

**Record of
Executive
Decisions
published
12/Oct/2023**



Elaine Waugh
Assistant Director of Law and Governance

City Hall
Sunderland

12 October 2023

Record of Executive Decisions Published: 12/Oct/2023

Decision Taker:
Cabinet

Appropriate Scrutiny Committee:
Economic Prosperity Scrutiny
Committee

Date decision in force:
20 October 2023

Date of decision:
12 October 2023

Title and author(s) of written report:
Response from Economic Prosperity Scrutiny Committee Feed and Food Law
Service Plan 2023/2026 – Report of the Assistant Director of Law and
Governance

Full description of decision:
To consider the comments of the Economic Prosperity Scrutiny Committee.

Reasons for decision:
To comply with the statutory requirements.

Alternative options considered and rejected:
No alternative options are proposed.

Contact Officer: Elaine Waugh

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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: 12/Oct/2023

Decision Taker:
Cabinet

Appropriate Scrutiny Committee:
Scrutiny Co-ordinating Committee

Date decision in force:
12 October 2023

Date of decision:
12 October 2023

Title and author(s) of written report:
Performance Report – Quarter 1 of 2023/2024 - Report of the Chief Executive

Full description of decision:
To note the performance information in relation to Quarter 5 performance of 2023/23.

Reasons for decision:
To ensure Cabinet is informed of the current performance position for the Council against the City Plan.

Alternative options considered and rejected:
There are no alternative options recommended.

Contact Officer: Beverley Poulter

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Is this a key decision: No

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations: None

Record of Executive Decisions Published: 12/Oct/2023

Decision Taker:
Cabinet

Appropriate Scrutiny Committee:
Scrutiny Co-ordinating Committee

Date decision in force:
20 October 2023

Date of decision:
12 October 2023

Title and author(s) of written report:

Capital Programme Second Review (including Treasury Management)
2023/2024 – Report of the Director of Finance

Full description of decision:

To:

- In respect of the second capital review for 2023/2024 to approve the inclusion of additional schemes or variations to existing schemes for 2023/2024 detailed at Appendix A;
- Note the increased cost pressures on the Capital Programme as detailed in paragraph 4.3 of the report; and
- In relation to the Treasury Management Strategy, Cabinet is asked to note the increase in borrowing interest rates, progress in implementing the 2023/2024 Treasury Management Strategy and Prudential Indicators.

Reasons for decision:

As included in the Council's constitution, Cabinet is required to exercise control over capital spend and resources and receives quarterly reports to support this. This report notes the inclusion of additional capital schemes since approval by Cabinet on 13th July 2023.

Cabinet is also requested to note the progress in implementing the Treasury Management Strategy for 2023/2024, which is in line with the approved Treasury Management Policies.

Alternative options considered and rejected:

No alternative options were proposed.

Contact Officer: Paul Wilson

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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: 12/Oct/2023

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Scrutiny Co-ordinating Committee

Date decision in force:

20 October 2023

Date of decision:

12 October 2023

Title and author(s) of written report:

Second Review Budget Review 2023/2024 – Report of the Director of Finance

Full description of decision:

To:

- Note the contents of the report; and
- Approve the contingency transfers proposed at Section 3.4.

Reasons for decision:

To respond to variations in expenditure and income which have arisen in 2023/2024 and enable effective budgetary control to be exercised.

Alternative options considered and rejected:

No alternative options are proposed.

Contact Officer: Paul Wilson

Email: paul-s.wilson@sunderland.gov.uk

Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

Record of Executive Decisions Published: 12/Oct/2023

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Scrutiny Co-ordinating Committee

Date decision in force:

20 October 2023

Date of decision:

12 October 2023

Title and author(s) of written report:

Budget Planning Framework and Medium Term Financial Plan (MTFP)

2024/2025 – 2027/2028 – Report of the Director of Finance

Full description of decision:

To:

- note the summary MTFP set out at section 3 of the report and note that the full MTFP 2024/2025 to 2027/2028 will be presented to Cabinet in February 2024;
- approve the proposed Budget Planning Framework set out at section 4 of the report which will guide the preparation of the Revenue Budget for 2024/2025;
- approve the consultation / communication strategy for the budget 2024/2025 as set out at section 6 of the report; and
- Recommend to Council approval of the Capital Strategy.

