

**Record of
Executive
Decisions
published
17/Feb/2012**



Elaine Waugh
Head of Law and Governance

Civic Centre
Sunderland

17 February 2012

Record of Executive Decisions Published: 17/Feb/2012

Decision Taker: Cabinet
Appropriate Scrutiny Committee: Management Scrutiny Committee

Date decision in force:

27/Feb/2012

Date of decision:

15/Feb/2012

Full description of decision:

To recommend to Council to approve: - the proposed Capital Programme for 2012/2013 - the Treasury Management Policy and Strategy for 2012/2013 (including specifically the Annual Borrowing and Investment Strategies) - the Prudential Indicators for 2012/2013 to 2014/2015 - the Minimum Revenue Provision Statement for 2012/2013.

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 2012/2013 and Treasury Management Policy and Strategy 2012/2013, including Prudential Indicators for 2012/2013 to 2014/2015. - Joint report of the Chief Executive and the Executive Director of Commercial and Corporate Services

Contact Officer:

Sonia Tognarelli

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Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

The following Councillors declared personal interests as members of the bodies indicated: - Councillor Allan - Thorney Close Primary School Councillor Blackburn - Tyne and Wear Integrated Transport Authority Councillor Speding - Football Foundation

Record of Executive Decisions Published: 17/Feb/2012

Decision Taker: Cabine2
Appropriate Scrutiny Committee: Prosperity and Economic Development Scrutiny Committee and the Planning and Highways Committee

Date decision in force:

27/Feb/2012

Date of decision:

15/Feb/2012

Full description of decision:

To: (i) Note the amendments made to the draft Wearmouth Masterplan and Design Code in light of responses received during the public consultation on the document and other considerations; (ii) Adopt the amended Wearmouth Masterplan and Design Code as a Supplementary Planning Document.

Reasons for decision:

The adoption of the Wearmouth Masterplan and Design Code as a Supplementary Planning Document (SPD) will help facilitate the proper planning and regeneration of the buffer zone to the candidate World Heritage Site at Wearmouth, in accordance with the over-arching planning policies for the area. The SPD will provide a robust mechanism for protecting the Outstanding Universal Value of the cWHS. It will be used by developers as a basis for preparing detailed proposals for the buffer zone and will be afforded significant weight as a material consideration when determining future planning applications.

Alternative options considered and rejected:

The alternative option is not to adopt the masterplan and design code as an SPD. The consequences of this would be a failure to meet the requirement set out in the adopted UDP Alteration No.2 policy ECB5 to prepare a broad framework for each Strategic Location for Change. In addition, failure to adopt the masterplan and design code will reduce the council's ability to ensure a high quality of development in the masterplan area and to protect and enhance the setting and Outstanding Universal Value of the prospective World Heritage Site. The lack of such an adopted planning document could be detrimental to the Wearmouth-Jarrow Partnership's bid for inscription of the site on the World Heritage Register.

Title and author(s) of written report:

Wearmouth Masterplan and Design Code: Supplementary Planning Document - Report of the Deputy Chief Executive

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Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

The following Members declared personal interests as members of the bodies indicated: - Councillors Gofton, Kelly, Speding, Trueman, P. Watson - ANEC Councillor Gofton - Board of Governors of the University of Sunderland Councillor Blackburn - Tyne and Wear Integrated Transport Authority

Record of Executive Decisions Published: 17/Feb/2012

Decision Taker: Cabinet
Appropriate Scrutiny Committee: Management Scrutiny Committee

Date decision in force:

27/Feb/2012

Date of decision:

15/Feb/2012

Full description of decision:

To note the position in relation to the Collection Fund for 2011/2012 and the surplus of £500,000 which will be taken into account when setting the Council Tax level for the Council for 2012/2013.

Reasons for decision:

Estimating the Collection Fund balance available at the end of 2011/2012 for use in setting the Council Tax for 2012/2013 is a legal requirement, which the Council must fulfil, based on information available to it as at 15th 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 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 2011/2012 - Report of the Executive Director of Commercial and Corporate Services

Contact Officer:

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Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

Councillor Blackburn declared a personal interest as a member of Hetton Town Council.

