

Minutes

Sunderland City Council

At a meeting of SUNDERLAND CITY COUNCIL held in the COUNCIL CHAMBER, CITY HALL on WEDNESDAY 14 JUNE 2023 at 4.00pm

Present: The Mayor (Councillor D Trueman) in the Chair
The Deputy Mayor (Councillor A Chisnall)

Councillors	Ali	Fagan	Leonard	Smith, G
	Ayre	Fletcher	Mason-Gage	Smith, P
	Blackburn	Foster	McDonough	Snowdon, D
	Bond	Gibson	McKeith	Snowdon, D E
	Burnicle	Graham-King	Miller, F	Stewart
	Burrell	Guy	Miller, G	Thornton
	Butler	Haque	Morrissey	Trueman, H
	Chapman	Hartnack	Mullen	Tye
	Chequer	Haswell	Nicholson	Usher
	Crosby	Hodson	O'Brien	Vera
	Curtis	Hunter	Peacock	Walker, M
	Dixon	Johnston, K	Price	Walton
	Dodds	Johnston, S	Reed	Williams
	Donaghy	Jones	Rowntree	Wilson
	Dunn	Laverick	Scott	Wood
	Edgeworth	Laws	Smith, A	

Also Present: -

Honorary Aldermen: - M Greenfield and R D Tate.

The notice convening the meeting was read.

Apologies

Apologies for absence were submitted to the meeting on behalf of Councillors Heron, Herron, Mordey, Potts, Samuels, Speding, P Walker, Warne and Watson together with Honorary Alderman Forbes

Minutes

- 5. RESOLVED that** the minutes of the Annual Meeting of the Council held on 17 May 2023 be confirmed and signed as a correct record.

Declarations of Interest

Councillors G Miller and Rowntree and Patrick Melia, Chief Executive	Item 6(iii) – Notice of Motion – Lease of Site of the Seaburn Inn	Board Members of Siglion LLP and left the Chamber during consideration of the Motion.
Councillor Tye	Item 9 – Written Questions by Members of the Council	Present at recent concerts at the Stadium of Light in a voluntary capacity.
Councillor Walton	Item 12 – Action Taken on Petitions	Resident of a street which is the subject of a petition.

Announcements

Better Health at Work Award

Councillor Chequer informed the meeting that the Council had been awarded the Maintaining Excellence level of the region's Better Health at Work Award.

The Council workforce landscape had changed greatly over recent years and the Council employed over 2,600 people in many different workplaces such as City Hall, the Port and in home and community-based workplaces. This was a diverse workplace and the Council could not have a one size fits all approach to employee engagement, meeting wellbeing needs and a living vision of a happy healthy and safe workplace.

Councillor Stewart highlighted that the award recognised the efforts and achievements of the Council in being receptive to the change and adaptations needed as it took great strides forward to deliver a strong health and wellbeing offer to the diverse employee demographic. He was delighted that through the considered effort of cross departmental collaboration, Sunderland City Council had continued to sustain the top level of the Better Health at Work Award.

Cllr Chequer was proud to present the award and certificate confirming the fantastic achievement.

Outstanding Motions from the last ordinary meeting of the Council

(i) School Streets

Councillor Reed, duly seconded by Councillor Dixon moved the following motion: -

“This Council recognises the horrendous parking problems that can arise around schools at the start and end of the teaching day and expresses its support for a "school streets" approach which would limit access to the streets in which schools are located to residents and emergency vehicles at such times.”

Councillor Williams, duly seconded by Councillor A Smith, moved the following amendment: -

After "approach" delete "which would" and add "as an option that"

Add new paragraphs as follows:

"This council therefore welcomes the recent pilot initiative introduced to assess the feasibility of such "schools streets" as part of Sunderland Labour's manifesto commitments to residents of the City.

This council therefore requests that once the learning derived from the pilot scheme is assessed that a report be presented to cabinet on parking options around schools, inclusive of a programme of future "school street" schemes where they are supported by local residents."

