

CABINET MEETING – 9 OCTOBER 2013

EXECUTIVE SUMMARY SHEET – PART I

Title of Report:

MINUTES, PART I

Author(s):

Head of Law and Governance

Purpose of Report:

Presents the minutes of the last meeting held on 4 September 2013 Part I.

Action Required:

To confirm the minutes as a correct record.

**At a meeting of the CABINET held in the COUNCIL CHAMBER
(COMMITTEE ROOM NO. 2) on Wednesday 4 September 2013 at 2.00pm.**

Present:-

Councillor Trueman in the Chair

Councillors Blackburn, Gofton, Kelly, G. Miller, P. Smith and Speding

Also in attendance:-

Councillor Wood

Part I

Variation of Order of Business

The Chairman referred to Item 8 on the Agenda relating to "Future Library Services," and reported that it was proposed to move the item to the beginning of the meeting in view of the public interest in this matter. Consideration having been given to the proposal, it was:-

1. RESOLVED that approval be given to vary the order of business on the agenda to consider the report entitled, "Future Library Services", as the first item.

The Chairman in introducing the report, noted that a number of members of the public in the public gallery wished to video or photograph the proceedings and clarified that no one present in the gallery objected to the footage being taken particularly as there were children present.

Future Library Services

The Executive Director of People Services submitted a report (copy circulated) to advise of the results from the second phase of consultation on future library services, to propose a service model to deliver the new vision for library services which had considered the findings from phase 1 and 2 of the consultation programme and usage patterns and which would release efficiencies and to outline an implementation plan for the introduction of the future library service.

(For copy report – see original minutes).

The Chairman reported that he had been presented with a petition against the proposed decommissioning of the nine libraries detailed in the report. He advised that he had spoken to Mrs. D. Taylor, the Lead Petitioner and agreed that the petition be read out and submitted at the Council meeting to be held on 25 September 2013.

Councillor Kelly then highlighted that the report provided the results from the second phase of consultation on future library services, proposed a service model to deliver the new vision and provided an outline implementation plan for the introduction of the new library service. He summarised that the proposed service model would provide library hubs in each of the five areas of the city, supported by six community libraries and a programme of community outreach activities enabling services to be taken to communities, in particular, those that need the most support to engender reading and learning.

Cabinet Members were advised that the service model would provide a reduced number of library buildings but through the introduction of an enhanced community outreach programme including Community Book Collections, a programme of activities related to books, reading and learning and partnerships with others including Children's Centres, Community Centres and other neighbourhood venues would increase both the means and overall number of locations where library services could be accessed.

Councillor Kelly drew attention to examples of potential community outreach activities, partners, workforce engagement and potential volunteer development. He added that the report also identified the capital investments to be made in ICT to ensure consistency in services across the city including refreshed and updated ICT provision in all library hubs and community libraries, the introduction of e-books and the provision of access to wi-fi services.

The Chairman then addressed the public present. He advised that it was not the practice to allow members of the public to address Cabinet meetings but in view of the nature of the interest in the item he invited them to nominate a spokesperson to address the meeting, in the absence of the Lead Petitioner, if they so wished.

Ms Claire Ferry, a resident of Hendon addressed the Cabinet to advise them of the strong objections to the proposals. She reported that residents in these areas had a variety of ideas to utilise these public buildings. She added that it was not just about the books, but the use of the buildings by children, the elderly, accessing the internet and social interaction, in some of the most deprived areas of the city. She requested that the Cabinet take these issues into consideration in the deliberations.

To illustrate the strength of feeling of the residents, Cabinet Members were advised that there were 3,509 signatures on the petition and this number would have been considerably greater if the petitioners had had the resources to campaign further as they had found that no-one they asked had refused to sign the petition.

In response, Councillor Kelly reported that a number of discussions had been taking place with a number of organisations and volunteer groups in relation to the use of the buildings and it was hoped that a number of the outlets would be able to continue to provide facilities to the area and a library service albeit on a smaller scale.

In relation to the petition itself, Councillor Kelly reported that there had been a number of engagement opportunities during the consultation process. He appreciated the strength of feeling but believed that the vision of the future service would engage more and give more opportunities to more people and distant groups to take advantage of what the service had to offer.

Councillor Smith highlighted that the library building in her Ward had been identified for closure. She reminded everyone present that these proposals had only come about as a result of the Council's funding from Central Government being substantially reduced.