Record of Executive Decisions Published: 17/Feb/2012

Decision Taker: Cabinet
Appropriate Scrutiny Committee: Management Scrutiny Committee

Date decision in force:

27/Feb/2012

Date of decision:

15/Feb/2012

Full description of decision:

To note the draft Council Tax Leaflet and, subject to the inclusion of financial and other information once the Revenue Budget has been set, to recommend to Council to approve it.

Reasons for decision:

The Local Government Finance Act 1992 requires Local Authorities to produce a Summary of Financial Information to accompany the annual Council Tax bill.

Alternative options considered and rejected:

As the Local Government Act Finance Act 1992 requires local authorities to produce a Summary of Financial Information to accompany the annual Council Tax bill, no alternative options have been considered.

Title and author(s) of written report:

Draft Council Tax Leaflet 2012/2013 - Joint report of the Chief Executive and Executive Director of Commercial and Corporate Services

Contact Officer:

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Is this a key decision: No

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

None

Record of Executive Decisions Published: 17/Feb/2012

Decision Taker: Cabinet
Appropriate Scrutiny Committee: Management Scrutiny Committee

Date decision in force:

27/Feb/2012

Date of decision:

15/Feb/2012

Full description of decision:

To: - recommend to Council the proposed Revenue Budget for 2012/2013 set out at Appendix I; - note the medium term financial strategy 2011/2012 to 2014/2015 as set out in Appendix E; - recommend to Council the proposed Council Tax for 2012/2013 at Appendix D tabled at the meeting; - 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 2012/2013 and Medium Term - Joint report of the Chief Executive and the Executive Director of Commercial and Corporate Services

Contact Officer:

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Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

The following Councillors declared personal interests as members of the bodies indicated: - Councillors Allan, Charlton, Gofton, P. Smith and Trueman - Local Government Pension Scheme Councillors Blackburn, Kelly Charlton, P. Smith, Speding, P. Watson - Members of GMB (in relation to Single Status) Councillor Allan - Member of GMB and Unison (in relation to Single Status), Governor - Sandhill View Councillors Gofton, Kelly, Speding, Trueman, P. Watson - ANEC Councillor Blackburn - Tyne and Wear Integrated Transport Authority Councillor P. Watson - North East Local Enterprise Partnership Councillors P. Watson and Trueman - Sunderland Partnership Councillor Speding - South Tyne and Wear Waste Management Partnership (substitute) Councillors Blackburn and T. Wright - South Tyne and Wear Waste Management Partnership Councillors Gofton and T. Wright - Sunderland Empire Theatre Trust

Record of Executive Decisions Published: 17/Feb/2012

Decision Taker: Cabinet
Appropriate Scrutiny Committee: Management Scrutiny Committee

Date decision in force:

27/Feb/2012

Date of decision:

15/Feb/2012

Full description of decision:

To recommend to Council the Council Tax levels for 2012/2013 in accordance with statutory requirements: - To note Council Tax base applicable to Council & to Parish of Hetton Town Council. - To recommend estimated amount of Council's aggregate gross revenue expenditure. - To recommend estimated amount of Council's aggregate gross revenue income. - To recommend estimated amount of Council's net revenue budget requirement. - To note precept notified by Hetton Town Council. - To note Council Tax bands applicable to Council & to Parish of Hetton Town Council based on above financial information. - To note provisional precepts of Tyne & Wear Fire and Rescue Authority & Northumbria Police Authority. - To recommend draft total Council Tax levels for 2012/2013 applicable to Council & to Parish of Hetton Town Council including all relevant precepts.

Reasons for decision:

To comply with all legal requirements and the changes to the Local Government Act 1992 as required by the Localism Act 2011, in order to determine the Council Tax Requirement and the applicable basic Council Tax for 2012/2013.

Alternative options considered and rejected:

There are no alternative options recommended for approval.

Title and author(s) of written report:

Item 9(ii) - Appendix D - Revenue Budget and Proposed Council Tax 2012/2013 - Report of the Executive Director of Commercial and Corporate Services

Contact Officer:

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Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

The following Councillors declared personal interests as members of the bodies indicated: - Councillors Allan, Charlton, Gofton, P. Smith and Trueman - Local Government Pension Scheme Councillors Blackburn, Kelly Charlton, P. Smith, Speding, P. Watson - Members of GMB (in relation to Single Status) Councillor Allan - Member of GMB and Unison (in relation to Single Status), Governor - Sandhill View Councillors Gofton, Kelly, Speding, Trueman, P. Watson - ANEC Councillor Blackburn - Tyne and Wear Integrated Transport Authority, Hetton Town Council Councillor P. Watson - North East Local Enterprise Partnership Councillors P. Watson and Trueman - Sunderland Partnership Councillor Speding - South Tyne and Wear Waste Management Partnership (substitute) Councillors Blackburn and T. Wright - South Tyne and Wear Waste Management Partnership Councillors Gofton and T. Wright - Sunderland Empire Theatre Trust

