

CABINET MEETING – 20 APRIL 2016
EXECUTIVE SUMMARY SHEET – PART I

Title of Report:

MINUTES, PART I

Author(s):

Head of Law and Governance

Purpose of Report:

Presents the minutes of the last meeting held on 23 March 2016 Part I.

Action Required:

To confirm the minutes as a correct record.

At a meeting of the CABINET held in the CIVIC CENTRE (COMMITTEE ROOM NO. 1) on WEDNESDAY 23 MARCH 2016 at 2.00pm

Present:-

Councillor P. Watson in the Chair

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

Also present:-

Councillor M. Dixon

Part I

Minutes

The minutes of the meeting of the Cabinet held on 10 February 2016, Part I (copy circulated) were submitted.

(For copy report - see original minutes).

1. RESOLVED that the minutes of the Cabinet meeting held on 10 February 2016 Part I be confirmed and signed as a correct record.

Receipt of Declarations of Interest

Councillor Mordey declared an interest in item 5, 'Honorary Freedom of the City,' as a relative was an employee of one of the proposed recipients of the Honorary Freedom of the City.

Councillor Gofton declared an interest in item 10, 'Proposal to set up a Charitable Company between the Council, Sunderland University and the MAC Trust,' as a member of the Board of Governors of Sunderland University and withdrew from the meeting during consideration of the item.

Councillors Speding and P. Watson declared interests in item 14 'Appropriation of Land at Chapelgarth, Sunderland' as they were Members of the Board of Siglion and withdrew from the meeting during consideration of the item.

Apologies for Absence

There were no apologies for absence.

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

The Interim Head of Paid Service submitted a report and an addendum thereto (copies circulated) to inform of the Council's views, and to seek the Cabinet's response to the Devolution Agreement and the question of the creation of a Mayoral Combined Authority. The addendum provided an update on the current outstanding issues and upon the proposed Government timetable.

(For copy report – see original minutes).

The Chairman highlighted the report and the addendum which presented Cabinet Members with a summary of the debate from the Extraordinary Council meeting on 21 March 2016. In summary he reminded Cabinet Members that:-

- (a) NECA Leaders had signed a Devolution Agreement in October 2016 which committed the NECA Leaders to further discussions with Government. Progress was still to be made and clarity on certain matters was still needed, although a good start had been made on the NECA side on developing the scope of the various aspects.
- (b) The key pillars were:
 - £30 million per year, over 30 years, to create a North East Investment Fund to support business growth;
 - More control and influence to support business and attract investment to the area (sharing role with UKTI going forward);
 - A review, and then if recommendations were accepted, control of post-16 education and training so that skills better aligned to jobs through the establishment of a Commission to be chaired by Lord O'Neill;
 - Control of decisions on transport investment, particularly on integration of public transport;
 - Establishment of a Housing Board to create more opportunities for new housing development;
 - More influence over European funding allocation;
 - A review of health and social care provision with a focus on better integration through establishment of a Commission to be chaired by Duncan Selbie, Chief Executive of Public Health England.
- (c) Any powers and funds devolved would not mitigate against the significant costs right across public services, but would provide a resource and capacity that otherwise would not have been in the region to support economic growth.
- (d) The deal was conditional on the Combined Authority becoming a Mayoral Combined Authority, establishing a Regional Elected Mayor from 2017. The 'embedded mayor' model set out in the Agreement ensured significant control for local leaders (as opposed to the 'metro mayor' approach adopted in other areas).
- (e) The powers and funds were specifically for the purposes of driving economic growth through better transport and infrastructure, development of sites, more and better homes, better skills and health and creating more jobs. There would be no changes to the remit and operation of the constituent councils.

