

At a meeting of the CABINET held in the CIVIC CENTRE (COMMITTEE ROOM NO. 1) on MONDAY 16 MAY 2016 at 3.30 pm

Present:-

Councillor P. Watson in the Chair

Councillors Gofton, Kelly, G Miller, Mordey, Speding and H. Trueman

Also present:-

Councillors Scanlan, S. Watson and Wood.

Part I

Minutes

The minutes of the meeting of the Cabinet held on 20 April 2016, Part I (copy circulated) were submitted.

(For copy report - see original minutes).

1. RESOLVED that the minutes of the Cabinet meeting held on 20 April 2016, Part I, be confirmed and signed as a correct record.

Receipt of Declarations of Interest

There were no declarations of interest.

Apologies for Absence

An apology for absence was submitted to the meeting on behalf of Councillor P. Smith.

Sunderland Local Plan: Approval of Revised Local Development Scheme (LDS)

The Executive Director of Commercial Development submitted a report (copy circulated) to seek approval of the revised Local Development Scheme (LDS) which sets out the timetable for the preparation of the different elements of the City's Local Plan.

(For copy report – see original minutes).

Councillor Speding highlighted that the Council was required under the Planning Act to prepare a Local Development Scheme (LDS) which would set out the timetable for when the different documents that would make up the Local Plan for the City would be prepared. He explained that the current LDS was published in 2009 and now needed to be updated to set out the timetable for the Local Plan documents that the Council was preparing, namely the Core Strategy, the Allocations Plan and the Area Action Plan for the proposed International Advanced Manufacturing Park (IAMP) development to the north of Nissan.

Cabinet Members were advised that the report set out the proposed preparation timetable for the three plans. As reported to Cabinet in March, discussions with the Department of Communities and Local Government (DCLG) highlighted the importance of getting the Local Plan in place and it was also highlighted that it was important to make sure that the programme for preparing the plan was realistic as any major delays could result in “intervention” by DCLG. The worst case scenario would be the plan being taken away from the Council and prepared by another body at the Council's expense.

Councillor Speding reported that alongside this it was clear that the Government was thinking of penalising those councils whose Local Plans had not been submitted to the Secretary of State by March 2017 by withholding New Homes Bonus. He added that to reduce any negative impact on the Council's finances, it was vital that the Core Strategy was formally submitted by this date. He explained that the decision today was required to enable publication of the LDS timescale for the City's statutory development plan and to demonstrate to the DCLG that the Council was making every effort to ensure that the Local Plan for the City was delivered as speedily as possible.

Cabinet Members were advised that a slight amendment was proposed to the LDS timetable for the Action Area Plan for the IAMP site to add an extra month in order to allow for further consideration of recent stakeholder feedback and the Growth Options Consultation in June. The timetable revisions to be incorporated into the LDS were:

Publication August 2016
Submission January 2017
Examination April 2017
Adoption September 2017

Consideration having been given to the report, it was:-

2. RESOLVED that:-

- (i) the revised Local Development Scheme as attached to the report, including the timetable revision detailed above, be approved;
- (ii) the revised LDS shall have effect from 24 May 2016;
- (iii) the revised LDS be placed on the Council's website; and
- (iv) a copy of the LDS be forwarded to Department of Communities and Local Government.

North East Combined Authority – Proposed Devolution Agreement and Elected Regional Mayor

The Chief Executive submitted a report (copy circulated) to provide an update and to seek the views on the current position in relation to the Devolution Agreement and the question of the creation of a Mayoral Combined Authority.

(For copy report – see original minutes).

The Chair reminded Cabinet Members of the previous reports and discussions that had taken place at Cabinet and Council and the wide consultation which had been undertaken across the City on the NECA Devolution Agreement and the establishment of a Mayoral Combined Authority. He reported that Cabinet and Council were of the view that whilst any devolved powers and funds would not mitigate against the cuts faced across the full spectrum of public services, a devolution deal would provide a resource and capacity that would not have otherwise be received in the region to support economic growth.

Cabinet Members were advised that in exchange for devolution from Government, the NECA had to become a Mayoral Combined Authority, establishing a Regional Elected Mayor from 2017. As an elected Mayor was a pre-condition to the devolution of powers, the negotiations with Government have sought to secure the right model; a Mayor and Cabinet model was put in place so that there were adequate checks and balances. In return the region would have greater control locally in relation to the regional economy.