Record of Executive Decisions Published: 17/Feb/2012

Decision Taker: Cabinet
Appropriate Scrutiny Committee: Management Scrutiny Committee

Date decision in force:

15/Feb/2012

Date of decision:

15/Feb/2012

Full description of decision:

To: (i) Authorise the Chief Executive to complete and submit an application for membership of ANEC Limited on behalf of Sunderland City Council in accordance with Article 3.3 of the Company's Articles of Association. (ii) Authorise the Chief Executive to nominate, from time to time, a member or officer of the Council to act as the Council's duly authorised representative to exercise members' rights in the Company on behalf of the Council.

Reasons for decision:

1. Authorisation for the submission of an application for membership of ANEC Limited is required in order to formalise Sunderland City Council's membership of ANEC Limited, as a constituent member of ANEC. 2. A formal process for nominating a duly authorised representative to exercise members' rights on behalf of the Council is also necessary to ensure the Council's full participation in the activities of the Company.

Alternative options considered and rejected:

The decision is required in order to formalise existing arrangements and secure compliance with the Articles of Association of ANEC Limited and to facilitate the exercise of the full range of the Council's rights as a member of the Company therefore no alternative options are recommended.

Title and author(s) of written report:

Association of North East Councils Limited - Report of the Executive Director of Commercial and Corporate Services

Contact Officer:

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Is this a key decision: No

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

Councillors Gofton, Kelly, Speding, Trueman and P. Watson declared personal interests as members of ANEC.

Record of Executive Decisions Published: 17/Feb/2012

Decision Taker: Cabinet
Appropriate Scrutiny Committee: Environment and Attractive City Scrutiny Committee

Date decision in force:
27/Feb/2012

Date of decision:
15/Feb/2012

Full description of decision:

To: -

- Note the DfT's funding offer of a maximum of £82.563m towards the SSTC – New Wear Crossing and the terms and conditions contained in the DfT's Funding Decision Letter of 21 December 2011;
- Endorse the continued delivery of the scheme through to full implementation;
- Authorise the Executive Director of City Services in consultation with the Executive Director of Commercial and Corporate Services, in consultation with the Portfolio Holder for Attractive and Inclusive City, to finalise and submit an application for Full Approval to DfT in due course, subject to the confirmation of the statutory orders for the scheme and successful conclusion of the procurement process for the main works contract;
- Authorise the Executive Director of City Services and the Executive Director of Commercial and Corporate Services, in consultation with the Portfolio Holder for Attractive and Inclusive City, to enter into all necessary professional services appointments for the procurement and delivery phase of the project; and
- Agree to receive further reports as the project progresses, including on the outcome of the procurement process, and to approve the appointment of, the main works contractor prior to contract award.

Reasons for decision:

To enable the Council to take necessary actions to continue to progress the SSTC - New Wear Crossing through to the full implementation of the scheme.

Alternative options considered and rejected:

There were no alternative options.

Title and author(s) of written report:

Sunderland Strategic Transport Corridor (SSTC) - New Wear Crossing Progress Update Report of the Executive Director of City Services and Executive Director of Commercial and Corporate Services

Contact Officer:

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Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

None

Record of Executive Decisions Published: 17/Feb/2012

Decision Taker: Cabinet
Appropriate Scrutiny Committee: Children, Young People and Learning Scrutiny Committee

Date decision in force: 27/Feb/2012
Date of decision: 15/Feb/2012

Full description of decision:

To approve:

- (i) The number of Children's Centres which are designated is reduced from 17 to 5 in the 5 localities and that the remaining 12 centres remain open as service delivery centres;
- (ii) That the criteria set out in 5.1 of the report is applied to determine which of the 17 centres will be the 5 designated centres and that Area Committees are asked to consider this;
- (iii) That from April 2012, arrangements for Area Community Boards for each of the five are established in order that these Boards shape and direct service delivery and the further development of Children' centres moving forward;
- (iv) That the proposal to prioritise families needing additional support is progressed recognising that criteria relating to need will be clearly defined and that a range of services will continue to be delivered on a universal basis;
- (v) That proposals to secure service delivery from April are progressed in line with the recommendation of 2nd November 2011 for one year from April 2012, with services from April 2013 identified and prioritised by the newly established Area Community Boards.
- (vi) That Cabinet receive a further report on progress in due course.

