

**Record of  
Executive  
Decisions  
published  
13/Feb/2014**



Elaine Waugh  
Head of Law and Governance

Civic Centre  
Sunderland

13 February 2014



# Record of Executive Decisions Published: 13/Feb/2014

**Decision Taker:**  
Cabinet

**Appropriate Scrutiny  
Committee:**  
Scrutiny Committee

**Date decision in force:**  
12 February 2014

**Date of decision:**  
12 February 2014

**Full description of decision:**

To note the contents of the Ombudsman's annual review and in particular that there were no findings of maladministration against the council for the municipal year 2012 - 2013.

**Reasons for decision:**

It is relevant to note the findings in the context of the council's performance in dealing with complaints.

**Alternative options considered and rejected:**

There are no alternative options submitted for consideration.

**Title and author(s) of written report:**

Ombudsman's Annual Review 2012 – 2013 - Joint report of the Chief Executive and the Head of Law and Governance

**Contact Officer:**

Margaret Douglas

**Extension:**

561 1065

**Email:**

Margaret.douglas@sunderland.gov.uk

**Is this a key decision:** No

**Does the Decision contain Confidential/Exempt Information:** No

**Declarations of Interest and Dispensations:**

None declared

# **Record of Executive Decisions Published: 13/Feb/2014**

**Decision Taker:**

Cabinet

**Appropriate Scrutiny Committee:**

Scrutiny Committee

**Date decision in force:**

21 February 2014

**Date of decision:**

12 February 2014

**Full description of decision:**

to note the overall positive position in relation to the Council Tax element of the Collection Fund for 2013/2014, and the surplus of £500,000 which will be taken into account when setting the Council Tax level for the Council for 2014/2015.

**Reasons for decision:**

Estimating the Collection Fund balance in respect of Council tax, available at the end of 2013/2014 for use in setting the Council Tax for 2014/2015 is a legal requirement, which the Council must fulfil, based on information available to it as at 15<sup>th</sup> January, each year.

The Council also has an obligation to notify its major precepting authorities of the estimated surplus or deficit on the Collection Fund in respect of Council Tax, within 7 working days of when this calculation has been made.

**Alternative options considered and rejected:**

Not applicable as the report is for information only.

**Title and author(s) of written report:**

Collection Fund 2013/2014 – Report of the Head of Financial Resources

**Contact Officer:**

Sonia Tognarelli

**Extension:**

561 1851

**Email:**

sonia.tognarelli@sunderland.gov.uk

**Is this a key decision:** Yes

**Does the Decision contain Confidential/Exempt Information:** No

**Declarations of Interest and Dispensations:**

None Declared

# Record of Executive Decisions Published: 13/Feb/2014

**Decision Taker:**  
Cabinet

**Appropriate Scrutiny  
Committee:**  
Scrutiny Committee

**Date decision in force:**  
21 February 2014

**Date of decision:**  
12 February 2014

**Full description of decision:**

To recommend to Council approval of:

- the proposed Capital Programme for 2014/2015
- the Treasury Management Policy and Strategy for 2014/2015 (including specifically the Annual Borrowing and Investment Strategies)
- the Prudential Indicators for 2014/2015 to 2016/2017
- the Minimum Revenue Provision Statement for 2014/2015.

**Reasons for decision:**

To comply with statutory requirements.

**Alternative options considered and rejected:**

No alternatives are submitted for Cabinet consideration.

**Title and author(s) of written report:**

Capital Programme 2014/2015 and Treasury Management Policy and Strategy 2014/2015, including Prudential Indicators for 2014/2015 to 2016/2017 – Joint report of the Chief Executive and Head of Financial Resources

**Contact Officer:**

Sonia Tognarelli

**Extension:**

561 1851

**Email:**

sonia.tognarelli@sunderland.gov.uk

**Is this a key decision: Yes**

**Does the Decision contain Confidential/Exempt Information: No**

**Declarations of Interest and Dispensations:**

None declared

# **Record of Executive Decisions Published: 13/Feb/2014**

**Decision Taker:**  
Cabinet

**Appropriate Scrutiny  
Committee:**  
Scrutiny Committee

**Date decision in force:**  
21 February 2014

**Date of decision:**  
12 February 2014

**Full description of decision:**

To:

- recommend to Council the proposed Revenue Budget for 2014/2015 set out at Appendix K;
- note the Medium Term Financial Strategy 2014/2015 to 2016/2017 as set out in Appendix H
- note the views expressed by the North East Chamber of Commerce and Trade Unions.

**Reasons for decision:**

To comply with statutory requirements.

