

## Local Government Act 1972

### Borough of North Tyneside

19 February 2015

At the Extraordinary meeting of the Council of the Borough of North Tyneside duly convened and held on Thursday 19 February 2015 at 6.00pm in the Chamber at Quadrant at which a quorum of members were present, that is to say:

#### Present

Councillor T Mulvenna (In the Chair)

N Redfearn (Elected Mayor)

Councillor JM Allan	Councillor N J Huscroft
Councillor A Arkle	Councillor C Johnson
Councillor Mrs A Austin	Councillor D W Lilly
Councillor K Barrie	Councillor F Lott
Councillor G Bell	Councillor W Lott
Councillor L Bell	Councillor G Madden
Councillor B Burdis	Councillor P Mason
Councillor CA Burdis	Councillor D McGarr
Councillor W Caithness	Councillor Mrs P McIntyre
Councillor J Cassidy	Councillor J McLaughlin
Councillor KA Conroy	Councillor A McMullen
Councillor DE Corkey	Councillor L J Miller
Councillor SL Cox	Councillor Mrs S E Mortimer
Councillor EN Darke	Councillor P Oliver
Councillor L Darke	Councillor D Ord
Councillor C Davis	Councillor K Osborne
Councillor S Day	Councillor J O'Shea
Councillor P Earley	Councillor C B Pickard
Councillor R Glindon	Councillor J Pickard
Councillor I Grayson	Councillor M G Rankin
Councillor M A Green	Councillor M Reynolds
Councillor M Hall	Councillor D Sarin
Councillor J L L Harrison	Councillor L A Spillard
Councillor E F J Hodson	Councillor J Stirling
Councillor Janet Hunter	Councillor A Waggott-Fairley
Councillor John Hunter	Councillor J I Walker
Councillor M Huscroft	Councillor Mrs J A Wallace
Councillor M J Huscroft	Councillor G C Westwater

In attendance via Skype in a non-voting capacity: Councillor J Munby

### **C85/02/15 Apologies**

Apologies for absence were received from Councillors S Graham and M Madden.

### **C86/02/15 Declarations of Interest and Dispensations**

The Chair reminded all Members of the Council of the letter from the Head of Law and Governance sent to all Members which set out the position with regard to interests in meetings of the Cabinet/Council that dealt with the Budget proposals.

In relation to a Registerable Personal Interest held where a Member had been appointed by the Authority to an outside body or bodies, a dispensation may be granted to allow them to participate and vote at any meeting. Where Members had been granted such dispensations, they were not required to declare these registerable personal interests or the grant of dispensations at this meeting.

A list of the appointments to the Authority's Outside Bodies and dispensations granted to Members in respect of these appointments was available for inspection if required.

Members' declarations and dispensations continued from the last meeting. Members who had any further interests for this meeting that had not previously been declared on 5 February were invited to declare them.

The following additional declaration of interest was made to the item below (Minute C87/02/15):

#### Item 3 – 2015-2018 Financial Planning and Budget Process: Elected Mayor and Cabinet Budget and Council Tax Requirement Resolution for 2015/16

Councillor M Rankin – non-registerable personal interest – wife employed by North Tyneside Council.

### **C87/02/15 2015-2018 Financial Planning and Budget Process: Elected Mayor and Cabinet Budget and Council Tax Requirement Resolution for 2015/16**

The Chair explained the procedure that would be followed at the meeting.

The Chair would request Councillor Glindon to move the Elected Mayor and Cabinet's proposals. Once those proposals were seconded, Members would be given the opportunity to ask questions on any new matters in relation to those proposals. Objections would then be taken from the Liberal Democrat Group and then the Conservative Group in that order.

A report of the Chief Executive (Chief Financial Officer) had been circulated to all Members of the Council.

The report set out the Cabinet's proposals for the 2015/16 General Fund Revenue Budget, Council Tax Requirement and Council Tax level, the Treasury Management Statement and Annual Investment Strategy for 2015/16 and the 2015-2019 Investment Plan, including prudential indicators.

The following documents had also been circulated to all Members of the Council:

- Main report on the Elected Mayor and Cabinet Budget and Council Tax Requirement Resolution for 2015/16
- Notification of the Elected Mayor's Final Amendments
- Liberal Democrat Group Notice of Objection
- Conservative Group Notice of Objection

It was moved by Councillor R Glindon and seconded by Councillor B Pickard that:

Council agree the recommendations, authorisations and delegations set down in paragraph 1.5.35 of the report in relation to the 2015/16 General Fund Revenue Account Budget, the 2015/16 Council Tax Requirement and Council Tax level for 2015/16, being the Elected Mayor and Cabinet's Budget and Council Tax Requirement Resolution;

Council agree the following resolution:

1. The recommended budgets of the Authority, be approved as noted below subject to the variations listed in paragraphs 2 and 3 below and notes the estimated allocation of £137.823m in Dedicated Schools Grant, for 2015/16:

