

**At a meeting of the SUSTAINABLE COMMUNITIES SCRUTINY COMMITTEE held in the CIVIC CENTRE on TUESDAY, 19<sup>TH</sup> OCTOBER, 2010 at 5.30 p.m.**

**Present:-**

Councillor S. Watson in the Chair

Councillors M. Dixon, Errington, Essl, Foster, Kay, Maddison, McClennan, Rolph and A. Wilson.

**Also Present:-**

Councillor D. Wilson - Portfolio Holder for Safer City and Culture

**Apologies for Absence**

An apology for absence was submitted to the meeting on behalf of Councillor I. Richardson.

**Minutes of the Last Meeting of the Sustainable Communities Scrutiny Committee held on 21<sup>st</sup> September, 2010**

1. RESOLVED that the minutes of the meeting held on 21<sup>st</sup> September, 2010 be confirmed as a correct record subject to 'Mr. Craddock' on page 4, paragraph 5 being amended to read 'Mr. Caddick'.

**Declarations of Interest**

There were no declarations of interest made.

**Response from Cabinet – 24<sup>th</sup> June, 2010 – Policy Review – Local Studies Provision in Sunderland**

The Chief Executive submitted a report (copy circulated) which provided Members with feedback from the Cabinet meeting held on 24<sup>th</sup> June, 2010 where consideration was given to the Committee's policy review into Local Studies in Sunderland.

(For copy report – see original minutes).

Members were advised that Cabinet had approved the recommendations from the review in their entirety and the Committee's attention was drawn to Appendix A which provided an action plan in respect of each recommendation.

Councillor D. Wilson, Portfolio Holder for Safer City and Culture, presented the feedback in relation to the Action Plan and addressed comments and questions from Members, supported by Vicki Medhurst, Principal Librarian, Library Development and Information.

In response to an enquiry from Councillor Rolph, Councillor Wilson advised that the Local Studies Manager had now been appointed and provided Members with details of the successful applicant's background.

With regard to the development of further links and partnership working Councillor Rolph suggested that this should include the University Archives, Beamish Museum, the Coalfield Area Committee Task and Finish Group, Local and Regional Records Offices together with friends groups such as the Friends of Rectory Park.

Councillor Errington endorsed the Beamish Archives as a fantastic source of information. Councillor D. Wilson confirmed that local studies were very important to people and commended the work being done in Washington in this regard.

Councillor A. Wilson referred to recommendation No. 10 and asked how the Friends of the Local Studies Group was to be promoted. Ms. Medhurst advised that this would be done via the press and usual PR. The service had already spoken to the Sunderland Heritage Forum and were looking at ways to engage with people who did not currently use the service.

In response to an enquiry from Councillor McClennan as to how young people could become involved, Councillor D. Wilson stated that the Hylton Castle battle re-enactment had been a great success for young people and had created a demand for local studies. The East End Heritage Group was doing a tremendous job in encouraging young people and had raised money and employed a person to develop this work. A grant from Young Roots had also been awarded to engage young people in archaeology within the East End. In addition Ms. Medhurst advised that the role of the Local Studies Manager would very much include out reach work to engage with young people. Events of interest to young people would be promoted via the library service. In conclusion, Councillor D. Wilson advised that whatever provision was made for young people the one thing it should not be seen to be was 'boring'.

The Chairman having thanked Councillor Wilson and Ms. Medhurst for their attendance, it was:-

2. RESOLVED that the report and information provided be received and noted.

## **Role of Culture in Supporting Sustainable Communities 2010**

The Chief Executive and Executive Director of City Services submitted a report which outlined the background position with regard to the Committee's policy review into the role of culture in supporting Sustainable Communities and which set out details of the evidence gathering process.

(For copy report – see original minutes).

Jim Diamond, Scrutiny Officer, presented the report which highlighted the previously agreed terms of reference, provided definitions of Culture and Sustainable Communities and Culture, together with an overview of the components of the current cultural offer in Sunderland.

Members were advised that during the course of the review, each of the service areas would be asked to present detailed evidence in support of their work in order to better understand the role of culture in supporting sustainable communities, reinforcing cultural identity and combating social exclusion. Examples of good practice would be highlighted both from within the Council and from other local authorities.

Evidence could also be sought from a range of external partners including Sport England, English Heritage, Arts Council England, Tyne and Wear Archives and Museums, the University of Sunderland and some of the relevant Voluntary and Community Sector groups in the City.

The Chairman referred to the minutes of the last meeting and advised that to date no nominations had been received for the Task and Finish Groups. Councillors Rolph and Errington volunteered to sit on the Groups however Councillor Rolph reiterated her request that meetings were arranged for the evening to make it easier for Members to attend.

In response to an enquiry from Councillor Rolph, Mr. Diamond advised that a detailed report on heritage would be submitted to the Committee as part of the review.

Councillor McClennan advised that she represented the Ward with the highest percentage of BME residents in the City. She asked therefore that as part of the review, evidence was also sought from the BME network and Voluntary Sector Network.

The Chairman having thanked Mr. Diamond for his report, it was:-

3. RESOLVED that:-
  - i) the report be received and noted; and
  - ii) Councillors Rolph and Errington be nominated to serve on the Policy Review Task and Finish Group.

## **Play and Urban Games Review**

The Executive Director of City Services submitted a report (copy circulated) which presented an addendum to the Play and Urban Games Strategy (PUGS) and also highlighted the Council's achievements to date with regard to the six objectives contained within the PUGS.

(For copy report – see original minutes).

Carol Lewis, Play Pathfinder Programme Manager, presented the report and highlighted the key achievements to date in each of the following six objectives:-

- i) ensure play is strategically planned and resourced in partnership;
- ii) involve children and young people in the development of their play opportunities and services;
- iii) work in partnership to develop, support and promote high standards for play;
- iv) create, improve and develop free and inclusive play spaces;
- v) seek greater innovation in the development of sustainable play opportunities;
- vi) ensure that in partnership, the City monitors and evaluates the impact of play developments citywide to deliver this Strategy.

Members were informed that since the PUGS was produced in 2007 and endorsed by Cabinet, substantial progress had been made, primarily due to the success in achieving Play Pathfinder status. This had amounted to a £2.1 million capital investment accompanied by revenue support. The award has resulted in an 18 month play transformation programme and subsequently, the over achievement against key actions identified within the PUGS in 2007, necessitating an update to the Strategy. This addendum was appended as an appendix to the report for Members' comment.

In response to an enquiry from Councillor Errington regarding Action 18 in Appendix 4 of the plan, Ms. Lewis confirmed that the Burdon Lane and Cherry Knowle site bordered on the Doxford Ward.

Councillor Foster referred to 106 Agreements and believed that Ward Councillors should have the final say with regard to where the resulting funding was spent.

Councillor Kay expressed surprise that street play comprised such a tiny element of the PUGS and that it appeared mobile provision for play and youth work had been overlooked. He applauded the notion that play was free at the point of delivery but hoped there was confidence that this could be maintained given the current economic climate.

Councillor Rolph stated that she had been extremely impressed with the way City Services had delivered the Pathfinder, however, because of the tight timescale there had been residual issues. For example, the equipment at the Rectory Playing Field had been removed and had yet to be replaced. With regard to paragraph 5 in relation to the National, Regional and Local context she noted that fig 2 made no reference to Scrutiny. There was also no mention of the 'Planning for Play' policy review document produced by the former Culture and Leisure Review Committee during 2002-2003. With regard to the SWOT Analysis detailed in paragraph 7 of the PUGS, Councillor Rolph noted that no mention had been made of increased traffic volumes. In conclusion she also referred to the Action Plan and stated that it appeared not to have been updated following the consultation at the Coalfield Area Committee.

The Chairman having complimented Ms. Lewis on the clarity of the report's narrative it was:-

4. RESOLVED the report be received and noted.

### **Economic Viability of Affordable Housing Requirements**

The Deputy Chief Executive and the Executive Director of Health, Housing and Adult Services, submitted a report (copy circulated) which informed the Committee of the findings of a study into the economic viability of securing affordable housing in the City which would form part of the evidence base of the emerging Local Development Framework (LDF) Core Strategy.

(For copy report – see original minutes).

Neil Cole, Manager Planning Policy, presented the report and addressed comments and questions from Members.

Councillor McClennan referred to the announcement earlier that day of Government Plans to cut funding for social housing by 50% and asked Mr. Cole for his comments.

Mr. Cole replied that it was too early to comment at this stage as he had not heard the announcement. He advised that there was the potential for a knock on effect. It had been widely anticipated that the intention of the Government was to increase rents towards the market end of the spectrum. He did not believe that it would negate the findings of the report as it already recognised that any Government funding would be limited.

In response to an enquiry from Councillor Kay, Mr. Cole advised that a lot of the target figure of 388 homes would be subsumed by Gentoo. When viability was being assessed the Authority had pulled together 13 brown field sites each at various stages of development. Mr. Cole advised that it was the intention of his service to work closely with Land and Property to help kick start development.

Councillor Dixon stated that a lot of sites had remained vacant for many years, for example, in areas such as Pennywell, Pallion and Hendon. This has been the case even during the time of the housing market boom and he asked whether developers had shown any enthusiasm more recently. Mr. Cole advised that the Strategic Housing Land Availability Assessment had been informed by the private sector, registered social landlords and land owners. It was not in dispute that planning applications had declined, however, on the positive side the private sector appeared to be gearing up for the signs of green shoots and the number of pre application discussions was on the increase.

Councillor Rolph referred to the impact the decrease in Government funding for social housing would have for Gentoo both in relation to their ability to build homes and the incentive to fall back on rent rises. There was also the tension between the Council and developers with the Council promoting brown field site development when this was not where private sector firms wished to build. Councillor Rolph also suggested that perhaps the Council could consider looking at small sale partnership exercises with developers and expressed surprise that only five consultation responses had been received with regard to the study.

In conclusion, with regard to the lack of site development the Chairman suggested that the timescales involved in the planning process were off putting for many developers and believed that consideration should be given to devising a fast tracking system.

The Chairman having thanked Mr. Cole for his attendance, it was:-

5. RESOVLED that the report be received and noted.

### **Forward Plan – Key Decisions for the Period 1<sup>st</sup> October, 2010 – 31<sup>st</sup> January, 2011**

The Chief Executive submitted a report (copy circulated) to provide Members with an opportunity to consider those items on the Executive's Forward Plan for the period 1<sup>st</sup> October, 2010 – 31<sup>st</sup> January, 2011 which related to the Sustainable Communities Scrutiny Committee.

(For copy report – see original minutes).

Councillor Kay asked that if it was thought there was value in doing so, that item 01454 (Partnership Volunteering Strategy) was brought to the Committee.

Councillor Rolph asked that the Committee was also able to comment on the sustainable aspects of the Waste Management PFI item.

6. RESOLVED that the contents of the Forward Plan be noted.

## **Work Programme 2010-11**

The Chief Executive submitted a report (copy circulated) which attached for Members' information, the current Work Programme for the Committee's work during the 2010-11 Council year.

(For copy report – see original minutes).

Councillor Rolph having commended Mr. Caddick and his team for their pledge to bring housing issues to the Committee for comment prior to Cabinet submission, it was:-

7. RESOLVED that the Committee's Work programme for 2010-11 be received and noted.

The Chairman then closed the meeting having thanked everyone for their attendance.

(Signed) S. WATSON,  
Chairman.

# **SUSTAINABLE COMMUNITIES SCRUTINY COMMITTEE**

## **SUNDERLAND HOUSING PRIORITIES**

### **REPORT OF THE CHIEF EXECUTIVE**

**16 NOVEMBER 2010**

#### **1. PURPOSE OF THE REPORT**

- 1.1 To consider the report of the Director of Health, Housing and Adult Services and Deputy Chief Executive that was approved by Cabinet on 3 November 2010.
- 1.2 The report advises Cabinet of the development of the Sunderland Housing Priorities Plan and seeks Cabinet approval for the Plan to be submitted formally to the Homes and Communities Agency.

#### **2 BACKGROUND**

- 2.1 The Sunderland's Housing Priorities Plan is seen as the main product of the on-going dialogue between the City Council and the Homes and Communities Agency, and is intended to form the basis for future investment decision making between the City Council and the Homes and Communities Agency. It will complement the Economic Masterplan and ensure that Sunderland's housing offer will meet the city's needs and objectives.

#### **3. RECOMMENDATION**

- 3.1 That the Committee note, and provide comment on the content of the Cabinet report.

#### **3. BACKGROUND PAPERS**

Cabinet Agenda 3 November 2010



**CABINET MEETING – 3 NOVEMBER 2010**

**EXECUTIVE SUMMARY SHEET – PART I**

**Title of Report:**

Sunderland's Housing Priorities Plan

**Author(s):**

Executive Director of Health, Housing and Adult Services and Deputy Chief Executive

**Purpose of Report:**

To advise Cabinet of the development of the Sunderland's Housing Priorities Plan. To seek Cabinet approval for Sunderland's Housing Priorities Plan and for the Plan to be submitted formally to the Homes and Communities Agency.

**Description of Decision:**

To approve Sunderland's Housing Priorities Plan and for the Plan to be submitted formally to the Homes and Communities Agency.

**Is the decision consistent with the Budget/Policy Framework?** Yes.

**If not, Council approval is required to change the Budget/Policy Framework**

**Suggested reason(s) for Decision:**

The Sunderland's Housing Priorities Plan is seen as the main product of the on-going dialogue between the City Council and the Homes and Communities Agency, and is intended to form the basis for future investment decision making between the City Council and the Homes and Communities Agency. It will complement the Economic Masterplan and ensure that Sunderland's housing offer will meet the city's needs and objectives.

**Alternative options to be considered and recommended to be rejected:**

The alternative option is to not develop Sunderland's Housing Priorities Plan and thereby potentially putting at risk Homes and Communities Agency funding into the City.

**Is this a "Key Decision" as defined in the Constitution?**

Yes

**Relevant Scrutiny Committee:**

Sustainable Communities.

**Is it included in the Forward Plan?**

Yes

**REPORT OF THE EXECUTIVE DIRECTOR OF HEALTH, HOUSING AND  
ADULT SERVICES AND THE DEPUTY CHIEF EXECUTIVE**

**SUNDERLAND'S HOUSING PRIORITIES PLAN**

**1. PURPOSE OF THE REPORT**

- 1.1 To advise Cabinet of the development of the Sunderland's Housing Priorities Plan. To seek Cabinet approval for Sunderland's Housing Priorities Plan and for the Plan to be submitted formally to the Homes and Communities Agency.

**2. DESCRIPTION OF DECISION**

**Cabinet is requested:**

- 2.1 To approve Sunderland's Housing Priorities Plan and for the Plan to be submitted formally to the Homes and Communities Agency.

**3. BACKGROUND**

- 3.1 The Homes and Communities Agency (HCA) was formed on 1 December 2008 through a merger of 'English Partnerships' and the 'Housing Corporation' to create the national housing and regeneration agency for England.
- 3.2 The primary role of the HCA is to create opportunity for people to live in high quality, sustainable places. The HCA provides funding for affordable housing, brings land back into productive use and improves the quality of life by raising standards for the physical and social environment in Sunderland.
- 3.3 From the launch of the HCA in December 2008, the focus has been on implementing the 'Single Conversation' or 'Local Investment Planning' process as a local place-based business model. The model was designed to realise the benefits of creating a single housing and regeneration agency and achieve more efficient investment delivery in places in line with locally determined priorities. The HCA have now initiated this on-going iterative process with every local authority in England.
- 3.4 Local investment planning is the HCA's formal approach to help ensure that there is a consistent approach nationally to identifying key needs and priorities at a local authority level and that plans are in place to support and deliver against these needs. This approach complements the Council's strategies and action plans for ensuring that the City's aspirations for Sunderland to be a place that people want to live, work, visit and invest in are met.

- 3.5 Sunderland's Housing Priorities Plan (HPP) is seen as the main product of the on-going iterative process and is intended to form the basis for investment decision making between the City Council and the HCA over the next 15 years. It is not a statutory document and supports the delivery of the Council's and Local Strategic Partnership's key documents. The strategic context of the HPP is set out below:



- 3.6 The HPP will also form the basis of a 'Local Investment Agreement' between the City Council and the HCA and this is likely to be signed-off in early 2011.

#### **4. CURRENT POSITION**

- 4.1 At the moment the City Council does not have a formal housing priorities plan or an 'investment agreement' in place with the HCA and as such the City could potentially miss out on much needed financial investment as to help realise the aspirations and strategic priorities of the City.
- 4.2 Investment opportunities with the HCA are currently based upon individual 'grant bid submissions' for individual projects that are short term by their nature. The HPP will ensure that the agency works with the Council to support the regeneration and growth of our local priority places and special needs over the next 15 years in Sunderland; all at a time of economic uncertainty, with the impacts of the recession now being felt, private sector uncertainty and reduced overall public expenditure. The current grant bidding process is not based upon a total capital approach or a placed-based commissioning framework and the HPP will help address these short comings and ensure that there is a more consistent approach developed.

- 4.3 The HCA has issued its 'Local Investment Plans – Core Elements' requirements that each local authority is encouraged to address within its plan, including:
- Alignment and coherence of local strategies, and the degree to which these are consistent with relevant local targets;
  - A clear and consistent narrative about the rationale for the investment priorities identified, including key evidence of the local economic, social, demographic and environmental needs that they will address; and
  - A framework for making choices and determining priorities to deliver strategic outcomes within limited resources
- 4.4 The role of the private sector can not be underestimated, and the HPP needs to be alive to the requirements of the private sector and enable developers to aid in the delivery of the strategic priorities all aligned to the realisation of the city's vision. At the moment, due to the lack of clarity on our housing priorities, private sector developers and investors are uncertain where development opportunities are linked to an overall strategic investment plan.
- 4.5 The HPP seeks to set out the reason for, and the commitment to, joint investment in Sunderland and develop the priorities for that investment over the lifetime of the Plan (2010-2025).
- 4.6 The HPP has been based upon and developed around the overall spatial and socio-economic regeneration priorities of Sunderland as set out in the Sunderland Strategy 2008 -2025, Economic Master Plan and the Core Strategy / Local Development Framework (LDF).
- 4.7 It is intended that the HPP will be updated and refreshed in April 2011 by which time the impacts of the Comprehensive Spending Review 2010 (CSR10) will be fully known.

## **5. REASONS FOR DECISION**

- 5.1 The HPP is intended to form the basis for future investment decision making between the City Council and the HCA and an initial 'investment agreement' for 2011/12-2013/14 is planned to be signed-off in early 2011.
- 5.2 There is also an implicit recognition that HCA resources, like other public funding, will be limited and that a 'partnership' aimed at 'place shaping' can only work if it is linked to making the most use out of other resources as well, such as private sector investment, land use, cross subsidy, prudential borrowing and the use of other assets such as knowledge, skills, time, intelligence and other services.

- 5.3 This approach will enable the City to enter into a negotiation phase with the HCA that will culminate in an 'Investment Agreement' being signed in early 2011, which will confirm the priorities for investment. This approach will also highlight the spatial priorities and timescales for the City's development in three year tranches up until 2025, with associated investment requirements.
- 5.4 The HPP will also underpin the City's commitment to current and future priorities contained within the Economic Masterplan.
- 5.5 The HPP reaffirms the city's intention to:
- Improve the local economy and support economic growth
  - Develop and deliver new homes that meets the needs and aspirations of existing and potential residents
  - Improve the existing housing stock – especially in relation to reducing the carbon footprint and reducing fuel poverty
  - Supporting the development of Low Carbon City Villages
  - Meeting the accommodation and support needs of all vulnerable people – especially the needs of an ageing population
  - Promoting sustainable living
- 5.6 The HPP will also help clarify HCA thinking on how it's investment will help drive Sunderland's economy and contribute towards dealing with socio-economic inequalities in the city.

## **6. ALTERNATIVE OPTIONS**

- 6.1 The alternative option is to not develop Sunderland's Housing Priorities Plan and thereby potentially putting at risk Homes and Communities Agency funding into the City.

## **7. RELEVANT CONSIDERATIONS/CONSULTATION**

- 7.1 The Director of Financial Resources has been consulted upon throughout the development of the HPP.
- 7.2 The HPP has been widely consulted upon, with two consultation events with partners being held in July and September respectively. The HCA have also been fully involved in the Plan's development and have carried out their own 'Peer Assurance Review' and comments made from the Review have been factored into the document.

## **8. RECOMMENDATIONS**

- 8.1 Cabinet are recommended to approve Sunderland's Housing Priorities Plan and for the Plan to be submitted formally to the Homes and Communities Agency.

- 8.2 That delegation be authorised to the Executive Director of Health, Housing and Adult Services and the Deputy Chief Executive in consultation with the Portfolio Holders for Sustainable Communities and Prosperous City to negotiate with the HCA over the development of the Local Investment Agreement
- 8.3 That Cabinet receive an updated Housing Priorities Plan in April 2011.

**9. APPENDICES**

Sunderland's Housing Priorities Plan 2010-2025

Appendix 1 - Priorities

# “Housing Futures”

“Sunderland’s Housing Priorities Plan “

2010 – 2025

**Sunderland – open for business and ready to do business**

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## FOREWORD

This is the first Housing Priorities Plan for Sunderland and it has been developed by Sunderland City Council working in partnership with the [Homes and Communities Agency \(HCA\)](#) to ensure that we have a shared **understanding of the ambition** for **Sunderland's future economy** and to create **sustainable places** and **communities**. Fundamentally, we have agreed priorities so that resources can be secured and directed to have **most impact**, where the market is not able to do this. The plan sits alongside other key plans for the city and together they form a suite of plans guiding the delivery of the overall Local Strategic Partnership's [Sunderland Strategy](#). The Housing Priorities Plan details what the City's overarching priorities are up to 2025. The [Economic Masterplan](#) for Sunderland sets the aims for the City's economy and the agenda for the future economy of Sunderland.

The overarching **priorities** for Sunderland are:

- To support the delivery of **sustainable economic growth** and transformation by achieving the vision and aims set out in the Sunderland Economic Masterplan
- Develop and deliver **new homes** that meet aspirations and needs of existing and potential residents in line with the Economic Masterplan and the developing Local Development Framework and Core Strategy
- Improve the **existing housing stock** – especially in relation to reducing the carbon footprint and reducing fuel poverty
- Supporting the transition of selected neighbourhoods to **Low Carbon City Villages** linked to each other by the city's green infrastructure and supported by properly aligned policies for health, transport, education, environment and development
- Meeting the accommodation needs of all **vulnerable and socially excluded people** – especially the needs of an ageing population and ensure that we enable fulfilled lives in later life all developed in partnership especially with Health.
- Promote **sustainable living** across the city by challenging existing attitudes, culture and behaviours.

Sunderland is **open for business** and **ready to do business** and, by working in partnership, the City can deliver upon its strategic priorities for all residents and in doing so help Sunderland become truly the place in which to live, work, study, visit and invest.

**Dave Smith, Chief Executive, Sunderland City Council     David Curtis, Director, Homes and Communities Agency**

## Section 1: Executive Summary

This is Sunderland's **first** Housing Priorities Plan. It is part of the overall strategic investment framework for Sunderland City Council and its partners. It is a **long-term aspirational plan** that supports the City in achieving its long-term ambitions up to and beyond 2025. It supports the vision as set in the Sunderland Strategy 2008-2025 as well as the aims of the City's Economic Masterplan. The Plan is part of an **ongoing dialogue** with the **Homes and Communities Agency** (HCA) and other partners, that is focused upon 2025 and how the City's 'residential and place offer' can help to deliver the city's outcomes. The Plan is being developed at a time when the economic prospects are uncertain, the impacts of the recession are being felt and there is less public funding available. It has been developed with reference to, and will continue to have regard to [HM Treasury - Five Case Model](#) in accordance with best practice guidance provided in the [Green Book guidance - HM Treasury](#) and set against the outcomes of the [Comprehensive Spending Review 2010](#).

### 1. Objectives for Sunderland's Places and People (see sections 4 and 5)

We aim to be:

**' An entrepreneurial University City at the heart of a low carbon regional economy '**

The City is committed to delivering an economic renaissance:

- **A new kind of University City**
- **A national hub of the low-carbon economy**
- **A prosperous and well-connected waterfront city centre**
- **An inclusive city economy – for all ages**
- **A one city approach to economic leadership**

The Economic Master Plan sets out our intentions in detail.

To support a more **successful economy** and to reverse the out-migration requires an improved housing and place offer, by creating sustainable low carbon residential neighbourhoods via a wide range of housing options and high quality homes in all tenures. In order to meet this challenge housing action is required to:

- provide the environment and appropriate sites for the private sector to invest in within Sunderland
- co-ordinate housing investment with transport, schools, jobs and regeneration to enable a 'place' based approach to investment
- balance housing for rent and for sale

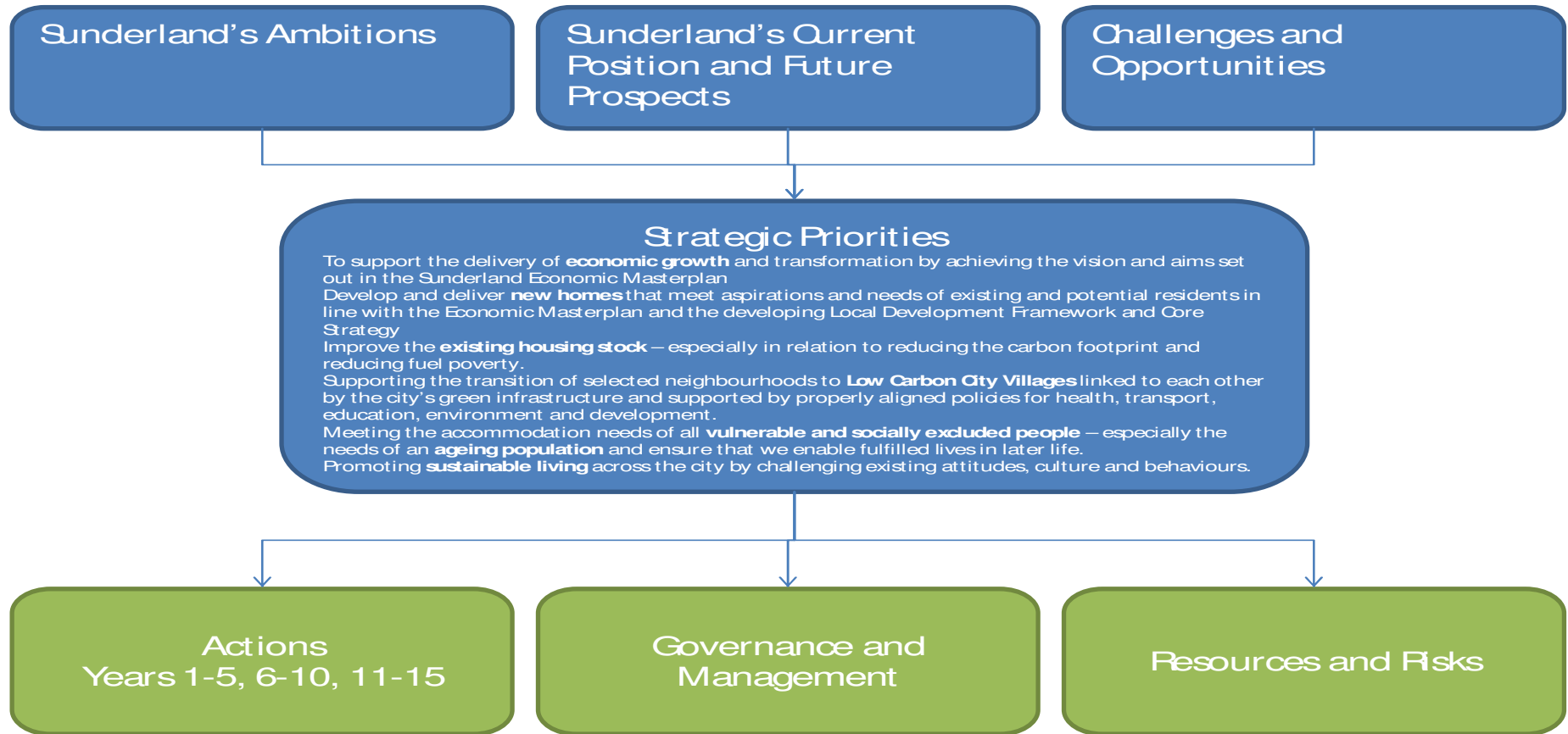
- accelerate housing market renewal – including block improvement schemes, demolitions, reducing the numbers of empty properties and effective licensing of landlords
- introduce more low density/higher value housing to attract high income earners to live within the City and allow existing resident’s housing aspirations to be met
- set targets for affordable housing in line with the developing supplementary planning document on affordability
- provide adequate provision of supported housing for all vulnerable groups and those who are socially excluded – priority being for older people due to the shifting age profile

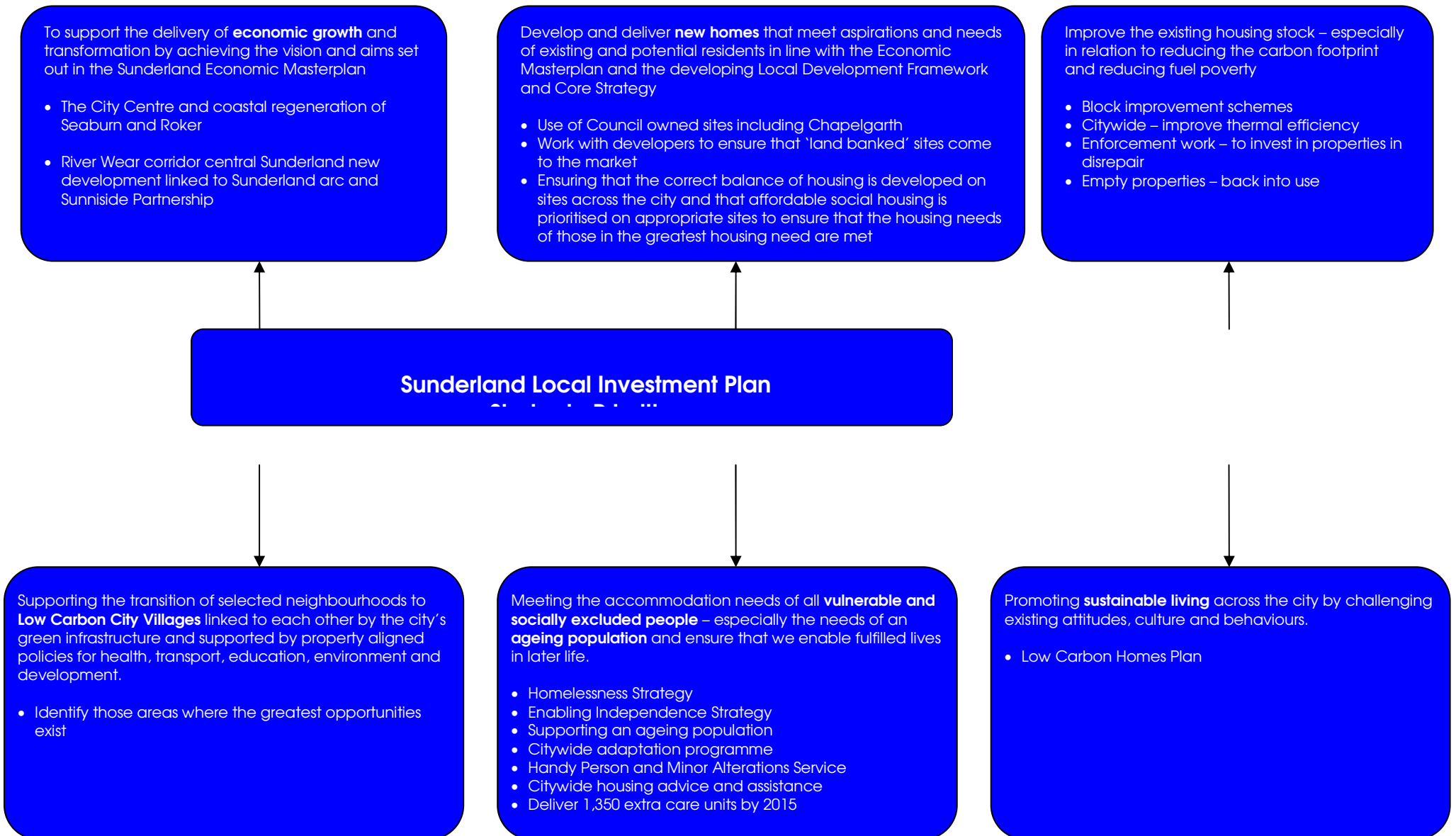
Ultimately our actions are aimed at improving **equality of opportunity** with the result of reducing economic differences across the city. The diverse nature of the City, with high levels of tolerance and openness, will lead to more people being attracted into Sunderland, creating a **vibrant living city**.