**Alternative options considered and rejected:**

There are no alternative options recommended for approval as the budget has been developed on the basis of an agreed framework with consultation carried out throughout the process

**Title and author(s) of written report:**

Revenue Budget and Proposed Council Tax for 2014/2015 and Medium Term Financial Strategy 2014/2015 to 2016/2017 – Joint report of the Chief Executive and Head of Financial Resources

**Contact Officer:**

Sonia Tognarelli

**Extension:**

561 1851

**Email:**

sonia.tognarelli@sunderland.gov.uk

**Is this a key decision: Yes**

**Does the Decision contain Confidential/Exempt Information: No**

**Declarations of Interest and Dispensations:**

None declared

# Record of Executive Decisions Published: 13/Feb/2014

**Decision Taker:**  
Cabinet

**Appropriate Scrutiny Committee:**  
Scrutiny Committee

**Date decision in force:**  
21 February 2014

**Date of decision:**  
12 February 2014

**Full description of decision:**

To recommend to Council the Council Tax levels for 2014/2015 and associated matters in accordance with the amended statutory requirements. The recommendations are:

- a) To note the Council Tax base applicable to the Council and to the Parish of Hetton Town Council.
- b) To recommend the estimated amount of the Council's aggregate gross revenue expenditure.
- c) To recommend the estimated amount of the Council's aggregate gross revenue income.
- d) To recommend the estimated amount of the Council's Council Tax Requirement.
- e) To note the precept notified by Hetton Town Council.
- f) To note the Council Tax bands applicable to the Council and to the Parish of Hetton Town Council based on the above financial information.
- g) To note the provisional precept of the Tyne and Wear Fire and Rescue Authority.
- h) To note the provisional precept of the Police and Crime Commissioner for Northumbria.
- i) To recommend the draft total Council Tax levels for 2014/2015 applicable to the Council and to the Parish of Hetton Town Council including all relevant precepts.
- j) To note that the Council's relevant basic amount of Council Tax for 2014/2015 is not excessive in accordance with Section 52ZB of the Local Government Finance Act 1992.
- k) To recommend that the Council Tax Leaflet be made available via the Council's website rather than enclosed with Council Tax bills which reflects a relaxation of the rules and that, to meet timescales for publication, responsibility for finalising the document be delegated to the Head of Financial Resources in consultation with the Leader of the Council and the Cabinet Secretary

**Reasons for decision:**

To comply with all legal requirements including changes to the Local Government Act 1992 made by the Localism Act 2011, in order to determine the Council Tax Requirement and the applicable basic Council Tax for 2014/2015 and changes to the Council Tax and Non Domestic Rates (Demand Notices) (Amendment) Regulations 2012.

**Alternative options considered and rejected:**

There are no alternative options recommended for approval.

**Title and author(s) of written report:**

Appendix G – Revenue Budget and Proposed Council Tax 2014/2015 –  
Report of the Head of Financial Resources

**Contact Officer:**

Sonia Tognarelli

**Extension:**

561 1851

**Email:**

sonia.tognarelli@sunderland.gov.uk

**Is this a key decision:** Yes

**Does the Decision contain Confidential/Exempt Information:** No

**Declarations of Interest and Dispensations:**

None declared



# Record of Executive Decisions Published: 13/Feb/2014

**Decision Taker:**

Cabinet

**Appropriate Scrutiny Committee:**

Scrutiny Committee

**Date decision in force:**

21 February 2014

**Date of decision:**

12 February 2014

**Full description of decision:**

To authorise the procurement of a Direct Payments Support Service to support people who are eligible for social care or continuing health care and who choose to take their personal budget as a Direct Payment.

The service will support:

- Adults receiving a Social Care Direct Payment
- People with responsibility for a disabled child who receive a Direct Payment for the child's care
- People aged 16-17 who receive a Direct Payment for their social care
- People receiving a Personal Health Budget Direct Payment for their Continuing Health Care services

**Reasons for decision:**

The Direct Payments Support Service, Go Direct, is currently provided by Age UK and is funded by an annual grant. Usage of the service has increased in line with the Government and Council priorities to offer all adults who receive social care services a personal budget which they have the option to take as a Direct Payment.

Procurement of the service will encourage competition from the market and ensure a quality service and value for money.

Commissioning the service on a contractual basis will provide greater financial stability to the provider and allow more in-depth monitoring to be carried out. It will also enable the Council to specify in more detail the requirements of the service.

