of Children’s Services and Together for Children has been noted as showing improvement. However, external organisations and council bodies which provide services to children in care remain outside the oversight of current children’s service scrutiny arrangements.

Accordingly, Council resolves to:

Request the Chief Executive to undertake a review of the existing scrutiny arrangements of Children's Services and Together for Children with a view to bringing other relevant bodies into the existing scrutiny arrangements. These bodies being those with an interest in the provision of services to children whilst in and leaving care from birth through to 18-21-year-old care leavers;

Request the Chief Executive to bring forward recommendations to Council, in consultation with the Chief Executive of Together for Children and the Children's Services Scrutiny Committee, to make changes to the scrutiny arrangements which widen the scope of scrutiny undertaken by the existing Children's Services Scrutiny Committee."

Upon being put to the vote, the motion was defeated with 6 Members voting in favour:-

Councillors	Appleby	Hodson	Smith, G
	Haswell	O'Brien	Wood, A

And 55 Members voting against:-

Councillors	Atkinson	Fletcher	Marshall	Speding
	Ball	Francis	McClennan	Stewart
	Beck	Foster	Miller, F	Trueman, D
	Bell	Galbraith	Miller, G.	Trueman, H
	Blackburn	Gibson, E	Mordey	Turner
	Blackett	Gibson, P.	Mullen	Tye
	Chequer	Heron	Oliver	Walker, G.
	Curran	Hunt	O'Neil	Walker, P
	Davison	Jackson	Rowntree	Waller
	Dixon, D.	Johnston	Samuels	Williams
	Dixon, M.	Lauchlan	Scullion	Wilson, A.
	English	Lawson	Smith, P	Wood, K.
	Essl	MacKnight, D	Snowdon, D.	Wood, P.
	Farthing	MacKnight, N	Snowdon, D.E.	

#### **(v) Event or Memorial for Conscientious Objectors**

Councillor Hodson, duly seconded by Councillor Haswell, moved an alteration to the motion to delete the word "outbreak" and replace it with the word "end." Councillor Farthing advised that it was the centenary of the Armistice and therefore proposed that the word "outbreak" should be replaced with "Armistice." It was unanimously agreed that the opening of the final paragraph should read, "In this, the centenary of the Armistice...."

So that the altered Motion would read:

"At the last Council meeting on 19th September 2018, Council resolved to commemorate the many women who have made a contribution to the civic life of Sunderland following the 1918 Representation of the People Act. Council notes with regret that the same 1918 Act excluded 16,000 conscientious objectors from the right to vote, throughout the first world war and for five years after.

Council notes with sadness the appalling way in which conscientious objectors were treated during and after the first world war.

In this, the centenary of the Armistice, Council recognises the courage and contribution made by conscientious objectors from Sunderland. Accordingly, Council resolves to call on the chief executive to look into the feasibility of an event or lasting memorial to the Sunderland's conscientious objectors."

Upon being put to the vote, the motion was carried, with 53 Members voting in favour:-

Councillors	Appleby	Galbraith	McClennan	Speding
	Atkinson	Gibson, E.	Miller, F.	Stewart
	Beck	Gibson, P.	Miller, G.	Trueman, D.
	Bell	Haswell	Mordey	Trueman, H.
	Blackburn	Heron	O'Brien	Turner
	Chequer	Hodson	O'Neil	Tye
	Curran	Jackson	Rowntree	Walker, G.
	Davison	Johnston	Samuels	Walker, P.
	Dixon, D.	Lauchlan	Scullion	Waller
	English	Lawson	Smith, G.	Williams
	Essl	MacKnight, D.	Smith, P.	Wilson, A.
	Farthing	MacKnight, N.	Snowdon, D.	Wood, A.
	Fletcher	Marshall	Snowdon, D.E.	Wood, K.
	Foster			

And 6 Members voting against:-

Councillors	Blackett	Francis	Oliver
	Dixon, M.	Mullen	Wood, P.

It having been indicated to the meeting that the proposed alteration was accepted, it was:-

32. RESOLVED that:-

At the last Council meeting on 19th September 2018, Council resolved to commemorate the many women who have made a contribution to the civic life of Sunderland following the 1918 Representation of the People Act.

Council notes with regret that the same 1918 Act excluded 16,000 conscientious objectors from the right to vote, throughout the first world war and for five years after. Council notes with sadness the appalling way in which conscientious objectors were treated during and after the first world war.

In this, the centenary of the Armistice, Council recognises the courage and contribution made by conscientious objectors from Sunderland. Accordingly, Council resolves to call on the chief executive to look into the feasibility of an event or lasting memorial to the Sunderland's conscientious objectors.

## **Report on Special Urgency Decisions**

The Leader of the Council submitted a quarterly report on executive decisions which had been taken as a matter of special urgency which advised that there had been no such instances since the last report.

The Leader of the Council, Councillor G. Miller, duly seconded by the Deputy Leader, Councillor Mordey, moved the report.

33. RESOLVED that the report be received and noted.

## **Vacancy on Children, Education and Skills Scrutiny Committee**

The Head of Law and Governance submitted a report which requested the Council's consideration on how to deal with the vacant seat on the Children, Education and Skills Scrutiny Committee which had arisen due to Cllr O'Brien relinquishing his seat on the Committee and the Liberal Democrat and Others Group declining to nominate a member of their group to take the seat in his place.

The options referred to in the report were as follows:-

- (1) (i) to approve alternative arrangements to political balance; and  
(ii) allocate the vacant seat previously allocated to the Liberal Democrat and Others Group on the Children, Education and Skills Scrutiny Committee to the Conservative Group, so that the elected member representation on the Committee will be Labour 10 : Conservative 2; and  
(iii) appoint a member nominated by the Conservative Group to the vacancy on the Committee; or
- (2) appoint a Liberal Democrat and Others Group member to the vacant seat; or
- (3) leave the seat vacant at this time; or
- (4) continue to review the position in respect of appointment to the vacant seat at future Council meetings, until an appointment is made.

The Leader of the Council, Councillor G. Miller, duly seconded by the Deputy Leader, Councillor Mordey, moved Option 2 and that Councillor Hodson be appointed to the vacancy on the Committee. Councillor Hodson having accepted the nomination it was:-

34. RESOLVED that Councillor Hodson be appointed to the vacant seat on the Children, Education and Skills Scrutiny Committee.

## **Appointments to Committees and Outside Bodies**

The Head of Law and Governance submitted a report to consider appointments and nominations to a number of Committees, Boards and outside bodies.