	£
General Fund Revenue Budget	142,951,563
Total	<u>142,951,563</u>

2. The following levies be included in the net budget requirement:

	£
The Tyne and Wear element of the Durham, Gateshead, Newcastle Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority Transport Levy	12,199,080
Tyne Port Health Authority	46,072
Environment Agency	179,349
Northumberland Inshore Fisheries and Conservation Authority	<u>131,169</u>
Total	<u>12,555,670</u>

3. The contingency provision be set as follows:

	£
Contingency Provision	1,250,000
Total	<u>1,250,000</u>

4. Note that at its meeting held on 28 January 2015 Cabinet agreed the Council Tax Base for 2015/16 for the whole Authority area as 56,424 (Item T) in the Formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act") and the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012.
5. Agree that the Council Tax requirement for the Authority's own purposes for 2015/16 is £74,933,329 (as set down in paragraph 1.5.34, Table 7).

6. Agree that the following amounts now calculated by the Authority for the year 2015/16 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 as amended (the Act):

- (a) £364,335,231 Being the aggregate of the amounts which the Authority estimates for the items set out in Section 31A(2) of the Act.
- (b) £289,401,902 Being the aggregate of the amounts which the Authority estimates for the items set out in Section 31A(3) of the Act.
- (c) £74,933,329 Being the amount by which the aggregate at 6(a) above exceeds the aggregate at 6(b) above, calculated by the Authority in accordance with Section 31(A)(4) of the Act, as its Council Tax requirement for the year (Item R in the formula in Section 31B of the Act).
- (d) £1,328.04 Being the amount at 6(c) above (Item R), all divided by Item T (4 above), calculated by the Authority, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year.
- (e) North Tyneside Council Valuation Bands

Council Tax Band	£
A	885.36
B	1,032.92
C	1,180.48
D	1,328.04
E	1,623.15
F	1,918.28
G	2,213.40
H	2,656.08

being the amounts given by multiplying the amount at 6(e) above by the number which, in the proportion set out in Section 5(1) of the Act 1992, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Authority, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

(f) Police and Crime Commissioner for Northumbria Valuation Bands

Note that for the year 2015/16 the Police and Crime Commissioner for Northumbria have issued the following amounts in precepts to the Authority, in accordance with Section 40 of the Local Government

Finance Act 1992, for each of the categories of the dwellings in the Authority's area as indicated below:

Council Tax Band	£
A	58.89
B	68.70
C	78.52
D	88.33
E	107.96
F	127.59
G	147.22
H	176.66

(g) Tyne & Wear Fire and Rescue Authority Valuation Bands

Note that for the year 2015/16 the Tyne and Wear Fire and Rescue Authority have issued the following amounts in precepts to the Authority, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of the dwellings in the Authority's area as indicated below:

Council Tax Band	£
A	49.75
B	58.04
C	66.33
D	74.62
E	91.20
F	107.78
G	124.37
H	149.24

(h) Total Valuation Bands

That, having calculated the aggregate in each case of the amounts at 6(e), 6(f) and 6(g) above, the Authority, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2015/16 for each part of its area and for each of the categories of dwellings shown below:

Council Tax Band	£
A	994.00
B	1,159.66
C	1,325.33
D	1,490.99
E	1,822.31
F	2,153.65
G	2,484.99
H	2,981.98

7. The Authority's relevant basic amount of council tax for 2015/16 is not excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992, as amended.
8. The Authority's Financial Regulations will apply to the financial management of this budget.
9. The general Contingency Budget for 2014/15 was £1.955m. Taken with the 2015/16 pay award of £0.917m, this means that £2.872m has been permanently allocated into service base budgets. These budget proposals set the Contingency base budget at £1.250m to reflect ongoing demand led pressures for Corporate Parenting and provision for potential other pressures.

It is proposed that virement levels and approvals for virement shall be in accordance with the rules set down in the Authority's Financial Regulations in force at the time.

10. The Reserves and Balances Policy as set out in the report to full Council on 5 February 2015, is adopted as set down and is subject to review at least annually.
11. The Chief Executive, in consultation with the Elected Mayor, Deputy Mayor, Cabinet Member for Finance and Resources and the Senior Leadership Team to manage the overall Creating a Brighter Future Programme and note that decisions made under this delegated authority will be reported to Cabinet as part of the regular budget monitoring information provided.
12. The Chief Executive (as Chief Finance Officer) be authorised to serve notices, enter into agreements, give receipts, make adjustments, institute proceedings and take any action available to the Authority to collect or enforce the collection of non-domestic rate and Council Tax from those persons liable.
13. The Chief Executive (as Chief Finance Officer) be authorised to disburse monies from funds and accounts of the Authority as required for the lawful discharge of the Authority's functions.
14. Agree that the Police and Crime Commissioner for Northumbria and the Tyne and Wear Fire and Rescue Authority receive payment from the Collection Fund in 12 equal instalments on the last working day of each month.

