

**Record of
Executive
Decisions
published
16/Feb/2011**



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Commercial and Corporate Services Directorate,
Civic Centre
Sunderland

16 February 2011

Record of Executive Decisions Published: 16/Feb/2011

Decision Taker: Cabinet

Appropriate Scrutiny Committee:

Environment and Attractive City Scrutiny Committee

Date decision in force:

24/Feb/2011

Date of decision:

16/Feb/2011

Full description of decision:

To approve:

- a) The Office of the Chief Executive's decision to procure a contractor to deliver public realm works at Roker seafront.
- b) City Service's decision to procure a contractor to deliver visitor infrastructure at Roker seafront. In accordance with the Council's Constitution Cabinet approval is requested due to the procurement being over £250,000.

Reasons for decision:

The Roker public realm improvements and visitor infrastructure are key elements of the £1.5 million Roker Sea Change project, which forms the first phase in the delivery of the wider Seafront Regeneration Strategy.

Alternative options considered and rejected:

As set out funding for the project has been secured and the delivery team is progressing the final design stages of the project. To carry out the works contractors must be procured following a competitive tender process. No alternative options have been considered.

Title and author(s) of written report:

Roker Sea Change Project, Procurement of Contractors - Report of Deputy Chief Executive and 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: 16/Feb/2011

Decision Taker: Cabinet

Appropriate Scrutiny Committee:
Community and Safer City Scrutiny Committee

Date decision in force:

24/Feb/2011

Date of decision:

16/Feb/2011

Full description of decision:

To:

- (i) Note the outcome of the Review of emergency planning and resilience in Tyne and Wear;
- (ii) Approve the decision of the Tyne and Wear Leadership Group to implement the local authority based approach for the delivery of emergency planning and resilience within Tyne and Wear.

Reasons for decision:

Each of the Tyne and Wear councils are required to approve the decision of the Tyne and Wear Leadership Group by taking a formal report through their Cabinet arrangements. Therefore Cabinet is recommended to approve the decision of the Tyne and Wear Leadership Group to implement the proposed new model for emergency planning and resilience.

Alternative options considered and rejected:

As outlined above, though two further options have been considered in detail these have been ruled out after a thorough process of challenge and review. No alternative options are suggested.

Title and author(s) of written report:

Review of Emergency Planning and Resilience in Tyne and Wear - Report of the 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:

None

Record of Executive Decisions Published: 16/Feb/2011

Decision Taker: Cabinet

Appropriate Scrutiny Committee:

Management Scrutiny Committee

Date decision in force:

24/Feb/2011

Date of decision:

16/Feb/2011

Full description of decision:

To note the position in relation to the Collection Fund for 2010/2011 and the surplus of £500,000 which will be taken into account when setting the Council Tax level for the Council for 2011/2012.

Reasons for decision:

Estimating the Collection Fund balance available at the end of 2010/2011 for use in setting the Council Tax for 2011/2012 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 2010/2011 - 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:

Councillors Anderson and Blackburn declared personal interests as members of the Hetton Town Council.

Record of Executive Decisions Published: 16/Feb/2011

Decision Taker: Cabinet

Appropriate Scrutiny Committee:
Sustainable Communities Scrutiny Committee

Date decision in force:

24/Feb/2011

Date of decision:

16/Feb/2011

Full description of decision:

To enter into an Option Agreement with PfR to grant leases in respect of 2 Council owned sites for the development and operation of wind energy at Hetton Lyons Country Park and at land to the north of the former Ryhope Golf Course on the basis of the following terms and otherwise on terms to be agreed by the Deputy Chief Executive in consultation with Director of Commercial and Corporate Services and Portfolio Holder. The Option Agreement will give PfR an Option for a period of 3 years to require the grant of the Lease Agreements at the 2 sites. The 3 year option period will allow PfR time to undertake development and survey work required to submit a planning application. The Lease Agreements will provide for the leasing of the 2 sites to PfR for a period of 25 years, with the council receiving all rental income.

Reasons for decision:

- The feasibility work carried out by PfR indicates that they are suitable for large scale turbines;
- The development and installation of large scale wind energy on council sites will demonstrate Sunderland's commitment to renewable energy and its ambition to become a national hub of the low carbon economy as set out in the Economic Masterplan;
- If the projects are successfully developed, the council will receive a rental income from the Lease Agreements, which will be at best consideration for land leased for wind turbine developments.