The ‘**residential offer**’ available in Sunderland will have a greater mix of sizes and price ranges and high quality residential environments. The effective management of private and social housing and ensuring that empty properties are brought back into use will both strengthen and improve communities and help improve the residential offer available.

We fully embrace the **low carbon** agenda for new housing, and as over 90% of the current housing stock will still be in the City by 2025 we aim to improve the ‘carbon footprint’ of the existing housing stock by improving affordable warmth, reducing fuel poverty and the overall environmental impact of housing. This, and our new high quality development, will be supported by sustainable transport networks which will enable people from all communities in the City and commuting suburbs to access employment opportunities in the city. Access to external markets will benefit from improvements in rail and road networks and utilisation of ICT. The increased strategic importance of the port area will have opened up increased opportunities for inward investment and international trade. When new developments are being planned we will have ensured that the infrastructure requirements have been fully considered and neighbourhoods will have been well designed to support **inclusive communities**.

## 2. Priorities going forward (see appendix 1)





Long term spatial priorities for the sustainable regeneration of the city will have reference to the city's emerging Local Development Framework, but investment in the city will be **opportunity** as well as **needs** driven. We will therefore ensure that a flexible approach is adopted and all decisions taken will be taken in the best interests of the city and its people. Having regard to the Sunderland Strategy and Economic Masterplan, the emerging Core Strategy's long term spatial priorities are for the regeneration of the City Centre (including the wider Central Sunderland area) and the emerging Local Enterprise Partnership, concentrating further growth in the main urban areas of Sunderland and Washington whilst allowing for the sustainable growth of our Coalfields area. The Low Carbon City Village concept will be further developed and our housing thematic priorities will be completed. This Plan reflects long term spatial priorities, what has been achieved in terms of economic and physical regeneration and providing a better choice of housing, as well as evidence into housing need, the potential housing supply and anticipated demand linked to the economic renaissance of the City. The early years of the plan will concentrate on what the city is **currently progressing** with and will complete regeneration schemes that are coming out of the ground or nearing completion – with the necessary funding secured. Further socio-economic development work will be subject to public and private sector investment opportunities and timescales. The Coalition's **programme for government** key themes are also reflected in this Plan which are fiscal constraints, protecting vulnerable people, decentralisation and localism.

To make a difference in our communities, and to raise aspirations, create confidence and promote opportunities amongst our existing and future residents, we need to focus on a number of spatial priorities, such as Sunderland City Centre, and the main urban areas of Washington, Sunderland North, Sunderland South and develop the Low Carbon City Village concept; and deliver on the continuing housing thematic priorities until completion.

### **The main spatial priorities reflected in our Economic Master Plan, are:**

The City Centre and the coastal regeneration of Seaburn and Roker – new development linked to the emerging delivery plan

River Wear corridor/Central Sunderland

Other specific new development sites such as:

- Selected Council owned sites – The Council has identified 18 separate sites which are suitable to the development of new housing. These are situated throughout the City and can support the development of over 1,500 homes. Preliminary site investigations suggest that five sites are readily developable, which would support the delivery of approximately 250 new homes. We will work with developers and other interested parties as to the best and most appropriate ways of developing these sites. The site at Chapelgarth, with the potential for over 600 properties, will be prioritised and early discussions will be ongoing to consider how quickly it can be brought forward for development.

- Cherry Knowle Hospital – This is a key strategic site which has many attributes, which support its use for housing development. The site can accommodate over 770 new properties and has excellent transport links to the A19 corridor. Discussions are underway between the Council and the HCA, who own the site, regards taking the site forward for development.
- Lambton Cokeworks - This site is key to the overall regeneration of the coalfield area. The site is undergoing reclamation works in order to facilitate housing development, a strategic road corridor and a country park. It will support the delivery of approximately 350 properties.

The main housing priorities are:

- Ensuring that the correct balance of housing is developed on sites across the city and that affordable social housing is prioritised on appropriate sites to ensure that the housing needs of those in the greatest social need are met
- Work with developers to ensure that “land banked” development sites are brought forward for development
- Work with Registered Providers (Housing Associations) to discuss and agree their priorities for investment in Sunderland and ensure that they understand and work to the strategic objectives as set out in this plan
- Improving the thermal performance of homes and achieve the objectives as set out in our ‘Low Carbon Homes Plan’
- Providing more appropriate accommodation for homeless people, including tackling the high concentration of hostel accommodation in the Sunnyside area
- Implementing our Enabling Independence Strategy as supporting an ageing population and developing in excess of 1,350 units of mixed tenure extra care accommodation over the next five years after which there will be an ongoing review of needs
- Citywide programme of adaptations to support people to live independently in their own homes
- Citywide housing advice and assistance, including a range of loan products to help support homeowners to live independently in their own homes. The Home Improvement Agency is working alongside the Regional Home Loans Partnership to alleviate hazards in owner occupied properties.
- Handypersons and Minor Alterations Service for vulnerable residents to promote independent living and reduce the risk of slips, trips and falls
- Enforcement work city wide which works in partnership with landlords to invest in properties in disrepair and thus creating the best possible standards of accommodation in the private rented sector.
- Working with owners to invest in empty properties and bring them back into use and to consider different models of investment in the private rented sector.

### 3. Funding and Resources (see section 6)

The HPP sets out ambitions for the City as a whole based upon the realisation of the City's vision and strategic priorities. The resources needed to deliver this are wide ranging and are likely to include:

- Private investment
- Third sector investment
- Local authority investment
- Government agency investment

The **Comprehensive Spending Review** published on 20 October 2010 (2011-2015) has resulted in a squeeze on public sector spending with an ethos of 'more for less' and greater efficiency which will require innovative thinking. We believe that we have the creativity and "can do" attitude that will allow us to meet our objectives and ensure that Sunderland as a place of choice becomes commonplace. The CSR10 set the following **national totals** in relation to housing finance (as set out in the table below), locally the HCA will publish its 'Business Plan' in November 2010 :-

Area of investment	2011 - 2015	Purpose
<b>Total investment in new affordable housing</b>	£4.5bn	Deliver 150,000 new affordable homes, plus empty homes and the mortgage rescue scheme (MRS)
<b>Empty Homes</b>	£100m	Bringing empty homes back to use
<b>Mortgage rescue scheme (MRS)</b>	£200m	Protecting vulnerable homeowners
<b>New Homes Bonus</b>	£900m	Encourage communities to accept new housing where the Government matches the local council tax for 6 years
<b>Regional growth fund (could support housing growth and regeneration)</b>	£1.4bn	Capital funding – supports economic growth especially where areas are currently dependent on public sector
<b>Homelessness grant</b>	£400m	To support homelessness prevention initiatives and reduce homelessness presentations
<b>Supporting people</b>	£6.5bn	To help vulnerable people live independently
<b>Disabled Facilities Grants</b>	£725m	Help towards the cost of adapting home to enable residents to continue to living there

The resources required will not only include cash investment but would also include land assets, borrowing, knowledge, skills, services, support and capacity.



The detail of the resources required to meet our priorities will be agreed as part of the forthcoming **Local Investment Agreement** between the Council and the HCA. Shared investment priorities will change over time to reflect national and local policy and the availability of resources. Strategic planning is an iterative exercise so there will be a need to revisit the Plan's assumptions over time.

#### **4. Programme Management – Delivery and Governance (see section 7 and subject to change due to the emergence of the Local Enterprise Partnership concept)**

The proposed governance proposals for the housing priorities plan enable the evolving investment plan with the HCA to be developed in such a way that it will be fully understood, supported, funded and delivered in subsequent years by all partners.

It is linked to a programme of economic assessment and reassessments over the next 15 years to keep the City Council and its partners moving towards the attainment of the City's strategic objectives. Mid-course corrections and programme realignments will be necessary – especially as planned investments are affected by changing economic circumstances.

These will be agreed and undertaken initially by the **Strategic Housing Priorities Executive Board** (that comes under the remit of the Council's Executive Management Team and is linked to the Local Strategic Partnership as part of the suite of governance bodies overseeing the Sunderland Strategy). This is subject to change as the governance for the local enterprise partnership has yet to be confirmed. A new **Planning and Delivery Group** comprising of the Council and HCA representatives will lead on the implementation of the plan.

Programme management arrangements, including the process of commissioning of projects and securing funds will be confirmed as we move into 2011 and the new development funding mechanisms are finalised. Delivery of the Plan will require diverse and new ways of working but is likely to include joint venture arrangements, special purpose vehicles and the involvement of the community and voluntary sector.

#### **5. Consultation (see section 8)**

The Plan brings the visions, objectives and priorities from a number of existing and emerging Council plans together and its content has therefore been the subject of significant consultation with communities and partners. A number of case studies demonstrate our commitment to ongoing dialogue with our residents, to help deliver new homes and regeneration in their neighbourhoods.

In addition, there has been significant specific consultation with partners who will help us to our priorities, and their views have been taken on board. Further consultation will take place as part of our ongoing iterative process with the HCA and partners; as well as through the preferred options for our emerging Core Strategy.

## 6. The Next Steps – Going Forward (see section 10)

Our Housing Futures Plan is an ongoing iterative process and will be refreshed in 2011 as more is known about the likely available local levels of public sector finance and private investment, and our discussions with partners are more developed.

The next steps will include:

- Discussion and agreement as to how the HCA can support/enable the Council with regards to addressing any self-identified gaps in knowledge and skills to deliver the Plan.
- Market testing of residential requirements in the city centre to support the city centre delivery plan
- Development of the Low Carbon City Village concept into a deliverable, phased plan of action
- Consideration of joint ventures to deliver real sustainable change; and develop joint commissioning approaches with partners such as Health
- Involving the private sector developers at a time of economic austerity as to reflect their views more
- Develop and agree with the HCA the necessary 'Investment Agreement' in early 2011
- Update of the Plan by April 2011 to take account of changes in relation to the refreshed Sunderland Strategy, the emerging delivery plans for the Economic Master Plan and changes through the updating of the LDF / Core Strategy following the recent revocation the Regional Spatial Strategy and aligning the HPP with the emerging Local Enterprise Partnership. All linked to the work of the Council's Regeneration Strategy Group, the potential development of a unified single delivery team under the auspices of the Local Enterprise Partnership.

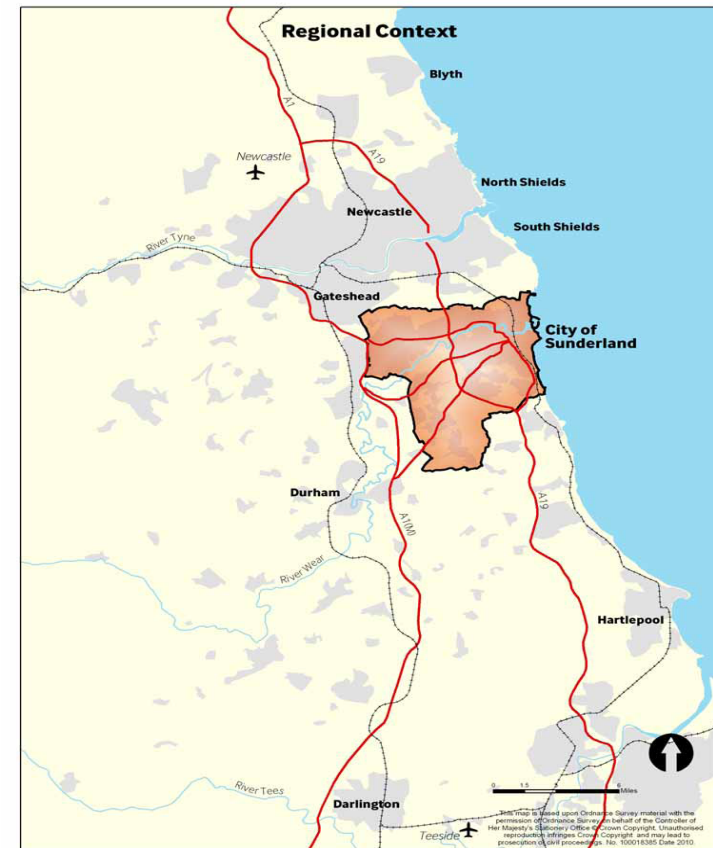
## Section 2: Sunderland – Vision, Ambition and Context Going Forward – The Case for Change

Sunderland lies on the North East coast of England and at the mouth of the River Wear; in the Tyne and Wear conurbation; it also enjoys close links with Durham. It has a number of distinctive qualities due to its geographical location - it is the largest UK City by the North Sea and is the only settlement in comparison with its centre at the meeting of river and coast, benefiting from a strategic port and harbour. It also boasts an extensive network of open space, both designated and natural and as such has both high recreational value (more than 50% of the City is green space) and has room to grow.

In terms of assets, it has direct metro connections to Newcastle Airport; the City centre is home to the Stadium of Light, which is a national venue for sporting, music and business events and the Sunderland Museum and Winter Gardens.

Sunderland became Britain's 54th City in 1992 and is the largest City, in terms of population, between Leeds and Edinburgh and the 26th largest city in England. It has a population of 281,700, (based upon the Office for National Statistics mid-2009), who reside in 119,275 households. By 2029, this is projected to increase by approximately 7,000 people; however, the demographic shift will see a rise in the number of older frailer people. Changes to the population and socio economic structure of the city have produced imbalances that have a detrimental impact on social and economic development. Current trends are towards an increasing number of smaller households, an aging population both in absolute terms and relative to country-wide trends and left unchecked will see decreasing numbers in the family forming age groups and relatively high out-migration of these groups. This is set in a context of low numbers of economically active, high proportions of both economically inactive residents and unemployment and some of the highest levels of multiple deprivation in the country.

Most of the population is centred around the City centre, Washington and the former coalfield areas of Houghton and Hetton.



Washington lies adjacent to the former 'Leamside Line' and its design was developed through the New Towns concept aiming to achieve sustainable socio-economic growth. The new town is divided into 18 small self-sufficient "villages". At its heart lies the purpose built and successful 'Galleries' shopping centre which serves as the Town's main destination for all retail needs. Built on industry, Washington contains several industrial estates, named after famous local engineers, such as Parsons, Armstrong, Stephenson, Crowther, Pattinson, Swan and Emerson. Major roads including the A1, A19 and A1231 run through Washington and it acts a major transport corridor for the entire North East region. The Coalfield area contains main settlements such as Houghton-le-Spring and Hetton-le-Hole lie to the west of the A19 corridor that divides the main urban area of Sunderland from Washington and the Coalfield area. Houghton-le-Spring is situated almost equi-distant between Durham 7 miles (11.3 km) and the City centre (about 6 miles or 9.7 km) and has a population of 36,746. Hetton-le-Hole is located to the south of Houghton-le-Spring and including the nearby village of Easington Lane and has a population of 14,402.

Spatially and economically Sunderland needs to build a complementary role to the rest of the region and particularly in relation to Newcastle, Gateshead and Durham. It also needs to be better connected together and better connected to the rest of the region and beyond. Although Metro and the main rail network are undoubted assets, they fail to fully connect the city together or provide a rapid link to the east coast mainline. The Port currently underperforms as an economic driver and cuts off the city centre from the sea physically, therefore its reinvigoration or reinvention should be a priority

**The vision and ambitions for Sunderland will be further developed as the Sunderland Strategy is**

The **Sunderland Strategy 2008 - 2025** is the City's sustainable community strategy, setting out what the people who live, work and study in the city today would like to see by 2025 and is driven by the Sunderland Partnership (which is the Local Strategic Partnership in Sunderland).

The current Sunderland Strategy shared **vision** is:-

**“Creating a better future for everyone in Sunderland : Sunderland will be welcoming, internationally recognised city where people have the opportunity to fulfil their aspirations for a healthy, safe and prosperous future“**

The **Sunderland Strategy 2008 – 2025** aims for a:

**Prosperous City**  
**Healthy City**  
**Safe City**  
**Learning City**  
**Attractive and Inclusive City**

Spatially, the **Economic Masterplan** confirms this will take place through a focus on:

- Strengthening, diversifying then growing the City Centre
- Establishing, nurturing then strengthening the Low Carbon Economic Area, especially around Nissan and the Port, and the Low Carbon City Village concept
- City-wide initiatives that connect communities to economic opportunities and improve external perceptions.

The Sunderland Strategy is undergoing a refreshment to reflect the emerging Economic Masterplan requirements, which is the developing roadmap for the renaissance of the City's economy and is based upon a balanced response to the assets, aspirations and realistic opportunities of the City. The HPP is crucial in delivering the vision and outcomes of the Economic Masterplan, Sunderland Strategy and the Core Strategy / Local Development Framework which itself has been developed in association with these key documents.

The vision for the Economic Masterplan is:

**‘ An entrepreneurial University City at the heart of a low carbon regional economy ’**

The purpose of this Economic Masterplan is threefold:

- to help set the direction for the city's economy over the next 15 years
- to establish how Sunderland will earn its living over that period and what that will look like on the ground
- to set out the actions private, public and voluntary sector partners across the city need to take to ensure Sunderland has a prosperous and sustainable future.

The Economic Masterplan is based upon 5 key aims which are:-

1. **A new kind of University City** - a vibrant, creative and attractive city, with a new learning ethic and a focus on developing and supporting enterprise, with Sunderland University integral to that ambition, and acting as a hands-on enabler.

Students are a major source of income and create vibrancy in the City. Graduate retention will be crucial to our future economic ambitions and the specialisms of our university will support innovation within the priority sectors through two key facilities: the new Ultra Low Carbon Vehicle Testing & Development Facility at Nissan's Washington site and the Sciences Complex on the City Campus. There is strong potential for the former to develop into a National Centre of Excellence for Ultra Low Carbon Vehicles & Renewable Technologies. These facilities will increase opportunities for collaboration between University research teams and local businesses and will start operating by spring 2011.

We need to ensure that the highest calibre of students are retained and matched with the high calibre jobs that the City aspires to. Economic renaissance will attract more students, high earners and more professionals into the City and the housing and environmental offer will need to match this

Universities are vital instruments in the creation of a knowledge based city. If graduates can be retained, they can create a more skilled labour force. University research and technological developments should be commercialised in collaboration with local industry for their mutual benefit. Perhaps most important in the context of the Economic Masterplan, universities can also drive cultural change in cities through engaging with their business and resident communities. Sunderland University is particularly well placed for this since it already has an entrepreneurial orientation, is a key focus for innovation in Sunderland and is well regarded by local business and government. The notion of a university city includes a physical sense of attractiveness, vibrancy and cultural appeal not only to students, but also visitors and investors. The 'new kind of university city' we seek will use the University to change Sunderland's economy and culture with a stronger civic role than a traditional university. The 'new kind of university city' envisaged in the Economic Masterplan is based explicitly on collaboration between the public sector, private enterprise, Sunderland University and other related institutions.

This may require new hybrid organisations to act as intermediaries, hubs for new networks and centres of innovation and entrepreneurship. In particular, the University should take on an even more prominent role in the city's economic development, not only through links with business but also through disseminating knowledge amongst the resident population and by supporting cultural and physical change in the city.

The '**residential offer**' available to students and graduates is therefore of paramount importance to ensure the knowledge sector of the City's workforce is retained as to enhance economic growth. To meet the aspirations of students -so

investment in the existing private rented sector has to be maintained and if possible 'geared-up' to match aspirations and retain the graduate workforce. New housing has to be made available that attracts graduate retention and also enables graduates to continually access higher quality homes during their working life – if the available offer is not accessible then the knowledge sector will migrate affecting the medium and long-term economic renaissance of the city.

2. **A national hub of the low carbon economy** - expresses the city's commitment to making the most of the opportunities offered by new low carbon technologies to act as major drivers of new economic activity in Sunderland. This aim emphasises the city's national exemplar potential on this agenda and the need to promote showcase projects, including electric vehicles but also in other low carbon technologies and lifestyles.

To become fundamentally more prosperous, Sunderland must focus on a small set of important sectors and on the City Centre in order to transform its economy into one that is driven by low carbon economic activity. To achieve this, it must utilise its key assets even more effectively than in the past:

**(A) Nissan** to exploit electric vehicle technology and become a world leader in their production; and the recent announcement that Sunderland will be first location in Europe to produce the new LEAF electric car.

**(B) The University** to redefine the city as a place where knowledge is integral to life; and build upon the world leading research undertaken at the University and retain the knowledge sector to develop the low carbon economy

**(C) The Port** to enable the servicing of new offshore energy generation facilities;

**(D) Key development sites** to create 1) a **new central business district** in the City Centre 2) an **expansion of the retail offer** and 3) an **electric vehicle technopole hub**.

Business aligned to the development of low carbon economy will need housing that reflects what the workers aspire too and housing developments will have to match the aspirations of this new type of workforce. These housing developments linked to the development of low carbon city villages, transport and planning considerations all that will underpin the low carbon economy.

In addition:

- Although a whole city approach will be taken to developing and implementing the **Low Carbon City Villages (LCCV)** concept to new and existing locations, we can not do everything, everywhere, at once. Phasing and priorities will be identified as next steps to the Economic Masterplan and HPP.
- To be truly successful, the LCCV concept must look than the energy efficiency of new and existing homes. Presently being developed is a multi-agency approach to ensure the long term sustainability of the LCCV concept. This would include a series of programmes that that would deliver *inter alia* appropriate enterprises and skills training, education to change behaviours of residents to live more sustainably and providing appropriate governance / leadership support networks for local communities.

**3. A prosperous and well-connected waterfront city centre** - reflects the importance of the city centre as a driver for economic prosperity, but also seeks to emphasise the importance of the city's waterfront position and place-making driver. Through better connectivity (both physically and virtually) of assets, people and places, the strategy seeks to improve the city centre's credentials as a business location and to improve the efficiency and quality of the user experience. The aim seeks to physically develop identified priority sites in the City Centre whilst enhancing and reinforcing Sunderland City Centre's distinctive role as a key regional urban and economic centre;

The Sunderland Economic Master Plan envisages Sunderland City Centre as the primary focus for the new city economy, supporting the development of 'A new kind of University City' (Aim 1), the 'Low Carbon Economy' (Aim 2) and a 'Whole Life Inclusive City economy' (Aim 4). Aim 3 of the vision seeks capture the actions that will protect, reinforce and develop Sunderland city centre's position as a sub-regional centre in the northern city hierarchy.

The overall aim of the Sunderland Economic Masterplan is to ensure that the role of Sunderland City Centre as an economic driver for the City and wider region. With support from the other Aims, the city centre will become home to a new wave of companies creating job opportunities. The employees of these companies will support the other retail, leisure and residential components of the new improved city centre offer. The key regional policy documents (Regional Economic Strategy for the North East "Leading the Way" 2006-16; Regional Spatial Strategy and; North East Regional Housing Strategy "Quality Places for a Dynamic Region" 2007), all identify the River Wear corridor and Sunderland City Centre as key priorities for regeneration activity and for driving economic growth.

The emerging Local Development Framework (LDF) for Sunderland will provide the statutory spatial planning framework for the city for the next 15 years. It will comprise a suite of documents setting out the detailed policies for meeting the community's economic, environmental and social aims. At the heart of the LDF is the Core Strategy which provides the broad strategic vision and policy direction for the city's future development. Due for adoption in November 2011, it takes its lead from the Regional Spatial Strategy and will be one of the key delivery mechanisms of the Sunderland Strategy 2008-25, the Economic Master Plan and the emerging Sunderland's Housing Priorities Plan. The emerging Core Strategy identifies the sustainable regeneration of



the City Centre and wider Central Sunderland area as a key priority as a place to live, work, shop and visit. Emerging policies will therefore make sufficient land available for a variety of essential City Centre uses including 25 hectares of new employment (in particular 'grade A' office accommodation), some 90,000 square metres of new retailing and some 4,000 new homes that are of a quality and range that attract and retain workers.

Improving the quality and range of housing in the City Centre is also important in order to attract and retain workers, in particular those with higher value skills and the under 35 age group. The first Sunderland's Housing Priorities Plan (HPP) is a long-term aspirational plan that supports the City in achieving its long-term ambitions up to and beyond 2025. It supports the vision as set in the Sunderland Strategy 2008-2025 as well as the vision and aims for the City's Economic Masterplan. The HPP commences a "single dialogue" with the Homes and Communities Agency (HCA) that is focused upon 2025 and what the City's 'residential offer' should be. The plan does not allocate housing land but details the activities and investment priorities to realise the City's vision. The plan is the basis around not only what resources the HCA will invest in the City but what other funding partners will invest also. A clear 'investment roadmap' detailing what the City's overarching priorities are up to 2025. The Investment Plan identifies the City Centre as being the first priority for the building of new housing 2010-15, with the River Wear corridor (central Sunderland) and Sunnyside also being identified within the first eight priority areas. Improved connections will be made to those residential areas to the periphery of the City Centre – both existing, such as the East End, Hendon, Ashbrooke and Millfield, and proposed, including Deptford and Pallion Riverside.

