

**Record of
Executive
Decisions
published
17/Apr/2014**



Elaine Waugh
Head of Law and Governance

Civic Centre
Sunderland

17 April 2014

Record of Executive Decisions Published: 17/Apr/2014

Decision Taker: Cabinet

Appropriate Scrutiny Committee:
Scrutiny Committee

Date decision in force:

16/Apr/2014

Date of decision:

16/Apr/2014

Full description of decision:

To: a) Note the findings of the Corporate Peer Challenge b) Agree the action plan to implement the recommendations from the report.

Reasons for decision:

- To strengthen Community Leadership across the city
- To better define the role and shape of the Council
- To improve the way we review and agree future service delivery models
- To ensure we have a first class interface with customers so that we fully understand this needs of the people in the city.

Alternative options considered and rejected:

No alternative options as this is a direct response to a peer challenge.

Title and author(s) of written report:

Corporate Peer Challenge - Final Report - Report of the Chief Executive

Contact Officer:

Sarah Reed

Extension:

561 1134

Email:

Sarah.Reed@sunderland.gov.uk

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/Apr/2014

Decision Taker: Cabinet

Appropriate Scrutiny Committee:
Scrutiny Committee

Date decision in force:

16/Apr/2014

Date of decision:

16/Apr/2014

Full description of decision:

To: -

1. to nominate Councillor H Trueman for the Governance Committee (as Chair of the Council's Standards Committee) and Councillors Tate and N. Wright (as Chair and Vice Chair of the Council's Scrutiny Committee) for the Overview and Scrutiny Committee of the Combined Authority.

2. to note the appointments made by the Leader of the Council, namely Councillors Blackburn and Speding to the Transport North East Committee, and Councillor Blackburn to the Transport North East (Tyne and Wear) Sub-Committee.

3. to note that these appointments be effective until Annual Council on 10 June 2014.

Reasons for decision:

The Combined Authority is expected to come into operation during April 2014, and early meetings of its committees together with the joint committee and sub committee will take place. Council has delegated power to Cabinet to make the nominations required for the Combined Authority up until Annual Council on 11th June 2014.

Alternative options considered and rejected:

If nominations were not made until Annual Council in June 2014, Sunderland City Council would not be represented on the committees of the Combined Authority until that time. Therefore that option is recommended to be rejected.

Title and author(s) of written report:

Nominations to the Committees to be established by the Combined Authority - Joint report of the Chief Executive and the Head of Law and Governance

Contact Officer:

Beverley Poulter

Extension:

561 1150

Email:

beverley.poulter@sunderland.gov.uk

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/Apr/2014

Decision Taker: Cabinet

Appropriate Scrutiny Committee:
Scrutiny Committee

Date decision in force:

29/Apr/2014

Date of decision:

16/Apr/2014

Full description of decision:

To approve the recommendations of the Scrutiny Committee and the proposed Action Plans for their implementation.

Reasons for decision:

The scrutiny policy review recommendations are intended to inform the future development of policy and practice by Cabinet.

Alternative options considered and rejected:

The Scrutiny Committee and its Scrutiny Panels have gathered detailed evidence and arrived at conclusions and recommendations which are intended to improve services. There are no alternatives to be considered.

Title and author(s) of written report:

Scrutiny Committee - Policy Review Final Reports 2013/14 - Report of the Scrutiny Committee, Deputy Chief Executive and Director of Public Health.

Contact Officer:

Charlotte Burnham

Extension:

5611147

Email:

Charlotte.Burnham@sunderland.gov.uk

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/Apr/2014

Decision Taker: Cabinet

Appropriate Scrutiny Committee:

Scrutiny Committee

Date decision in force:

29/Apr/2014

Date of decision:

16/Apr/2014

Full description of decision:

To: -

(1) Note the Council's obligations under the Localism Act in relation to Assets of Community Value ("ACV") and the Community Right to Bid and approve the proposed arrangements set out in this report for administering these new duties.

(2) Authorise the Head of Planning and Property to maintain and publish the required lists of ACV and unsuccessful nominations for ACV and to take all necessary steps to promote and implement the proposed arrangements.

