

Sunderland City Council

At a meeting of SUNDERLAND CITY COUNCIL held in the CIVIC CENTRE on WEDNESDAY, 29th JANUARY, 2014 at 6.00 p.m.

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

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

The notice convening the meeting was read.

Minutes

38. RESOLVED that the minutes of the Meeting of the Council held on 27th November, 2013 (copy circulated) be confirmed and signed as a correct record.

Declarations of Interest

The following Councillors declared interests as follows: -

Item 12 – Notice of Motion – Transforming Rehabilitation – Probation Services not for sale	Councillor McClennan	Director of Riverside Consulting CIC – contract work for Ministry of Justice
	Councillor Kay	Director of Riverside Consulting CIC – contract work for Ministry of Justice

Announcements

(i) Deaths of former Councillors W. Craddock, J. Hall and T. Scott

The Mayor paid tribute to former Councillors, Mayors and colleagues, W. Craddock, J. Hall and T. Scott who had recently passed away.

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

(ii) Receipt of Donation for the Mayor's Charities

At the invitation of the Mayor, Councillor Trueman reported that a collection had taken place at the funeral service of former Mayor and Councillor W. Craddock and £100 had been donated. Former Councillor Craddock's daughter wished for the money to be given for use by the Mayor's nominated charities.

The Mayor thanked Councillor Trueman for the donation and requested that a letter of gratitude and best wishes be sent to former Councillor Craddock's daughter on his behalf.

(iii) Northern Design Awards 2013 – Commercial Landscaping Category

At the invitation of the Mayor, Councillor Trueman reported that Sunderland City Council's in-house Landscape Architects had been approached by Columbia Grange School to create a stimulating safe learning environment, with a strong emphasis on natural materials and planting. He drew attention to the photographs being displayed in the Chamber of the sensory maze garden which had been created for the children of the school and how delighted the school, the children and their parents were.

Councillor Trueman was delighted to report that the sensory garden had won the Commercial Landscaping Category in November 2013 at the Northern Design Awards which were sponsored by the Royal Institute of British Architects. Sunderland City Council had been the only Local Authority designer to win an award.

The Mayor advised that he had recently visited and enjoyed the new garden at the school.

Reception of Petitions

39. 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 Michael Mordey – Petition from 210 residents regarding the removal of the school crossing patrol on Tatham Street, Hendon and a request to replace school crossing patrol with some form of permanent traffic calming measures to ensure safety of children attending Hudson Road Primary – Deputy Chief Executive

Councillor Paul Watson – Petition to the Mayor to convene an extraordinary meeting as soon as practicable to consider the motion that the council requests that the Tyne and Wear Fire Authority revisits its decision and consultation process that determined the future closure of Sunderland Central Fire Station.

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Anderson, Ball, Copeland, Farr, Howe, MacKnight, Maddison, Porthouse, Scanlan, Waller and T.H. Wright.

The Cabinet reported and recommended as follows:-

1. Review of Members' Allowances Scheme by the Independent Remuneration Panel

That they have given consideration to the attached joint report of the Chief Executive and the Executive Director of Commercial and Corporate Services (copy attached) on the outcome of the Independent Remuneration Panel's Review of Members' Allowances.

The Cabinet recommended the Council to approve the recommendations of the Independent Remuneration Panel that:-

- (i) the current Allowances Scheme be amended to include a Special Responsibility Allowance for the lead Member role on the Council's Fostering Panel equivalent to those attached to the Member leads on the Adoption and Permanency Panels (equivalent to 20% of the Allowance attached to a Cabinet Portfolio Holder - £4,184) and the Deputy Mayor's Allowance be increased from £3,827 to £5,735, to take effect, if approved by the Council, from the date of such approval,
- (ii) the Scheme, as amended, also be applied in the financial year commencing 1 April 2014,
- (iii) other than in respect of the amendments referred to above, the Scheme of Allowances, including the associated terms and conditions, remain unchanged, and
- (iv) in line with the approach previously supported by the Council, the Scheme be reviewed on an annual basis.

2. Council Tax Base 2014/2015

That they have given consideration to a report of the Head of Financial Resources (copy attached) seeking approval to the calculation of the Council Tax Base for 2014/2015 in accordance with the Local Government Finance Act 1992 and recommended to Council that:-

- (i) The report for the calculation of the Tax Bases for the City Council and Hetton Town Council for 2014/2015 be approved.
- (ii) That pursuant to the report and in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, as amended by Local Authorities (Calculation of Council Tax Base) (Amendment) (England) Regulations 2012 the amount calculated by Sunderland City Council as its Council Tax Base for the year 2014/2015, shall be £64,559 and for the area of Hetton Town Council shall be £3,230.

