

## Sunderland City Council

At a meeting of SUNDERLAND CITY COUNCIL held in the CIVIC CENTRE on WEDNESDAY, 7<sup>th</sup> DECEMBER, 2011 at 6.00 p.m.

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

Councillors	Allan	T. Foster	G. Miller	Tate
	Ball	Francis	Mordey	Thompson
	Bell	Gallagher	Morrissey	D. Trueman
	Blackburn	P. Gibson	Padgett	H. Trueman
	Bonallie	Gofton	Porthouse	Tye
	Charlton	Hall	D. Richardson	Vardy
	Copeland	Heron	Rolph	Wakefield
	Curran	Howe	Scanlan	Walker
	Dixon	Kay	Scaplehorn	Waller
	Ellis	Kelly	Scott	P. Watson
	Emerson	Lauchlan	Shattock	S. Watson
	Errington	McClennan	Smiles	Williams
	Essl	MackKnight	D. Smith	Wilson
	Fletcher	L. Martin	P. Smith	Wood
	Forbes	T. Martin	Snowdon	A. Wright
	S. Foster	F. Miller	Speding	T.H. Wright

The Notice convening the meeting was read.

### Minutes

RESOLVED that the minutes of the last Ordinary Meeting of the Council held on 5 October, 2011 together with the minutes of the Extraordinary Meeting of the Council held on 14 October, 2011 (copies circulated) be confirmed and signed as correct records.

### Declarations of Interest

At this juncture, the Mayor advised that Members had been asked to display their declarations of interest on the board at the entrance to the Chamber. In relation to the Notice of Motion on the agenda that night, advice had previously been circulated in respect of declarations of interest for those members who were either members of a Trade Union or who had received payments from a Trade Union in respect of their election or any expenses incurred by them in carrying out their duties. A number of Members had applied to the Standards Committee for dispensations to allow them to take part in the debate and vote on the motion. The list of members whom the Standards Committee had granted dispensations to speak and vote was appended to the notice board. Those Members who had not applied for a dispensation and who had a prejudicial interest for the reasons referred to above, or for any other reasons, were asked to declare the interest and retire from the Chamber during the debate and voting.

Accordingly, the following Members could consider the Notice of Motion without being excluded from participating.

Councillor D. Allan	Councillor F. Miller
Councillor E. Ball	Councillor G. Miller
Councillor R.A. Bell	Councillor M. Mordey
Councillor J. Blackburn	Councillor N.J. Padgett
Councillor S. Bonallie	Councillor J.S. Porthouse
Councillor B. Curran	Councillor D. Richardson
Councillor A. Emerson	Councillor K.M. Rolph
Councillor D. Errington	Councillor B. Scaplehorn
Councillor M.P. Essl	Councillor J. Scott
Councillor J. Fletcher	Councillor C. Shattock
Councillor S. Foster	Councillor P. Smith
Councillor J. Gallagher	Councillor M. Speding
Councillor E. Gibson	Councillor R.D. Tate
Councillor P. Gibson	Councillor H. Trueman
Councillor R. Heron	Councillor P. Walker
Councillor I.W. Kay	Councillor D. Waller
Councillor J. Kelly	Councillor P. Watly
Councillor D. MacKnight	Councillor S. Watson
Councillor T. Martin	Councillor N. Wright

The following Councillors declared a personal and prejudicial interest in the under-mentioned item of business for the reason indicated and left the meeting during its consideration:-

Item 11 – Notice of Motion	Councillor Charlton	Trade Union Member
	Councillor Gallagher	Wife is Branch Secretary for Unison
	Councillor T. Foster	Trade Union Member
	Councillor A. Hall	Member of GMB
	Councillor Lauchlan	Member and Branch Secretary of UNITE
	Councillor Wakefield	Retired Member of Prospect
	Councillor Wilson	Member of USDAW
	Councillor T. Wright	Member of UNITE and GMB

## **Mayor's Announcements**

### **(i) Royal Town Planning Institute**

At the invitation of the Mayor, the Portfolio Holder for Prosperous City, Councillor Charlton informed the meeting of the Council's success in receiving a commendation in the Royal Town Planning Institute Awards for the Seafront Regeneration Project.

The Mayor formally accepted the award on behalf of the Council.

### **(ii) Northumbria in Bloom Awards**

At the invitation of the Mayor, the Portfolio Holder for Attractive and Inclusive City, Councillor Blackburn informed the meeting of the Council's success in achieving 15 awards in the Northumbria in Bloom Awards competition. Councillor Blackburn advised that the most prestigious of the awards had been achieving silver gilt in the Northumbria in Bloom Special Award for the best large City Class.

The Mayor formally accepted the award on behalf of the Council.