The Leader of the Council, Councillor G. Miller, duly seconded by the Deputy Leader, Councillor Mordey, moved that the recommendations contained in the report and supplementary report be approved and it was: -

35. RESOLVED that:-

- (i) Councillors Richard Elvin and Paul Holt be appointed as the representatives of Hetton Town Council on the Standards Committee;
- (ii) Councillor Hodson be appointed in place of Councillor O'Brien on the Standards Committee;
- (iii) Councillor Watson be appointed in place of Councillor Foster on the Scrutiny Coordinating Committee;
- (iv) the proposal to expand the membership of the Health and Wellbeing Board as set out in the report be endorsed and the following representatives to the Board be appointed:-  
  
South Tyneside & Sunderland Healthcare Group – Ken Bremner, Chief Executive  
Northumberland Tyne & Wear NHS Foundation Trust – Lisa Quinn, Executive Director for Commissioning and Quality Issues
- (v) Councillor Ball be appointed in place of Councillor Hunt on the Sunderland Orphanage and Educational Foundation;
- (vi) Councillor Stewart be appointed in place of Councillor A. Wilson on the North East Regional Employers' Organisation and as the member on the Executive Committee;
- (vii) Until further review, any trustees appointed to the Parker Trust CIO shall also serve as trustees of Parker Memorial Home and authorisation be given to the Head of Member Support and Community Partnerships, in consultation with the Chair of the Parker Trust, to conduct a recruitment process in order to identify suitable candidates for recommendation to Council for appointment to the vacant positions of trustee;
- (viii) the Cabinet Secretary, a Majority Group Member and Councillor Leadbitter be appointed to act as trustees of the Victoria House Charity;
- (ix) Councillor D. Wilson be appointed to act as a trustee on the Hylton Castle Trust;

- (x) the continued appointment of the Leader of the Council with the Deputy Leader of the Council as substitute on the NECA Leadership Board be noted and endorsed and approval be given to the following nominations:-

**Overview and Scrutiny Committee\*** – Councillor D.E. Snowdon and Councillor Oliver (Councillor Hunt and one Majority Group in Opposition Member as substitutes).

**Audit and Standards Committee\*** – Councillor Stewart with Councillor O’Neil as substitute.

**Economic Development and Regeneration Advisory Committee** – to note and endorse the continued appointment of the Leader of the Council and the Deputy Leader of the Council as substitute.

**North East Joint Transport Committee** – to note the appointment of by NECA of the Leader of the Council with the Deputy Leader of the Council as substitute.

**North East Joint Transport (Tyne and Wear) Sub-Committee** – Councillor A. Wilson with Councillor Waller as substitute.

**North East Joint Transport Overview and Scrutiny Committee\*** - Councillors Kelly and Stewart with Councillors Porthouse and D.E. Snowdon as substitutes.

**North East Joint Transport Audit Committee\*** - Councillor Stewart with Councillor O’Neil as substitute.

(Signed) L. SCANLAN,  
Mayor.





# ***Report of the Cabinet***



**The CABINET reports and recommends as follows:-**

**1. Council Tax Base 2019-2020**

That they have given consideration to a report of the Executive Director of Corporate Services (copy attached) on:-

- (i) the calculation of the Council Tax Base for 2019/2020 and to seek approval to recommend to Council the Council Tax Base for 2019/2020 in accordance with the Local Government Finance Act 1992 as amended by the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012;
- (ii) the additional legislative Empty Homes Premium which billing authorities may charge and seek approval to implement such changes locally; and
- (iii) to clarify the criteria for eligibility to Class C and Class D Discounts which were approved by Cabinet in January 2013, effective from April 2013.

The Cabinet having agreed that:-

- the application, from 1 April 2019, of the additional 'Empty Homes Premium' consistent with legislative changes set out in The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 as set out in paragraph 6.3; and
- the clarification of the criteria for eligibility to Class C and Class D Discounts which were approved by Cabinet in January 2013, and effective from April 2013 as set out in section 7 of the report.

It was accordingly recommended to Council that:-

- (a) the report for the calculation of the Tax Bases for the City Council and Hetton Town Council for 2019/2020 be approved.
- (b) 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) (England) Regulations 2012 the amount calculated by Sunderland City Council as its Council Tax Base for the year 2019/2020, shall be 70,389 and for the area of Hetton Town Council shall be 3,786.

## **2. Local Council Tax Support Scheme**

That they have given consideration to a report of the Executive Director of Corporate Services (copy attached) requesting that that the Local Council Tax Support Scheme (LCTSS) currently in force for the City of Sunderland, the main features of which are set at Appendix A of the report, continue to be implemented for the year 1 April 2019 to 31 March 2020 without revision.

Accordingly, the Cabinet recommends the Council to approve that:-

- (i) the LCTSS currently in force for the City of Sunderland, the main features of which are set out at Appendix A, continues to be implemented for the financial year 2019/20 without revision; and
- (ii) the approved LCTSS be published on the Council's website and in any additional manner determined by the Executive Director of Corporate Services in consultation with the Cabinet Secretary.

## **3. Review of Library Byelaws**

That they have given consideration to a report of the Executive Director of People Services (copy attached) on a proposal to replace the current Library Byelaws with updated model Byelaws which encompass a requirement to use online resources in compliance with the Council's Acceptable Use Policy for such resources.

Accordingly, the Cabinet recommends the Council to:-

- (i) approve the revised Library Byelaws, as set out in the Schedule to the report, under section 19 of the Public Libraries and Museums Act 1964 and in accordance with the procedure for byelaws set out in section 236 of the Local Government Act 1972; and
- (ii) authorise the Executive Director of People Services and Head of Law and Governance to take all steps in relation thereto.

**CABINET – 16 JANUARY 2019**

**COUNCIL TAX BASE 2019/2020**

**Report of the Executive Director of Corporate Services**

**1. Purpose of Report**

- 1.1. To detail the calculation of the Council Tax Base for 2019/2020 and to seek approval to recommend to Council the Council Tax Base for 2019/2020 in accordance with the Local Government Finance Act 1992 as amended by Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012.
- 1.2. To provide details of the additional legislative Empty Homes Premium which billing authorities may charge and seek approval to implement such changes locally.
- 1.3. To clarify the criteria for eligibility to Class C and Class D Discounts which were approved by Cabinet in January 2013, effective from April 2013.

**2. Description of Decision**

2.1 Cabinet is recommended to recommend to Council:

- The report for the calculation of the Tax Bases for the City Council and Hetton Town Council for 2019/2020 be approved.
- That pursuant to the report and in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992 and the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by Sunderland City Council as its Council Tax Base for the year 2019/2020, shall be 70,389 and for the area of Hetton Town Council shall be 3,786.

2.2 Additionally, Cabinet is recommended to:

- agree to the application, from 1<sup>st</sup> April 2019, of the additional 'Empty Homes Premium' consistent with legislative changes set out in The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 as set out in paragraph 6.3; and
- Agree to the clarification of the criteria for eligibility to Class C and Class D Discounts which were approved by Cabinet in January 2013, and effective from April 2013 as set out in section 7.

**3. Background to the Calculation of the Council Tax Base**

- 3.1 The Council Tax Base is the estimated number of properties in each valuation band adjusted to take account of the estimated number of discounts, disregards and exemptions. The Council levies a Council Tax on the basis of properties in band D and thus the numbers for each valuation band are adjusted to the proportion which

their number is to band D. The Council must then estimate its level of collection for the year and apply this figure to arrive at the Council Tax Base figure.

- 3.2 The Council Tax Base must be calculated for both the Billing Authority and Hetton Town Council (a local parish precept). The Billing Authority's Tax Base will be used to calculate the Council Tax for the City Council (including any social care precept) and as the basis for the major precepting authorities (Police and Crime Commissioner for Northumbria and Tyne and Wear Fire and Rescue Authority) to determine their precept requirements.
- 3.3 The introduction of the Local Council Tax Benefit Scheme from 1<sup>st</sup> April 2013 means that the council must approve annually its proposed Council Tax Support scheme. The impact of the scheme is recognised within the calculations as a council tax discount which is referred to as Item Z. The proposed 2019/2020 Scheme is set out elsewhere on today's agenda. The Tax Base of the Council for 2019/2020 includes the full impact of the Scheme as required by the regulations.
- 3.4 The Council Tax Base has increased from last year by 398. The increase is primarily due to the number of new homes built across the city over the last year and the anticipated number of new homes expected to be built over the next year.

