

## **Local Government Act 1972**

### **Borough of North Tyneside**

**24 January 2013**

At the meeting of the Council of the Borough of North Tyneside duly convened and held on Thursday 24 January 2013 immediately following the reconvened meeting in The Chamber at Quadrant at which a quorum of Members were present, that is to say: -

#### **Present**

Councillor F Lott (In the Chair)

Mrs L Arkley (Elected Mayor)

Councillor J M Allan	Councillor N J Huscroft
Councillor A Arkle	Councillor C Johnson
Councillor A Austin	Councillor D W Lilly
Councillor K Barrie	Councillor G Madden
Councillor G Bell	Councillor M Madden
Councillor P Brooks	Councillor P Mason
Councillor B Burdis	Councillor D McGarr
Councillor W Caithness	Councillor Mrs P McIntyre
Councillor K A Conroy	Councillor J McLaughlin
Councillor D Corkey	Councillor A McMullen
Councillor A Cowie	Councillor L J Miller
Councillor S Cox	Councillor Mrs S E Mortimer
Councillor E N Darke	Councillor T Mulvenna
Councillor L Darke	Councillor A Normand
Councillor C Davis	Councillor P Oliver
Councillor S Day	Councillor D Ord
Councillor M Finlay	Councillor K Osborne
Councillor C A Gambling	Councillor J O'Shea
Councillor R Glindon	Councillor C B Pickard
Councillor S Graham	Councillor J Pickard
Councillor M A Green	Councillor M G Rankin
Councillor J L L Harrison	Councillor N Redfearn
Councillor S Hill	Councillor D Sarin
Councillor E Hodson	Councillor L A Spillard
Councillor Janet Hunter	Councillor J J Stirling
Councillor John Hunter	Councillor A Waggott-Fairley
Councillor M Huscroft	Councillor J I Walker
Councillor M J Huscroft	Councillor Mrs J A Wallace
	Councillor G Westwater

## **C114/01/13 Apologies**

Apologies for absence were received from Councillors I Grayson and J Munby.

A procedural motion was moved by Councillor J Wallace and seconded by Councillor P McIntyre that:

“The order of business be changed to allow item 4: Technical Reforms of Council Tax; and item 5: Local Council Tax Support Scheme, to be considered before item 3: Motions.”

Two Members present requested a recorded vote in accordance with Council Procedure Rule 13 (5).

### **Votes for the procedural motion**

Mrs L Arkley, Elected Mayor, Councillors A Austin, K Barrie, M A Finlay, E Hodson, M Huscroft, M J Huscroft, N J Huscroft, P McIntyre, J McLaughlin, P Mason, L Miller, S Mortimer, D Ord, D Sarin, Mrs J A Wallace and G Westwater.

### **Votes against the procedural motion**

Councillors J M Allan, A Arkle, G Bell, P Brooks, B Burdis, W Caithness, K Conroy, D E Corkey, A Cowie, S L Cox, E N Darke, L Darke, C Davis, S Day, C A Gambling, R Glindon, S Graham, M A Green, J L L Harrison, Janet Hunter, John Hunter, C Johnson, F Lott, G Madden, M L Madden, D McGarr, A McMullen, A Normand, P Oliver, K Osborne, J O’Shea, C B Pickard, J Pickard, N Redfearn, L A Spillard, J J Stirling, A Waggott-Fairley and J I Walker.

The procedural motion, on being put to the meeting, was defeated by 38 votes to 17 votes.

[N.B. Councillors S Hill, D Lilly, T Mulvena and M Rankin were not present at the time the vote was taken].

## **C115/01/13 Declarations of Interest**

The following declarations of interest were made:

### Item 3 – Motion 1

Councillor M Madden – registerable personal interest – Chair of Walking with Project.

### Item 4 – Technical Reforms of Council Tax

Councillor Mrs J A Wallace – registerable personal interest – had a beneficial interest in property in the Borough.

Councillor S L Cox – registerable personal interest – had a second property in the Borough.

Councillor J Stirling – registerable personal interest – had a beneficial interest in property in the Borough.

Councillor P McIntyre – registerable personal interest – had a beneficial interest in property in the Borough.