The City Centre will be strengthened across a range of functions – as a business hub, as a visitor draw, as a learning centre, as a place to live and as an image former of the city. Its mix, quality and range of business, retail, leisure and institutional facilities, as well as the overall appearance, need a radical improvement. It must be support the retention of workers, in particular people who are highly skilled and younger workers (under 35) a group that is currently declining within the population of the city. It must become recognised as an attractive, vibrant, living and working northern City Centre, using the truly distinctive assets of people and place, complementing other regional cities. The Delivery Plan seeks to ensure that the regeneration of the City Centre not only connects those assets within it to ensure that the sum of the whole area is greater than its individual component parts but also ensure that it is well connected and accessible to its surrounding communities, the wider region and its national and international links. More will be made of its riverside location and close proximity to its attractive coastline.

- 4. An inclusive city economy – for all ages** - provides a framework for delivering economic interventions that directly contribute to improving access to opportunity for all ages and sections of the community and particularly to reducing worklessness.

A diverse housing and place offer that supports residents with specific needs and provides access to affordable housing for young people, graduates and those employed within the **knowledge sector** (predominantly finance and legal services) and

offering a ladder of housing provision in sustainable communities to encourage the retention of the knowledge sector workers and stem outward migration.

This includes new build city centre living, improvements to the existing housing stock, improved family housing and improvements in the choice of type, location and price of housing to meet 21<sup>st</sup> century aspirations and demands and reverse the trend of outward migration.

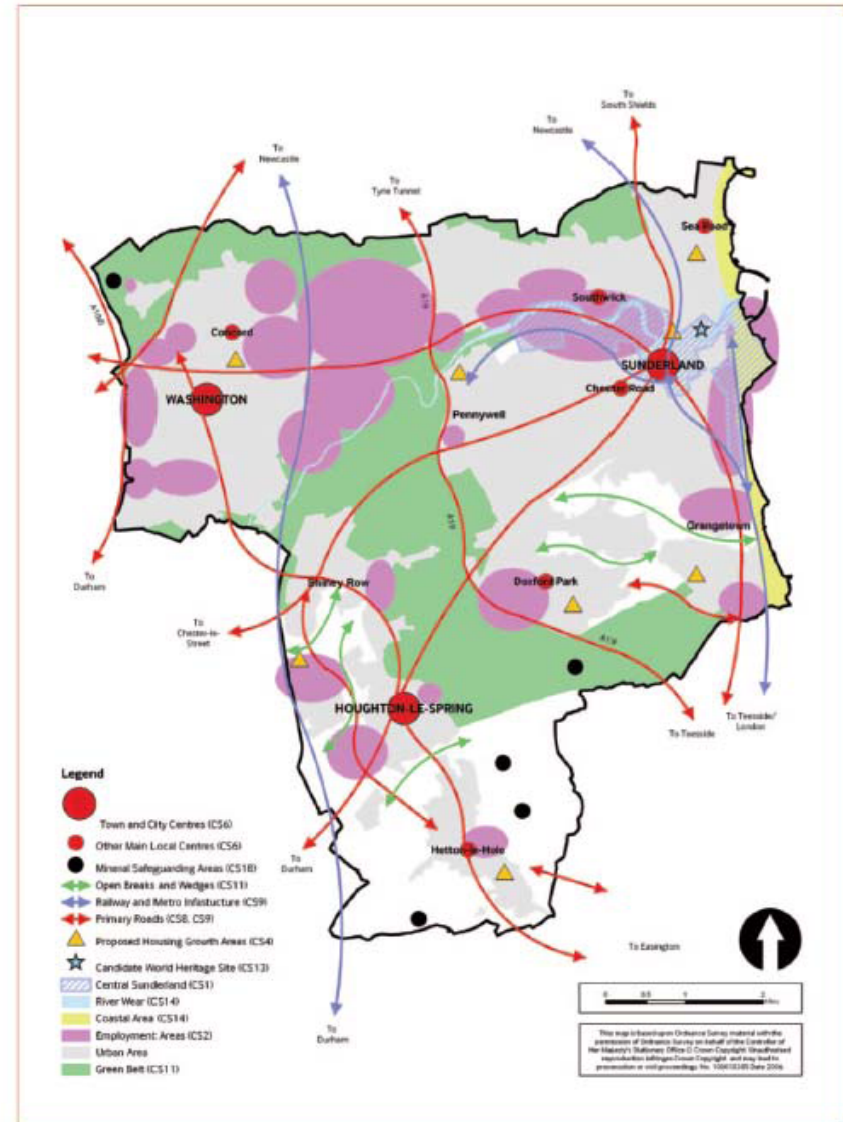
- 5 **A one city approach to economic leadership** - reflects Sunderland's ambitions to take a determined approach to raising the game in terms of economic leadership in the city through a range of mechanisms. It is deliberately positioned as a central aim rather than relegated to a 'governance' section of the Masterplan.

The opportunities available are substantial, particularly in relation to:

- City centre growth
- The development of low carbon industries of electric vehicle production, offshore energy generation and software
- Creating a housing offer that meets the aspirations of people taking up work in these sectors, as well as existing residents

The Economic Masterplan aims to overcome challenges facing the City:

- **The growth of employment primarily in out-of-town locations has left the city centre underpowered as an economic driver.** The lack of office jobs has hindered the development of better shopping and leisure facilities, leaving the centre insufficiently attractive to residents and



businesses alike. This has made it difficult to improve the quality of the city centre.

- **Sunderland's economy remains too reliant on a narrow range of industries.** The city has successfully moved from ships and coal to cars and contact centres, but does not have the variety of industries and career opportunities, or the volume of well-paid jobs necessary to retain more of the younger population and to ensure a resilient economy.
- In part, this **narrow industrial base persists** because Sunderland has been more successful in attracting international companies than in helping indigenous businesses to grow, as demonstrated by the scarcity of business start-ups in the city.
- Sunderland is a city with a university, but **does not yet possess the characteristics and qualities of a 'university city'**. Its two campuses lie adjacent to the city centre but have not been properly integrated within it. The University of Sunderland has the potential to become an economic and culture-changing asset, with a strong civic role aligned to supporting the economic transformation of the city centre and of the city as a whole.
- The relatively low skills and aspirations of the population mean that in general residents earn less than incoming commuters. Relatively few are highly qualified and unacceptably **large proportions of people of working age are not in work and therefore are not benefiting from the growing economy.** The choice of housing in Sunderland has been limited in the past because of the large number of people in similar occupations on similar incomes. Housing choice has not kept pace with rising aspirations and incomes.

## Going Forward

The future of Sunderland is dependent on how all **partners work together** to realise the City's full potential for all, and in the age of austerity and localism this approach affords new opportunities for the City Council to work with developers and other partners such as Health, Transport, Voluntary Sector, Police and the vast array of Government organisations to realise the City's vision. Funding in the future will be linked to the '**Capital and Assets**' approach being piloted. For example as well as new homes, our **Low Carbon City Village concept** will seek to maximise capital investment in new multi-user facilities that will be at the heart of our local communities and include school, housing and health services, resource centres, out of hours events. In relation to the Economic Masterplan Sunderland will change in many ways as the Economic Masterplan is put into action. We describe the key activities within the Economic Masterplan, when they will take place and their short, medium and long term results below.

## Phase 1 – Pioneering New Sunderland

### Years 1- 5 of the Economic Masterplan

- improving the city centre

- establishing the Low Carbon Economic Area
- making sure that local people benefit

## **Phase 2 – Growing New Sunderland**

### **Years 5 – 10 of the Economic Masterplan**

- Diversifying the city centre
- Nurturing the Low Carbon Economic Area
- Connecting communities to economic opportunities

## **Phase 3 – Sustaining New Sunderland**

### **Years 10 – 15 of the Economic Masterplan**

- Growing the city centre
- Strengthening the Low Carbon Economic Area
- Transforming external perceptions.

Our overall approach should secure more from less funding, allow local **decisions** to be made at the **local level**, commissioning based upon locally identified need without the restrictions of top-down grant funding and enable delivery to occur in those areas that need investment to secure their long term viability based upon sustainability.

The sub-national context and framework is also changing. Sunderland, within the North East, has a mutually inter-dependent relationship with its surrounding areas. Transport and Information and Communications Technology (ICT) connectivity to, and within, the bordering travel to work areas are targeted to unlock and utilise potential surrounding assets including skills and employment bases. Key assets of the wider North East such as, Business Parks, National Parks and Areas of Outstanding Natural Beauty are also considered as drivers to help market the area as a tourism, business and relocation destination – these will all positively impact upon Sunderland. Although there is no longer the requirement for an Integrated Regional Strategy, we will use the work produced by One North East, the Association of North East Councils and North East partners, for the draft '**North East Analytical Report**'.

The evidence this work contains on business and enterprise, people and communities, built environment and the natural environment, and especially that on the “Quality of Place”, provides a useful picture of housing and co-dependent issues that informs future approaches to improving the housing offer at a regional and more local scale.

The City is **preparing for the economic upturn**, is helping to shape and take account of existing, ongoing and emerging sub-regional strategy, including the Tyne and Wear City Region Economic Review and Tyne and Wear Strategic Housing Market Assessment and Local Transport Plan to meet its vision for Sunderland. Housing, and the '**residential place offer**' in Sunderland, reflects the industrial past rather than what is required to meet the needs and aspirations of residents now and in the future. We face problems of low demand, areas of severe deprivation and poor housing that resulted in an undersupply of quality homes of the right type, in the right locations and at the right price to meet 21<sup>st</sup> century demands; we also need to reverse the trend of net outward migration linked to trying to improve the economic status of the North East. Furthermore, since 2007 and the downturn in the economy, housing has witnessed a volume slump resulting in reductions in house prices, number of transactions, completions and starts and land values overall. The housing challenge in the region is to reverse current trends and improve the entire residential offer available in sustainable communities. In Sunderland we will bare in mind the carbon footprint that we will pass onto future generations of residents through the interventions in the housing market now. We will acknowledge demographic changes, flexibility to changing circumstances, future-proof our communities, deliver the place shaping agenda and look after the needs of all vulnerable people. **To ensure a sustainable pattern of development in the city, the priority for new development will reflect the following spatial principles as outlined within the City's emerging Core Strategy:**

- Priority will be given to the regeneration of Central Sunderland (including the city centre)
- In overall terms, the majority of new housing in the city (37%) will be located within South Sunderland
- Washington will be a key provider of land for economic development (47%); only a minor amount of new housing is proposed (6%)
- Growth in the Coalfield will be balanced with an equal emphasis on both housing (20%) and economic development (22%)
- Both housing (9%) and employment development (1%) in North Sunderland will be limited.

Sunderland University supports business innovation through the institute of automotive and manufacturing advanced practice, Sunderland media centre and its links with Sunderland College. The University of Sunderland has 13,500 students of which nearly 1,500 are overseas undergraduates and has 1,400 staff and is at the cutting edge of education in relation to computer science, media, English, History, Automotive, art and design and tourism and these world leading attributes need to be harnessed and developed over the lifetime of Sunderland's Housing Priorities Plan and ensure that the knowledge sector is retained to develop the local economy and aid the delivery of the Economic Masterplan.

### Section 3: Evidence

We have based this Plan on a robust evidence base that is drawn from work done for the Economic Masterplan Baseline Report, [hyperlink] the ongoing work for the Local Development Framework including the Strategic Housing Land Availability Assessment, Strategic Housing Market Assessment and Joint Strategic Needs Assessment (with our Health partners)

## The Local Economy - Sunderland

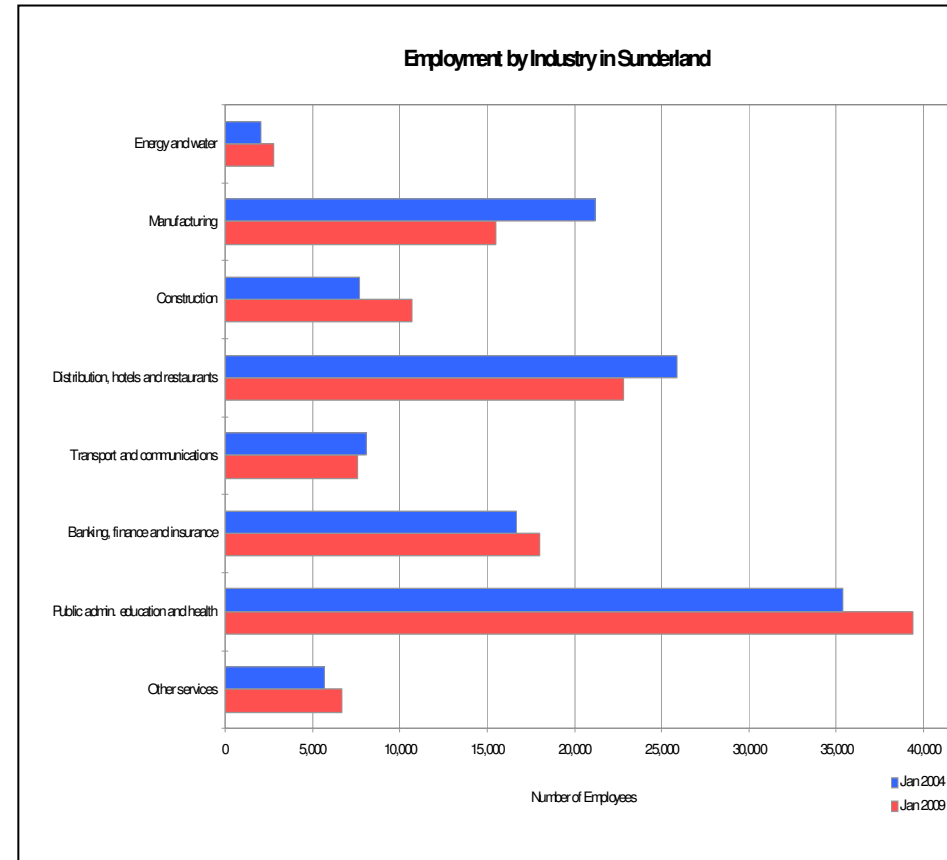
Since the mid 1980s Sunderland's economic situation has **improved** following the collapse of shipbuilding and other traditional industries. The Nissan car factory opened in 1986, built upon part of the old airport, and with new service industries moving into sites such as Rainton Bridge and the Doxford International Business Park in the south west of the city, developing as the main office development opportunities in Sunderland due to the lack of available city centre office space.

Sunderland now provides an important **and strategically relevant employment centre** for the Tyne and Wear sub-region. The following chart demonstrates those economic sectors that have grown, and retracted, between 2004 and 2009. The automobile industry, with Nissan leading in international markets, has been crucial to the future growth in the manufacturing sector and there is the opportunity to support its future growth via our low carbon ambitions.

The proportion of employees in the public sector, banking, insurance and finance sectors has steadily grown over the past 10-15 years; supporting these sectors and providing better quality office space is central to our aim to develop a central business district.

Despite the creation of new jobs in the city in recent decades, Sunderland still suffers high unemployment and a low skills base.

- 10.6%% of working age people are unemployed (compared to the national average of 7.7% and a North East average of 9.6% )
- Job Seekers Allowance (JSA) rate has increased by 71.7% since July 2005 up to July 2010 – most notable increases in Washington East, Copt Hill and Shiney Row wards
- If Sunderland matched the national picture then approximately 12,000 extra people would be in work.



- A high proportion of people are qualified to NVQ level 1 and 2 but fewer to levels 3 and 4. Many of the better paid jobs that do exist are taken up by people who commute into the area.
- 80% of the people that live in Sunderland work in Sunderland

(The rest of the evidence base is contained within appendix 2) that highlights:-

- The level of deprivation in Sunderland – remains high and that employees earn 11.8% less than the national average with 11 of the City's 25 wards in the top 10% most deprived in the country.
- The ageing population time bomb – expected that by 2029 there will be a significant shift in the number of older people aged 85+ within the city (total expected to more than double) associated with declines in the 0-19 age group by 19.6%, and for 20-39 age group by 14.3%.
- Sunderland's current housing market and the net outward migration affecting the city overall. The city has 76.1% (95,334 homes) of its housing stock in council tax bands A and B; and only 3.7% (4,483 homes) in bands E, F, G and H. The Strategic Housing Market Assessment confirming that greatest demand is for semi-detached and detached properties of three and four bedrooms.
- Private sector stock - equity potential within the owner-occupied sector is substantial and estimated to be at £6.872 billion. The survey in 2007 also concluded that :“Housing conditions in the City are better than the national average for private housing”
- Sunderland's future housing supply – the city is revising the housing supply ambitions based around local needs and ensure that our Core Strategy includes policies that are deliverable, taking account of the Economic Masterplan and Strategic Housing Land Availability Assessment

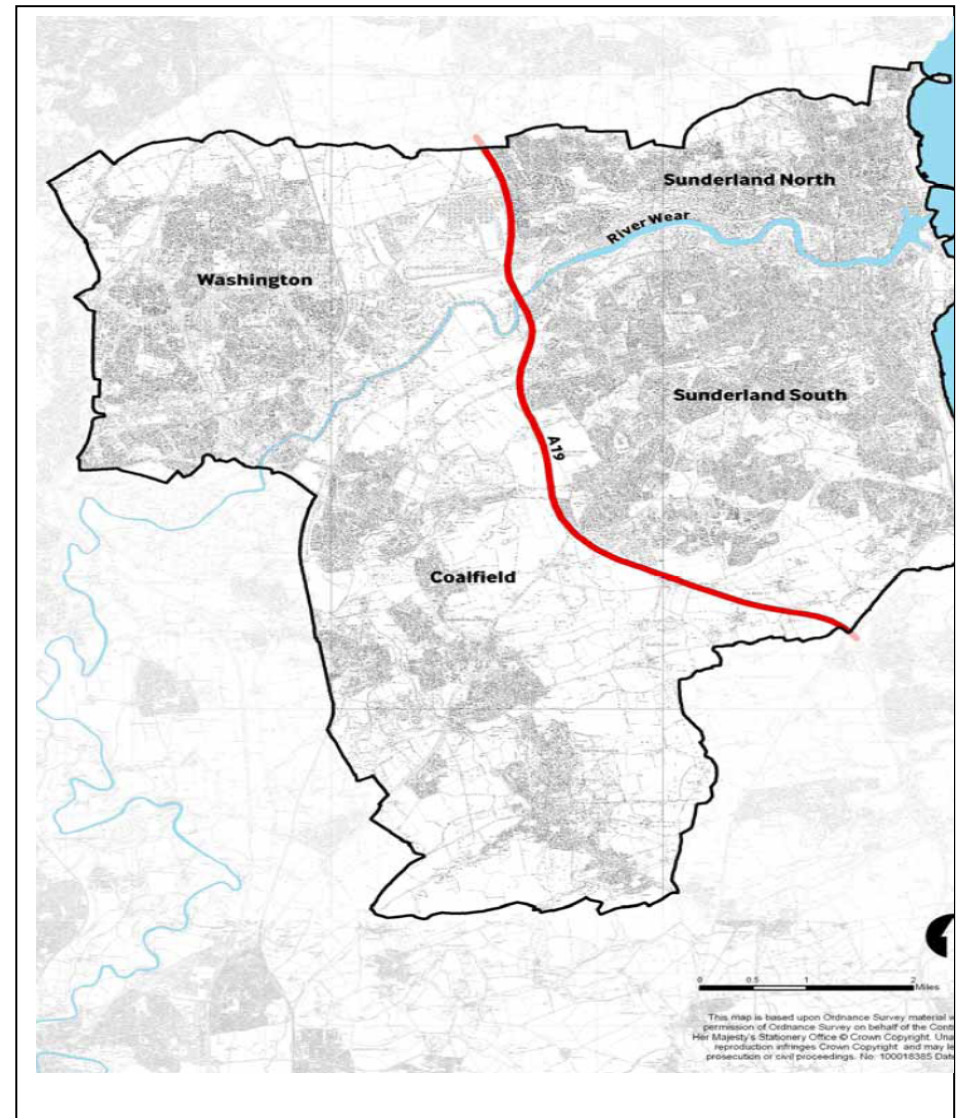
## Section 4: Sunderland Places



Earlier sections in the HPP have highlighted our desire to invest in the City Centre, the waterfront and Low Carbon City Villages to support our economic renaissance. We have also demonstrated that there is significant capacity for new homes as well as a need to make the most out of our existing housing stock – all linked to place making. The map (right – sourced from Sunderland City Council Core Strategy DPD) illustrates how the City Centre Waterfront area and City Villages concepts in the Economic Masterplan could fit with our local governance arrangements and our different places:

- Central Sunderland
- Sunderland South
- Sunderland North
- Washington
- Coalfield

In terms of connecting our places, the Sunderland Strategic Transport Corridor (SSTC) is a proposed transport link from the A19, through the city centre, to the port. A major phase of the plan is the creation of a new iconic bridge, which will link the A1231 Wessington Way on the north of the river with the Grove site in Pallion, on the south of the river. Plans for this site focus around the creation of a new residential area, with homes, community buildings, commercial and retail space. Sunderland City Council's Alteration No.2 to the Unitary Development Plan (UDP) outlines ambitious regeneration plans for a number of sites in Central Sunderland. The rest of this section (as detailed in appendix 3) provides more information on what we have already done, and intend to do in different places to achieve our vision.



## Section 5: Sunderland People



We hold significant information on the skills/employment, housing, health and support needs of our residents, highlights of which are provided at section 3 (Evidence).

**Sunderland People** – This is about raising peoples aspirations, creating confidence and promoting opportunities. Our residents are at the heart of all our plans and by focussing upon what people want and need; and delivering upon their aspirations are of paramount importance. This is linked to training, jobs the local economy and delivering safe and sustainable communities (see appendix 4)

#### **Our priorities being:**

- Older People – ‘Enabling Independence’, through 1,350+ units of mixed tenure extra care accommodation
- Young people - new ‘gateway’ service for young homeless people aged 16-21
- Black, Asian and Minority Ethnic communities - ambition is to build lifetime homes, which are more flexible to the needs of different cultures and a mixture of tenures and sizes for people on different incomes and life stages, are therefore considered capable to meet the needs of our minority populations as well as the majority.
- Families - a need provide larger social rented dwellings suitable for families and the affordable housing need is for larger properties with three or more bedrooms.
- Learning disability - the most significant area of growth is amongst those aged 65 and over; there is a pressure to provide supported accommodation for 13 – 16 people per annum
- Mental wellness – the needs are currently being analysed
- Long Term conditions - the council is currently undertaking needs assessment of the population aged 14 – 64 years with functional dependencies
- Homelessness - The aspiration Sunderland is to eliminate the need for any citizen to become homeless and use all means and powers available to the Council and its partners to ensure this.

Our priorities in the early stages of the HPP are therefore focussed on **older people and homelessness**.

#### **Section 6: Resources (see appendix 5)**

This is a long term plan that will take 15-20 years to deliver, and the long term approach is to develop **'joint investment plans'** within the City's communities. To ensure that the Council is at the heart of the City's regeneration it will strategically lead the overall regeneration process, to ensure 'best fit' with the City's economic aspirations. In the current economic climate and in the age of austerity where central government policy is of deficit cutting, lower spending and a reduction in the amount of benefits and public services provided; austerity policies are often used by government to reduce deficit spending whilst inevitably associated with tax increases to pay back creditors as to reduce the overall debt.

The typical effects of austerity measures are that development projects, welfare expenditure and social spending are areas of spending that are targeted by government for cuts. Therefore, the Council will have to look to develop new ways of tackling poorer areas in decline or exhibiting market failure and as a Council will have to do more with less and target areas that need intervention all based upon local intelligence that can profile an area, determine need and ensure a joined-up approach by all partners to ensure sustainable viability in an area thus developing locally based neighbourhood plan(s).

### **Other emerging financial issues**

On 20 October 2010, the Coalition government announced the Comprehensive Spending Review (CSR) for the period April 2011 to March 2015. The CSR confirmed that the overall outcome for each government department will be cut by an average of 19% (except for Health and Overseas Aid). The Communities and Local Government Department cut is estimated to be 67% overall, with £112.9 billion for housing and local government over the CSR 4-year period. In November 2010 the HCA will be publishing its 'Business Plan', however, the HCA is committed to working a lot more closely with the Council as a result of the CSR10.

New partnerships and innovative approaches will have to be forged as to utilise all funding opportunities and go beyond pure financial aspects, so time, intelligence, expertise and experience will come to the fore more, with the Council acting as an 'enabler' with the best placed partner providing the delivery

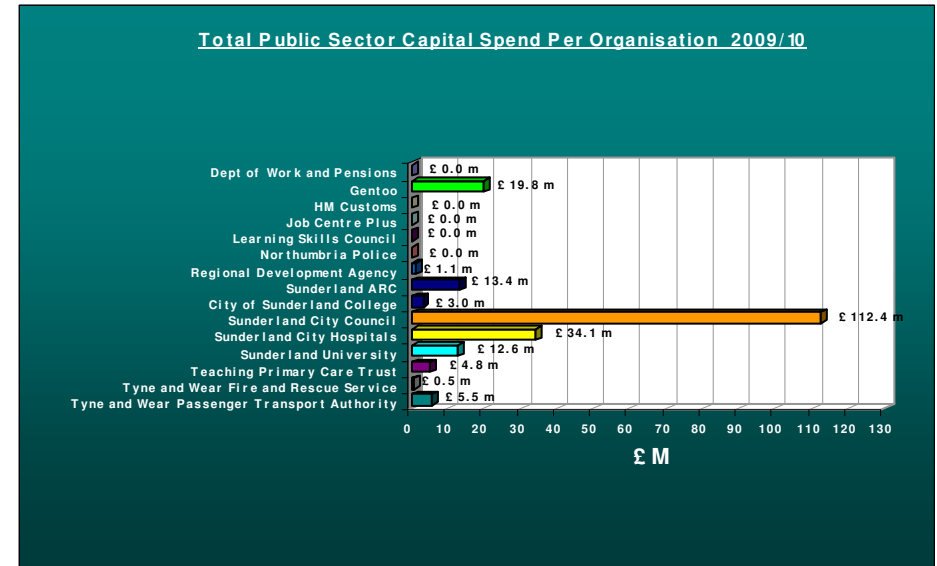
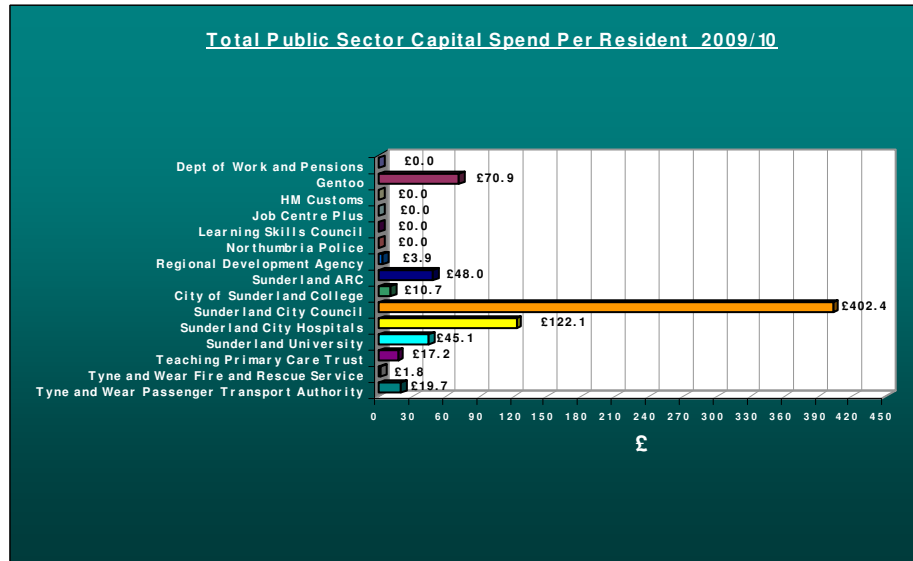
The Regional Growth Fund has been extended to three years and is increased to £1.4 billion from the previously announced £1 billion.

The introduction of the new intermediate rental tenancies where rents will be 80% of the market rent could see rent levels increase fourfold in Sunderland. This could support the building of affordable new homes over the next four years in Sunderland.

Another key issue is also emerging in relation to finance generally with the proposed changes in housing benefit which could have a detrimental effect in Sunderland following the proposed changes, at least 5% of private renting tenants in Sunderland who currently get HB will not be eligible for full housing benefit to cover their rent. (DWP figures suggest that the proportion of private tenancies that could be met in full by HB will fall from 54% to 37%. However other figures indicate that 42% of private renters in Sunderland currently get HB). The actual position is likely to be worse than that. The 5% figure would only be achieved if all tenants in receipt of HB were able to move to homes with the lowest rents. That is unlikely to happen as tenants in receipt of HB will be in

competition with low income working households for low rent properties. The other key aspect of finance is in relation to the availability of mortgage finance in Sunderland.

The graphs below detail the known capital spend in 2009/2010 by residents / organisations / agencies in Sunderland.



**Section 7: Programme Management – Delivery and Governance (see appendix 6)**

Programme management is the process of managing several related projects, often with the intention of improving an organisation's performance, and in relation to Housing Futures it focuses upon how the City performs and the outcomes realised as a result of having the plan and how it inter-relates to the suite of strategies and initiatives within Sunderland. Ultimately, Housing Futures is about delivering the capability for Sunderland to change, and when the various projects deliver – be they housing, the economy, transport or spatial policies then benefits for the residents of Sunderland will be delivered and the case for change implemented. Governance is key to the effective management and development of the strategic approach and in the first instance **the Strategic Housing Priorities Executive Board** is to undertake this role. This will be reviewed as the overall governance structures begin to take shape around the Economic Masterplan and the Local Enterprise Partnership. A new **Planning and Delivery Group** comprising of the Council and HCA representatives that will lead on the implementation of the housing priorities plan is due to meet for the first time in November 2010.