The Chair reported that since the last discussions and consultation with Council which had been supportive of the proposals, there remained a number of outstanding issues which it was agreed the NECA should continue to negotiate with the Government on, before the legal processes needed to start in mid-May to create the Mayoral Combined Authority. He explained that the report set out the progress made and the current position on each of these issues mainly relating to finance and funding arrangements.

Cabinet Members were advised that each constituent authority must indicate whether it consented to the creation of the Mayoral Combined Authority, prior to the NECA Leadership Board agreeing collectively at its meeting on 17 May 2016, in order for the Government to begin the process of making the necessary Statutory Orders. He confirmed that Newcastle, North Tyneside, Northumberland and Durham had agreed to consent; Gateshead at the current time had not, but had a short window to indicate whether they wished to be re-included, and South Tyneside's Cabinet would meet on 17 May 2016.

Consideration having been given to all of the reports, the responses to the public consultation, the views of Council Members and the progress made with Government on the outstanding issues raised at the Cabinet meeting in March 2016, it was:-

3. RESOLVED that:-

- (i) the proposals set out in the Devolution Agreement be supported and the making of an Order creating a Mayoral Combined Authority for the North East be agreed;
- (ii) the Leader of the Council be the Council's representative on NECA's Leadership Board, and the Chief Executive, take all steps required to facilitate the creation of a Mayoral Combined Authority for the North East which includes authority for the Chief Executive, in consultation with the Leader of the Council, to consent to the enabling Order;
- (iii) before Cabinet could agree to devolution of powers and the laying of a second Order setting out the functions of the Mayoral Combined Authority, it would have to be satisfied that the content of the Order was sufficient to deliver the Devolution Agreement and that it did not disadvantage the City and its residents; and
- (iv) in accordance with Paragraph 18(j) of the Overview and Scrutiny Procedure Rules, the call-in procedure shall not apply as the decisions being taken are urgent and any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests.

Home to School Transport Review: outcomes from the Consultation Process in relation to Post 16 Transport for Pupils with Special Educational Needs and Disabilities

The Interim Director of Children's Services submitted a report (copy circulated) to provide an update on the outcomes of the public consultation exercise in relation to home to school and college transport for post 16 students with special educational needs and disabilities.

The report also sought approval to introduce a funding contribution of £651 towards the costs of travel from home to school/ for post 16 learners with special educational needs and disabilities where appropriate from September 2016.

(For copy report – see original minutes).

Councillor Mordey highlighted that legally the Council was not required to meet the full cost of home to school/college/training provider transport for all post 16 learners with special educational needs and disabilities, but historically it had done so. He reported that a post 16 contributory charging scheme of £651 for the academic year 2016/2017 would assist in enabling a cost effective service, whilst satisfying the Council's duty to ensure learners with special educational needs and disabilities were not put at a disadvantage in accessing education/training.

Consideration having been given to the report and to the outcomes of the public consultation exercise, it was:-

4. RESOLVED that approval be given for:-
 - (i) a funding contribution of £651 towards the costs of travel from home to school/college for post 16 learners with special educational needs and disabilities be introduced where appropriate from September 2016,
 - (ii) a zero cost exemption to the funding contribution for low income families who meet specified criteria and foster carers, and
 - (iii) the provision of free transport for those post 18 learners to whom the provision of transport to college/further education would fall under the Care Act 2014 to continue until internal processes have been put in place to carry out the assessments required under legislation to introduce a contribution charge.

Local Government (Access to Information) (Variation) Order 2006

At the instance of the Chairman it was: -

5. RESOLVED that in accordance with the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during consideration of the remaining business as it was considered to involve a likely disclosure of information relating to the financial or business affairs of any particular person (including the authority holding that information) (Local Government Act 1972, Schedule 12A, Part 1, Paragraph 3). The public interest in maintaining these exemptions outweighs the public interest in disclosing the information.

(Signed) P. WATSON,
Chairman.

Note:-

The above minutes comprise only those relating to items during which the meeting was open to the public.

Additional minutes in respect of other items are included in Part II.