Alternative options considered and rejected:

- For the council to invest in wind development opportunities themselves. To develop both the proposed sites, an investment of approximately £8million would be required. This option has been rejected as that level of resource does not currently exist and the council would be responsible for all the development costs and risks.
- Do nothing. The council decide not to enter the Option Agreement with PfR and thus not develop wind energy at these sites. This option has been rejected on the basis that the council will not be pro-active in the development of renewable energy and will not receive the potential rental income from the Lease Agreements.

Title and author(s) of written report:

Partnership for Renewals : Wind Energy - Report of the Deputy Chief Executive

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: 16/Feb/2011

Decision Taker: Cabinet

Appropriate Scrutiny Committee:

Prosperity and Economic Development Scrutiny Committee

Date decision in force:

24/Feb/2011

Date of decision:

16/Feb/2011

Full description of decision:

To:

1. Authorise the making of a Compulsory Purchase Order ("CPO") to be known as The Council of the City of Sunderland (Sunderland Retail Park) Compulsory Purchase Order 2011 under section 226(1)(a) of the 1990 Act to acquire land and under section 13 of the Local Government (Miscellaneous Provisions) Act 1976 ("the 1976 Act") in order to acquire new rights at Sunderland Retail Park to facilitate the carrying out of its comprehensive redevelopment;
2. Authorise any of the following officers: - the Chief Executive, Executive Director of Commercial and Corporate Services or the Head of Law and Governance to make minor amendments, modifications or deletions to the CPO schedule of interests and map, should this be necessary; and to finalise and make the CPO comprising the CPO and Schedule of interests and CPO map;
3. Authorise the Head of Law and Governance to serve notice of making of the CPO on all owners and occupiers of the site and all land interests identified.
4. Authorise the Deputy Chief Executive and the Head of Law and Governance to take all necessary actions to secure confirmation of the CPO by the Secretary of State for Communities and Local Government ("the Secretary of State"), including promoting the Council's case at public inquiry if necessary and to continue negotiations with a view, in tandem with the exercise of CPO powers, to attempt to reach agreement with affected landowners.
5. Subject to confirmation of the CPO by the Secretary of State, authorise the Deputy Chief Executive and Head of Law and Governance to acquire title and/or possession of the CPO land, including as appropriate, by: -
 - a. Serving Notice of Confirmation of the CPO on owners and occupiers;
 - b. Serving Notice of Intention to Execute a General Vesting Declaration on owners and occupiers to transfer the title of the land included in the CPO to the Council;
 - c. Executing the General Vesting Declaration;
 - d. Serve Notices to Treat and/or Notices of Entry; and,
 - e. Acquiring land and interests through negotiation.
6. Authorise the Deputy Chief Executive and Head of Law and Governance to acquire and dispose of any land or interests required to enable the proposed redevelopment of the Sunderland Retail Park to proceed, subject to appropriate indemnity provisions being in place with the developer of the Site.

Reasons for decision:

Section 226(1)(a) of the 1990 Act gives local authorities the power to acquire land compulsorily in order to facilitate the assembly of a site for private sector development. The development at Sunderland Retail Park ("SRP") for which planning permission has been granted is expected to contribute to the achievement of the promotion and improvement of the economic, social and environmental well-being of Sunderland, as required under s.226(1A) of the 1990 Act.

Alternative options considered and rejected:

Substantial physical, social and economic benefits that would arise from the proposed development at SRP, it is considered that there is a compelling case in the public interest to justify the use of CPO powers in order to facilitate the development. There are no alternative proposals for SRP that would achieve the regenerative benefits required. Negotiations have been attempted with the owners and occupiers of the land needed for the comprehensive redevelopment but it has not proved possible to date to reach a concluded agreement. It is proposed to continue negotiations in tandem with the exercise of CPO powers. Without the CPO & the Scheme, it is likely that SRP would continue to fail and that economic, social and environmental conditions in the area would worsen.