### **Section 8: Consultation (see appendix 7)**

Sunderland takes advantage of existing consultation and engagement arrangements in all that it does and the development of this Plan has been undertaken as a positive engagement opportunity. It builds upon the consultation events provided through the Sunderland Strategy – especially the results of the Annual Residents Survey and the consultation undertaken in relation to the Economic Masterplan, building upon the consultation through the core strategy and Local Development Framework events and takes account of the consultation undertaken for the Strategic Housing Land Availability Assessment and Strategic Housing Market Assessment. It also builds upon the work with the 'Citizens' Panel' and the 'Independent Advisory Groups' as well as the consultation undertaken as part of the Strategic Housing Market Assessment development work.

The plan has been widely consulted upon with many key partners involved as part of our Housing Forum. The first consultation event was held on 15 July 2010 and a cross-section of interests were invited to the event to discuss the initial emerging priorities and the consensus from the group work was that the priorities were about right. Further consultation events have taken place on the 4<sup>th</sup> August 2010 with other regional Local Authorities - including Durham, Northumberland and the Tyne and Wear authorities – to share information and discuss priorities. On the 10 August 2010 – Private Sector House builders were consulted and agreed to commence 'open dialogue' sessions with members of the National House Builders Federation and a further event took place on 23 August 2010 with Housing Associations. On 6 September 2010 a second city wide partner consultation event was held to discuss how the plan had developed and to reaffirm the priorities.

### **Section 9: Risk Assessment (see appendix 8)**

The City Council has a detailed corporate risk management plan which is monitored on a regular basis by the Executive Management Team, this then filters down to Directorate risk management plans and service area risk management plans. A full draft risk assessment is attached as appendix 4, at the moment no potential for risk transfer has been identified, however, the general principle will apply that risks should be passed to the party(s) best able to manage them, subject to value for money

## **Section 10: Going Forward**

Further iterations of the Plan will be informed and influenced by ongoing discussions with partners and Government policy, but we are confident that we have a robust plan in place to ensure that we deliver against our agreed priorities.

Partners will also explore the potential for appropriate joint venture vehicles to capitalise on assets and investment to deliver benefits to the City. The HCA will continue work closely with Sunderland to continue to explore opportunities for greater flexibility, more efficient and effective delivery, maximising public investment and delivering the strategic priorities of the City thus realising the City's vision. There is an ongoing and iterative process and the plan will be refreshed in April/May 2011 with the aim of ensuring the delivering a high level vision over the 15 year time period with any corrective action being taken to ensure delivery based upon 3 year delivery plans.

## **Section 11: Appendices**

Appendix 1	Priorities
Appendix 2	Evidence Base
Appendix 2a	Housing Investment Plan by scheme/area
Appendix 2b	Housing Developments
Appendix 3	Sunderland People
Appendix 4	Sunderland Places
Appendix 5	Resources
Appendix 6	Governance
Appendix 6a	Monitoring and Evaluation
Appendix 7	Consultation
Appendix 8	Risk register
Appendix 9	Key documents
Appendix 10	Glossary of terms

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

**HISTORY AND HERITAGE UPDATE – POLICY REVIEW**

**1.0 WHY HAS THIS REPORT COME TO THE COMMITTEE?**

- 1.1 The purpose of this report is to update members of the work ongoing within Culture and Tourism with regard to the Heritage offer across the city and to provide evidence for the review the committee is undertaking in relation to Culture supporting sustainable communities.

**2.0 BACKGROUND**

- 2.1 Heritage is an important element of the city's character – Sunderland has a distinct heritage through which the city achieves its sense of pride. Heritage encompasses everything that relates to the origins of people or a community and their cultural identity. This pride is based on our character and our traditions, including the distinct identity of specific communities and the cultural traditions of our people.
- 2.2 A sense of place is created through heritage activities and in turn a sense of place refers to the satisfaction felt by people about where they live and a sense of being part of a community.
- 2.3 A local building or monument highly regarded and recognised by people can also create a stronger sense of place. In turn a stronger sense of place is widely seen to help people's well-being and also to be important for the social cohesion of communities. The popularity of TV programmes such as "Who Do You Think You Are?" has led to an increase in the number of people tracing their family history and also visiting places associated with their family, again further enhancing a person's sense of identity.
- 2.4 Recent evidence also shows that investing in heritage not only improves quality of life, it also makes sound economic sense. A report, prepared by English Heritage shows there was a 10% increase in the number of visits to historic sites in the North East this year and that membership of historic environment organisations continues to rise. The report also suggests that by investing in historic attractions, income generation can increase.
- 2.4 The City Council is committed to supporting heritage initiatives and currently this area of work is delivered through City Services, supported by two dedicated Cultural Heritage Officers (25 and 22 hours each) and staffing associated with the World Heritage project, managed through the City Council on behalf of the World Heritage Partnership. The Council also has a dedicated building conservation team, within the Office of the Chief Executive to support the built heritage agenda across the city.

2.5 The key priority for heritage in Sunderland is to celebrate, conserve and promote the city's heritage to inspire the future.

The key areas of heritage can be broken down as:-

- Industrial Heritage
- Coastal Heritage
- Collections
- Natural Heritage
- Community Projects
- Built Heritage
- Sporting Heritage

### 3.0 CURRENT POSITION/OVERVIEW

3.1 **Heritage Open Days 2010** was another successful weekend of opportunity to visit heritage sites and to take part in the many activities on offer within the venue that participated in this important event. This year saw 47 buildings and varying events taking place in Sunderland with approximately 7,500 visits from people of all ages. *Although visitor figures are down slightly from previous years there has been very positive feedback which includes:*

Houghton Hillside Cemetery Display - 'This was a comprehensive display. There were friendly and informative people on hand to talk about the cemetery, as well as guide visitors round this historically important church.'

North East Aircraft Museum - 'I have driven past the signs for this Museum for years, but never visited it before. Glad I made the effort, very interesting, containing many exhibits - visited with children, they were excited and really enjoyed looking at all the planes'.

3.2 **Local Studies** is dedicated to the collection of local information, and works towards ensuring the ongoing collection of history in Sunderland. Demand for this service has continued to grow over recent years, in relation to family history, and users continue to value the service provided. Members will be aware of the recent review carried out in this area, and Officers are now working to implement the positive recommendations that resulted from the review. This includes:

- Appointment of a Local Studies Manager to include a more strategic overview of local studies and heritage provision and to develop outreach provision
- Courses and Classes relating to Local History be extended to out of hours (including evenings and weekends)
- Development of Volunteers and User Groups to assist with service improvements

- 3.3 Fulwell Windmill** – continues to be one of the most renowned landmarks within the city. Open on a part time basis, the Mill continues to be supported through the Friends of Fulwell Mill, who regularly support staff in its operation.

Visitor comments include:

“Absolutely beautifully kept and very interesting. Thank you all involved in keeping this masterpiece of history alive” – Joanne Gardner – Glasgow

“Thoroughly enjoyed the guided tour – ashamed of the number of years it has taken me to visit. Thank you”. A Hutchinson – Cleadon Park

The Mill will shortly be undergoing a review to look at service delivery and opening hours in order to deliver a more effective and efficient service for the future.

- 3.4 Sunderland Heritage Forum** is a partnership of voluntary and professional organisations who continue to be very passionate and committed towards celebrating and protecting Wearside’s heritage. Having been established for over 13 years the Forum continues to work with the City Council to deliver community led projects including Local History Month, Heritage Open Days, History Fairs and Community Lectures, as well as supporting the Heritage agenda through the numerous Friends and volunteer groups across the city.

- 3.5 History Fair 2010** – delivered through the Sunderland Heritage Forum, this bi-annual event once again proved the importance and relevance of the history and heritage agenda in Sunderland. Hosted at the Seaburn Centre, the event attracted over 70 exhibitors and secured almost 4000 visitors to this one day event. The event was a testament to the support of the voluntary sector and by people freely giving their time to support the organisation of the event. The event included magnificent colliery banners, a vintage car, scale model boat and re-enactments from the Roman, Victorian and Civil War eras. Discussions for the 2012 event will be commencing in the near future.

- 3.6 Heritage Events** – 2010 has been a very successful year for the delivery of Heritage based programme with two new events delivered within the city. Hylton Castle re-enactment took place week ending 14/15 August, which resulted in hundreds of families and individuals turning out to see the Roundheads and Cavaliers do battle, re-enacting the English Civil War in the North East from 1644. Comments from visitors included:

"It's absolutely outstanding,"

"It's fantastic that there's a free event like this on and I've heard that people have come from all over the country to be involved." (Mother of six year old child).

The event succeeded in raising both the profile of Hylton Castle as a visitor attraction as well as supporting the Friends of Hylton Castle and Dene in their efforts to see the Castle developed as a community based facility, whilst conserving the history and heritage of the city.



Washington Heritage Festival took place on Saturday 18 September, an event which was created from the enthusiasm and commitment of local and voluntary community groups, funded through the Washington Strategic Initiatives Budget. The event saw over 3,000 visitors to the site at Albany Park and succeeded in creating a community based event, drawing together young and old, participating in community led activity. Programme included a parade of mining banners and colliery bands, school and youth theatre groups, Local History Societies, North East Aircraft Museum, partner agencies including Beamish, North of England Civic Trust, Washington Old Hall and much more. Comments from the event included:

“The atmosphere was excellent and was spot on in bringing local people together to celebrate being local and being part of Washington's rich past”. (Scouts)

Discussions are now underway with the Washington Area Committee to work towards delivery of a 2011 event for the Washington area, having evidenced that the event was successful in bringing together all areas of the community and creating a feeling of involvement and belonging.

- 3.7 Bowes Railway** continues to operate under the Bowes Railway Company, a limited charitable organisation. Having undergone numerous difficulties over recent years, the Railway is now working towards securing its future for the long term. New Chairman Graeme Miller is working with Officers, Members and stakeholders including English Heritage (EH) and the North of England Civic Trust (NECT) to create and implement a sustainable and deliverable action plan, which will enable the Railway to succeed. The Chairman is now actively working to build the capacity of the Board which will be fit for purpose and have the necessary skills and expertise to enable the Railway to become a sustainable and successful organisation.
- 3.8 Area Priorities** – Officers from City Services are also working with area committees to identify and prioritise action plans for the individual areas across the city. Work currently includes a review of the Heritage Offer in the Washington Area, Task and Finish Groups in both the Coalfields and North Areas and a Heritage quarter established for the East Area. Officers will continue to work with Members and voluntary and community groups to develop action plans that will be implemented across the city, to ensure that the city's heritage is conserved, promoted and celebrated for the future.
- 3.9 World Heritage Site Status** - The Wearmouth-Jarrow Nomination File was submitted, on schedule, to English Heritage on 1 October 2010. English Heritage will review the documentation during October and is responsible for recommending the nomination to the Department of Culture, Media and Sport (DCMS). Ministerial approval and sign-off will be sought before Christmas 2010. DCMS will forward the Nomination to UNESCO in January 2011. A final decision on awarding World Heritage Status will be made by the UNESCO's World Heritage Committee Summer 2012. Success for Wearmouth-Jarrow would ensure international publicity and would generate significant tourism activity and inward investment for Sunderland and South Tyneside.

Work to improve the actual and virtual visitor experience of the candidate World Heritage Site continues. The Wearmouth-Jarrow website was re-launched on 20 September 2010. New interpretation panels are to be installed across the site from December 2010.

Members will recall a full update of this project was delivered to the Committee at the September 2010 meeting.

#### **4.0 CONCLUSION**

- 4.1 The information provided above highlights the work that is currently ongoing across the city in relation to History and Heritage. It should be noted that evidence already exists to support the fact that history and heritage are important to local economies because it attracts businesses, residents and visitors and that the historic environment plays an important factor when making decisions on where to visit, live or work. (Heritage Counts 2010)
- 4.2 History and Heritage can also contribute to the wider education agenda, using it as a tool into lifelong learning and acquiring skills that can be transferable in the longer term, as well as engaging young people in heritage based activities.
- 4.3 The profile of History and Heritage continues to grow not just within the city, but regionally and nationally. The benefits of heritage should not just be seen as economical but importantly how the historic environment impacts on local communities. Evidence shows that by living or having an interest in the built environment strengthens peoples' sense of place, which is very widely seen to helping people's well being and to playing an important factor in the social cohesion of communities.
- 4.4 We must highlight the important role of the voluntary sector in delivering the heritage agenda within the city. Already there are numerous groups and societies who assist in developing programmes which link communities to their local heritage. In view of the current financial climate we need to engage with the voluntary and community sector in order to secure the historic environment for the future.
- 4.5 We will continue to work towards ensuring that History and Heritage is embedded in the future development of the city, working with all sectors including community, voluntary, stakeholders, partners, businesses and potential funders.

#### **5.0 RECOMMENDATION**

- 5.1 Members are asked to note the contents of this report and to receive further updates regarding Heritage in Sunderland including Built Heritage and Tyne and Wear Archives and Museums which will be subject to separate reports in the future.

#### **6.0 BACKGROUND PAPERS**

- 6.1 Heritage Counts 2010 - England

## 7.0 GLOSSARY

UNESCO – United Nations Educational, Scientific and Cultural Organisation  
DCMS - Department of Culture, Media and Sport  
NECT – North of England Civic Trust  
EH – English Heritage

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## SUSTAINABLE COMMUNITIES SCRUTINY COMMITTEE 16 NOVEMBER 2010

### HOUSING AND NEIGHBOURHOOD RENEWAL ENFORCEMENT POLICY AND UPDATE FOR SELECTIVE LICENSING SCHEME, MIDDLE HENDON.

#### Report of Executive Director of Health, Housing and Adult Services

#### STRATEGIC PRIORITIES:

#### CORPORATE PRIORITIES:

## 1 WHY HAS THIS REPORT COME TO THE COMMITTEE?

1.1 The purpose of this report is to provide members with;

- i) a copy of the Housing and Neighbourhood Renewal Enforcement Policy ('The Policy') which outlines the proposed Council response for a range of circumstances, and
- ii) an updated position statement in relation to the Selective Licensing / Neighbourhood Management Scheme which was introduced in the middle Hendon Area in partnership between the Council and back on the Map, New Deal for Communities and which became operational on the 1<sup>st</sup> July 2010.

## 2 BACKGROUND – THE POLICY

- 2.1 The Council has a ongoing statutory requirement to produce, review and publish a service specific enforcement policy and to seek Cabinet approval for the proposed Housing and Neighbourhood Renewal Enforcement
- 2.2 The existing policy was developed having regard to the 1998 Enforcement Concordat and the Regulator's Compliance Code. The Code is designed to complement the concordat but unlike the concordat that was voluntary, the Code **must** be taken into account by regulators such as local authorities when determining any general policy or principles about the exercising of specified regulatory functions or when exercising or giving guidance about those functions.
- 2.3 The introduction of the Housing Act 2004 provided a series of substantial new enforcement powers, many of which came into force in 2006, and the Regulators' Compliance Code ("the code") issued under section 22 of the Legislative and Regulatory Reform Act 2006 recommended that regulators publish an enforcement policy that takes account of the requirements of the Code.
- 2.4 The existing Housing Enforcement Policy was approved in February 2009 however since that time new powers in relation Anti Social Behaviour have been adopted by the Council and needed to be embedded within the Enforcement Policy. In addition, the proposed policy has been updated in relation to enforcement options and an improved layout now includes a

summary of the Council's proposed enforcement response for a range of circumstances.

### **3 CURRENT POSITION – THE POLICY**

- 3.1 The policy applies to the Council's enforcement activities in exercising the statutory powers at its disposal in dealing with anti social behaviour, sub-standard or disused private sector housing and outlines the approach to be taken in the use of such powers including investigation, inspection, and dialogue with persons who may be affected by the enforcement activity largely vested in the Council's Housing and Neighbourhood Renewal Team.
- 3.2 The policy was developed with a view to protecting the health, safety and welfare of the residents of Sunderland and to encourage good standards in terms of maintenance and management of homes predominately in the private sector. Further aims are to support the sustainability of the housing stock and the residential environment.
- 3.3 The existing policy has generally been found to apply well for the purpose for which it was developed. However, the introduction and Council adoption of new powers in relation to Anti Social Behaviour under the provisions of the Violent Crime Reduction Act 2006 and the Criminal Justice and Immigration Act 2008 mean that the existing policy will no longer be fit for purpose. The policy therefore now includes action to tackle anti social behaviour by the use of Closure Orders and Drink Banning Orders.
- 3.4 Members will be aware that in a recent speech the Home Secretary announced a review of the tools and powers that are available to police forces and other agencies to deal with ASB. The Executive Director has raised this with Home Office staff and the following comment has been received *'this has been reported as signalling an intention to repeal the ASBO, but the review will look at all the tools and powers in the round and no decisions have yet been taken. ASBO legislation remains in force in the interim, and where practitioners feel it offers the most effective means of dealing with ASB, they should continue to use it. We're looking at tools and powers along with the measurement of ASB, and the definition itself. No changes to tools and powers are likely until mid 2011.'* The Executive Director will continue to monitor this position.
- 3.5 Additionally, the statutory duties which the Council must provide in respect to tenancy harassment as set out by the Protection of Eviction Act 1977 will transfer from the Council's Legal Services to the Strategic Housing Service within this year as part of the Council's Business Transformation Programme. When protocols are finalised these duties will also be included within the Enforcement Policy.

### **4 BACKGROUND – SELECTIVE LICENSING AND NEIGHBOURHOOD MANAGEMENT SCHEME, MIDDLE HENDON**

- 4.1 Following Cabinet agreement Members will be aware that an application by the Executive Director secured the Secretary of States approval for the

introduction of the Selective Licensing Scheme in the 'Middle Hendon and Long Street's' Area and that this scheme came into force and operational from the 1<sup>st</sup> July 2010. The scheme is part of a "Neighbourhood Management" approach in the Hendon area in conjunction with Back on the Map, which will see a comprehensive approach to the management of the area undertaken.

- 4.2 From 1<sup>st</sup> July 2010 it is a criminal offence to manage or have control of a privately rented property which is required to be licensed under the selective licensing scheme in Hendon and is not licensed. However, the local authority must give the landlord a reasonable time frame for submitting applications before proceeding with criminal sanctions. 1<sup>st</sup> October 2010 was designated as a timescale for landlords to submit their applications.
- 4.3 Empty dwellings are not licensable however as Members are aware the Council have numerous powers to tackle issues of empty homes.
- 4.4 Before any prosecutions are sought, the local authority is "under a duty to take all reasonable steps to secure applications are made to it". Therefore, even after 1<sup>st</sup> October, further reminder letters and phone calls etc will be sent to landlords who are known to the Council and who have not yet sent in an application. However, a discounted license fee available for submitting an application by 1<sup>st</sup> October will be withdrawn from this time. The Council must also determine whether the public interest is best served by prosecuting a person for previously failing to apply for a licence although the situation may be rectified by receipt of a "late" application. Like wise, it must determine whether the Council's focus and resources should be on pursuing those who continue to evade their statutory duty and fail to submit an application.

## **5 CURRENT POSITION – SELECTIVE LICENSING SCHEME**

- 5.1 Large numbers of prosecutions are not anticipated immediately after 1<sup>st</sup> October 2010. However, Members are assured that a sensible and calculated approach will be taken against those landlords that fail to apply and each will be dealt with on its merits. Members are assured however that the Executive Director will not hesitate to initiate legal action against those landlords found attempting to evade the law and their responsibilities. The responsibilities and purpose of this mandatory scheme are;
  - to protect those living in rented accommodation.
  - to ensure good standards of accommodation and management are provided.
  - to reduce anti social behaviour and related crime.
  - to tackle issues in the area of low demand. Members may be aware that on summary conviction a person found guilty of such an offence may be fined up to £20,000.
- 5.2 Work and research undertaken within the area has produced a list of properties which may require to be licensed.

- 5.3 There have been 402 application packs sent out covering 564 properties known to be privately rented based on best information.
- 5.4 Up to the 8<sup>th</sup> October 2010, 126 applications have been made by private landlords and this is in respect to 378 separate premises. In addition, approximately 73 applications submitted were incomplete and licensing staff are currently working with applicants to secure a full application. One landlord is transferring management of stock to a Registered Provider which accounts for approximately an additional 60 dwellings.
- 5.5 The team which will operate the scheme over the next 5 years have been recruited, mainly through the Internal Jobs Market. Only one post, that of Environmental Health Officer remains to be recruited and this is currently underway. The team will operate from an office located centrally in the licensing scheme area, in Vilette Road, Hendon.
- 5.6 Inspections to determine the condition of premises known to be in the area have also been undertaken over past weeks and up to 30<sup>th</sup> September 2010 there have been 153 carried out. These inspections will inform the next stage of process for each rented property within the area which will ensure improvement works etc. to those premises found to be unfit for human habitation and lacking in one or more of the criteria to meet the decent home standard such as, age of kitchen and bathroom fittings, no or insufficient heating, age of central heating boiler.
- 5.7 The processing of applications received is the next priority for the team and following this the next stage will be the pursuit of those landlords who have failed to submit an application. The figures set out above in paragraph 5.4 demonstrate the success of the preparatory work and effort which has gone into the scheme. Very few schemes of this type are operating in the Country (approximately 20) and none of these have resulted in such an early initial success.
- 5.8 With respect to those landlords (53 premises) which have failed to engage with the Council several approaches can and will be taken, one of which will be formal legal action.
- 5.9 One early benefit of the scheme is the increase in numbers of landlords across the City who have come forward to join the Council's Voluntary Accredited Landlord Scheme, this allows for more informed decisions in the deployment and targeting of resources toward areas of greatest need for intervention and possible enforcement of standards. The Accreditation Scheme first introduced in April 2003 is currently being reviewed and when proposals are finalised for the future landlord accreditation scheme a report will be brought to this Committee.

## **6 RELEVANT CONSULTATIONS**

- 6.1 The Chief Solicitor has been consulted in respect to the Enforcement Policy as have members of the Council's Private Landlord Forum.

6.2 The local community, key local partners, ward members and the local Member of Parliament were consulted as part of the selective licensing feasibility study.

6.3 Appropriate entries have been made in respect to the Forward Plan in relation to the Enforcement Policy.

## **7 RECOMMENDATIONS**

7.1 Scrutiny Committee is invited to consider this report and provide views on the Housing and Neighbourhood Renewal Enforcement Policy and the current position in respect to the Selective Licensing Scheme in the Middle Hendon Area.

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Contact Officer: Derek Welsh, Housing and Neighbourhood Renewal Manager



### Introduction

The Council is provided with a wide range of powers in relation to standards of housing to enable it to protect individuals, families and the community as a whole. The Housing and Neighbourhood Renewal Team within Health Housing and Adult Services has responsibility for exercising these powers in Sunderland. The team also has the responsibility on behalf of the Council for tackling antisocial behaviour and other crime related issues and where appropriate this is done in partnership with other agencies.

This policy applies to the enforcement activities of Sunderland City Council in exercising the statutory powers at its disposal in dealing with unsafe, substandard or disused private sector housing and anti social behaviour and outlines the approach to be taken in the use of such powers including investigation, inspection, and dialogue with persons who may be affected by such enforcement activity. The policy also applies to the ancillary enforcement activities undertaken by the service in the residential sector to deal with matters such as statutory nuisances and blocked or defective drainage.

This enforcement policy is designed to promote efficient, effective and consistent approaches to regulatory inspection and enforcement. This is in compliance with the Regulators' Compliance Code ("the Code") issued under the provisions of the Legislative and Regulatory Reform Act 2006. Any departure from the code will be properly reasoned, based on material evidence and documented.

Legislation places responsibility on; owners, landlords, tenants and occupiers of private housing and the Housing and Neighbourhood Renewal Team has been vested with the role of providing advice, guidance and assistance to enable persons to meet the statutory requirements. The purpose of this policy is to explain fully how the Housing and Neighbourhood Renewal Team will fulfil this role and sets down the enforcement approach to be taken with those who are not willing to comply with their legal responsibilities.

### Principles of Enforcement

The Council will have regard to the following factors in developing policy and making enforcement decisions:

#### **Regulator's Compliance Code**

This enforcement policy is designed to promote efficient, effective and consistent approaches to regulatory inspection and enforcement in order to improve regulatory outcomes without imposing unnecessary burdens. This is in

compliance with the *Regulators' Compliance Code* ("the Code") issued under the provisions of the Legislative and Regulatory Reform Act 2006. In certain instances the Council may conclude that a provision of the Code is not relevant in the circumstances or is outweighed by another consideration. Any departure from the Code will be properly reasoned, based on material evidence and documented.

The Council will have regard to the following factors in developing policy and making enforcement decisions:

- **Economic progress**

Enforcement and interventional activities will be kept under review so as to minimise economic burdens whilst fulfilling the public protection role. Officers will consider the impact of interventions on economic progress and will adopt an approach where the requirements justify the costs incurred.

- **Risk assessments**

Resources will be targeted on the basis of risk assessments and actions directed where they will be most effective

- **Advice and Guidance**

The Council has produced a range of information leaflets on private housing and neighbourhood relations matters. Further information and guidance is available on the Council's website "<http://www.sunderland.gov.uk>" selecting housing service under search. In the course of any enforcement action we will provide clear, concise and accessible information and guidance to help recipients meet their obligations.

- **Inspections and other visits**

All visits and inspections will be justified and where appropriate joint inspections may be carried out with other regulators.

- **Information requirements**

A balanced approach to information needs will be taken with a view to reducing burdens on businesses whilst meeting statutory requirements.

- **Compliance and enforcement actions**

The basis of non-compliance will normally be raised informally before enforcement action is commenced except where this approach may compromise the action, where there is a serious breach of legislation or imminent serious risk to persons or property. A history of good compliance will be recognised. When enforcement action is considered reasons will be discussed whenever possible. Clear reasons will be stated for any action taken and the action will be proportionate to the nature of the breach of regulation.

- **Accountability and consultation**

Sunderland City Council is an accountable body and considered actions shall be justifiable, transparent and in accordance with Council policy in the context of the legal and administrative framework set down for enforcement agencies. The Council will offer consultation and feedback opportunities to persons affected by enforcement activity.

In certain instances we may conclude that provision in the code is either not relevant or is outweighed by another provision. We will ensure that any decision to depart from the Code will be properly reasoned, based on material evidence and documented.

### **Enforcement Concordat**

This will still apply to those regulatory functions where the Regulator's Compliance Code is not applicable. In November 1998 Sunderland City Council formally agreed and adopted the principles of good enforcement in line with the *Enforcement Concordat* produced by the Government's Cabinet Office in conjunction with the Local Government Association. The Housing and Neighbourhood Renewal Team is committed to carrying out enforcement action in an equitable, practical and consistent manner.

The Housing and Neighbourhood Renewal Team in conducting enforcement activities on behalf of the Council will endeavour to adhere to the principles of consistency, transparency and helpfulness as contained in the Enforcement Concordat.

### **Other Provisions**

In carrying out their investigatory and enforcement role officers will have regard to the provisions of the Human Rights Act 1998 and where relevant, activities will be conducted in line with the Criminal Proceedings and Investigations Act 1996, the Regulation of Investigatory Powers Act 2000 and Data Protection legislation. Information sharing with partners in order to tackle anti-social behaviour will take place in line with the agreed protocols of the Safer Sunderland Partnership, in line with the provisions of Section 115 of the Crime and Disorder Act 1998 and the Freedom of Information Act 2000.

The Council has a number of designated Housing Renewal Areas. These areas have been assessed as having some of the worst housing conditions across the city with a large proportion of empty properties, an oversupply of privately rented properties and often a higher numbers of issues relating to anti social behaviour. Any enforcement actions in such areas will be undertaken in line with this policy and, in addition, any neighbourhood renewal plans, including Neighbourhood Renewal Assessments, Master plans and Area Action Plans will be reported to the Council's Cabinet.

Enforcement action will be considered in proportion to the risk to health or safety of residents or on evaluation of the potential impact of substandard housing upon the local community and with due regard to the provisions of the Code. Action will be appropriate to circumstances, and will take into account the seriousness of any breach of statutory provisions and the needs and circumstances of tenants and owners. Council action to tackle antisocial behaviour will have protection of the victim or witness at heart, including respecting the confidentiality of complainants and where appropriate the protection of their identity.

It is recognised that use of formal enforcement procedures may be generally considered as a last resort action to be used appropriately where other approaches would be or have proven to be ineffective or where there is an imminent risk to health and safety of residents. The provision of information and advice and the engagement of owners, landlords, tenants and residents in constructive dialogue are seen as important means of encouraging the co-operation of owners to maintain their properties in good repair, ensure a high standard of management in the private rented sector and the prevention and early resolution of cases of anti-social behaviour.

