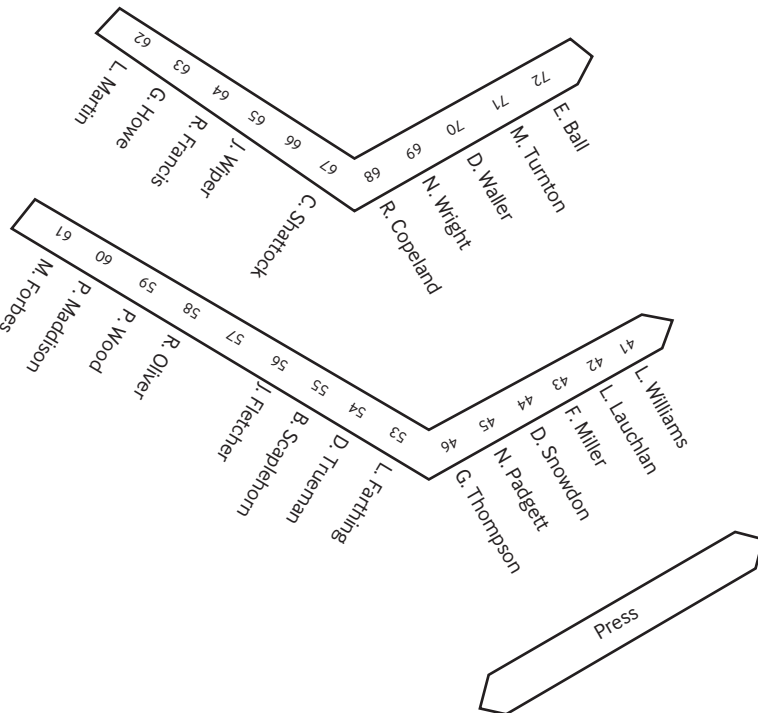


Head of Law and Governance  
E. Waugh

Mayor  
I W Kay

Chief Executive  
D. Smith

Deputy Mayor  
R. Heron





CIVIC CENTRE,  
SUNDERLAND  
14th September, 2012

**TO THE MEMBERS OF SUNDERLAND CITY COUNCIL**

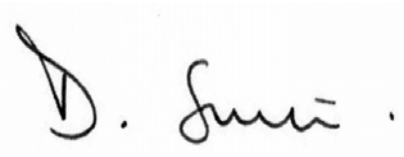
**YOU ARE SUMMONED TO ATTEND A MEETING** of Sunderland City Council to be held in the Council Chamber, Civic Centre, Sunderland, on **WEDNESDAY, 26TH SEPTEMBER, 2012** at **6.00 p.m.**, at which it is proposed to consider and transact the following business, viz:-

Item	Page
1. To read the Notice convening the meeting.	
2. To approve the minutes of the ordinary meeting of the Council held on 20th June 2012 (copy herewith) and the extraordinary meetings held on 30th July 2012 (copy herewith) and 12th September 2012 (copy to follow).	1
3. Receipt of Declarations of Interest (if any).	
4. Announcements (if any) under Rule 2(iv).	
5. Reception of Petitions.	
6. Apologies.	
7. Report of the Cabinet (copy herewith).	23
8. Report of the Audit and Governance Committee (copy herewith).	87

Contact: Lee Stoddart, Governance Services Manager      Tel: 0191 561 1007  
Email: [lee.stoddart@sunderland.gov.uk](mailto:lee.stoddart@sunderland.gov.uk)

Information contained in this agenda can be made available in other languages and formats on request.

9. **Written Questions (if any) under Rule 8.2.**
- 10 **To receive a report on action taken on petitions. 95**
11. **To consider the attached motions. 99**
12. **To consider the undermentioned reports:-**
- (i) **Quarterly Report on Special Urgency Decisions – Report of the Leader (copy herewith), and 103**
- (ii) **Appointments to Committees and Outside Bodies – Human Resources Committee, Children’s Trust, Adult Partnership Board, Sunderland AFC Foundation Partnership Board and Appeals under the Education Acts - Constitution of Panel Members– Report of the Executive Director of Commercial and Corporate Services (copy herewith). 107**

A handwritten signature in black ink, appearing to read "D. Smith", is written on a light-colored background.

**CHIEF EXECUTIVE**

# ***Minutes***



## Sunderland City Council

At a meeting of SUNDERLAND CITY COUNCIL held in the CIVIC CENTRE on WEDNESDAY, 20<sup>th</sup> JUNE, 2012 at 6.00 p.m.

**Present:** The Mayor (Councillor I. Kay) in the Chair

Councillors	Allan	Forbes	Mordey	Trueman, D.
	Anderson	Foster	Oliver	Trueman, H.
	Atkinson	Francis	Padgett	Turton
	Ball	Gibson, E	Price	Tye
	Bell	Gibson, P	Richardson, D.	Wakefield
	Blackburn	Gofton	Scanlan	Walker
	Bonallie	Howe	Scaplehorn	Waller
	Copeland	Jackson	Scott	Watson, P.
	Curran	Kelly	Smiles	Watson, S.
	Davison	Lawson	Smith, D	Williams
	Dixon	McClennan	Smith, P.	Wilson, A.
	Ellis	MacKnight	Snowdon, D	Wilson, D.
	Emerson	Marshall	Snowdon, DE	Wiper
	Errington	Martin, L	Speding	Wood
	Essl	Martin, T	Stewart	Wright, N
	Farthing	Miller, F	Tate	Wright, T.H.
	Fletcher	Miller, G	Thompson	

The notice convening the meeting was read.

### Minutes

RESOLVED that the minutes of the Annual Meeting of the Council held on 16<sup>th</sup> May, 2012 (copy circulated) be confirmed and signed as a correct record subject to the typographical error in the date being amended from June to May and to the reference to the Mayoress in the Mayor's Announcements being amended to read "the Mayoress, Councillor Barbara McClennan."

### Declarations of Interest

There were no declarations of interest made.

### Announcements

#### (i) Chartered Institute of Personnel Development Awards

At the invitation of the Mayor, the Deputy Leader of the Council, Councillor H. Trueman informed the meeting of the Council's success

at the prestigious Chartered Institute of Personnel and Development Awards ceremony held at the NewcastleGateshead Hilton on 3<sup>rd</sup> May, 2012, winning the award for Change Management Project of the Year.

**(ii) Extraordinary Meeting of the Council**

The Mayor advised Members that there was a likelihood that an extraordinary meeting of the Council would be called in July to deal with the appointment of the independent member to the new Standards Committee and to appoint representatives on the Northumbria Police and Crime Panel. The date of the meeting was likely to be Wednesday the 25<sup>th</sup> July at 6:00pm however this would be confirmed to Members nearer the time.

**(iii) Olympic Torch Relay in Sunderland**

The Mayor informed Members of the success of the weekend's events surrounding the Olympic Torch Relay in Sunderland. An estimated 17,000 people came out to watch the torch relay and over 4000 people attended the Blue Peter Big Olympic Tour at Herrington Country Park. Celebrities at Herrington Country Park on the day included Kris Akabuse, Joe McEldery, Helen Skelton, Barney Harwood from Blue Peter and Matt Baker. In all, there were 39 torch bearers on the Sunderland Route including Steve Cram. Members proceeded to enjoy a short video of the weekend's events.

**Reception of Petitions**

RESOLVED that the under mentioned petition, submitted by the Councillor named, be received and referred for consideration in accordance with the Council's Petitions Scheme: -

Cllr. D. Waller – Petition against the closure of Grindon Minor Injuries Unit

**Apologies for Absence**

Apologies for absence were submitted to the meeting on behalf of Councillors Farr, Heron, Lauchlan, Porthouse, Rolph and Shattock.



**The Cabinet reported and recommended as follows: -**

**1. City of Sunderland Local Development Framework : Core Strategy Revised Preferred Options and Supporting Evidence Papers**

That they had given consideration to a report of the Deputy Chief Executive (copy circulated) on the Sunderland Core Strategy Revised Preferred Options for public consultation which also sought the endorsement of Cabinet to the three updated evidential papers regarding the Retail Needs, Employment Land and the Strategic Housing Land Availability Assessment.

The Cabinet endorsed the contents of the Sunderland Retail Needs Update, the Employment Land Update and the Strategic Housing Land Availability Assessment so that they could be used as:

- (a) Part of the evidence base to inform the emerging Local Development Framework, and
- (b) Material considerations in determining planning applications.

Accordingly the Cabinet recommended the Council to:

- (i) Approve the Sunderland Core Strategy Revised Preferred Options (including the Sustainability Appraisal and Appropriate Assessment reports) for the purposes of public consultation and as a material consideration in assessing planning applications, pending its finalisation following public consultation; and
- (ii) Authorise the Deputy Chief Executive to make any required amendments to the Sunderland Core Strategy Preferred Options (including the Sustainability Appraisal and Appropriate Assessment reports) as necessary prior to its publication for public consultation.

They had also referred the matter to the Scrutiny Committee and the Planning and Highways Committee for advice and consideration. The Planning and Highways Committee had noted the report and supported the Cabinet's recommendations to Council

The Scrutiny Committee had welcomed the report and supported the preferred options for consultation. In particular Members welcomed policy CS4 (Connecting the City) and saw potential benefits of an enhanced road network and improved connectivity to the seafront and other areas of the City. Members also welcomed opportunities to provide further comment on local issues as part of and following the public consultation process.

## **2. Corporate Plan 2012/13 - 2014/15**

That they had given consideration to a report of the Chief Executive (copy circulated) on the Corporate Plan 2012/13 - 2014/15. The Corporate Plan was a key element of the Council's Corporate Strategic Planning Framework and its purpose was to provide a clear articulation of the Council's strategic direction centred on the purpose, vision, priorities and outcomes described in the Corporate Outcomes Framework

Accordingly the Cabinet recommended the Council to:-

- (i) endorse the contents of and approve the Corporate Plan 2012/13 - 2014/15 and
- (ii) delegate the final approval to the Leader and Chief Executive and authorised the Chief Executive, in consultation with the Leader, to make any minor or final amendments to the Plan, and
- (ii) authorise the Chief Executive, in consultation with the Leader, to approve a summary version of the Corporate Plan and to make any minor or final amendments to the summary.

They had also referred the matter to the Scrutiny Committee for advice and consideration. The Scrutiny Committee had supported Cabinet's recommendations to Council.

## **3. Review of Committee Arrangements – Consequential Changes**

That they had given consideration to a joint report of the Chief Executive and the Executive Director of Commercial and Corporate Services and an addendum thereto (copies circulated) to address consequential changes required to reflect requirements of the Localism Act 2011 regarding overview and scrutiny which had now been brought into force, and decisions made by the Leader and the Council to make changes to Executive and Committee arrangements, and to amend the constitution accordingly.

The Cabinet recommended Council:-

- (a) To amend the Constitution as set out in the report in order to
  - reflect changes to support arrangements for Cabinet, and the number of Scrutiny Committees and to take account of provisions relating to Overview and Scrutiny introduced by the Localism Act 2011.

- provide for a Human Resources Committee comprised of 12 members, to exercise functions in relation to appointments as provided for by the Employment Procedure Rules and non-executive functions relating to human resources and pensions that are not otherwise delegated.

- (b) To appoint to following members to the Human Resources Committee:-

Councillor Errington  
Councillor Gofton  
Councillor Mordey  
Councillor Speding  
Councillor D Trueman  
Councillor H Trueman  
Councillor P Watson  
Councillor S Watson  
Councillor C Wakefield  
Councillor A Wilson  
Councillor P Wood

(1 Majority Group Vacancy) and,

- (c) To authorise the Head of Law and Governance to make such other consequential changes that are required to the Constitution to ensure consistency with the approval of the matters set out in (a) and (b) above.

The Leader of the Council, duly seconded by the Deputy Leader of the Council, moved the report of the Cabinet.

Upon the Report of the Cabinet being put to the meeting, it was: -

RESOLVED that the comments of the planning and Highways Committee and the Scrutiny Committee be noted and that the report of Cabinet be approved and adopted.

**The Standards Committee reported and recommended as follows: -**

**1. Localism Act 2011 – The Amended Standards Regime**

That they had given consideration to a report by the Head of Law and Governance (copy circulated) outlining the changes to the Standards Regime made by the Localism Act 2011 which were expected to come into force with effect from 1<sup>st</sup> July 2012 and setting out a number of issues that must be determined by the Council regarding the new regime.

The Standards Committee accordingly made the following recommendations to Council to take effect from the implementation of the new Standards Regime:-

### **Terms of Reference of the New Standards Committee**

- 1) to agree the proposed terms of reference for the new Standards Committee set out in Appendix 1 of the report;

### **The Code of Conduct**

- 2)
  - (a) that the draft North East Region Code at Appendix 3 of the report be adopted as the basis of the new Code of Conduct, subject to the Monitoring Officer preparing a final draft to be put to Council after taking into account the Government regulations on Disclosable Pecuniary Interests (DPIs) and that if it was not possible to bring in the new Code by 1<sup>st</sup> July, 2012 that the Council considered extending the operation of the existing Code of Conduct until such time as the new Code was available; and
  - (b) that the Protocols listed in Annex 3 of the draft Code of Conduct (as amended from time to time) be incorporated in the Code.

### **Arrangements for Dealing with Complaints**

- 3)
  - (a) That the Monitoring Officer be appointed as the Proper Officer to receive complaints of failure to comply with the Code of Conduct;
  - (b) That the Monitoring Officer be given delegated power, after consultation with the Independent Person(s), to determine whether a complaint merits formal investigation and to arrange such investigation. She be instructed to seek resolution of complaints without formal investigation wherever practicable, and that she be given discretion to refer decisions on investigation to the Standards Committee where she feels that it is inappropriate for her to take the decision, and to report regularly to Standards Committee on the discharge of this function;
  - (c) That in deciding whether a complaint should be investigated, the Monitoring Officer or Standards Committee as appropriate, take into account the criteria at Appendix 4 and that the Standards Committee be given delegated power to amend those criteria from time to time as it thinks appropriate.

- (d) Where an investigation finds no evidence of failure to comply with the Code of Conduct, the Monitoring Officer be authorised to close the matter (unless she considers it appropriate after consulting the Independent Person(s) to refer the findings to the Standards Committee to decide if a hearing is nevertheless called for), providing a copy of the report and findings of the investigation to the complainant and to the member concerned, and to the Independent Person(s), and reporting the findings to the Standards Committee for information;
- (e) Where an investigation finds evidence of a failure to comply with the Code of Conduct, the Monitoring Officer, in consultation with the Independent Person, be authorised to seek local resolution to the satisfaction of the complainant in appropriate cases, with a summary report for information to the Standards Committee. Where such local resolution is not appropriate or not possible, she is to report the investigation findings to the Standards Committee for local hearing;
- (f) The Standards Committee be delegated such of its powers as can be delegated to take decisions in respect of a member who is found on hearing to have failed to comply with the Code of Conduct, such actions to include –
- Issuing a formal censure by the Committee;
  - Recommending to full Council, or to Hetton Town Council, the issue of a formal censure by the Council or by the Town Council;
  - Referral of its findings to full Council, or to Hetton Town Council, for information;
  - Publication of its findings by such means as the Committee thinks fit;
  - Recommending to the Council, or to Hetton Town Council, that the member be removed from any or all Committees or Sub-Committees (subject to the approval of the member's Group if applicable);
  - Recommending to the Leader of the Council that the member be removed from the Cabinet, or removed from particular Portfolio responsibilities;
  - Recommending to the Council, or to Hetton Town Council, that the member be removed from all outside appointments to which she/he has been appointed or nominated by the Council or by Hetton Town Council;
  - Instructing the Monitoring Officer to, or recommending that Hetton Town Council, offer training to the member; or

- Recommending to the Council, or to Hetton Town Council, that it exclude the member from the Council's offices or other premises or facilities, to the extent desirable and so as not to interfere with the democratic process, in particular the member's ability to carry out his or her role as an elected member;
  - Such other recommendations as the Committee may think appropriate.
- (g) That the arrangements for dealing with complaints include provision for a right of review in respect of any finding of a breach of the Code or of a decision to impose any of the sanctions referred to above for a member who is aggrieved by such a finding or decision of the Standards Committee by allowing the member to request a review by an Independent Person of another local authority whose views, if critical of the original finding or sanction imposed, will result in the Standards Committee being required to reconsider its original decision. The Monitoring Officer be authorised to arrange with one of the Council's neighbouring authorities that one of its Independent Persons be made available for this purpose.
- (h) That the Monitoring Officer in due course prepare a written version of the agreed Arrangements for publication, to include a template Form of Complaint and procedures to be followed for any investigation or local determination of a complaint and that the new Standards Committee be given delegated power to adopt and amend those procedures from time to time as it thinks appropriate.

#### **Preparation of the Registers**

- 4) (a) That the Monitoring Officer prepares and maintains a new register of members' interests to comply with the Act and the Council's Code of Conduct, once adopted, and ensure that it is available for inspection as required by the Act;
- (b) That the Monitoring Officer ensures that all members are informed of their duty to register interests;
- (c) That the Monitoring Officer prepares and maintains a new register of members' interests for Hetton Town Council to comply with the Act and any Code of Conduct adopted by Hetton Town Council and ensure that it is available for inspection as required by the Act.

## **Standing Orders**

- 5) That a Standing Order be adopted which equates to the current Code of Conduct requirement that a member must withdraw from the meeting room, including from the public gallery, during the whole of consideration of any item of business in which he or she has a DPI, except where permitted to remain as a result of a dispensation as set out below;-
- (i) An additional Rule of Procedure be inserted after Council Rule of Procedure 20 as follows:  
  

*“21. A member must withdraw from the meeting room (including from the public gallery) during the whole of the consideration of any item of business in which he or she has a Disclosable Pecuniary Interest, except where permitted to remain as a result of a dispensation”* and
  - (ii) Rule of Procedure 21 be renumbered to 22 and amended to reflect that the new Rule of Procedure 21 applies to meetings of the Council and committees.
  - (iii) Rule 1.5 of the Executive Procedure Rules be renamed *“Conflicts and Declarations of Interest and Withdrawal From Meetings”* and an additional paragraph (d) be added to 1.5 in the same terms as the Rule of Procedure referred to in paragraph (i) above.

## **Arrangements for Granting Dispensations**

- 6) That the power to grant dispensations be delegated
- (a) on the Grounds set out in paragraphs 9.3.1 and 9.3.4 of the report to the Monitoring Officer with an appeal to Standards Committee, and
  - (b) on Grounds 9.3.2, 9.3.3 and 9.3.5 to the Standards Committee.

## **2. Addendum to Report of the Standards Committee – Localism Act 2011 – The Amended Standards Regime**

The Executive Director of Commercial and Corporate Services and Head of Law and Governance submitted an addendum report (copy circulated) on the issue of the regulations on Disclosable Pecuniary Interests (DPIs) together with the issue of a commencement and transitional provisions order, which confirmed the implementation date of the new arrangements as 1 July 2012.

(For copy addendum – see original minutes).