## **Reception of Petitions**

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

Cllr A. Shattock – Petition objecting to Thompson Park facilities being used as a refuse collection depot and a welfare facility for the StreetScene service of Sunderland City Council – Executive Director of City Services.

## **Apologies for Absence**

Apologies for absence were submitted to the meeting on behalf of Councillors Anderson, P. Dixon, Errington, E. Gibson, Kelly, Maddison, I Richardson, Scaplehorn, Snowdon, Stewart, Wake and Walton.

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

### **1. Budget Planning Framework 2012/2013 and Medium Term Financial Strategy 2011/2012 – 2014/2015**

That they had given consideration to a joint report of the Chief Executive and the Executive Director of Commercial and Corporate Services outlining the key factors influencing the development of the Council's financial plans into

the medium term and setting out the headlines and context for the Medium Term Financial Strategy for 2011/2012 to 2014/2015.

The Cabinet had also referred the report to the Management Scrutiny Committee for its comments in the context of the approved consultation arrangements for the Council's budget. The Scrutiny Committee had accepted the report and the consultation arrangements for the Council's budget.

Accordingly, the Cabinet recommended the Council to approve the proposed budget planning framework which will guide the preparation of the Revenue Budget for 2012/2013.

## **2. Revenue Budget Second Review 2011/2012**

That they had given consideration to a report of the Executive Director of Commercial and Corporate Services (copy circulated) on the overall Revenue position following the second review for 2011/2012 including proposed contingency transfers.

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

*'savings on capital financing charges as a result of slippage on the capital programme and income from interest on investments are anticipated to result in savings of approximately £4.0m at year end. It is proposed that these amounts and any further underspendings arising from underspent contingencies at the end of 2011/2012 are earmarked to support transitional costs arising from the 2012/2013 budget setting process'*

They had also referred the above extract of the budget transfers to the Management Scrutiny Committee, for advice and consideration. The Scrutiny Committee had supported the issues of transfers.

Accordingly the Cabinet recommended the Council to approve the budget transfers for the second quarter of 2011/2012 as set out in the above extract.

## **3. Capital Programme Second Review 2011/2012 (including Treasury Management)**

That they had given consideration to a report of the Executive Director of Commercial and Corporate Services (copy circulated) which detailed changes made to the Capital Programme 2011/2012 since the First Capital Review and provided an update on progress in implementing the Treasury Management Borrowing and Investment Strategy for 2011/2012.

They had also referred the report to the Management Scrutiny Committee for advice and consideration in the context of inclusion of an additional scheme for 2011/2012 costing over £250,000 which had been set out in an attached

extract. The Scrutiny Committee had accepted the proposed additional scheme as set out in the extract and had recognised the opportunities that the purchase of a mobile crane would create for the Port of Sunderland.

Accordingly, the Cabinet recommended the Council to approve the inclusion of the additional schemes for 2011/2012 and associated resourcing of the Capital Programme since the First Review of the Capital Programme was approved by Council in June 2011.

#### **4. Children and Young People's Plan Annual Report 2010-2011**

That they had given consideration to a report of the Executive Director of Children's Services (copy circulated) on the Children and Young People's Plan (CYPP) Annual Report (2010-2011) which informed of the progress and performance against the outcomes set out in the Children and Young People's Delivery Plan 2010-2013.

They had also referred the report to the Children, Young People and Learning Scrutiny Committee for advice and consideration. The Scrutiny Committee had highlighted the importance of Looked After Children being tracked through the Corporate Parent role of the Council to ensure the best educational outcomes for this group. The Committee had been extremely concerned about the continued poor performance against NI 101 - Looked after Children achieving 5 A\* - C GCSEs (or equivalent) at KS4 (with English and Maths) with this concern also being reflected by the Management Scrutiny Committee. Members had suggested that GCSE results could be backtracked to understand what had happened as well as providing national averages to act as a comparator. While the CYPP action plan noted Looked after Children GCSE results as an area requiring improvement, the 'what we have achieved' and 'what we still need to do' sections provided little detail. The Committee had felt that this significant flaw in the action plan needed amending to note the lack of success in respect of educational support to Looked after Children and to identify this as a crucial area of action to ensure robustness for the plan in this aspect.

Accordingly the Cabinet recommended the Council to approve the CYPP Annual Report (2010-2011).

#### **5. Review of Polling Districts, Polling Places and Polling Stations**

That they had given consideration to a report of the Chief Executive (copy circulated) on the results of the review of polling districts, polling places and polling stations carried out as required by the Electoral Administration Act 2006.

The Cabinet recommended to Council that the proposed changes to Polling Districts and Polling Places, as set out in Appendix 4 to the report, be approved.