All enforcement decisions will be documented and, other than where emergency enforcement action is taken, Sunderland City Council will always inform owners and occupiers of the action it proposes to take. If there are concerns that the Council has made an unfair decision, any interested person can request that an appropriate senior manager review the decision. When formal enforcement action is taken, the Council will always advise interested persons of the appeals process available to them.

Enforcement actions have to be taken within the context of the legal and policy framework set for all enforcement agencies. The Enforcement Concordat lays out the principles of good enforcement. These are:

- Drawing up clear standards
- Setting out the level of service and performance the public and business can expect to receive
- Dealing with the public and the business in an open and honest way
- Providing a courteous, efficient and helpful service
- Responding promptly and positively to complaints about the service
- Ensuring that enforcement action is proportionate to the risks to the public
- Carrying out duties in a fair, equitable and consistent manner

A full version of the Enforcement Concordat is available from the Housing and Neighbourhood Renewal Team or by accessing the Cabinet Office's website at [www.cabinetoffice.gov.uk](http://www.cabinetoffice.gov.uk)

## Council Aims and Objectives

Sunderland City Council's strategic aims are laid down in the Sunderland Strategy 2008-2025, 'Sunderland for a better future' and the Council incorporates its strategic aims and objectives in the Corporate Improvement Plan, Service Plans and Strategies that determine how the Council's corporate strategic objectives will be delivered. With regard to crime and disorder the Safer Sunderland Partnership establishes its priorities in the Safer Sunderland Strategy. The Safer Sunderland Strategy 2008-2023 sets out key challenges and priorities for the future. This strategy is supported by a number of local sub-strategies one of these being the Anti Social Behaviour (ASB) Strategy. The work already undertaken by the Council through the 'Together' programme and RESPECT agenda will be embedded and progressed within the Citywide ASB strategy and subsequent ASB Delivery Plan. It will progress the work already being achieved in tackling anti-social behaviour through prevention, early intervention, enforcement, support and rehabilitation. The Council's overall aims and objectives in respect of housing are laid down in the Housing Strategy 2006-2011, and the Private Sector Housing Strategy and Empty Property Strategy set out the Council's vision for housing renewal and which prescribes the standards it wishes to see achieved in the private housing sector. These strategic aims and objectives are then translated into specific service plans that set out how delivery will be achieved.

For the Housing and Neighbourhood Renewal Team the principal aims of the service are to:

- Assist in the provision of safe, secure, warm and affordable decent housing.
- Assist in the creation of safe communities and increased resident confidence
- Deliver a high quality service to those who live here delivering a better environment for all and to work with our partners towards the achievement of the council's overall aims and objectives.
- Assist in delivering the Council's strategic aims in respect to Housing and Community Safety.

Sunderland City Council's plans are drawn up in consultation with Members, the public and reflect the needs of Sunderland as identified through consultation, customer feedback and from the outcomes of the Council's actions.

## Approach to Enforcement

The Council's Housing and Neighbourhood Renewal Team has a range of measures, interventions and enforcement powers that may be employed to ensure that compliance with legislation, guidance and good standards of management are achieved.

Actions available to protect public health, tackle anti social behaviour and secure improvement in housing conditions within the private sector are broadly divided into two categories:

- **Informal action**
- **Formal action**

Once we have established that action needs to be taken to resolve an issue, wherever possible an informal approach will be adopted having regard to the Code and the Concordat. However, in certain cases there will be no alternative but to take formal action. Appendix 1 provides a summary of appropriate actions.

Consideration will be given to:

- The impact of interventions on economic progress, especially small businesses,
- Whether benefits justify the costs and poses the minimum burden to achieve the objective,
- Whether informal action may compromise the objective or whether there is a serious breach of legislation or serious instance of ASB. For example, where an imminent risk to public health exists and removal of the risk is only guaranteed through a formal approach.
- Any relevant history in relation to the case. In particular, officers will consider whether any formal action has been taken in the past, the recipient's response and the ability and willingness of the recipient to keep to agreed timetables of work and/or reduce acts of ASB
- Whether an act or omission is serious enough to warrant formal action, or whilst there is no infringement of legislation, a positive benefit from informal action can be derived.

The initial decision to take informal or formal action will be made by the enforcement officer. The decision will be agreed with the relevant line manager however, overall responsibility for officers' actions rests with the Head of Service and Business Unit Manager. Accordingly, management arrangements provide for regular performance monitoring of the Team's actions, outputs and outcomes.

### **Informal action**

In dealing with requests for service or unsatisfactory housing conditions identified by other means the first option is for officers to take an informative and advisory approach to owners, occupiers, tenants and landlords alike and every effort will be made to resolve matters by informal means. Owners, occupiers, tenants and landlords may expect a written explanation of opinions if they so request.

The Council has adopted an effective multi agency 'graded response' to tackling anti-social behaviour across Sunderland irrespective of housing tenure. The focus is on preventing anti-social behaviour escalating by means of early intervention which may include the issuing of early warning letters and Acceptable Behaviour Agreements.



The ASB Team deal with serious and persistent ASB that impacts on the community, however it is recognised that less serious acts of ASB, such as neighbour disputes impact greatly on the quality of peoples lives and the Council Mediation Service offers an alternative route for complainants to resolve these types of dispute. We may consider that the parties involved should be referred to this service, subject to their agreement. Mediation is often successful for resolving disputes between neighbours.

Advisory letters will contain an explanation of what breaches of legislation have been identified, what remedial action is needed and what would be a reasonable timescale for compliance. The recipient will also be advised of what formal action may be pursued if remedial action is not forthcoming.

The Council is not precluded from taking immediate formal enforcement action where such action may be considered necessary and appropriate in the light of situations or circumstances. This will include situations where there is an imminent risk to the occupants of a property or members of the public or where a relevant person has previously failed to respond to an informal approach.

Sunderland City Council has a long-established Private Landlords Forum which was set up in 2001 to promote dialogue between private landlords and the Council. The Voluntary Landlord Accreditation Scheme largely arose out of this and is designed as a partnership arrangement between landlords and the Council to improve the quality and management of the private rented sector and to reduce ASB. Landlords are invited and encouraged to sign up to agreed and prescribed standards and in turn gain an improved relationship and increased support from the Council. Accredited Landlords undertake to meet agreed standards without the need for formal enforcement intervention by the Council. This is proving a successful partnership and has enabled some positive joint actions to improve conditions in the private rented sector and also in tackling anti social behaviour and management issues.

In recognition of their co-operative working relationship with the Council, formal action in relation to property standards will not normally be taken against accredited landlords in the first instance unless there is imminent danger to the occupiers of a property i.e. category 1 hazards as defined by the Housing Act 2004. Where possible an informal approach will be taken, officers will consult with the accredited landlord and obtain agreement for all necessary works to be carried out within specified timescales. If the landlord fails to comply with those arrangements the Council will then serve the requisite legal notice and also charge the recipient the costs incurred in service of the notice.

### **Formal Action**

If informal engagement fails, or it is not appropriate to adopt an informal approach, as certain circumstances require immediate intervention, formal action may be taken. Formal action includes:

### ***Service of Statutory Notices***

We can serve statutory legal notices that require the recipient of the notice to take specific action to improve the situation. All notices contain notes that explain the effect of the notice and the recipient's right of appeal. When we do this, we often charge the appropriate person for the cost associated with the service of the notice. A list of fees and charges can be found on the Councils website at [www.sunderland.gov.uk/index.aspx?articleid=2371](http://www.sunderland.gov.uk/index.aspx?articleid=2371) and enter the fees and charges listed on the right hand side of the screen.

We will always be willing to discuss the works specified in the notice, as well as timescales given and the reason for the service of the notice. In emergency circumstances we are authorised to carry out works without the service of a notice; normally when this would cause an undue delay.

If the recipient fails to comply with the notice, the Council has various sanctions it can impose including: carrying out works in default, caution, prosecution, and/or the use of emergency powers.

In other situations, there is a presumption that notices will be served if the criteria set down in the legislation are met. However, this presumption can be rebutted depending on the circumstances of the case. As cases vary so much it is difficult to be prescriptive about when we will not serve notices. Each case is looked at individually and the following are the main factors taken into account:

- The effects of the situation on the health and safety of those affected,
- Any previous complaints about the person concerned or his agent,
- The willingness of the person complained of to put right any problems without the need for formal enforcement action,
- Lack of credible evidence or reliable witnesses.

### ***Carrying out Works in Default***

In many cases the Council has the power to carry out work in default of a statutory notice.

If the recipient of the notice does not do the work required we, where appropriate, are able to employ a contractor to enter the property and carry out the work. When we have to do this, we will charge the appropriate person for the cost of the works together with an administration fee.

In determining whether carrying out works in default is the most appropriate course of action, we will consider the following:

- The effects of not carrying out the work on the health and safety of the residents concerned
- The reason for the work not being carried out in the first place
- Whether benefits justify the costs and poses the minimum burden to achieve the objective,

This is not an exhaustive list and other factors may be taken into account.

It should be noted that carrying out works in default does not necessarily prevent us from also issuing a formal caution or prosecuting the offender. We are legally entitled to ensure that the work is carried out and we will also consider if it is appropriate to take further action.



There are various methods by which we can recover costs incurred in carrying out works in default, dependent on the type of notice that has been served:

- **Sundry debtor method** - Using this method we will send the appropriate person an invoice requesting payment. If this is not paid within 28 days, a reminder invoice is sent requesting payment immediately. If the invoice is not paid within two weeks of the reminder being sent, the matter, depending on the size of the debt, will be referred to the Council's Legal Services to pursue debt recovery proceedings.
- **Charge on the property** - When works in default are carried out we may place a land charge on the property. When the property is sold, the Council can recover the amount of the debt and any accrued interest.
- **Enforced Sale Procedure** – In some cases when there are land charges on a property amounting to a considerable debt, we have the power to recover the amount owed through enforced sale of the property.
- **Rent Repayment Order** – A Rent Repayment Order (RRO) is a financial penalty that can be imposed upon a landlord who, without reasonable excuse, manages or lets a property which ought to be licensed under Part 2 or 3 of the Housing Act 2004 and is not so licensed.

An application to the Residential Property Tribunal for an order may only be made if the landlord has been convicted of the offence of operating a licensed property without a license, or the local authority is satisfied the offence has been committed (even though the landlord has not been prosecuted for offence).

The Residential Property Tribunal may make an order if it is satisfied that the landlord has been convicted of the offence, or, that he has committed it. The Residential Property Tribunal has the power to make an RRO for an amount equivalent to any rent received during the period of the offence up to a maximum of 12 months.

### ***Court Orders***

We may obtain civil orders from the relevant court to protect the public from behaviour that causes, or is likely to cause harassment, alarm or distress. Examples of these are Possession Orders, Direction Orders, Anti-social Behaviour Orders (ASBO's), Parenting Orders, Drink Banning Orders, Closure Orders and Individual Support Orders.

### ***Injunctions***

We may use a range of injunctions which are available to tackle anti-social behaviour, housing related and public nuisance. Injunctions are flexible, straightforward and fast – a court can make an injunction before the problem escalates allowing for immediate protection for others. They can also prevent perpetrators from entering specific premises or areas.

### ***Caution or Prosecution***

Where an offence has been committed, under particular legislation, non-compliance with a statutory notice issued by an authorised officer is a criminal offence. The Council is the prosecuting authority for such offences and proceedings are taken in the relevant Court.

In cases where an offender admits the offence an alternative to prosecution is the issuing of a formal caution. A formal caution is where an offender is given written details of the offence and he signs to say that he admits the offence. It is not a form of sentence.

The Council, maintains a record of the caution for a period of three years as it may subsequently influence a decision to instigate proceedings should a further relevant offence occur. It may also be cited in court in the same way as a previous conviction if the Council takes legal action for a subsequent offence.

The decision to offer a formal caution or prosecute is one that is not taken lightly. We recognise that our decision is significant and could have far reaching consequences upon the alleged offender and others.

Each case that we deal with is unique and must be considered on its own facts. In deciding whether to issue a formal caution or proceed with a prosecution, the initial recommendation will be made by the enforcement officer in consultation with the Team Leader and Assistant Manager or Manager. Having collected and collated evidence, the manager will consult with the Head of Service and ultimately Legal Services to consider and review the merit of the proposed action.

Where a decision to **prosecute** is made, this decision will be taken in line with the **Crown Prosecutors Code**, which details considerations to be taken into account before considering prosecution proceedings. The Council has a target to ensure that instructions to commence legal proceedings are given to Legal Services within 8 weeks of the expiry of the time period for complying with a formal notice.

A full copy of the code is available from:

The Crown Prosecution Service London  
50 Ludgate Hill

London

EC4M 7EX

**Tel:** 020 7796 8000

**Web:** <http://www.cps.gov.uk/publications/docs/code2004english.pdf>

There are two overarching tests used in determining whether to prosecute. These are the **Evidential Test** and the **Public Interest Test**:

- **Evidential Test**

The prosecutor must be satisfied that there is enough evidence to provide a realistic prospect of conviction. This is an objective test and means that a court is more likely than not to convict the offender of the charge alleged. In deciding

whether there is a realistic prospect of conviction, consideration is given to the following matters:

- **Is the evidence admissible in court?** There are certain legal rules that might mean that evidence that seems relevant may not be used at a trial.
- **Is the evidence reliable?** The prosecutor has to consider whether there is evidence that may detract or support any admission by the offender.

- **Public Interest Test**

If the evidential requirements are met, the prosecutor must then consider whether the public interest requires a prosecution. It is not the case that the Council will prosecute simply because an offence has been committed. There should generally be a public interest in bringing such an offence to Court.

The following are examples of factors taken into account when determining public interest; again this list is by no means exhaustive:

- **The seriousness of the offence.** This will mean considering, for example, the effect of not complying with the notice.
- **Whether there was violence used in the commission of the offence.** This may be particularly important when we investigate cases of anti social behaviour.
- **The vulnerability of the victim of the offence.** Again, this is a particularly important consideration when considering anti social behaviour cases. Although offences of this type are not acceptable regardless of the victim, it is considered even less acceptable if the victims are elderly, suffering ill health or disability or have young children.
- **Whether the offence was motivated by discrimination.** Consideration as to the nature of the sanction imposed will be determined by whether the offender was motivated by any form of discrimination against the victim's ethnic or national origin, sex, religious beliefs, political views or sexual orientation.
- **The history of the offender.** In particular, regard will be given to whether notices have been served in the past, the response to those notices and any previous private sector housing based convictions.
- **The likely penalty.** Consideration will be given to whether the offence is such that it would only attract a nominal penalty from the Court.
- **Reason for the offence occurring.** Although there may be, on the face of it, a breach of the law, there may also be a statutory defence available. Other factors will also be considered. For example, if the offence results from a genuine mistake or misunderstanding these may be factors against prosecution but this would be balanced against the seriousness of the offence, or in the case of an industry or business whether best practical means were being employed.
- **Victim's well being.** Consideration is not only given to the offence and the offender but also the victim. Consideration will be given to the victim's physical or mental health but again this is balanced against the seriousness of the offence.
- **Witnesses.** Regard will be had to the ability and willingness of witnesses (which generally includes the victim) to give evidence.

In addition to the two tests there are certain conditions that must exist before a **caution** can be administered, they are as follows:

- There must be evidence of the offender's guilt sufficient to give a realistic prospect of conviction
- The offender must admit the offence
- The offender must understand the significance of the caution and give his informed consent to accepting the caution.

If any of the above criteria are not met, then we will **not** consider the issuing of a formal caution. Above all, a caution will not be used as a substitute for a prosecution that would otherwise be unsustainable.

### ***Use of Emergency Powers***

Emergency powers allow the Council to carry out works, where justified on the grounds of risk to the public, without the prior service of a statutory notice. This is carried out when we judge it necessary to undertake works immediately. An example of this would be when it is judged necessary to secure a building that is not adequately secured against unauthorised entry, with the intention of protecting the person entering the building and others against their acts, including arson. This is also carried out when it is not practicable to ascertain the details of an owner or to trace the whereabouts of an occupier who is not present at the property.

In all cases where an offence is committed, we will give consideration as to whether a sanction should be imposed and if so, which one. In some cases it may be appropriate to impose more than one sanction, for example, carrying out works in default in conjunction with prosecution.

## **Legislation**

The Team's regulatory functions are extensive. They include: anti-social behaviour, public health nuisance, housing improvement and inspection of Houses in Multiple Occupation. Shown below is a schedule of legislation that Officers of the Team enforce on a regular basis:

- Anti-social Behaviour Act 2003
- Crime and Disorder Act 1998
- Criminal Justice and Public Order Act 1994
- Criminal Justice and Immigration Act 2008
- Violent Crime Reduction Act 2006
- Local Government Act 1972
- Building Act 1984
- Civil Procedures Rules
- Clean Air Act 1993
- Control of Pollution Act 1974

- Environmental Protection Act 1990
- Housing Acts 1985, 1996 and 2004
- Housing, Grants, Construction and Regeneration Act 1996
- Local Government and Housing Act 1989
- Local Government (Miscellaneous Provisions) Acts 1976 and 1982
- Prevention of Damage by Pests Act 1949
- Public Health Acts 1936 and 1961
- Public Health Acts Amendment Act 1907
- Caravan Sites Act 1968
- Caravan Sites and Control of Development Act 1960

### ***Anti-Social Behaviour***

Anti-social behaviour can include a whole range of problems – noisy neighbours, abandoned cars, vandalism, graffiti, litter and youth nuisance. It can hold back the regeneration of the most disadvantaged areas, creating an environment in which crime can take hold. The Crime and Disorder Act 1998 and the Anti-social Behaviour Act 2003, created new powers and incentives to help local authorities deal with the issue.

Specific measures that have been introduced include;

- **Anti Social Behaviour Orders (ASBO's)** are statutory measures that contain conditions prohibiting offenders from specific anti-social acts or entering defined areas. They are civil orders made in court, and are effective for a minimum of two years. ASBOs can be applied for by local authorities, police forces, British Transport Police and by registered social landlords, but not by members of the public.
- **Parenting Orders** are made when there has been a problem with an under 16-year olds behaviour. Orders impose requirements on the parent(s) or guardian, which will usually include their attendance on guidance or counselling programme.
- **'Crack House' Closure Orders** have been introduced to enable the swift closure of properties taken over by drug users or dealers of Class A drugs. We work in partnership with the Police in determining the appropriateness of issuing a Notice. The Police must then apply to the court within 48 hours to apply for a Closure Order. The Order can last for 3 months and can be extended for a further 3 months. During this time entering or remaining in the property will be an offence and the property will be sealed.
- **Closure Orders** Section 118 of the Criminal Justice and Immigration Act 2008 introduced new powers for the courts to close on a temporary basis, premises associated with significant and persistent disorder or persistent serious nuisance. The tool is similar to the existing crack house closure. Since the order is tenure neutral it also applies to owner occupied properties. Closure would clearly have a dramatic impact and should only be pursued after a full range of appropriate anti social behaviour interventions have failed.

- **Acceptable Behaviour Agreements (ABAs)** are voluntary written agreements between a person who has been involved in anti-social behaviour and one or more local agencies whose role it is to prevent such behaviour (e.g. police and housing). They are most commonly used for young people but may also be used for adults.
- **Drink Banning Orders (DBOs)** have been introduced through the Violent Crime Reduction Act 2006 and have been available to Local Authorities and the Police from the 31<sup>st</sup> August 2009. DBOs are designed to address an individual's alcohol misuse behaviour and protect others and their properties from such behaviour. DBOs are civil orders that can be made against an individual aged 16 or over if they have engaged in criminal or disorderly conduct whilst under the influence of alcohol. The order last for a minimum of two months and a maximum of two years. There is no custodial penalty for breach of an order although breach of a subsequent court sanction could result in a custodial sentence.

### **Public Health (Nuisance)**

Section 79 of the **Environmental Protection Act 1990** defines Statutory Nuisance. These are nuisances to which the abatement procedures of Part 3 of the Act apply and are:

- Any premises in such a state as to be prejudicial to health or a nuisance;
- Smoke emitted from premises so as to be prejudicial to health or a nuisance;
- Fumes or gases emitted from private dwellings so as to be prejudicial to health or a nuisance;
- Any dust, steam, smells or other effluvia arising on industrial, trade or business premises and being prejudicial to health or a nuisance
- Any accumulation or deposit that is prejudicial to health or a nuisance;
- Artificial light emitted from premises so as to be prejudicial to health or a nuisance;
- Any animal kept in such a place or manner as to be prejudicial to health or nuisance;
- Noise emitted from premises so as to be prejudicial to health or a nuisance;
- Noise that is prejudicial to health or a nuisance and is emitted from or caused by a vehicle, machinery or equipment in a street; or
- Any other matter declared by any enactment to be prejudicial or a nuisance.

A nuisance is taken to be anything that interferes with the use and enjoyment of a neighbouring property or which materially affects the comfort and quality of life of the public at large. **Prejudicial to health** is defined as injurious or likely to cause injury to health.

Where we are satisfied that a statutory nuisance exists, or, is likely to occur or recur, we are required to serve an abatement notice requiring all or any of the following:



- Requiring the abatement of the nuisance or prohibiting or restricting its occurrence;
- Requiring the execution of such works or steps as necessary for the purposes;

The notice must specify the time or times within which the Notice is to be complied with. The notice must also indicate the rights for and times of appeal. The period allowed for compliance must be reasonable but may nevertheless be short, for example, to deal with noise from a party.

Where the period allowed is less than the time allowed for appeal, the notice is suspended in certain circumstances. In certain circumstances, we may serve an abatement notice to deal with a nuisance that exists or has occurred outside it's area.

### **Public Health (drainage)**

The Building Act 1984 as it relates to the Team is concerned mainly with repair to existing drainage systems. The relevant sections of the Act are Sections 59 and 60.

The procedure is applied to buildings that have: -

- Unsatisfactory provision for drainage (sec.59 (1) (a))
- Cesspools, private sewers, drains, soil pipes, rainwater pipes, spouts, sinks or other necessary appliances which are insufficient or, in the case of a private sewer or drain communicating with a public sewer, is so defective as to admit subsoil water (Sec.59 (1) (b))
- Cesspools, etc. as detailed in (b) above, in such a condition as to be prejudicial or a nuisance and this also covers cesspools, private sewers and drains no longer in use (Sec.59 (1) (c))
- Rainwater pipes being used for foul waste, soil pipes from water closets not properly ventilated and surface water pipes acting as vents to foul drains or sewers (Sec.60).

When we serve a Notice under the Building Act, it must indicate the nature of the defect and the works required and state the time within which they are to be executed. The time allowed should not be less than the period for appeal, that is, 21 days (sec.99 (1)).

### **Housing Improvement**

**Housing Health and Safety Rating System (HHSRS)** - The Housing Health and Safety Rating System (HHSRS or the Rating System) is the Government's approach to the evaluation of the potential risks to health and safety from any deficiencies identified in dwellings.

The underlying principle of the HHSRS is that any residential premises should provide a safe and healthy environment for any potential occupier or visitor.

The HHSRS is founded on the logical evaluation of both the likelihood of an occurrence that could cause harm, and the probable severity of the outcomes of such an occurrence. It relies on the informed professional judgements of both of these to provide a simple means of representing the severity of any dangers present in a dwelling.

For the purposes of the HHSRS, it must be pointed out that the assessment is solely about the risks to health and safety. The feasibility, cost or extent of any remedial action is irrelevant to the assessment. For example some deficiencies, such as a broken stair tread or a leaking pipe may be quickly, easily and cheaply remedied, but while such deficiencies are present, the threat to health or safety can be considerable.

The Council has a duty under the Housing Act 2004 to take action if we discover a Category 1 hazard in a property, and we have the power to take action to deal with a Category 2 hazard.

The first step will be to approach the owner informally, however the amount of leeway allowed informally will be at our discretion. We will have consideration to the requirements of the Regulators' Compliance Code and the Enforcement Concordat, whichever one is applicable.

If the owner does not respond within a reasonable time, we are most likely to move onto formal action, which may include any of the following:

- Serve an **Improvement Notice** requiring that the hazard is removed within a set time
- Make a **Prohibition Order** which prohibits the use of all or part of the dwelling. In reaching a decision officers will consider the following factors.
  - Whether a category 1 or category 2 hazard exists on the premises.
  - Whether there is an interim or final management order existing on the property
  - The availability of local accommodation for the re-housing of any displaced occupants.

The Council must review the suspension of a prohibition order not less than one year after the order was made.

- Serve a **Hazard Awareness Notice** for minor hazards. The notice simply advises and does not require action to be taken by the owners. This does not preclude the council from instigating further action at a later date.
- Take **Emergency Remedial Action** or make an **Emergency Prohibition Order** if a category 1 hazard exists and is so serious that it represents an 'imminent risk of serious harm' to the occupants. Such a notice allows the Council to enter the premises and take urgent action to deal with the hazard.
- Make a **Demolition Order**. In certain situations, a demolition order can be made in regard to properties where a category 1 hazard or category 2 hazard exists where this is considered to be the most appropriate course of action (unless the premises are a 'listed' building). In deciding whether to make a demolition order the Council should:
  - Take into account the availability of local accommodation for rehousing the occupants
  - Take into account the demand for, and sustainability of, the accommodation if the hazard was remedied



- Consider the prospective use of the cleared site
- Consider the local environment, the suitability of the area for continued residential occupation and character of the neighbourhood
- **Declare a Clearance Area.** The Council can declare an area to be a Clearance Area if it is satisfied that each of the residential buildings in the area contains one or more category 1 hazards or (in certain cases) category 2 hazards and that the other buildings in the area (if any) are dangerous or harmful to the health or safety of the inhabitants. The Council will consider the desirability of clearance in the context of the proposals for the wider neighbourhood of which the dwelling forms part. In deciding whether to declare a clearance area the following should be considered.
  - The likely long-term demand for residential accommodation.
  - The degree of concentration of dwellings containing serious hazards within the area.
  - The overall availability of housing accommodation in the wider neighbourhood in relation to housing needs and demands.
  - The proportion of dwellings free of hazards and other, non-residential, premises in sound condition, which would also need to be cleared to arrive at a suitable site.
  - Whether it would be necessary to acquire land surrounding or adjoining the proposed clearance area; and whether land can be acquired by agreement with owners.
  - The existence of any 'listed' building protected by notice pending listing. Protected buildings should only be included in a clearance area in exceptional circumstances and only when building consent has been given.
  - The results of statutory consultations.
  - The arrangements necessary for re-housing the displaced occupants and the extent to which occupants are satisfied with those arrangements.
  - The impact of clearance on and the scope for relocating, commercial premises.
  - The suitability of the proposed after-use of the site having regard to its shape and size the needs of the wider neighbourhood and the socio-economic benefits which the after use would bring, the degree of support by the local residents and the extent to which such use would attract private investment into the area.
  - In those circumstances when the Council is considering declaration of a Clearance Area a Neighbourhood Renewal Assessment will be undertaken.

Even without using emergency powers, we can, with or without the agreement of the owner, carry out the works required in a notice and charge accordingly. Alternatively the owners can be prosecuted for failing to comply with an Improvement Notice or Prohibition Order.

If a hazard is specific to a child or elderly person but none of these occupy the property, then we could decide to suspend the notice (or part of it) until such time as a child or elderly person moves in. If this is carried out then we are obliged to review the situation at least once a year to check if the suspension continues to be justified.

The Act gives us the power to charge to recover the costs of any enforcement action: any such charge must be reasonable and can only cover the Council's costs.

The Housing Act 2004 allows for the Council to make a charge in respect of the service of notices in order to recover its costs. The current enforcement system is that a **Notice of Intention** is served on the landlord and, once this expires, a formal Notice is served, for which there is a charge. A charge is also made where an **Improvement or Prohibition Notice** has been served.

**HMO Licensing** - The Housing Act 2004 introduced mandatory licensing for houses in multiple occupation (HMOs) comprising of three or more storeys and occupied by five or more persons (comprising at least two households).

A licence will be granted subject to the applicant passing a "fit and proper person" test and it will relate to one property and one person with a maximum set term of five years.

There is a charge payable to the Council for the issuing of a licence.

The Council also has the power to designate HMOs in the whole or part of the district as subject to additional licensing. This will allow us to extend the requirements of licensing to HMOs that do not fall within the mandatory threshold.

The Council can designate an area as subject to additional licensing if:

- It is an area of low demand
- Licensing will improve social or economic conditions
- Licensing will lead to a reduction in anti-social behaviour

We must take reasonable steps to consult persons likely to be affected by the proposed designation and to have regard to any representations made in the course of the consultation process.

**Selective Licensing** - The Housing Act 2004 allows the Council to designate all or part of the private rented sector housing in the City as subject to selective licensing if either:

- Area of low demand (or likely to become one), and
- Licensing, when combined with other measures, will contribute to improvement of social or economic conditions

Or:

- Area has experienced significant and persistent anti-social behaviour
- Private landlords are taking insufficient steps to tackle it

- Licensing, when combined with other measures, will lead to reduction or elimination of the problems

Selective licensing is only available in respect to properties occupied under a tenancy or licence and specifically excludes properties let by registered social landlords. There is a charge payable to the Council for the issuing of a licence.

