

**Record of
Executive
Decisions
published
20/Jun/2024**

**Sunderland
City Council**

Elaine Waugh
Assistant Director of Law and Governance

City Hall
Sunderland

20 June 2024

Record of Executive Decisions Published: 20/Jun/2024

Decision Taker:
Cabinet

Appropriate Scrutiny Committee:
Scrutiny Coordinating Committee

Date decision in force:
28 June 2024

Date of decision:
20 June 2024

Title and author(s) of written report:

North East Devolution – Combined Authority Borrowing Powers – Report of the Chief Executive

Full description of decision:

To:

1. agree in principle that the Council should consent to the making of Regulations to confer borrowing powers upon NECA; and
2. authorise the Chief Executive, in consultation with the Leader of the Council, to issue the Council's formal consent to the Secretary of State when requested.

Reasons for decision:

Central government's legislative procedures meant that the borrowing powers for non-transport functions could not be included in the North East Mayoral Combined Authority (Establishment and Functions) Order 2024 (the 2024 Order) which created NECA and a separate statutory instrument (referred to in this report as the Regulations) must be made. NECA and the Constituent Councils must provide their consent before the Regulations can be made.

Alternative options considered and rejected:

Not to give consent - If the consent of the Councils and/or NECA is not provided, that will prevent the Regulations from being made and NECA will not have the benefit of the relevant borrowing powers.

Contact Officer: Paul Wilson

Email: paul-s.wilson@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: 20/Jun/2024

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Scrutiny Coordinating Committee

Date decision in force:

20 June 2024

Date of decision:

20 June 2024

Title and author(s) of written report:

Performance Report – Quarter 3 of 2023/24 – Report of the Chief Executive

Full description of decision:

To consider and accept the performance information in relation to Quarter 3 performance of 2023/24.

Reasons for decision:

To ensure Cabinet is informed of the current performance position for the council against the City Plan.

Alternative options considered and rejected:

There are no alternative options recommended.

Contact Officer: Beverley Poulter

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: 20/Jun/2024

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Scrutiny Coordinating Committee

Date decision in force:

20 June 2024

Date of decision:

20 June 2024

Title and author(s) of written report:

Membership of the School Organisation Committee of Cabinet – Report of the Assistant Director of Law and Governance

Full description of decision:

To endorse the membership of the School Organisation Committee of Cabinet as; the Leader of the Council; the Deputy Leader and Health, Wellbeing and Safer Communities Portfolio Holder; the Children's Services, Child Poverty and Skills Portfolio Holder; the Communities, Culture and Tourism Portfolio Holder; and the Corporate Services and Equalities Portfolio Holder.

Reasons for decision:

To ensure that the membership of the committee is appropriately aligned with Cabinet portfolio responsibilities and has been endorsed by Cabinet.

Alternative options considered and rejected:

There are no alternative options proposed.

Contact Officer: Elaine Waugh

Email: elaine.waugh@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: 20/Jun/2024

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Scrutiny Coordinating Committee

Date decision in force:

28 June 2024

Date of decision:

20 June 2024

Title and author(s) of written report:

Capital Programme Outturn 2023/2024 – Report of the Director of Finance

Full description of decision:

To:

- Approve the inclusion of additional schemes or variations to existing schemes for 2023/2024 detailed at Appendix A, as a variation to the Capital Programme;
- Note the overall Capital outturn position for 2023/2024;
- Note the increased cost pressures on the Capital Programme as detailed in paragraph 4.4 of the report; and
- Note the Treasury Management Strategy and Prudential Indicators outturn position for 2023/2024.

Reasons for decision:

As included in the Council's constitution, Cabinet is required to exercise control over capital spend and resources and receives quarterly reports to support this. This report notes the inclusion of additional capital schemes approved by Cabinet since the last capital review and confirms the overall Capital outturn for 2023/2024. The report also notes the outturn position in respect of the Treasury Management Strategy and Prudential Indicators.

Alternative options considered and rejected:

No alternative options are proposed.

