

**Record of  
Executive  
Decisions  
published  
17/May/2016**



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17 May 2016



## **Record of Executive Decisions Published: 17/May/2016**

**Decision Taker:**  
Cabinet

**Appropriate Scrutiny Committee:**  
Scrutiny Committee

**Date decision in force:**  
25 May 2016

**Date of decision:**  
16 May 2016

**Full description of decision:**  
To:-

- 1) Approve the revised Local Development Scheme (LDS) as attached to the report with an amendment to the LDS timetable for the Action Area Plan for the International Advanced Manufacturing Park site (adding an extra month) to allow for further consideration of recent stakeholder feedback and the Growth Options Consultation in June. The timetable revisions to be incorporated into the LDS are:

Publication August 2016  
Submission January 2017  
Examination April 2017  
Adoption September 2017

- 2) Resolve that the revised LDS shall have effect from 24 May 2016;
- 3) Agree to the revised LDS being placed on the Council's website;
- 4) Agree to a copy of the LDS being forwarded to Department of Communities and Local Government.

### **Reasons for decision:**

The decision is required to ensure that the legislation governing the preparation of the timetable for the City's statutory development plan is satisfied.

### **Alternative options considered and rejected:**

It is a statutory requirement that the Council prepares and updates its LDS. The alternative option of not updating and publicising the LDS as set out in this report cannot be recommended.

### **Title and author(s) of written report:**

Sunderland Local Plan: Approval Of Revised Local Development Scheme (LDS) – Report of the Executive Director of Commercial Development

**Contact Officer:** Iain Fairlamb  
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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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**Decision Taker:**  
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Scrutiny Committee

**Date decision in force:**  
16 May 2016

**Date of decision:**  
16 May 2016

### **Full description of decision:**

Having considered the contents of all of the reports, the responses to the public consultation, the views of Council Members and the progress made with Government on the outstanding issues raised at the Cabinet meeting in March 2016, it was agreed that:-

- (i) the proposals set out in the Devolution Agreement be supported and the making of an Order creating a Mayoral Combined Authority for the North East be agreed.
- (ii) the Leader of the Council, as the Council's representative on NECA's Leadership Board, and the Chief Executive should take all steps required to facilitate the creation of a Mayoral Combined Authority for the North East (which includes authority for the Chief Executive, in consultation with the Leader, to consent to the enabling Order).
- (iii) before Cabinet could agree to devolution of powers and the laying of a second Order setting out the functions of the Mayoral Combined Authority, it be noted that Cabinet would have to be satisfied that the content of the Order was sufficient to deliver the Devolution Agreement and that it did not disadvantage the City and its residents.
- (iv) the resolutions made are urgent for the purpose of Paragraph 18(j) of the Overview and Scrutiny Procedure Rules regarding "call-in".

### **Reasons for decision:**

The NECA Devolution Agreement is expressed as being "conditional on the legislative process, the Spending Review, further public consultation, agreement by the Constituent Authorities, and the formal endorsement by the Leadership Board and Ministers."

In relation to Recommendation 1, within the Constituent Authorities, the decision as to whether or not the NECA should become a Mayoral Combined Authority is an executive function.

In relation to Recommendation 2, the Leadership Board of the North East Combined Authority (NECA) will consider a report on the Devolution Agreement and proposal for an elected regional mayor at its meeting on 17<sup>th</sup> May 2016, and it is in the Council's interests that Cabinet's views be taken into account. In addition, full Council has been consulted upon the devolution proposals and the views expressed by Council Members are included in Appendix 3 to this report.

**Alternative options considered and rejected:**

The alternative option is not to consider the proposals. However, the Leadership Board will be considering a report on 17<sup>th</sup> May 2016 and it will be contrary to the Council's interests for the Board not to be apprised of Cabinet's views.

**Title and author(s) of written report:**

North East Combined Authority – Proposed Devolution Agreement and Elected Regional Mayor – Report of the 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: 17/May/2016**

**Decision Taker:**  
Cabinet

**Appropriate Scrutiny Committee:**  
Scrutiny Committee

**Date decision in force:**  
25 May 2016

**Date of decision:**  
16 May 2016

### **Full description of decision:**

Having considered the outcomes of the consultation, to:-

- (i) introduce a funding contribution of £651 towards the costs of travel from home to school/college for post -16 learners with special educational needs and disabilities where appropriate from September 2016,
- (ii) having a zero cost exemption to the funding contribution for low income families who meet specified criteria and foster carers, and
- (iii) agree to continue with the provision of free transport for those post 18 learners to whom the provision of transport to college/further education would fall under the Care Act 2014 until internal processes have been put in place to carry out the assessments required under legislation to introduce a contribution charge.

### **Reasons for decision:**

Legally the Council is not required to meet the full cost of home to school/college/training provider transport for all post 16 learners with special educational needs and disabilities, but historically has done so. Along with all Council Services, the service is being reviewed in order to identify the most cost effective delivery approach. It is considered that a post 16 contributory charging scheme, of £651 for the academic year 2016/2017 would assist in enabling a cost effective service, whilst satisfying the Council's duty to ensure learners with special educational needs and disabilities are not put at a disadvantage in accessing education/training.

### **Alternative options considered and rejected:**

1. Take no action in relation to home to school/college/training provider transport for post 16 learners with SEND and continue to provide the transport with the full cost being paid for by the Council. It is recommended this option is rejected given that it is discretionary, and the current requirement to ensure the most cost effective method of service delivery.
2. Offer no assistance with home to school/college/training provider transport for post 16 learners with SEND. It is recommended this option is rejected due to the potential of legal challenges that could be brought about if post 16 learners with SEND were put at a disadvantage when seeking to access education/training.
3. Introduce a contributory charge of an amount less than £651 for the academic year 2016/2017. It is recommended this option is rejected as savings needs to be made by the Council, legislation allows the Council to seek a contribution from families and learners and as the cost of transport currently is within the range of £1,544 to £11,692, the contribution charge of £651 is a reasonable proportion of the actual transport costs.

4. Introduce a contributory charge of an amount more than £651 for the academic year 2016/2017. It is recommended this option is rejected because of the affordability arguments raised by a number of respondents to the consultation.
5. Introduce a contributory charge for those low income families meeting specified criteria. It is recommended this option is rejected to ensure that those Post 16 learners who come from families with low income are not disadvantaged and still have an opportunity to access education.
6. Require foster carers to pay the contributory charge of £651 for the academic year 2016/2017. It is recommended this option is rejected because the Council is the 'Parent' of those children, not the foster carer, and if a charge was introduced this might dissuade more from becoming foster carers.

**Title and author(s) of written report:**

Home to School Transport Review: outcomes from the consultation process in relation to post- 16 transport for pupils with special educational needs and disabilities – Report of the Interim Director of 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