Councillor Miller agreed and added that no-one here had become a Councillor to make such decisions to close facilities but to do what was best for the city. He drew attention to the £100 million budget cut the Council had managed over the three previous years and the further £100 million funding cut being imposed by the Government for the next three years. He reported that this equated to 25% of the total budget for the Council. He advised that not only did the Council have to respond to these budget cuts but it was also essential that the Council review the service due to advances in technology, the internet and social networking. He explained that libraries were not needed in the same way as when he was a child. Alternative uses for the buildings in the communities would be considered.

Councillor Kelly reported that efficiencies of £850,000 had had to be identified in this service area and if it had not been this it could have potentially meant cuts to children's or adult services. He advised that the service was in need of a refresh and he felt assured that the proposals would deliver a better service, more far reaching into the communities and that residents would start to see the difference within twelve months.

Consideration having been given to the report, petition and representations made at the meeting, it was:-

2. RESOLVED that:-

- (i) the information about the current service, the financial context and feedback from the recent consultation programme, be noted,
- (ii) the future service model, including the development of library hubs, community libraries and the expansion of the community engagement and outreach programme to take library services into non-traditional community venues be approved, and
- (iii) the implementation plan for the introduction of the new service offer be agreed.

Minutes

The minutes of the meeting of the Cabinet held on 17 July 2013 Part I (copy circulated) were submitted.

(For copy report - see original minutes).

3. RESOLVED that the minutes of the last meeting be confirmed and signed as a correct record.

Receipt of Declarations of Interest

Councillor Blackburn declared an interest in item 9, "Proposed Capital Works at Easington Lane Primary School and Biddick Primary School to respond to demand for Primary School Places," as a school governor of Easington Lane Primary School and indicated that he would withdraw from the meeting during consideration of the report.

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillor P. Watson.

Honorary Freedom of the City

The Chief Executive and Executive Director of Commercial and Corporate Services submitted a joint report (copy circulated) to consider recommending to Council to formally to confer the Honorary Freedom of the City upon Monsieur Joël Batteux OBE, and Mr Niall Quinn MBE.

(For copy report – see original minutes).

The Chairman in highlighting the report reported that both of the proposed recipients have served this city with distinction. He advised that Joël Batteux had been nominated in recognition of his longstanding commitment to the town twinning relationship between Sunderland and Saint-Nazaire throughout his time as Mayor and his significant work with British veterans.

Cabinet Members were advised that the report set out the superb contribution he had made through his many years of engaging in the twinning relationship with Sunderland, and also serving his own region and town council, Saint-Nazaire, where he had been Mayor since 1983. He would be standing down next year, after serving no less than five successive terms as Mayor, and this is also the 60th anniversary of our twinning relationship.

The Chairman reported that it was fitting that the city of Sunderland took time to recognise all the work he had done with us and on our behalf over those years, and not least Joël's significant work with British veterans, not forgetting that his enthusiasm for international cooperation developed during an early visit to Sunderland as a youngster.

The Chairman then drew attention to Niall Quinn and reminded Cabinet Members not only of his footballing prowess, but also his selfless donation of the proceeds from his testimonial game to charities including the Niall Quinn Centre here in Sunderland. He highlighted Niall's return to the game and to Sunderland in 2006 when, as chairman, his first season resulted in the club's promotion to the Barclays Premier League. He added that it was right that the city recognised Niall's contribution to the club in attracting investment and raising Sunderland AFC's global profile, his work with the SAFC Foundation and our young people, and also his overall contribution as a champion of our city and its people.

Cabinet Members were then advised that the report also proposed that authority was given for the Chief Executive in consultation with the Leader of the Council to agree all appropriate arrangements for the formal ceremony at an extraordinary meeting of the Council to be held on 11th November 2013.

Cabinet Members having commended the proposals, it was:-

4. RESOLVED that it be recommended to Council to:-

- (i) agree to confer, in accordance with the provisions of Section 249 of the Local Government Act 1972, the Honorary Freedom of the City upon Monsieur Joël Batteux OBE, and Mr Niall Quinn MBE, and
- (ii) authorise the Chief Executive in consultation with the Leader of the Council, to agree all appropriate arrangements for the formal ceremony at an extraordinary meeting of the Council to be held on 11th November 2013.