So that the amended motion would read: -

"This Council recognises the horrendous parking problems that can arise around schools at the start and end of the teaching day and expresses its support for a "school streets" approach as an option that would limit access to the streets in which schools are located to residents and emergency vehicles at such times.

This council therefore welcomes the recent pilot initiative introduced to assess the feasibility of such "schools streets" as part of Sunderland Labour's manifesto commitments to residents of the City.

This council therefore requests that once the learning derived from the pilot scheme is assessed that a report be presented to cabinet on parking options around schools, inclusive of a programme of future "school street" schemes where they are supported by local residents."

Upon being moved the amendment was declared to be carried unanimously.

The Mayor read the new Substantive Motion.

The Mayor then put the new substantive motion to the meeting and accordingly it was: -

6. RESOLVED that: -

This Council recognises the horrendous parking problems that can arise around schools at the start and end of the teaching day and expresses its support for a "school streets" approach as an option that would limit access to the streets in which schools are located to residents and emergency vehicles at such times.

This council therefore welcomes the recent pilot initiative introduced to assess the feasibility of such "schools streets" as part of Sunderland Labour's manifesto commitments to residents of the City.

This council therefore requests that once the learning derived from the pilot scheme is assessed that a report be presented to cabinet on parking options around schools, inclusive of a programme of future “school street” schemes where they are supported by local residents.

(ii) North East Devolution Deal

Councillor Edgeworth, duly seconded by Councillor Fagan, moved the following motion: -

“This Council believes that any future directly elected mayor and North East Mayoral Combined Authority should be headquartered in Sunderland.”

Upon being put the Motion was declared to be carried unanimously and accordingly it was: -

7. RESOLVED that: -

This Council believes that any future directly elected mayor and North East Mayoral Combined Authority should be headquartered in Sunderland.

(iii) Lease over Site of the Seaburn Inn

Councillor Mullen, duly seconded by Councillor Hartnack, moved the following motion: -

“In 2021 Siglion Developments LLP granted a lease over the site of the Seaburn Inn to Inn Collection (Seaburn) Limited for a term of 999 years. The premium paid by Inn Collection (Seaburn) Limited was £1,000.

The duty under s.123 of the Local Government Act 1972 to obtain ‘best value’ only applies to local authorities, meaning Siglion is only required to meet a minimum land receipt requirement which formed part of the option agreement made between the Council and Siglion in 2014.

Council therefore:

- Expresses regret that a prime parcel of land formerly owned by the Council was disposed of for £1,000.
- Takes note of the relationships between the Council and the private sector organisations involved in disposing of the land.
- Resolves to commission an independent review of all disposals made under the 2014 option agreement where the sum paid for a freehold or long leasehold interest in land was less than £100,000. Terms of reference will include the extent to which the assumptions made by valuers instructed by the Council were realistic, and whether sufficient efforts were made to obtain ‘best value’.”

Upon being put to the vote the Motion was defeated with 23 Members voting in favour and 34 Members voting against. *

* The record of votes cast by individual Members will be circulated on a supplementary document

Reception of Petitions

8. **RESOLVED that** the petitions listed below submitted by the Councillors named be received and referred to the appropriate Chief Officer for consideration in accordance with the Council's Petitions Scheme: -

Councillor Hartnack – Petition objecting to the planning proposal to change the Halfway House Public House into an HMO.

Councillor Dunn – Petition objecting to planning permission being granted for an HMO at 24 Humbledon Park, Barnes ward.

Councillor Tye – Petition requesting the resurfacing of Harperley Drive and Dipton Gardens.

Councillor Wood – Petition to save glass blowing in the historic St Peter's ward.

Councillor Walton – Petition requesting that Alston Crescent be included on the list of priority gritting routes.

Written Questions by Members of the Public under Rule 10

Pursuant to Rule 10 of the Council Rules of Procedure, the Leader and Members of the Cabinet were asked questions which had been submitted by members of the public.