**Alternative options considered and rejected:**

The following alternative options have been considered and rejected:

- To continue to grant fund Age UK to provide the service. The option does not allow competition from the market or robust monitoring to be carried out.
- Cease to provide the Direct Payments Support Service. This option is not recommended as a support service is an important

element of the direct payments scheme. The service supports people to understand their legal obligations as an employer and offers a payroll service. Without the support service, many people would have difficulty administering their Direct Payment.

Establish an in-house Direct Payments Support Service. This option was rejected as it would result in the loss of a source of advice and support that is independent of the Council. There would also be TUPE implications with staff from the current provider potentially transferring to the local authority.

**Title and author(s) of written report:**

Procurement of a Direct Payments Support Service – Report of the Executive Director of People Services

**Contact Officer:**

Neil Revely

**Extension:**

561 8947

**Email:**

neil.revely@sunderland.gov.uk

**Is this a key decision: Yes**

**Does the Decision contain Confidential/Exempt Information: No**

**Declarations of Interest and Dispensations:**

None declared

# Record of Executive Decisions Published: 13/Feb/2014

**Decision Taker:**

Cabinet

**Appropriate Scrutiny Committee:**

Scrutiny Committee

**Date decision in force:**

21 February 2014

**Date of decision:**

12 February 2014

**Full description of decision:**

To approve the procurement of Independent Adults Advocacy Services for the period of 2014 – 2016 to cover the specific needs relating to Independent Advocacy support for Adults.

**Reasons for decision:**

The current extended contractual arrangements for the Adult Independent Advocacy Services will end on 31<sup>st</sup>May 2014.

Local Authorities have a statutory responsibility to provide, Independent Mental Capacity Advocate, Relevant Person Representative, Independent Mental Health Advocate, and Deprivation of Liberties Independent Advocacy.

By undertaking the procurement, the Council can provide a service that meets statutory and non-statutory obligations in regard to the provision of Independent Advocacy and allow options for improving the service be explored during the service review.

**Alternative options considered and rejected:**

No Change – this is not possible as there are no further extension options available in the current contracts.

**Title and author(s) of written report:**

Procurement of Independent Adults Advocacy Services – Report of the Executive Director of People Services

**Contact Officer:**

Neil Revely

**Extension:**

561 8947

**Email:**

neil.revely@sunderland.gov.uk

**Is this a key decision:** Yes

**Does the Decision contain Confidential/Exempt Information:**

**Declarations of Interest and Dispensations:**

None declared

# Record of Executive Decisions Published: 13/Feb/2014

**Decision Taker:**

Cabinet

**Appropriate Scrutiny Committee:**

Scrutiny Committee

**Date decision in force:**

21 February 2014

**Date of decision:**

12 February 2014

**Full description of decision:**

To:

- 1) Approve expenditure on building and improvement works to Unit 9 Mercantile Road at the estimated costs detailed in the report.
- 2) Approve the surrender of the existing lease and grant of a new Lease to the company detailed in the report for Unit 9 Mercantile Road, Rainton Bridge Industrial Estate, Houghton le Spring at the proposed rent specified in the report or otherwise on terms to be agreed by the Deputy Chief Executive in consultation with the Head of Financial Resources, the Leader and Cabinet Secretary.
- 3) Approve expenditure on building work to Unit 13 Mercantile Road at the estimated costs detailed in the report.
- 4) Approve the grant of a new Lease to the company detailed in the report for Unit 13 Mercantile Road, Rainton Bridge Industrial Estate, Houghton le Spring at the rent specified in the report and otherwise on terms to be agreed by the Deputy Chief Executive in consultation with the Head of Financial Resources, Leader and Cabinet Secretary.
- 5) Authorise the award of contracts to the company detailed via call-offs through the SCAPE framework agreement for the carrying out of the works to Units 9 and 13.

**Reasons for decision:**

The recommended decision will:

- 1) Secure a high quality tenant for Unit 9 for an additional term of 15 years and for 13 Mercantile Road, Rainton Bridge Industrial Estate for an additional term lasting a minimum term of 5 years and potentially up to 10 years,
- 2) Secure and help retain the existing jobs at the properties,
- 3) Secure up to 220 new jobs and additional inward investment in new world leading technology.
- 4) Improve the Council's properties for future letting and income.
- 5) Enable the Council to procure and deliver the works in accordance with the tenant's timescales and therefore secure the above benefits.

**Alternative options considered and rejected:**

The alternative options is to decline the tenant's request to carry out the building and improvement works which would not secure the future of the tenant's business, the proposed expansion of the workforce and security of the existing workforce. This could undermine the future of the site and lead to closure of the current 2 factories leaving the Council with vacant properties and holding costs.

This option has been considered and is not recommended.