Title and author(s) of written report:

Compulsory Purchase Order- Land at Sunderland Retail Park, Newcastle Road - Report of the Deputy Chief Executive and the Executive Director of Commercial and Corporate Services

Contact Officer:

Colin Clark

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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 P. Watson and Anderson - Sunderland ARC Councillor Blackburn - Tyne and Wear Integrated Transport Authority/Nexus Northumbrian water

Record of Executive Decisions Published: 16/Feb/2011

Decision Taker: Cabinet **Appropriate Scrutiny Committee:**
Management Scrutiny Committee and also the Audit and
Governance Committee

Date decision in force:

24/Feb/2011

Date of decision:

16/Feb/2011

Full description of decision:

To recommend to Council to approve:

- the proposed Capital Programme for 2011/2012
- the Annual Treasury Management Policy and Strategy (including specifically the Annual Borrowing and Investment Strategies);
- the prudential indicators for 2011/2012 to 2013/2014
- the Annual Minimum Revenue Provision Statement for 2011/2012

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 2011/2012 and Treasury Management Policy and Strategy 2011/2012, including Prudential Indicators for 2011/2012 to 2013/2014 - Report of 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:

Cllr P. Watson - Sunnyside Partnership

Cllr Anderson - South Tyne & Wear Waste Management Partnership (substitute), Hetton Lyons Primary School

Cllrs Allan, Blackburn, Gofton, P. Smith, Speding, Trueman, D. Wilson - Governors of Schools

Cllr Blackburn - South Tyne & Wear Waste Management Partnership

Cllr Charlton - Hylton Red House Academy, Sunnyside Partnership

Cllr Gofton - Academy 360, Sunderland Empire Theatre Trust

Cllr Trueman - South Tyne & Wear Waste Management Partnership, Blackfell Primary School

Cllr Blackburn - South Tyne & Wear Waste Management Partnership/Tyne and Wear Integrated Transport Authority/NEXUS

Cllr P. Smith - Early Years & Childcare Strategic Partnership

Cllr Speding - Football Foundation Cllr D. Wilson - Tyne & Wear Archives & Museums Joint Committee, Sunderland Empire Theatre Trust

Record of Executive Decisions Published: 16/Feb/2011

Decision Taker: Cabinet **Appropriate Scrutiny Committee:**
Management Scrutiny Committee

Date decision in force:
24/Feb/2011

Date of decision:
16/Feb/2011

Full description of decision:

To:

- recommend to Council the proposed Revenue Budget for 2011/2012 set out at Appendix H;
- recommend to Council the proposed Council Tax for 2011/2012 (paper to be tabled);
- note the views, if any, 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 2011/2012 - Report of the Chief Executive 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:

The following Councillors declared personal interests as members of the bodies indicated: -

Cllr Anderson - South Tyne and Wear Waste Management Partnership (substitute, Hetton Town Council

Cllr Allan - Sandhill Centre Cllr Blackburn - South Tyne and Wear Waste Management Partnership, Tyne and Wear Integrated Transport Authority/NEXUS, Hetton Town Council Street lighting PFI

Cllr Gofton - Sunderland Empire Theatre Trust

Cllr Trueman - South Tyne and Wear Waste Management Partnership

Cllr D. Wilson - Sunderland Empire Theatre Trust

Cllrs Anderson, Blackburn, Charlton, P. Smith, Speding, P. Watson - Members of GMB

Cllr Allan - Member of GMB and Unison

Cllrs Anderson, Allan, Charlton, Gofton, P. Smith and Trueman - Local Government Pension Scheme

Record of Executive Decisions Published: 16/Feb/2011

Decision Taker: Cabinet **Appropriate Scrutiny Committee:**
Management Scrutiny Committee

Date decision in force:

16/Feb/2011

Date of decision:

16/Feb/2011

Full description of decision:

To consider the draft Council Tax Leaflet and, subject to the inclusion of financial and other information once the Revenue Budget has been set, ask 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 2011/2012 - 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: 16/Feb/2011

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

Date decision in force:
16/Feb/2011

Date of decision:
16/Feb/2011

Full description of decision:

To note the outcomes of the Annual Children's Services Assessment and to note the actions being taken to ensure that the key areas for further development are addressed.

Reasons for decision:

To inform of the inspection outcomes and to advise of the actions for improvement noted within the judgement.

Alternative options considered and rejected:

To provide an update on the outcomes from the Annual Children's Services Assessment, and as such there are no viable alternative options.