Reasons for decision:

- Adoption of the Budget Planning Framework forms an essential part of the process of the preparation and compilation of the Revenue Budget for 2024/2025; and
- To enable constitutional requirements relating to the development of the Revenue Budget to be met.

Alternative options considered and rejected:

No alternative options are proposed.

Contact Officer: Paul Wilson

Email: paul-s.wilson@sunderland.gov.uk

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: 12/Oct/2023

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Health and Wellbeing Scrutiny
Committee

Date decision in force:

12 October 2023

Date of decision:

12 October 2023

Title and author(s) of written report:

Annual Health and Safety Report 2022/2023 – Report of the Director of Finance

Full description of decision:

To note the content of the Annual Health and Safety Report 2022/2023

Reasons for decision:

A summary health and safety report is produced for Cabinet every year to provide an overview of the management of health and safety at work within the Council.

The provision of an annual report is a key measure in reviewing the management of health and safety at work within the Council and the Council's compliance with its legal obligations in relation to health and safety at work.

Alternative options considered and rejected:

There were no alternative options recommended.

Contact Officer: Paul Wilson

Email: paul-s.wilson@sunderland.gov.uk

Is this a key decision:

No

Does the Decision contain Confidential/Exempt Information:

No

Declarations of Interest and Dispensations:

None

Record of Executive Decisions Published: 12/Oct/2023

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Health and Wellbeing Scrutiny
Committee

Date decision in force:

20 October 2023

Date of decision:

12 October 2023

Title and author(s) of written report:

2023-2025 Better Care Fund Section 75 Agreement – Report of the Executive Director of Health, Housing and Communities

Full description of decision:

To authorise:

(a) the entering of an agreement by the Council in accordance with Section 75 of the National Health Act 2006 (a Section 75 agreement) on terms agreed by the Executive Director of Health, Housing & Communities, in consultation with the Portfolio Holder for Health and Social Care, Director of Finance, the Director of Adult Services, the Assistant Director of Law and Governance and the Assistant Director of Integrated Commissioning which:

(i) makes provision for the exercise of functions, duties, budgets and governance arrangements that effectively meets the conditions of the 2023/2024 - 2024/2025 BCF; and ensures that the BCF Section 75 agreement is fit-for-purpose in encompassing wider integrated health and care provisions, in order to support the effective implementation of place-based collaborative working arrangements in-line with the government's integration White Paper 'Joining up care for people, places and populations'. It is proposed that this will cover the agreed functions, duties, budgets and governance arrangements needed to secure effective integrated health and care provision in Sunderland.

(b) the Executive Director of Health, Housing & Communities, in consultation with the Portfolio Holder for Health and Social Care, to take such steps as are considered necessary to secure the completion of the Section 75 agreement in-line with national timescales of 31 October 2023.

Reasons for decision:

The Better Care Fund (BCF) programme is a key enabler of health and care integration. There was an expectation that nationally approved BCF plans would be supported by a Section 75 agreement by 31 October 2023. Failure to agree plans and/or the associated Section 75 agreement, may result in the withholding of grant funding to deliver critical health and care services. This would have a significant impact on the local investment available to meet key areas of need, which would in turn impact on access, quality and outcomes of local health and care provision.

In addition, without agreement of a robust section 75 arrangement, the Council would not have the legal mechanisms to enter into lead commissioning arrangements on behalf of the ICB. This would therefore leave the Council exposed across areas of integrated care that rely on this instrument to be permissible under law.