There are consequences for the landlord/manager for non-compliance with licensing provisions and these include: refusal of license, revocation of license, making a rent repayment order. In the case of managing a house without a licence it is a criminal offence carrying a maximum penalty upon conviction of a fine not exceeding £20,000 and in the case of breach of condition of licence liable on summary conviction to a maximum fine of £5000.

Currently, we operate a Selective Licensing Scheme in the Middle Hendon and 'Long Streets' area of the city.

**Interim and Final Management Orders** - The Council has been given powers under section 102 of the Housing Act 2004 to take over the management of privately rented accommodation if it is not being managed responsibly and safely to the benefit of occupiers or others living in the vicinity.

The Council must make an Interim Management Order (IMO) if it is satisfied that there is no reasonable prospect of the property being licensed in the near future with appropriate conditions or it is necessary to protect the health, safety or welfare of occupiers of the property or properties in the vicinity. An IMO is in force for 12 months and allows the Council to manage the property with many of the rights of a landlord and to collect rent and expend it on work to the property. The Council may delegate the management of the HMO to another organisation. An IMO ceases to have effect if a licence is granted. There are provisions to vary, revoke and appeal against an IMO.

The Council must make a Final Management Order (FMO) where, on expiry of an IMO if, the property requires to be licensed but the Council considers it is still unable to grant a licence. A FMO is similar to an IMO in that the Council continues to manage the property with many of the rights of the landlord, but they must be reviewed from time to time. The Council may delegate the Management of the HMO to another organisation. As with IMOs, there are provisions for varying, revoking and appealing the making of a FMO.

The Council do not become the legal owners of the property and cannot sell the property.

**Service level agreements** – Sunderland City Council is no longer a social landlord, therefore housing management services for properties subject to orders will be procured by formal agreement for those service levels required.

### **Empty Properties**

The ***Local Government (Miscellaneous Provisions) Act 1982*** as it relates to the Team is concerned mainly with the problem of unauthorised entry to property.

The relevant section of the Act is Section 29. If it appears that a building is not adequately secured against unauthorised entry, we can serve a notice specifying such works needed to rectify the problem. When such action is warranted and a notice is served a timescale of 48 hours minimum must be specified. In extreme circumstances, that is, if there is a risk of arson, injury etc. emergency powers allow the property to be sealed immediately.

We may recover from any person to whom the notice is given the expenses incurred by the Council in carrying out the works (sec.29 (11)). This legislation is used by the Council to deal with the common problem of trespass into vacant properties.

**Empty Dwelling Management Orders (EDMOs)** - We may make an Empty Dwelling Management Order to rent out properties that the owner has chosen to leave empty and use the rental income to cover repair and management charges and take control of an empty property. This enables us to secure occupation and proper management of privately owned houses and flats and where the property has been empty for six months or longer.

The Council do not become the legal owner of the property and cannot sell the property.

**Enforced sales procedure (ESP)** - This is used to recoup debts and to bring empty properties back into use. The emphasis is on ensuring a stable community.

Where statutes confer the necessary rights, we can **either**

- Recover the expenses through debt recovery process **OR**
- Charge the legal title(s) to a property with the debt and then selling it to recover the debt.

Where statutory provisions permit, recovery of debts can be made on:-

- Land
- Occupied dwellings
- Empty properties
- Commercial Premises

**Compulsory Purchase Orders** - The Council can compulsorily purchase a property using powers under section 17 of the Housing Act 1985 to tackle issues in declining areas.

Compulsory purchase would usually take place

- where a property has been vacant for at least 2 years and is a source of recurring problems and complaints from residents in the neighbourhood.
- Where it is known that the reoccupation or development is not imminent.
- Where our attempts at persuasion and statutory action have failed to achieve a satisfactory solution.

## Legal Proceedings

All enforcement action taken will be as set out above and in conjunction with Legal Services.

### Review of Legislative Provisions

The policy and range of enforcement actions to be employed may be subject to legislative changes and may need to be revised accordingly. The policy will be reviewed at least on an annual basis and at other such times as legislative changes come into immediate effect.

### Charging for the Issue of Notices

The Council may make a reasonable charge under section 49 of the Housing Act 2004 as a means of recovering certain administrative and other expenses incurred in issuing and serving certain types of notice. Charges for the following will be reviewed on an annual basis:

- An Improvement Notice under section 11 or 12
- Making a Prohibition Order under section 20 or 21
- Serving a Hazard Awareness Notice under section 28 or 29
- Taking Emergency Remedial Action under section 40
- Making an Emergency Prohibition Order under section 43; or
- Making a Demolition Order under section 265 of the Housing Act 1985

### Licence Fees

The Council will charge a fee which will be reviewed annually. The licence will be valid for a period of five years. The Council may charge a fee for variation of a licence but no charge will be applied for revocation of a licence.

The Executive Director of Health, Housing and Adult Services has delegated powers in respect of fixing such charges.

### Public Register

Section 232 of the Housing Act 2004 requires every Housing Authority to establish and maintain a register of:

- All licenses granted under Part 2 and 3 of the Act (HMO and selective licensing);
- All temporary exemption notices served;
- All management orders made.

Similarly the Caravan Sites and Control of Development Act 1960 requires the authority to maintain a register of licensed caravan sites.

Registers may be in such a format as the Authority consider necessary, subject to requirements prescribed in Regulations and can be found at [www.sunderland.gov.uk/index.aspx?articleid=2371](http://www.sunderland.gov.uk/index.aspx?articleid=2371)

### **Requisition for Information**

When we need to obtain information about a property in respect of which we are proposing to take enforcement action, we will serve a requisition for information under section 16 of the **Local Government (Miscellaneous Provisions) Act 1972**, on the occupier and/or any person who has a legal interest in the property, or who directly or indirectly receives the rent or who is authorised to manage or to arrange the letting of the property.

We will generally indicate the Act and the section of the Act that we are proposing to enforce. A requisition for information will generally be served at an early stage of the enforcement process. However where the Council considers urgent action is needed it may be served at the same time as a formal notice.

### **Powers of entry**

Legislation enforced by the Team gives us, on production of our authority, the power to enter premises at any reasonable time. These far reaching powers of entry allow access to ascertain whether or not a statutory nuisance exists; or for the purpose of taking any action, or executing any work, authorised or required by law. This may include inspections or the taking of samples, photographs, and recordings.

A number of these acts allow us to obtain a warrant from a magistrate where either entry has been refused or refusal of entry is apprehended. This warrant permits us to enter at any time (by force if need be) in order to ascertain whether there is a contravention of the relevant act or to carry out remedial action.

### **Authorisation of Officers**

Only officers who the Council have determined as competent will be authorised to take enforcement action. They will hold appropriate qualifications or experience. Officers will also have sufficient training and understanding of this enforcement policy and in their area of work to ensure a consistent approach to their duties. We undertake to monitor officers' actions to ensure they are always in accordance with our policies.

All officers carry identification and an authorisation to show what legislation they are able to enforce. They are required to show these if asked.

All officers are required to carry out their duties in accordance with set procedures and protocols. These procedures vary depending on the area of work involved.

### **Interviews under caution**

Such interviews are governed by Codes of Practice issued under the Police and Criminal Evidence Act (PACE).

### **Delegation of Authority**

The Executive Director of Health, Housing and Adult Services has made delegations of authority to the Head of Housing Services, Housing and Neighbourhood Renewal Manager and the Assistant Housing and



Neighbourhood Renewal Manager and other senior managers of the Business Unit in respect to enforcement activity. These details can be found within the Directorate Delegation and Service Protocol Scheme.

### **Consultation processes**

The service employs a range of measures to engage landlords, tenants and other residents. Commercial landlords are surveyed in accordance with National Indicator 182 to gauge impact of enforcement on businesses, tenants are subject to customer satisfaction surveys and the Council engages resident groups in renewal areas. The Private Landlords Forum continues to be held on a quarterly basis and Newsletters are distributed in areas of specific activity.

### **Openness and Helpfulness**

Sunderland City Council aims to be open about the work it does and its Housing and Neighbourhood Renewal Team will be available to provide general advice, deal with specific cases and investigate complaints and other requests for service. The Council views formal enforcement as a last resort and prefers to work with our clients and customers to achieve compliance. The Council will also provide its customers with a case officer who will provide their contact details. If English is not their first spoken language, we can make arrangements to provide a translation and interpretation service.

### **Dissatisfaction and Complaints Procedure**

If any person is dissatisfied with the action that an officer of the Council has taken, then a senior manager will investigate their concerns. Sunderland City Council aims to settle all areas of dissatisfaction quickly and smoothly, recognising that it is preferable to resolve complaints where they arise. Complainants are asked initially to make their complaint to the person dealing with their query or that person's line supervisor or manager. Many issues can be resolved promptly with an explanation, action or apology. All matters will be logged by the Complaint's Co-ordinator of the Health, Housing and Adult Services Directorate to ensure performance can be reviewed. However if the complaint cannot be resolved at this stage, or the complainant feels that more important issues are involved your complaint will be progressed to a senior officer or dealt with in accordance with the Council's formal complaints procedure.

### **Endorsement**

This policy was endorsed and adopted by Sunderland City Council on (date to entered). It is reviewed annually and the Council would be pleased to receive any comments on it.

### **Consultation and Review**

This is a public document. Further copies of this and other documents mentioned above can be obtained from the Housing and Neighbourhood Renewal Manager, Housing Service, Health Housing and Adult Services, PO Box 102, Civic Centre, Sunderland, SR2 7DN. Many of the documents can also be found on our website – <http://www.sunderland.gov.uk>

Offence / Incident	Priority / Category	Legislation	Initial action (all Requests for Service to be responded to within 2 working days)	Secondary action	Subsequent actions	
<b>Empty Properties</b>						
<b>Empty property open to access (immediate danger to public health and/or within hotspot areas)</b>	High	Sec. 29, Local Govt (Misc Prov) Act 1982	Undertake inspection of property within 24 hours	Determine ownership and contact owner(s) the same day for the property to be secured.	If owner refuses to issue instructions for the work to be carried out immediately by LA contractor.	Undertake works in default and recover costs. Consider Empty Dwelling Management Order
				If ownership details cannot be verified the same day issue instructions for the work to be carried out immediately by LA contractor.		Consider EDMO
<b>Empty Property in a ruinous or dilapidated state or dangerous condition</b>	High	Sec. 77-83, Building Act 1984	Undertake inspection of property within 24 hours	Refer to Building Control same day.		
<b>Empty property open to access (no immediate danger to public health)</b>	Medium	Sec. 29, Local Govt (Misc Prov) Act 1982	Undertake inspection of property within 24 hours	Determine ownership and contact owner(s) within 2 working days for property to be secured within	If property is not secured in a reasonable timescale, notice to be served advising that LA will	Undertake WID and recover costs. Consider EDMO



				an agreed timescale.	undertake works in a further 2 working days.	
<b>Housing Health and Safety Rating System</b>						
<b>Presence of Category 1 hazard</b>	High	Sec 11 – 27 Housing Act 2004	Visit to be undertaken within 24 hours. Presence of cat 1 hazard verified during visit to premises.	Contact landlord (letter and phone call) within 2 working days and advise of works required and timescale to complete works within.	If works are not carried out within the agreed timescale serve Improvement Notice.	Notice of entry to be given to landlord in order to carry out a full HHSRS inspection with a view to serving an Improvement Notice.  Non compliance will lead to carrying out WID, recovery of costs and potentially prosecution
<b>Presence of Category 1 hazard (owner occupied)</b>	High	Sec 28, Housing Act 2004	Visit to be undertaken within 48 hours. Presence of cat 1 hazard verified during visit to premises.	Hazard Awareness Notice issued within 14 days. If hazard is affecting other properties consider service of Improvement Notice or Statutory Nuisance Notice (Environmental Protection Act 1990)		
<b>Presence of Category 1 hazard Imminent risk to occupant(s) and/or neighbouring</b>	High	Sec. 40 - 45, Housing Act 2004	Visit to be undertaken within 48 hours. Presence of cat 1 hazard verified during visit to premises.	Emergency remedial action with immediate effect (no necessity to give landlord notice of entry)	Serve NERA within 7 days of commencing work	WID and recover costs Prosecution

<b>occupier(s)</b>				Emergency prohibition with immediate effect (no necessity to give landlord notice of entry)	EPO to be served same day	Non compliance to lead to prosecution
<b>Presence of Category 1 hazard Property non-repairable at reasonable cost (non sustainable)</b>	High	Sec. 46, Housing Act 2004	Visit to be undertaken within 48 hours.	Onsite meeting with owner or his representative.	Manager to determine most appropriate course of action. Consider Demolition Order or Closure Order.	
<b>Presence of Category 2 hazard</b>	Medium	Sec. 28, Housing Act 2004	Visit to be undertaken within hours. Presence of cat 2 hazard verified during visit to premises.	Contact landlord (phone call and letter) within 3 working days and advise of works required and timescale to complete works within	If works are not carried out within the agreed timescale serve Improvement Notice.	Notice of entry to be given to landlord in order to carry out a full HHSRS inspection with a view to serving an Improvement Notice. Non compliance may lead to carrying out WID, recovery of costs and potentially prosecution
<b>Presence of Category 2 hazard (owner occupied)</b>	Medium/low	Sec 28, Housing Act 2004	Visit to be undertaken within 48 hours. Presence of cat 2 hazard verified during visit to premises.	Hazard Awareness Notice to be issues within 14 days. If hazard is affecting other properties consider service of Improvement Notice.	Consider referral to Support agencies including Home Improvement Agency	
<b>Area Renewal</b>						

<b>Area in which all or most properties contain cat.1's</b>	High	Sec. 47, Housing Act 2004	Undertake an appraisal of the area to determine appropriate level of intervention.	Report to H and N R Manager.		
<b>Licensable Houses in Multiple Occupation</b>						
<b>Operating without a licence</b>	High	Sec.72, Housing Act 2004	Visit to be undertaken within 48 hours of notification to determine status of property. (Notice of entry not required).	Initiate investigation for enforcement options including; prosecution, IMO, rent repayment order (RPT), within 2 working days.  Issue Application Pack within 2 working days. Consider the need for service of an HMO declaration.	Process application to notice of intention to grant / refuse licence stage within 28 days of receipt of full application	Conclude investigation with regard to enforcement options within 3 weeks  Grant licence within 10 days of expiry of notice of intention or consideration of any representations made.  Refuse licence within 10 days of consideration of any representations made and invoke the Management Order procedure within same period.
<b>Operating without a licence, with no prospect of being licensed in near future and health and safety is compromised</b>	High	Sec.72, Housing Act 2004	Visit to be undertaken within 48 hours to determine status of property. (Notice of entry not required).	Within 24 hours, use findings of inspection to determine if occupants can remain at the property.  If property remains occupied but	Management Order to be reviewed no longer than 12 months from the effective date.	Conclude investigation with regard to enforcement options within 3 weeks

				unlicensed, invoke Management Order Procedure within 7 days		
<b>Contravening licence conditions</b>	High	Sec.72, Housing Act 2004	Visit to be undertaken within 48 hours of receipt of complaint/evidence to determine compliance with licence. (Notice of entry may be required; therefore initial visit may be within 4 days).	Initiate enforcement options including prosecution, service of IMO and rent repayment order (RPT) within 48 hours		
<b>Permitting over occupation</b>	High	Sec 72, Housing Act 2004	Visit to be undertaken within 48 hours of receipt of complaint to determine status of property. (Notice of entry may be required).	Consider enforcement options including; prosecution, service of IMO and rent repayment order (RPT) within 5 working days		

<p><b>Presence of Category 1 hazard Imminent risk to occupant(s) and/or neighbouring occupier(s)</b></p>	<p>High</p>	<p>Sec. 40 - 45, Housing Act 2004</p>	<p>Visit to be undertaken within 48 hours. Presence of cat 1 hazard verified during visit to premises.</p>	<p>Contact to be made with the landlord/licence holder as soon as possible. Where the landlord cant be contacted or refusal to carry out the necessary works the following should be considered:</p> <p>Emergency remedial action with immediate effect (no necessity to give landlord notice of entry)</p> <p>Emergency prohibition with immediate effect (no necessity to give landlord notice of entry)</p>	<p>Serve NERA within 7 days of commencing work</p> <p>Emergency Prohibition Order to be served same day</p>	<p>WID and recover costs Prosecution</p> <p>Non compliance to lead to prosecution</p> <p>Consider if Licence holder is fit and proper to hold the licence within 2 weeks. Initiate potential prosecution proceedings and further action where consideration of revoking licence is required within 2 weeks.</p>
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<b>Landlord found not to be a fit and proper person before granting licence</b>	High	Section 66, Housing Act 2004	Prepare and serve refusal to grant HMO licence documentation within 7 days of decision.	Consider any written representations made within 14 days of the end of the consultation period.	Serve refusal documents to necessary persons. Or Where new licence holder has been proposed determine the fit and proper person status and consider grant/refusal of the HMO licence.	Prepare consultation documentation to grant licence to new proposed licence holder.  Grant licence within 10 days of expiry of notice of intention or consideration of any representations made.  Refuse licence within 10 days of consideration of any representations made and invoke the Management Order procedure within same period.
<b>Landlord found not to be a fit and proper person after a licence is granted</b>	High	Section 66, Housing Act 2004	Initiate investigation within 48 hours of receipt of information. Determination of landlord being fit and proper within 7 days on completion of investigation.	Revocation of the HMO Licence documentation within 7 days of the date the decision was made and provide at least 14 days consultation period under section 70 of the Housing Act 2004.	Instigate Management order proceedings if suitable person cant be found to hold the licence within 28 days.	
<b>Contravening the House in Multiple Occupation (England) Regulations</b>	High	Section 234, Housing Act 2004	Visit to be undertaken within 48 hours of receipt of the complaint to determine extent of the breach.	Consider revoking licence within 28 days where a suitable licence holder can't be found.	Repeated breaches of the regulations then consider prosecution and the fit and proper person status of the HMO	

2006					Licence holder	
<b>Non Licensable Houses in Multiple Occupation</b>						
<b>Permitting over occupation</b>	High	Sec 139-144, Housing Act 2004	Visit to be undertaken within 48 hours of receipt of complaint to determine status of property. (Notice of entry may be required).	Give 7 days notice of intention to serve an Overcrowding Notice to relevant persons	After 7 days serve Overcrowding Notice on relevant persons. Notice becomes operative after a further 21 days	Consider prosecution for continued contravention
<b>Contravening the Management of Houses in Multiple Occupation (England) Regulations 2006</b>	High	Section 234, Housing Act 2004	Visit to be undertaken within 48 hours of receipt of the complaint to determine extent of the breach.	Letter/Notice to be served within 5 days.	Repeated breaches of the regulations then consider prosecution	
<b>Category 1 hazard causing Imminent risk of harm from non maintenance of fire precautions and poor management</b>	High	Section 234, Housing Act 2004	Visit to be undertaken within 24 hours. Presence of cat 1 hazard verified during visit to premises.	Contact to be made with the landlord/licence holder as soon as possible. Where the landlord cannot be contacted or refusal to carry out the necessary works the following should be considered:  Emergency	Serve NERA within	WID and recover costs

				remedial action with immediate effect (no necessity to give landlord notice of entry)  Emergency prohibition with immediate effect (no necessity to give landlord notice of entry)	7 days of commencing work  Emergency Prohibition Order to be served same day	Prosecution  Non compliance to lead to prosecution
<b>Presence of Category 1 hazard where property does not have the appropriate fire detection</b>	High	Sec 11-27, Housing Act 2004	Visit to be undertaken within 24 hours. Presence of cat 1 hazard verified during visit to premises.	Landlord to be notified immediately on establishing the imminent risk and requesting immediate action to reduce the risk by installing temporary battery alarms. Letter to be sent to landlord same day. Further action to be considered within 24 hours. Consider the service of Emergency Remedial Action notice or Emergency Prohibition Order where property is in poor condition. Full HHSRS inspection should be	Full HHSRS inspection should be requested with landlord within 2 working days where appropriate for an improvement notice to be served.	Initiate WID and recover costs. Initiate potential prosecution proceedings and further action within 2 weeks of non compliance with the Improvement notice.



				requested with landlord within 2 working days where appropriate for an improvement notice to be served.		
<b>Fire incident at property notified by the Fire Authority</b>	High	Sec. 40 - 45, Housing Act 2004	Visit to the property within 48 hours to assess whether the property has any imminent risk or category 1 hazards as a result of the fire.	Contact landlord by telephone immediately and advise of actions to be taken to remove/reduce the risk (letter and phone call followed by letter) within 24 hours.	Consideration of the most appropriate course of action within 24 hours. Landlord to be notified immediately on establishing the imminent risk and requesting immediate action to reduce the risk by installing temporary battery alarms. Letter to be sent to landlord same day. Further action to be considered within 24 hours. Consider the service of Emergency Remedial Action notice or Emergency Prohibition Order where property is in poor condition. Full HHSRS inspection should be requested with landlord within 48 hours where appropriate for an	Letter with Schedule of works or Service of Improvement Notice within 10 working days of inspection.  Non compliance then initiate WID immediately after expiry of the notice or potential prosecution proceedings within 2 weeks of non compliance of the Improvement Notice

					improvement notice to be served.	
<b>Protecting Public Health</b>						
<b>Blocked drain, waste pipe, soil pipe or wc. Public health impact beyond property boundary or, rented property where landlord not willing to undertake works</b>	High	Sec 17, Public Health Act 1961	Site visit within 48 hours. Determine impact of blockage.	Notice to be served within 48 hours on relevant persons requiring works to be carried out within 48 hours.		WID and recovery of costs
<b>Blocked; drain, waste pipe, soil pipe or w.c. No public health impact beyond property boundary</b>	Low / Medium	Sec 17, Public Health Act 1961	Advice and letter within 5 days			
<b>Broken drain repairable for &lt;£250. Public health impact beyond property boundary or,</b>	High	Sec. 17, Public Health Act 1961	Site visit within 48 hours. Determine impact of blockage.	Notice to be served within 48 hours on relevant persons requiring works to be carried out within 7 days.		WID and recovery of costs

<b>rented property where landlord not willing to undertake works</b>						
<b>Broken drain repairable for &lt;£250. No public health impact beyond property boundary</b>	Low / Medium	Sec. 17, Public Health Act 1961	Advice and letter			
<b>Broken drain NOT repairable for &lt;£250. Public health impact beyond property boundary or, rented property where landlord not willing to undertake works</b>	High	Sec 59, Building Act 1984.	Site visit within 48 hours. Determine impact of blockage.	Notice to be served within 48 hours on relevant persons requiring works to be carried out within 48 hours.		WID and recovery of costs
<b>Broken drain NOT repairable for &lt;£250. No public health</b>	Low / Medium	Sec 59, Building Act 1984.	Advice and letter			

<b>impact beyond property boundary</b>						
<b>Blocked private sewer. Public Health impact</b>	High	Sec 35, Local Govt (Misc Prov) Act 1976	Site visit within 48 hours. Determine which properties are served by the sewer. Attempt to speak to relevant occupiers.	Letter to all relevant households requiring works to be carried out within appropriate time period.	Notice to be served on relevant persons requiring works to be carried out within 48 hours	WID and recovery of costs
<b>Blocked private sewer. No public health impact</b>	Low / Medium	Sec 35, Local Govt (Misc Prov) Act 1976	Site visit within 48 hours. Determine which properties are served by the sewer. Attempt to speak to relevant occupiers.	Letter to all relevant households requiring works to be carried out within appropriate time period.	Notice to be served on all relevant households requiring works to be carried out within appropriate time period.	WID and recovery of costs
<b>Collapsed/broken private sewer. Public health impact</b>	High	Sec 59, Building Act 1984.	Site visit within 48 hours. Determine which properties are served by the sewer. Attempt to speak to relevant occupiers.	Letter to all relevant households requiring works to be carried out within appropriate time period.	Notice to be served on all relevant households requiring works to be carried out within 48 hours.	WID and recovery of costs
<b>Collapsed/broken private sewer. No public health impact</b>	Low / Medium	Sec 59, Building Act 1984.	Site visit within 48 hours. Determine which properties are served by the sewer. Attempt to speak to relevant occupiers.	Notice to be served on all relevant households requiring works to be carried out within appropriate time period.	Notice to be served on all relevant households requiring works to be carried out within appropriate time period.	WID and recovery of costs
<b>Statutory nuisance</b>	Medium	Sec 80, Environmental Protection Act 1990	Site visit within 48 hours to ascertain existence of nuisance	Issue diary sheets where appropriate.	If nuisance is proved Abatement Notice to be served	WID and/or prosecution

<b>Filthy or verminous premises and articles</b>	High	Sec. 83-84, Public Health Act 1936	Site visit within 48 hours to ascertain condition of premises. Issue advice and guidance. Agree timescale for property to be cleansed.	Service of Notice to cleanse the premises and cleanse or destroy articles. Referral to support agencies where appropriate within 48 hours.	Service of Notice to cleanse the premises and cleanse or destroy articles.	WID
<b>Licensing of Caravan Sites</b>						
<b>Operating without a licence</b>	High	Caravan Sites and Control of Development Act 1960	Site visit within 5 working days to ascertain status and condition of site.	Consider enforcement options within 2 working days. Application pack to be issued within 3 days.	Site owner to submit application within 28 days	Complete application to be determined within 2 months
<b>Anti Social Behaviour</b>						
<b>Serious ASB</b> (Including; racial harassment, domestic violence or threats of violence).						
<b>ASB widespread across an area (directly linked to private rented sector)</b>	High	Part 1A Anti Social Behaviour Act 2003. Housing Act 2004	Initiate investigation within 2 working days of receipt of information.	Evidence gathering consultation with Police and necessary partner agencies, obtain statements from complainants. Consider short term appropriate actions. May include; Warning letters,	Longer term solutions may include; Premises closure order. Introduction of Selective Licensing. Area renewal initiatives etc	

				notices, raise at LMAPS or call ELMAPS, undertake leaflet drop or community impact questionnaires if appropriate, Acceptable Behaviour Agreement, referral to victim support or other interventions		
Violence, abuse and threat of violence	High	S 222 Local Government Act 1972 (as amended by the Police and Justice Act 2006 Crime and Disorder Act 1998 Anti Social Behaviour Act 2003	Initiate investigation within 2 working days of receipt of information.	Gather evidence. Raise awareness of issue with relevant agencies	Warning Letter raise at LMAPS or call ELMAPS, undertake leaflet drop or community impact questionnaires if appropriate, Acceptable Behaviour Agreement, referral to victim support, Visit/ continuing correspondence Final Warning	Section 222 Injunction Anti Social Behaviour Order
Persistent serious Anti-Social Behaviour in the community arising from a particular property	High	Part 1A Anti Social Behaviour Act 2003	Initiate investigation within 2 working days of receipt of information.	Gather evidence. Consultation with Police and necessary partner agencies, obtain statements from complainants Warning letter raise at LMAPS or call ELMAPS, undertake	Visit / continuing correspondence Premises closure order	

				leaflet drop or community impact questionnaires if appropriate, Acceptable Behaviour Agreement, referral to victim support or other interventions If property is PRS Consider the service of a Special Interim Management Order,		
Racial Abuse	High	S 222 Local Government Act 1972 (as amended by the Police and Justice Act 2006 Crime and Disorder Act 1998 Anti Social Behaviour Act 2003	Referral to Arch, Safe Homes, raise at LMAPS or call ELMAPS, undertake leaflet drop or community impact questionnaires if appropriate, Acceptable Behaviour Agreement, referral to victim support,	Letter to seek independent advice		Section 222 Injunction or ASBO
<b>Medium Impact</b> This is for situations where there is no immediate threat to the person who made the complaint or anyone else, such as damage to property or regular loud noise. Our aim is to interview the person who made the complaint within five working days of receiving the						

complaint.						
Rowdy and Nuisance Behaviour	Medium	Crime and Disorder Act 1998 Anti Social Behaviour Act 2003	<p>Letter/advisory information to complainant within 2 working days of receipt of enquiry.</p> <p>Where considered appropriate advisory leaflet to residents in the in the relevant area within 7 working days</p> <p>Where further complaints are rec'd - Request to complainant to provide further evidence over the following 7 days</p>	<p>Review case upon receipt of complainants' evidence and instigate appropriate action with 2 days.</p> <p>May include; consultation with Police and necessary partner agencies, obtaining statements from complainants, visit will be considered if there is evidence of increased activity, warning letter raise at LMAPS or call ELMAPS, undertake leaflet drop or community impact questionnaires if appropriate,</p>	<p>Acceptable Behaviour Agreements</p> <p>Parenting Contract</p> <p>Referral to intervention project such as Targeted Youth Support, Family Intervention, victim support etc.</p>	<p>Anti Social Behaviour Order, Parenting Orders</p>
<b>Noise Nuisance</b>	Medium /Low	Environmental Protection Act 1980	Referral to Environmental Health within 2 days	Joint visit will be considered with EH where ASB is evident and there is evidence of increased activity		
<b>Low impact ASB</b> This is fairly	Low	Anti Social Behaviour Act	Letter/advisory information to	Should the situation deteriorate with	Referral to LMAPS	



<p>low-level persistent ASB, such as garden misuse, ball games, minor neighbour disputes and occasional noise. Our aim is to interview the person who made the complaint within ten working days of receiving the complaint. Level 4: Sometimes there is not enough information regarding the ASB complaint. This level acknowledges and logs the complaint and then closes the case due to insufficient information.</p>		<p>2003 Environmental Protection Act 1980</p>	<p>complainant within 4 working days.  Where considered appropriate advisory leaflet to residents in the in the relevant area within 7 working days.</p>	<p>further complaints being received requested to provide evidence and appropriate further action will be determined.  Visit will be considered if there is evidence of increased activity.</p>		
<p>Note. All timescales above relate to real working days time in either hours or days</p>						

**PROGRESS REPORT ON NATIONAL INDICATOR 188 ~  
ADAPTING TO WEATHER IMPACTS AND CLIMATE  
CHANGE**

**REPORT OF THE DEPUTY CHIEF EXECUTIVE**

**Strategic Priorities: CIO3: Efficient and Effective Council, CIO4:  
Improving partnership working to deliver 'One City'.**

**1. Why has this report come to the Committee?**

- 1.1 There are many issues relating to climate change which the Council and its partners are pursuing. This report completes the suite of reports to inform and update committee on the work in relation to tackling climate change.
- 1.2 Previously, this committee has received reports on :
  - How the Council is managing its own carbon emissions (report received 20<sup>th</sup> October 2009)
  - How the Council is managing the City's carbon emissions (report received 19<sup>th</sup> January 2010)
- 1.3 This report informs committee on how the Council is managing weather impacts on Climate Change.

