

# ***Minutes***



## Sunderland City Council

At a meeting of SUNDERLAND CITY COUNCIL held in the CIVIC CENTRE on WEDNESDAY, 27<sup>th</sup> NOVEMBER, 2013 at 6.00 p.m.

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

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

The notice convening the meeting was read.

### Minutes

1. RESOLVED that the minutes of the Meeting of the Council held on 25<sup>th</sup> September, 2013 and those of the Extraordinary Meeting held on 11<sup>th</sup> November, 2013 (copies circulated) be confirmed and signed as correct records.

### Declarations of Interest

There were no declarations of interest.

### Announcements

#### (i) Death of Mr Raymond Smith

The Mayor paid tribute to Mr Raymond Smith, the husband of former Councillor Mary Smith. He was the first male Mayor's consort in the history of Sunderland and had recently passed away.

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

## **Reception of Petitions**

2. RESOLVED that the under - mentioned petitions, submitted by the Councillors named, be received and referred for consideration in accordance with the Council's Petitions Scheme:-

Councillor David Snowdon – Petition in aid of changing the speed limit on the road leading to Mount Pleasant from the Washington Highways to 30mph – Deputy Chief Executive

Councillor Anne Lawson– Petition requesting action be taken over the trees on the grounds of Barnwell School – Governing Body of Barnwell School.

Councillor E. Gibson – Petition requesting action be taken regarding the indiscriminate parking at Benedict Biscop Academy Moorside and introduce a 20 mph zone in Marcross Drive – Deputy Chief Executive.

## **Apologies for Absence**

Apologies for absence were submitted to the meeting on behalf of Councillors Ellis, Emerson, Farr, Forbes, MacKnight, Maddison, Porthouse, Scanlan, D. Smith, P Watson, and T.H. Wright

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

### **1. Feed and Food Controls Service Plan 2013/14**

That they had given consideration to a report of the Deputy Chief Executive (copy attached) on the Feed and Food Controls Service Plan for 2013/14 to be used by the Public Protection and Regulatory Services section of the Street Scene service and which sought approval of the plan.

They also referred the report to the Scrutiny Committee for advice and consideration. The Committee endorsed the Feed and Food Controls Service Plan 2013/14 and supported the Cabinet recommendations to submit the Service Plan to Council for approval.

Accordingly the Cabinet recommended the Council to approve the Feed and Food Controls Service Plan for 2013/14.

## **2. Revenue Budget Second Review 2013/14**

That they had given consideration to a report of the Executive Director of Commercial and Corporate Services (copy attached) on the overall revenue position following the second review for 2013/2014 including proposed contingency transfers for the second quarter of 2013/2014.

In accordance with the Council's Budget and Policy Framework certain transfers require Council approval. The following extract refers 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 planned savings of approximately £5.0m at year end. It is proposed that these amounts and any further underspendings arising from unspent contingencies at the end of 2013/2014 are earmarked to support the overall 2013/2014 position and transitional costs arising from the 2014/2015 budget setting process”

They also referred the above extract of the budget transfers to the Scrutiny Committee, for advice and consideration. The Scrutiny Committee supported the transfer of funds to support the overall 2013/2014 position together with the transitional costs arising from the 2014/2015 budget setting process and supported the Cabinet recommendation that the transfer be submitted to Council for approval.

Accordingly the Cabinet recommended the Council to approve the contingency transfers as set out in the above extract.

## **3. Budget Planning Framework 2014/2015 and Medium Term Financial Strategy 2014/2015 – 2016/2017**

That they had given consideration to a joint report of the Chief Executive and the Executive Director of Commercial and Corporate Services (copy attached) outlining the key factors influencing the development of the Council's financial plans into the medium term and setting out the budget planning framework for the Council for 2014/2015. The report sets out the headlines and context for the Medium Term Financial Strategy 2014/2015 to 2016/2017 which will be formally considered in due course.

They also referred the report to the Scrutiny Committee for its comments in the context of the approved consultation arrangements for the Council's budget. The Scrutiny Committee supported the proposed Budget Planning Framework and endorsed the Medium Term Financial Strategy and supported the Cabinet recommendation that both are submitted to Council for approval.

Accordingly, the Cabinet recommended the Council to:-

- (i) agree the proposed Budget Planning Framework summarised at Section 10 of the report which will guide the preparation of the Revenue Budget for 2014/2015;
- (ii) note that the full Medium Term Financial Strategy 2014/2015 to 2016/2017 will be presented to Cabinet in February

**4. Audit Commission Annual Audit Letter 2012/2013**

That they submit for consideration by Council a report of the Chief Executive (copy attached) on the Audit Commission Annual Audit Letter covering the year 2012/2013 together with a copy of the Audit Letter which included issues arising from the audit of the Council's financial statements and the results of the external auditor's work undertaken as part of the assessment of the Council's arrangements to securing value for money in its use of resources.

Accordingly the Cabinet recommended the Council to note the contents of the report.