Title and author(s) of written report:

Annual Children's Services Assessment - Report of the Executive Director of Children's Services

Contact Officer:

Keith Moore

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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: 16/Feb/2011

Decision Taker: Cabinet **Appropriate Scrutiny Committee:**
Management Scrutiny Committee

Date decision in force:
24/Feb/2011

Date of decision:
16/Feb/2011

Full description of decision:

To authorise the Head of Law and Governance to execute, on behalf of the Council, a Guarantee relating to the admission of employees of the Association of North-East Councils Limited to the Tyne and Wear Pension Fund.

Reasons for decision:

The reason for the decision is to enable ANEC Limited to be formally admitted to the Tyne and Wear Pension Fund.

Alternative options considered and rejected:

The only alternative option would be not to act as guarantor in the manner described. This would prejudice the admission of ANEC Limited - of which this authority is a constituent member - to the Tyne and Wear Pension Fund.

Title and author(s) of written report:

Association of North-East Councils (ANEC) Limited - Guarantee Relating to Pension Fund Admission - Report of the Executive Director of Commercial and Corporate Services

Contact Officer:

Lynne Bennett

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Is this a key decision: No

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

The following Councillors declared personal and prejudicial interests as members of the following bodies and with drew from the meeting during consideration of the report: -

Councillors Allan, Anderson, Gofton, Trueman, and P. Watson - Members of ANEC
Councillor P Watson - Member of ANEC Ltd

Record of Executive Decisions Published: 16/Feb/2011

Decision Taker: Cabinet **Appropriate Scrutiny Committee:**
Sustainable Communities Scrutiny Committee

Date decision in force:

24/Feb/2011

Date of decision:

16/Feb/2011

Full description of decision:

To:

- i) Approve and adopt the Sunderland Volunteering Strategy and support implementation of the associated Action Plan
- ii) Refer the Strategy and Action Plan to the Sunderland Partnership Board for adoption

Reasons for decision:

Opportunity exists to maximise the contribution that volunteering makes to the City. The Sunderland Volunteering Strategy will provide a valuable basis for VCS organisations and organisations of the Sunderland Partnership to work together to increase volunteering activity for the benefit of residents, their communities and the City. It is an ambitious strategy which establishes a long-term commitment and approach to ensuring that volunteering activity is well supported using a collaborative approach, and Sunderland City Council has a pivotal role to play in its implementation.

Alternative options considered and rejected:

There are no alternative options proposed.

Title and author(s) of written report:

Sunderland Partnership Volunteering Strategy and Action Plan - Report of the Assistant Chief Executive and Executive Director of City Services

Contact Officer:

Julie Gray

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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 F. Anderson - Member of Centre for Voluntary Services (CVS) as host for Sunderland Community Network

Councillor P. Watson and F. Anderson - Member of the Sunderland Partnership

Record of Executive Decisions Published: 16/Feb/2011

Decision Taker: Cabinet **Appropriate Scrutiny Committee:**
Management Scrutiny Committee

Date decision in force:

24/Feb/2011

Date of decision:

16/Feb/2011

Full description of decision:

To recommend to Council the Council Tax levels for 2011/2012 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 aggregate of sums estimated to be payable into General Fund.
- 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 2011/2012 applicable to Council & to Parish of Hetton Town Council including all relevant precepts.

Reasons for decision:

To comply with all legal requirements and the Local Authorities (Alteration of Requisite Calculations) (England) Regulations 2003 in Sections 32, 33, 43 and 44 of the Local Government Finance Act 1992 and Sections 85, 86, 88 and 89 of the Greater London Authority Act 1999 which applied from 1st April 2003, in order to determine the Council Tax applicable for 2011/2012.

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 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:

The following Councillors declared personal interests as members of the bodies indicated: -

Cllr Anderson - South Tyne and Wear Waste Management Partnership (substitute, Hetton Town Council)

Cllr Allan - Sandhill Centre

Cllr Blackburn - South Tyne and Wear Waste Management Partnership, Tyne and Wear Integrated Transport Authority/NEXUS, Hetton Town Council Street lighting PFI

Cllr Gofton - Sunderland Empire Theatre Trust

Cllr Trueman - South Tyne and Wear Waste Management Partnership

Cllr D. Wilson - Sunderland Empire Theatre Trust

Cllrs Anderson, Blackburn, Charlton, P. Smith, Speding, P. Watson - Members of GMB

Cllr Allan - Member of GMB and Unison

Cllrs Anderson, Allan, Charlton, Gofton, P. Smith and Trueman - Local Government Pension Scheme