The report recommended :-

1. That the Council approve and adopt a new Code of Conduct as set out in the annex to the addendum, to take effect from implementation of the new standards regime on 1 July.
2. That the Council confirms the decision made at Annual Council to continue to have a Standards Committee which, with effect from 1 July, will be comprised of 8 elected members and 2 non-voting co-opted members appointed by Hetton Town Council as follows:-

### **8 Members (7:1:0)**

Councillor MacKnight  
Councillor Marshall  
Councillor Mordey  
Councillor Price  
Councillor Shattock  
Councillor H. Trueman  
Councillor Richardson

Councillor Forbes

### **Co-opted Members (non-voting)**

### **2 Members of Hetton Town Council nominated by the Town Council**

Councillor Hepple  
Councillor Wilkinson

Chairman Councillor H. Trueman  
Vice-Chairman Councillor Shattock



Councillor Tate, duly seconded by Councillor Forbes, moved the report of the Standards Committee.

Upon the Report of the Committee being put to the meeting, it was: -

RESOLVED that the report of the Standards Committee be approved and adopted.

## **Written Questions under Rule 8.2**

Pursuant to Rule 8.2 of the Council Rules of Procedure, Members of the Council asked questions of the Leader and Members of the Executive.

## **Notices of Motion**

### **(i) Notice of Motion – Supporting Sunnside Traders**

Councillor Oliver, seconded by Councillor Wood, moved a motion in support of traders in Sunnside.

Upon being put to the meeting, the motion was carried unanimously and it was: -

RESOLVED that this council acknowledges the challenges of the regeneration of Sunnside and pledges to do all it can to support traders there.

### **(ii) Notice of Motion – Child Poverty**

Councillor P. Smith, seconded by the Deputy Leader, moved a motion in relation to Child Poverty:-

Upon being put to the vote the motion was carried with 61 Members voting in favour, viz:-

The Mayor (Councillor Kay) in the Chair

Councillors	Allan	Farthing	Mordey	Thompson
	Anderson	Fletcher	Padgett	Trueman, D.
	Atkinson	Foster	Price	Trueman, H.
	Ball	Gibson, E	Richardson, D.	Turton
	Bell	Gibson, P	Scanlan	Tye
	Blackburn	Gofton	Scaplehorn	Wakefield
	Bonallie	Jackson	Scott	Walker
	Copeland	Kelly	Smiles	Waller
	Curran	Lawson	Smith, D	Watson, P.
	Davison	McClennan	Smith, P.	Watson, S.

Dixon	MackKnight	Snowdon, D	Williams
Ellis	Marshall	Snowdon, DE	Wilson, A.
Emerson	Martin, T	Speding	Wilson, D.
Errington	Miller, F	Stewart	Wright, N
Essl	Miller, G	Tate	Wright, T.H.

5 members voting against, viz:-

Councillors	Francis	Oliver	Wiper	Wood
	L. Martin			

And no Members abstaining from the vote

Accordingly, it was:-

RESOLVED that this Council notes that, before 2009, the Labour government's wide-ranging approach to child poverty, encompassing measures like tax credits, cash transfers and accessible public services, was successful in reducing the risk of child poverty.

And that the recent UNICEF report of 29 May 2012 indicates that the Coalition Government will put that into reverse - with potentially devastating effects for children. Indeed, it seems children are falling off the agenda in the cause of deficit reduction.

We ask the government to stop implementing policies which adversely affect the well being of our Children.

### **Scrutiny Matters – Annual Report 2011/2012**

The Chief Executive submitted the Annual Scrutiny Report (copy circulated) which summarised the work of the seven former Scrutiny Committees during the year 2011/2012:-

(For copy report – see original minutes).

Councillor Tate, duly seconded by Councillor A. Wilson, moved the combined Annual Report of the Scrutiny Committees and it was:-

RESOLVED that the Annual Report be received and noted.

### **Area Committees – Annual Report 2011/2012**

The Chief Executive submitted the first combined Area Committees Annual Report (copy circulated) which summarised the work of five Area Committees during the year 2011/2012:-

(For copy report – see original minutes).

Councillor Gofton, duly seconded by Councillor S. Watson, moved the combined Annual Report of the Area Committees and it was:-

RESOLVED that the Annual Report be received and noted.

### **Quarterly Report on Special Urgency Decisions**

The Leader of the Council submitted a quarterly report (copy circulated) on executive decisions which had been taken under Rule 16 of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000.

(For copy report – see original minutes).

RESOLVED that the report be noted.

### **Appointments to Committees and Outside Bodies – Appointments to Outside Bodies – Limestone Landscapes Partnership, Standing Advisory Council on Religious Education Agreed Syllabus Conference, Tyne and Wear Integrated Transport Authority Bus Strategy Working Group / Scrutiny Committee, North Eastern Inshore Fisheries and Conservation Authority, Youth Almighty Project, Sandhill View Youth Project (A690) and Grindon Young People's Centre**

The Executive Director of Commercial and Corporate Services submitted a report (copy circulated) requesting Council to consider appointments to the Limestone Landscapes Partnership, the Standing Advisory Council on Religious Education, Agreed Syllabus Conference, the Tyne and Wear Integrated Transport Authority (ITA) Bus Strategy Working Group, the North Eastern Inshore Fisheries and Conservation Authority, the Youth Almighty Project, Sandhill View Youth Project (A690) and the Grindon Young People's Centre. In addition, the Council was asked to note changes in relation to the ITA Scrutiny Committee.

(For copy report – see original minutes).

The Leader moved the recommendations contained within the report and was duly seconded by the Deputy Leader

RESOLVED that approval be give to the: -

- (i) the appointment of Councillor T Wright as the Council's representative on the Limestone Landscapes Partnership in place of the Cabinet Secretary,

- (ii) the establishment of an Agreed Syllabus Conference as outlined in paragraphs 3.1 and 3.2 of the report and the appointment of Councillors Francis, Marshall, P. Smith, Stewart and Williams as the Council's representatives on the Conference. In addition, that the Executive Director of Children's Services be granted delegated authority to approve the appointment of all external body representatives on both SACRE and the Agreed Syllabus Conference,
- (iii) the appointment of Councillor B. Curran as the Council's representative to serve on the ITA Bus Strategy Working Group in place of the Portfolio Holder for City Services and that the changes in relation to the ITA Scrutiny Committee as outlined in paragraph 4.3 of the report be noted,
- (iv) the appointment of Councillor R. Atkinson as the Council's representative on the North Eastern Inshore Fisheries and Conservation Authority,
- (v) the appointment of Councillor R. Atkinson as the Council's representative on the Youth Almighty Project,
- (vi) the appointment of Councillor D. Waller as the Council's representative on the Sandhill View Youth Project (A690), and
- (vii) the appointment of Councillor M. Turton as the Council's representative on the Grindon Young People's Centre.

### **Approval of Reason for Failure to Attend Meetings – Councillor K Rolph**

The Executive Director of Commercial and Corporate Services submitted a report (copy circulated) which sought the approval of the Council, under Section 85 (1) of the Local Government Act 1972, to the reason for Councillor Rolph's current inability to attend meetings due to illness.

(For copy report – see original minutes).

The Leader moved the recommendation contained within the report and was duly seconded by the Deputy Leader

RESOLVED that approval be given to Councillor Rolph's reason for failure to attend meetings in accordance with Section 85(1) of the Local Government Act 1972

(Signed) I. KAY  
Mayor.

# Sunderland City Council

At an extraordinary meeting of SUNDERLAND CITY COUNCIL held in the CIVIC CENTRE on MONDAY 30 JULY 2012 at 6.00pm

**Present:** The Mayor (Councillor Kay) in the Chair

Councillors	Allan Anderson Atkinson Ball Bell Blackburn Bonallie Copeland Curran Dixon Emerson Essl Farr Farthing Fletcher Forbes Foster	Francis Gibson, E Gibson, P Gofton Howe Jackson Kelly Lauchlan Lawson Macknight Maddison Marshall Martin, L Martin, T McClennan Miller, G Mordey	Oliver Padgett Porthouse Price Richardson, D Scanlan Scaplehorn Scott Shattock Smiles Smith, P Snowdon, D Snowdon, D E Speding Stewart Tate	Thompson Trueman, D Trueman, H Turton Tye Wakefield Walker Waller Watson, P Watson, S Williams Wilson, A Wilson, D Wiper Wood Wright, T
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The notice convening the meeting was read.

## Declarations of Interest

There were no declarations of interest.

## Apologies

Apologies for absence were received from Councillors Davison, Ellis, Errington, Heron, F Miller, Rolph, D Smith and N Wright.

## The Cabinet reported and recommended as follows: -

### 1. Transition from Early Implementer to Shadow Health and Wellbeing Board

That they had given consideration to a joint report of the Chief Executive and the Executive Director of Health, Housing and Adult Services which set out the next stage of transition from an Early Implementer to a Shadow Health and Wellbeing Board.

The Cabinet recommended that the Council:

- (i) endorse the transition to Shadow Board status;
- (ii) approve the representation of nominated elected members on the Shadow Board as stated in the revised terms of reference;
- (iii) note that the Children's Trust and the Adults' Board will act in an advisory capacity to the Shadow Board; and
- (iv) note the developmental work programme of the Board and that as a consequence further changes may be made.

## **2. Revenue Budget Outturn for 2011/2012 and First Revenue Review 2012/2013**

That they had given consideration to a report of the Executive Director of Commercial and Corporate Services setting out details of the Revenue Budget Outturn 2011/2012 and the First Revenue Budget Review 2012/2013 and specifically the approval of the virement of funds which referred to a transfer of £7.584m under spending on the budget for 2011/2012 to the Strategic Investment Reserve to support one off transitional costs from the implementation of budget savings proposals in 2012/2013 and future years, and the potential costs of equal pay.

They had also referred the matter to the Scrutiny Committee for advice and consideration in relation to the issues of virement. The Scrutiny Committee had supported the Cabinet recommendation to approve the virement and had recognised the positive outturn on the budget for 2011/2012 which would assist the Council with the implementation of budget savings proposals in 2012/2013 and future years.

The Cabinet recommended that the Council approve the virement as detailed above.

## **3. First Capital Review 2012/2013 (including Treasury Management)**

That they had given consideration to a report of the Executive Director of Commercial and Corporate Services which detailed: -

- reprofiling of projects since the Capital Programme for 2012/2013 was first approved in March and also taking account of the Capital Programme Outturn for 2011/2012;
- the inclusion of additional schemes and revisions to costs and resourcing for 2012/2013 since the Capital Programme Review was approved;
- the progress in implementing the Treasury Management Strategy for 2012/2013.

They had also referred the matter to the Scrutiny Committee for advice and consideration. The Scrutiny Committee had supported the Cabinet's

recommendation to approve the proposed variation to the Capital Programme for 2012/2013 to include the additional schemes with an estimated cost on excess of £250,000 which had been set out in the extract below:

<b>Additional Schemes - Fully Funded</b>	<b>£000</b>
<b>Leader</b>	
Newcastle International Airport Ltd - to increase the 2012/2013 Capital Programme by a maximum of £20million in order that the Council may participate in the re-financing of existing debt portfolio in respect of Newcastle International Airport Ltd. The proposal can be financed through prudential borrowing which has been provided for within headroom included in the approved Treasury Management Strategy/Prudential Indicators for 2012/2013 in March 2012 and by temporary use of internal resources to maximise the financial position for the Council. It is envisaged that the interest and dividends receivable over the course of the financing period will compensate for any additional costs of borrowing incurred by the Council on a worst case scenario basis and that as such the transaction is expected to be at least revenue neutral. A full business case for the potential transaction will be considered at a future Cabinet meeting.	20,000
<b>City Services</b>	
Better Bus Areas Fund – Improvements to Borough Road bus areas and for the provision of Intelligent Transport Systems to 5 key bus corridors fully funded from grant from the Department for Transport	410

The Cabinet recommended that the Council approve the additional schemes with an estimated cost in excess of the £250,000 for inclusion in the capital programme for 2012/2013 as set out above.

The Leader of the Council, duly seconded by the Deputy Leader, moved the report of the Cabinet.

Councillor Oliver, seconded by Councillor Wood, moved that Item 3 of the Cabinet Report, First Capital Review 2012/2013 (including Treasury Management), be referred back to the Cabinet for further consideration and more information on the benefits of participating in the refinancing of Newcastle International Airport Limited.

Upon being put to the vote, the reference back was defeated with 58 members voting against: -

The Mayor (Councillor Kay)

Councillors	Allan Anderson Atkinson	Foster Gibson, E Gibson, P	Porthouse Price Richardson, D	Thompson Trueman, D Trueman, H
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Ball	Gofton	Scanlan	Turton
Bell	Jackson	Scaplehorn	Tye
Blackburn	Kelly	Scott	Wakefield
Bonallie	Lauchlan	Shattock	Walker
Copeland	Lawson	Smiles	Waller
Curran	Macknight	Smith, P	Watson, P
Dixon	Marshall	Snowdon, D	Watson, S
Emerson	Martin, T	Snowdon, D E	Williams
Essl	Miller, G	Speding	Wilson, A
Farr	Mordey	Stewart	Wilson, D
Farthing	Padgett	Tate	Wright, T
Fletcher			

And 8 members voting for: -

Councillors	Forbes	Howe	L Martin	Wiper
	Francis	Maddison	Oliver	Wood

Upon the Report of the Cabinet being put to the meeting, it was: -

RESOLVED that the views of the Scrutiny Committee be noted and the report of the Cabinet be approved and adopted.

### **Localism Act 2011 – Appointment of Independent Persons**

The Head of Law and Governance submitted a report outlining the recent process which had been undertaken to appoint independent persons under the Localism Act 2011.

The Localism Act 2011 required the Council to appoint at least one independent person whose views must be sought and taken into account before the Standards Committee makes a decision in respect of an allegation against a Member which has been investigated. A Member who is the subject of a misconduct complaint may also seek the views of the independent person.

The Council had resolved, at its meeting on 28 March 2012, that two independent persons be appointed and the posts were advertised jointly with the other Tyne and Wear Authorities and Northumberland County Council. A panel drawn from the Standards Committee considered applications and carried out interviews and accordingly has recommended that the Council appoint Mr Anthony Atkinson and Mrs Sheba Joseph to the posts.

Councillor H Trueman, duly seconded by Councillor Shattock, moved the recommendation as set out in the report.



RESOLVED that the Council appoint Mr Anthony Atkinson and Mrs Sheba Joseph to the posts of independent persons, pursuant to the requirements of the Localism Act 2011, for a period of two years, with the provision for the Council to extend for a further period of three years, without re-advertising the posts.

**Appointments to Committees and Outside Bodies – the Scrutiny Committee and the Northumbria Police and Crime Panel**

The Executive Director of Commercial and Corporate Services submitted a report requesting the Council to consider appointments to the Scrutiny Committee and the Northumbria Police and Crime Panel.

The Leader moved the recommendations set out in the report and was duly seconded by Councillor H Trueman and it was:-

RESOLVED that approval be given to: -

- (i) the appointment of Ms R Elliott and Ms H Harper as the two Parent Governor representatives on the Scrutiny Committee; and
- (ii) the nominations of the Leader of the Council and Councillor Gofton to the Northumbria Police and Crime Panel, with the Deputy Leader and Councillor S Watson as substitutes respectively.

The Mayor then closed the meeting having thanked everyone for their attendance and contributions to the meeting.

(Signed) I KAY  
Mayor



# ***Report of the Cabinet***



**The CABINET reports and recommends as follows:-**

**1. Food Law Enforcement Service Plan 2012/2013**

That they have given consideration to a report of the Executive Director of City Services (copy attached) on the Council's Food Law Enforcement Service Plan for 2012/2013.

They also referred the matter to the Scrutiny Committee for advice and consideration. The Scrutiny Committee endorsed the Food Law Enforcement Service Plan for 2012/2013 and recommended that the Cabinet submit the Service Plan to Council for approval.

Accordingly the Cabinet recommends to Council to approve the Food Law Enforcement Service Plan for 2012/2013.

**2. Sunderland City Council Draft Greenspace Audit and Report 2012 & Draft Ecological Evidence Base for Sunderland's Local Development Framework 2012**

That they have given consideration to a report of the Deputy Chief Executive (copy attached) on the 2012 Draft Sunderland Greenspace Audit and Report and 2012 Draft Ecological Evidence Base for public consultation, and to seek its approval for its use in developing the Local Development Framework.

They also referred the matter to the Planning and Highways Committee and the Scrutiny Committee for advice and consideration. The Planning and Highways Committee endorsed the report and the Scrutiny Committee commended the report for public consultation and welcomed the plans for its further consultation and development with the Council's Area Committees.

Accordingly the Cabinet recommends to Council to:-

- (i) approve the Draft Greenspace Audit and Report and 2012 Draft Ecological Evidence Base for consultation purposes,
- (ii) following the close of the consultation and in consultation with the appropriate Portfolio holder, to authorise the Deputy Chief Executive to make any minor amendments to the report prior to its adoption. The final report will be used:

- a. As part of the evidence base to inform the emerging Local Development Framework, and
- b. As a material consideration in determining planning applications.

**3. Sure Start Review and an Integrated Early Intervention Service – Implementation Update**

That they have given consideration to a report of the Executive Director of Children's Services (copy attached) to provide an update on the current position in relation to the development of an early intervention service which includes services delivered as part of the former Sure Start, Early Years and Childcare Grant (SSEYCG).

Accordingly the Cabinet recommends to Council to approve the proposal at 6.1 and 6.2 of the report to invite the five members appointed to the position of chair of the locality People Boards to join the membership of the Local Children's Area Board for their locality.

**4. Review of Members' Allowances Scheme by the Independent Remuneration Panel**

The attached joint report of the Chief Executive and the Executive Director of Commercial and Corporate Services on the outcome of the Independent Remuneration Panel's Review of Members' Allowances is to be considered by the Cabinet at its meeting to be held on 18 September 2012. The recommendations of the Cabinet will be reported to this meeting of the Council.

It is recommended that consideration be given to the attached report in the light of recommendations of the Cabinet.

**CABINET**

**18<sup>th</sup> JULY 2012**

**FOOD LAW ENFORCEMENT PLAN 2012/13**

**REPORT OF THE EXECUTIVE DIRECTOR OF CITY SERVICES**

**1. Purpose of the Report**

The purpose of the report is to advise Cabinet of the Food Law Enforcement Service Plan for 2012/13.

**2. Description of Decision (Recommendations)**

Cabinet is recommended to refer the Food Law Service Plan for 2012/13 to Scrutiny Committee for further consideration.

**3. Introduction/Background**

- 3.1 The Food Standards Agency is an independent food safety watchdog set up by Act of Parliament in 2000 to protect the public health and consumer interests in relation to food.
- 3.2 The White Paper "The Food Standards Agency – A Force for Change" identified that Food Standards Agency as having a key role overseeing local authority enforcement activities. The Agency is therefore proactive in setting and monitoring standards and auditing local authorities' enforcement activities to ensure that they are effective and undertaken on a more consistent basis.
- 3.3 Service Plans for food safety enforcement activities are seen to be an important part of the process to ensure that national priorities and standards are addressed and delivered locally. It was recognized by both central and local government that central guidance on the content of local service plans for food enforcement work would be helpful to local authorities.
- 3.4 The Food Standards Agency Framework Agreement has been developed in close partnership with the Local Government Regulation (LGR) and the Local Government Association. They have recommended a format for food enforcement service plans and given detailed guidance on the content of the plan.