**5. Chief Finance Officer – Section 151 Local Government Act 1972**

That they had given consideration to a joint report of the Chief Executive and the Head of Law and Governance (copy attached) which sought endorsement for the interim arrangements for the allocation of Chief Finance Officer responsibilities (Section 151, Local Government Act 1972) pending a permanent appointment being made.

Accordingly the Cabinet recommended the Council to note and endorse the interim arrangements.

**6. Proposed amendments to the Council's Delegation Scheme - Dog Control Orders**

That they had given consideration to a joint report of Deputy Chief Executive and the Head of Law and Governance (copy attached) which sought approval to amend the Council's Delegation Scheme to authorise the Deputy Chief Executive to exercise the Council's full enforcement powers in respect of Dog Control under Part 6 of the Clean Neighbourhoods and Environment Act 2005.

Accordingly the Cabinet recommended the Council:-

- (i) to amend the Council's Delegation Scheme in Part 3 of the Constitution as follows:-

Paragraph 2.96(i) - (Deputy Chief Executive) be deleted and substituted as follows:-

- “2.96 (i) Clean Neighbourhoods and Environment Act 2005 (Sections 3-9 Vehicles, sections 18 – 19 Litter, sections 55-68 Controls on Dogs (including, for the avoidance of doubt, the power to make dog control orders under section 55, subject to taking into account the views of the relevant Area Committee in cases where representations are received in response to consultation) and sections 69 -81 and 82 -86 Noise)”.
- (ii) to note and endorse that the amount of a fixed penalty payable in respect of an offence under a dog control order be set at £75 (discounted to £50 if paid within 10 days).

The Deputy Leader of the Council, Councillor H. Trueman, duly seconded by the Cabinet Secretary, Councillor Speding moved the report of the Cabinet.

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

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

### **Written Questions under Rule 8.2**

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

### **Notices of Motion**

#### **(i) Notice of Motion – 21<sup>st</sup> Anniversary of the Award of City Status**

Councillor Oliver, seconded by Councillor Wood moved the following motion in relation to the 21<sup>st</sup> Anniversary of the Award of City Status:-

“This Council congratulates the City of Sunderland on the 21<sup>st</sup> anniversary of the award of city status and notes its successes and failures.”

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

delete “and notes its successes and failures”

Upon being put to the vote the amendment was carried with 54 Members voting in favour, viz:-

The Mayor (Councillor R Heron) in the Chair

Councillors	Allan	Foster	Padgett	Trueman, H.
	Anderson	Gibson, E	Price	Turton
	Atkinson	Gibson, P	Richardson	Tye
	Ball	Jackson	Scott	Wakefield
	Bell	Kay	Shattock	Walker
	Blackburn	Kelly	Smith, P.	Waller
	Bonallie	Lauchlan	Snowdon, D	Watson, S
	Copeland	Lawson	Snowdon, DE	Williams
	Curran	McClennan	Speding	A. Wilson
	Davison	Marshall	Stewart	D. Wilson
	Dixon	Martin, T	Tate	Wright, N
	Errington	F. Miller	Taylor	
	Essl	G. Miller	Thompson	
	Farthing	Mordey	Trueman, D.	

5 Members voting against, viz:-

Francis	Oliver	Wood
Howe	Wiper	

And no Members abstaining

The new substantive motion was then put to the meeting and accordingly it was:-

6. RESOLVED that this Council congratulates the City of Sunderland on the 21<sup>st</sup> anniversary of the award of city status.

**(ii) Notice of Motion – British Nuclear Tests Veterans Association**

Councillor H. Trueman, seconded by Councillor Oliver moved the following motion in relation to the British Nuclear Tests Veterans Association:-

“This Council notes that its commitment to the Armed Forces Community Covenant ensures the needs of those residents of Sunderland who serve, or have served, the country are recognised and supported at a local level.



Further notes that many other residents have, through a range of professions, served the country in equally significant measure, such as in national security and defence – including those who participated in the testing of Britain’s nuclear weapons in the 1950s and 1960s.

Welcomes that, following a Ministry of Defence commissioned Health Needs Analysis in 2011 of British nuclear test veterans, the NHS have introduced a number of practical measures to support them.

Believes that other parts of the public and voluntary sector should seek to introduce similar measures to support nuclear test veterans, and that the Council should lead this at a local level by extending the provisions of the Armed Forces Community Covenant to those veterans who live in Sunderland.

Furthermore this Council urges the Government to support the campaign of the British Nuclear Tests Veterans Association by:

- Officially recognising the unique service of the veterans and acknowledge the nation’s continuing debt to them; and
- Supporting the intention to establish a Benevolent Fund of £25million to provide assistance for those veterans and their descendents in need.

Agrees to ask our Members of Parliament to back this campaign and join the Council in urging the Government to support the requests outlined above.

Upon being put to the meeting, the motion was carried unanimously and it was: -

7. RESOLVED that:-

This Council notes that its commitment to the Armed Forces Community Covenant ensures the needs of those residents of Sunderland who serve, or have served, the country are recognised and supported at a local level.