Item 14 – Education Capital Investment – Longbenton Voluntary Aided Schools

Councillor E N Darke – registerable personal interest – Chair of St Stephen’s RC Primary School Governors.

**C116/01/13 Motions**

**(i) A Motion with notice, signed by Councillors J Allan, J O’Shea, C Gambling, T Mulvenna and L Spillard was submitted for consideration by Council**

It was moved by Councillor A McMullen and seconded by Councillor J Allan that:

“This Council understands that during these tough economic times, residents are seeing a squeeze on their income. Some people are having to turn to food banks to help them sustain their families. Although this solution is not ideal.

This Council commends the work that all of its Kitchen Managers across the Authority’s various buildings in making sure waste is minimised. However, where demand doesn’t meet expectation and we cook too many portions, food comes to the point of not being able to be served (Best before dates, etc.). Hospitality orders are either cancelled after preparation or a lot of items are left after the hospitality event. Therefore this Council requests the Mayor and her Cabinet to support the food banks within North Tyneside and that where possible these food stuffs are donated to a Food Bank / Homeless Shelter / Refuge. Ensuring that we reduce our waste, and be seen as an example on how to work more to help those who are enduring financial hardship.

Therefore this Council requests that the Mayor instigates a review of its kitchen estate (both offices and schools) against the locations of food banks. And where possible establishes links between those kitchens and their local Food Bank / Homeless Shelter / Refuge. Further we call upon the Mayor to consider using our Joint Service Centres or other similar Council buildings, as places where food banks could be established to serve as local outlets. Again, if possible, we request the Mayor to implement, where possible, these facilities as soon as possible using her delegated powers.”

*(Delivery of these left over food stuffs could be done via Food Bank / Homeless Shelter / Refuge collecting them.*

*Utilising the Courier network where destinations are “On Route” therefore not to negatively increase Mileage or Task Time a Volunteer from the Kitchen/Workplace delivering them.)*

*Reference the recent report from Newcastle CVS – “Food for Thought” November 2012.*

Two Members present requested a recorded vote in accordance with Council Procedure Rule 13 (5).

**Votes for the Motion**

Mrs L Arkley, Elected Mayor, Councillors J M Allan, A Arkle, A Austin, K Barrie, G Bell, P Brooks, B Burdis, W Caithness, K Conroy, D E Corkey, A Cowie, S L Cox, E N Darke, L Darke, C Davis, S Day, M A Finlay, C A Gambling, R Glindon, S Graham, M A Green, J L L Harrison, S Hill, E Hodson, Janet Hunter, John Hunter, M Huscroft, M J Huscroft, N J Huscroft, C Johnson, D Lilly, F Lott, G Madden, M L Madden, D McGarr, P McIntyre,

J McLaughlin, A McMullen, P Mason, L Miller, S Mortimer, T Mulvenna, A Normand, P Oliver, D Ord, K Osborne, J O'Shea, C B Pickard, J Pickard, M Rankin, N Redfearn, D Sarin, L A Spillard, J J Stirling, A Waggott-Fairley, J I Walker, Mrs J A Wallace and G Westwater.

### **Votes against the Motion**

There were no votes cast against the Motion.

The motion, on being put to the meeting, was approved by 59 votes to 0 votes.

### **(ii) A Motion with notice, signed by Councillors J Allan, J O'Shea, C Gambling, T Mulvenna and L Spillard was submitted for consideration by Council**

It was moved by Councillor J O'Shea and seconded by Councillor J Allan that:

"This Council acknowledges that the welfare reform bill will greatly impact certain members within our communities and they will suffer financial hardship, as a result of the very tough austerity measures. This Council is aware of the various clauses included in Local Government Legislation that enables local authorities to implement measures that can deal with residents suffering from hardship, to at least minimise the financial impact that some of our residents are suffering.

This Council requests the Mayor and Cabinet as a matter of urgency to research all the clauses of the local government legislation that relate to well-being and hardship matters, and then consider proposals to make use of the same legislation and where necessary provide delegated authority to officers or elected members to make urgent decisions to deal with emergency situations on an individual basis."

The motion, on being put to the meeting, was unanimously agreed.