Appointment of Aldermen

The Chief Executive and Executive Director of Commercial and Corporate Services submitted a joint report (copy circulated) to propose arrangements for the Appointment of Honorary Aldermen.

(For copy report – see original minutes).

The Chairman highlighted that the proposal to confer the title of Honorary Alderman would be by a resolution of full Council, and could only be given to former Councillors. He drew attention to the established practice of granting Freedom of the City to distinguished individuals who had contributed to civic life, and to the armed forces, but the Council had not previously had any arrangements in place to formally recognise retired Councillors' service to the Council.

Cabinet Members were advised that in adopting a scheme for the appointment of Honorary Aldermen the Council had an opportunity to honour and celebrate the achievements of past Councillors for their services. It was proposed that the title would be awarded to those former Councillors who had, in the opinion of the Council, rendered eminent services to the Council.

The Chairman reported that the role was not political, but a recognition of the community leadership, public service and sheer hard work that the former Councillor had given to the people and communities across the City. He added that it would not attract any payment or allowance, and the scheme that was proposed would allow ex-Councillors to continue to play a valuable role in civic life. In particular it would allow the Mayor to call upon them to support the work of the Mayoralty, and play a continuing role in the civic life of the city.

Consideration having been given to the report, it was:-

5. RESOLVED that it be recommended to Council to approve the arrangements for the Appointment of Honorary Aldermen for the Council of the City of Sunderland.

Proposed amendments to the Council's Delegation Scheme

The Deputy Chief Executive and the Head of Law and Governance submitted a joint report (copy circulated) to seek approval to amend the Council's Delegation Scheme for the following:

- (a) to authorise the Deputy Chief Executive to exercise the Council's full enforcement powers in respect of trees under Part VIII of the Town and Country Planning Act 1990,

and also:

- (b) to authorise the Regulatory Committee, Deputy Chief Executive and Head of Street Scene to exercise functions under the Scrap Metal Dealers Act 2013.

(For copy report – see original minutes)

Councillor Blackburn highlighted that the report sought two specific amendments to the Delegation Scheme in relation to tree preservation orders and the regulation of scrap metal dealers.

Councillor Blackburn reported that in relation to tree preservation orders approval was sought to authorise the Deputy Chief Executive to exercise the Council's full enforcement powers in respect of trees under Part VIII of the Town and Country Planning Act 1990. He explained that the current delegation scheme authorised enforcement action in respect of breaches of planning, advertisement and listed building control by the Deputy Chief Executive, however such powers do not apply to the revoking or variation of an existing Tree Preservation Order or the serving of tree replacement notices. He added that it was important that the Deputy Chief Executive had the power to serve such notices in the event that they were required in the future.

Turning to the amendments required in relation to the regulation of scrap metal dealers following the introduction of the Scrap Metal Dealers Act 2013, Cabinet Members were advised that the Act revised the regulatory regime for scrap metal dealing and vehicle dismantling. Its aim was to give Councils and Police more powers to refuse and revoke licences held by scrap metal dealers in order to deal with problems associated with the theft of metal. With effect from 1 October 2013 the Council would be required to accept and process applications for licences under this Act.

Councillor Blackburn also drew attention to some new offences created by the Act such as operating as a scrap metal dealer without a licence, failure of a licensee to verify the address of a person selling scrap metal to the dealer and buying scrap metal for cash. He advised that in order that the Council could fulfil these new functions an amendment of the Delegation Scheme would be required so that the Deputy Chief Executive had delegated power to enforce the new legislation.

Cabinet Members were also advised that the Act required that, where councils proposed to refuse an application or revoke a licence, the trader potentially affected was entitled to make oral representations to a person appointed by the relevant council. In this case the Council's Head of Streetscene had been identified for that purpose.

Councillor Blackburn assured Cabinet Members that ultimately, any proposal to refuse or revoke a licence in cases where representations are received would be referred to the Regulatory Committee for their decision and an amendment to the Constitution was proposed to authorise the Committee appropriately.