Aside from the financial and legal risks outlined above, the decision supports improvements in health and care provision that align to the strategic ambitions of the Council under the City Plan, Healthy City Plan and Living and Ageing Well Strategy for adult social care. This includes:

- improved patient and population health and care outcomes.
- better use of scarce system resource to deliver improved cost effectiveness, increased efficiencies and economies of scale.
- Creating shared approaches to risk management to support continuity of care and system resilience.
- Creating new opportunities to leverage the benefits of collective capacity to deliver innovation, improved market confidence and coordinated sustainable development activities, including community wealth building.

Alternative options considered and rejected:

Potential alternative options include not entering into a Section 75 agreement with the ICB. For elements related to the BCF, this option would result in a failure to meet national conditions, which may lead to a reduction or withdrawal of Integrated BCF (IBCF) and Disabled Facilities Grant (DFG) funding.

This funding is critical to health and care delivery, including the ability of the Council to fulfil its obligations under the Care Act 2014. More widely, without a Section 75 agreement, there would be no mechanism to support the pooling of budgets and effective place-based collaborative working arrangements, resulting in a reduced ability of partners to achieve the benefits outlined in section 5.3 of the report, and may impact on the deliverability of strategic objectives within the Healthy City Plan and Integrated Care Strategy.

Contact Officer: Lisa Jones

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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: 12/Oct/2023

Decision Taker:
Cabinet

Appropriate Scrutiny Committee:
Economic Prosperity Scrutiny
Committee

Date decision in force:
20 October 2023

Date of decision:
12 October 2023

Title and author(s) of written report:
Local Wildlife Sites – Report of the Executive Director of City Development

Full description of decision:
To approve and adopt the revised Local Wildlife site boundaries and designations as set out in Appendix 1 of the report.

Reasons for decision:
To establish revised Local Wildlife Site boundaries in accordance with the requirements of the Natural Environment and Rural Communities (NERC) Act 2006. Adopting the revised boundaries will also support the preparation of the South of Tyne and Wear Local Nature Recovery Strategy (LNRS).

Alternative options considered and rejected:
Consideration was given to not adopting the proposed boundary changes, however, this would not reflect changes to habitats which have taken place since the boundaries were originally established and would not ensure that new areas with qualifying features are designated in accordance with regional guidance. It would also make it more difficult to prepare the South of Tyne and Wear LNRS, as it would not be based upon the most up-to-date baseline position of priority habitats.

Contact Officer: Gary Baker

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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:

Cabinet

Appropriate Scrutiny Committee:

Economic Prosperity Scrutiny
Committee

Date decision in force:

20 October 2023

Date of decision:

12 October 2023

Title and author(s) of written report:

Winter Service Policy – Report of the Director of Environmental Services

Full description of decision:

To:

- i) Approve and adopt the Winter Service Policy 2023/24; and
- ii) Approve the publication of the Winter Service Policy 2023/24 on the Council's Website

Reasons for decision:

Under the Highways Act 1980, Railways and Transport Safety Act 2003 and the Traffic Management Act 2004 there is a requirement for the Council, as Local Highway Authority, to introduce systems to ensure the safe and expeditious movement of traffic by ensuring, so far as is reasonably practical, safe passage along the highway without danger from snow or ice, the proposed Winter Service Policy ensures that clear and appropriate arrangements are in place to meet the required legal duties.

Alternative options considered and rejected:

That the Council does not adopt a Winter Service Policy - this option was considered and rejected as without a Winter Service Policy the Council would fail to meet its legal duties as it would not have structured plans or management arrangement in place.

Contact Officer: Marc Morley

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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: 12/Oct/2023

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Children, Education and Skills
Scrutiny Committee

Date decision in force:

20 October 2023

Date of decision:

12 October 2023

Title and author(s) of written report:

Purchase of a residential property for the provision of residential short breaks
– Report of the Director of Finance.

Full description of decision:

As set out in the Cabinet Report.

Reasons for decision:

As set out in the Cabinet Report

Alternative options considered and rejected:

As set out in the Cabinet Report.

Contact Officer: Kevin Brown

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Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: Yes

Declarations of Interest and Dispensations:

Councillor Chequer declared an interest as a Board Member of Grace House.