- (f) The NECA would be better able to address and deliver on this with the long-term certainty provided by five year grant allocations and a thirty year allocation to the investment fund, enabling the region to invest across priorities according to local needs rather than being constrained by ring-fences determined in Whitehall and 'stop-start' annual funding processes. This would enable transformational infrastructure projects to be progressed.
- (g) If this deal was agreed, it might pave the way for more devolution in future. Announcements were made in the Budget about Greater Manchester and Liverpool City Region agreeing second phases of devolution.
- (h) Consultation had been undertaken both at NECA level and within individual LA areas. In Sunderland, a special edition of City News included a survey (with 61% of respondents agreeing more regional control of decisions and spend for economic growth would be better) and briefings had been made to VCS area forums, businesses and the local TUC.

Cabinet Members discussed the proposed £30 million funding per year, over 30 years, to create a North East Investment Fund to support business growth and the need to ensure fair funding so that it was not being taken from other areas of funding in the region. The Chairman reported that the proposed funding would not mitigate against the funding reductions which the local authorities had had to endure.

Councillor Kelly referred to the decision of Gateshead Council to no longer be part of the Combined Authority moving forward and enquired what the impact would be if more local authorities decided to opt out. The Chairman reported that legislation allowed for the Combined Authority to continue as long as no more than two councils opted out and advised that two councils could join to form their own Mayoral combined authority.

Cabinet Members were supportive of the proposals going forward however noted that there was still much clarification required before the May 2016 deadline for the agreement. The Chairman agreed and advised that the Leadership Board and officers continued to hold discussions with government and to strive to achieve the necessary clarifications over the next two months.

During the discussion of the role of the Elected Mayor, the Leader assured Cabinet Members that appropriate checks and balances would be incorporated into the governance arrangements.

Councillor Mordey highlighted that this way forward was a starting block for the authorities to speak with one voice to ensure fair funding for the region. The Chairman clarified that the Combined Authority would not be taking any powers away from the individual authorities; any subsequent changes would be due to taking steps to mitigate against austerity measures. He explained that the devolution would involve the repatriation of powers and funding from government which the region had not had for some time and would enable decisions to be taken on their own merits with local knowledge.

Cabinet Members were mindful that the European Union Referendum would not take place until after the deadline for the devolution decision. As a region it was considered better to remain in the European Union from the funding that would be available and the Combined Authority would give the region more control over how this was distributed locally.

The Chairman concluded that in view of the two month extension to reach an agreement across the region, the determination was no longer considered urgent for the purpose of Paragraph 18(j) of the Overview and Scrutiny Procedure Rules and the exemption of the call-in process would no longer apply.

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

2. RESOLVED that:-

- (i) the content of the report and addendum report, including the views of Council, the responses to the public consultation undertaken, and the financial implications of the Devolution deal as set out in the North East Combined Authority Devolution Agreement entered into on 23rd October 2015 and the governance arrangements as outlined in the report, be noted;
- (ii) support for the proposals set out in the Devolution Agreement be confirmed but it be noted that the outstanding issues referred to in Section 5 of the addendum report still require clarification and commitment by Government;
- (iii) the Interim Chief Executive (working with the Head of Paid Service for the NECA) be authorised to secure appropriate clarification and commitment from Government on the outstanding issues referred to in (ii) above;
- (iv) a further report be received in May 2016 to consider the further information received in relation to the outstanding issues referred to in (ii) and (iii) above and to consider the next steps; and
- (v) it be noted that recommendation 2 of the report in relation to the North East Combined Authority published with the Cabinet Agenda (to agree that the decision be exempt from call-in on the ground of urgency) be withdrawn on the basis that the Leadership Board will now make its determination in relation to the Devolution Agreement and Elected Regional Mayor in May 2016, rather than on 24th March 2016. Therefore the urgency reason no longer applies.

Honorary Freedom of the City

The Interim Head of Paid Service submitted a report (copy circulated) on a proposal to consider recommending to Council to formally confer the Honorary Freedom of the City upon former Sunderland AFC footballer, Jimmy Montgomery, BEM and John Hays, founder of Hays Travel to recognise their outstanding contributions to the wellbeing and community spirit of the City.

(For copy report – see original minutes).