Further notes that many other residents have, through a range of professions, served the country in equally significant measure, such as in national security and defence – including those who participated in the testing of Britain’s nuclear weapons in the 1950s and 1960s.

Welcomes that, following a Ministry of Defence commissioned Health Needs Analysis in 2011 of British nuclear test veterans, the NHS have introduced a number of practical measures to support them.

Believes that other parts of the public and voluntary sector should seek to introduce similar measures to support nuclear test veterans, and that the Council should lead this at a local level by extending the provisions of the Armed Forces Community Covenant to those veterans who live in Sunderland.

Furthermore this Council urges the Government to support the campaign of the British Nuclear Tests Veterans Association by:

- Officially recognising the unique service of the veterans and acknowledge the nation's continuing debt to them; and
- Supporting the intention to establish a Benevolent Fund of £25million to provide assistance for those veterans and their descendents in need.

Agrees to ask our Members of Parliament to back this campaign and join the Council in urging the Government to support the requests outlined above.

**(iii) Notice of Motion – Sunderland Royal Hospital**

Councillor G. Miller, seconded by Councillor Kelly moved the following motion in relation to Sunderland Royal Hospital:-

“This Council condemns the decision by the Tory led Coalition not to include Sunderland Royal Hospital in the proposed, NHS £235 million winter planning funding programme.”

Councillor Oliver seconded by Councillor Wood moved the following amendment:-

delete “Tory led Coalition” and replace with “NHS England”

Upon being put to the vote the amendment was defeated with 5 Members voting in favour, viz:-

Francis Howe	Oliver Wiper	Wood
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51 Members voting against, viz:-

The Mayor (Councillor R Heron) in the Chair

Councillors	Allan	Farthing	Mordey	Thompson
	Anderson	Foster	Padgett	Trueman, D.
	Atkinson	Gibson, E	Price	Trueman, H.
	Ball	Gibson, P	Richardson	Tye
	Bell	Jackson	Scaplehorn	Wakefield
	Blackburn	Kay	Scott	Walker
	Bonallie	Kelly	Shattock	Watson, S
	Copeland	Lauchlan	Smith, P.	Williams
	Curran	Lawson	Snowdon, D	A. Wilson
	Davison	Marshall	Snowdon, DE	D. Wilson
	Dixon	Martin, T	Speding	Wright, N
	Errington	F. Miller	Tate	
	Essl	G. Miller	Taylor	

And no Members abstaining

Upon being put to the vote the original motion was carried with 54 Members voting in favour, viz:-

The Mayor (Councillor R Heron) in the Chair

Councillors	Allan	Foster	Padgett	Trueman, H.
	Anderson	Gibson, E	Price	Turton
	Atkinson	Gibson, P	Richardson	Tye
	Ball	Jackson	Scott	Wakefield
	Bell	Kay	Shattock	Walker
	Blackburn	Kelly	Smith, P.	Waller
	Bonallie	Lauchlan	Snowdon, D	Watson, S
	Copeland	Lawson	Snowdon, DE	Williams
	Curran	McClennan	Speding	A. Wilson
	Davison	Marshall	Stewart	D. Wilson
	Dixon	Martin, T	Tate	Wright, N
	Errington	F. Miller	Taylor	
	Essl	G. Miller	Thompson	
	Farthing	Mordey	Trueman, D.	

No Members voting against

4 Members abstaining, viz:-

Francis	Oliver	Wiper	Wood
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Accordingly it was:-

8. RESOLVED that this Council condemns the decision by the Tory led Coalition not to include Sunderland Royal Hospital in the proposed, NHS £235 million winter planning funding programme.

### **Quarterly Report on Special Urgency Decisions**

The Leader of the Council submitted a quarterly report (copy circulated) on executive decisions which had been taken under Regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

(For copy report – see original minutes)

9. RESOLVED that the report be noted.

**Appointments - Independent Member of the Audit and Governance Committee, Sunderland Business Improvement District Company, Adult Partnership Board and Sunderland Health and Wellbeing Board.**

The Executive Director of Commercial and Corporate Services submitted a report (copy circulated) which requested the Council to consider the appointment of Mr Martin Knowles as an Independent Member to the Audit and Governance Committee and appointments to the Sunderland Business Improvement District Company and Adult Partnership Board and to note the appointment the Local Healthwatch representative, Mr Kevin Norris, to the Sunderland Health and Wellbeing Board.

(For copy report – see original minutes)

10. RESOLVED that the Council:-

- (i) Appoint the recommended candidate to the Audit and Governance Committee for a period of three years with the option for the Council to renew annually thereafter;
- (ii) Appoint Councillors H. Trueman and Speding as the two Directors to the Board of the Sunderland Business Improvement District (BID) Company;
- (iii) Note the vacancy on the Adult Partnership Board; and
- (iv) Note the change in representation on the Sunderland Health and Wellbeing Board.

(Signed) R. HERON,  
Mayor.