Cabinet Members having been advised that the Council's Licensing Section within Public Protection and Regulatory Services would be enforcing the new law and officers would be contacting all known scrap metal dealers in the City to advise them of their responsibilities, it was:-

6. RESOLVED that it be recommended to Council to amend the Council's Delegation Scheme in Part 3 of the Constitution as follows:-

Paragraph 2.22 (Deputy Chief Executive) be deleted and substituted as follows:-

“2.22 To authorise the making of Tree Preservation Orders (including any variation or revocation Order) (provided that if any statutory representations or objections are received to any such Orders which the Council is required to consider they shall be reported to the Planning and Highways Committee for consideration) and to exercise the Council's enforcement powers in respect of trees under Part VIII of the Town and Country Planning Act 1990”.

and,

The further amendments set out in the Schedule to this report be made in relation to the exercise of functions under the Scrap Metal Dealers Act 2013.

And that the Head of Street Scene be appointed as the person to whom oral representations are to be made under paragraph 7(8) of Schedule 1 to the Scrap Metal Dealers Act 2013.

Seafront Regeneration (Coastal Communities Fund): Procurement and Appointment of Contractors

The Deputy Chief Executive submitted a report (copy circulated) to seek approval to procure and appoint contractors to deliver the second and third phases of the Coastal Communities funded infrastructure works at Seaburn.

(For copy report – see original minutes)

Councillor Speding reported that earlier this year works began on a comprehensive programme of infrastructure improvements to the seafront at Seaburn, as approved by Cabinet as part of the delivery of the Seaburn Masterplan. He explained that the first phase of works to Seaburn Promenade was nearing completion and had been well received.

Councillor Speding advised that consultation on the next phase had just been completed and initial design work to the third phase had commenced. He added that these next phases would be funded through the Council's successful bid for £2m to the Coastal communities Fund and an approved allocation of just over £1m from the council's capital programme.

Cabinet Members were advised that the phase 2 works would comprise Public Realm improvements, lighting and traffic management measures at Whitburn Road and the phase 3 works would comprise green infrastructure and flood mitigation improvements to the Cut Throat Dene area of Ocean Park.

Councillor Speding reported that the Coastal Communities funding had conditions attached requiring that money for all three phases of work must be spent within a 2 year timescale. He added that given the tight timescales associated with the Project and in order to ensure that the work remained on programme, the project team, with authorisation from the Deputy Chief Executive, in consultation with himself, commenced the procurement process for the Phase 2 of the project on 16 August 2013.

Cabinet Members were advised that the delivery of infrastructure works at Seaburn was key to the ongoing regeneration of Seaburn seafront to provide improved visitor infrastructure and facilitate the future comprehensive redevelopment of Ocean Park in line with the Seaburn Masterplan Supplementary Planning Document and Seafront Regeneration Strategy.

Consideration having been given to the report, it was:-

7. RESOLVED that:-

- (i) the urgent procurement process commenced by the Deputy Chief Executive on 16th August 2013 to procure a contractor to deliver the second phase of infrastructure works at Seaburn, as part of the ongoing Coastal Communities Project ("the Project") be approved;
- (ii) the Deputy Chief Executive, in consultation with the Cabinet Secretary, be authorised to take all necessary steps to appoint a contractor to deliver the second phase of the Project subject to the terms set out in this report; and

- (iii) the Deputy Chief Executive, in consultation with the Cabinet Secretary, be authorised to take all necessary steps to procure and appoint, a contractor to deliver the third phase of the Project in 2014, subject to the terms set out in this report.

Cllr Blackburn left the meeting during the consideration of the following item.

Proposed Capital Works at Easington Lane Primary School and Biddick Primary School to respond to demand for Primary School Places

The Executive Director People Services submitted a report (copy circulated) to seek approval for capital development to create additional primary school places at Easington Lane Primary School and Biddick Primary School.

(For copy report – see original minutes).

Councillor Smith explained that one of her statutory responsibilities as Lead Member for Children's Services was a duty to ensure that there were sufficient school places to meet the needs of the city. She detailed that a variety of methods, including live birth rates, housing development information and GP registration, had been used by officers and as a result they had identified the Coalfields and Washington areas where more school places were needed.

Councillor Smith reported that in order to ensure that the Council could respond to increasing demand it was proposed to carry out capital works at Biddick and Easington Lane Primary Schools and the cost to carry out this work would be £450,000 and £600,000 respectively. She explained that the costs would be paid for by Department for Education Basic Need Funding and Section 106 Developers contributions.