Written Questions by Members of the Council under Rule 11

Pursuant to Rule 11 of the Council Rules of Procedure, the Leader and Members of the Cabinet were asked questions which had been submitted by Members of the Council.

Area Arrangements Annual Report 2022/2023

The Executive Director of Health, Housing and Communities submitted the Area Arrangements Annual Report which summarised the work of the five area committees during 2022/2023.

Councillor Williams, duly seconded by Councillor Price, moved the Area Arrangements Annual Report and accordingly it was: -

9. **RESOLVED that** the achievements and impact of the work of the Area Committees and their supporting Neighbourhood and Community Boards during 2022/2023 as outlined in the Annual Report be received and noted.

Scrutiny Annual Report 2022/2023

The Assistant Director of Law and Governance submitted the Scrutiny Annual Report which summarised the work of the scrutiny committees during 2022/2023.

Councillor Mason-Gage, duly seconded by Councillor Dodds, moved the Scrutiny Annual Report and accordingly it was: -

10. **RESOLVED** that the report on the operation of the scrutiny function for 2022/2023 be received and noted.

Action Taken on Petitions

The Council received and noted the report below which detailed the action taken in relation to the following petitions which had been presented to the Council.

(i) **Reopen The Pallion Shipyard**

At the meeting on 16 November 2022, former Councillor Bewick presented a petition with 387 signatures. The statement on the petition sheet was as follows: -

“We therefore call upon Sunderland City Council to use of the Council’s Compulsory Purchase Order (“CPO”) powers pursuant to section 226 (1) of the Town and Country Planning Act 1990 (“the 1990 Act”) to facilitate the development of the Pallion shipyard and associated area into a Marine Engineering Centre of Excellence creating up to 3 thousand jobs within 5 years within the Northeast and Sunderland.”

Council Officers had considered the petition and advised that the Pallion Shipbuilding Yard closed to commercial shipbuilding in December 1988 and no shipbuilding activity had taken place at this facility since that time. It was considered that without sight of a business plan detailing confirmation (or otherwise) of potential support by the site owner for the proposals and confirming the feasibility of the proposals in both economic and environmental terms, a Compulsory Purchase Order would not realistically facilitate the successful development of the Pallion Shipyard site for maritime related investment.

Any future plans for the Pallion shipyard site, which was privately owned, would presumably be subject to the site owner’s own internal investment appraisals and the commercial appetite of such an investment for potential users of the facility. The City Council had repeatedly requested sight of a business plan (from various groups and organisations) however this had not been forthcoming.

Therefore, the petition was declined on the basis set out above.

The Ward Councillors and Lead petitioner had been advised of the outcome.

(ii) Petition – Princes Avenue

Request to consider alternative measures instead of road closures.

Councillor Hartnack had presented a petition with 118 signatures at the Council meeting on 23 March 2022. The statement on the petition sheet was as follows: -

“We the undersigned object to any changes to surrounding roads, mainly Princes Ave/Douglas Road in the interest of safety for all residents without full consideration.

We are concerned the impact this will cause on the surrounding streets and want alternative measures to be explored instead of road closures”.

Council Officers had considered the petition.

As part of the Section 106 planning agreement with the Avant Homes Lowry Park development, funding was allocated to the Council to investigate and develop a scheme on Princes Avenue.

Reports and requests were also made to the Council in relation to “rat-running” and speeding along Princes Avenue and a scheme was designed to remove or at least reduce the majority of the reported issues. The proposed scheme consisted of closing the existing junction at Seaburn Terrace/Sea Lane with Princes Avenue. In addition, part of the junction modifications consisted of collapsible bollards and dropped kerbs to allow the junction to be opened for periods during events on the Seafront.

An initial public engagement had been carried out between 24 January and 25 February 2022 in respect of Princes Avenue and the nearby surrounding streets. Residents were asked to submit any comments by email or telephone.