#### **4. Current Position**

- 4.1 The Food Law Enforcement Service Plan 2012/13 has been developed to comply with the recommendations of the Food Standards Agency's Framework Agreement. It would be necessary to produce this plan in the event of an audit by the Agency.

#### **5. Reasons for the Decision**

- 5.1 The Food Standards Agency which monitors and audits local authority activities requires the Food Law Service Plans to be approved by Members to ensure local transparency and accountability. The plan forms part of the Council's policy and budgetary framework as defined in the Constitution.

#### **6. Alternative Options**

- 6.1 The option of not producing a Food Law Service Plan would place the authority at risk in the event of an audit or intervention by the Food Standards Agency. It would also weaken the Council's reputation and ability to influence businesses in this field. It has been discounted on these grounds.

#### **7. Impact Analysis**

##### **7(a) Equalities**

There are no direct equalities implications as a result of this decision. Equalities are embedded within the national framework with which the Food Law Service Plan complies.

##### **7(b) Sustainability**

The actions promoted by the Food Law Enforcement Service Plan seek to ensure the standards of food supplied within the City meet the requirements of food standards legislation.

#### **8. Other Relevant Considerations / Consultations**

- (a) **Financial Implications/ Sunderland Way of Working** – details of financial and budgetary details in this report have been extracted from information supplied by Executive Director of Commercial and Corporate Services.
- (b) **Risk Analysis** – failure to approve Plan would conflict with requirements of Food Standards Agency. Measures within the Plan promote the health of the population of the City.
- (c) **Employee Implications** – there are no employee implications resulting from this decision and the plan will be delivered through existing staff resources.



- (d) **Legal Implications** – .this decision ensures continued compliance with the requirements of the Food Standards Agency.
- (e) **Policy Implications** – this decision continues the policy approach established through the previous Food Law Service Plans.
- (f) **Health and Safety Considerations** – operational health and safety issues will not change as a result of this decision.
- (g) **Property Implications** – there are no property implications resulting from this Decision.
- (g) **Implications for Other Services** – there are no implications for other services as this decision continues the approach already in place for service delivery.
- (i) **The Public** – it is considered that this decision will have a positive impact on public health and wellbeing by ensuring a comprehensive and coordinated approach to food safety.
- (j) **Compatibility with European Convention on Human Rights** – this is embedded within the national framework with which the Food Law Service Plan complies.
- (k) **Project Management Methodology** – none required as this decision continues the approach already in place for service delivery.
- (l) **Childrens Services** – there are no direct implications for Children’s Services resulting from this decision.
- (m) **Procurement** – there are no procurement implications resulting from this decision.

## 9. Glossary

FSA Food Standards Agency.

## 10. List of Appendices

Appendix - Food Law Enforcement Service Plan 2012/13.

## 11. Background Papers

Framework agreement on Local Authority Food Law Enforcement.

**Sunderland City Council**  
**City Services, (Street Scene)**

Public Protection and Regulatory Services

**Food Law Enforcement Service Plan 2012/13**

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## **FOOD LAW ENFORCEMENT SERVICE PLAN 2012/13**

### **1. SERVICE AIMS AND OBJECTIVES**

#### **1.1 Aims and Objectives**

The Department's aim is to protect the health of all persons within the City in relation to food safety matters.

Our objectives are to proactively interact with food businesses within the City on a risk-based programme to improve the standard of food premises in the City. A variety of interventions are under consideration, with the Food Standards Agency approval, which will influence the actions at each premises during the year and the number of programmed inspections.

Alternative strategies to inspection for enforcing standards in lower-risk premises are still being considered regionally with other interventions being considered. We will undertake a programme of food sampling, both microbiological and compositional. We will also respond appropriately to all food complaints, food alerts and food poisoning incidents.

We will also educate and advise the public and the food trade in matters of food hygiene and safety. Officers from the Food team will undertake the inspection of ships visiting the Port in accordance with current guidance.

#### **1.2 Links To Corporate Objectives And Plans**

The Sunderland Strategy for the years 2008-2025 sets out the framework for the work of everyone in the council. The full document can be viewed on the council's website. The Environmental Health section, in relation to Food, can impact on all of the five strategic aims to a greater or lesser extent.

They are;

1. To create a strong and diverse local economy that will provide jobs and careers for people in the city now and in the future.
2. To create a city that provides excellent health and social care services, where residents are supported to make healthy life and lifestyle choices.
3. To make Sunderland a place where everyone feels welcome and can be part of a safe and inclusive community.
4. To create a thriving learning culture where everyone can be involved in learning.
5. To ensure that Sunderland becomes a clean, green city with a strong culture of sustainability.

Of the five priorities set to achieve the goals, the Food section will be involved with – Prosperous City, Healthy City, Safe City and Learning City.

#### **The Corporate Improvement Plan**

The Food teams are included in the following Corporate Improvement Objectives whilst undertaking their statutory and advisory roles;

- Delivering Customer Focused Services
- Being One Council
- Efficient and Effective Council
- Improving Partnership Working to deliver One City.

## **2. BACKGROUND**

### **2.1 Profile of the Local Authority**

Sunderland City Council covers an area of 138 sq. kilometres and contains a population of about 284,000. It is the largest City between Leeds and Edinburgh. The area is largely urban ("metropolitan") but contains a great diversity of settlements including the City Centre, Washington and former coalmining communities such as Houghton le Spring and Hetton le Hole.

### **2.2 Organisational Structure**

The Council through a Leader, Cabinet and a total of 75 Councillors covering 25 wards, has an annual estimated budget of approximately £253.7 million for 2012/13. The Council employs 12,803 different individuals working full and part time across the City in a wide variety of jobs. The most recent estimate of the number of Council staff (Full Time Equivalents) currently employed is 10,180.35

#### **Current Departmental Structure;**

Chief Executive + 4 Directorates; City Services, Children's Services, and Health, Housing and Adult Services, and Office of the Chief Executive.

#### **Structure of City Services**

City Services have four main service areas, Street Scene, Culture and Tourism, Customer Services and Community Services.

Street Scene includes the Public Protection and Regulatory Services division as well as Responsive Local Services, City-Wide Services, Highways and Transportation, Network Management, Cemeteries and Crematorium, Drainage, Grounds Maintenance, Refuse Collection and Street Cleaning.

Within Public Protection and Regulatory Services, (Environmental Health Section), the Commercial Food team and Health Promotion team are involved in food related matters and Trading Standards are involved in primary production and feedingstuffs control.

With regard to the line of Management for food matters, the Executive Director of City Services is the Chief Officer and the Assistant Head of Street Scene heads the Public Protection and Regulatory Services division. There is an Environmental Health Manager for Commercial sections and a Principal Environmental Health Officer responsible for food matters. The Assistant Head of Street Scene is also line manager to the Trading Standards and Licensing Manager, and Health Promotion Specialist.

This arrangement may change during 2012 as there is currently a Review of Regulatory Services being conducted.

### **2.3 Scope of the Food Service**

The activities relating to food in the City are undertaken between the Commercial Food team, Trading Standards team and the Health Promotion team.

This arrangement may change during 2012 as there is currently a Review of Regulatory Services being conducted.

The Commercial Food team currently carry out a programme of food hygiene and food standards inspection duties as well as responding to requests for service and infectious disease notifications. Sampling of foodstuffs, both microbiological and compositional, is also undertaken. The team has for many years enforced health and safety at work in most food premises in line with recommendations in the Lord Young report "Common Sense, Common Safety". Officers also respond to Port Health requests and food hygiene inspections are part of the Ship Sanitation Certificates required under International Health Regulations.

Trading Standards Officers within the Department specialise in the primary production and animal feedingstuffs response.

The services of Health Protection Agency laboratories and the Public Analyst, currently complement the work of the two teams. The County Analyst service, Durham no longer exists and possible alternative arrangements are being considered regionally. A NEPO tender document has been prepared and tenders were invited in March for the public analyst service.

The Health Promotion team provide Level 2 (Basic) and Level 3 (Intermediate) Food Hygiene Training Courses. Officers organise campaigns and undertake visits to educational establishments in connection with food hygiene. The Heartbeat award and Healthy Home Award schemes are promoted and managed by the team, with inspections being undertaken of relevant premises. Significant interest in the Healthy Home Award was generated at a second seminar earlier this year and it is anticipated that there will be a further increase in the number of awards presented this year.

The Joint Authorities in the region have previously co-operated with training for new businesses in a partnership arrangement between the Authorities and funded by the participants. We will continue to seek and cooperate in joint working between the Authorities.

The food service currently operates from Jack Crawford House. The Contact Centre in Fawcett Street is open to the public in normal working hours throughout the week, 8.30am to 5.15pm (4.45pm Friday), although officers from the Food Team may be contacted by businesses directly. There is an evening and weekend service arrangement for contacting management for out-of-hours emergencies. There are no formal planned

“out of hours” arrangements for field Officers, however visits are conducted at events or as necessary outside normal working hours.

The Council website [www.sunderland.gov.uk](http://www.sunderland.gov.uk) encourages the public to communicate with the Department by email and makes information constantly available. Letters from the Department to customers / companies encourage the use of email. The facility to contact the Department and individual Officers by direct telephone lines is also promoted with customers. Initial contact for services to the public is now through the Customer Services Network.

The Council displays current food hygiene ratings on the [sunderlandcitycouncil.com](http://sunderlandcitycouncil.com) website, which is also linked from the [sunderland.gov.uk](http://sunderland.gov.uk) website (Food Hygiene). This Authority also regularly updates data on the Food Standards Agency national scheme and the system is operating successfully. Ratings can be found on <http://ratings.food.gov.uk>

The Authority has a limited rural community, principally arable with few livestock holdings. The Trading Standards Division carries out the enforcement of primary production and feedingstuffs legislation and advice to farmers / retailers.

## 2.4 Demands on the food service

- There are 2152 food premises currently operating in the City, including 1 registered Primary Producer.

Food Premises in the City of which;	No.	Food Hygiene High Risk (a)	Food Hygiene Medium Risk (b)	Food Hygiene Medium Risk (c)	Food Hygiene Medium Risk (d)	Food Hygiene Low risk (e)	Unrated / unclassified
Primary producers / manufacturers / processors	93	0	9	42	10	19	13
Packers / Importers / Exporters / distributors, etc	38	0	1	2	13	20	2
Retailers	556	0	15	170	194	142	19
Restaurant / Other Caterers	1465	1	155	821	199	194	94
Contact Materials and articles	0	0	0	0	0	0	0
Total Food Premises	2152	1	180	1035	416	375	128
<b>Outside the programme</b>	17						

- The majority are classified in the Restaurant / catering outlet group (1465) whilst there are 557 food retailers.
- The unrated / unclassified premises are those which have recently opened or changed proprietor since the last inspection. These premises are revisited for further inspection and a further rating within 6 months to make an informed judgement of on-going standards.
- The Stadium of Light can accommodate over 40,000 seated spectators, with significant catering from the outlets within the stadium. International events are also hosted at the site. This year several major music events again are planned in May / June at the Stadium that will involve the food team.
- There are a significant number of outdoor events held regularly each year (e.g. Air Show, International Friendship Festival) which are attended by up to 1.5 million visitors, with various mobile caterers and food businesses from around the region and beyond visiting the Authority to cater at the events.
- Port health inspections which require inspections of food hygiene and standards on board vessels coming into the port were undertaken. The provision of Ship Sanitation Certificates has continued to be requested from the Authority.
- Increased vigilance continues to be expected regarding the inland enforcement of imported food legislation in an effort to prevent the spread of disease in food animals.
- The Freedom of Information Act can impact on the workload of the Department due to the administration of requests and time spent recovering the information. Press and other enquiries to Local Authorities in the region continue to request specific information regarding comparative businesses in each Local Authority. In the past year, again there have been 7 formal requests for information regarding food premises in the financial year 2011 to April 2012.
- Information regarding local food premises is available on-line i.e. Food Hygiene Rating Scheme from our own council website. This involves the publication of a food safety rating for catering premises in the City based on standards of structure and hygiene ratings and confidence in management scores assessed during programmed inspections. Following inspections, the written communications to business owners advise them that the information may be released on the website in the future and in response to third party requests as required by Freedom of Information legislation. The Food Standards Agency national scheme is operating and this Authority is part of the national scheme.



- The Licensing function impacts on the workload. Officers consider new licences and applications for amendments to licences as part of the Responsible Authority consultation.
- There is some potential for any large outbreak of food poisoning or illness, or a serious accident at food premises, to impact significantly on the routine service operated by the Authority.
- There are no other likely major impacts e.g. significant food imports, seasonal variations or high numbers of food manufacturing businesses other than local catering businesses. Where food alerts necessitate a significant response, this will impact on other areas of the service.
- Food alerts are notified by the Food Standards Agency to Local Authorities. During 2011 there were 28 alerts with 2 updates. In the first three months of 2012 a further 8 alerts were received with 1 update. (Many of these alerts have been product recalls where response from this Authority has been minimized). The alerts have included; possible hazards associated with the contamination of kettle chips and turkey goujons with plastic, food produced on premises without the required approval, glass fragments in bottled beer, soft drinks, snack products and pies, metal in pizzas and ready meals, salmonella in bean sprouts, listeria in milkshakes, and contamination of Indian cheese with veterinary medicines. Details of all the food alerts are available on the Food Standards Agency (FSA) website, [www.food.gov.uk](http://www.food.gov.uk) .
- The FSA system of allergy alerts, separate from food alerts, continues with many instances of food labelling errors or contamination of specific ingredients. There were 42 such alerts in 2011 and 21 have been received in the first quarter of this year. Whilst not critical to the general public health they can have serious effects on persons who are allergic to specific ingredients.

## **2.5 Enforcement Policy**

The Department has a documented Enforcement Policy, which has due regard to the Tyne and Wear Food Enforcement Policy. The Authority works in accordance with the principles of the Regulators' Compliance Code, and a review is planned for this year.

The Code of Practice requires that any breaches of food law that may be detected in premises where the Authority is itself the proprietor of a food business should be brought to the attention of the Chief Executive, without undue delay. There have been no instances in the past year where such action was necessary.

### **3. SERVICE DELIVERY**

#### **3.1 Food Control**

##### **3.1.1 Food Premises Inspections**

Officers routinely inspect high risk premises on a risk based basis. This year there is to be continued emphasis on targeting non-compliant businesses. It is envisaged that those premises which are found not to be complying as indicated by poor structures, poor hygiene standards or where there is low confidence in management, will progress into a monitored scheme to require improvements.

The National Performance Indicator (ni 184) set previously for the percentage of food businesses that are broadly compliant has been withdrawn, although Local Authorities will continue to send relevant data annually to the FSA, from which the Performance Indicator can be calculated. A local new Performance indicator has recently been set up and quarterly performance reports are produced. Information on premises that are not broadly compliant is available to the public as it is indicated on the Hygiene Rating information on the web. Businesses with a rating of less than 3 are not broadly compliant.

There will still be risk rating for all premises inspected and the Food Standards Agency still anticipate the frequency of inspections for high risk premises being governed by the rating.

Whilst it has been the Department's ongoing annual target to inspect all food premises at a risk rated frequency in accordance with previous guidance from the Code of Practice, the FSA are encouraging Authorities to spend more time at targeted businesses rather than spread over the whole range in future, in accordance with Governmental policy. The lowest rated premises are subject to programmes of alternative enforcement strategies. Premises subject to alternative enforcement have been sent letters and questionnaires requiring a response. Failure to respond, or unsatisfactory responses received will necessitate a visit by an Officer. Any complaints or where intelligence raises issues will result in a visit to the premises by an Officer. This scheme has been agreed to promote consistency and uniformity for businesses and Authorities across the region. Highest risk premises which require specific approval will receive interventions as required. They will be subjected to risk rating and intervention frequency will be determined on an individual basis. Last year 36 premises were dealt with by an alternative strategy – 46 letters were sent (a reminder was sent to 10 businesses), 28 were returned and 4 were subsequently inspected.

The Department has again achieved high rates on inspection of food premises and in 2011/12 visited 1329 different food premises and undertook 1408 inspections. A total of 1895 visits were made including inspections, revisits and sampling. Only 3 inspections were outstanding at the year end. These were completed early in April 2012.

The estimated number of inspections programmed for the year 2012/13 at the time of preparation of this report is approximately 1302 plus any new businesses commencing within the year. Alternative strategies for lower risk premises will determine a change in priority resulting in fewer premises being visited but potentially more visits being made to non-compliant premises to promote and confirm improved standards.

We aim generally to inspect the premises within one month of the due date for inspection, the only exceptions being those businesses that operate seasonally and those which may be subject to alternative enforcement strategies.

Secondary inspections (including revisits) to premises are carried out as necessary in order to ensure that material defects are rectified. Those premises which are not broadly compliant will be followed up with a view to enforcing compliant standards.

The Department has participated in a Business Transformation Programme (BTP) giving consideration to computer systems that are more sustainable. Existing in-house systems continue to work satisfactorily for the Commercial Teams whilst awaiting any change.

### 3.1.2 Food Complaints

The Authority is committed to responding to all food complaints, the extent of the investigation depending on the merits of the complaint. This can range from re-assuring the complainant to the more formal process, including reference to home or originating Authorities in accordance with the guidance and the relevant Code of Practice. Officers also refer to any Primary Authority, a scheme promoted by legislation and the Better Regulation Office.

In 2011/12, 356 requests for service requiring a response from Officers on the Food Team were made, including 81 complaints relating to food standards or labelling, and 27 requests relating to suspected food poisoning. The staff resources required to deal with these requests were drawn from the Commercial Food team. It is estimated that the time expended on food complaints in 2012/13 will be equivalent to 0.25 officers (full time equivalent).

## 3.2 Primary Producers and Feedingstuffs Control

### 3.2.1 Premises Inspection

The Trading Standards Section of the Department has the delegated duty to enforce legislation in relation to primary production and feedingstuffs control. Inspection and sampling of products at farms, manufacturers, wholesalers and retailers is undertaken on a risk-assessed basis. As part of the animal health visits, feedingstuffs inspections are undertaken. Previous inspections have not revealed any premises using imported feed products. Ongoing dialogue with the Port of Sunderland may produce some activity if any feed is imported.

### 3.2.2 Feedingstuffs Complaints

Due to the relatively few number of feedingstuffs establishments, it is not anticipated that there will not be a significant number of complaints received by the Authority. Any complaints will be investigated in line with Departmental procedures. The Authority last year received no complaints which related to feedingstuffs. The most likely source of complaints will relate to pet foods.

### 3.2.3 Home Authority Business Advice

There are no businesses in Sunderland that manufacture or import feedingstuffs. The Port of Sunderland may at some point in time become a storage place and distribution hub for imported feed. If this occurs it can be managed from existing resources by means of prioritisation. It is currently believed that no other type of feed business would warrant a Home or Primary Authority relationship.

### 3.2.4 Business Advice

With so few premises within the area and no history of previous requests for business advice in relation to feed it is not anticipated that there will be any business enquiries in relation to feed.

### 3.2.5 Sampling Programme

Sampling will take place where a complaint justifies a sample be taken, though there is no expectation of any complaints. Samples may be taken to assist in project instituted by the Food Standards Agency or the North East Trading Standards Association or to maintain competence levels.