#### **4. Calculations of the Billing Authority's Council Tax Base**

- 4.1 This calculation is in two parts – 'A' - the calculation of the estimated adjusted band D properties and 'B' - the estimated level of collection.
- 4.2 The calculation of 'A' - the relevant amounts for each band is complex and includes a number of calculations which are shown at Appendix 1.
- 4.3 Calculation of Item 'B' - Estimate of Collection Rate

This element of the formula is to reflect the level of collection anticipated. Following consideration of historic and current collection levels of both in year debit and arrears collection, and the overall favourable collection fund position, it is proposed to continue applying 98.5% in 2019/2020.

- 4.4 Calculation of Council Tax Base

The Council's Tax Base is: 'A' 71,460.91 x 'B' 98.5% = 70,389  
(for comparison the previous years Tax Base was 69,991)

#### **5. Calculation of Council Tax Base for Hetton Town Council - Local Precept**

- 5.1 The rules for calculating the Council Tax Base for the area covered by Hetton Town Council are similar to those used in calculating the Billing Authority's Tax Base except that chargeable dwellings and discounts are to be taken for only those dwellings and discounts relating to the area for which the Council Tax Base is to be calculated. These detailed calculations are shown in Appendix 1.
- 5.2 The same collection rate is required to be used for Parish precepts as for the Billing Authority.

### 5.3 Calculation of Council Tax Base

The Tax Base for Hetton Town Council is: 'A' 3,843.67 x 'B' 98.5% = 3,786.01 (for comparison the previous years Tax base was 3,711.21).

## 6. Council Tax Empty Property Premium

6.1 Billing authorities in England, Scotland and Wales have the power to increase council tax on properties which have been 'unoccupied and substantially unfurnished' for a long period of time. This is known as the 'empty homes premium'. In England, billing authorities can currently charge up to 150% (i.e. 50% extra) on properties which have been unoccupied and substantially unfurnished for over two years. Cabinet approved the application of this premium in January 2013 effective from 1st April 2013.

6.2 At the November 2017 Budget, the Chancellor announced the Government's intention to legislate to bring the maximum in England up to 200% (i.e. 100% extra). The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 brought in this power with effect from the 2019/20 financial year and included additional provisions covering properties that were empty for very long periods. The Act provides for maximum additional rates of:

- 100% extra (for properties empty for 2-5 years) [commencing 1st April 2019]
- 200% extra (for properties empty for 5-10 years) [commencing 1st April 2020]
- 300% extra (for properties empty for 10+ years) [commencing 1st April 2021]

6.3 It is intended, subject to Cabinet approval, to apply the above premiums in accordance with the effective dates set out in the legislation. Therefore:

For the financial year beginning 1st April 2019 the additional premium is 100% for properties that have been empty for at least two years.

For the financial year beginning 1st April 2020 the additional premiums shall be:

- 100% for properties that have been empty for at least two years; and
- 200% for properties that have been empty for at least five years or more.

For the financial year beginning 1st April 2021 the additional premiums shall be:

- 100% for properties that have been empty for at least two years;
- 200% for properties that have been empty for at least five years but less than ten years; and
- 300% for properties that have been empty for at least ten years.

## 7. Council Tax Class C and Class D Discounts

7.1 The application of council tax discounts was approved by Cabinet in January 2013 and effective from 1<sup>st</sup> April 2013. In order to assist with the administration of the discounts it is proposed to clarify the criteria.

7.2 The proposed Class C Discount criteria to be clarified as follows:

- 7.2.1 A discount may be awarded on any property that falls within the definition of a Class C property under regulation 7 of the Council Tax (Prescribed Classes) (England) Regulations 2003 (as amended). A Class C property is a dwelling that is unoccupied and substantially unfurnished.
- 7.2.2 A discount of 25% will be awarded from the day the property first becomes unoccupied and unfurnished for a single, continuous period of up to six months. The discount period will end upon the property ceasing to fall within Class C, upon a discount being awarded under a different Class or upon the expiry of six months, whichever first occurs.
- 7.2.3 If you buy or rent a property that is already unoccupied and unfurnished, the discount period does not start again when you acquire it, as it applies to the property and not the individual.
- 7.2.4 Alternatively, a discount of 100% will be awarded in respect of any property which is reoccupied within one calendar month of it first becoming unoccupied and substantially unfurnished.
- 7.2.5 A property that has been awarded a discount under Class C will not be eligible for a further Class C discount unless it has been occupied for a continuous period of six weeks or more following the end of the previous discount period.

7.3 The proposed Class D Discount criteria to be clarified as follows:

- 7.3.1 A discount may be awarded on any property that falls within the definition of a Class D property under regulation 8 of the Council Tax (Prescribed Classes) (England) Regulations 2003 (as amended). A Class D property is a dwelling that is unoccupied and substantially unfurnished and either;
  - a) Requires or is undergoing major repair work to render it habitable, or
  - b) Is undergoing structural alteration, or
  - c) Has undergone major repair work to render it habitable if less than six months have elapsed since the date on which the alteration was substantially completed and the property has continuously remained vacant since that date.

Provided that it has not been such a dwelling for a continuous period of 12 months or more.

- 7.3.2 A discount of 25% will be awarded from the day the property first meets the above criteria for a single continuous period of up to 12 months. The discount period will end upon the property ceasing to fall within Class D or upon the expiry of twelve months, whichever first occurs.
- 7.3.3 The discount period does not start again with any change of ownership, as it applies to the property and not the individual.
- 7.3.4 In considering whether a property has been vacant for any period, any one period, not exceeding six weeks, during which it was not vacant will be disregarded.



7.3.5 A long-term empty property that is subject to a Premium will not be eligible for any discount.

## **8. Reasons for Decision**

8.1 To comply with statutory requirements, in respect of setting the council tax base.

8.2 To implement the additional empty homes premium permitted within national legislation in order to encourage empty homes to be brought back into use.

8.3 To ensure the that the criteria for eligibility to Class C and Class D Discounts are clear and consistent.

## **9. Alternative Options**

9.1 With regard to Council tax premiums, there was an option available to leave the level of premium at 50% for financial year 2019/20 and beyond. However the council recognises that increasing the level of the premium over the next three years is likely to accelerate the rate at which unoccupied properties are either sold on or brought back in to use.