Results from the consultation showed that from the 198 properties engaged with, 21 properties were in favour of the scheme going ahead and 39 properties were against the scheme. However, when taking into account the votes for Princes Avenue only, 14 properties were in support of the scheme and three properties were against the scheme. Considering the overall vote and lack of support from other nearby streets it was decided that this particular scheme would not be progressed.

Therefore, Officers have produced a new proposal consisting of three new sets of speed cushions on Princes Avenue. A new public engagement process was carried out for the new proposals between 27 July and 19 August 2022. Although some residents still raised concerns regarding these proposals, there was much less resistance to the scheme, with the majority of residents engaged with, specifically those on Princes Avenue, in favour of the scheme going ahead. Following discussions with local Ward Councillors, an update letter was sent out to the same residents informing them that the Council plans to proceed with the proposed traffic calming on Princes Avenue.

Officers were now working with the legal team to progress through statutory consultation with the traffic calming notice. Statutory consultation ended on 20 February 2023 with no objections received. Officers were now working with contractors to have the works installed at the earliest opportunity.

As the traffic calming scheme as detailed above was in progress, the petition was declined.

The Ward Councillors and Lead petitioner had been advised of the outcome.

(iii) Petition – Holiday Inn, Ayton, Washington

Councillor Hartnack presented a petition at the Council meeting on 22 March 2023 and Council Officers had considered the petition.

The Council does not currently use the Holiday Inn for homeless referrals. During the Covid Pandemic, the Council used the Holiday Inn to meet the needs of local people experiencing homelessness. This was in response to specific guidance issued by Government under their “Everyone In” campaign. Once the Covid Pandemic eased and the Government guidance changed, the Council stopped use of the Holiday Inn by its Housing Options Team for homeless clients.

The Holiday Inn has been used by the Council as emergency response to wider issues such as responding to the accommodation needs of Ukrainian families.

The petition outlined an increase in anti-social behaviour in the area and these issues would need to be reported to the Police so that they could be fully investigated. As the Council do not refer homeless clients into the Holiday Inn these issues cannot be attributed to Sunderland Council’s homeless clients.

There are occasions when some other local authorities place their homeless clients in the Holiday Inn and they inform the Council when this happens with a Section 208 Notice. Gateshead Council had been referenced in the petition with regards to a recent incident and the Council have raised the process of risk assessments with Gateshead Council and the provision of a detailed Section 208. In addition, the Council did facilitate a meeting with a local resident with Gateshead Council to discuss concerns.

As a Council we have also raised the issue of out of area placements with the Regional Local Authority Group to ensure when this does happen appropriate risk assessments are undertaken.

(iv) Petition – Cole Kitchen

Councillor Lynn Vera presented a petition at the Council meeting on 25 January 2023 calling on Sunderland City Council to support the application for a hot food takeaway at Cole Kitchen, Side House, Saint George’s Terrace, Roker, Sunderland, SR6 9LX.

The petition was signed by approximately 4726 persons from addresses throughout Sunderland and other towns and cities in the region and further afield calling on the City Council to support the application for a hot food takeaway at Cole Kitchen, Side House, Saint George's Terrace, Roker.

Council Officers have considered the petition.

A planning application for change of use of Cole Kitchen from a café to a hot food takeaway was validated by the Council as Local Planning Authority on 3rd November 2022. The hot food takeaway use was already occurring at the premises and so planning permission was being sought retrospectively. The planning application reference is 22/01391/FUL.

The planning application was refused by Officers, under delegated powers, for the following reasons:

- 1. The hot food takeaway is located within an electoral Ward (Saint Peters) where the obesity level of year 6 pupils is higher than 21%, consequently it is considered that the use will not support or improve the health and wellbeing of local communities and is therefore contrary to policy VC4 of the Council's Core Strategy and Development Plan and the provisions of the National Planning Policy Framework.*
- 2. The hot food takeaway use has an unacceptable impact on the amenity of the area and the local environment by virtue of the generation of noise, disturbance and odour, contrary to the requirements of policies HS1 and BH1 of the Council's adopted CSDP and the NPPF.*

The refusal of planning permission was confirmed via notice dated 19th December 2022.