Contact Officer: Paul Wilson

Email: paul-s.wilson@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: 20/Jun/2024

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Scrutiny Co-ordinating Committee

Date decision in force:

28 June 2024

Date of decision:

20 June 2024

Title and author(s) of written report:

Revenue Budget Outturn 2023/2024 – Report of the Director of Finance

Full description of decision:

To:

- Approve the budget transfers and the proposed contingency and reserves transfers set out within section 3 of the report; and
- Note the overall outturn position of the Council.

Reasons for decision:

To respond to variations in expenditure and income which have arisen in 2023/2024 and enable effective budgetary control to be exercised. This report sets out the revenue outturn position compared to the budget for 2023/2024.

Alternative options considered and rejected:

No alternative options are proposed.

Contact Officer: Paul Wilson

Email: paul-s.wilson@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: 20/Jun/2024

Decision Taker:
Cabinet

Appropriate Scrutiny Committee:
Economic Prosperity Scrutiny
Committee

Date decision in force:
28 June 2024

Date of decision:
20 June 2024

Title and author(s) of written report:
Energy Efficiency Grant Funding – Report of Director of Finance

Full description of decision:
To:

(i) Note the award of funding for £2,070,782 from the Public Sector Decarbonisation Scheme (Department for Energy Security and Net Zero), and £410,100 from the Swimming Pool Support Fund (Sport England) and approve the funding arrangements for delivery of the projects and approve the resultant variation to the capital programme;

(ii) Authorise the Director of Finance in consultation with the Portfolio Holder for Corporate Services and Equalities to procure and appoint contractors for the design, supply and installation of decarbonised heating systems, energy efficiency measures and solar PV arrays funded through the Public Sector Decarbonisation Scheme Phase 3C, the Swimming Pool Support Fund and the leisure facilities scheme within the capital programme; and.

(iii) Authorise the Director of Finance, to approve any subsequent variations and extensions of any contracts procured in accordance with the authorisation conferred to at paragraph ii above, for the design, supply and installation of decarbonised heating systems, energy efficiency measures and solar PV arrays, required to ensure their delivery in accordance with the requirements of the funding arrangements and subject to the funding being available to fund the projects.

Reasons for decision:

Funding for delivery of the Public Sector Decarbonisation Scheme and Swimming Pool Support Fund project has been secured through competitive bidding programmes. The schemes will deliver low carbon projects across the city with the objective of improving the energy efficiency of public operational and leisure properties reducing carbon emissions. The projects will support delivery of the city-wide Low Carbon Framework and will contribute towards the Council and the City becoming carbon neutral by 2030 and 2040 respectively.

Alternative options considered and rejected:

The alternative option would be to not progress the projects. However, as set out above £2.481 million of external grant funding has been secured from the Department for Energy Security and Net Zero (DESNZ) and Sport England for these schemes, which would otherwise be lost if the projects did not proceed as would the benefits of the carbon reduction measures.

Contact Officer: Paul Wilson

Email: paul-s.wilson@sunderland.gov.uk

Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

Councillor Johnston declared an interest as an employee of SLM and Councillor Chequer declared an interest as her partner is an employee of SLM.

Record of Executive Decisions Published: 20/Jun/2024

Decision Taker:
Cabinet

Appropriate Scrutiny Committee:
Health and Wellbeing Scrutiny
Committee

Date decision in force:
28 June 2024

Date of decision:
20 June 2024

Title and author(s) of written report:

Proposed Variation to the Specialist Stop Smoking Service Contract – Report of the Executive Director of Health, Housing and Communities

Full description of decision:

To authorise the Executive Director Health, Housing and Communities in consultation with the Director of Finance and the Portfolio Holder for Health, Wellbeing and Safer Communities, to undertake all necessary steps to:

- a. To undertake a contract variation to the Council's existing Specialist Stop Smoking Service contract ("the Contract") with ABL Health Ltd ("ABL"), to apply from 1st July 2024 up to 31st March 2025 plus extension term (subject to this being utilised) to implement the new Local Stop Smoking Service and Support Grant allocation.–The variation will enhance the offer of the commissioned specialist service to increase capacity to deliver against the national target of an additional support to 5,651 smokers to quit over a 5 year period;
- b. To undertake a contract variation to the Contract from 1st July 2024 to 31st March 2027 plus extension term (subject to this being utilised) to implement the direct supply of Nicotine Replacement Therapy ("NRT") to people who are setting a quit date to stop smoking; and
- c. Subject to the receipt of additional funding from the Local Stop Smoking Service and Support Grant allocation for any of the subsequent years of the Contract, to delegate authority to the Executive Director of Health, Housing and Communities to agree further contract variation(s) to the Contract with ABL as may be required in order to implement any such further additional grant funding.

