

**Record of
Executive
Decisions
published
19/Apr/2013**



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Civic Centre
SUNDERLAND

19 April 2013

Record of Executive Decisions Published: 19/Apr/2013

Decision Taker: Cabinet

Appropriate Scrutiny Committee:
Scrutiny Committee

Date decision in force:

29/Apr/2013

Date of decision:

17/Apr/2013

Full description of decision:

To: a) Approve the proposed Investment Corridor programme for the city centre, to be funded by the £4 million capital programme allocation between 2013 and 2017. b) Authorise the Deputy Chief Executive, in consultation with the Leader and Cabinet Secretary, to approve detailed designs and budgets and to appoint contractors to deliver the programme

Reasons for decision:

To deliver investment in the city centre to meet the aim 3 outcomes of the Economic Masterplan

Alternative options considered and rejected:

The alternative option would be to not progress the works. However funding for the project has been secured and the delivery team is progressing the design stages of the project. In order to carry out the works contractors must be procured following a competitive tender process.

Title and author(s) of written report:

City Centre Investment Corridor Programme - Deputy Chief Executive

Contact Officer:

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Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

None

Record of Executive Decisions Published: 19/Apr/2013

Decision Taker: Cabinet

Appropriate Scrutiny Committee:
Scrutiny Committee

Date decision in force:

29/Apr/2013

Date of decision:

17/Apr/2013

Full description of decision:

To authorise the Deputy Chief Executive to confirm the non-immediate direction under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) ('the 1995 Order') to withdraw permitted development rights to change the use of a C3 Dwellinghouse to a C4 House in Multiple Occupation within the wards of Barnes, Hendon, Millfield, St Michael's and St Peter's after completion of a prior notification period of a minimum of 12 months.

Reasons for decision:

The Council is satisfied that it is expedient that the conversion of dwelling houses (within Use Class C3) to houses in multiple occupation (HMOs) (within Use Class C4) should not be carried out within the wards of Barnes, Hendon, Millfield, St Michael's and St Peter's unless planning permission is granted on an application. This would allow planning control over proposed future changes of use from C3 to C4 within these five wards where there is a higher concentration of HMOs. This would assist in the promotion and retention of sustainable mixed and balanced communities within these five wards and enable additional HMOs and their effects to be coherently and comprehensively managed through the planning framework.

Alternative options considered and rejected:

Determine not to introduce an Article 4 Direction and accept the inability to manage new C4 HMO uses and the consequential undermining effect of this on delivering the Council's objectives in the wards referred to in this report where there is a higher concentration of HMOs. This approach would not appear to be justified given the issues/problems arising from higher concentrations of HMOs in the relevant areas of the city as identified by residents and Councillors. This option has therefore been rejected

Title and author(s) of written report:

Article 4 Direction: Houses in Multiple Occupation within the wards of Barnes, Hendon, Millfield, St Michael's and St Peter's - Report of the Deputy Chief Executive

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Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

None

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Appropriate Scrutiny Committee:
Scrutiny Committee

Date decision in force:

29/Apr/2013

Date of decision:

17/Apr/2013

Full description of decision:

To: 1. Endorse the 2013 updates to the Strategic Housing Land Availability Study and the Strategic Housing Market Assessment so that they can be used as : a) Part of the evidence base to inform the emerging Local Development Framework b) A material consideration in determining planning applications for housing development. 2. Endorse the Draft Settlement Break Review for consultation purposes.

Reasons for decision:

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

Alternative options considered and rejected:

All local planning authorities are charged under the Planning and Compulsory Purchase Act 2004 with the preparation of a Local Development Framework (LDF), which must include a Core Strategy. They are also charged with preparing the LDF in accordance with the provisions of an approved Local Development Scheme. The Core Strategy and its policies must be informed by a robust and up to date evidence base. The need for a Strategic Housing Market Assessment and Strategic Housing Land Availability Assessment are emphasised in the National Planning Policy Framework. The emerging Core Strategy retains policies regarding the scale and purpose of Settlement Breaks which have not been reviewed in 15 years since the Unitary Development Plan was adopted. To not undertake such updates in the light of the changing circumstances in the city would undermine the planning policy framework and could jeopardise the Core Strategy at Examination. Consequently, no alternatives can be recommended.

Title and author(s) of written report:

Sunderland's LDF Evidence Base - Strategic Housing Market Assessment, Strategic Housing Land Availability Assessment and Draft Settlement Break - Report of the Deputy Chief Executive

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Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

None

Record of Executive Decisions Published: 19/Apr/2013

Decision Taker: Cabinet

Appropriate Scrutiny Committee:
Scrutiny Committee

Date decision in force:
17/Apr/2013

Date of decision:
17/Apr/2013

Full description of decision:

To –

Specify period for submission of expressions of interest EOI to Council under community right to challenge as 1 June-31 July for financial year 2013/14 & each subsequent financial year & authorise Exec Director of Commercial & Corp. Services to publish these details

-Authorise Exec Director of Commercial & Corp. Services in consultation with relevant Exec Director & Portfolio Holder for relevant service to consider & determine each EOI where estimated value of potential contract is below £250,000 or where EOI does not comply with statutory requirements & to refer EOI to Cabinet for determination where estimated value of potential contract above £250,000;