3. Business Rates Income Forecast 2014/2015 and Projected Business Rates Income Outturn 2013/2014

That they have given consideration to a report of the Head of Financial Resources (copy attached) detailing the arrangements for estimating the forecast outturn for business rates income for 2013/2014 and the business rates income for 2014/2015 to be included in the NNDR 1 return which must be submitted to Government by 31st January 2014 in accordance with the Non Domestic Rating (Rates Retention) Regulations 2013, following approval by Council.

Accordingly the Cabinet was seeking Council approval to the NNDR1 form (final form circulated separately as Appendix A) for submission to government, and which set out

- the forecast outturn for business rates income for 2013/2014
- total estimated business rates income before transitional arrangements for the year 2014/2015 in accordance with regulations, and which will form the basis of the necessary apportionment of the estimated total business rate income for 2014/2015 in the following proportions:
 - 50% to the Government
 - 1% to the Tyne and Wear Fire and Rescue Authority
 - 49% to the Council

4. Revenue Budget 2014/2015 Proposals and Provisional Revenue Support Settlement 2014/2015

That they have given consideration to a joint report of the Chief Executive and Head of Financial Resources (copy attached) on the provisional budget proposals 2014/2015 and provisional Revenue Support Settlement, as a basis for the continuation of consultation, prior to the receipt of the final Local Government Finance Settlement.

They also referred the report to the Scrutiny Committee for further advice and consideration. The Scrutiny Committee resolved that it was satisfied with the information provided on the Revenue Budget proposals and Revenue Support Settlement and had no additional comment to make.

Accordingly the Cabinet recommended the Council to approve the provisional budget proposals, as a basis for the continuation of budget consultation, prior to the receipt of the final Local Government Finance Settlement 2014/2015.

5. Capital Programme – Third Review 2013/2014, Provisional Resources 2014/2015 and Treasury Management Review 2013/2014

That they have given consideration to a report of the Head of Financial Resources which detailed the re-profiling of projects since the Second Capital Review for 2013/2014 was approved in October 2013, the inclusion of additional schemes and revisions to costs and resourcing for 2013/2014 since the Second Capital Review was reported, the allocation of capital resources for 2014/2015 subject to any adjustments required when final resource announcements were made and the progress in implementing the Treasury Management Strategy for 2014/2015.

They also referred the report to the Scrutiny Committee for advice and consideration in the context of inclusion of the additional schemes for 2013/2014 costing over £250,000 which were set out in the attached extract. The Scrutiny Committee resolved that it was satisfied with the capital budget scheme variations and had no additional comment to make.

Accordingly, the Cabinet recommended the Council to approve the inclusion of the additional schemes for 2013/2014 and associated resourcing of the Capital Programme since the Second Review of the Capital Programme was approved by Council in October 2013.

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

Councillor Oliver seconded by Councillor Wood moved that the item in relation to the Review of Members' Allowances Scheme by the Independent Remuneration Panel be referred back to Cabinet to reconsider as they were opposed to the proposed increase in the total budget for Members' Allowances and the proposed increase in the Special Responsibility Allowance for the position of Deputy Mayor.

Upon being put to the vote the reference back was defeated with 7 Members voting in favour:-

Councillors	Forbes Francis	Martin, L Oliver	Smith, D Wiper	Wood
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52 Members voting against:-

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

1 Member abstaining:-

The Mayor (Councillor R Heron)

Accordingly it was:-

40. 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.

Action Taken on Petitions

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

(i) Petition regarding the trees in the grounds of Barnwell Primary School - Presented by Councillor Anne Lawson on 27 November 2013

The petitioners had requested that action be taken over the trees in the grounds of Barnwell School. The matter was referred to the Governing Body of the School.

Following the receipt of the petition the Governing Body obtained legal advice regarding their duties and responsibilities. They then enlisted the support of an independent arboriculturalist to advise on the conditions, risks and appropriate works needed to address the six concerns raised within the petition.

On Wednesday 11th December the School procured the services of Gentoo to carry out a full survey of the site. In the petition Governors were requested to cut back and fell the problem trees. The arboriculturalist was requested to assess every tree within the grounds of Barnwell Primary School and produce a plan and report which took into consideration all of the issues raised.