### 3.2.6 Outbreaks and Food Related Infectious Disease

Previous history has shown no resource requirement for the control and investigation of outbreaks and food related infectious disease in relation to feed. If this were to occur, resources from other Sections would be utilised as necessary.

## 3.3 Primary Authority Scheme

This was introduced by legislation governed by the Better Regulation office whereby businesses operating in more than one Local Authority area can choose to partner individual Authorities in connection with a selection of regulatory elements.

The future local impact of food safety enforcement is still difficult to assess, however this Authority will comply with all legal requirements in the enforcement of legislation under this principle.

Another similar scheme called "Home Authority Principle" also continues to operate with some businesses.

### **3.4 Advice to Business**

The Authority seeks to assist local businesses as part of the City / Community Strategy. Last year 87 specific requests for advice were logged by the Food Team. Advice is given informally at every visit to food premises by the Officers, as appropriate.

The Authority is committed to promote the Food Standards Agency (FSA) project "Safer Food, Better Business", (SFBB) which is aligned to supporting certain food businesses in complying with the food safety management principles. There will continue to be great efforts to educate businesses in complying with the requirement for them to have implemented a suitable food safety management system, which some smaller food businesses seem to find difficult

In correspondence to food businesses, a standard invitation is given to them to seek advice from the Department.

Larger manufacturing businesses and small–medium enterprises have both expressed their approval of the department's dealings with their business and readiness to assist with advice, a policy of the Department for many years.

In routine inspections and visits to businesses, Officers pay special attention to advising and explaining matters appropriate to the situation.

Close links are maintained with many business organisations in the City and informal agreement reached to cooperate more fully with businesses through these contacts.

### **3.5 Food Inspection and Sampling**

The Department is committed to sampling foods for compositional standards, bacteriological standards and food standards compliance. Sampling is undertaken proactively involving imported and locally produced foods, as well as participating in national and regional surveys with Local Authorities Coordinators of Regulatory Services (LACORS) and Health Protection Agency Laboratory Service.

The Department undertakes local sampling surveys from its own intelligence and from liaison with the Health Protection Agency and other Local Authorities in the region.

As a consequence of "demand" i.e. complaints, food alerts, food poisoning outbreaks, etc. further samples will be taken. Last year 381 samples were taken.

An estimated 500 samples will be taken for bacteriological examination / compositional analysis in the year 2012/13, including 30 water samples. As a consequence of new legislation, private water supplies and distribution systems may require some sampling and work to identify such systems is on going.

The HPA Laboratory transports samples from the region up to daily as necessary by courier to Leeds. Close liaison exists with the laboratories management and neighbouring Authorities to ensure the most effective and coordinated programme with flexibility for local peculiarities.

Participation with neighbouring Authorities in sampling and other food related matters ensures that the Authority works in a co-ordinated and compatible way.-

### **3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease**

This authority has agreed with the regional Health Protection Unit a policy for considering the investigation of confirmed food poisoning cases. Most cases other than suspected viral infections and Campylobacter cases receive contact to endeavour to trace the source and prevent further spread. These are usually undertaken during personal visits from an Environmental Health Officer. Campylobacter cases are contacted by letter (see below).

The Department, with the Health Protection Agency, operates under the updated "Guidelines – Preventing person-to-person spread following gastrointestinal infections"

A local Consultant for Communicable Disease Control is employed by the Health Protection Agency. Dr. Tricia Cresswell is available to the Department for any advice regarding specific problems relating to infectious disease.

It is vital that any food worker suffering from symptoms of food poisoning advise their employers. Ceasing to work with food until symptom free for at least 48 hours is a common requirement but advice should be sought for specific illnesses.

Advice on food poisoning is available on the Sunderland.gov.uk website by inserting "food poisoning" in the search box on the home page (top right) and following the links.

The number of reported cases of food poisoning depends on persons suffering attending their GP or hospital, where, if samples are taken, and found to be positive, the medical practitioner has a legal duty to inform the Authority. There are close liaisons between the laboratories, Health Protection Agency and the Department to follow up all positive cases.

The Department has maintained close links with the Health Protection Agency as a partner in tackling ill health. Regular meetings to discuss various matters relating to food poisoning cases and sampling programmes take place. The Public Analyst and Health Protection Agency are contracted to assist with expertise where any additional problems arise. Networks exist within the region, nationally and with the Chartered Institute of Environmental Health and the Food Hygiene Forum.

## Statistics of cases notified over recent years

Year to March 31 <sup>st</sup>	Campylobacter	Salmonella	Cryptosporidia	Food poisoning & suspected FP	Shigella	Esch. Coli	Other miscellaneous organisms	Totals
2008	292	53	28	13	1	3	6	396
2009	306	58	26	24	5	2	2	423
2010	357	52	38	12	4	4	4	471
2011	440	28	27	11	3	2	0	511
2012	286	38	17	6	2	12	2	363

Year to March 31 <sup>st</sup>	April	May	June	July	August	September	October	November	December	January	February	March	Totals
2008	19	33	42	46	58	44	39	40	19	13	18	25	396
2009	19	35	50	48	48	41	50	36	22	20	28	26	423
2010	28	38	66	44	40	56	56	41	24	21	24	33	471
2011	37	28	57	90	58	47	57	46	23	21	23	24	511
2012	26	43	30	39	47	32	33	27	24	24	26	12	363

The Authority is committed to a response to all cases and outbreaks notified. The scale of the investigation and response will be measured and as appropriate to the causative organism and potential for further spread. Many cases appear to be the result of foreign travel or home acquired, and some infections e.g. Cryptosporidiosis and Campylobacter may be acquired from the environment rather than from a food source within the City.

As in previous years, the Norovirus (“Winter Vomiting disease”) continued to affect many residential establishments in the City and regionally. This infection is commonly spread environmentally from person to person rather than being food-borne. Officers work closely with the Health Protection Agency to limit the spread of this infection environmentally and ensure an appropriate response is made, commensurate with the necessity to identify the infection and limit the impact.

Notifications of Campylobacter infections continue to be prominent throughout the country, and the investigation of cases in the past has been time consuming with little chance of identifying the definite sources. Campylobacter is present in the environment and may be picked up outdoors. It is also present in raw chicken and efforts to educate the public regarding risks of cross contamination in the home are being pursued. Unlike most Salmonella strains, it can take relatively few Campylobacter organisms to cause illness. The HPA have worked with EHOs regionally regarding investigations and a policy has been adopted by Local Authorities and the HPA regionally which has reduced the workload

created by investigating the increasing number of Campylobacter notifications. Every case notified to the Authority has been contacted by advisory letter rather than visits by an Environmental Health Officer.

Food Safety Week 11-17 June 2012 theme is 'Food Safety on a Budget', advising how people can ensure that they keep their food safe when trying to save money.

### **3.7 Food Safety Incidents**

The Authority is committed to responding appropriately to all Food Alerts issued by the Food Standards Agency in accordance with the Code of Practice on this subject. The level of response is determined by the category of response required and individual circumstances of the incident / local impact. Information is available to the public through Press releases and a link on the Council website to the Food Standards Agency.

### **3.8 Liaising with other organisations**

The Authority meets with the six other Authorities – Tyne & Wear plus Durham and Northumberland, in a North East Food Liaison Group, which operates particularly successfully with close cooperation between the representatives. There are also Sampling sub-groups, and the South of Tyne meeting between the Health Protection Agency, Local Authorities, and P.C.T., which includes representatives from the relevant bacteriological laboratories and Communicable disease specialists.

Trading Standards Officers meet frequently at North East Trading Standards Association (NETSA) meetings when any topical subjects can be considered.

Relevant Building Control and Planning Applications are referred to the Department for consideration and comment.

There is frequent liaison with other Departments and sections in connection with food matters, including Facilities Management (City Catering), School Meals, Procurement, Housing, Health and Adult Services, and also regarding premises licences.

The section has positive liaison with the local office of the Health Protection Agency, Sunderland Teaching Primary Care Trust, City Hospitals Sunderland, local food federations and guilds.

### **3.9 Food Safety and Standards Promotion**

Whilst Officers give advice and information in the course of inspections and other visits, the Health Promotion Team offer training for the Level 2 Award Food Hygiene, the Level 3 Intermediate Certificate in Food Safety and Level 1 Foundation Certificate in Nutrition. The Team also undertake campaigns during the year.



It is anticipated that we will continue to promote a “Curry Chef of the Year” competition which will require, as part of the terms of entry, consideration of the standards of hygiene of the businesses involved. A joint final was held with 3 other Authorities in 2011. More local authorities in the region hope to have representatives in the final this year.

The Heartbeat Award has been running in Sunderland since 1990 and the Healthy Home award commenced in this Authority in 1997. Each of these award schemes has food hygiene related elements. A total of 138 Heart of Sunderland awards and 27 Healthy Home awards were given in 2011/12.

During 2011/12:-

- 5 Food Hygiene Refresher Training Courses were held for 80 delegates.
- 19 courses were held in Level 2 Award Food Hygiene attended by 205 delegates.
- 8 delegates attended Level 3 Intermediate Certificate training.

Basic food hygiene information for consumers is available on the Council Website. Similarly advice is also available on food poisoning organisms and what to do in the event of suspecting that you are ill from consuming contaminated food.

This year the Heartbeat award was replaced with a new award, the Heart of Sunderland award.

The award recognises and rewards businesses that offer healthy food options, promotes healthy eating and makes it easier for customers to make an informed choice on foods they buy.

There are 3 award categories:

Bronze awarded to premises which make food healthier by reducing fat, salt and sugar content but may have a limited menu

Silver awarded to premises which are committed to improving the nutritional quality of the food and help customers make informed choices.

Gold awarded to premises which can demonstrate a healthy eating policy with nutritionally trained staff.

In addition, all award premises must demonstrate good standards of hygiene with a food hygiene rating of 3 or above.

A no smoking policy must be in place with support given to staff wishing to quit and information displayed on counterfeit cigarettes.

A total of 138 premises received the awards;

55 Gold

75 Silver

8 Bronze

Healthy Home awards were presented to 27 nursing and residential homes across the City.

A seminar was held in February 2012 which was well attended by home managers. Information and presentations were delivered on relevant subjects associated with the award. (From 2012 the Healthy Home award forms part of the Adult Health and Housing services quality rating system).

The awards are presented to homes which have a food hygiene rating of 3 or above, balanced menus, health and safety policies and procedures in place, together with a number of care issues for the service users.

The Curry chef competition took place locally and regionally with 4 chefs competing in the regional final. 2011 saw a nutritional element being included in the competition.

## **4. RESOURCES**

### **4.1 Financial Allocation**

For 2012-13 the budget for Food Control (CC0120) is £478,667 of which £282,282 is delegated (i.e. controlled by the budget manager).

Health Promotion (CC0131) has a general budget of £56,504 (of which £27,699 is delegated) including anticipated income of £24,275 partly from food hygiene training.

The Feedstuffs element of the Trading Standards budget relating to Inspection, Training and Business Advice is estimated to be £2,500, equating to approximately 111 officer hours (Grade POF/G) per annum.

### **4.2 Staffing Allocation**

Staffing resources will possibly change as a consequence of Regulatory Review. Staff allocated to Food work in 2011/12 were as follows;

#### Food Team

- 1 Principal Environmental Health Officer / Team Leader (Full Time)
- 3 Senior Environmental Health Officers (2.9 FTE)
- 1 Environmental Health Officer
- 1 Technical Officer (Full time – working towards Higher Certificate)

All of the full-time Senior Environmental Health Officers currently employed have over 2 years experience in food matters. The EHO is progressing very well and continues to gain valuable experience.

#### Health Promotion

- 1 Health Promotion Specialist (Part time on food matters)
- 1 Health Promotion Assistant (Part time on food matters)

#### Trading Standards

- 3 Trading Standards Officer (Part time fertiliser and feedingstuffs)
- 3 Trading Standards Officer (Part time Primary Producers)

**Estimated Total Full-time equivalent for all Food and Feedstuffs activity = 7.075 Officers on the establishment.**

Last year the Environmental Health, Trading Standards and Licensing Teams were moved to the Depot building at Jack Crawford House. Administration Support was redeployed in Support Services (SSS) and initial customer contact was undertaken by the Customer Contact Network. All three significant changes have been undertaken satisfactorily with the cooperation of management and staff embracing the Sunderland Way of Working.

#### **4.3 Staff Development Plan**

Staff Appraisals are undertaken regularly and the findings are included in staff development and training plans. Cooperation regionally through the Food Liaison Group and the assistance of the Food Standards Agency in providing low cost training is acknowledged.

Individuals are sent to specific training where appropriate and all Environmental Health Officers are required to maintain a training log in order to comply with Continuing Professional Development.

Training days and training sessions on subjects are programmed as necessary.

Any members of staff "new" to food tasks will need to be supervised and receive training commensurate with the Code of Practice.

### **5. QUALITY ASSESSMENT**

Monitored inspections will be recorded within the food premises database during this year.

The necessary arrangements were made, with assistance from the IT section, for the new annual return of statistics for 2009/10 (LAEMS – Local Authority Enforcement Monitoring System). The 2011/12 return is well on schedule to be provided to the Food Standards Agency by the required internet method, as required before the deadline of 1<sup>st</sup> June 2012. The return gives specific detailed information about every food business in the City rather than collated statistics as required in the past.

### **6. REVIEW / PERFORMANCE MANAGEMENT**

#### **6.1 Review against Service Plan**

A review against the service plan is undertaken mid-year with consideration of achievements against targets. In the interim periods, line management monitors progress, including utilising the very effective in-house database software. The anticipated change to commercial software for sustainability reasons has not been achieved due to the financial cost of the software.

Monthly targets are set for each officer and officers are expected to achieve the required inspection rate to reach annual service level targets.

The Corporate Improvement Plan and an Annual Report is produced to define achievements made during the previous year.

The Service Plan and Annual Report are submitted to the Chief Executive for consideration by the Council as part of the Director's Performance Agreement.

## **6.2 Identification of any variance from the Service Plan**

The food control team performed extremely well against the Service Plan for 2011 / 2012 in all areas of Service Delivery.

The comprehensive review of procedure and policy documents is on-going.

## **6.3 Improvements Achieved**

- Implement the Food Hygiene Star Rating Award system on the FSA website (Target launch 28 June 2011). Achieved
- Continue to implement alternative enforcement strategy for low risk businesses with LAs in the region. Achieved
- Contribute fully to regional training and support all peer review, Inter Authority Audit and / or internal monitoring exercises between LAs in the region. Achieved
- Continue to promote the use of Safer Food Better Business (SFBB), a food safety management scheme, to appropriate food businesses in the City during visits by Officers and within training programmes. Achieved
- Continue to support the Healthy Home Award to raise standards in that sector. Achieved

## **6.4 Areas for Improvement**

- Continue to implement the requirements / guidance of the Local Better Regulation Office in relation to the Regulatory Reform Act. Ongoing
- Progress any necessary actions as a result of future determination of the BTP re departmental computer software. No actions determined.

Due to the regulatory Review, this year may see significant changes to the structure of the section and process for accomplishing the food safety responsibility, which at this stage are difficult to forecast

END

**CABINET**

**20 JUNE 2012**

**SUNDERLAND CITY COUNCIL DRAFT GREENSPACE AUDIT AND REPORT  
2012 & DRAFT ECOLOGICAL EVIDENCE BASE FOR SUNDERLAND'S  
LOCAL DEVELOPMENT FRAMEWORK 2012**

**REPORT OF THE DEPUTY CHIEF EXECUTIVE**

**1.0 PURPOSE OF REPORT**

- 1.1 The purpose of this report is to seek Cabinet's recommendation to Council to approve the draft 2012 Sunderland Greenspace Audit and Report and 2012 Draft Ecological Evidence Base for public consultation, and to seek its approval for its use in developing the Local Development Framework.

**2.0 DESCRIPTION OF DECISION**

- 2.1 Cabinet is requested to:

1. Endorse the 2012 Draft Greenspace Audit and Report and 2012 Draft Ecological Evidence Base for consultation purposes.
2. Following the close of the consultation, to authorise the Deputy Chief Executive to make any minor amendments to the attached report prior to its adoption. The final report will be used:
  - a. As part of the evidence base to inform the emerging Local Development Framework, and
  - b. As a material consideration in determining planning applications.

**3.0 GREENSPACE BACKGROUND**

- 3.1 Greenspace is important to the city and its residents. The availability of accessible green space can improve quality of life in a number of ways. In particular the availability of green space provides people with opportunities to engage in healthy activities and there is ample research showing the beneficial links between outdoor activities and good physical and mental health.
- 3.2 Sunderland is fortunate to have a relatively high proportion of greenspace compared to other land uses. It is also clear from the audit that residents across the city are generally able to access greenspace provision for a variety of purposes. The current position provides the basis by which the council and partners are able to promote development in the city without

compromising the quality of the environment or limiting access to green space. The availability of ample greenspace offers the city a variety of opportunities to retain and attract residents and businesses to the city.

- 3.3 The Audit's recommendations clearly indicate that not all greenspaces will be retained in perpetuity in their present state. Looking at the availability of greenspace at a local level will inform decisions about the use of greenspace within the context of the condition and extent of provision. Policies will be developed to ensure that these are progressed in a balanced and considered way.

#### **National planning advice**

- 3.4 The National Planning Policy Framework (NPPF) states that planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreational facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. The NPPF also recognises the wider role of greenspace, stating that successful neighbourhoods require high quality public space, which in turn makes a vital contribution to the health and well-being of communities.
- 3.5 In accordance with best practice, greenspace has been divided into the following typologies:
- a) Parks and gardens
  - b) Natural and semi-natural urban greenspaces
  - c) Green corridors
  - d) Outdoor sports facilities
  - e) Amenity greenspace
  - f) Provision for children and teenagers
  - g) Allotments
  - h) Cemeteries and churchyards
  - i) Accessible countryside in urban fringe areas
  - j) Civic spaces.
- 3.6 In addition, further analysis has been undertaken to ascertain the quantity, quality, local value and site accessibility of greenspaces. This has been interpreted as follows:
- Quantity – the amount (by type) of greenspace available
  - Quality – based on detailed survey results, and existing known data
  - Value – capturing how important greenspace is to people
  - Accessibility – how accessible each type of greenspace is available across the city, and also identifying known key physical barriers to access such as rivers, major roads and railways.
- Greenspace and green infrastructure planning in Sunderland**
- 3.7 Sunderland has prepared an Open Space Register and Map for more than 20 years. These registers concentrated on the quantity of provision of parks, amenity greenspace, play areas and outdoor sports facilities.
- 3.8 The last audit of greenspace was undertaken in 2003 and the 2012 audit brings that exercise up to date and adds further value. This draft audit follows the requirements laid out in national policy and includes the most

thorough survey of greenspace sites ever to be undertaken in Sunderland. More than 1,750 sites over 3,800 hectares in area were evaluated in accordance with the requirements at paragraphs 3.3 and 3.4.