## **10. Impact Analysis**

10.1 There are no implications.

## **11. List of Appendices**

Appendix 1 - Calculation of the Council Tax Base

											Appendix 1
<b>Council Tax Base - Sunderland City Council</b>											
		Disabled Band (A)	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	Total
Chargeable Dwellings	Item H	183	77,781	18,190	16,650	8,745	3,193	1,064	633	19	126,458
Total Discount	Item Q	11.50	9,616.35	1,590.75	1,143.50	431.75	145.50	51.00	49.75	3.50	13,043.60
Premium Factor	Item E	0	205.5	30	18.5	5.5	3.5	2	1.5	2.5	269
Adjustment in number of dwellings or discounts	Item J	0	193.5	224	238.5	158.5	48.5	7	2.5	2.5	875
Council Tax Support Estimate	Item Z	39.60	20,666.33	1,886.16	758.24	198.09	51.63	8.76	6.39	0.00	23,615.20
Prescribed Proportions for each Band	Item F	5	6	7	8	9	11	13	15	18	
Prescribed Proportion for Band D	Item G	9	9	9	9	9	9	9	9	9	
$((H-Q+E+J)-Z)*(F/G)$	Item A	73.28	31,931.55	11,641.07	13,338.01	8,279.16	3,725.17	1,463.57	968.10	41.00	<b>71,460.91</b>
Estimated Collection Rate	Item B	98.5%	98.5%	98.5%	98.5%	98.5%	98.5%	98.5%	98.5%	98.5%	
Tax Base A*B		72.18	31,452.57	11,466.45	13,137.94	8,154.97	3,669.30	1,441.62	953.58	40.39	<b>70,389.00</b>
<b>Council Tax Base - Hetton Town Council</b>											
		Disabled Band (A)	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	Total
Chargeable Dwellings	Item H	15	4,712	1,133	630	319	118	52	23	1	7,003
Total Discount	Item Q	1.5	580	87	38.75	16.75	6	3	2	0	735.00
Premium Factor	Item E	0	16.5	2	0	1.5	0	0.5	0	0	20.5
Adjustment in number of dwellings or discounts	Item J	0	12.5	44	43	22.5	3	1.5	0	0	126.5
Council Tax Support Estimate	Item Z	2.48	1,270.46	67.16	16.80	9.16	2.01	0.00	0.77	0.00	1,368.84
Prescribed Proportions for each Band	Item F	5	6	7	8	9	11	13	15	18	
Prescribed Proportion for Band D	Item G	9	9	9	9	9	9	9	9	9	
$((H-Q+E+J)-Z)*(F/G)$	Item A	6.12	1,927.03	797.10	548.84	317.09	138.10	73.67	33.72	2.00	<b>3,843.67</b>
Estimated Collection Rate	Item B	98.5%	98.5%	98.5%	98.5%	98.5%	98.5%	98.5%	98.5%	98.5%	
Tax Base A*B		6.03	1,898.12	785.14	540.61	312.33	136.03	72.56	33.22	1.97	<b>3,786.01</b>

**CABINET – 16 JANUARY 2019**

**LOCAL COUNCIL TAX SUPPORT SCHEME**

**REPORT OF THE EXECUTIVE DIRECTOR OF CORPORATE SERVICES**

**1. Purpose of the Report**

- 1.1 To request Cabinet to consider recommending to Council that the Local Council Tax Support Scheme (LCTSS) currently in force for the City of Sunderland, the main features of which are set at Appendix A, continue to be implemented for the year 1 April 2019 to 31 March 2020 without revision.

**2. Description of Decision (Recommendations)**

- 2.1 To recommend to Council that:-

- (i) The LCTSS currently in force for the City of Sunderland, the main features of which are set out at Appendix A, continues to be implemented for the financial year 2019/20 without revision; and
- (ii) The approved LCTSS be published on the Council's website and in any additional manner determined by the Executive Director of Corporate Services in consultation with the Cabinet Secretary.

**3. Background**

- 3.1 The former Council Tax Benefit system was abolished by the Welfare Reform Act 2012 and was replaced (by virtue of the provisions of the Local Government Finance Act 2012) by a requirement for locally adopted Council Tax reduction schemes (in Sunderland referred to as the "Local Council Tax Support Scheme") from 1<sup>st</sup> April 2013, thereby transferring responsibility for Council Tax support from central to local government.
- 3.2 In accordance with that requirement, the Council adopted a LCTSS which was based on the government's default scheme, for implementation as from April 2013. The Scheme incorporated protection for pensioners as required by the Local Government Finance Act provisions, namely the requirement that they must receive the same levels of entitlement under the new Council Tax Support Scheme as they had received under the old Council Tax Benefit Scheme. Evaluation of previous consultation resulted in some minor modifications to the scheme in 2015/16 such as utilising assumed consent that applicants of Housing Benefit also wished to be considered for Local Council Tax Support. Following consultation, further technical and administrative changes were implemented from 1<sup>st</sup> April 2018 in order to align the scheme to Housing Benefit rules and to make the LCTSS more efficient to administer and easier for the customer to understand.
- 3.3 There were no changes to the council tax support entitlement which will continue to be calculated and reduced by 8.5% for all working aged claimants.

#### **4. Current Position**

- 4.1 The existing scheme is operating effectively and pensioners continue to be afforded protection. It is proposed to monitor any impacts to the scheme over the coming year as a result of any Welfare Reform changes and review as necessary going forward.

#### **5. Proposed Local Council Tax Support Scheme**

- 5.1 Following the successful application of the current scheme it is proposed that no changes are made and that the Council continues to implement the existing scheme, the main features of which are set out in Appendix A, for the 2019/2020 financial year.

#### **6. Financial Implications**

- 6.1 The cost of continuing the scheme has been factored into the Council's budget planning for 2019/20.

#### **7. Reasons for the Decision**

- 7.1 The Council must have its LCTSS approved by 11<sup>th</sup> March 2019, and the design of the scheme impacts upon the calculation of the council tax base which is considered elsewhere on today's agenda.
- 7.2 The current and proposed scheme, the main features which are as set out at Appendix A, reflects the experience of the impact of the scheme to date. Impacts of the scheme will continue to be closely monitored following the LCTSS implementation in April 2019.

#### **8. Alternative Options**

- 8.1 There are no alternative options proposed. There is a statutory requirement for the Council to consider, for each financial year, whether to revise its LCTSS or replace it with another scheme, with any revision or replacement scheme being made by 11<sup>th</sup> March in the preceding financial year.

#### **9. Impact Analysis**

##### **(a) Equalities –**

An Equality Impact Assessment has been undertaken and is set out in Appendix B to this report.

Work will continue to assess the impact of this scheme alongside the related impacts of any welfare and benefit reforms either already introduced, planned to be introduced or still being considered by Government.

#### **10. Other Relevant Considerations / Consultations**

- (i) **Legal Implications** – The comments of the Head of Law and Governance have been taken into account in preparing this report.

- (ii) **Other Consultations** – The comments of the Executive Director of People Services have been taken into account in preparing this report. Consultation has not been carried out with Tyne and Wear Fire and Rescue Authority (the Council’s single major precepting authority) or any other persons as the requirement for such wider consultation applies only in cases where the scheme is to be revised or replaced.

**11. List of Appendices**

Appendix A – Local Council Tax Support Scheme Main Features

Appendix B – Equality Analysis

**12. Background Papers**

There are no background papers to this report.

**Local Council Tax Support Scheme Main Features**

1. Council tax support entitlement will be calculated and reduced by 8.5% for all working aged claimants.
2. Pensioners who are of pension age will be treated under pensioner rules even if they are available for work.
3. Those non-dependants serving in the forces on operations will continue to be disregarded from the calculation.
4. Information held in respect of Housing Benefit can be used to calculate Council Tax support where appropriate.
5. LCTSS claims may be backdated to a maximum of one month providing good cause is shown.
6. No family premium will be used in the calculation for new applicants from April 2018.
7. There will be no personal allowance for any third or subsequent child from April 2018 (unless an exception applies).
8. A claimant will not be entitled to Council Tax Support if they are temporarily absent from Great Britain for longer than 4 weeks (unless an exception applies).
9. A notification of Universal Credit will be treat as an indication of a claim for Council Tax Support.