Cabinet Members having been advised that all works were expected to be finished for the start of the new school year in September 2014, it was:-

8. RESOLVED that the capital developments at Easington Lane Primary School and Biddick Primary School be approved in order to ensure sufficiency of primary school places locally for September 2014

Youth Justice Plan 2013/14 to 2015/16

The Executive Director People Services submitted a report (copy circulated) to provide information on the background, purpose and intentions of the Youth Justice Plan for 2013/14 to 2015/16 and to seek approval to refer it to Scrutiny Committee for comment.

(For copy report – see original minutes).

Councillor Smith highlighted that the Youth Justice Plan set out the strategic priorities for the Youth Offending Service in Sunderland, which overall was to prevent offending and re-offending by children and young people. She reported that the Service had identified a number of actions for Sunderland, which were set out within the report and the plan.

Councillor Smith advised that the Youth Offending Service continued to be an outstanding service and the actions and outcomes in this plan would allow them to continue their valued work. She invited Cabinet Members to make comments on the Plan before it was referred to the Scrutiny Committee for advice and consideration.

Councillor Kelly congratulated the Service for its first class work and hoped that it continued to deliver a first rate service.

Consideration having been given to the report, it was:-

9. RESOLVED that:-

- (i) following consultation with various partners, including the Youth Offending Service Board, the Children's Trust, the Safer Sunderland Partnership, managers and practitioners from the Youth Offending Service and officers from the Council's Strategy, Policy and Performance Management, the Youth Justice Plan 2013/14 to 2015/16 be noted and it be referred to Scrutiny Committee for advice and consideration prior to recommending it to Council for approval, and
- (ii) the Portfolio Holder for Children's Services and the Executive Director of People Services be authorised to accept any amendments to the plan being referred to Council for final approval.

The Green Digital Charter

The Executive Director of Commercial and Corporate Services submitted a report (copy circulated) to advise of the relevance of the Green Digital Charter to the agreed priority outcomes for Sunderland, to request approval for the Council to become a signatory to the Green Digital Charter and for the Leader to sign the Charter on behalf of the Council.

(For copy report – see original minutes)

Councillor Speding reminded Cabinet Members that the Green Digital Charter was a EUROCITIES initiative was supported by the European Commission. He reported that the Charter demonstrated that European cities were well-placed to play a key role in finding new and creative solutions for dealing with climate change and it recognised that one of the areas of greatest potential for Carbon savings lay in the field of ICT, by working towards a greener digital world.

Councillor Speding reported that the Council had a long standing commitment to managing its carbon efficiency and recognising the importance of having a Climate Change Action Plan. He drew attention to when Cabinet approved the first Climate Change action plan for Sunderland in November 2008 and added that the signing of this Green Digital Charter was an opportunity for Sunderland to demonstrate further its commitment to managing Climate Change and to work in partnership with other cities on ICT energy efficiency.

Cabinet Members were then advised that the focus for the next generation of European programmes, covering 2014-2020, would include both ICT and low carbon economy as key thematic priorities. Councillor Speding reported that signing of the Charter would :-

- place Sunderland alongside 37 other European cities at the leading edge of ICT and low-carbon developments,
- provide an objective benchmark of the City's credentials in these fields,
- strengthen Sunderland's position when applying for future EU structural funds associated to Low Carbon initiatives and funds from other EU structural and transnational programmes, and
- provide quick access to expertise and knowledge of new funding programmes, as well as a ready-made network of contacts within like-minded cities.

Consideration having been given to the report, it was:-

10. RESOLVED that:-

- (i) the principles of the Green Digital Charter in respect of the city of Sunderland be endorsed, and
- (ii) approval be given to the Council becoming a signatory to the Green Digital Charter and authorise the Leader to sign the Charter on behalf of the Council.

Local Government (Access to Information) (Variation) Order 2006

At the instance of the Chairman it was: -

11. RESOLVED that in accordance with the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during consideration of the remaining business as it was considered to involve a likely disclosure of information relating to any individual, which is likely to reveal the identity of an individual, the financial or business affairs of any particular person (including the authority holding that information) or to consultations or negotiations in connection with labour relations matters arising between the Authority and employees of the Authority (Local Government Act 1972, Schedule 12A, Part I, Paragraphs 1, 2, 3 and 4). The public interest in maintaining this exemption outweighs the public interest in disclosing the information.

(Signed) H. TRUEMAN,
Chairman.

Note:-

The above minutes comprise only those relating to items during which the meeting was open to the public.

Additional minutes in respect of other items are included in Part II.