- 3.9 The NPPF also endorses the concept of 'green infrastructure' (GI), which provides further sustainable elements to be considered with regards to the development of city greenspaces, and to support the city's LDF Core Strategy. As a result, the City Council has begun work on a Green Infrastructure Strategy. A GI Steering Group has also been established, drawing upon internal and external expertise.
- 3.10 A full copy of the draft 2012 Greenspace Audit and Report is available from Members' Services and a summary of its key findings is attached at Appendix 1.

#### **4.0 KEY FINDINGS FROM THE DRAFT GREENSPACE AUDIT AND REPORT**

- 4.1 Overall, Sunderland is well provided for in terms of greenspace provision, but this varies from place to place. This report takes account of the levels of provision and conditions and sets out how greenspace in a particularly locality can be used in the future.
- 4.2 The draft Greenspace Audit further proposes a suite of city-wide greenspace policy recommendations:
- Set greenspace guidelines and standards that seek to minimise inequalities in terms of greenspace provision, that in turn will ensure that all areas have a range of greenspaces accessible to them
  - The quality of existing greenspaces should be improved in general, and especially in the more deprived parts of the city
  - Alter the use of some types of greenspace, to enable more greenspace variety in key areas
  - Where justified and agreed, re-use low value greenspaces for other forms of development, ensuring that funds are provided and re-used to improve other greenspace within the neighbourhood
  - Better promote our Greenspace product:
    - highlight to inward investors that Sunderland is a green city and has high standards and variety of greenspaces on offer;
    - ensure that we maximise publicity regarding the coast, river and natural environment;
    - focus on promoting regional tourist activities such as the National Cycle Network, facilities at the marina and in our parks and country parks.
- 4.3 Whilst new sources of funding for greenspaces are in limited supply during the present recession, investment can be generated through the re-use of low value greenspaces- the loss of one poor quality, poorly used greenspace site may provide funds that enable other nearby greenspaces to be improved, and a local neighbourhood could achieve an overall greenspace 'net gain'.

- 4.4 Furthermore, significant new residential developments should contribute towards the provision of new or enhanced greenspaces. Policies contained within the LDF will address the required type, quantity and quality of greenspace provision, and will be calculated in accordance with the standards and recommendations outlined in the Greenspace Audit and Report.

## **5.0 ECOLOGICAL BACKGROUND**

### **Biodiversity and geodiversity legislation**

- 5.1 There are a wide range of European, national and regional acts, regulations, plans and policies relating to the protection of our ecology. The principal mechanism for the legislative protection of wildlife in Great Britain is through The Wildlife and Countryside Act 1981 (as amended). The legislation is the means by which the Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention) and the European Union Directives on the Conservation of Wild Fauna and Flora are implemented in Great Britain. This policy was further strengthened in 2000 by the Countryside and Rights of Way Act.
- 5.2 Further key legislation and policy is included in the following:
- The Natural Environment and Rural Communities Act 2006 (NERC Act) created a duty for every public authority to conserve biodiversity
  - The Durham Biodiversity Action Plan reviews the status of wildlife in Gateshead, South Tyneside, Sunderland, Darlington and County Durham and sets out a framework for action to protect vulnerable and rare species and habitats
  - The Conservation of Habitats and Species Regulations 2010 provides for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites
  - The Bird's Directive 1979 covers the protection, management and control of all species of naturally occurring wild birds in the European territory of member states.



### **National planning advice**

- 5.3 The National Planning Policy Framework (NPPF) recognises the importance of the natural environment and expects the protection of the natural environment to primarily be delivered by local authorities through robust local policies and plans. The NPPF continues to appreciate that European and National sites, and protected species, retain their protection status within the planning process. It also expects local authorities to afford local sites and wildlife corridors better protection through their local plans.
- 5.4 These principles are reinforced by other policies within the NPPF including Green Belt protection, rural tourism and local plans. This therefore ensures that the countryside should be protected from piecemeal developments that detract from the character and appearance of the natural environment.
- 5.5 In summary, where development is proposed on or affecting a designated ecological site, authorities should draw a distinction between the hierarchy of international, national and locally designated sites and afford the level of protection that is commensurate with the site's status and importance. The starting premise would be to conserve and enhance the ecological value of the site itself. However, this does not represent an absolute barrier to development in itself: where the value of the site would be considered to be outweighed by the development and no reasonable alternatives to the loss of the habitat can be found, it would be reasonable for the authority to mitigate the impacts of the proposal (such as requiring the developer to reduce the scale of the proposal or to provide replacement habitats which are of equal value to the affected site).

### **Ecology protection in Sunderland**

- 5.6 The last major ecological study undertaken in Sunderland was a Phase 1 Habitat survey that reviewed our countryside and wildlife features in 1999. This is no longer considered to provide an up-to-date and robust evidence base that can support updated policies and strategies. An updated evidence base will not only protect and enhance what Sunderland already has but it will also improve the quality of the environment through identifying new opportunities for enhancement and the creation of green corridors within the city.
- 5.7 A better understanding of Sunderland's natural environment also enables more appropriate design and allocation of land for buildings and roads, recreation, flood defence and the safe control of waste disposal. This will help to underpin the objectives of the Sunderland Strategy and the city's Economic Masterplan through its contribution to our economy, our health and our wellbeing, while at the same time enriching the lives of the people of Sunderland.

## **6.0 KEY FINDINGS FROM THE DRAFT ECOLOGICAL EVIDENCE BASE**

6.1 A full copy of the Ecological Evidence Base is available from Members' Services. Appendix 2 provides a high level summary of the report, including detailed evidence regarding the following suite of ecological designations in Sunderland:

- Special Protection Areas (SPA's)
- Special Areas of Conservation (SAC's)
- Ramsar sites (wetlands of international importance)
- Sites of Special Scientific Interest (SSSI's)
- Local Nature Reserves (LNR's)
- Local Geological Sites (LGS)
- Local Wildlife Sites (LWS).

6.2 The draft Ecological Evidence Base concludes that although Sunderland is home to a rich and diverse landscape with significant biodiversity and geological interest, the designated sites are small, isolated and vulnerable, and proposes that policies be adopted that will help to restore and create wildlife habitats by:

- Improving the quality of designated sites through better habitat management.
- Increasing the size of current wildlife sites, including the creation of buffer zones or joining up two nearby sites to make a larger site capable of sustaining wildlife populations more effectively
- Enhancing connections between, or join up, sites through wildlife corridors
- Reducing the pressures on wildlife by improving the wider environment.

6.3 This will be taken forward through the emerging Local Development Framework.

## **7.0 NEXT STEPS**

7.1 Upon approval from Cabinet, the draft reports and Greenspace site audit will be made available over the summer for public consultation. The consultation will enable the reports findings and recommendations to be considered, as well as individual sites to be reviewed. Subject to the outcome of the consultation, if responses are received that are of a minor nature, delegated authority is sought for the Deputy Chief Executive to approve any minor modifications prior to adoption. Responses of a substantive nature will conversely be reported back to Cabinet.

7.2 The reports will be used to inform policies contained within the emerging Local Development Framework (Core Strategy and Allocations Development Plan Document). To complement the LDF policies and process, a Supplementary Planning Document (SPD) will be developed in relation to Green Infrastructure which will outline and justify greenspace, ecological and landscape needs in more detail.

- 7.3 Further research will be undertaken in relation to addressing the key recommendations and guidelines contained in the two reports.
- 7.4 The supply of greenspace will be monitored and a review of the results and progress made will be carried out annually. The monitoring of the supply of greenspace will be linked to the City Council's LDF Annual Monitoring Report review process.

## **8.0 REASON FOR DECISION**

- 8.1 The decision is required to provide essential evidence to inform corporate policy, and chiefly to support progression of the Core Strategy to proceed to its next stage (statutory consultation) in accordance with the Council's adopted Local Development Scheme.

## **9.0 ALTERNATIVE OPTIONS**

- 9.1 All local planning authorities are charged under the Planning and Compulsory Purchase Act 2004 with the preparation of a Local Development Framework (LDF), which must include a Core Strategy. They are also charged with preparing the LDF in accordance with the provisions of an approved Local Development Scheme.
- 9.2 The Core Strategy must be informed by a robust evidence base. The need for evidence regarding the city's greenspace and ecological requirements is emphasised in the National Planning Policy Framework. To not undertake such updates in the light of the changing circumstances in the city would undermine the planning policy framework and could jeopardise the Core Strategy at Examination. Consequently, no alternatives can be recommended.

## **10.0 IMPACT ANALYSIS**

### **10.1 Equalities**

The greenspace and ecological reports form part of the family of supporting evidence documents to the Local Development Framework (LDF). The LDF is 'equalities' neutral by focussing on land use matters. However, an Impact Needs Requirement Assessment (INRA) has been completed.

### **10.2 Sustainability**

By law, planning must promote sustainable development. This is the underlying objective of the LDF, greenspace and ecological reports.

## **11.0 OTHER RELEVANT CONSIDERATIONS**

### **11.1 Financial Implications**

Costs have arisen from developing the evidence base and will arise from the proposed consultation. Funding will be met from contingencies allocated to the LDF.

## **12.0 BACKGROUND PAPERS**

- National Planning Policy Framework (March 2012)
- Planning Policy Guidance 17 (2002)
- Sunderland Council Parks Management Strategy 2004
- Sunderland City Council Allotments Management Strategy (2004)
- Sunderland City Council Activecity-Action for a healthy city (2004)
- Sunderland City Council Sport & Physical Activity Strategy (September 2005 - 2010)
- Moving Forward' Play and Urban Games Strategy June 2007
- Sunderland Playing Pitch Strategy (2004-2011)
- Football Investment Strategy 2010
- National Planning Policy Framework (March 2012)
- PPS 9: Biodiversity and Geological Conservation (2005)
- Planning Policy Statement 12 Local Spatial Planning (2008)
- The Conservation of Habitats and Species Regulations 2010
- The Bird's Directive (1979)
- Wildlife and Countryside Act 1981
- Countryside and Rights of Way Act 2000
- Natural Environment and Rural Communities Act 2006
- Tyne and Wear Nature Conservation Strategy (1988)
- Durham Biodiversity Action Plan

## **APPENDIX 1:**

### **SUNDERLAND CITY COUNCIL DRAFT GREENSPACE AUDIT AND REPORT 2012**

#### **A1.0 METHODOLOGY AND CONSULTATION**

A1.1 Sunderland's draft Greenspace Audit follows PPG17 and CABE guidelines closely. Liaison was also carried out with key internal Directorates and organisations such as Natural England. Each site was visited and assessed using an agreed pro-forma (which is included in Appendix 3 of the main report).

A1.2 Sites that cross the city boundary have been included in the site audit. A few sites that lie wholly within neighbouring authorities (but adjacent to the city boundary and accessible) have been also been included in the audit, because they are used by Sunderland residents.

A1.3 Every effort has been made to ensure that the draft Greenspace Audit follows advice and policy contained in other strategies that have been adopted by the City Council to help guide provision and management of specific types of greenspace. These reports include the following:

- Sunderland Council Parks Management Strategy 2004
- Sunderland City Council Allotments Management Strategy (2004)
- Sunderland City Council Activecity-Action for a healthy city (2004)
- Sunderland City Council Sport & Physical Activity Strategy (September 2005 - 2010)
- Moving Forward' Play and Urban Games Strategy June 2007
- Sunderland Playing Pitch Strategy (2004-2011)
- Football Investment Strategy 2010

A1.4 Public consultation was carried out in late 2010 and in 2011 to help to determine local greenspace needs. Sessions were held for each of the city's 5 Area Regeneration Frameworks (ARF's) in October 2010 and January 2011. The sessions sought to check the interim results of the Greenspace Audit, to identify any sites missing off the register and to gain a better understanding on the local value of greenspaces. The January 2011 consultation particularly focused on the following key questions:

- a. What greenspaces do you value the most?
- b. What makes a greenspace site valuable to local people?
- c. What types of greenspace people would you like to see more of?
- d. How far would local people would travel to use different types of greenspace?
- e. What the most important greenspaces are to local people?

A1.5 These five questions then formed an online survey which was carried out from April-July 2011 and was also included in the 2011 Sunderland Community Spirit Summer Survey. A further online survey for children and young people was carried out in autumn 2011 together with a schools workshop. Overall, more than 1,000 persons took part.

A1.6 The consultation results were used to inform site 'value' and also to determine appropriate accessibility distances to greenspaces. Positively, there was a very high correlation between the most popular greenspaces cited in the consultation and the highest scoring sites listed in the Greenspace Audit.

## **A2.0 GREENSPACE AUDIT RESULTS AND KEY POLICY ISSUES**

### **A2.1 Sunderland's greenspace compared with national trends**

The availability of national data and standards on greenspace is limited in its extent. In some cases, Government departments have published documents that refer to national assumptions on greenspace trends. There clearly needs to be caution taken in making any meaningful comparisons with this data. Nevertheless, it is reasonably accurate to summarise the following key points:

- Sunderland is a green city. The amount of greenspace appears to be well above the national average, and when combined with the amount of open countryside also in the city, it is accurate to report that 57% of the overall city area is green field (undeveloped)
- Sunderland has a good proportion of parkland. The establishment of country parks in recent years has significantly boosted the amount of overall parkland in Sunderland
- Sunderland has made some progress with regards to securing Green Flag awards (5 awarded), but there are a number of local authorities with more than 10 awards, and one authority has 30
- Access to natural greenspaces and woodland in Sunderland is much better than national organisations such as Natural England and The Woodland Trust have stated
- The city has 50% more allotments than the England average recommendation
- There is no clear distinction regarding the amount of greenspace provision in urban and suburban areas in Sunderland, in contrast to national trends that indicate suburban areas having higher quantities of greenspace
- Unlike national indicators, in Sunderland the provision of recreation grounds and sports facility provision does not vary greatly between urban and peripheral areas
- Again, unlike the national picture, there is no clear-cut trend in Sunderland indicating that poorer areas have lower quantities of greenspace provision. Former coal mining villages in the city, for example, may have high quantities of greenspace as a result of land reclamation

- Closely mirroring national trends, however, the quality of Sunderland's greenspace is worse in deprived areas.

## **A2.2 City-wide key results**

The draft Greenspace Audit focuses on the quantity, quality, accessibility and value of greenspaces at both the ARF and neighbourhood level. The full recommendations are contained in the audit report. The following is a short summary of key city-wide issues:

- Within the city, the lowest amounts of amenity greenspace are predictably in the more densely populated parts of the city, particularly around the city centre, though there is also low provision in some outer areas too, such as Town End Farm and Fencehouses
- Many of the best quality amenity greenspaces exist in the central Sunderland area and along the coast. The quality of sites varies between neighbourhoods considerably
- The Greenspace Audit now indicates that 89% of children and young people (aged 5-16 years) have access to high quality play (based on agreed distance thresholds). The ultimate aim is for 100% accessibility. The maintenance of existing sites is also key- if the quality or performance of a site is reduced, then the site's catchment area may also need to be reduced, thereby affecting city-wide access standards
- Access to quality natural greenspaces is fairly even across the city, although north Washington has more limited access. Woodland access is highest in the Coalfield and in Washington. Improving the quality and access to certain sites such as Washington's tree shelter belts could improve spatial access
- Three-quarters of Sunderland residents have 'reasonable' access to formal parks and country parks (access distance based on size and quality of park). There are gaps in terms of quantity and quality of parks scattered across the city
- Whilst allotments provision is higher in Sunderland than the national average, provision varies across the city, with Washington well below, and the Coalfield well above the city average. The overall quality of allotments in the Coalfield area, however, is lower than the rest of the city
- The Sunderland Playing Pitch Strategy and Football Investment Strategy provide detailed evidence that guide outdoor sports needs in the city. The strategies recommend new provision in some areas, but also emphasising the need to protect and enhance existing sites, and to maximise community use of sports fields
- The city's municipal cemeteries are in good condition, and in line with present burial rates there would appear to be a considerable supply
- Greenspace sites considered to be of 'low' value are scattered across the 5 ARF's. The future use of these sites should be investigated.

## APPENDIX 2

### DRAFT ECOLOGICAL EVIDENCE BASE FOR SUNDERLAND'S LOCAL DEVELOPMENT FRAMEWORK 2012

#### B1.0 METHODOLOGY

B1.1 The previously published Planning Policy Statement 9 (PPS9) has provided the broad basis and guidance for preparing this ecological report. Although it has now been superseded by the NPPF, the broad objectives of PPS9 are still in line with the new framework. PPS9 recommended that the evidence base for the Local Development Framework (LDF) should, as a minimum, comprise information on the following:

- International Sites – for example, Special Protection Areas (SPA's), Special Area of Conservation (SAC's), and Ramsar sites
- National sites – for example, Sites of Special Scientific Interest (SSSI's) and Local Nature Reserves (LNR's)
- Local Sites - i.e. Local Geological Sites (LGS) and Local Wildlife Sites (LWS)
- Ancient woodland and other important habitats
- Important networks and habitats (wildlife corridors)
- Previously developed land
- Protected species and species of principal importance for biodiversity conservation.

B1.2 To provide Sunderland City Council with accurate ecological and geological data to inform the LDF and associated planning documents while also assisting in the monitoring of the framework, a number of studies were undertaken during 2009, 2010 and 2011. The survey work undertaken included:

- Collation of up to date information on international and national sites
- A full Phase 1 Habitat survey of the city and a comparison made between survey work undertaken in 1999 and 2011
- A survey of all local wildlife sites -formerly Sites of Nature Conservation Importance (SNCI's)
- Identification of new local wildlife sites
- A full survey of all geological sites -formerly Regionally Important Geological Sites (RIGS) or SNCI's
- Consolidation of existing protected species and Durham Biodiversity Action Plan priority species data (including a bird survey)
- Consolidation of existing Durham Biodiversity Action Plan priority habitat information
- Identification of important wildlife corridors and networks
- Biodiversity and geological conservation and enhancement recommendations.



## **B2.0 RESULTS AND KEY POLICY ISSUES**

**B2.1** As a whole, Sunderland has a relatively high number of protected ecological sites, with a good range of species and habitat. The key message, however, is that in terms of protected area our sites tend to be much smaller in extent, and therefore more isolated and vulnerable. The small size of sites could mean that many species will not reach sufficient population sizes within them to be self sustaining, especially if there is little positive management. Actions need to concentrate on increasing the size of sites and improving connections between them, which will ultimately lead to improvement and resilience of our ecological network.

### **B2.2 International sites**

Almost 68 hectares of Sunderland's coastline is internationally protected. Sunderland is part of the **Northumbria Coast SPA / Ramsar site** which includes much of the coastline between the Tweed and Tees Estuaries. SPA's are areas which have been identified as being of international importance for the breeding, feeding, wintering or migration of rare and vulnerable species of birds found within European Union countries. Part of Sunderland's coast is also protected as part of the **Durham Coast SAC**. SAC's are areas which have been given special protection under the European Union's Habitats Directive. They provide increased protection to a variety of species and habitats with European interest. The Durham Coast SAC is the only example of vegetated sea cliffs on Magnesian Limestone exposures in the UK.

### **B2.3 National sites**

**Sites of Special Scientific Interest (SSSI's)** are the country's very best wildlife and geological sites. Sunderland has seventeen SSSI's, though the average size is only one-fifth of the average median size in the UK. Thirteen of the sites are in favourable condition and the four unfavourable recovering sites are Hetton Bogs, High Haining Hill, High Moorsley and Hylton Castle Cutting. The small size of sites could mean that many species will not reach sufficient population sizes within them to be self sustaining, especially if there is little positive management.