## EQUALITY ANALYSIS

You must complete this in conjunction with reading Equality Analysis Guidance

**Name of Policy/Decision/Project/Activity:**

Local Council Tax Support Scheme 2019/20

Date: 27/12/18

Version Number: v1

**Equality Analysis completed by:**

Name/Job title: Sharon Holden (Revenues Manager)

**Responsible Officer or Group:**

Name/Job title: Paul Wilson (Head of External Funding,  
Revenues and Commercial Finance)

**Is the Activity:**

New/Proposed ( )

Changing/Being Reviewed (x)

Other ( )

# 1. Purpose and scope

## Purpose

In this section outline briefly:

- what the policy, decision or activity is and what the intended outcomes/benefits are (linked to the Corporate Outcomes Framework)
- over what period of time the outcomes will be achieved
- why it needs to be implemented or revised
- what populations are affected by the proposal
- who is expected to benefit and how, i.e. young people, older people, carers, BME groups, ward areas/communities, etc
- whether there are any overlaps with regional, sub-regional, national priorities.

The Welfare Reform Act 2012 abolished the Council Tax Benefit system and replaced it under the Local Government Finance Act 2012 with the Local Council Tax Support scheme from 1st April 2013, thereby transferring responsibility from central to local government. The Local Government Finance Act 2012 also legislated that pensioners must receive protection, in that they must receive the same levels of entitlement under the new local Council Tax Support scheme as they had received under the old Council Tax Benefit scheme.

The scheme requires that all working age households contribute towards their council tax bill. The Sunderland Local Council Tax Support Scheme (LCTSS) for 2018/19 continued with a reduction in Council Tax Support by 8.5% for all working age claimants (e.g working age on lowest income paid a minimum of £1.27 per week (single people), and £1.69 per week (couples/families).

In addition, following consultation and subsequent approval in January 2018 the previous LCTSS has been updated to align with government changes to Housing Benefit policy and also other welfare benefits and in order to make the LCTSS easier to understand for claimants and more administratively efficient. The LCTSS implemented from 1<sup>st</sup> April 2018 included the following features:

- **Universal Credit**  
Treat a notification of Universal Credit as an indication of a claim under the LCTSS. This will assist claimants in accessing the LCTSS.
- **Backdating Rules**  
Reduce the period for which LCTSS claims can be backdated to one calendar month (currently 6 months). This is to mirror Housing Benefit regulations and will improve the administration process.
- **Temporary absence**  
Align the LCTSS rules to Housing Benefit scheme so a claimant will not be entitled to council tax support if they are temporarily absent from Great Britain for a period which is likely to last more than 4 weeks (exceptions apply to certain groups for example if a claimant is in hospital). This would apply to both working age and state pension credit age claimants.



- **Family Premium**

The family premium was removed from the LCTSS calculation for new applicants from April 2018. This will have no impact on existing recipients (unless they have a break in their entitlement). The change will make the LCTSS consistent with Housing Benefit regulations and will aid administration.

- **Two child limit**

There will be no personal allowance for any third or later child born after 6 April 2017, unless special circumstances exceptions apply for example if the child was born as part of a multiple birth. This change aligns with the changes to Housing Benefit regulations and will again aid administration.

The Council must approve its LCTSS for 2019/20 by 11 March 2019. The Council is not proposing any changes to the current LCTSS and, therefore, it is proposed that the existing scheme **continues to apply** for the year commencing 1<sup>st</sup> April 2019. Subject to approval by 11<sup>th</sup> March 2019, the LCTSS will come into force on 1<sup>st</sup> April 2019.

The LCTSS will be reviewed each year and any impacts or unintended consequences will be assessed and reviewed when considering the LCTSS for 2020/21 alongside any implications from the full rollout of Universal Credit which commenced in Sunderland in July 2018.

None of the protected groups are restricted from claiming council tax support. Their eligibility is determined by their financial and personal circumstances. The current caseload is 33,047 of which 13,872 are pensioners and 19,175 are working age claimants.

## Intelligence and Analysis

Please describe:

- What sources of information have been used to inform this assessment/analysis (this should include but is not limited to consultations, resident/service user feedback and statistical data and intelligence)
- **What the information is telling you** – this should be broken down by each of the protected characteristics or other identified groups which could be disadvantaged. Each of the aims of the equality act should be considered in relation to each of the protected characteristics.

This equality analysis has been informed by

- Collection stats
- Consultation with the Revenues Manager, Benefits Manager, colleagues from Legal Services

It should be noted that as Government has legislated that pensioners must not be adversely affected by the changes, any assessment will be regarding **working age recipients only**.

However, the proposal makes no changes to the current LCTSS which is to continue for 2019/20, therefore, there is expected to be no impact on customers of any group/protected characteristic.

### **Gaps in intelligence and information**

Having analysed the information available to you:

- are there any gaps in intelligence or areas where understanding needs to be improved? Please describe what these are and what actions you intend to take to obtain/improve the information. These actions should be covered in the action plan.
- are there any groups who should be expected to benefit who do not? Please describe why not and whether you will amend the decision to change this outcome. This should also be covered in the action plan.

Not applicable.

### **Additional Impacts**

The policy or action may also have an impact on other groups or individuals which are not covered by statutory requirements. Please outline any additional individuals or groups which have not already been covered. This could include socio-economic groups, voluntary and community sector, carers or specific communities which face additional challenges (such as former coal mining areas or areas of high deprivation).

Not applicable.

## 2. Analysis of impact on people

In this section you must **review the intelligence described above and summarise the intended and potential impact of the policy, decision or activity** on the people of Sunderland. This includes specific consideration of the impact on individuals, groups with protected characteristics and communities of interest within the city. Please briefly outline any positive, neutral or negative impacts on the specific groups below. Please note that any negative impacts should have a corresponding action in the action plan in the page below.

In this assessment it is important to remember the **Council is required to give due regard to:**

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

**Each of these aims must be summarised in turn in relation to the groups outlined below.**

Characteristic	List of Impacts		
	Positive	Neutral	Negative
Age	Pensioners continue to be protected under the scheme and are still eligible to receive up to 100% council tax support		
Disability		There are no proposals to change the Scheme and there is no significant impact relative to other groups.	
Gender/Sex		There are no proposals to change the Scheme and there is no significant impact relative to other groups.	
Marriage & Civil Partnership		There are no proposals to change the Scheme and there is no significant impact relative to other groups.	
Pregnancy and maternity		There are no proposals to change the Scheme and there is no significant impact relative to other groups.	
Race/Ethnicity		There are no proposals to change the Scheme and there is no significant	

		impact relative to other groups.	
Religion/belief		There are no proposals to change the Scheme and there is no significant impact relative to other groups.	
Sexual Orientation		There are no proposals to change the Scheme and there is no significant impact relative to other groups.	
Gender identity		There are no proposals to change the Scheme and there is no significant impact relative to other groups.	

**Please add any additional groups mentioned in “additional impacts” above to this table.**

### 3. Response to Analysis, Action Plan and Monitoring

In this section please outline what actions you propose to take to minimise the negative, and maximise the positive, impacts that have been identified through the analysis. By considering and implementing these actions the policy or action can be refined to make sure that the greatest benefits are achieved for the people of Sunderland. The performance monitoring process should also be set out to explain how ongoing progress is going to be followed to make sure that the aims are met.

From the analysis four broad approaches can be taken, (No major change; continue with the policy/action despite negative implications; adjust the policy/decision/action; or stop the policy/action). Please indicate, using the list below, which is proposed.