(3) Authorise the Head of Planning and Property in consultation with the Head of Scrutiny and Area Arrangements to receive and determine nominations to list any building and/or other land as ACV and to deal with compensation claims relating to listing of ACV

(4) Authorise the Deputy Chief Executive, in consultation with the Cabinet Secretary and the Portfolio Holder for Responsive Services and Customer Care, to determine any review of such decision of the Head of Planning and Property and Head of Scrutiny and Area Arrangements as mentioned in (3) above

(5) Recommend Council to authorise the Head of Law and Governance, in consultation with the Leader, to amend the Council's Constitution as necessary to reflect the above arrangements

Reasons for decision:

The Localism Act 2011 and The Assets of Community Value (England) Regulations 2012 Regulations introduced the Community Right to Bid ("the scheme"). The scheme gives communities the opportunity to nominate land and buildings for listing as ACV with the aim that if a listed asset is put up for sale, community groups are given time to mobilise themselves to bid for it. The Council is required to administer the scheme. The procedure and timescales for dealing with nominations, compensation, reviews and subsequent disposals of ACV are defined within the legislation and in order to meet the various prescribed deadlines the responsibilities need to be delegated to relevant officers.

Alternative options considered and rejected:

The Council has a statutory duty to comply with the Assets of Community Value provisions contained in the Act so the proposed steps outlined in this report must be undertaken to enable the Council to implement the provisions in practice.

Title and author(s) of written report:

The Localism Act 2011- Assets of Community Value - Report of the Deputy Chief Executive

Contact Officer:

Nick Wood

Extension:

561 2631

Email:

nick.wood@sunderland.gov.uk

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/Apr/2014

Decision Taker: Cabinet

Appropriate Scrutiny Committee:
Scrutiny Committee

Date decision in force:

29/Apr/2014

Date of decision:

16/Apr/2014

Full description of decision:

To note and endorse the urgent decision of the Deputy Chief Executive taken in March 2014 to allow the Council to enter into interim waste management arrangements with SITA South Tyne and Wear ahead of formal commencement of the new PFI contract when its existing waste contract expired on 31 March 2014.

Reasons for decision:

- To facilitate the continued service provision when the existing waste management arrangements ended on 31 March 2014.
- To avoid the excessive additional costs that would have resulted if the Council procured alternative arrangements and to take advantage of the waste treatment rates offered by SITA South Tyne and Wear ("SITA") ahead of service commencement.
- To ensure disruption to the new waste collection service was minimised by allowing the use of the newly constructed waste transfer facilities.

Alternative options considered and rejected:

The Council could have extended its current waste contract on increased rates or procured an interim arrangement for an uncertain period of time. However these options would have been more costly and difficult to procure due to uncertainties on timescales.

Title and author(s) of written report:

Interim Waste Management arrangements commencing 1 April 2014 - Report of the Deputy Chief Executive

Contact Officer:

Colin Curtis

Extension:

561 4525

Email:

colin.curtis@sunderland.gov.uk

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/Apr/2014

Decision Taker: Cabinet

Appropriate Scrutiny Committee:
Scrutiny Committee

Date decision in force:

29/Apr/2014

Date of decision:

16/Apr/2014

Full description of decision:

To: -

a) provide a Guarantee for a proportionate share of the still to be raised match funding of up to £4.5m on condition that the Museum will first seek as much external grant funding as possible over the duration of the project design/ development phase from May 2014 to December 2015, and then utilise all of its projected operating surpluses and reserves before any call, will be made to its guarantor constituent authorities. In the event that a call is made on the guarantee, the Museum will enter into arrangements with the Council and other relevant constituent authorities to repay the same.

b) note that any funding arrangement that may be required by constituent authorities would be subject to a separate report to Cabinet.

Reasons for decision:

The provision of a Guarantee will significantly increase the chances of success of the Museum's HLF stage 1 bid for £10.75m of grant funding to develop the Museum's attractions and in the unlikely event the guarantee is ever called then it would be recovered by the guarantor constituent authorities on a commercial loan basis to be agreed. In this event a further report to Cabinet would be necessary to review the proposed arrangements in conjunction with the other constituent authorities involved.

Alternative options considered and rejected:

There are no alternative options recommended.

Title and author(s) of written report:

Beamish Museum - Guarantee - 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:

Councillor Kelly declared an interest as a member of Beamish Museum Limited and withdrew from the meeting during consideration of the report.