To clarify, policy VC4 of the Council's adopted Core Strategy and Development Plan sets out that in order to promote healthier communities, the Council will prevent new hot food takeaways in electoral Wards where the prevalence of obesity is more than 21% for Year 6 pupils and more than 10% for Reception pupils.

In the case of St. Peter's Ward, in which the application site is located, Year 6 obesity rates are above the 21% threshold.

Policies HS1 and BH1 of the CSDP, meanwhile, are concerned with maintaining acceptable standards of amenity, taking into account matters such as noise, disturbance and odour. In this case, Officers were concerned that the proposed use of the premises was causing significant harm to the amenity of neighbouring properties and the locality.

Given the identified conflict with policies VC4, HS1 and BH1 of the CSDP, Officers determined that the planning application should be refused.

As the use of the premises as a hot food takeaway was already taking place, following the refusal of planning permission, the Council's Planning Compliance

team issued an enforcement notice, dated 19th December 2022. The notice required the cessation of the use of the premises as a hot food takeaway by no later than 19th January 2023.

The applicant has since exercised their right to appeal the refusal of planning permission and the issuing of the enforcement notice with the Planning Inspectorate. Appeals were lodged with the Planning Inspectorate on 19th January 2023; however, the Council is, at present, awaiting the Planning Inspectorate's confirmation that the appeal process has formally started.

Given the above, at present there are no live planning applications or planning appeals against which the petition can be considered. The Council as Local Planning Authority has determined the planning application for the hot-food takeaway at the premises and has issued an enforcement notice. Upon being notified that the appeal process has started, Officers will provide the Planning Inspectorate with a copy of the petition, so that the petition can be considered by the Planning Inspectorate as part of the appeal process.

(v) Petition - To support and help Luciano's in relocating and to remain in the area they have become popular with over 3 decades.

An online petition signed by 4,714 customers was submitted to Council by Councillor Antony Mullen on 28th January 2022.

Council Officers had considered the petition from Councillor Antony Mullen presented at full council calling on Sunderland City Council to find an alternative city centre location for Luciano's long-established business.

The Council recognised that Luciano's was a popular restaurant and a place that holds strong memories for lots of people in the city. However, ambitious cities develop and change.

Sunderland's transformation programme will require some businesses to relocate to facilitate new development. The city's new Culture House will be a world-class venue that will inspire, excite and complement the wider retail and leisure offer. The Council acknowledges residents of Sunderland also share the Council's excitement and desire to see this happen through feedback received.

The Council has fully supported Luciano's over the years, particularly seven years ago when Luciano's lease on the building became unsecured. The Council agreed to a significant reduction in rent in recognition that they could not guarantee Luciano's could remain in this location in the long term.

The Council's City Development team assisted Luciano's' management team, initially pulling together lists of available premises in the city centre in both public and private ownership. City Development colleagues have met with the owners on a number of occasions to offer informal assistance and advice.

The Council also granted a further short-term Tenancy at Will to allow Luciano's to continue trading from the premises on High Street West while awaiting bookings for service disconnections in readiness for demolition.

The petition has been declined on the basis that the Council has fully supported Luciano's over the years having provided Luciano's with lists of available premises in the city centre and also having met with the owners on a number of occasions to offer informal assistance and advice.

The Council will continue to offer assistance and advice as required.

10. RESOLVED that the report be received and noted.

Local Government Boundary Commission for England – Electoral Review of Sunderland

The Chief Executive submitted a report updating the Council on the process to be carried out by the Local Government Boundary Commission at stage two of their review, which relates to the development of a new pattern of wards for Sunderland, and potentially new ward names.

The Leader of the Council, duly seconded by the Deputy Leader, moved the report and accordingly it was: -

11. RESOLVED that: -

- (i) the response of the Commission to the initial part of its review, and that the Commission is minded to recommend that 75 Councillors should be elected to the Council in the future be noted; and
- (ii) the approach to the public consultation stage of the Commission's review, and the resource that will be made available to any interested parties who wish to submit a response be noted.