- No Major Change (X)
- Continue Despite Negative Implications ( )
- Adjust the Policy/Decision/Project/Activity ( )
- Stop ( )

## Action Plan

ACTION	WHO	WHEN	Monitoring Arrangements
Monitor the impact through payment and arrears statistics	Sharon Holden (Revenues Manager)	Quarterly	As part of routine Council Tax performance monitoring
Monitor impact on claimants	Sharon Holden (Revenues Manager) and Loraine Nelson (Benefits Manager)	Ongoing	In conjunction with Benefits team. Feedback from customers.
Review of scheme	Sharon Holden (Revenues Manager)	September 2019	Consultation exercise including workshops with the residents of Sunderland where any changes are proposed for 2020/21.



**REVIEW OF LIBRARY BYELAWS****REPORT OF EXECUTIVE DIRECTOR OF PEOPLE SERVICES****1. Purpose of the Report**

- 1.1 The purpose of this report is to propose the replacement of the current Library Byelaws by updated model Byelaws which encompass a requirement to use online resources in compliance with the Council's Acceptable Use Policy for such resources.

**2. Description of Decision (Recommendations)**

- 2.1 Cabinet is requested to recommend to Council that the revised Library Byelaws set out in the Schedule to this report be made by the Council under section 19 of the Public Libraries and Museums Act 1964, in accordance with the procedure for byelaws set out in section 236 of the Local Government Act 1972, and that the Executive Director of People Services be authorised to take all steps in relation thereto.

**3. Introduction/Background**

- 3.1 The current Library Byelaws, made by the Council under section 19 of the Public Libraries and Museums Act 1964, came into effect on 28 December 1996. They regulate the use of libraries operated by the Council as library authority and any person acting in breach of the byelaws may be excluded from the library and is liable to prosecution. Conviction of an offence involving breach of Library Byelaws carries a maximum penalty of a fine of up to £500.
- 3.2 The Byelaws have been reviewed to ensure that they continue to be relevant and appropriate to the way in which library facilities are currently used by members of the public.

**4. Current Position**

- 4.1 The Society of Chief Librarians (now 'Libraries Connected') has recently revised the existing model library byelaws for England to reflect changes in how people use libraries whilst maintaining suitable protections. The Secretary of State for Digital, Culture, Media and Sport (DCMS) has approved this new set of model library byelaws.
- 4.2 The new model byelaws are largely identical to this Authority's existing byelaws but the following changes are now incorporated:
- 4.2.1 Byelaws specifically precluding sleeping in the library or engaging in audible conversation in the library has been removed. However, those activities will continue to be controlled under byelaw 10 (no person to remain in a library without making proper use of the library's facilities) and byelaw 11 (no person to disturb, obstruct, interrupt, abuse or annoy any other person using the library) respectively.

- 4.2.2 The current byelaw 17, which provides that “no person shall smoke, light a match or use a cigarette lighter in the library other than in an area (if any) designated as an area where smoking is permitted” is amended to “no person shall bring into or light any flame on library premises” since the activity of smoking in public buildings is now separately controlled by other legislation.
- 4.2.3 The current blanket prohibition on the operation of mobile telephones, portable computers and other sound equipment without the consent of a library officer is removed. Control will continue to be exercisable under byelaw 11, as referred to in sub-paragraph 4.2.1 above.
- 4.2.4 A new byelaw is introduced which prohibits library users from using online resources except in a way that is consistent with any Conditions of Use Policy or similar rules of the library, as advertised or notified by the authority. This gives legal effect to the need to observe any acceptable use policy that is put in place by the Council and which may be amended or updated from time to time.
- 4.2.5 Some minor changes of wording are also made in the new model byelaws that do not affect the overall meaning in any way.
- 4.3 A full copy of the proposed new Byelaws is set out in Appendix 1 to this report.
- 4.4 DCMS have had sight of the draft Byelaws for their initial comment. They have indicated that upon being made by the Council, the revised Byelaws should be submitted to them with an indication as to whether the approved template has been used in its entirety or whether the Council has deviated from it and, if so, in what way. Members are advised that the draft Byelaws set out in Appendix 1 do precisely follow the approved template.
- 4.5 DCMS also require evidence that the appropriate procedure has been followed in agreeing and introducing the new Byelaws ie once made, the making of the Byelaws must be advertised and a sealed copy placed on deposit for public inspection for a period of one month. After that time period, the sealed Byelaws and any comments received must be submitted to DCMS.
- 4.6 The Byelaws do not come into effect unless and until confirmed by the Secretary of State and they will apply only in those libraries that continue to be occupied and operated by the Council and any vehicles which it uses for the purpose of providing a library service.

## **5. Reasons for the Decision**

- 5.1 To update the current byelaws, in particular by the inclusion of a requirement to use online resources in accordance with the Council's Conditions of Use Policy for such resources.



## 6. Alternative Options

- 6.1 The other option considered and recommended to be rejected is to leave the current Library Byelaws in force in unamended form. This would mean that no sanction could be applied to enforce compliance with any acceptable use policy for online resources.

## 7. Impact Analysis

- (a) **Reduction of Crime and Disorder – Community Cohesion / Social Inclusion** – The proposed byelaws prohibit violent, disorderly or indecent/insulting behaviour, damage to library property and the abuse or annoyance of other library users. They therefore assist in the reduction of crime and disorder.

## 8. Other Relevant Considerations / Consultations

- (a) **Co-operative Values:** Sunderland City Council is a co-operative council and in being so will act ethically in all its actions whilst adhering to and actively promoting its co-operative values of self-help, self-responsibility, democracy, equality, equity and solidarity. These values will underpin our decision making and actions.
- (b) **Financial Implications** – the costs associated with the proposal will be contained within existing budgets.
- (b) **Legal Implications** – the Head of Law and Governance advises that these proposals are lawful and appropriate.

## 9. Glossary

- 9.1 DCMS – Department of Digital, Culture, Media and Sport

## 10. List of Appendices

- 10.1 Appendix 1 – Proposed Byelaws

## 11. Background Papers

- 11.1 Libraries Byelaws made on 4/10/1996 and confirmed on 28/11/1996  
[Revised Model Library Byelaws for England - DCMS - August 2017](#)

## APPENDIX 1

### Sunderland City Council Public Library Byelaws

#### Made under Section 19 of the Public Libraries and Museums Act 1964

1. In these byelaws, unless the context otherwise requires:
  - a. "the Act" means the *Public Libraries and Museums Act 1964*;
  - b. "charge" means any charge imposed in accordance with the Regulations;
  - c. "child" means a person under the age of 8 years;
  - d. "emergency situation" includes situations where a library or part of a library is required to be evacuated for security reasons or because of threat from fire or other hazard and practices and false alarms in relation thereto;
  - e. "last known address" means the last address held on the library authority's records;
  - f. "the library authority" means the Council of the City of Sunderland;
  - g. "library" means:
    - i) any premises which are occupied by a library authority and are premises where library facilities are made available by the authority, in the course of their provision of a public library service, to members of the public;
    - ii) any vehicle which is used by the library authority for the purpose of providing a public library service to members of the public and is a vehicle in which facilities are made available; and includes any part of such premises or vehicle;
  - h. "the library officer" means any officer employed by the library authority in connection with its functions under the Act;
  - i. "library property" includes property owned by or provided for the use of the library authority whether or not it is made available by the library authority for use by the public and property obtained by the library authority for the loan to or use of the public;
  - j. "the Regulations" means *The Library Charges (England and Wales) Regulations 1991* S.I.1991/2712;
  - k. words importing the masculine gender include the feminine, words in the singular include the plural and words in the plural include the singular;
  - l. expressions used, unless the contrary intention appears, have the meaning which they bear in the Act and Regulations.
2. An act necessary for the proper execution of his duty by a library officer shall not be a contravention of these byelaws.
3. A person shall not supply an age, name, address or other means of identification which is false or misleading for the purpose of entering any part of the library premises or for the purpose of using any library facility.
4. No person who in the reasonable opinion of a library officer is offensively unclean in person or clothing or both shall remain in the library, after having been asked by a library officer to leave the library.
5. Except with the consent of a library officer, no person shall:
  - a. cause or allow any dog (other than an assistance dog) or other animal belonging to him or under his control to enter or remain in the library;
  - b. bring into any part of the library a wheeled vehicle or conveyance [other than those necessary for the assistance of people with limited mobility];