The Chairman highlighted that the proposed recipients had excelled in their respective fields.

Cabinet Members were advised that Jimmy Montgomery had been nominated in recognition of his services to the City as an ambassador, footballer, youth team manager and coach, in addition to his involvement with many fundraising events for a number of Wearside charities. Jimmy had also received an Honorary Fellowship from the University of Sunderland in 2014 and then in June 2015, he was recognised in the Queen's Birthday Honours List and awarded the British Empire Medal (BEM) for his services to football.

Turning to the other proposed recipient, John Hays had been in the travel industry for over thirty years, with Hays Travel now employing more than 1,000 people. John's impressive achievements had brought him many prestigious national awards from the travel industry.

The Chairman having reported that both individuals were deserving of receiving the Freedom of the City, it was:-

3. RESOLVED that it be recommended to the Council to:-
 - (i) agree to the conferring, in accordance with the provisions of Section 249 of the Local Government Act 1972, of the Honorary Freedom of the City upon Jimmy Montgomery, BEM and John Hays, and
 - (ii) give authority for the Interim Head of Paid Service in consultation with the Leader of the Council, to agree all appropriate arrangements for the formal ceremony at an extraordinary meeting of the Council.

The Energy Performance of Buildings (England and Wales) (Amendment) (No.2) Regulations 2015

The Executive Director of Commercial Development (copy circulated) to advise of the requirements under the Energy Performance of Buildings (England and Wales) (Amendment) (No.2) Regulations 2015.

(For copy report – see original minutes).

Councillor Mordey reported that since 2012, local authorities had been responsible for enforcing regulations which required some public buildings to display a certificate showing their energy usage and that a certificate showing their energy performance was made available on rent or sale of other buildings. He explained that as local authorities could not take legal action against themselves, the Government made amendment regulations in 2015 to require local authorities to appoint another local authority to do this enforcement in their area and to report to the Government about these matters.

Cabinet Members were advised that in response to the regulations, the Council's officers were seeking to make reciprocal agreements with neighbouring councils. The intention was to avoid any costs for enforcement. The officers who dealt with the energy performance of the Council's buildings were not expecting any costs for compliance.

Councillor Mordey reported that the regulations allowed local authorities to issue fixed penalty charge notices where there were breaches of this law. He added that whilst it was not expected to need to use these, officers would need to be authorised to do this to evidence compliance with legal requirements. He therefore advised that the power to make these agreements with other local authorities be delegated to the Executive Director of Commercial Development, in consultation with the Portfolio Holder for City Services, and that she be authorised to serve penalty notices and the Head of Law and Governance, in consultation with the Leader, make some changes to the Constitution required by the new law.

4. RESOLVED that:-

- (i) the power to enter into agreements with other local authorities for the enforcement and administration of the Energy Performance of Buildings (England and Wales) Regulations 2012 ("the 2012 Regulations") as amended by the 2015 Regulations be delegated to the Executive Director of Commercial Development in consultation with the Portfolio Holder for City Services;
- (ii) the power to issue penalty charge notices for breaches of the 2012 Regulations (as amended) be delegated to the Executive Director of Commercial Development; and
- (iii) it be recommended to Council to authorise the Head of Law and Governance, in consultation with the Leader, to amend the Constitution accordingly and make such other consequential amendments as are appropriate.

Sunderland Local Plan Core Strategy: Consultation on Growth Options

The Executive Director of Commercial Development submitted a report (copy circulated) to seek approval of the Core Strategy Growth Options document and to undertake formal public consultation on the Growth Options.

(For copy report – see original minutes).

Councillor Speding highlighted the report and advised that the main focus had been on the Core Strategy that would set out strategic City-wide policy for the next 15-20 years. He reported that although work was underway on updating the Core Strategy so that it could be reissued for consultation, the Planning Inspectorate had advised that before the plan could be taken forward there was a need to look at how the population of the City might be expected to change over the plan period and build this into the housing and economic development policies of the Plan.