**2. Background to Tackling Climate change**

- 2.1 Sunderland is aiming to become the most liveable city in the UK, using a smart, life-enhancing and balanced approach to delivering a sustainable future. To achieve a sustainable future for the city, it is essential for Sunderland to tackle the issue of climate change.
- 2.2 Sunderland has also made several public commitments to tackling climate change that include :
  - The Nottingham Declaration (signed November 2001)
  - The EUROCITIES Declaration on Climate Change (signed November 2008)
  - The EU Covenant of Mayors (signed January 2009)
- 2.3 To address the causes of climate change, under these various declarations, the Council has already embarked on a comprehensive programme to reduce its own carbon emissions and emissions from the city as a whole, for which it has received national and international recognition:

- As winners of the national Sustainable Communities Award for “tackling Climate Change” in 2009
- As being the first City in the country to submit its “Sustainable Energy Action Plan” in January 2010 thereby meeting its obligation under the EU Covenant of Mayors. This Action Plan is now being held up as best practise across Europe.
- The City’s simple but effective campaign work into raising community awareness of climate change and carbon emissions has been applauded by a host of European Cities at a recent convention, and looks set to be applied elsewhere.

### **3. Adapting to Climate Change ~ the Council’s Performance.**

- 3.1 To address the weather impacts of climate change, councils are now required by the Audit Commission to demonstrate how they are managing impacts from weather and climate, which is measured through a national indicator (**NI 188**). Performance is measured on a process-based indicator, where Councils are required to work through the following levels:
- Level 0 - Baseline understanding of climate impacts
  - Level 1 - Assessed risks from weather and climate change
  - Level 2 - Taken action in priority areas
  - Level 3 - Developed a comprehensive adaptation strategy, with partners
  - Level 4 - Are implementing, assessing and monitoring actions.
- 3.2 In April 2009, the council adopted a Weather and Climate Risk Management Strategy for Sunderland, to show how it understands and addresses risks from climate change. Using this strategy as supporting evidence, the council’s self-assessment for NI188 in 2008/9 was reported as Level 1.
- 3.3 In terms of benchmarks against other councils in 2008/9, 51% of council’s assessed themselves as Level 0, Sunderland was among the 43% of councils that assessed themselves as Level 1, and another 6% assessed themselves as either Level 2 or 3.
- 3.4 This report presents the updated Weather and Climate Risk Management Strategy 2009/10 which is attached at Annex 1. Using this as evidence, the council has recently self-assessed itself as Level 2, and has submitted this self assessment to DEFRA.
- 3.5 The 2009/10 revisions to this strategy have been made to demonstrate how the council has now moved from Level 1 (in 2008/09) to Level 2 within the NI188 performance monitoring framework.
- 3.6 To meet Level 2, a council must have a “comprehensive risk-based assessment and prioritised action in some areas” for climate risks. Sections 4 to 6 set out in more detail what revisions have been made and what new conclusions have been drawn.

#### 4. **Climate Risks to the natural environment**

4.1 A comprehensive risk assessment of weather and climate risks to important habitats and species in Sunderland was commissioned by Sunderland City Council, and delivered by Durham Wildlife Trust. This compliments the previous risk assessments, which solely focused on the impacts of climate change on the built and human environment. The main findings and conclusions of this study are as follows:

4.2 The habitats in Sunderland most at risk from climate change are as follows.

- **Coastal saltmarshes and mudflats**, including Timber Beach, at risk from sea level rise and catastrophic flooding events
- **Maritime cliffs along South Sunderland Coast**, at risk from sea level rise and increasing wave action, leading to greater erosion
- **Magnesian Limestone grasslands**, including Tunstall Hills, at risk from reduced summer rainfall, increased temperatures and heatwaves and greater human disturbance and fire risk from outdoor leisure activities during hot weather.

4.3 These risks should be factored into habitat management plans, alongside the many other risks facing natural habitats in Sunderland (e.g. development pressure, pollution, human disturbance, etc).

#### 5. **Weather and Climate Risks to Council Services**

5.1 A more detailed analysis of climate and weather risks to council services was conducted, to document where service responsibilities are already addressing these impacts. This showed that council services are already responding to the priority risks likely to arise from climate change and weather.

5.2 However, this was a preliminary assessment which should be the precursor to a more thorough service-based risk assessment that is developed and owned by each service through service level risk management processes.

#### 6. **Flood Risk**

6.1 Several initiatives have improved the understanding and management of flood risk in Sunderland in the past year.

- A comprehensive update to the Strategic Flood Risk Assessment has been commissioned by the council, which is completed and currently awaiting formal adoption. The emerging study has improved and updated information on the location and frequency river and coastal flooding to inform planning policy and development control decisions. Significantly it has also concluded that the level of risk from surface water flooding is low enough so as

to negate the need to develop a multi-agency Surface Water Management Plan in the short term. This is contrary to expectations in the 2008/09 Weather and Climate Risk Management Strategy.

- The work of partners has actively reduced flood risk. The Environment Agency has revised Local Area Flood Plans, and have added 191 properties to their flood warning service in the Lumley Park Burn area. Northumbria Water Ltd continue to deliver more storm water drainage improvements to areas prone to sewer flooding.

## **7. Conclusions and Next Steps**

- 7.1 As a result of the major improvements, along with minor revisions in the Weather and Climate Risk Management Strategy, Sunderland's status with NI 188 is now self assessed at Level 2 (as previously programmed).
- 7.2 Production and monitoring of NI 188 through the Weather and Climate Risk Management Strategy forms part of the current responsibility of the Sustainability Team, requiring no additional finance.
- 7.3 When the Weather and Climate Risk Management Strategy was first adopted in April 2009, it was programmed to progress to Level 3 (that is adopting a full adaptation strategy) by March 2011. From the experience gained in reaching Level 2, it is apparent that the step from Level 2 to Level 3 will require considerably more development work in order to develop then adopt a comprehensive citywide action plan. Work will need to include:
- Developing procedures to ensure that all new Council policies and activities are assessed for climate impacts and risks
  - Adopting a comprehensive adaptation action plan covering all significant vulnerabilities and opportunities (to include priority risk areas; actions; roles & responsibilities; timescales; financing; processes for monitoring and review).
  - Council or departmental performance management reports record implementation of adaptive responses for all priority risks identified in the adaptation action plan
  - Wider engagement with the LSP and LSP partners to address climate vulnerabilities and opportunities across the local authority area.
- 7.4 The resource for this will need to be found within existing services and partners, and risks from climate change embedded more strongly within the council's existing risk management processes.
- 7.5 For this reason, it is realistic to aim to achieve Level 3 by March 2012, not March 2011 as first expected.

- 7.6 Beyond this, the scale of capital improvement schemes or changes to revenue based services which might arise from the above plans is not yet known, and would need to be brought forward and considered on a case by case basis.

## **8 Recommendation**

- 8.1 That the committee note the progress on the revised Weather and Climate Risk Management Strategy for Sunderland.

### **Background Papers**

Draft Strategic Flood Risk Assessment (June 2010)

Risk Assessments and Impacts Profile of Climate Change on the Natural Environment in the City of Sunderland (Durham Wildlife Trust, April 2010)

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**WEATHER AND CLIMATE RISK MANAGEMENT  
STRATEGY FOR SUNDERLAND: REVISION 1.**

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**REVISED APRIL 2010**



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## **1. INTRODUCTION TO THE FIRST REVISION**

This is the first annual revision to Sunderland's Weather and Climate Risk Management Strategy.

The original Weather and Climate Risk Management Strategy was adopted in April 2009. This revision has developed the strategy further, to update information on existing risks, broaden our understanding of other climate risks further.

The key changes and amendments to the original strategy are as follows:

- Addition of a comprehensive risk assessment of weather and climate risks to the natural environment in Sunderland (previous, risk assessment concentrated solely on the built environment and human population).
- Categorising climate risks and responsibilities to particular Council Services, which demonstrates that almost all the priority climate and weather risks to Council Services are built into service plans and responsibilities.
- Risks from surface water flooding are now lower than first expected, due to conclusions from the new Strategic Flood Risk Assessment, ongoing improvement works to storm water drainage and recorded improvements in bathing water quality.
- Addition section 5, a log of adaptive responses planned or implemented, to provide evidence of action in priority areas.
- Addition of Appendix 3, to report recorded weather incidents and responses, from Sunderland's Severe Weather incident log

As a result of these improvements, Sunderland's Status within National Indicator 188 is now self-assessed as Level 2, compared to Level 1 last year.

This strategy has also revised the future NI188 action plan and targets, aiming to achieve Level 3 now by March 2012, not March 2011 as previously proposed.

## 2 GENERAL INTRODUCTION

Climate change is the greatest long-term threat facing our planet in recent times. All ecosystems, all populations, all habitats are expected to experience changing weather patterns, at a rate greater than any experienced in the last million years. This is why tackling climate change is the headline priority within the UK Government's strategy for sustainable development.

Scientific consensus is greater than ever before, on the evidence that warming is happening, and that the predominant cause of this warming is the production of greenhouse gases from human activities, such as burning fossil fuels, deforestation and cement production.

Sunderland already has a commitment to reduce the city's greenhouse gas emissions by 80% by 2050, along with an action plan to manage and reduce the City's greenhouse gas emissions over the coming decades.

In the meantime, emissions released so far have already committed the planet to a temperature rise of at least 2°C. Communities, such as Sunderland, have no choice but to adapt to this temperature rise, and the other weather changes it will bring, since this cannot be reversed.

This document is Sunderland's strategy for coping with weather and future changes in the climate.

### ***Why do we have this risk management strategy?***

Sunderland is a city committed to tackling the causes and impacts of climate change. This commitment comes from the Sunderland Partnership and Sunderland City Council signing the **Nottingham Declaration on Climate Change** in November 2001.

This public commitment has been broadened and refreshed recently, by signing the **EUROCITIES Declaration on Climate Change** in November 2008, along with the **EU Covenant of Mayors** on Climate Change in January 2009, which is being signed in collaboration with all North East local authorities.

Within the **Sunderland Strategy 2008 to 2025**, the city has key aims around becoming a safe city, a healthy city and a green city, that protects its built and natural environment. This Action Plan is the framework that shows how the risks associated with weather and climate change will be addressed, to ensure the city's key aims are not compromised by climate change.

The **Civil Contingencies Act** gives Local Authorities the responsibility of managing and responding to any threat that could risk life, property or the natural environment. A **Community Risk Register** for the Northumbria Local Resilience Forum area lists the key risks likely to affect Sunderland, and includes many weather and climate impacts.

Nationally, the **UK Climate Impacts Programme** defines likely changes in weather patterns and provides best practice and guidance on coping with changing weather patterns. Local adaptation plans are recommended as good practice in increasing communities resilience to weather and climate change. National planning policies (e.g. Planning Policy Statement: Planning and Climate Change, and **PPS25: Flood**

Risk) require that new development should be planned to minimise future vulnerability in a changing climate; and in particular to reduce the risk of flooding.

Regionally, Sustaine, the North East sustainable development champion body, have conducted a **North East Climate Impacts Scoping Study**. This is now being followed up by a more detailed climate risk assessment, using up to date, high resolution climate predictions.

Locally, the **Climate Change Adaptation on the Wear** study was carried out by the Environment Agency and Northumbria Regional Flood Defence Committee. The study reported detailed climate predictions for Sunderland, and analysed key risks to the built environment up to 2050. The study was launched in Sunderland in December 2006. This study provides much of the basis on which this action plan is built.

### ***National Indicator NI 188***

Locally, Councils are now required by the Audit Commission to demonstrate how they are managing impacts from weather and climate, which is measured through a new national indicator (**NI 188**). Performance is measured on a process-based indicator, where Council's are required to work through the following levels:

- Level 0. Baseline understanding of climate impacts
- Level 1. Assessed risks from weather and climate change
- Level 2. Taken action in priority areas
- Level 3. Developed a comprehensive adaptation strategy, with partners
- Level 4. Are implementing, assessing and monitoring actions.

**The timeline below shows how Sunderland is proposing to progress through these levels.**

<b>Level 0</b>	<b>Level 1</b>	<b>Level 2</b>	<b>Level 3</b>	<b>Level 4</b>
Baseline understanding	Assess climate risks	Acting in priority areas	Full adaptation strategy adopted	Monitoring and reviewing actions
March 2009	March 2009	March 2010	March 2012	TBC
Achieved	Achieved	Achieved	Target moved back, from March 2011	TBC

### 3 WEATHER AND CLIMATE IMPACTS IN SUNDERLAND

#### 3.1 Current Weather and Climate

Sunderland's location and geography give the city and its surrounding a unique set of weather patterns.

Sunderland's coastal setting provides cool summers and mild winters compared to other more inland conurbations in the North East, such as Durham City or Newcastle. The moderating influence of the North Sea is noticeable in summer, when its not uncommon that Sunderland can be 2°C cooler than Durham or Newcastle.

The coastal setting also means the Sunderland receives less cloud cover, and hence greater sunshine hours than many other cities in Central and Northern England and Scotland. And like much of the east coast of the UK, average annual rainfall received is low, by UK standards.

Sunderland's river and coastline is on the whole steep-sided, which limits the geographical extent of any flooding. The topography of Sunderland does not provide a great range of altitude, with the highest point being just over 170m above sea level at Warden Law.

#### ***Current weather and climate risks***

The Community Risk Register, prepared by the Northumbria Local Resilience Forum, has already assessed the risk from current weather events, and outlines the measures in place to address those at risk.

In summary, the key weather risk identified, along with the nominated lead agency, are as follows:

<b>Risk</b>	<b>Impacts</b>	<b>Risk Priority</b>	<b>Lead Agency</b>
<b>Major local coastal / tidal flooding</b>	Very high	5	Environment Agency
Major local fluvial flooding	Very high	5	Environment Agency
Localised fluvial flooding (flash flooding in steep valley catchments)	High	4	Environment Agency
Urban localised flooding	High	4	Local Authority
Low temperatures and heavy snow	High	4	Met Office, Local Authority
Storms and gales	Medium	3	Met Office, Local Authority
Heatwave	Medium	2	Health Protection Agency, Met Office

For more information, please see the full Northumbrian Community Risk Register, on the Government Office North East website.

### 3.2 Future weather and climate

For the River Wear Catchment, a study of future weather and climate has been completed by the Environment Agency, with support from the Met Office, Newcastle University, JMP Consulting and Royal Haskoning21. This study offers a much greater level of detail on expected changes due to climate change for the River Wear Catchment than is available from national climate predictions, produced by the UK Climate Impact Programmes, and was the first study of its type in the UK. The study is based on 5km gridsquares resolution, compared to the 50km resolution of the previous UKCIP prediction.

The study focuses only on the impact on the built environment, not the natural environment, where research is still needed to confirm climate impacts. Neither does the study consider opportunities and benefits of climate change in Sunderland, which requires further investigation.

Taking into account Sunderland's geography and microclimate, the study predicts that the key weather changes in Sunderland by 2050 are expected to include:

- Increases in average or extreme temperature, by up to 3°C, as well as greater numbers of heatwaves
- Decrease in average rainfall over the whole year, but with a significant increase (up to 20%) in winter, and consequent decrease in summer rainfall
- A notable reduction in winter snowfall (50%)
- An increase in sea level and tidal surges of 0.35m, and increased wave energy on the coastline and estuary.

It should be noted that these projections are for average annual changes in local climatic conditions, and do not represent worst case scenarios. Conditions during specific weather events show greater change. Also, these projections are based on the best current understanding of climate change, but the field is constantly developing, and subject to change, as more is learnt about the impact of global warming on the climate system.

## 4. FUTURE CLIMATE IMPACTS

### 4.1 Built Environment

The River Wear Catchment study suggests there are two key impacts on the built environment expected to occur in Sunderland from weather and climate change, with several specific locations, infrastructure or sections of the community that are likely to be affected: as being most likely to be affected by weather changes in Sunderland are as follows:

#### 1. The effects of extreme hot temperatures and increasing number of heatwaves on vulnerable populations :

- Ageing population, babies and alcohol users (due to its dehydrating effects) are at greatest risk from increased frequency and level of heatwaves
- Road and rail surfaces vulnerable to high temperatures.

#### 2. The impacts of increased sea levels and winter rainfall on flood risk from river, streams, the sea and drainage systems ie :

- Areas presently at risk of flooding seeing increased frequency of flooding
- Flood and coastal defences experiencing greater loading forces
- More frequent flooding due to surcharging drainage systems in winter
- Increased collapse of shallow, near-surface mine workings
- Road and rail networks are most vulnerable at river crossings and embankments, due to increase scouring of bridge foundations and earthwork instability from heavy rainfall
- Business parks vulnerable to winter flooding from inadequate drainage
- The Port of Sunderland is vulnerable to rising sea levels and increased exposure to wave energy and tidal surges
- Business or retail parks vulnerable to winter flooding from inadequate drainage.

Areas found to be at less risk include :

- Water resources, due to the capacity within Kielder Reservoir
- Electricity lines and pylons, while at risk from increasing high winds in upland areas, are not thought to be at risk at Sunderland's altitude, as long as proper inspection and maintenance continues
- Accepting above risks from flooding and heatwaves, newer stadiums, shopping centres and public buildings are expected to be fairly resilient from other weather impacts (storms, high winds), as long as inspection and maintenance regimes continue
- Also, the area at risk from fluvial and coastal flooding is not anticipated to increase significantly with climate change, as a result of the relatively steep topography of river and coastal areas in Sunderland.

In advance on preparing a comprehensive action plan to tackle all the risks associated with weather and climate change, an analysis has been carried out on these two main risk areas of flooding and heatwaves.

Risk	Impacts	Controls (and lead agency)	Status
<b>Flooding</b>			
<p>Increased frequency of flooding in known flood risk areas (from coastal or river flooding)</p>	<ul style="list-style-type: none"> <li>• Greater occurrence of flood damage to properties at risk</li> <li>• Greater likelihood of injury and harm to health from flooding incidents</li> <li>• Greater disruption likely to businesses in flood risk zones</li> </ul>	<ul style="list-style-type: none"> <li>• A multi-agency Catchment Flood Management Plan (CFMP) (lead by Environment Agency).</li> <li>• Maintaining up to date knowledge of flooding incidents and future floodrisk modelling (Environment Agency)</li> <li>• Planning Policies in place to prevent inappropriate development in flood risk areas (Sunderland City Council and other LAs in River Wear Catchment)</li> <li>• Flood warning service offered (Environment Agency)</li> <li>• Emergency Response Plans in place to respond to flooding incidents (Sunderland City Council)</li> <li>• Business Continuity Plans are encouraged in local businesses (Sunderland City Council)</li> <li>• Effectiveness of flood response plans monitored through NI189 action plan, agreed with Environment Agency (Sunderland City Council)</li> </ul>	<ul style="list-style-type: none"> <li>• <b>OVERALL – GREEN</b></li> <li>• Local Area Flood Plan is awaiting completion and adoption in 2010/11</li> <li>• Strategic Flood Risk Assessment (SFRA) completed and enforced through national, regional and local planning policies.</li> <li>• Level 1 SFRA completed Dec 2009, with improved flood risk mapping.</li> <li>• 1.2% (1,442) of properties are at risk of flooding in Sunderland</li> <li>• 199 of those properties are in Flood Warning Areas, where 48% of properties are registered to the service.</li> <li>• In 2009/10, new flood warning service introduced to Lumley Park Burn area</li> <li>• No inappropriate development has occurred in flood risk zones since recording started in April 2004.</li> </ul>
Surface water drainage	<ul style="list-style-type: none"> <li>• Damage to properties and</li> </ul>	<ul style="list-style-type: none"> <li>• 400 sites prone to surface water</li> </ul>	<ul style="list-style-type: none"> <li>• <b>OVERALL - AMBER</b></li> </ul>



<p>flooding incidence increases, and increased frequency of foul sewage discharges to rivers and sea</p>	<p>risk to life and health of residents flooded by surface water</p> <ul style="list-style-type: none"> <li>• Deterioration of river and bathing water quality, and loss of Blue Flag beach status</li> <li>• The reputation of Sunderland, as a clean, green city by the sea, is damaged by poor bathing water quality</li> </ul>	<p>flooding identified (Sunderland City Council)</p> <ul style="list-style-type: none"> <li>• Northumbria Water Ltd schemes to increase storm water alleviation</li> <li>• Increase water storage and Sustainable Urban Drainage Systems within affected drainage catchments (Sunderland City Council, Northumbrian Water)</li> <li>• Enforcing permitted development rights on permeable paving (Sunderland City Council)</li> <li>• Prevent unnecessary removal of porous surfaces within affected drainage catchments (Sunderland City Council)</li> <li>• Continued investment in drainage maintenance</li> </ul>	<ul style="list-style-type: none"> <li>• SFRA revised and concluded Surface Water Flooding risk lower than previously thought.</li> <li>• No Surface Water Management Plan recommended in short term.</li> <li>• Sustainable Urban Drainage Systems (SUDS) will not currently be adopted by drainage authority.</li> <li>• But NWL have completed £2,5M drainage improvements in past 2 years.</li> <li>• Roker Beach has regained Blue Flag status in 2009</li> <li>• Water quality has been adopted as a local indicator within the Local Area Agreement,</li> </ul>
<p>Coastal defences and coastline to experience greater loading from sea level rise and storm surges</p>	<ul style="list-style-type: none"> <li>• Rates of coastal erosion will increase</li> </ul>	<ul style="list-style-type: none"> <li>• Coastal Management Plan in place, to manage impacts of coastal erosion and sea level rise</li> <li>• Effectiveness of shoreline management plans monitored through NI189</li> </ul>	<ul style="list-style-type: none"> <li>• OVERALL - AMBER</li> <li>• Full repairs / replacements of sea defences not completed though measures have been carried out to extend the life of the sea defences.</li> <li>• Cliff erosion to the south of Sunderland is proceeding as expected.</li> </ul>
<p><b>Heatwaves</b></p>			
<p>Increased frequency of</p>	<ul style="list-style-type: none"> <li>• Increased health</li> </ul>	<ul style="list-style-type: none"> <li>• National Heatwave Plan for England</li> </ul>	<ul style="list-style-type: none"> <li>• OVERALL - AMBER</li> </ul>

heatwaves	problems for the elderly (over 75s) and very young (babies), and alcohol users.	updated each summer, and distributed to key services <ul style="list-style-type: none"> <li>• A co-ordinated heatwave response plan is in place in South of Tyne and Wear NHS Trust, for health care providers and social services.</li> </ul>	<ul style="list-style-type: none"> <li>• National and Local Heatwave Plan communicated to HHAS and Children's Services</li> </ul>
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These risks will be communicated to Sunderland City Council's Executive Management Team, Scrutiny Committee for Sustainable Communities, and the Sunderland Partnership, during the first quarter of 2010/11.

## 4.2 Natural Environment

To assess the risks that habitats and species in Sunderland might face from climate change, the Council commissioned Durham Wildlife Trust to conduct a detailed risk assessment. It assessed each separate risk arising from climate change on each habitat type in Sunderland.

All habitat types, and significant species within them, were taken from the Durham Biodiversity Action Plan (DBAP).

The study also recognises that these climate change risks are additional to other risks that habitat and species currently face, and therefore these climate risk findings should be incorporated with other habitat risks, to inform overall conservation policies and practices.

### Habitats at most risk from climate change

With this risk assessment, it has been possible to consider which habitats (and hence which species) are most at risk from the climate risks considered above. For example, there are situations where certain habitats face several high risk areas, so making them more vulnerable to climate change overall.

The study concludes that the following habitats in Sunderland are at greatest, cumulative risk from climate change impacts:

- **Coastal saltmarshes and mudflats**, including Timber Beach, at risk from sea level rise and catastrophic flooding events
- **Maritime cliffs along South Sunderland Coast**, at risk from sea level rise and increasing wave action, leading to greater erosion
- **Magnesian Limestone grasslands**, including Tunstall Hills, at risk from reduced summer rainfall, increased temperatures and heatwaves and greater human disturbance and fire risk from outdoor leisure activities during hot weather.

In future programmes to revise conservation policies and practices, these findings on should be incorporated into any prioritisation of schemes.

Other habitats at medium risk from climate impacts include the following:

- **Woodlands and Scrub** are at medium risk from high rainfall events, and storms and gales, which can increase soil erosion and tree fall
- **Wetlands** are at some risk from reduced summer rainfall which could reduce the extent of wetlands during summer months, but this could be offset by but greater frequency of flooding in general, which may be beneficial for some wetland species.

- **Arable grasslands** are at greatest risk from changes to agricultural practices as an indirect response to food production changes, which may arise from climate impacts elsewhere in the world.
- **Urban habitats** are likely to be at the least risk from climate change, although as for arable grasslands, the greater need to cultivate gardens and allotments to generate local food production could reduce the availability of wildlife-friendly urban habitats.

## Climate impacts to the Natural Environment

The study also categorised the risks according to each specific climate impacts, which presents a broader, more detailed analysis of what risks may arise. Again, the study ranks these into high, medium and low risk areas, as follows: risk-based approach, there are many more high risk areas that will

### High risk impacts

1. Major local coastal/tidal flooding and storm surges that may lead to:
  - Significant impacts upon coastal and inter-tidal habitats and along beaches, as well as wave-action undermining the unique coastal cliffs and their biodiversity in the south Sunderland area, at an ever increasing rate
  - Damages to coastal fringing habitats for the impact of additional wave energy and tidal surges and increased salt spray drift as the sea 'gets closer' e.g. coastal grasslands
2. Raised sea levels, which may lead to:
  - Permanent inundations of sensitive coastal habitats such as mudflat and salt marsh, including loss of some important habitats such as the salt marsh habitats at Timber Beach
  - The loss of strandline as result of the beach being squeezed between the sea and hard engineering features e.g. roads., and damage or loss to inter-tidal habitats as a result of increased exposure to raised seas levels.
3. Increased winter rainfall leading to major fluvial flooding, which produce:
  - 'Catastrophic' losses of some species, or damage to some habitats, as a consequence of major floods down the Wear, and changes to the composition of some plant and animal communities within the river water column and sediments
  - Increased number of subsidence ponds and wetland areas a result of the collapse of shallow, near-surface mine workings and the falling into disrepair of local drainage systems that have been damaged by frequent flooding due to surcharging drainage systems in winter
  - Areas presently at risk of flooding are likely to experience even greater frequency of flooding, meaning a greater extent, and longer duration of seasonal flood waters, with and benefits for some wetland species such as winter wildfowl, particularly if this occurs at appropriate times of the year e.g. autumn and winter.
4. The effects of extreme high temperatures and an increasing number of summer heat waves, with:
  - Increased risk of fire damage to grasslands, but also woodlands and scrub habitats because, of fire damage resulting from increased incidence of

drought conditions and greater recreational use in hotter summers e.g. rough grassland at Tunstall Hills, or Magnesian limestone grasslands.

- Changes to the composition of some plant communities in grasslands due to high summer temperature and possibly drier conditions
- Catastrophic losses of some species e.g. common blue butterflies
- Alterations to the habitats themselves, particularly in the case of damp lowlands meadows and pastures, leading to the loss of characteristic species e.g. northern marsh orchid and common spotted orchids *Dactylorhiza purpurella* and *fuschii*.