- c. enter or remain in any part of the library which a reasonable person would or should know is prohibited to the public; or
  - d. access or remain in the library outside of the times fixed for its opening.
6. No person shall remain in the library after an emergency situation has been made known to him.
  7. No person shall, unless specifically permitted by a library officer, take or attempt to take any library property from the library or past a check out or security point.
  8. No person shall, without lawful excuse, destroy or damage any library property intending to destroy or damage such property or being reckless as to whether such property should be destroyed or damaged or act with intent or recklessness that such property should be destroyed or damaged.
  9. No person shall behave in a violent, disorderly or indecent manner in the library, use violent, abusive, offensive, insulting or obscene language therein, or intentionally or recklessly cause or do anything likely to cause injury to any other person.
  10. No person shall remain in a library without making proper use of the library's facilities after having been advised or requested, by a library officer, to make such proper use of the facilities.
  11. No person shall intentionally or recklessly obstruct any library officer in the execution of his or her duty or intentionally or recklessly disturb, obstruct, interrupt, abuse or annoy any other person properly using the library.
  12. No person shall, without the consent of a library officer, intentionally display, distribute, or leave any bill, placard, notice or other document on library premises.
  13. No person shall, without the consent of a library officer, offer anything for sale or seek donations on library premises or canvass or seek signatures for petitions.
  14. No person having charge of a child shall without the consent of a library officer leave him unsupervised in the library.
  15. No person shall bring into or light any flame on library premises.
  16. No person in any part of the library shall supply, take or be under the influence of alcohol or any toxic substance for the purpose of causing intoxication; or supply, take or be under the influence of any controlled drug as defined by Schedule 2 of the *Misuse of Drugs Act 1971* other than drugs dispensed for and pursuant to prescription issued for him by a doctor under and in accordance with the aforesaid Act.
  17. No person shall, except with the consent of a library officer, partake of refreshment in the library.
  18. No person who
    - a) borrows library property which is returned late or if returned would be returned late, or
    - b) fails to pay any charge
 shall, unless with the specific consent of a library officer, borrow any other library property.
  19. Any person who has borrowed library property which if returned would be returned late and who has been served with a notice by the library authority demanding return of the library property shall return the library property or pay the appropriate replacement cost and charges to a public library provided by the library authority within 14 days from the date the notice was served.
  20. Any library user whose personal details change must notify a library officer as soon as possible.

21. A person shall use online resources in a way consistent with any Acceptable Use Policy or similar rules of the library, as advertised or notified by the authority. Breach of any such policy shall, without prejudice to any other legal sanction or remedy available to the library authority, lead to the barring of the use of such online resources.
22. Any person who contravenes any of these byelaws shall, without prejudice to any other legal sanction or remedy, be liable to prosecution by the library authority for contravention of the byelaws, and shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale in respect of each offence.
23. A library officer may exclude any person who contravenes any of the foregoing byelaws from any library maintained by the library authority under the Act.
24. On the coming into operation of these byelaws, the byelaws relating to libraries which were made by the Council of the City of Sunderland on the 4<sup>th</sup> day of October 1996 and were confirmed by the Secretary of State for National Heritage on the 28<sup>th</sup> day of November 1996 shall be revoked.

[Official seal of local

authority]

The Seal of the  
Council of the City of Sunderland  
was hereunto affixed  
in the presence of:

.....

The foregoing Byelaws are confirmed on behalf of the Secretary of State for Culture, Media and Sport by the Deputy Director, Culture Directorate, Department for Culture, Media and Sport and shall come into force on .....

[Signature]

[Print Name]

[Date]

Deputy Director, Culture Directorate  
Department for Culture, Media and Sport

The date of coming into force is one month after date of signature.

This note is not part of the byelaws.

Users of the library and library facilities are reminded that the provisions of the general law apply at all times. In particular as regards the activities referred to in byelaws 8, 17 and 18 the library authority draws attention to the existence of the *Criminal Damage Act 1971*, the *Health Act 2006 (smoke-free places)* and the *Misuse of Drugs Act 1971*.

# Motions on Notice



**MOTIONS ON NOTICE**

Council Members are asked to consider the under-mentioned Motions:-

**(i) Period Dignity**

Periods are natural and female health is important; neither should be taboo subjects, in this council chamber or anywhere else. Having a period should not be considered a luxury as it is not a choice but a decades-long and expensive reality of being a woman.

Everyone who needs sanitary products – including tampons, towels, pads, and other items – should have access to them.

In recognising this basic right this Council notes that:

- One in 10 girls and women aged 14-21 are unable to afford sanitary products.
- Almost 140,000 girls and young women, particularly amongst girls who are in receipt of Free School Meals, have missed school in the UK the last year because they cannot afford to buy sanitary products.
- 91% of girls and young women say that they have been asked to buy a pad or tampon for a friend.

This council therefore agrees to work with its Partners to ensure that nobody in Sunderland suffers through:

- provision of free sanitary products for all who need them in all civic buildings at the earliest opportunity
- local schools, including primary schools given the increasing number of girls beginning their periods as early as age 8, maintaining a provision of sanitary products for pupils
- local employers being encouraged to provide them on site for staff and visitors.

Councillor K. Chequer  
Councillor J. Kelly  
Councillor A. Samuels  
Councillor A. Wilson  
Councillor D. Waller  
Councillor M. Mordey  
Councillor V. O'Neil  
Councillor M. Beck  
Councillor D. Dixon

**(ii) Justice for Orgreave Miners**

Sunderland City Council believes that issues relating to events at the picketing of Orgreave on 18 June 1984 are of both local and national importance.

In Sunderland, miners and their families were adversely affected by the events of that day in terms of wrongful arrest, false imprisonment, ill-health, family breakdown and termination of employment and as a direct result of policing tactics at Orgreave. A full investigation into the military style policing used on that day is long overdue and only a full public inquiry can fully investigate this.

Sunderland City Council therefore calls on the Home Secretary to order a full public inquiry into the deployment and actions of the police on 18 June 1984, and to hold meaningful discussions with the Orgreave Truth and Justice Campaign, The NUM and concerned MPs.

Councillor K. Johnston  
Councillor J Cunningham  
Councillor J. Heron  
Councillor A. Samuels  
Councillor K. Chequer  
Councillor A. Wilson  
Councillor D. Waller  
Councillor M. Mordey  
Councillor V. O'Neil  
Councillor M. Beck  
Councillor D. Dixon  
Councillor J. Kelly

**(iii) Condition of the City Centre**

This Council recognises the frustration of residents in the City at the condition of the city centre, compared to other towns and cities, and resolves to bring forward ambitious plans to breathe new life into it in 2019.