Reasons for decision:

National changes to funding arrangements for Children's Centres have required that the Council undertake a thorough review of how services are delivered in Sunderland from April 2012. Linked to this, there is an imperative to integrate Children's Centres more effectively as part of an Early Intervention Offer which improves outcomes through better targeting of services and increased community involvement.

Alternative options considered and rejected:

Maintaining current arrangements has been considered and rejected as to do this would not support the development of an early intervention model which better engages with families and improves outcomes. It would not deliver the required efficiencies of £1.77 million

Title and author(s) of written report:

Sure Start Review and An Integrated Early Intervention Service - Report of the Executive Director Children's Services

Contact Officer:

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Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

Councillor P. Smith declared a personal interest as a member of the Early Years and Childcare Strategic Partnership.

Record of Executive Decisions Published: 17/Feb/2012

Decision Taker: Cabinet
Appropriate Scrutiny Committee: Environmental and Attractive City Scrutiny Committee

Date decision in force:

27/Feb/2012

Date of decision:

15/Feb/2012

Full description of decision:

To approve the procurement of 10 refuse collection and 2 gully cleansing vehicles to replace the equivalent number for use throughout the city.

Reasons for decision:

The cost of replacement of the 12 vehicles will exceed £250,000 which may entail, hire, lease or purchase options, as determined appropriate by the Head of Audit, Risk and Procurement. In accordance with the Constitution, Cabinet approval is required to the principle of letting a contract exceeding £250,000 in value.

Alternative options considered and rejected:

No alternative options are offered for consideration. The Head of Audit Risk and Procurement will determine the best option to acquire and operate the vehicles prior to procurement.

Title and author(s) of written report:

Procurement of Refuse Collection and Gully Cleansing Vehicles - Report of the Executive Director of City Services

Contact Officer:

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Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

None

Record of Executive Decisions Published: 17/Feb/2012

Decision Taker: Cabinet
Appropriate Scrutiny Committee: Health and Wellbeing Scrutiny Committee

Date decision in force:

27/Feb/2012

Date of decision:

15/Feb/2012

Full description of decision:

To implement of a new Contributions Policy will support the ongoing implementation of personalisation within Social Care, consistent with the Council's vision for Social Care and with national developments.

Reasons for decision:

There are 3 drivers for making the proposed changes:

- To support personalisation and the ongoing implementation of personal budgets;
- The new Department of Health - Fairer Contributions Guidance - instructs Councils to review its policy in line with personalisation;
- To simplify the policy and process, making them compliant with the Sunderland Way of Working.

Alternative options considered and rejected:

The following options have been rejected as they do not fit with personalisation.

- No change to the policy.
- Retain a separate policy for short break charges.

Title and author(s) of written report:

Social Care Contributions Policy for Personalisation - Report of the Executive Director of Health, Housing and Adult Services

Contact Officer:

Neil Revely

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Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

None

Record of Executive Decisions Published: 17/Feb/2012

Decision Taker: Cabinet
Appropriate Scrutiny Committee: Health and Wellbeing Scrutiny Committee

Date decision in force:

27/Feb/2012

Date of decision:

15/Feb/2012

Full description of decision:

To approve the contracting of Local HealthWatch that must be implemented by April 2013. The value of the contract will be confirmed when the Department of Health has completed its 2012/13 financial planning round. The value of the contract is expected to be over £250,000.

Reasons for decision:

Under the proposals in the Health and Social Care Bill, Sunderland City Council will have a duty to establish a Local HealthWatch in Sunderland from April 2013.

Alternative options considered and rejected:

Do nothing - The Bill requires local authorities to establish a Local HealthWatch by April 2013. For the Council to provide the service in house - Local HealthWatch must be an independent body corporate and therefore cannot be provided in house.