The Mayor advised Council she would establish a cross-party Mayoral Task and Finish Group, which would explore how the Council and its partners could support people through the Welfare Reform changes and provide a set of recommendations to a future Cabinet meeting. The Mayor would be asking Group Leaders to nominate a representative to join this group.

### **C117/01/13 Technical Reforms of Council Tax**

[Councillors S Cox, P McIntyre, J Stirling and J Wallace withdrew from the meeting for the duration of the discussion and voting on this item.]

The Council received a report on the options available for introducing changes to the Council Tax exemptions/discounts, pursuant to the Local Government Finance Act 2012, as follows:

- Class A Exemption
- Class C Exemption
- Empty Homes 50% Discount
- Second Homes Discount

It was moved by Councillor D Lilly and seconded by Councillor G Westwater that:

“Council:

1. Considers the options presented in paragraph 1.5 in the Cabinet report at Appendix 1, in respect of each of the four Council Tax exemption/discounts listed in the report as being subject to change; and
2. Agrees the level, and where appropriate period, of discount to be awarded by the Council, if any, in respect of each of the said four Council Tax exceptions/discounts.”

It was further moved by Councillor D Lilly and seconded by Councillor G Westwater that:

“The recommended options in respect of each of the exemptions/discounts, set out in paragraph 1.6 of the Cabinet report, at Appendix 1, as follows, be approved:

1. Class A Exemption – To replace the exemption with a 100% discount resulting in no impact on Council Tax payers and no additional debit generated to collect.
2. Class C Exemption – The option set out in Option 5 Table A at paragraph 1.5.7; to apply a 100% discount for a period of 60 days with zero discount thereafter (linked to recommendation at 3 below).
3. Empty Homes 50% Discount - To reduce this discount to zero (linked to the recommendation at 2 above).
4. Second Home Discount - To reduce the discount awarded from 10% to zero.”

An amendment was moved by Councillor M J Huscroft and seconded by Councillor M Huscroft that:

“In relation to 2. above (Class C Exemption), to replace '60 days' with '90 days'.”

The mover of the Motion indicated that he was prepared to accept the amendment.

The amendment, on being put to the meeting, was defeated by 36 votes to 16 votes.

It was then moved by Councillor B Pickard and duly seconded that:

“The recommended options in respect of each of the exemptions/discounts set out in paragraph 1.6 of the Cabinet report, at Appendix 1, be approved.”

The motion, on being put to the meeting, was approved by 48 votes to 5 votes.

### **C118/01/13 Local Council Tax Support Scheme**

The Council received a report which detailed the options for providing a Local Council Tax Support Scheme by 31 January 2013, to replace Council Tax Benefit from April 2013, in compliance with the requirements of the Local Government Finance Act 2012.

It was moved by Councillor Mrs J A Wallace and seconded by Councillor D Lilly that:

“Council:

1. Considers the options for a Council Tax Support Scheme as set out in Paragraph 1.6 of the Cabinet report at Appendix 1; and
2. Agrees a scheme for adoption as the Local Council Tax Support Scheme for North Tyneside with effect from 1 April 2013.”

A procedural motion was moved by Councillor B Pickard and seconded by Councillor J Allan that:

“the item be deferred to a future Council meeting to be held on or before 31 January 2013 to enable the Council to consider further options for providing a Local Council Tax Support Scheme.”

At this point the Chair announced a short adjournment.

On reconvening, the Head of Paid Service announced the following proposed approach in the light of the procedural motion:

A report on a further option regarding the Local Council Tax Support Scheme to be submitted to the Extraordinary Cabinet meeting on 28 February 2013. The Cabinet would need to postpone consideration of the report on the Council Tax Base pending a Council decision on the Local Council Tax Support Scheme and an additional Extraordinary Cabinet meeting would therefore be held on 31 January 2013.

Following consultation with the Chair of the Overview & Scrutiny Committee, the meeting of that Committee due to take place on 30 January 2013 would be cancelled and the business from that meeting considered at the scheduled meeting of the Committee on 4 February 2013.

A closure motion was moved by Councillor J Allan and duly seconded that:

“The Council meeting be adjourned and it be reconvened to take place on 30 January 2013.”

The closure motion to adjourn, on being put to the meeting, was approved by 39 votes to 17 votes.

The Chair announced that the meeting stood adjourned to 30 January 2013.