Councillor R. Oliver  
Councillor P. Wood  
Councillor G. Howe  
Councillor R. Francis



(iv) **Commemorating Sunderland's Past with Blue Plaques**

Sunderland has a rich history but sadly many important figures who shaped the city are not well remembered today. Admittedly Sunderland does have some Blue Plaques but important figures from the history of the city are left neglected by them. Recently English Heritage have generated controversy by attempting to put up a Blue Plaque to Gertrude Bell in London despite her being born in Washington and not really having much of a connection to London. Gertrude is also featured at the moment in the BBC2 series Icons as one of the iconic people of the twentieth-century for her work as a diplomat and archaeologist. The Council notes that Sunderland should commemorate with a Blue Plaque this notable resident.

However, she is not the only resident of note without a memorial. Investors, composers and athletes have all been produced by Sunderland and it is only right that they should be remembered. Therefore, we propose that Sunderland Council looks into allowing the people of the city to nominate past residents and if appropriate put up a Blue Plaque to commemorate them.

Councillor W. Blackett  
Councillor R. Oliver  
Councillor G. Howe  
Councillor R. Francis

(v) **The Council Buffet or: How I Learned to Stop Troughing and Love the Packed Lunch**

This Council recognizes that residents of Sunderland feel the provision of meals to Councillors after meetings is not a justifiable use of taxpayers' money.

Accordingly, Council resolves to end the provision of meals after meetings for Councillors and their guests, and scrap the facility for Councillors to make subsistence expenses claims in cases other than an overnight stay.

Councillor N. Hodson  
Councillor S. O'Brien  
Councillor M. Haswell  
Councillor A. Wood



# ***Reports***



## **Update on Special Urgency Decisions**

### **Report of the Leader**

The Council's Constitution requires that a quarterly report be submitted to Council on executive decisions which have been taken as a matter of special urgency. The relevant provisions are now contained in Regulations 11 and 19 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

These are the special urgency provisions under which key decisions may be taken by the executive, although not contained in the 28 day Notice of Key decisions (whether proposed to be taken in public or private), where compliance with Regulation 10 (the general exception) was also impracticable.

There have been no such instances since the last report.

### **Recommendation**

That the Council notes the content of this report.



**Declaration of Vacancy – Washington South Ward**

**Report of the Head of Law and Governance**

**1. Purpose of report**

1.1 To note that Mr Paul Middleton ceased to be a Councillor by virtue of his absence and to formally declare a vacancy in the Washington South ward.

**2. Background**

2.1 Under section 85 of the Local Government Act 1972 (the Act), if a councillor fails throughout a period of six consecutive months from the date of his/her last attendance to attend any meeting of the authority, he/she shall, unless the failure was due to some reason approved by Council before the expiry of that period, cease to be a member of the authority.

2.2 Section 86 of the Act requires an authority to declare a vacancy in such circumstances.

**3. Attendance of Mr Paul Middleton**

3.1 Mr Middleton last attended a meeting of the Council on 6 June 2018 when he attended a meeting of the Health and Wellbeing Scrutiny Committee. He therefore had until midnight on 6 December 2018 to attend a further meeting to avoid the effect of section 85 of the Act, as referred to above.

3.2 Officers have undertaken thorough checks of attendance records and minutes of meetings. There is no record of Mr Middleton attending a meeting between 7 June and 6 December 2018. Within that period Council has not given its approval to any reason for failure to attend and therefore Mr Middleton ceased to be a councillor by virtue of section 85 of the Act.

**4. Declaration of vacancy**

4.1 Under Section 86(1)(c) of the Act, where a councillor ceases to be a member of the authority by reason of failure to attend meetings of the authority, the authority shall, except in any cases in which a declaration has been made by the High Court, forthwith declare the office to be vacant. This is a statutory duty on the Council and it is therefore recommended that Council declares the vacancy.

## **5. Next steps**

5.1 Under section 87(1) (f) of the Local Government Act 1972 the vacancy is deemed to be the date on which Council declares it – 30 January 2019. Public notice of the vacancy must be given immediately after this declaration, however, where a casual vacancy occurs within six months before the day on which the councillor whose office is vacant would have retired in the ordinary course of events, an election shall not be held unless the total number of unfilled vacancies exceeds one third of the total membership of the Council. As this vacancy has occurred within the time period referred to, it will be filled at the next ordinary election on 2<sup>nd</sup> May 2019.

## **6. Recommendation**

6.1 That Council notes that Mr Middleton has ceased to be a member of this authority by virtue of his absence and declares the seat in the Washington South Ward as vacant.

## **7. Background Papers**

None.



## **APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES**

### **Report of the Head of Law and Governance**

#### **1.0 Introduction**

- 1.1 The purpose of this report is to consider appointments and nominations to the Northumbria Regional Flood and Coastal Committee, the Victoria House Charity, the Transport for the North Board and Transport for the North Scrutiny Committee, Siglion Newco Ltd and Sunderland College.

#### **2.0 Northumbria Regional Flood and Coastal Committee**

- 2.1. A request has been received to appoint Councillor Mordey as the substitute Member on the Northumbria Regional Flood and Coastal Committee in place of Councillor Waller.

#### **3.0 Samuel Dobson Trust and Victoria House Charity**

- 3.1. Council was advised at its meeting in November of a proposal to explore the scope for merging or amalgamating the funds of the Victoria House Charity with those of the Samuel Dobson Trust. As a first step, the Victoria House Charity needs to be reconstituted, in order to enable it to make decisions. At the November meeting, Council appointed the Cabinet Secretary and Councillor Leadbitter to act as trustees. Council is now recommended to appoint a third trustee of the Victoria House Charity.

#### **4.0 Transport for the North Board and Transport for the North Scrutiny Committee**

- 4.1 The Council is asked to note the following appointments:-

Deputy North East Combined Authority (NECA) Representative for the Transport for the North Board – Leader of the Council.

North East Combined Authority (NECA) Representative for the Transport for the North Scrutiny Committee – Deputy Leader of the Council.

## **5.0 Proposed Appointment of Directors to Siglion Newco Ltd**

- 5.1. Subject to the consideration and approval by Cabinet on 30th January of the corporate proposals in respect of Siglion LLP, there will be a requirement to appoint directors to the board of the new special purpose vehicle (referred to as Siglion Newco Ltd for the purposes of this report) to be established by the Council as part of the implementation of the proposals.
- 5.2 At this stage it is recommended that the existing Council board representatives on Siglion LLP are also appointed to the board of directors of Siglion Newco Ltd.

## **6.0 Sunderland College**

- 6.1 Council is requested to note the appointment of the Portfolio Holder for Children, Learning and Skills on the Board of Sunderland College.

## **7.0 Recommendations**

- 7.1 The Council is accordingly recommended to:-
- (i) Appoint Councillor Mordey as the substitute Member in place of Councillor Waller on the Northumbria Regional Flood and Coastal Committee;
  - (ii) Appoint a member to act as a trustee of the Victoria House Charity;
  - (iii) Note the appointments of the Leader of the Council as the Deputy NECA Representative for the Transport for the North Board and of the Deputy Leader of the Council as the NECA Representative for the Transport for the North Scrutiny Committee;
  - (iv) Appoint the existing Council board representatives on Siglion LLP; namely the Leader of the Council, the Deputy Leader of the Council, the Chief Executive and Executive Director of Economy and Place, to the board of directors of Siglion Newco Ltd; and
  - (v) Note the appointment of the Portfolio Holder for Children, Learning and Skills on the Board of Sunderland College.