A survey was carried out on Friday 13th December and the subsequent report was received on Wednesday 18th December. The results highlighted a number of maintenance issues which would be addressed across the 72 trees on the Barnwell site. It also suggested the removal of 2 trees which were in poor condition. The majority of the works needed were crown lifts which were causing overhang or light issues to the neighbouring homes.

Overall the report indicated that work was needed on 38 of the 72 trees. A quote was received from Gentoo for all of the works to be carried out as detailed in the report. The Governing Body noted that many of these tasks were not required to be carried out from a legal perspective, however as a gesture of goodwill, approval was given by Governors. The School budget would meet this cost (approximately £2,700) and Gentoo were asked to complete these works as quickly as possible.

The Governing Body had informed Councillor Lawson and the lead petitioner of the actions taken and hoped that this and the subsequent works carried out satisfied all of the concerns raised in the petition, via telephone calls and by individuals who had visited the School. The Governing Body felt that by procuring independent advice they had dealt with the matter in a fair, swift and appropriate way.

Notices of Motion

(i) Notice of Motion – Combined Authority

Councillor Oliver, seconded by Councillor Wood moved the following motion in relation to the proposed Combined Authority:-

“Recognising the importance of a combined authority to the future of a city deal and consequent development of the Vaux site, this council urges Durham, Northumberland and Tyne and Wear local authorities to agree to speak with one voice by including representatives of all major political parties and business leaders in any proposed combined authority.”

Upon being put to the vote the motion was defeated with 8 Members voting in favour:-

Councillors	Ellis Francis	Martin, L Oliver	Smith, D Wakefield	Wiper Wood
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51 Members voting against, viz:-

The Mayor (Councillor R Heron) in the Chair

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

And no Members abstaining

Accordingly it was:-

41. RESOLVED that the motion be defeated.

(ii) Notice of Motion – Transforming Rehabilitation – Probation Services not for sale

Councillor P. Watson, seconded by Councillor H. Trueman moved the following motion in relation to Probation Services:-

“This Council notes the Coalition Government plans to privatise the majority of probation services including handing community supervision of 200,000 serious and violent offenders over to private companies.

This Council believes that:

- Fragmenting offender management will increase the risk of harm to the public
- Cooperative partnership arrangements for managing the most active offenders will flounder leading to a substantial risk of an increase in crime in the city
- There has not been adequate scrutiny of the proposed plans
- Payment by Results of probation services is an unproven model which at best has a massive potential for unforeseen negative consequences
- Criminal Justice is not for profit.

Therefore this Council resolves to oppose the privatisation of probation services.”

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

The Mayor (Councillor R Heron) in the Chair

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

And 4 Members abstaining:-

Councillors	Francis	Oliver	Wiper	Wood
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Accordingly it was:-

42. RESOLVED that:-

This Council notes the Coalition Government plans to privatise the majority of probation services including handing community supervision of 200,000 serious and violent offenders over to private companies.

This Council believes that:

- Fragmenting offender management will increase the risk of harm to the public
- Cooperative partnership arrangements for managing the most active offenders will flounder leading to a substantial risk of an increase in crime in the city
- There has not been adequate scrutiny of the proposed plans
- Payment by Results of probation services is an unproven model which at best has a massive potential for unforeseen negative consequences
- Criminal Justice is not for profit.

Therefore this Council resolves to oppose the privatisation of probation services.

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)

43. RESOLVED that the report be noted.

Appointments – Local Asset Backed Vehicle and Appeals under the Education Acts - Constitution of Panel Members

The Executive Director of Commercial and Corporate Services submitted a report (copy circulated) which sought approval for the appointment of the Council's representatives to the Board of the proposed Local Asset Backed Vehicle for Sunderland (LABV) (and its subsidiaries) and the appointment of Panel Members to the Education Admission Appeals Panel.

(For copy report – see original minutes).

44. RESOLVED that the Council:-

- (i) appoint the Leader of the Council, the Cabinet Secretary, the Deputy Chief Executive and the Head of Financial Resources (for the period until the appointment of the new Executive Director of Commercial and Corporate Services) to the Board of the LABV (and its subsidiaries), and
- (ii) approve the appointment of the undermentioned Panel Members to the Education Admission Appeals Panel:-

Non Lay Members

Patricia Bateley, Margaret Cottam, Irene Lanaghan and John Richardson; and

Lay Members

Lynda Cochrane, Dianne Gardener, David Harris and Fran Pickersgill.

(Signed) R. HERON,
Mayor.