Title and author(s) of written report:

Procurement of a Local HealthWatch in line with the Health and Social Care bill 2010-2011 - Report of the Executive Director Health, Housing and Adult Services

Contact Officer:

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Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

None

Record of Executive Decisions Published: 17/Feb/2012

Decision Taker: Cabinet
Appropriate Scrutiny Committee: Management Scrutiny Committee

Date decision in force:

15/Feb/2012

Date of decision:

15/Feb/2012

Full description of decision:

To note the report of the January 2012 and to approve the following staffing proposals: -

(i) Office of the Chief Executive – Business Development Coordination and Commissioning function

- Delete the post of Head of Regeneration Programmes and Business Development JNC Band 2 (£63,325 - £75,863)
- Regrade the position of Business Development Manager, scale POI (£38,961 - £41,616) to scale POI/J (£ 38,961 - £44,346).

(ii) Office of the Chief Executive – ICT

- Redesignate the vacant post of Technology Innovation and Relationship Manager, graded POJ (£41,616 - £44,346) to ICT Portfolio and Account Manager, and regrade to POG/I (£34,549-£41,616)

(iii) City Services – Streetscene (Responsive Local Services Phase Two)

It is recommended that the deletion of the position of Parks Manager, POH/I, (£37,206-£41,616) be approved.

Reasons for decision:

To reflect additional duties and responsibilities being undertaken by the postholders and to provide an appropriate response to the development of services.

Alternative options considered and rejected:

The proposals are an appropriate response to meet the requirements of the services and the proposed grades are commensurate with the duties and responsibilities of the posts.

Title and author(s) of written report:

Report of the meeting of the Personnel Committee, Part II held on 26 January 2012

Contact Officer:

Kate Cuthbert

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Is this a key decision: No

Does the Decision contain Confidential/Exempt Information: Yes

Declarations of Interest and Dispensations:

None

Record of Executive Decisions Published: 17/Feb/2012

Decision Taker: Cabinet
Appropriate Scrutiny Committee: Management Scrutiny Committee/Prosperity and Economic Development Scrutiny Committee

Date decision in force:

27/Feb/2012

Date of decision:

15/Feb/2012

Full description of decision:

To agree to the acquisition of the freehold interest in three parcels of land at Hendon Sidings totalling 8.08 ha hectares in the sum detailed in the report and otherwise on terms to be agreed by Deputy Chief Executive.

Reasons for decision:

The acquisition represents an opportunity for the future development of the Port and ultimately to deliver the sustainable economic and physical regeneration of the wider Port area. The acquisition will secure additional land for future Port business opportunities together with the land identified for a potential new access road into the Port linking the Hudson and Hendon Docks with the Sunderland Strategic Transport Corridor (SSTC) and the Southern Radial Route in accordance with policies T26 and SA 50.3 of the City of Sunderland Unitary Development Plan and SA6A2 and T1A of UDP Alteration No2.

Alternative options considered and rejected:

The alternative option is to not acquire the sites. However, this would result in the possibility of the land either being developed for uses which are not complementary to the overall regeneration of the Port, or the Council having to utilise its compulsory purchase powers at a future date for the acquisition of this strategic land with the associated time and resources cost which would be at risk. This would not deliver the certainty that the land could be used for Port development and new business opportunities and ultimately be regenerated for uses complementary to the Port.

Title and author(s) of written report:

Acquisition of 8.08 hectares of land at the former Hendon Sidings, Hendon, Sunderland - Report of the Deputy Chief Executive

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Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: Yes

Declarations of Interest and Dispensations:

None

Record of Executive Decisions Published: 17/Feb/2012

Decision Taker: Cabinet
Appropriate Scrutiny Committee: Health and Wellbeing Scrutiny Committee

Date decision in force:

15/Feb/2012

Date of decision:

15/Feb/2012

Full description of decision:

To note the report.

Reasons for decision:

To be in accordance with the requirements of Paragraph 4.1 (a) of the Delegations to Chief Officers set out in the constitution, to notify an appeal has been made to the Court of Appeal on behalf of the Council, following judicial review proceedings held in July 2011.

Alternative options considered and rejected:

Not to pursue the appeal.

Title and author(s) of written report:

Appeal to the Court of Appeal - Report of Executive Director of Health, Housing and Adult Services, Executive Director of Commercial and Corporate Services and Head of Law and Governance

Contact Officer:

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Is this a key decision: No

Does the Decision contain Confidential/Exempt Information: Yes

Declarations of Interest and Dispensations:

None