Special Urgency Decisions

The Leader of the Council submitted a quarterly report on executive decisions which had been taken as a matter of special urgency. There had been no such instances since the last report.

12. RESOLVED that the report be received and noted.

Motions on Notice

(i) Happy Birthday NHS

Councillor Chequer, duly seconded by Councillor F Miller, moved the following motion: -

“This Council notes that on the 5th July 1948 an historic moment occurred in British history, a culmination of a bold and pioneering plan by the then Labour Government to make healthcare no longer exclusive to those who could afford it but to make it accessible to everyone. The NHS was born.

However, the new Minister for Health, Aneurin Bevan had to work hard to overcome opposition to the NHS ranging from the BMA through to the Conservative Party then led by Winston Churchill.

In spite of all opposition, the National Health Service came into being as part of a series of reforms which aimed to use money from taxes to provide support from the cradle to the grave.

In terms of healthcare the NHS brought many changes to Britain’s health system.

These included:

- free medical treatment for all British citizens
- the nationalisation of hospitals under the Ministry of Health and organised into regional health authorities.
- The creation of health centres to provide services like vaccinations, maternity care, district nurses etc
- a better distribution of doctors around the country with GPs (general practitioners), opticians and dentists in every area

This council therefore proposes:

- To continue working with our colleagues in the NHS on how best to celebrate the 75 years that have brought great improvements to the health of our residents, inclusive of encouraging our schools and voluntary groups to actively participate in these celebrations.
- To help put steps in place to arrange for as many buildings, historic monuments and other high-profile sites across the city to ‘light up’ blue on the evening of 5 July.”

Councillor Mullen, duly seconded by Councillor S Johnston moved the following amendment: -

To add a bullet point to the end of the motion which reads: -

Council agrees to celebrate the NHS’ birthday by providing free car parking in Council owned car parks to all community nurses working within the city and by

exploring ways to fund free staff parking for Sunderland Royal Hospital staff at that site.

So that the amended motion would read: -

“This Council notes that on the 5th July 1948 an historic moment occurred in British history, a culmination of a bold and pioneering plan by the then Labour Government to make healthcare no longer exclusive to those who could afford it but to make it accessible to everyone. The NHS was born.

However, the new Minister for Health, Aneurin Bevan had to work hard to overcome opposition to the NHS ranging from the BMA through to the Conservative Party then led by Winston Churchill.

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- To help put steps in place to arrange for as many buildings, historic monuments and other high-profile sites across the city to ‘light up’ blue on the evening of 5 July.
- Council agrees to celebrate the NHS’ birthday by providing free car parking in Council owned car parks to all community nurses working within the city and by exploring ways to fund free staff parking for Sunderland Royal Hospital staff at that site.”

Upon being moved the amendment was declared to be carried unanimously.

The Mayor read the new Substantive Motion.

The Mayor then put the new substantive motion to the meeting and accordingly it was: -

13. RESOLVED that: -

This Council notes that on the 5th July 1948 an historic moment occurred in British history, a culmination of a bold and pioneering plan by the then Labour Government to make healthcare no longer exclusive to those who could afford it but to make it accessible to everyone. The NHS was born.

However, the new Minister for Health, Aneurin Bevan had to work hard to overcome opposition to the NHS ranging from the BMA through to the Conservative Party then led by Winston Churchill.

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- To help put steps in place to arrange for as many buildings, historic monuments and other high-profile sites across the city to 'light up' blue on the evening of 5 July.
- Council agrees to celebrate the NHS' birthday by providing free car parking in Council owned car parks to all community nurses working within the city and by exploring ways to fund free staff parking for Sunderland Royal Hospital staff at that site.

The meeting adjourned at this point, having reached three hours' duration.

(Signed) D TRUEMAN
Mayor