Cabinet Members were advised that a number of factors have clearly affected the growth of the City's population. Between 2001 and 2011 the population in Sunderland fell by over 8,000 to just over 276,000. Sunderland was the only City in the UK to see such decline. Official Government population figures showed the City's population growing by less than 4,700 over the next 20 years. The City continued to lose population to neighbouring districts, especially to Durham. Out-migration had been highest amongst the economically active age groups, particularly the 20-39 group.

Councillor Speding reported that it was clear that a step change was needed to reduce out-migration and attract more people, especially workers, to the City so that the economic growth prospects of the City could be achieved. He believed that the Core Strategy would be a key mechanism in the delivery of this step change. He added that it was clear that there was a need for an aspirational approach in the Plan and that it was equally important that this approach was based on robust evidence. This would demonstrate that the policies of the Core Strategy were reasonable and achievable when it was examined.

Cabinet Members were advised that work had been carried out to identify possible Growth Options that could form the basis of the Core Strategy. A key part of this work was the need to set out the Objectively Assessed Need (OAN) for new development in the City. This was required by the National Planning Policy Framework and was a vital part of the plan making process; the failure to properly justify the OAN was a major cause of local plans being rejected by Inspectors at their Examination.

Councillor Speding drew the attention the attention of Cabinet Members to the three Growth Options that were being proposed, namely:-

Baseline: this took recent Government population projections and adjusted them to reflect of past migration rates;

Medium Growth: this was based on increased economic growth and reduced levels of outmigration;

High Growth: this was based on increased economic growth but with significantly reduced levels of outmigration – effectively a reversal of trends.

Councillor Speding reported that the housing requirements arising from these three options suggested an overall requirement of between 9,000 and 19,000 new houses over the plan period. He explained that the higher figure equated to a completion rate of just over 1,000 houses a year. He added that this was ambitious bearing in mind that recently around 900 houses a year were built in the City, but it was considered to be deliverable. The realistic ability to deliver the housing numbers proposed in the Core Strategy would be a key question asked by the Inspector at Plan's Examination and the Council needed to be able to defend its position. This was an area where other Local Plans had failed due to their housing ambitions being unachievable so it was important that the plan balanced 'ambition' with 'deliverability.'

Cabinet Members were advised that to support the Growth Options, a Strategic Land Review had been undertaken which had assessed all potential development land in the City. This had included a review of Settlement Breaks and Green Belt land as the Medium and High Growth Options might require some land in these areas to be brought forward. Some amendment to the Green Belt boundary might be needed in any case to ensure there was flexibility in the supply of housing land over the full 18 year period of the plan and the housing needs for different parts of the City could be met. The Publication Plan would set out the 'exceptional circumstances' case for any Green Belt changes.

Councillor Speding reported that the Options had been subject to Sustainability Appraisal and a screening had been undertaken in accordance with the Habitats Regulations in order to gain a view on potential high-level impacts that could arise. He advised that subject to Cabinet approval, a six-week public consultation on the Growth Options would commence in early April and all responses received during the consultation period would be taken into account in preparing the Publication draft of the Core Strategy.

Cabinet Members having been advised that, in the light of discussions with the Department for Communities and Local Government it was important that the Council publicised the timetable for preparing the remaining stages of the Core Strategy. A further report on this would be presented to Cabinet at the earliest opportunity.

Councillor Miller commended the report and agreed that the availability of suitable housing was integral to attracting more people, especially workers, into the City so that the economic growth prospects of the City could be achieved.

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

5. RESOLVED that:-

- (i) the Growth Options set out in the report be approved as a basis for public consultation; and
- (ii) authority for the preparation of appropriate consultation material be delegated to the Executive Director of Commercial Development.

School Admissions Arrangements from September 2017

The Interim Director Children's Services submitted a report (copy circulated) to seek approval for the proposed maintained school admission arrangements for the academic year September 2017-2018 and to describe proposed amendments to published admission numbers (PANs) for the academic year 2016-2017, where it was necessary to provide additional places.