15. Payments from the Collection Fund to be made to the Authority's General Fund in 12 equal instalments on the last working day of each month.

### **2015-2019 Investment Plan**

The Cabinet's proposals for the 2015-2019 Investment Plan, set out in sections 1.5.5 to 1.5.10 of the report, be approved.

### **Liberal Democrat Group Objection**

An objection was then moved by Councillor M J Huscroft and seconded by Councillor D Ord, as set out in Appendix 1 to these minutes.

Members asked questions on the Liberal Democrat Group objection. The objection was then debated.

### **Votes for the Liberal Democrat Group Objection**

Councillors M Huscroft, M J Huscroft and D Ord.

### **Votes against the Liberal Democrat Group Objection**

N Redfearn, Elected Mayor, Councillors J M Allan, A Arkle, A Austin, K Barrie, G Bell, L Bell, B Burdis, C Burdis, W Caithness, J Cassidy, K Conroy, D Corkey, S Cox, E Darke, L Darke, C Davis, S Day, P Earley, R Glindon, I Grayson, M Green, M Hall, J Harrison, E Hodson, Janet Hunter, John Hunter, C Johnson, D Lilly, F Lott, W Lott, G Madden, P Mason, D McGarr, P McIntyre, J McLaughlin, A McMullen, L Miller, S Mortimer, T Mulvenna, P Oliver, K Osborne, J O'Shea, B Pickard, J Pickard, M Rankin, M Reynolds, D Sarin, L Spillard, J Stirling, A Waggott-Fairley, J Walker, J Wallace and G Westwater.

(Note: Councillor N J Huscroft was not present at the time the vote was taken)

The objection, on being put to the meeting, was defeated by 54 votes to 3 votes.

### **Conservative Group Objection**

An objection was then moved by Councillor J Wallace and seconded by Councillor E Hodson, as set out in Appendix 2 to these minutes.

Members asked questions on the Conservative Group objection. The objection was then debated.

### **Votes for the Conservative Group Objection**

Councillors A Austin, K Barrie, E Hodson, D Lilly, P Mason, P McIntyre, J McLaughlin, L Miller, S Mortimer, D Sarin, J Wallace and G Westwater.

### **Votes against the Conservative Group Objection**

N Redfearn, Elected Mayor, Councillors J M Allan, A Arkle, G Bell, L Bell, B Burdis, C Burdis, W Caithness, J Cassidy, K Conroy, D Corkey, S Cox, E Darke, L Darke, C Davis, S Day, P Earley, R Glindon, I Grayson, M Green, M Hall, J Harrison, Janet Hunter, John Hunter, M Huscroft, M J Huscroft, N J Huscroft, C Johnson, F Lott, W Lott, G Madden, D McGarr, A McMullen, T Mulvenna, P Oliver, D Ord, K Osborne, J O'Shea, B Pickard, J Pickard, M Rankin, M Reynolds, L Spillard, J Stirling, A Waggott-Fairley and J Walker.

The objection, on being put to the meeting, was defeated by 46 votes to 12 votes.

The Chair announced that as the Council had not agreed the Liberal Democrat Group or Conservative Group objections, Members were invited to speak to the Elected Mayor and Cabinet's proposals (the substantive motion).

**Votes for the Elected Mayor and Cabinet's Proposals (the substantive Motion)**

N Redfearn, Elected Mayor, Councillors J M Allan, A Arkle, G Bell, L Bell, B Burdis, C Burdis, W Caithness, J Cassidy, K Conroy, D Corkey, S Cox, E Darke, L Darke, C Davis, S Day, P Earley, R Glendon, M Green, M Hall, J Harrison, Janet Hunter, John Hunter, C Johnson, F Lott, W Lott, G Madden, D McGarr, A McMullen, T Mulvenna, P Oliver, K Osborne, J O'Shea, B Pickard, J Pickard, M Rankin, M Reynolds, L Spillard, J Stirling, A Waggott-Fairley and J Walker.

**Votes against the Elected Mayor and Cabinet's Proposals (the substantive Motion)**

Councillors A Austin, K Barrie, E Hodson, M J Huscroft, N J Huscroft, D Lilly, P Mason, P McIntyre, J McLaughlin, L Miller, S Mortimer, D Sarin, J Wallace and G Westwater.

(Note: Councillors I Grayson, M Huscroft and D Ord were not present at the time the vote was taken)

The substantive motion, on being put to the meeting, was approved by 41 to 14 votes.

The Chair announced that the Elected Mayor and Cabinet's Budget and Council Tax Requirement Resolution for 2015/16 had been approved by the Council and therefore the meeting provisionally scheduled for 3 March 2015 was no longer required.

**C88/02/15 Common Seal**

**Resolved** that the Common Seal be affixed to all deeds and documents required for carrying into effect the various decisions of the Council made since its last meeting.