**B2.4 Local Nature Reserves (LNR's)** are a statutory designation made under Section 21 of the National Parks and Access to the Countryside Act 1949. Sunderland has designated five LNR's - Barmston Pond, Tunstall Hills, Hylton Dene, Fulwell Quarry and Hetton Bogs. The City Council has identified a further two potential LNR's at Rainton Meadows and Hetton Lyons. The designation of these 2 sites would help the city meet Natural England's Accessible Natural Greenspace Standard (ANGST) relating to LNR access, and would also strengthen green corridors and links across the city.

## **B2.5 Local sites**

**Local Wildlife Sites (LWS)** were formerly known in Sunderland as Sites of Nature Conservation Importance (SNCI's). Criteria for the selection of LWS are based on Biodiversity Action Plan (BAP) habitat types and existing reference works that list species under threat. Out of 70 sites surveyed, 61 sites met the LWS criteria for designation, totalling an overall area of 441 hectares. In addition, a further 14 new LWS sites are proposed, which if approved would provide a further 86 hectares of protected habitat. As with SSSI's, the size of the city's LWS's is small. It is therefore important that the remaining sites are enhanced and protected as these are the key areas for Sunderland's wildlife.

B2.6 Despite Sunderland's LWS's having an array of DBAP priority habitats- 17 in total- very few of the habitats are in favourable condition, and each habitat condition varies from site to site. There are only 2 sites with all habitats in favourable condition.

B2.7 In terms of **Local Geological Sites (LGS's)**, eleven locations in Sunderland were identified as having geological features that could potentially meet the criteria. These sites had not been reviewed for over 20 years. The sites were surveyed in 2011 and 8 sites met the criteria and will be duly designated. There are a number of management recommendations required to maintain favourable status of the sites, including scrub clearance, regular site monitoring and promotion of sensitive recreation.

## **B2.8 Phase 1 Habitat Survey**

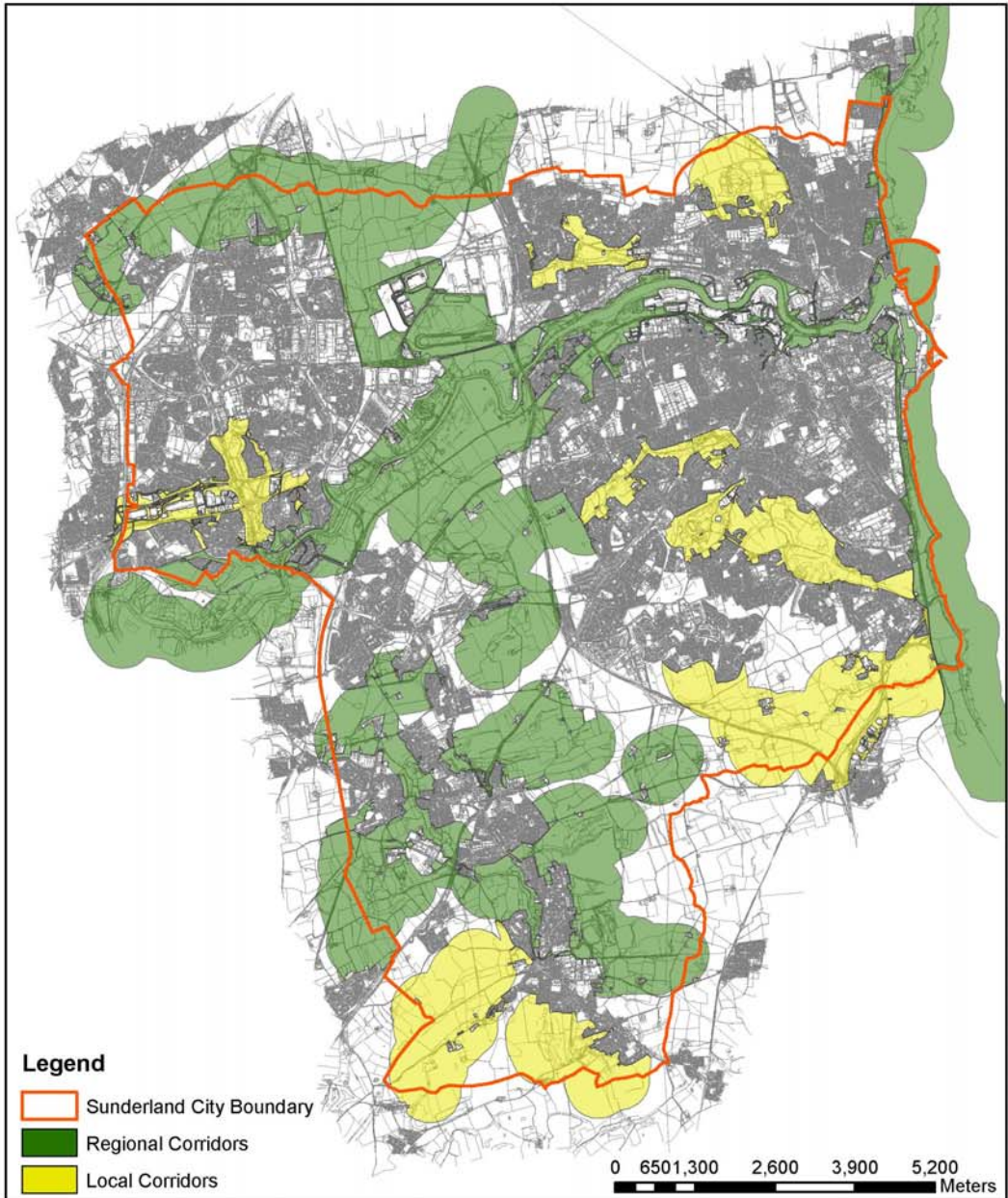
The Phase 1 Habitat Classification and associated field survey technique has been undertaken to assess the remainder of the city's undeveloped land that is not formally protected for ecological purposes. This is the second habitat survey to be undertaken -the first was in 1999- and a comparison has been made between the two. Two key trends have emerged. Firstly, unimproved grassland is gradually becoming semi-improved grassland, chiefly due to scrub invasion and overall lack of ecological management. Secondly, the quantity and quality of wetland areas is also decreasing.

## **B2.9 Wildlife Corridors**

The importance of wildlife corridors has been recognised for a number of years, and they were first proposed in the 1988 Tyne and Wear Nature Conservation Strategy. Wildlife corridors allow and extend the free movement of species between wildlife rich areas into urban and semi-urban areas and help maintain the viability of certain species and habitats. In Sunderland, a number of regional and local wildlife corridors have been identified that criss-cross the city and link into Tyneside and County Durham (see map below).

B2.10 Following an initial investigation of the corridors, two key issues have emerged:

- Firstly, that further investigation is necessary. There is a lack of habitat information and patchy species records, which means that it is very difficult to predict species movement especially in light of climate change
- Secondly, and as the map below illustrates, there are gaps within corridors, and not all of the corridors link up. As explained earlier in this report, the small size of protected sites in Sunderland affects wildlife movement and corridor connectivity. Buffer zones around protected sites as well as habitat creation in key areas would create stepping stones and enable corridors to link. Crucially, this would improve habitat and species viability.



**Legend**

- Sunderland City Boundary
- Regional Corridors
- Local Corridors

0 650 1,300 2,600 3,900 5,200  
Meters

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<p><b>Sunderland City Council</b></p> <p>Janet Johnson, Deputy Chief Executive Office of the Chief Executive P.O. Box 102, Civic Centre Sunderland SR2 7DN</p> <p>Telephone: 0191 561 8773 Email: <a href="mailto:Countryside@sunderland.gov.uk">Countryside@sunderland.gov.uk</a> Web: <a href="http://www.sunderland.gov.uk">www.sunderland.gov.uk</a></p>	National Grid Reference	Contact C. Dewson
	Project	Approved by C. Dewson
	<b>Local Development Framework</b>	Drawn by C. Hogarth
	Subject	Date 12/04/2011
<b>Figure 8 Wildlife Corridors</b>	Scale Not to Scale	N ↑
Drawing No.	<b>UF 5.36.01.09</b>	Sheet size A4
		Revisions

**CABINET**

**5 SEPTEMBER 2012**

**REPORT OF THE EXECUTIVE DIRECTOR OF CHILDREN'S SERVICES**

**SURE START REVIEW AND AN INTEGRATED EARLY INTERVENTION SERVICE – IMPLEMENTATION UPDATE**

**1. Purpose of Report**

1.1 The purpose of the report is to update members on the current position in relation to the development of an early intervention service which includes services delivered as part of the former Sure Start, Early Years and Childcare Grant (SSEYCG). The report summarises all of the changes which have been implemented which have been considered by Cabinet in previous reports or have been subject to consultation and delegated decisions.

**2. Description of Decision**

2.1 Cabinet is recommended to

- (i) Note the contents of the report.
- (ii) Recommend Council to approve the proposal at 6.1 and 6.2 of the report to invite the five members appointed to chair locality People Boards to join the membership of the Local Children's Area Board for their locality;
- (iii) Receive a further report to the November meeting of Cabinet in relation to the commissioning of Children's Centre services from April 2013.

**3. Introduction and Background**

3.1 Cabinet have received a number of previous reports and information as the review of services and delivering required efficiencies from the former Sure Start and Early Years and Childcare Grant has been progressed. The most recent of these was 15<sup>th</sup> February 2012.

3.2 At the start of 2010/11 the value of the Sure Start and early Years and Childcare funding totalled £13.227m. An overall efficiency of £1.77m of permanent savings was required to reflect decisions approved as part of the Budget Planning Framework. This saving has been achieved as a result of the review conducted in 2011/12 and this report sets out the measures that have been taken in order to realise this. However, whilst the financial saving has clearly been an important consideration, the imperative to improve services through the children's centre offer has also been a key driver.

3.3 A Project Board was established to oversee and drive the review for which the following principles/considerations were agreed:

- To deliver the required financial savings whilst providing a service which gives children the best start in life, is better targeted to reach the most vulnerable families, offers support and interventions across the whole family and is responsive to differing needs at a local level.
- To recognise the importance of Children's Centres to our children, families and communities
- To ensure that families with the greatest need for support are given priority for services and delivering those services which improve outcomes;
- To influence the provision and delivery of childcare places in areas which might not otherwise be sustainable, supporting childcare professional development and training and improving the outcomes from free childcare places;
- To increase community involvement and influence through the development of Local Children's Centre Area Boards ;
- To increase the use of Children's Centre buildings to meet a wider range of needs identified through community involvement and governance

### **3.4 Consultation**

3.4.1 Between November 2011 and January 2012 parents and stakeholders were consulted on 3 issues:

- The number of designated Children's Centres - 69% of the respondents agreed that the council should reduce costs by keeping the 17 main buildings to deliver activities and sessions but only have five (one in each area) formally designated as a Children's Centre.
- Increasing community influence for service delivery - 86% of the respondents agreed that parents and community members from the local area should have more influence in determining what services are required locally for families living in the area
- Greater targeting of services for those in greatest need - 45% of the respondents said that the council should do more work with families who would benefit from extra help but that Children's Centre services should continue to be available for everyone.

3.4.2 Stakeholders and partners were consulted on other proposed changes through stakeholder groups and the sub groups of the Early Years and Childcare Strategic Partnership.

#### **4. Summary of changes implemented**

4.1 In terms of staffing, as part of the overall review of Children's Services structure, the number of management posts within the former children's centres and early years structures was reduced. Alongside this, a key development from the review is the introduction of a generic Early Intervention Family Team to cover each of the five areas, bringing together a range of roles and activities that were delivered through Children's Centres by different agencies through contracts or by the Council. The purpose of the teams is to offer consistent and coordinated support to families with additional needs and to promote and enable family access to universal and targeted services across learning, health and social care services. This includes support with specific areas such as parenting skills, attachment and breastfeeding. On average, each team is made up of 8 fte staff and will carry out 1-1 outreach interventions and work in small groups. Each team will work across the whole age range from 0-19 rather than the former early years age range.

4.1.1 As part of the review an opportunity to introduce 10 modern apprentice posts has been considered and approved. This will support the priority of providing opportunities for young people to fulfil Level 2 (Intermediate Apprenticeship) qualification in Early Learning and Childcare whilst also gaining experience of the Early Intervention Family Team work within Children's Centres. It is anticipated that there will be new job opportunities in the day care sector due to the expansion of the disadvantaged 2 year old entitlement therefore this would support young people to develop appropriate skills to apply for these opportunities. Work to recruit to the 10 modern apprenticeships is now underway within the Council.

#### **4.2 Children's Centres**

4.2.1 Cabinet previously agreed to reduce the number of designated children's centres from 17 to 5, with the remaining 12 centres remaining open as service delivery centres. In line with the previous Cabinet recommendations, criteria was agreed and applied to determine which centres should be the designated sites. This was followed by discussion with Area Committees in July 2012 with Dubmire Primary School in Coalfields, Hudson Rd Primary School in the East, Bunnyhill in the North, Rainbow Centre in Washington and Thorney Close Action and Enterprise Centre in the West agreed as the designated sites.

4.2.2 A number of Children's Centre activities are delivered through schools and a formula is in place to fund this arrangement. The formula has been reviewed and reduced, in consultation with schools, reflecting the required use and designation of these centres.

4.2.3 A new 'stepping stones' approach to service delivery has been developed to differentiate between a universal offer for all families and a targeted offer for families that require more support.

- 4.2.4 In the **universal** offer, all children have access to group activities for 12 weeks of the year from birth to 3 years. This will include play and learn activities, messy play, time to rhyme as well as parenting skills courses and support. 'Playspaces', which are new to the activity timetable, are open sessions where families can meet while children play together using children's centre buildings and equipment. Supervision is provided by parents themselves rather than by Children's Centre staff.
- 4.2.5 In the **targeted** offer, all children and their families will have access to the above universal offer but will have an enhanced and extended package of support, in response to their identified additional needs. Outreach support in the home will also be provided as part of the targeted offer. From September 2012 parents will book a place on their chosen group activity which will enable the centres to better tailor services to individual needs. Improved systems of data collection and analysis will also enable the service to measure the impact on outcomes of the new offer linked to the common assessment framework (CAF) and the wider early intervention services, including the wider Strengthening Families approach.

### 4.3 Childcare

- 4.3.1 Childcare sufficiency funding has been in place for some considerable time to support individual settings to remain financially viable where demand for places is low. The intention was always to work with settings to become sustainable without additional financial support (i.e. by reviewing staffing models) and the criteria for allocation of sufficiency funding was reviewed to reflect this. It is proposed for 2012/13 that sufficiency funding is only used to support settings where there is an identified lack of sufficient places across whole locality areas..
- 4.3.2 Funded childcare places exist to support children identifies as in need via social care. These places support the child and family to maintain relationships and improve parenting and are considered an effective early intervention with recognised improvement in outcomes. Through the review additional funding has been identified to increase the number of places from 75.5 whole time equivalent places to 90 places. Alongside this increase the "offer" of a funded place has been linked to a requirement for engagement from parents to address needs and thereby further improve outcomes for the child and family.
- 4.3.3 Historically substantial funding has been allocated to support private and voluntary sector childcare settings to improve the quality of their provision linked to the development of staff in Early Years specific training. This was under the umbrella of the Graduate Leader Fund and has achieved a significant improvement in the level of staff qualification. Changes to the levels and term of funding have been introduced and this has meant that in addition to delivering the efficiencies, the scheme has been extended to all settings.
- 4.3.4 Whilst elements of the training programme for Early Years providers have been retained, efficiencies have been achieved by removing supply cover and other supporting costs.



4.3.5 The Council manages two day care settings at Thorney Close and Concord. These are the remaining two provisions which were former Social Care Nurseries and were historically the main provider for children in need (CIN). Children in need are now included in all local nurseries as part of locality arrangements and there are fewer in Thorney Close and Concord. This has enabled a review of staffing at both settings to recognise that these settings were more comparable with mainstream nurseries which has led to efficiencies being realised.

#### **4.4 Commissioned Services**

4.4.1 As part of the review all commissioned services were reviewed and where appropriate new contracts were offered for tender. These contracts are all 12 month contracts to April 2013 pending the introduction of Local Area Children's Centre Boards who will review arrangements against local need and influence future commissioning decisions.

4.4.2 The Community Involvement Contract has been retendered focused on Parental Involvement and Transition to Employment. The service will increase local involvement in Children's Centre services, empowering individuals and promoting the active participation of communities. It will support parents to access training and employment opportunities, ensuring parents are shaping and driving Children's Centre services as customers, participants and partners

4.4.3 The Mobile Crèche contract has been retendered with no change to the specification. The crèche service is required to support the parenting programme.

4.4.4 The Portage service (providing support for very young disabled children and their families within their homes) has been reconfigured so that Sunningdale School who previously provided only one element of the service now provide the whole service. This will provide a more consistent service to families and earlier contact with children, many of whom subsequently attend Sunningdale School.

4.4.5 The Enhanced Safety Equipment Contract has been retendered and eligibility redefined to families most in need of support. This ensures a better targeted service and means that appropriate referrals are responded to more quickly.

4.4.6 The Early Years Mental Health Service contract has been reviewed and now requires the service to be delivered by mental health nurse specialists rather than including a clinical psychology role. The new service specification has moved the focus from delivering training to front line workers to delivering more face to face work with children and families

- 4.4.7 Significant efficiencies have also been achieved in relation to the Health Visiting Service's Child Health Development programme which supports Children's Centres aims. Previously the Council contracted health visiting services directly to the Children's Centres. However, the Child Health Development programme requires Health Visiting Services to be delivered through Children's Centres with a health visitor on every Children's Centre Board. The health visiting service has started to deliver Pregnancy, birth and beyond courses and has continued to deliver baby days/clinics in and through Children's Centres. The local authority will continue to commission 3 health co-ordinator posts who will broker health activities and support the new Early Intervention Family Team.
- 4.4.8 The Extended Maternity Services budget has been maintained at previous levels to support 5 Health Care Assistant posts to support the early engagement of pregnant women and the promotion of breastfeeding which is a key indicator of life chances and against which we currently perform below regional and national averages.
- 4.4.9 The Community Paediatric service, which previously consisted of one post dealing with all referrals has been decommissioned as it is considered more appropriate to ensure that children were referred direct to the Paediatric Service from which there is greater capacity to draw upon.
- 4.4.10 The Council's Service Level Agreement (SLA) with schools with early years settings to develop staff has been withdrawn as this was only partially bought back. The offer has been incorporated into other services provided to these schools thereby offering further efficiencies.
- 4.4.11 Every setting providing education for 3 and 4 year olds was given a grant to deliver the Talk Talk project. This was for bags and equipment which are loaned to children attending their setting. All the settings now have the bags and equipment and have been able to mainstream the delivery of this service, therefore creating efficiency opportunities.