Reasons for decision:

The proposal for the variation to the Specialist Stop Smoking Service Contract was founded on ABL being the Council's primary provider of the Specialist Stop Smoking Service across Sunderland and it will enable the commencement of the delivery to benefit residents as soon as possible by:

- a. increasing the number of dedicated specialist staff to provide leadership, smoking cessation interventions and to support non-specialist advisors.
- b. Enhancing the overall service infrastructure and accessibility to stop smoking services, e.g. co-locating services in locations where residents routinely attend such as mental health services and care

- homes.
- c. Increasing referrals and improving pathways/strengthen partnerships.
 - d. Ensuring consistency of a high quality service.
 - e. Providing value for money.
 - f. Offering the direct supply of NRT to those accessing specialist stop smoking services to increase accessibility.

It seeks to achieve further effective, system wide joint working with existing local and regional partnerships to maximise the reach of the additional funding which will increase the number of smokers engaging with effective interventions to quit smoking. The additional investment will improve public health outcomes, deliver on local Health and Wellbeing Board priorities and achieve the objectives of the Sunderland City Plan.

Alternative options considered and rejected:

The potential alternative options are as follows:

- (i) Do not enter into a contract variation with ABL in order to give effect to the Local Stop Smoking Service and Support Grant allocation for Sunderland. This is not recommended as a viable option as the grant criteria states that the funding must be used to invest in enhancing commissioned stop smoking services and to build capacity and demand for those services and ABL are the Council's existing appointed provider of the Specialist Stop Smoking Service. Not implementing will result in a significant element of Sunderland's Grant allocation not being utilised.
- (ii) Undertake a new procurement process to provide Specialist Stop Smoking Service. This is not recommended as a viable option due to the conditions of the grant criteria stating what the funding must be used. Awarding a separate contract would not secure value for money due to the duplication of existing contract arrangements.
- (iii) Do not enter into a contract variation with ABL in order to provide direct supply of NRT to service users accessing specialist stop smoking services at week one of their behavioural support programme. This is not recommended as this will not allow consideration of introducing a more flexible and accessible approach of providing stop smoking aids to the most complex and disadvantaged smokers in the City.
- (iv) Undertake procurement processes to provide the direct supply of NRT to service users. This is not recommended as we already have this offer as part of commissioned services in primary care. By enabling the Contract to provide NRT direct to the Service User at their first appointment, this will eliminate any delay in access and reduce transport costs, in particular for those who are less mobile.

Contact Officer: Gerry Taylor

Email: gerry.taylor@sunderland.gov.uk

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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: 20/Jun/2024

Decision Taker:
Cabinet

Appropriate Scrutiny Committee:
Health and Wellbeing Scrutiny
Committee

Date decision in force:
28 June 2024

Date of decision:
20 June 2024

Title and author(s) of written report:

Integrated Sexual Health Service Contract Extension – Report of the Executive Director of Health, Housing and Communities

Full description of decision:

- To approve an extension of the ISHS contract currently provided by South Tyneside and Sunderland NHS Foundation Trust (STSFT) for a period of 24 months.
- To delegate authority to the Executive Director of Health, Housing and Communities to negotiate and agree the terms of the contract extension including any increase to non-staff costs.

Reasons for decision:

The Council has a duty under section 2B of the National Health Service Act 2006 (as amended by the Health and Social Care Act 2012) to take steps as it considers appropriate for improving the health of people in its area. In particular, the provision of comprehensive open access sexual health services is designated as mandatory.