**RESOLVED** that the views of the Scrutiny Committees be noted and that the report of the Cabinet be approved and adopted.

**THE STANDARDS COMMITTEE reported and recommended as follows:-**

**1. Council Publicity – Guidance Note**

That they had given consideration to a report of the Executive Director of Commercial and Corporate Services (copy circulated), advising that a revised Code of Recommended Practice on Local Authority Publicity had been issued by the Department of Communities and Local Government and, in light of this revision, the Council's Guidance Note had been reviewed to ensure it was consistent with the current Code.

The Guidance Note on Council Publicity aimed to assist Members and Officers to ensure that all publicity issued on behalf of the Council and all promotional activity undertaken by the Council, or use of Council resources was in accordance with the Government's revised Code of Recommended Practice on Local Authority Publicity and complied with the law.

The Committee had noted and endorsed the content of the Guidance Note on Council Publicity and agreed that copies be sent to all Members, Chief Officers and Heads of Service.

The Committee recommended that the Council formally adopts the Guidance Note on Council Publicity and that it be included in the Council's Constitution in place of the previous version.

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

**Written Questions under Rule 8.2**

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

**Action Taken on Petitions**

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

**(i) Petition from the residents of Corporation Road objecting to the installation of a waste site. Presented by Councillor Michael Mordey on 5<sup>th</sup> October 2011**

The Deputy Chief Executive had advised the Lead Petitioner and Councillor Mordey that, as the petition related to an active planning application by SITA UK Ltd for a Waste Transfer Station at Jack Crawford House, the application (11/02320/FUL) would be determined by the Development Control (South

Sunderland) Sub-Committee on Tuesday 1st November. The petition would be treated as an objection and would be taken account of in the material brought to the attention of the Sub-Committee to aid it in its consideration of the application.

**(ii) Petition from residents of Vicarsholme Close requesting the closure of a footpath between numbers 6 and 7 Vicarsholme Close, Doxford Park. The lead petitioner alleged that the footpath gave rise to crime and anti-social behaviour. Presented to Council by Councillor Errington on 24<sup>th</sup> March 2011**

The petitioners request that the footpath, between numbers 6 and 7 Vicarsholme Close be closed could not be promoted due to the expressed level of objection to closure/gating of the footpath and Government Legislation not being met; therefore, the footpath would remain open and available for public use. However, it was proposed the lead petitioners' concerns be addressed by way of mitigation measures. The lighting levels in the area had been investigated by the Council's PFI street lighting and highway signs contractor and Aurora had installed an additional lighting column next to no. 6 Vicarsholme Close to further improve lighting levels around the footpath. In addition, pruning works had been complete, to enhance lighting levels from the existing columns.

Councillor Errington and the lead petitioner had been notified of the decision.

## **Notice of Motion**

**(i) Notice of Motion – Trades Union Officials**

Councillor Oliver, seconded by Councillor Howe, moved the following motion in relation to Trades Union Officials:-

“This Council understands and recognises the valuable role played by Trades Unions in ensuring effective industrial relations and reaffirms the principle of providing reasonable support to Trades Unions including time off for stewards for this purpose.

However, this Council believes that given the current state of the public finances and the ability of Trades Unions to raise their own funds through membership fees, taxpayer subsidy of full time Trade Union officials should now be brought to an end.”

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

Second paragraph first line delete “however”  
Second paragraph first line delete “given” and replace with “notwithstanding”  
Second paragraph Fifth and sixth lines delete everything after the word “officials” and replace with “is excellent value for money and indispensable to the efficient and efficacious working of Sunderland City Council.

Upon being put to the vote the amendment was carried with, 46 Members voting in favour thereof, viz:-

The Mayor (Councillor N. Wright) in the Chair

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

and 7 Members voting against, viz:-

Councillors	Francis	Maddison	Wiper	A. Wright
	Howe	Oliver	Wood	

Upon being put to the vote the new substantive motion was carried with 46 Members voting in favour, viz:-

The Mayor (Councillor N. Wright) in the Chair

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

and 7 Members voting against, viz:-

Councillors	Francis	Maddison	Wiper	A. Wright
	Howe	Oliver	Wood	

Accordingly, it was:-

RESOLVED that this Council understands and recognises the valuable role played by Trades Unions in ensuring effective industrial relations and reaffirms the principle of providing reasonable support to Trades Unions including time off for stewards for this purpose. The Council believes that notwithstanding the current state of public finances and the ability of Trades Unions to raise their own funds through membership fees, taxpayer subsidy of full time Trade Union officials is excellent value for money and indispensable to the efficient and efficacious working of Sunderland City Council.

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

(Signed) N. WRIGHT,  
Mayor.