(For copy report – see original minutes).

Councillor Smith highlighted that the school admission arrangements for September 2017 would apply to schools for which the Council was the admissions authority. She explained that as required under the Council's statutory requirements, the proposed admission arrangements had been consulted on and would be published in line with the School Admissions Code.

Members were advised that in order to ensure that the Council complied with the duty to submit its admissions arrangements to the Secretary of State, approval was sought to the following, which were included as appendices to the report:

- (a) the admission policy and procedures;
- (b) details of the oversubscription criteria; and
- (c) published admission numbers.

The attention of Cabinet Members was drawn to the recommended increase in the Pupil Admission Number at Hill View Infant School from 106 to 120 for September 2016. This would increase the overall capacity of the school from 318 to 360 and would formalise a previous agreement with the Infant School ensuring the admission number was consistent with Hill View Junior School.

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

6. RESOLVED that approval be given to the following in relation to the 2017-2018 academic year:-
 - (i) the admissions policy and procedures associated with the coordinated scheme of admissions. This includes a proposed change to the scheme as described in 5.5 – 5.7 of the report;
 - (ii) the criteria that will be applied for Community and Voluntary Controlled schools where oversubscription occurs; and
 - (iii) the published admission numbers (PANS).

Procurement of Family, Adult and Community Learning provision for 2016-17

The Executive Director People Services submitted a report (copy circulated) seeking approval for the procurement process by which Skills Funding Agency (SFA) funding would be awarded to providers for the delivery of Family, Adult and Community Learning (FACL) training courses in the academic year 2016/17, to support the city's strategic priorities.

(For copy report – see original minutes).

Councillor Gofton highlighted that SFA funding was not only to improve the local skills base, but also to encourage people into learning, who often had barriers to learning and might otherwise not participate. She reported that FACL supported improvements in social cohesion as well as economic impact.

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

7. RESOLVED that:-

- (i) a procurement process be undertaken to enable the identification and selection of suitable providers to ensure the delivery of training outcomes that support the city's strategic priorities for the academic year 2016/2017; and
- (ii) the Executive Director of People Services, in consultation with the Cabinet Member for Local Communities and Responsive Services, be authorised to award the necessary contracts and to agree the funding awarded to individual providers for delivery of training courses in the academic year 2016/17.

At this juncture, Councillor Gofton withdrew from the meeting in view of her declaration of interest in the following item as a member of the Board of Governors of Sunderland University.

Proposal to set up a charitable company between the Council, Sunderland University and the MAC trust

The Executive Director People Services submitted a report (copy circulated) on a proposal for the City Council, Sunderland University and the Music Arts Culture Trust to set up a new charitable cultural company administered by the University to maximise economic benefit to the City.

(For copy report – see original minutes).

Councillor Kelly reminded Cabinet Members of the review of Culture and Arts in the City during 2012/13 by the City Council and the Arts Council England which culminated in a recommendation to establish a renewed Cultural Partnership with the City Council, the University and the Arts Council at its heart. He explained that this had led to the development of the City's Cultural Strategy set within the context of the city's economic growth ambitions.

Councillor Kelly reported that in order to drive the Cultural Offer further in the City it was proposed to establish a Cultural Company between the City Council, the University and the Music, Arts and Culture Trust. He advised that the Company's first priority would be to submit a Bid for the City of Culture in early 2017 and also to examine investment opportunities around management oversight of cultural operations, venues and activities.

Councillor Speding commended the decision of the Council to bid for the City of Culture and advised that it would have a huge positive impact on the city even if the bid was not successful. He joined Cabinet Members in thanking the Interim Head of Paid Service and the Executive Director of People Services and their officers, together with the regional partners, in progressing the bid for City of Culture and the Tall Ships Races.