-Authorise Exec Director of Commercial & Corp. Services to determine max period that will elapse between submission of EOI & date of notification of decision;

-Authorise Exec Director of Commercial & Corp. Services to determine in each case the min & max periods to elapse between acceptance of any EOI & date on which procurement process begins

Reasons for decision:

Under Localism Act 2011 Council is required to take a no. of steps for purpose of implementing community right to challenge. Council is entitled to specify the periods of time during which EOI for the provision of relevant services may be submitted. Period should be 1 June to 31 July so that the determination of EOI & any subsequent procurement process can begin prior to the budget setting process for next financial year. This will also enable the Council to manage effectively receipt & consideration of EOI. The proposed period will be published on the Council's website so relevant bodies will be notified in advance & will then have sufficient time to prepare & submit any EOI. Should any organisation approach Council outside of specified time period to express an interest in providing a service, then, as was case prior to introduction of the community right to challenge provisions, the Council will have discretion as to whether it wishes to run a procurement exercise.

Alternative options considered and rejected:

The Council has a statutory duty to comply with the community right to challenge provisions contained in the Act so the proposed steps outlined in this report must be undertaken to enable the Council to implement the provisions in practice. If the Council does not specify a period of time for the submission of EOI, they may be submitted at any time throughout the financial year and the Council would then be under an ongoing obligation to determine them throughout the year and if any EOI is accepted the Council must then undertake a procurement process for that service. The setting of a specific period of time for the submission of EOI will enable the Council to manage effectively the receipt and determination of EOI and any subsequent procurement activity and to align the community right to challenge provisions with its budget processes.

Title and author(s) of written report:

The Localism Act 2011- Community Right to Challenge - Report of the Executive Director of Commercial and Corporate Services

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Is this a key decision: No

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

None

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Decision Taker: Cabinet

Appropriate Scrutiny Committee:
Scrutiny Committee

Date decision in force:

29/Apr/2013

Date of decision:

17/Apr/2013

Full description of decision:

To :- a) note and consider the outcome of the recent review of the Corporate Parenting Board; and b) agree recommended changes to the membership of the Corporate Parenting Board, as set out in section 5 of the report, and recommend these to Council

Reasons for decision:

The proposed changes to the membership of the Corporate Parenting Board will maximise the contribution of Members from across the City and directly involve members of Scrutiny Committee in the corporate parenting arrangements.

Alternative options considered and rejected:

To reject the options set out in the review or arrangements, and to retain the current membership of the Corporate Parenting Board.

Title and author(s) of written report:

Proposed changes to the membership of Sunderland's Corporate Parenting Board - Report of the Executive Director Children's Services

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Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

None

Record of Executive Decisions Published: 19/Apr/2013

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Appropriate Scrutiny Committee:
Scrutiny Committee

Date decision in force:

29/Apr/2013

Date of decision:

17/Apr/2013

Full description of decision:

To approve the grant detailed in the report to the company to facilitate the setting up of its UK Headquarters leading to the creation of 50 new jobs in year 1.

Reasons for decision:

This investment will secure the UK Headquarters facility in Sunderland. As the company establishes itself in the UK market there is also the potential for further inward investment from other businesses that are associated with the company. The technology company will be a major tenant in the Software Centre, which will help promote and attract further tenants.

Alternative options considered and rejected:

Not to support the company could mean that they will continue to serve the growing UK market from their existing base resulting in the potential for new jobs in the City to be lost. Investment from other associated companies would be unlikely and the opportunity for the company to be used as a catalyst for the Software Centre to attract other tenants would be lost.

Title and author(s) of written report:

Request for Financial Assistance - Joint Report of the Deputy Chief Executive, Director of Commercial and Corporate Services

Contact Officer:

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Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: Yes

Declarations of Interest and Dispensations:

None

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Appropriate Scrutiny Committee:
Scrutiny Committee

Date decision in force:

29/Apr/2013

Date of decision:

17/Apr/2013

Full description of decision:

To authorise the Council's representative Members of the Tyne and Wear Development Company to require a general meeting to be convened to consider liquidation of the Company. To authorise the Executive Director of Commercial and Corporate Services to take the further steps and actions necessary to place the company, and its subsidiaries into solvent liquidation. To authorise the Executive Director of Commercial and Corporate Services to take all necessary steps to withdraw from the Tyne and Wear Economic Development Joint Committee following liquidation of the Company and its subsidiaries.

Reasons for decision:

Since the Company was established in 1986, the economic development landscape has changed significantly. The responsibilities intended to be fulfilled by the Company are now managed through alternative arrangements.

Alternative options considered and rejected:

That the Company and Joint Committee arrangements remain in place. This option would result in inefficiencies through continuing duplication.

Title and author(s) of written report:

Tyne and Wear Development Company Ltd, Tyne and Wear Development (Land) Company Ltd, Tyne and Wear Development (Investment) Company Ltd, Tyne and Wear Development (Property) Company Ltd and Tyne and Wear Economic Development Joint Committee - Joint report of the Chief Executive and the Executive Director of Commercial and Corporate Services

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Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: Yes

Declarations of Interest and Dispensations:

None