It is recommended that the Council's contract for these services with STSFT is extended for a 24-month period, for the following reasons:

- a) The services are mandated and the requirement for them is highly unlikely to change;
- b) The extension will ensure stability from a service delivery perspective and no disruption for service users;
- c) The extension will support the continued delivery of key health outcomes in Sunderland; and
- d) STSFT has performed well and has provided a high-quality ISHS throughout the current contract.

Alternative options considered and rejected:

To carry out a new procurement process to appoint a provider for these services. This option is rejected, as the current contract has an available extension period of 24 months, and services are currently delivered to a high standard.

Contact Officer: Gerry Taylor

Email: gerry.taylor@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: 20/Jun/2024

Decision Taker:
Cabinet

Appropriate Scrutiny Committee:
Economic Prosperity Scrutiny
Committee

Date decision in force:
28 June 2024

Date of decision:
20 June 2024

Title and author(s) of written report:

Licensing Act 2003 – Approval of the Council’s Statement of Licensing Policy
– Executive Director of Health, Housing and Communities

Full description of decision:

To:

- a. Provide comment on the draft revised Statement of Licensing Policy (Appendix 2), which will be referred to Economic Prosperity Scrutiny Committee for their consideration; and
- b. Cabinet is further requested to give delegated authority to the Executive Director of City Development, in consultation with the Portfolio Holder for Environment and Transport, to make any amendments to the Policy that are considered appropriate in the light of comments from the Economic Prosperity Scrutiny Committee, prior to it being referred to Council for approval.
- c. Recommend Council to note and endorse the Terms of Reference of the Licensing and Regulatory Committee attached at Appendix 3 which have been updated to reflect current delegated responsibilities.

Reasons for decision:

To enable the Council to comply with the statutory obligation to publish a Statement of Licensing Policy.

Alternative options considered and rejected:

There were no alternative options considered.

Contact Officer: Marion Dixon

Email: marion.dixon@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: 20/Jun/2024

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Economic Prosperity Scrutiny
Committee

Date decision in force:

28 June 2024

Date of decision:

20 June 2024

Title and author(s) of written report:

Environmental Services – Promoting biodiversity and effective sustainable weed management – Report of the Director of Environmental Services

Full description of decision:

To:

- (i) Note the council's commitment to biodiversity in support of effective and sustainable weed management.
- (ii) Approve the council's continued investigation and testing of the suitability of new weed management methods that enter the market; and
- (iii) Approve the council's continued responsible use of Glyphosate for weed management in relation to roads, footpaths and where required for the management of invasive weed species, with a commitment to further reducing the overall amount of the product used.

Reasons for decision:

The need to manage weed growth throughout the city is essential. The council has a legal responsibility to manage invasive species within the city under the Environmental Protection Act 1990 and the Wildlife and Countryside Act 1981. Under the Highways Act 1980, the council is responsible for maintaining footways to ensure they are accessible and free from obstructions.

Alternative options considered and rejected:

Option 1: Do nothing. This option is not considered appropriate in the context of the council's aspirations to biodiversity, effective sustainable weed management and its legal responsibilities.

Option 2: Cease the use of Glyphosate. This option is not considered appropriate at this stage as it would prevent the council from fulfilling its legal responsibility to manage invasive species within the city.

Option 3: Implement alternative weed management methods on a broader scale. This option is not considered appropriate at this stage as all other methods have been found to be less effective, significantly more expensive, have a greater detrimental environmental and ecological impact, and impact resident satisfaction.

Contact Officer: Marc Morley

Email: marc.morley@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: 20/Jun/2024

Decision Taker:
Cabinet

Appropriate Scrutiny Committee:
Economic Prosperity Scrutiny
Committee

Date decision in force:
28 June 2024

Date of decision:
20 June 2024

Title and author(s) of written report:
Council Housing Disposals – Report of the Executive Director of Health,
Housing and Adult Services

Full description of decision:
As set out in the Cabinet Report.

Reasons for decision:
As set out in the Cabinet Report

Alternative options considered and rejected:
As set out in the Cabinet Report.

Contact Officer: Graham Scanlon

Email: graham.scanlon@sunderland.gov.uk

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| Is this a key decision: | Yes |
| Does the Decision contain Confidential/Exempt Information: | Yes |
| Declarations of Interest and Dispensations: | None |