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

8. RESOLVED that:-

- (i) approval be given to the setting up of a new charitable cultural company to:-
 - (a) prepare and submit a bid for Sunderland to be UK City of Culture 2021;
 - (b) support the delivery of the city's Cultural Strategy; and
 - (c) have the ability to develop the capacity and capability to have management oversight of cultural operations, venues and activities on behalf of the City Council subject to a satisfactory business plan;
- (ii) the Interim Head of Paid Service be authorised to exercise the Council's rights as a member of the company.
- (iii) the Council be requested to nominate two directors to the board of the charitable company in due course;
- (iv) subject to appropriate funding terms being agreed, a Council contribution of £0.250m towards a development fund to support the establishment of the Company and enable the appointment of a Cultural Bid Director, be approved; and
- (v) subject to the principles set out in the report, the Executive Director of People Services, in consultation with the Public Health, Wellness and Culture Portfolio Holder, be authorised to take all necessary steps to give effect to the matters set out in the report.

Councillor Gofton was readmitted to the meeting.

Discretionary Housing Payment Scheme (DHP) and Policy changes

The Executive Director of People Services submitted a report (copy circulated) to seek approval to changing the Council's existing Discretionary Housing Payments (DHP) Policy and processes from the beginning of April 2016. The changes were detailed in Appendix 2 to the report and were intended to manage demand and reduce dependency.

(For copy report – see original minutes).

Councillor Miller highlighted that the recommendations contained in the report were in relation to making a number of changes to the Council's Discretionary Housing Payment Scheme to ensure that it provided short-term financial support to successful applicants and ensure that the Council would be able to continue to operate within the annual budget allocated by the Department for Work and Pensions.

Cabinet Members were advised that the changes made improvements which would help to manage demand, reduce potential dependency on the DHP scheme, and enable the Council to continue to support residents who would be affected by further welfare reforms. By refocusing the scheme, future DHP funding would be used as effectively as possible and mitigate against some of the impacts of further planned housing benefit reforms which would affect new applicants as well as providing on-going protection to existing residents.

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

9. RESOLVED that:-

- (i) the revised Discretionary Housing Payments Policy be approved and the series of changes being made to the Council's DHP processes be made with effect from 4 April 2016; and
- (ii) it be recommended to Council to approve an amendment to the Delegation Scheme to reflect the responsibilities of the Executive Director of People Services in relation to the DHP scheme.

Local Welfare Provision Schemes – Crisis Support and Community Care Support

The Executive Director of People Services submitted a report (copy circulated) seeking to extend the Council's Local Welfare Provision Schemes until March 2017 with some minor amendments to existing eligibility criteria, and to service delivery methods, pending a fuller review by People Services Directorate (PSD) of arrangements for the medium to longer term.

(For copy report – see original minutes).

Councillor Miller in highlighting the report, explained that the proposed minor changes to both the Scheme Policies and service delivery methods would support improved outcomes for a further year (April 2016-March 2017) pending a full end to end service review (being undertaken 2016/2017) and enable the schemes to continue to be delivered from within their available budgets.

Councillor Miller reported that it was recommended to update the eligibility criteria for both schemes in order to better reflect the schemes intentions which were set out in detail within the report and would:-

- remove potential entitlement to both schemes for customers that received Universal Credit just because they received this benefit.
- change the scheme criteria for customers that had been sanctioned from 'had an appealable sanction' to 'where they had reasonable prospects of successfully appealing against the sanction.'

Cabinet Members were advised that it was the intention to complete a full end to end review of both schemes in 2016/2017 to ensure that on-going funding and provision better aligned with and was supportive of Council and city objectives across a number of other areas. During the next year it was proposed to:

- Implement service delivery changes starting from April to improve customer satisfaction streamline required back office business processes and reduce costs; and
- Consider scheme provision and delivery options within the context of support for wider initiatives such as the Community Re-use Project, and alongside Food Bank Network activity better utilise supermarket food waste and wider sustainability activities.

Councillor Miller reported that both schemes provided low cost valuable support to vulnerable residents and the changes being recommended would deliver further improvements with that.

Cabinet Members congratulated the officers for the proposed streamlined processes to stretch the available budget resources to support the most vulnerable residents in the City.