## **5. Further Changes**

- 5.1 The review has allowed consideration of services previously outside of the scope of the Early Years and Childcare Grant. For example, the Parenting Programme has been reviewed and has been focused on delivering a smaller number of parenting programmes which have an evidenced impact on outcomes. In future key programmes will be offered ranging from universal and targeted to specialist programmes which will be offered on a locality basis. The Universal Offer includes parenting information sessions on topics such as breastfeeding, establishing routines, sleep management, toilet training and behaviour management. Opportunities to extend the programme with partners are currently being progressed. The targeted offer includes the Nurture Programme, Strengthening Families Strengthening Communities, Group Triple P and Teen Triple P. This combined package covers the age range from birth to 19 years. These programmes cover all aspects of parenting needs in relation to behaviour management, emotional wellbeing and empowerment. The specialist programmes will include the Incredible Years programme for parents of children who are at risk of developing a disruptive behaviour disorder and

aims to support parents to develop their own strategies to manage their children's behaviour, and the Pathways Triple P (as recommended in the Allen Report 2011) which is a comprehensive parenting intervention for parents with a child subject to a care plan or at risk of maltreating their child.

## **6. Governance Arrangements**

6.1 Five Local Children's Centres Area Boards are being developed from the existing Children's Centre Local Advisory Boards. Representation on these boards will include parents from the local area, health and social care representatives, local headteachers, childcare providers, community and voluntary sector groups and local members. It is proposed that the five councillors who chair the newly established locality People Boards are invited to become members of these boards which are to be established from September 2012. This will establish and support a formal link between arrangements for the children's centres and the People Boards. Nominations from parents and other representatives are currently being sought. . An initial budget of £10,000 has been established to support the development of these arrangements. This new governance model in many ways reflects the strengths of the former Sure Start model in terms of local representation, particularly through the community leadership role of Members.

6.2 The members who will be invited to join Local Area Children's Centre Boards are as follows:

Councillor K Rolph (Coalfields)  
Councillor A Emmerson (East)  
Councillor S Forster (North)  
Councillor L Williams (Washington)  
Councillor S Porterhouse (West)

## **7. Financial Implications**

7.1 The revenue budget for 2011/12 included for £1.77 m of efficiencies delivered from the review. 'quick win' savings implemented during the financial year secured part of this saving, with the implementation of changes described in this report delivering the required £1.77m on a permanent basis.

## **8. Reasons for Decision**

- 8.1 In addition to the need to achieve financial savings the review was undertaken to ensure the integration of children's centres with the wider early intervention offer and to provide a more targeted model which better engages with parents and improves outcomes. The recommendation to invite the Chairs of People Boards to join the Local Area Children's Centre Boards will provide a formal link into the Council's community leadership arrangements and ensure that the People Boards are able to shape and influence future service delivery arrangements and help advise on new contract specifications based on an assessment of local area needs.

## **9. Alternative options**

- 9.1 Maintaining current arrangements was considered and rejected as to do this would not have supported the development of an early intervention model or engaged with the families who most require support to improve outcomes for children. Furthermore the efficiency of £1.77 million would not have been achieved.

## **10. Equality Assessment**

- 10.1 An equality assessment has been completed with identified impacts and mitigating actions.

## **11. Relevant Consultations**

- 11.1 Details of the consultation process and outcomes are outlined at section 3 of this report.

## **12. Background Papers**

Cabinet reports: November 2011 and February 2012  
Consultation document

**CABINET**

**18 SEPTEMBER 2012**

**REVIEW OF MEMBERS' ALLOWANCES SCHEME BY THE INDEPENDENT REMUNERATION PANEL**

**Report of the Chief Executive and Executive Director of Commercial and Corporate Services**

**1.0 Purpose of the Report**

- 1.1 To consider the outcome of the Independent Remuneration Panel's Review of Members' Allowances and to make appropriate recommendations to Council.

**2.0 Description of Decision (Recommendations)**

- 2.1 Cabinet is requested to consider the recommendations of the Independent Remuneration Panel and make appropriate recommendations to Council.

**3.0 Introduction / Background**

- 3.1 The report of the Independent Remuneration Panel has been received and is attached as Appendix 1.
- 3.2 The Panel has responsibility for making recommendations on Basic and Special Responsibility Allowances, pensions eligibility, travel and subsistence and co-optees allowances. The functions of the Panel are described in Annex1 of the Panel's report. Local Authorities must have regard to the advice of the Panel when deciding on their Members' Allowances Scheme and the amounts to be paid thereunder.
- 3.3 The Panel has recommended that the Basic Allowance remains unchanged and that Special Responsibility Allowances (SRAs) should be payable for the positions indicated below, at the levels of remuneration shown with any changes to the Members' Allowances Scheme backdated to the start of the current financial year:

<b>OFFICE HOLDERS</b>	<b>£</b>
Leader	37,667
Deputy Leader	25,111
Cabinet Secretary	25,111
Leader Majority Party in Opposition	12,556
Leader Minority Party in Opposition	6,277
Deputy Leader Majority Party in Opposition	8,369
Deputy Leader Minority Party in Opposition	4,184
Cabinet Member	20,716

Policy Member	12,556
Chairman of Scrutiny Committee	12,556
Chairmen of Area Committees	10,350
Chair of Regulatory Committee	8,369
Chair of Licensing Committee	8,369
Vice Chairmen of Area Committees	6,277
Chair of Planning and Highways Committee	6,277
Chairmen of Development Control Sub Committees	6,277
Vice Chairman of Scrutiny	6,277
Scrutiny Lead Member	5,179
Membership of Adoption Panel (to be paid to up to 2 members)	4,184
Mayoral Allowance	17,205
Deputy Mayoral Allowance	3,827

- 3.4 As is currently the case where the positions of the Chair of the Licensing Committee and of the Regulatory Committee are held by the same member only one allowance should be payable, but increased by a factor of 50%.
- 3.5 The Panel recommend that the amendments to the Members' Allowances Scheme be backdated to the 1 April 2012. For the avoidance of doubt, it has confirmed that the recommended backdating of the proposed amendments is without prejudice to the award of allowances to those Members who were entitled to an SRA under the existing scheme, for so long as they held the position for which the allowance was awarded. It is considered appropriate that such Members should receive the allowance to which they were entitled under the existing scheme, at the rate set out in the existing scheme, up to the date at which they ceased to hold the position concerned.
- 3.6 A summary of the proposed Members' Allowances Scheme is set out at Annex 2 to the Panel's report.

#### **4.0 Suggested Reasons for Decision**

- 4.1 Significant changes have taken place in the governance arrangements within the Council and it is appropriate that the Allowances Scheme is reviewed in the light of these. The Panel's recommendations are based upon consideration of evidence, statutory guidance and analysis, as referred to in its report.

#### **5.0 Alternative Options**

- 5.1 The recommendations have been arrived at following careful consideration by the Panel and are considered by them to represent the optimum approach. It is not therefore recommended that the Council adopt any alternative arrangements.

## **6.0 Financial Implications**

- 6.1 The full cost of proposals (£521,308) can be accommodated within the existing Members' Allowances and Members' Scrutiny budgets and will return a net saving of £7,729.

## **7.0 Other Implications**

- 7.1 There are no equality, privacy, sustainability or crime and disorder issues associated with these proposals.

## **8.0 Publicity**

- 8.1 The Regulations place duties on Councils in connection with publicising the recommendations made by their Independent Remuneration Panel. Accordingly, arrangements have been made for the Panel's report to be available for inspection and to be published on the Council's website.

## **Background Papers**

Report of the Independent Remuneration Panel

**CITY OF SUNDERLAND MEMBERS' ALLOWANCES SCHEME**

**REPORT OF THE INDEPENDENT REMUNERATION PANEL: REVIEW OF MEMBERS' ALLOWANCES IN SUPPORT OF THE COUNCIL'S NEW EXECUTIVE AND COMMITTEE ARRANGEMENTS**

**1.0 Introduction**

1.1 The Members' Remuneration Panel has been operating since 1999. It was originally set up on a voluntary basis but since 2001 has been operating formally as the Independent Remuneration Panel under Government Regulations. In 2003, new Regulations, the Local Authorities (Members Allowances) (England) Regulations became operative and added significantly to the functions of the Panel. A full statement of the formal terms of reference is attached at Annex 1.

1.2 Regulations are supported by detailed guidance which provides a description of both statutory guidance and non-statutory guidance. The Panel has had due regard to this guidance in formulating its proposals.

**2.0 Background**

2.1 The Panel was pleased to note that all previous recommendations had been adopted in full by the Council.

2.2 As part of this review, the Council provided the Panel with details of the broad and fundamental changes in the Council's Governance arrangements that had been introduced from May 2012. The Panel accepted that the new arrangements were still in their early stages of implementation and it was likely that there would be a degree of learning and development for all concerned. The Panel noted the commitment of the Council to accompany implementation of proposals with

- a broad programme of individual and collective capacity development for Officers as well as Members concerned
- regular review of the effectiveness of the implementation of the proposals

2.2 Although consideration of the merits of the Governance structures was not within its remit, the Panel noted the rationale behind the major changes to Executive and Committee arrangements which were introduced by the Council following Annual Council in May 2012. The Panel noted the Council's focus upon:

- Strengthening strategic leadership capacity
- Strengthening Area governance
- Streamlining the Scrutiny function and
- Refreshing other relevant main Committee arrangements



in order to support the next phase of the Sunderland Way of Working.

### **3.0 The Review Process**

3.1 The Panel considered information provided by Members and Officers which included;

- i. written representations received from Members
- ii. documentation provided by the Council which set out the
  - background to the recent fundamental review of the Council's Executive and Committee arrangements
  - rationale for restructuring and details of the specific proposals themselves
  - principal positions of responsibility within the new structures, role definitions for these and average weekly hours required
- ii. direct discussion with Group Leaders or their representatives, the Chief Executive and Head of Community Leadership Programmes.
- iii. further interviews with Members from both main party groups including the Deputy Leader, Policy Members, the Chairman of Scrutiny, various Scrutiny Lead Members, Area Committee Chairmen and Vice Chairmen.
- iv. supplementary information provided by the Council in response to comments and queries made by the Panel during the course of its deliberations.

3.2 The Panel records its gratitude for the assistance provided by members and officers.

### **4.0 Summary of Proposals**

4.1 The Panel noted the Council's progress in achieving challenging expenditure reduction targets at the same time as achieving significant improvements in service quality and customer satisfaction through the Sunderland Way of Working. It also noted the importance which the Council attaches to the community leadership role of Elected Members. The Panel was made aware of the Council's plans to develop its community leadership role and position and that these depended upon closer ongoing involvement of Elected Members, especially those in positions of special responsibility.

4.2 The Panel was also informed of the Council's determination to strengthen its profile and presence in the City, region, nationally and beyond and the need for the Council to revise and strengthen its strategic leadership capacity accordingly.

4.3 The Panel was apprised of the Council's plans for extensive decentralisation of key services to the Area level and the steps which had already been taken to ensure that this change was managed effectively with Members leading and Officers supporting and advising.

4.4 In order to shape its proposals the Council commissioned an independent Peer Review of its Executive and Committee arrangements. The Peer Review focused primarily upon the how current Executive and Committee arrangements could be re-fashioned in order to support the Council's objectives under the Sunderland Way of Working. It also included consideration of opportunities for rationalisation of positions of special responsibility within its wider considerations.

4.5 The Council subsequently implemented the majority of Peer Review recommendations including significant reductions in the number of Cabinet members, Chairmen of Scrutiny Committees and Vice Chairmen of Scrutiny Committees and the disestablishment of the Council's Personnel Committee and therefore the SRA attached to the post of Chairman of this Committee. The Panel was made aware that a further phase of proposals – principally concerning further devolution of decision-making to the Area level – was likely to follow in due course.

4.6 Whilst not constrained by the potential cost of its recommendations, the Panel noted the Council's desire to contain the potential cost of a revised scheme within an envelope of resources consisting of the current Member Allowance Budget and a proportion of the current Scrutiny development budget.

## **5.0 Recommendations**

5.1 The Panel considered the new roles and responsibilities of Members in light of changes to the governance structure. It also gave consideration to the current level of allowances in respect of other positions within the Council and the level of Basic Allowance.

5.2 With regard to the new roles and responsibilities, the Panel considered that these ought to be recognised in the Allowance Scheme. However, it noted that, if its recommendations in this regard were all accepted by the Council this would raise the proportion of Members receiving SRAs to 66% of its 75 Councillors. The Panel was mindful of guidance on local authority allowances issued by the former Office of the Deputy Prime Minister in 2003 which states that, if the majority of members of a council receive a Special Responsibility Allowance, the local electorate may rightly question whether this was justified. The Panel also had regard to written representations that had been received to the effect that the number of SRAs should be reduced and the basic allowance increased. However it also noted, as is recognised in the guidance, that the regulations do not limit the number of SRAs.

5.3 The Panel noted that Councils across the country currently average 58% of Councillors holding SRAs and that north eastern metropolitan authorities average 67%.

5.4 The Panel requested the Leader of the Council's view regarding this and received confirmation that, as far as the majority party was concerned, a justifiable increase above the 50% figure was acceptable.

5.5 Having given careful consideration to the matter, the Panel remained of the view that its recommendations set out below were appropriate.

**5.6 With regard to the Council's proposals, therefore, the Panel recommends that the following changes to the Council's Member Allowance Scheme be accepted and backdated to the start of the 2012/13 Financial Year:**

### **1. Strengthening Strategic Leadership Capacity**

i. The Panel noted that the Council's commitment to strengthening its strategic leadership capacity was based upon its intention to increase capacity available to the Council's Leadership (Leader, Deputy Leader, Cabinet Secretary) to allocate leadership on important emerging issues and opportunities to senior Councillors. The Panel also noted the importance that the Council attaches to strengthening its member representation on key international, national, regional and city-level outside bodies whose decisions impact upon the City. The Panel noted that changes also involved a rationalisation and re-alignment of Cabinet Portfolios to correspond with the remits of main Directorates and to respond to major agendas facing the Council (such as the transfer of Public Health responsibilities to the Council in April 2013) or driven by the Council (such as the Responsive Services programme) and that this was all intended to reinforce the Member role at the centre of decision-making on key matters facing the City.

ii. The Panel noted the reduction of Cabinet by two members and, secondly, the creation of five new Policy Member posts which would both support main Portfolios day to day and provide leadership on major projects or longer term initiatives identified by the Leadership.

**iii. The Panel therefore recommends that**

**a. an SRA equivalent to c.60% of that of a Cabinet Portfolio Holder (£12,556) be attached to the role of Policy Member.**

### **2. Streamlining Scrutiny**

i. The Panel noted the new arrangements for the streamlining of Scrutiny to reflect the need to concentrate Member attentions upon those parts of the governance system which were most critical to delivery of the next phase of the Sunderland Way of Working. It was informed that, following the Independent Peer Review, the Council had reduced seven current Scrutiny Committees with remunerated Chairs and Vice Chairs to one Scrutiny Committee with one Vice Chair and six Scrutiny Leads. The Panel noted that the Council believes that these changes would avoid any reduction in the quality and performance of its Scrutiny function.

ii. The Panel considered the additional responsibility and time commitment required of the single remaining Vice-Chairman of Scrutiny and, particularly, from the six new positions of Scrutiny Lead Member.

**iii. The Panel therefore recommends that**

**a. an SRA equivalent to c.30% of that of a Cabinet Portfolio Holder (£6,277) be attached to the single remaining Vice Chairman of Scrutiny Committee.**

**b. an SRA equivalent to c.25% of that of a Cabinet Portfolio Holder (£5,179) be attached to the position of Scrutiny Lead Member.**

**3. Strengthening Area Governance**

i. The Panel noted the Council's commitment to decentralisation of decision-making on the widest appropriate range of front line services to the Area level or below based upon a desire to

- achieve better outcomes for local people by bringing decision-making on key front-line services much nearer to the public they serve
- maximise the efficiencies achievable through adopting the Council's pioneering Responsive Services methodology and approach

ii. The Panel noted the Council's intention to underpin this challenging agenda with stronger Member representation at the Area level, especially so in view of the Council's commitment to strengthening the influence of local Councillors over shaping and delivery of important front line services.

iii. The Panel also noted the Council's progress on this agenda. Councillors in Area Committees and Area Boards formerly had direct influence over Area budgets rarely exceeding £300,000. In the first wave of decentralisation the Council had given Area Committees and their Place Boards direct influence over an average of ten times this amount per Area, with much more to follow as Area Committees and Area Boards oversee a rapid roll out of further Place and a broad range of People services.

**iv. The Panel therefore recommends that**

**a. an SRA equivalent to c.50% of that of a Cabinet Portfolio Holder (£10,350) be attached to the position of Area Committee Chairman.**

**b. an SRA equivalent to c.30% of that of a Cabinet Portfolio Holder (£6,277) be attached to the position of Vice-Chairman of Area Committee.**

## **4. Refreshing Other Relevant Main Committee Arrangements**

### **a. Licensing and Regulatory Committee Chairmen**

i. The Panel was informed that Licensing Committee and Regulatory Committee were unlikely to be prioritised for review in the next phase of changes to be developed by the Council. The Panel considered the roles and responsibilities of the chairmen of these quasi-judicial committees and comparative information from around the region. On the basis of this, the Panel considered that it was appropriate to review allowances associated with these posts in relation to other elements of the new governance arrangements which the Council had introduced.

**ii. The Panel therefore recommends that the SRA's currently attached to the posts of Chairman of Licensing Committee and Chairman of Regulatory Committee should be revised to an equivalent of c. 40% of the SRA attached to a Cabinet Portfolio Holder (£8,369)**

### **b. Adoptions and Permanency Panel Members (2)**

i. One of the recommendations from the Panel's last review which was accepted by the Council was that up to two members be awarded an SRA for membership of the Adoptions and Permanency Panel. The Panel received evidence of a further increase in the demands upon Members' time associated with this role and considered it appropriate to recommend an increase in allowance to reflect this.

**ii. The Panel therefore recommends that the SRA's currently attached to the two posts involved in the Adoptions and Permanency Panel should be revised to an equivalent of c. 20% of the SRA attached to a Cabinet Portfolio Holder (£4,184)**

### **c. Standards Committee**

i. The Panel noted that under the new arrangements introduced as a result of changes in the standards regime, the Standards Committee no longer had any independent members. The Council had made two appointments to a new role of Independent Person, which sat outside the committee structure.

**ii. The Panel therefore recommends that the payments identified in the Scheme for independent members of the Standards Committee should be removed.**

## **5. Additional Recommendations**

### **i. Save as referred to above, it recommends that all other provisions in the existing scheme remain unchanged.**

It was noted that the cessation of some positions of special responsibility under the existing scheme had occurred after 1 April 2012. For the avoidance of doubt, it is confirmed that the recommended backdating of the proposed amendments is without prejudice to the award of allowances to those members who were entitled to an SRA under the existing scheme, for so long as they held the position for which the allowance was awarded. It is considered appropriate that such members should receive the allowance to which they were entitled under the existing scheme, at the rate set out in the existing scheme, up to the date at which they ceased to hold the position concerned.

With regard to the Basic Allowance, the Panel had regard to representations to the effect that it should be increased and also a representation that it should be protected. In the Panel's view, the current Basic Allowance is at an appropriate level.