**Title and author(s) of written report:**

Building and Improvement Works to Units 9 and 13 Mercantile Road,  
Rainton Bridge Industrial Estate, Houghton le Spring, Sunderland - Report  
of the Deputy Chief Executive

**Contact Officer:**

Ian Williams

**Extension:**

5611166

**Email:**

ian.williams@sunderland.gov.uk

**Is this a key decision: Yes**

**Does the Decision contain Confidential/Exempt Information: Yes**

**Declarations of Interest and Dispensations:**

None declared

# Record of Executive Decisions Published: 13/Feb/2014

**Decision Taker:**

Cabinet

**Appropriate Scrutiny**

**Committee:**

Scrutiny Committee

**Date decision in force:**

21 February 2014

**Date of decision:**

12 February 2014

**Full description of decision:**

To:

- 1) Approve the provision of funding to the company detailed in the report to undertake an extension of Unit 11 Mercantile Road at the estimated costs detailed in the report.
- 2) Approve the acceptance of the surrender of the existing lease and granting of a new Lease to the company for Unit 11 Mercantile Road, Rainton Bridge Industrial Estate, Houghton le Spring at the additional rent specified in the report and otherwise on terms to be agreed by the Deputy Chief Executive in consultation with the Head of Financial Resources, Leader and Cabinet Secretary.
- 3) Approve a rent concession as detailed in the report

**Reasons for decision:**

The recommended decision will:

- 1) Secure 109 new jobs and additional inward investment in car seat foam manufacturing.
- 2) Retain a high quality tenant within the city until 2027.
- 3) Helps to underpin the existing jobs on the 2 sites through creating a greater critical mass and presence by the Company.
- 4) Improve existing premises owned by the council and for future letting and income

**Alternative options considered and rejected:**

One option is to decline the tenant's request to carry out the building works which would not secure the future of the tenant's business, the proposed expansion of the workforce and security of the existing workforce.

Another option is for the council to undertake the extension works itself however due to the urgent timescales this would not allow the council to

deliver the extended premises in accordance with the company's required completion date of December 2014.

These options have been considered and are not recommended.

**Title and author(s) of written report:**

Proposed extension to Unit 11 Mercantile Road, Rainton Bridge Industrial Estate, Houghton le Spring - Report of the Deputy Chief Executive

**Contact Officer:**

Ian Williams

**Extension:**

5611166

**Email:**

ian.williams@sunderland.gov.uk

**Is this a key decision:** Yes

**Does the Decision contain Confidential/Exempt Information:** Yes

**Declarations of Interest and Dispensations:**

None Declared

# Record of Executive Decisions Published: 13/Feb/2014

**Decision Taker:**

Cabinet

**Appropriate Scrutiny Committee:**

Scrutiny Committee

**Date decision in force:**

21 February 2014

**Date of decision:**

12 February 2014

**Full description of decision:**

To:

1. Approve the proposed strategic infrastructure works to this key economic development site.
2. Authorise the Deputy Chief Executive and the Head of Financial Resources in consultation with the Cabinet Secretary to take all necessary steps to procure and deliver the planned infrastructure investments and
3. Acknowledge the terms of the external funding offers and the associated conditions of entering into these funding agreements.

**Reasons for decision:**

To ensure that this key council-owned economic development site is prepared and ready for potential occupiers, as early as possible and ensuring that all necessary utility / services provisions are in place, the council will be able to respond effectively to the needs of potential investors. More broadly the project will also ensure that there is a supply of attractive employment land to meet demand in the medium term, thereby reducing the risk of mobile projects locating elsewhere in the region.

**Alternative options considered and rejected:**

The project has been developed in order to contribute towards and help deliver the Council's strategic and economic objectives for the Enterprise Zone. Not to proceed with the project would be to the detriment of the economic regeneration of the City.

There is an option not to accept the external funding offers however this would mean that the project would have to be wholly funded from the Council's Capital Programme.

The scale and cost of the requisite infrastructure works make it uneconomic for private sector investors and developers to fund and hence the economic regeneration benefits to the City set out in the report would not be achieved.



**Title and author(s) of written report:**

A19 Ultra Low Carbon Vehicle Enterprise Zone-  
Hillthorn Farm / Enterprise Zone Site 3 Infrastructure / Enabling Works -  
Report of Deputy Chief Executive

**Contact Officer:**

Ian Williams

**Extension:**

5611166

**Email:**

ian.williams@sunderland.gov.uk

**Is this a key decision:** No

**Does the Decision contain Confidential/Exempt Information:** Yes

**Declarations of Interest and Dispensations:**

None declared