### **Medium and Low Risk impacts**

Other expected risks and impacts from climate change have a medium or low risk. These include:

- Localised fluvial flooding (e.g. flash flooding in steep valley catchments), leading to:
- Storms and gales, which during the breeding season can be disastrous for some breeding birds
- Impacts upon biodiversity that arise because of works undertaken to reduce other aspects of climate change impacts. For example, increased hard engineering to offset coastal or river flooding.
- Low temperatures and heavy snow
- Localised urban flooding the 'over-topping' of local drainage systems.

For a more detailed analysis of climate risks to Sunderland habitats and species, with supporting information around all habitat and species important to Sunderland, please refer to the study itself, which is available from the Sustainability Team, Sunderland City Council ("Risk Assessment and Impacts Profile of Climate Change on the Natural Environment in the City of Sunderland", Durham Wildlife Trust, April 2010).

### 4.3 Risks to Council Services

Effective climate risk management requires that climate risks are understood at the service delivery level within Local Authorities. To start this process, an analysis of existing climate risks and service delivery responsibilities has been conducted. This is based on the known risks outlined above, and existing service responsibilities, as recorded in the Council's Corporate Improvement Plan.

The following table presents this information, which should act as the precursor to more rigorous service-based risk assessments to capture other risks, not already highlighted by this process.

<b>Council Service</b>	<b>Weather or Climate Risk</b>	<b>Details of current responsibilities and duties</b>	<b>Lead Officer</b>
<b>Office of Chief Executive</b>			
Property Services	Major incidents caused by severe weather  Impact of storm surges and sea level on Port operations	Emergency response to major incidents, including weather events <ul style="list-style-type: none"> <li>Managing major incident plan</li> <li>Co-ordination of Local Area Flood Plan</li> <li>Co-ordination of Pitt Review Action Plan</li> </ul>	Security Services Manager
Planning and Environment Services	New development increases risk of flooding  Council services and projects at risk from climate	Producing the Local Development Framework <ul style="list-style-type: none"> <li>Producing the Strategic Flood Risk Assessment</li> <li>Allocating development sites to avoid flood risk</li> <li>Setting planning policies to reduce all risks from climate change to future development</li> </ul> Approval of new developments <ul style="list-style-type: none"> <li>Ensuring new development does not increase flood risk</li> </ul> Conduct Sustainability Impact Appraisal <ul style="list-style-type: none"> <li>monitor climate risk in corporate projects and programmes.</li> </ul>	Planning Policy Manager  Development Control Technical Manager  Sustainability Co-ordinator
Transport and Engineering Services	Increased coastal erosion and flooding	Coastal Maintenance <ul style="list-style-type: none"> <li>Delivery the Shoreline Management Plan.</li> <li>Monitoring and maintenance of coastal defences</li> </ul>	Structures and New Works Manager  Highway

	Flooding of highways	Management of Council infrastructure assets (including highways drainage) <ul style="list-style-type: none"> <li>• Maintenance and upgrading of existing drainage systems</li> <li>• Monitoring of surface water flooding areas</li> <li>• Development of drainage improvement schemes</li> </ul>	Maintenance Manager
<b>City Services</b>			
Streetscene Services	Flooding of highways  Damage to highways and buildings from flooding and weather events  Extension of growing season requires more grounds maintenance  Public health risks caused by severe weather	Street Cleansing <ul style="list-style-type: none"> <li>• Ensures highways are cleaned and maintained to an acceptable level</li> <li>• Provides programme of road gully cleansing</li> </ul> Maintenance of Highways and Council Buildings <ul style="list-style-type: none"> <li>• Repairs to highways and buildings</li> <li>• Emergency response (including drainage and flooding)</li> </ul> Open space and parks grounds maintenance <ul style="list-style-type: none"> <li>• To deliver effective grounds maintenance services</li> </ul> Environmental Health service <ul style="list-style-type: none"> <li>• Assessment of public health risks following severe weather events</li> </ul>	Asst. Head of Streetscene  Building Services Manager  Asst. Head of Streetscene  Environmental Health Manager
<b>Health Housing and Adult Services</b>			
Provider Services Older Persons Business Support	Harm to vulnerable residents from severe weather events	Protecting all the affected populace <ul style="list-style-type: none"> <li>• Provide emergency care facilities during major incidents</li> <li>• Provide welfare services and advice</li> <li>• Provide welfare transport</li> </ul>	Head of Adult Services
<b>Children's Services</b>			
Capital Team	School closures due to severe weather	Management of school closures <ul style="list-style-type: none"> <li>• Advice to schools and governing bodies in developing a severe weather</li> </ul>	Capital Manager

		<p>school action plan with the intention of keeping the school open as far as possible</p> <ul style="list-style-type: none"> <li>• Individual heads and governing bodies have delegated responsibility when decisions to close are taken</li> <li>• Schools to make information available to parents on plans and procedures in place in dealing with severe weather events</li> <li>• Develop Children's Services Emergency School Closure Protocol</li> </ul>	
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It should be emphasised that there will be other risks not included in this list, as well as other responsibilities and actions that Council Services are taking to minimise those risk. These will need to be captured by more in depth, service based risk assessments.



## 5 ADAPTIVE RESPONSES

This section provides information on what strategic or physical measures have been put in place to actively reduce the risk or severity of weather and climate impacts. This evidence is a critical part of demonstrating that Sunderland is actively reducing the main risks arising from climate change, which is a requirement of meeting Level 2 status within NI188.

The table below is a record of all adaptive responses planned or completed, by both Sunderland City Council and other agencies that operate in the City.

Risk area	Adaptive Response	Details	Lead agency
Flooding - general	Consider flood risk within Development Control decision	<b>Ongoing.</b> All development control decisions made to avoid development in flood risk areas, based on Strategic Flood Risk Assessment maps, and Environment Agency advice.	Sunderland City Council
	Strategic Flood Risk Assessment	<b>2009/10.</b> Commissioned and adopted new Strategic Flood Risk Assessment, to improve flood risk mapping and include surface water flood risks and critical drainage areas.	Sunderland City Council
River and coastal flooding	Extension of flood warning areas	<b>2009/10.</b> Expansion and improvements to the flood warning service to 109 homes and premises in the Lumley Park Burn area	Environment Agency
	Adoption of Local Area Flood Plan	<b>2009/10.</b> New response plan adopted by March 2010, to guide local response to area or regional flood incidents, aligned to the Northumbria Region Flood Plan.	Sunderland City Council and Environment Agency
Surface water flooding	Storm water alleviation schemes	<b>2008/9.</b> Completion of £1M scheme to improve sewerage in Fulwell,.  <b>2009/10.</b> Completion of £1.45M scheme to improve storm water alleviation, and reduce the of sewer flooding, to properties in Penshaw and Shiney Row	Northumbria Water Ltd
	Highways drainage improvements	<b>2008/9.</b> Completed £350,000 of Highways drainage improvements, to tackle surface water flooding hotspots	Sunderland City Council
	Gully cleansing	<b>Ongoing.</b> Council continues to operate a gully cleansing service, to keep gullies clear of debris, improve highways drainage and reduce risk of surface water	Sunderland City Council

		flooding	
Heatwaves	Local Heatwave Plan	<b>2007/8.</b> Adopted the South Tyne and Wear Heatwave Plan to coordinate health and social services response to heatwave episodes.	South Tyne and Wear NHS Trusts
Species migration	Living Landscapes project	<b>2009/10.</b> Programme launched to improve connectivity of key habitats in North East England, to increase resilience to changing climate and species migration.	Durham Wildlife Trust
	Green Infrastructure Plan	<b>2009/10.</b> Draft Green Infrastructure Plan developed, to provide strategy for more linked green corridors throughout the City, which will among other aims, support species migration and support urban cooling.	Sunderland City Council

### 3 NEXT STEPS / PROJECT PLAN

This strategy will continue to evolve as it is developed further. The table below outlines the completed and planned actions required to take forward this action plan, as outlined by guidance on NI188 and in a way that meets national requirements on climate change adaptation.

NI188 Level, and target date	Actions required / completed	Lead
Level 0 – by March 2009	Compile list of relevant documents and action plans	<b>Completed Jan 2009</b> (see appendix to this document)
	Collate existing risk assessments on weather and climate change	<b>Completed Jan 2009</b> (see Climate Change Adaptation on the Wear study)
	Nominate lead officials (through EMT and cabinet report)	<b>Completed -</b> Sustainability Team – by March 2009
	Raise climate impacts with LSP	<b>Completed -</b> Sustainability Team – 10 March 2009
Level 1 – by March 2009	Make public commitment to tackle climate impacts	<b>Completed</b> , by signing the Nottingham Declaration, <b>November 2001</b> , <b>EUROCITIES Declaration in Nov 2008</b> , and <b>EU Covenant of Mayors in Jan 2009</b>
	Compile climate impacts profile of existing and future impacts	<b>Completed</b> , by Climate Change Adaptation on the Wear study (Dec 2006) and Northumbria Community Risk Register (Oct 2008)
	Draft “Weather and climate adaptation strategy”, which defines priority risks	<b>Completed Feb 2008</b> . by Sustainability Team
	Communicate key vulnerabilities to Heads of Service, by EMT/cabinet report on climate impacts and project plan to meet NI188 targets	<b>Completed March 2009</b> , by Sustainability Team.
	Communicate key vulnerabilities to LSP Board	<b>Completed March 2009</b> by Sustainability Team.
		Sustainability Team – still

	Add climate impacts to Corporate Risk Register	pending agreement with Corp. Risk Management Group. Target for July 2010.
	Consider establishing a weather events register (within emergency planning)	<b>Completed.</b> Severe weather warning register started from July 2008, From Feb 2009 will start to record response to events too.
	Agree lead officer (Planning Policy Manager) for co-ordinating flood and coastal erosion risk management, for NI189	<b>Completed</b> – 31 March 2009
Level 2 – by March 2010	Impacts profile of climate on natural environment in Sunderland	<b>Completed</b> – by Durham Wildlife Services, April 2010
	Conduct corporate risk assessment of all climate impacts within Council	<b>Partially completed:</b> Service-specific risks identified. Requires additional work to embed into service-based risk management plans, as part of work to move to Level 3 .
	Conduct a community risk assessment of all climate impacts (and communicate with LSP partners)	Not progressed, Required as part of work to move to Level 3
	Develop prioritised actions against all risks	Not progressed. Needed as part of action plan to achieve Level 3.
	Show evidence of actions commencing on prioritised risks, as follows:	<b>Completed.</b> Log of adaptive response (Appendix 3) documents this evidence.
	<ul style="list-style-type: none"> <li>Improve Council's response to SOTW NHS Heatwave Plan</li> </ul>	<b>Completed.</b> Revised Heatwave Plan for England reported to HHAS and Children's Service June 2009
	<ul style="list-style-type: none"> <li>Action on surface water drainage, linked to coastal water quality</li> </ul>	<b>Progressed.</b> Risk downgraded, following completion of SFRA.
	Update "Weather and climate risk management strategy"	<b>Completed</b> - April 2010.

Level 3 – by March 2012	The programme of activity required to meet Level 3 must be developed and approved by March 2011, to be delivered in 2011/12	March 2011
	The overall goal to meet Level 3 will be met by adopting Sunderland's Weather and Climate Risk Action Plan by March 2012, with the full involvement and support of all relevant city partners.	March 2012

## 4 APPENDICES

### Appendix 1. Document database

The table below is a record of all local or regional plans, strategies, risk assessments and other information relevant to weather and climate change impacts. Items in bold indicate new sources added in the current revision of this strategy.

<b>Document title</b>	<b>Details</b>	<b>Lead Agency and source</b>
Northumbria Community Risk Register	List of community risks, as compiled by the Northumbria Local Resilience Forum, and relevant to the Sunderland Area.	Northumbria Local Resilience Forum
Climate Change Adaptation on the Wear	Climate impacts and risk assessment for the River Wear catchment, to 2050.	Environment Agency and Northumbria Regional Flood Defence Committee
Severe Weather Warning database	Record of all severe weather warnings issued in Sunderland since July 2008. Details of any responses to be included from Feb 2009.	Sunderland City Council
Strategic Flood Risk Assessment	GIS based assessment of flood risk zones in Sunderland, prepared by JBA Consulting (2008).	Sunderland City Council
<b>Level 1 Strategic Flood Risk Assessment</b>	<b>Revision to SFRA, to inform Local Development Framework, which now incorporate flood risk from surface water flooding and critical drainage areas (March 2010).</b>	<b>Sunderland City Council</b>
Regional Spatial Strategy	Contains regional planning policies to ensure new development is resilient to climate change impacts	North East Assembly
Sunderland's Unitary Development Plan, Alteration No. 2	Current development plan for Sunderland, including planning policies to encourage sustainable construction and to prevent unsuitable development in flood risk zones.	Sunderland City Council
LDF Core Strategy Preferred Options	Core Strategy of the Local Development Framework, containing policies to prevent development within flood risk zones, and to promote weather resilient building design. To be adopted 2011.	Sunderland City Council
LDF Core Strategy Topic Paper – Flood Risk	Evidence paper, reporting and analysing all flood risk information in Sunderland, particularly the SFRA.	Sunderland City Council
LDF Core Strategy Topic Paper – Energy and Climate Change	Evidence paper, summarising the key issues around carbon emissions and climate impacts in Sunderland	Sunderland City Council
<b>LDF Annual</b>	<b>Reports on the number of planning</b>	<b>Sunderland</b>

<b>Monitoring Report 2008/9</b>	<b>applications granted in flood risk zones, against Environment Agency guidance.</b>	<b>City Council</b>
Sunderland City Council Emergency Plan	Emergency Response Plan for Sunderland, which would be triggered in the event of a severe weather event.	Sunderland City Council
Multi Agency Flood Plan	A regional flood risk response plan including plans of each agency involved in responding to regional flood incidents.	Northumbria Local Resilience Forum
Sunderland Local Area Flood Plan	A new flood response plan will be adopted in 2010/11, to guide local response to area or regional flood incidents, agreed by SCC and Environment Agency.	Environment Agency,
Business Continuity guidance	Information and support for businesses and organisations in Sunderland to develop business continuity plans, to increase resilience against disruptions, which would include weather events.	Sunderland City Council
Shoreline Management Plan	Provides an assessment of the potential risk of flooding from the sea and coastal erosion, and is adopted in partnership with other coastal authorities in the North East.	Sunderland City Council
Wearside Weather	Published record of current and past weather patterns and measurements for Sunderland	Professor Wheeler, University of Sunderland
Durham Biodiversity Action Plan	Contains a specific action plan to limit the impact of climate change on sensitive habitats and species.	Durham Wildlife Trust
<b>Living Landscapes</b>	<b>Programme of projects to improve connectivity between habitats, to provide better resilience to changing climate</b>	<b>Durham Wildlife Trust</b>
<b>Habitats Risk Assessment for Sunderland</b>	<b>Detailed risk assessment of climate risks to key habitats and species in Sunderland, conducted by Durham Wildlife Trust.</b>	<b>Sunderland City Council</b>

## Appendix 2. Communications and events log

The table below is a record of all communications and events occurring in Sunderland that relate to climate and weather risks. Items in bold indicate recent events, not included in the previous version of this strategy.

<b>Date</b>	<b>Event or communication</b>	<b>Details</b>	<b>Lead agency</b>
13 Sept 2006	Norland Exercise	Multi-agency emergency response exercise, based around a severe weather scenario (including presentation on 2005 Carlisle floods).	Sunderland City Council and Tyne and Wear Emergency Planning Unit
March 2007	Launch of Climate Change Adaptation on the Wear Study	Regional launch, hosted by Environment Agency at Stadium of Light, Sunderland, attended by local and regional partners.	Environment Agency
May 2007 – April 2008	Climate Change Communication Campaign	Year long campaign in Sunderland, raising general awareness around the causes and impacts of climate change (funded by DEFRA's Climate Change Communication Fund). The main result was to achieve a 22% increase in the number of residents that now believe climate change to be caused by human activities.	Sunderland City Council
June 2007	Environment Week 2007	Week of activities and events highlighting the causes and impacts of climate change, involving sand and ice sculptures, NE Climate Dome, screenings of "Inconvenient Truth"	Sunderland City Council
Jul – Sept 2007	"Picture a World without CO2" photo competition.	Photo competition, where participants were requested to submit photos of their favourite place in Sunderland which they want to protect from climate change. Winning entries have been displayed in a touring exhibition at art centres across Sunderland.	Sunderland City Council
Summer 2007	North East Climate Dome.	Tour of several venues, events and schools, promoting causes and impacts of climate change in the North East.	Climate Neutral North East
27 Feb 2008	Norland Exercise	Multi-agency emergency response exercise, based around a flood scenario	Sunderland City Council and Tyne and Wear Emergency Planning Unit



April 2008	“Whatever the Weather” exhibition.	Public exhibition at Sunderland Museum and Winter Gardens, featuring exhibits, artefacts and information about weather, past and present, local and global.	Tyne and Wear Museums
May 2006, 2007, 2008 and 2009	Eco-rangers climate change zone.	Educational workshop for 1,000 children each year, raising awareness about the causes and impacts of climate change	Sunderland City Council
<b>May 2009</b>	<b>Sewage Treatment and Water Quality presentation</b>	<b>The Environment Agency presented a seminar to Councillors and Council Officers relating to Sewage Treatment and Water Quality issues in Sunderland.</b>	<b>Environment Agency and Sunderland City Council</b>
June 2009	Report on Heatwave Plan for England 2009	Updated Heatwave Plan reported to Health Housing and Adult Services and Children’s Service for appropriate action.	Sunderland City Council
Jan 2010	Attended Globe UK working group on climate adaptation	Sunderland and NE Regional Climate Change Co-ordinator were invited to input to working group, on climate adaptation, lead by Lord Hunt.	Sunderland City Council, ANEC.
March 2010	Strategic Flood Risk Assessment presentation	JBA Consultants hosted a day workshop, to present findings of the SFRA to Council Officers	Sunderland City Council
March 2010	Northumbria Water Ltd Consultation	Northumbria Water Ltd commenced a consultation exercise of all key local stakeholders, including SCC, to inform future engagement and improvement plans	Northumbria Water Ltd.

### Appendix 3. Severe weather incident log

The table below is a record of all recorded weather incidents and responses recorded, along with the total number of weather warnings received, as recorded in Sunderland's Severe Weather Incident log.

#### 2009 Incident log

<b>Date</b>	<b>Weather Warning</b>	<b>Incident details</b>	<b>Response details</b>
2 Feb 2009	Early and flash warning for heavy snow	School closures	
10 Feb 2009	Flood warning for coastal flooding	No incidents recorded	Rapid deployment camera deployed, sandbags issued
12 Feb 2009	Flash warning for heavy snow and icy roads	Early school closures	Gritters deployed
23 March 2009	Flood watch for low-lying areas	No incidents recorded	Sandbags, Pegasus Security Monitoring
5 July 2009	Guidance issued on extreme rainfall	A195 & A182 road flooding at Washington roundabout,	Various incidents attended by drainage
16 July 2009	Early warning, guidance and flash warning for heavy rainfall	Instances of surface water flooding	No recorded response
17 July 2009	Guidance and flood warning issued for possible flooding (medium risk)	Multiple instances of surface water flooding and also some areas of fluvial flooding. Major Incident Standby declared by NP. Some road closures.	Sandbags deployed, drainage and arbor teams activated. Incident control set up.
<b>Totals</b>	<b>108 separate warnings received, over 28 days</b>	<b>5 recorded incidents (including 1 major incident standby)</b>	<b>5 recorded responses</b>

# **SUSTAINABLE COMMUNITIES SCRUTINY COMMITTEE**

## **FORWARD PLAN – KEY DECISIONS FOR THE PERIOD 1 NOVEMBER 2010 – 29 FEBRAURY 2011**

**REPORT OF THE CHIEF EXECUTIVE**

**16 November 2010**

### **1. Purpose of the Report**

- 1.1 To provide Members with an opportunity to consider those items on the Executive's Forward Plan for the period 1 November 2010 – 29 February 2011

### **2. Background Information**

- 2.1 Holding the Executive to account is one of the main functions of Scrutiny. One of the ways that this can be achieved is by considering the forthcoming decisions of the Executive (as outlined in the Forward Plan) and deciding whether Scrutiny can add value in advance of the decision being made. This does not negate Non-Executive Members ability to call-in a decision after it has been made.
- 2.3 To this end, it has been agreed that, on a pilot basis, the most recent version of the Executive's Forward Plan should be included on the agenda of each of the Council's Scrutiny Committees. The Forward Plan for the period 1 November 2010 – 29 February 2011 is attached marked **Appendix 1**.

### **3. Current Position**

- 3.1 Following member's comments on the suitability of the Forward Plan being presented in its entirety to each committee it should be noted that only issues relating to the specific remit of the Sustainable Communities Scrutiny Committee are presented for information and comment. Due to agenda and publication deadlines a revised copy of this information will be circulated at the meeting reflecting any amendments.
- 3.2 In the event of Members having any queries that cannot be dealt with directly in the meeting, a response will be sought from the relevant Directorate.

### **4. Recommendations**

- 4.1 To consider the Executive's Forward Plan for the period 1 November – 29 February 2011.

### **5. Background Papers**

None

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**Forward Plan -  
Key Decisions for  
the period  
01/Nov/2010 to  
28/Feb/2011**



**E Waugh,  
Head of Law and Governance,  
Sunderland City Council.**

**14 October 2010**

## Forward Plan: Key Decisions for the next four months - 01/Nov/2010 to 28/Feb/2011

No.	Description of Decision	Decision Taker	Anticipated Date of Decision	Principal Consultees	Means of Consultation	When and how to make representations and appropriate Scrutiny Committee	Documents to be considered	Contact Officer	Tel No
01437	To agree the Sunderland Local Investment Plan	Cabinet	03/Nov/2010	Cabinet, Service Users and Ward Members, Portfolio Holders	Briefings and/or meetings with interested parties	Via the Contact Officer by 19 November 2010 - Sustainable Communities Scrutiny Committee.	Report	Alan Caddick	5662690
01455	To award contract and to agree to delegate actions and decisions required to finalise and execute all relevant documentation associated with the PFI supported long-term Strategic Waste Solution for the purpose of securing financial close.	Cabinet	03/Nov/2010	Cabinet Member with Portfolio for Sustainable Communities; Chief Solicitor; Director of Financial Resources; Gateshead MBC; South Tyneside MBC	Report; Briefings ; Meetings	Via the Contact Officer by 20 October 2010 - Sustainable Communities Scrutiny	Report	Peter High,	5614550
01423	To agree Neighbourhood Renewal Block Improvements in Hetton Downs	Cabinet	01/Dec/2010	Housing Portfolio Holder, Ward Members, Residents and Owners of Property	Briefings and/or meetings with interested parties	Via the Contact Officer by 19 November 2010 - Sustainable Scrutiny Committee	Report	Alan Caddick	5662690
01400	To agree the Access to Housing Project - Allocations Policy	Cabinet	01/Dec/2010	Cabinet, Service Users and Carer Groups, Portfolio Holder, Adult Services Staff and Partners	Briefings and/or meetings with interested parties	Via the Contact Officer by 19 November 2010 - Sustainable Communities Scrutiny Committee	Report	Alan Caddick	5662690

## Forward Plan: Key Decisions for the next four months - 01/Nov/2010 to 28/Feb/2011

No.	Description of Decision	Decision Taker	Anticipated Date of Decision	Principal Consultees	Means of Consultation	When and how to make representations and appropriate Scrutiny Committee	Documents to be considered	Contact Officer	Tel No
01457	To adopt an addendum to the City's Play and Urban Games Strategy.	Cabinet	01/Dec/2010	Council Officers; All Ward Members via Area Committee; Customers; Sustainable Communities Scrutiny Committee	Area Committees; Meetings; Reports; Letters and Research	To contact Officer by 22 November 2010 - Sustainable Communities Scrutiny	Report	Julie D Gray	5617574
01433	To approve the Housing and Neighbourhood Renewal Enforcement Policy	Cabinet	01/Dec/2010	Cabinet, Service Users, Ward Members and Portfolio holders	Briefings / meetings	Via the contact Officer by 19 November 2010 - Sustainable Communities Scrutiny committee	Report	Alan Caddick	5662690
01451	To agree the Affordable Warmth Strategy	Cabinet	01/Dec/2010	Cabinet, Service Users and Ward Members, Portfolio Holders	Briefings and/or meetings with interested parties	Via the contact officer by 19 November 2010 - Sustainable Communities Scrutiny Committee	Report	Alan Caddick	5662690
01424	To agree the Review of the Sunderland Private Landlords Self Accreditation Scheme	Cabinet	12/Jan/2011	Housing Portfolio Holder, Ward Members, Residents and Owners of property	Briefings and/or meetings with interested parties	Via the Contact Officer by 20 December 2010 - Sustainable Communities Scrutiny Committee	Report	Alan Caddick	5662690

## **WORK PROGRAMME 2010-11**

### **REPORT OF THE CHIEF EXECUTIVE**

**Strategic Priorities: SP1 Prosperous City, SP5 Attractive City**

**Corporate Priorities: CIO1: Delivering Customer Focused Services, CIO4: Improving partnership working to deliver 'One City'.**

#### **1. Purpose of the report**

- 1.1 The report attaches, for Members' information, the current work programme for the Committee's work during the 2010-11 Council year.
- 1.2 The work of the Committee in delivering its work programme will support the Council in achieving its Strategic Priorities of Safer City, support delivery of the related themes of the Local Area Agreement, and, through monitoring the performance of the Council's services, help the Council achieve its Corporate Improvement Objectives CIO1 (delivering customer focussed services) and C104 (improving partnership working to deliver 'One City').

#### **2. Background**

- 2.1 The work programme is a working document which the Committee can develop throughout the year. The work programme allows Members and officers to maintain an overview of work planned and undertaken during the Council year.

#### **3. Current position**

- 3.1 The work programme reflects discussions that have taken place at the 8 June 2010 Scrutiny Committee meeting. The current work programme is attached as an appendix to this report.

#### **4. Conclusion**

- 4.1 The work programme developed from the meeting will form a flexible mechanism for managing the work of the Committee in 2010-11.

#### **5 Recommendation**

- 5.1 That Members note the information contained in the work programme and consider the inclusion of proposals for the Committee into the work programme.



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	JUNE 15.06.10	JULY (REARRANGED) 13.07.10	SEPTEMBER 21.09.10	OCTOBER 19.10.10	NOVEMBER 16.11.10	DECEMBER 14.12.10	JANUARY 18.01.11	FEBRUARY 15.02.11	MARCH 15.03.11	APRIL 12.04.11
<b>Cabinet referrals and responses</b>			Progress on Policy Review - Access to Housing (Cllr Truman/Alan Caddick)	Progress on Policy Review – Local Studies (Cllr D Wilson/Jane Hall)						
<b>Policy Review</b>	Proposals for policy review (Scrutiny Officer)	Scope of review (Scrutiny Officer)	Scope and approach to review (Scrutiny Officer)	Progress on Review (Scrutiny Officer/Jane Hall)	Policy Review – History and Heritage (Jane Hall)	Progress on Review (Scrutiny Officer)	Progress on Review (Scrutiny Officer)	Progress on Review (Scrutiny Officer)	Draft report (Scrutiny Officer)	Final Report (Scrutiny Officer)
<b>Performance</b>			Performance & VfM Assessment (Gillian Robinson)				Performance Framework Q2 including Progress on policy reviews			Performance Framework Q3 including progress on policy reviews
<b>Scrutiny</b>	Work Programme 2010/11 (Review Coord)  Forward Plan	Economic Masterplan (Janet Johnson)  Work Programme 2010/11 (Review Coord)  Forward Plan	Empire Theatre Annual Report (Jane Hall)  World Heritage Bid Update (Michael King)  Extra Care Accommodation Management Guide (Alan Caddick)  Work Programme 2010/11 (Review Coord)  Forward Plan	Play and Urban Games Strategy (Carol Lewis)  Affordable Housing (Neil Cole)  Work Programme 2010/11 (Review Coord)  Forward Plan	Weather and Climate Risk Management Strategy (Neil Cole)  Housing and Neighbourhood Renewal Enforcement Policy – Update on Selective Licensing (Alan Caddick)  Sunderland Housing Priorities Plan (Alan Caddick)  Work Programme 2010/11 (Review Coord)  Forward Plan	Affordable Warmth Strategy (Alan Caddick)  Sunderland Volunteering Strategy (Julie Gray)  Neighbourhood Renewal – Hetton Downs (Alan Caddick)  Work Programme 2010/11 (Review Coord)  Forward Plan	Access to Housing Project (Alan Caddick)  Work Programme 2010/11 (Review Coord)  Forward Plan	Annual Sport and Leisure Report (RL)  Work Programme 2010/11 (Review Coord)  Forward Plan	Work Programme 2010/11 (Review Coord)  Forward Plan	Annual Report (Review Coord)  Work Programme 2010/11 (Review Coord)  Forward Plan

CCFA/ Members Items/Petitions									
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