### **ii. It also recommends that there is no provision for indexation of allowances.**

## **6. Future Reviews**

i. A number of written representations were made to the Panel by Members regarding matters including the cost of transport, the financial situation of Members in receipt of unemployment and sickness benefit and the level of mayoral allowances. It has not been possible to consider these representations properly within the current review without delaying the process and therefore it is recommended that these representations be considered as part of the next review.

ii. A representation was also received to the effect that the Basic Allowance should be increased to enable Members to provide ICT equipment themselves. As stated above, the Panel considers the current level of Basic Allowance to be appropriate. Should the Council choose to introduce different arrangements for the provision of ICT to Members, the Panel will take this into account in any future review.

iii. The Panel has previously recommended more frequent reviews of the Scheme and it reiterates that this would be appropriate in order to reflect any further changes to Members' roles as these and future new arrangements are embedded. In particular it is recommended that a further review is undertaken in approximately 12 months to assess further the roles and responsibilities associated with the new posts. The Panel was pleased to note cross party support for this proposal.

## **7. Summary of Proposed Allowances Scheme**

A summary of the proposed levels of allowances, which it is recommended should be applied until further review, is set out in Annex 2

John Anderson CBE – Chair

Karen Straughair

John Cuthbert

September 2012

## **The Work of the Panel**

The regulations provide for independent remuneration panels to have the following functions:

- To make recommendations to the authority as to the amount of basic allowance that should be payable to its elected members.
- To make recommendations to the authority about the responsibilities or duties which should lead to the payment of a special responsibility allowance and as to the amount of such an allowance.
- To make recommendations to the authority about the duties for which a travelling and subsistence allowance can be paid and as to the amount of this allowance.
- To make recommendations as to the amount of co-optees' allowances.
- To make recommendations as to whether the authority's allowances scheme should include an allowance in respect of the expenses of arranging for the care of children and dependants and if it does make such a recommendation, the amount of this allowance and the means by which it is determined.
- To make recommendations on whether any allowance should be backdated to the beginning of a financial year in the event of the scheme being amended.
- To make recommendations as to whether annual adjustments of allowance levels may be referred to an index, and, if so, for how long such a measure should run.
- To make recommendations as to which members of an authority are to be entitled to pensions in accordance with a scheme made under section 7 of the Superannuation Act 1972.
- As to treating basic allowance and special responsibility allowance as amounts in respect of which such pensions are payable.



**Members' Allowances Scheme**

	£ Amount per annum £
<b>Basic Allowance</b>	8,369
<b>Special Responsibility Allowances:-</b>	
Leader of the Council	37,667
Deputy Leader of the Council	25,111
Cabinet Secretary	25,111
Leader of Majority Party in Opposition	12,556
Leader of the Minority Party in Opposition	6,277
Deputy Leader of Majority Party in Opposition	8,369
Deputy Leader of the Minority Party in Opposition	4,184
Cabinet Member with Service Portfolio	20,716
Policy Member	12,556
<b>Chairmen of the following:-</b>	
Scrutiny Committee	12,556
Area Committees	10,350
Regulatory Committee	8,369
Licensing Committee	8,369
Planning and Highways Committees	6,277
Development Control Sub-Committees	6,277
Where the same person chairs the Licensing and Regulatory Committees, only one allowance will be payable but increased by a factor of 50%	
<b>Vice Chairmen of the following:-</b>	
Scrutiny Committee	6,277
Area Committee	6,277
<b>Other Special Responsibility Allowances:</b>	
Scrutiny Lead Member	5,179
Membership of Adoption and Permanency Placement Panel (To be paid to up to 2 members)	4,184
<b>Co-optees Allowances</b>	
<b>Port Board</b>	15,000
<b>Audit and Governance Committee:</b>	
Chairman	6,277
Independent member	3,139
Mayoral Allowance	17,205
Deputy Mayoral Allowance	3,827

Motor Cycle Allowance	24p per mile
Bicycle Allowance	20p per mile
Car Allowance	45p per mile for first 10,000 mile and 25p thereafter

Passenger Supplement 5p per mile for the passenger (not exceeding 4).

In the case of absence from the usual place of residence for a continuous period which exceeds 4 hours but does not involve an overnight absence, subsistence is payable as per the table set out below:

Breakfast Allowance	£6.22
Lunch Allowance	£8.55
Tea Allowance	£3.37
Evening Meal Allowance	£10.59

The subsistence rates shall be reduced as shown below in respect of meals provided free of charge by any authority or body during the period to which the allowance relates as follows:

Reduction of Subsistence Allowance for Meals Provided Free of Charge:

Reduction for Breakfast provided	£6.22
Lunch provided	£8.55
Tea provided	£3.37
Dinner provided	£10.59

Expenses Allowances Claimable Against Income Tax –

Use of Home as Office	£135 per annum
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This is the national Her Majesty's Revenues and Customs publicised rate. Allowance to be updated as and when Her Majesty's Revenues and Customs publishes a revised allowance.

Grant payable for Use of Rooms or Halls for Ward Surgeries	£15 maximum per occasion
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Telephone Calls Allowance	£15 per quarter
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Broadband – actual costs to be reimbursed up to a maximum of £15 per month with a contribution from each Member of £3 per month where private use is made for the facility.

# ***Report of the Audit and Governance Committee***



**THE AUDIT AND GOVERNANCE COMMITTEE** reports and recommends as follows:

**1. Annual Report on the work of the Audit and Governance Committee 2011/12**

That they have given consideration to a report by the Executive Director of Commercial and Corporate Services (copy attached) on the work of the Audit and Governance Committee during 2010/2011, demonstrating how they have fulfilled their delegated responsibilities.

Accordingly, the Committee recommends Council to note the Annual Report on the Work of the Audit and Governance Committee 2011/12.



## AUDIT AND GOVERNANCE COMMITTEE

29<sup>th</sup> June 2012

### ANNUAL REPORT ON THE WORK OF THE COMMITTEE 2011/12

#### Report of the Executive Director of Commercial and Corporate Services

#### 1. Purpose of Report

- 1.1 This report provides a summary of the work undertaken by the Audit and Governance Committee during 2011/12 and the outcome of this work. The purpose of this report is to demonstrate how the Committee has fulfilled its role and will be presented to Council once agreed by this committee.

#### 2. Role of the Committee

- 2.1 The Audit and Governance Committee is a key component in the Council's Corporate Governance Arrangements. Its role is to:

- approve the Authority's Statement of Accounts, income and expenditure, and balance sheet or record of receipts and payments (as the case may be);
- consider the effectiveness of the authority's corporate governance arrangements, risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements and seek assurance that action is being taken on risk-related issues identified by auditors and inspectors;
- be satisfied that the authority's assurance statements, including the Annual Governance Statement, properly reflect the risk environment and any actions required to improve it;
- receive, consider and monitor reports on treasury management policy, strategy and practices.

- 2.2 To enable the Committee to fulfil its role effectively awareness / update sessions have been held to provide members of the Committee with information on relevant issues. Sessions provided include the following:

- Statement of Accounts and International Financial Reporting Standards.
- Update on changes resulting from the Council's improvement programmes.

### **3. Matters Considered**

- 3.1 The Committee has met eight times during the course of the year to consider a range of issues. Appropriate officers of the Council have been in attendance at the meetings to present reports and provide additional information in order to clarify issues and respond to questions from members of the Committee. Regular attendees at the meetings are the Executive Director of Commercial and Corporate Services, Head of Audit, Risk and Procurement, Head of Law and Governance and the Council's External Auditors.
- 3.2 To enable the Committee to fulfil its role as set out in paragraph 2.1, a range of reports were considered, as follows:
- a) The Committee endorsed the Audit and Counter Fraud Plan, which sets out the operational plan for the year for the Council and to associated bodies and the performance indicators that the service will be measured against. The Committee was also given the opportunity to identify any areas of work to be considered for the Internal Audit Plan for 2011/2012.
  - b) A progress report in relation to the Audit and Counter Fraud Plan was presented to six of the eight committee meetings during the year. These provided details of the service's performance in relation to the agreed performance indicators and to provide members of the Committee with an opinion on the overall internal control environment within the Council. Specific key issues were highlighted within the reports for members to consider further, specifically in relation to the safeguarding of vulnerable adults and the rate of implementation of recommendations by directorates. It is pleasing to note that the Internal Audit Plan was delivered with the majority of the Key Performance Indicators being met. The head of internal audit's opinion on the Council's internal control environment was positive.
  - c) An annual review of the effectiveness of Internal Audit is carried out and the results of this review were reported to members to provide assurance that the arrangements in place are sound. The review, undertaken by the Audit Commission is very positive, and concluded that the internal audit function continues to meet all relevant professional standards.
  - d) External Auditors provided reports detailing their Annual Opinion Audit Plan, their fees, the Annual Audit Letter, Annual Governance Report, and the Annual Grants report. These reports provided a very positive opinion regarding the Council's performance, governance, financial management and value for money arrangements. The External Auditor was also able to confirm that the objection to the accounts which had prevented previous years statement of accounts being signed off, had been resolved



- e) Reports were presented in relation to the Corporate Risk Profile and the risk management arrangements within the Council, to provide assurance to members that key risks are being identified, assessed and effectively managed. An effective risk management framework is in place and good progress made in relation to actions identified to mitigate strategic and corporate risks.
- f) The results of the Annual Governance Review for 2010/11 were presented, which summarises the overall governance arrangements in place within the Council, and makes recommendations for further improvement. The resultant draft Annual Governance Statement highlighted the good corporate governance arrangements in place and was approved by the Committee and included within the Council's Statement of Accounts.
- g) The annual Statement of Accounts 2010/11 (subject to audit) was presented for members to challenge and approve before they were made available for public inspection and to the external auditors. Once the external auditor had completed the audit, any amendments were submitted back to the Committee for approval. The Committee also received information regarding the new International Financial Reporting Standards. The External Auditor commented positively on the arrangements the Council has in place with regard to the production of the Accounts.
- h) The Committee received reports in relation to the Council's Treasury Management arrangements to receive assurance that they are appropriate and approved amendments to the Treasury Management Policy and Strategy. The Committee noted the good performance in this area, specifically with regard to security and level of return.
- i) The Committee also received regular reports in relation to the consultation on the arrangements to provide external audit in the public sector following the Government's abolition of the Audit Commission, and the subsequent procurement exercise.
- j) Specific reports for information were received in relation to the oversight of financial management in Local Authority maintained schools, and the proposed new arrangements for a corporate approach to providing assurance on how the Council manages its risks. The Committee agreed this approach and a report setting out the arrangements in detail was presented in March 2012.

3.3 From the reports presented the Committee has been proactively monitoring activity in a number of important areas, as follows:

- *Implementation of Agreed Internal Audit Recommendations* – The Internal Audit Annual Report for 2010/11 reported that the rate of implementation of agreed medium risk recommendations was not as expected for Health, Housing and Adult Services. The committee asked for regular updates from the Directorate in relation to this, and a significant improvement has now been achieved.
- *Abolition of the Audit Commission* – During a number of meetings throughout the year the Committee was updated and asked questions about the position of the Audit Commission and the subsequent potential impact on the Council.
- *Treasury Management* – The committee has taken a keen interest in the policies applied in relation to Treasury Management activities, asking detailed questions about the ongoing arrangements and proposed changes before providing their approval.
- *Corporate Risk Profile* – The Committee have received updates regarding the Council's Corporate Risk Profile.
- *Integrated Assurance Framework* – The Committee received a detailed presentation regarding the proposed arrangements for the new integrated assurance framework, and asked various questions to satisfy themselves that the approach was appropriate.

3.4 It can be seen that the work of the committee is wide ranging with members monitoring performance more closely in those areas where it was deemed appropriate.

#### **4. Recommendation**

4.1 The Committee is asked to consider the report and provide any comments for inclusion prior to the report being presented to Council.

# ***Action on Petitions***



**ACTION TAKEN ON PETITIONS**

**Council members are asked to note the action taken in relation to the under mentioned petition which was presented to Council.**

- (i) Petition urging the Council to reduce the speed limit around Richard Avenue Primary School to 20mph. This reduction will improve safety for our children and families – Presented by Councillor Michael Essl on 25<sup>th</sup> January 2012.**

The Executive Director of City Services had declined the petition which was signed by 376 teachers, support staff and parents of Richard Avenue Primary School and decided not to introduce, at this time, traffic calming measures to mitigate against the perceived speeding problem around Richard Avenue area.

Traffic calming measures in residential areas are prioritised in respect of the severity of accidents, exposure to vulnerable road users, likelihood of compliance, proximity to schools, cost implementation, integration with existing traffic calming and public acceptability. The Council has a prioritised list of 15 proposals as pilot projects. The Council is not in a position to accede to any further requests until the outcome of operating the pilots is evaluated.

Councillor Essl and the lead petitioner have been informed accordingly.



# ***Notices of Motion***





**NOTICES OF MOTION**

Council Members are asked to consider the under mentioned Motions:-

**(i) Notice of Motion – City Deal**

Recognising the importance of urban regeneration and skills, this council asks that the government offers a city deal to Sunderland as part of a second wave.

Councillor R Oliver  
Councillor P Wood  
Councillor J S Wiper  
Councillor G E Howe  
Councillor M Forbes  
Councillor P Maddison

**(ii) Notice of Motion – City Centre Car Parking**

This Council notes with concern the under-use of car parking areas in the city centre and believes that, in consultation with appropriate interested parties, there should be a thorough review of the city's car parking policy with the aim of ensuring maximum usage.

Councillor P Wood  
Councillor G E Howe  
Councillor J S Wiper  
Councillor P Maddison  
Councillor R Oliver  
Councillor M Forbes

**iii) Notice of Motion – GCSE Examinations**

This Council, despite the best efforts of the Coalition Government and, in particular, the actions of the Secretary of State for Education, in confusing and derailing the GCSE process, applauds and congratulates the pupils and teachers of the City of Sunderland for the outstanding results achieved in this year's GCSE examinations.

Councillor C Gofton  
Councillor P Watson  
Councillor M Speding  
Councillor R Bell  
Councillor D Allan  
Councillor B McClennan  
Councillor P Gibson  
Councillor D Trueman

**iv) Notice of Motion – Living Wage**

This Council believes it has a duty to be a good employer and therefore commits to exploring the viability and benefits of becoming a living wage employer by:

- Performing an audit of employees to establish how many are currently paid less than the living wage,

And

- Meeting with the Living Wage Foundation, Trades Unions and other Stakeholders to discuss the merits and benefits of a living wage.

Councillor H Trueman  
Councillor D Allan  
Councillor P Watson  
Councillor R Bell  
Councillor B McClennan  
Councillor M Speding  
Councillor A Emerson  
Councillor D Trueman

# ***Reports***



**Quarterly Report on Special Urgency Decisions**

**Report of the Leader**

The Council's Constitution requires that a quarterly report be submitted to Council on executive decisions which have been taken under Rule 16 of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000.

This is the special urgency provision under which key decisions may be taken by the executive notwithstanding that the item was not contained in the Forward Plan and compliance with Regulation 15 (the general exception) was impracticable.

There have been no such instances since the last quarterly report.

**Recommendation**

That the Council notes the content of this report.



COUNCIL

26<sup>th</sup> SEPTEMBER 2012

**APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES – HUMAN RESOURCES COMMITTEE, CHILDREN’S TRUST, ADULT PARTNERSHIP BOARD, SUNDERLAND AFC FOUNDATION PARTNERSHIP BOARD AND APPEALS UNDER THE EDUCATION ACTS - CONSTITUTION OF PANEL MEMBERS**

**Report of the Executive Director of Commercial and Corporate Services**

**1.0 Introduction**

1.1 The purpose of this report is to consider appointments to the Human Resources Committee, the Children’s Trust, the Adult Partnership Board and the Sunderland AFC Foundation Partnership Board

**2.0 Human Resources Committee**

2.1 At its meeting on 20<sup>th</sup> June 2012 the Council established the Human Resources Committee and appointed the under mentioned members to it:-

Councillor Errington	Councillor P Watson
Councillor Gofton	Councillor S Watson
Councillor Mordey	Councillor C Wakefield
Councillor Speding	Councillor A Wilson
Councillor D Trueman	Councillor P Wood
Councillor H Trueman	(1 Majority Group Vacancy)
(Chairman and Vice Chairman to be appointed)	

2.2 The Majority Group has now nominated Councillor T Wright to fill the vacancy on the committee with Councillors P Watson and H Trueman to be Chairman and Vice Chairman respectively.

**3.0 Children’s Trust**

3.1 At the Annual Meeting of the Council in May 2012 the Council appointed the Leader or Deputy Leader of the Council, the Children’s Services Portfolio Holder and the Public Health, Wellness and Culture Portfolio Holder to serve on the Children’s Trust.

3.2 The Majority Group have now nominated the Health, Housing and Adult Services Portfolio Holder to replace the Public Health, Wellness and Culture Portfolio Holder on the Trust and the Council is accordingly invited to consider the nomination.

#### **4.0 Adult Partnership Board**

**4.1** At the Annual Meeting of the Council in May 2012 the Council appointed the Leader of the Council, the Deputy Leader of the Council, the Children's Services Portfolio Holder, the Health, Housing and Adult Services Portfolio Holder and Councillor Oliver to serve on the Adult Partnership Board.

**4.2** The Majority Group have now nominated the Cabinet Secretary as the strategic lead for Adult Social Care and Housing to replace the Leader of the Council on the Partnership Board and the Council is accordingly invited to consider the nomination.

#### **5.0 Sunderland AFC Foundation Partnership Board**

**5.1** At the Annual Meeting of the Council in May 2012 the Council appointed the Leader of the Council, the Children's Services Portfolio Holder, the Public Health, Wellness and Culture Portfolio Holder, the Chief Executive, the Executive Director of Children's Services and the Executive Director of City Services to serve on the Sunderland AFC Foundation Partnership Board.

**5.2** The Majority Group have now nominated the Cabinet Secretary to replace the Public Health, Wellness and Culture Portfolio Holder on the Partnership Board and the Council is accordingly invited to consider the nomination.

#### **6.0 Appeals under the Education Acts - Constitution of Panel Members**

**6.1** In accordance with usual practice and to comply with the Council's duty under the School Standards Framework Act 1998 to establish a panel of persons from whom Appeals Panels may be constituted, advertisements have been placed seeking applications from members of the public to sit on the Appeals Panel.

**6.2** New applications as Lay Members have been received as set out below. Satisfactory references have been received and the Council is now requested to consider the applications:-

##### **Lay Members**

Rose Elliott, Cleadon  
Ian McKinnell, Sunderland  
David O'Neill, Newcastle Upon Tyne



**7.0 Recommendations:**

**7.1** The Council is accordingly recommended to consider appointing:

- (i) Councillor T Wright to fill the vacancy on the Human Resources Committee and Councillors P Watson and H Trueman to be Chairman and Vice Chairman respectively,
- (ii) the Health, Housing and Adult Services Portfolio Holder to replace the Public Health, Wellness and Culture Portfolio Holder on the Children's Trust,
- (iii) the Cabinet Secretary to replace the Leader of the Council on the Adult Partnership Board,
- (iv) the Cabinet Secretary to replace the Public Health, Wellness and Culture Portfolio Holder on the Sunderland AFC Foundation Partnership Board, and
- (v) Lay Members to the Education Appeals Panel as set out in paragraph 6.2 above.