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

10. RESOLVED that the amended Local Welfare Provision Schemes of Crisis Support and Community Care Support for 2016/17 be approved as set out in Section 6 and Appendix A of the report.

Human Resources Committee – 25 February 2016 – Pay Policy Statement 2016-2017

The Head of Law and Governance submitted a report (copy circulated) to seek approval of the draft Pay Policy Statement 2016-2017, for subsequent adoption by Council and publication by 31 March 2016.

(For copy report – see original minutes).

Councillor Trueman reminded Cabinet Members that the Council was required to approve and publish a Pay Policy Statement on an annual basis and the report set out a draft statement to recommend to full Council for adoption.

Cabinet Members were advised that the Human Resources Committee considered the draft statement and recommended that clarification be sought in respect of the treatment of the payment of Returning Officer/Electoral Registration Officer fees. In addition, as the job evaluation process was not yet complete throughout the Council, it is proposed that paragraph 3.2(v) of the draft pay policy statement be amended as set out in the report to reflect that the remuneration shown for Chief Officers was subject to the Interim Chief Executive/Head of Paid Service, in consultation with the Leader of the Council, receiving confirmation from an independent consultant that the level of remuneration accurately reflected the roles and responsibilities set out in the Job Profiles agreed by the Interim Chief Executive/Head of Paid Service.

Councillor Trueman reported that for clarification, the reference in the report to “Acting Chief Executive” be amended to the “**Interim** Chief Executive” and it was requested that this be reflected in the recommendation to Council.

Accordingly, with that clarification, it was:-

11. RESOLVED that it is recommended that the draft Pay Policy Statement, as amended, be referred to Council for approval and adoption, including the addition to paragraph 3.2 (v) as referred to in the report and for its publication by 31 March 2016.

At this juncture, Councillors Speding and P. Watson withdrew from the meeting during consideration of the following item in view of declaration of interest as Members of the Board of Siglion. Councillor H. Trueman took the Chair in the absence of the Chairman.

Appropriation of land at Chapelgarth, Sunderland

The Executive Director of Commercial Development submitted a report (copy circulated) to seek approval to appropriate Council-owned land at Chapelgarth for planning purposes in order to facilitate the redevelopment of the site.

(For copy report – see original minutes).

Cabinet Members were advised that the site was allocated for housing development within the UDP and formed a significant part of the South Sunderland Growth Area which was a location for major development within the preferred option of the Core Strategy.

Councillor Trueman reported that Siglion had undertaken significant planning and survey work including the recent submission of an outline planning application and the Council was satisfied that there were no major impediments to the site coming forward. He explained that the report recommended that the site be appropriated for planning purposes pursuant to the relevant Acts. The appropriation of the land would enable the Council to use statutory powers to deal with any issues on the site including the extinguishment of any public right of way over land if it was satisfied that an alternative right of way had been or would be provided; or that the provision of an alternative right of way was not required and subject to the prescribed process including public consultation being followed.

Cabinet Members having been advised that appropriation for planning purposes enabled powers to be used which would give greater certainty and speed to the development and delivery process for a strategically important housing site, it was:-

12. RESOLVED that:-

- (i) approval be given for the Council-owned land at Chapelgarth, identified edged in bold black line on the plan contained in Appendix 1 to the report (“the Site”), be no longer required by the Council for the purpose for which it is currently held by the Council, namely as housing land;

- (ii) the Site be appropriated for planning purposes pursuant to Section 122 of the Local Government Act 1972 (“the 1972 Act”) (within the meaning of Section 246 of the Town and Country Planning Act (“the 1990 Act”)); and
- (iii) the Executive Director of Commercial Development and the Head of Law and Governance be authorised to take all necessary action in order to implement the above.

Councillors Speding and Watson were readmitted to the meeting and Councillor Watson resumed the Chair.

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

At the instance of the Chairman it was: -

13. 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, H. TRUEMAN,
 Chairman. 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.

