

THE CABINET

AGENDA

**Meeting to be held in the Civic Centre (Committee Room No. 1) on
Wednesday, 21 March, 2012 at 1.30 p.m.**

Part I

ITEM	PAGE
1. Minutes of the Meeting of the Cabinet held on 14 March 2012	
(Copy to follow).	
2. Receipt of Declarations of Interest (if any)	
3. Apologies for Absence	

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

The reports contained in Part II of the Agenda are not for publication as the Cabinet is considered likely to exclude the public during consideration thereof as they contain information relating to any individual, which is likely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 1, Paragraphs 1, 2, 3 and 4).

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Information contained in this agenda can be made available in other languages and formats on request.

Part II

4. **Minutes of the Meeting of the Cabinet held on 14 March 2012, Part II**

(Copy to follow).

5.  **Washington Proposed Land Transfer from the Homes and Communities Agency** 1

Joint report of Deputy Chief Executive and Executive Director of City Services (copy herewith).

 **Denotes Key Decision.**

*** Denotes Rule 15 Notice issues – item which is a key decision which is not included in the Forward Plan.**

ELAINE WAUGH
Head of Law and Governance

Civic Centre
SUNDERLAND

13 March 2012

CABINET MEETING – 21 MARCH 2012
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 14 March 2012 Part I.

Action Required:

To confirm the minutes as a correct record.

At a meeting of the CABINET held in the CIVIC CENTRE (COMMITTEE ROOM NO. 1) on Wednesday 14 March 2012 at 2.00 p.m.

Present:-

Councillor P. Watson in the Chair

Councillors Allan, Blackburn, Charlton, Gofton, Kelly, P. Smith, Speding, Trueman and T. Wright.

Also in attendance:-

Councillor Wood.

Part I

Minutes

The minutes of the meeting of the Cabinet held on 15 February 2012 Part I (copy circulated) were submitted.

(For copy report - see original minutes).

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

Receipt of Declarations of Interest

The following Councillors declared personal interests in the under mentioned reports as Members of the various bodies indicated:-

Item 7 - School Admissions Arrangements – September 2013	Councillor Allan	Governor at Hasting Hill Primary, Thorney Close Primary and Sandhill View
	Councillor Blackburn	Governor at Easington Lane Primary, Hetton Lyons Primary and Hetton Lyons Nursery

	Councillor Kelly	Governor at Usworth Grange Primary and Washington School
	Councillor P. Smith	Governor at St Leonard's RC Voluntary Aided Primary and Plains Farm Primary
	Councillor Speding	Governor at Barnwell Primary and Shiney Row Primary
	Councillor Trueman	Governor at Blackfell Primary and Columbia Grange
Item 8 - Museum Services in Sunderland	Councillor Kelly	Tyne and Wear Archives and Museums Joint Committee

Apologies for Absence

There were no apologies for absence.

Reports of the Meetings of the Personnel Committee, Part I

The reports of the meetings of the Personnel Committee held on 23 and 24 February 2012 Part I (copy circulated) was submitted and consideration was given thereto.

(For copy report – see original minutes).

2. RESOLVED that:-

- (i) the report of the meeting of the Personnel Committee held on 23 and 24 February Part I be noted, and
- (ii) it be recommended to Council to approve and adopt the draft Pay Policy Statement for publication by 31 March 2012.

Public Health Transition

The Chief Executive and Executive Director of Health, Housing and Adult Services submitted a joint report (copy circulated) to detail the proposals on the Health and Social Care Bill to transfer responsibility for Public Health to Local Authorities by April 2013 and to seek endorsement of the transition plan for Sunderland.

(For copy report – see original minutes).

Councillor Allan highlighted that the Health and Social Care Bill was currently before Parliament and subject to the Bill being passed, responsibility for public health would be returning to local authorities in April 2013. He reported that in order to enable the transition, primary care trusts and local authorities had to ensure that the appropriate governance systems were put in place during 2012-13, together with new arrangements for the specific public health functions that were transferring.

Councillor Allan advised that the report sets out how the transition was being planned and identified the key issues including budget, staffing, and the services which the Council would be required to provide. In relation to the budgetary issue, he explained that whilst the initial 'shadow' budget reflected current spend in this area, there was some concern that the introduction of a formula approach in subsequent years could see budget reductions and a re-distribution of the overall resource to the detriment of Sunderland and the North East, given that the region currently had the highest spend per head of population of any of the regions.

Cabinet Members were advised that 2012-13 was seen as a 'shadow year' and the Department of Health had asked that transition plans were submitted to them in April. Attention was drawn to the full transition plan appended to the report which it set out the journey to date and how all the required elements of the transfer would be delivered. Councillor Allan explained that the various parts of the Plan were rated using a traffic light system and that overall the plan had been confirmed as being on track in discussions with the Strategic Health Authority. He added that the "red areas" in the plan related to issues where nationally guidance was not yet available.

Councillor Allan reported that the transition of public health was a standing item with the Health and Wellbeing Board and the Health and Wellbeing Scrutiny Committee. He advised that both had received earlier reports and regular updates would continue to be shared with the committees.

Cabinet Members having been informed that the plan would be updated and developed as the year progressed, it was:-

3. RESOLVED that the public health transition plan for Sunderland be endorsed and the implementation of the plan by April 2013 be agreed.

Equality Scheme

The Deputy Chief Executive submitted a report (copy circulated) to seek approval for publication of the Equality Scheme which was appended at Appendix A.

(For copy report – see original minutes).

Councillor Trueman highlighted that this Equality Scheme would replace the previous Corporate Equality Scheme and the separate race, gender and disability equality schemes. He explained that this new version sets out how the Council would meet its legal responsibilities and achieve its aspirations in addition to making it clear to the people of Sunderland how the Council intended to meet their needs and give them the opportunity to suggest ways services could be improved.

Councillor Trueman drew attention to the Council's legal equality obligations set out in the Equality Act 2010. He explained that the Act requires consideration of the following three elements relating to equality when taking decisions and reviewing or developing services:

- elimination of discrimination,
- advancement of equality of opportunity, and
- fostering of good relations between people.

Cabinet Members were informed that meeting these requirements would be demonstrated by undertaking equality analysis of new proposals and by setting out how equality in procurement, commissioning and consultation activities had been considered. The Scheme also explained the relationship between equality and tailoring customer service to meet individual needs.

Attention was drawn to a number of equality objectives detailed on pages 12 to 14 of the scheme. Councillor Trueman clarified that these objectives would use information gathered through engagement, service planning and from Council priorities to set out the Council's aims for improving equalities outcomes for the people of Sunderland.

Councillor Trueman reported that should the Cabinet approve the scheme it would be ahead of the Government's deadline of the 6th April 2012. He advised that it was important to remember that this was the start and not the end of the process. He added that the Scheme would be revised after 6 months to make sure that it was still fit for purpose and where further improvements might be made.

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

4. RESOLVED that approval be given to the approach to meeting the specific duties of the Equality Act 2010 and the Equality Scheme and equality objectives appended to the report be approved.

School Admission Arrangements - September 2013

The Executive Director Children's Services submitted a report (copy circulated) to seek approval of the school admission arrangements for September 2013.

(For copy report – see original minutes).

Councillor Smith reminded Cabinet Members that a report comes to Cabinet in March of each year to agree school admissions arrangements for the following September. She advised that the Council was required to do this by the Department for Education and therefore consultation was undertaken on admissions. She added that the Council also sets out its proposed admission policy and procedures, the criteria that would be used to allocate places if a school was oversubscribed and the published admission numbers (PANS).

Councillor Smith highlighted that in February 2012, a new Admissions Code came into force which had a number of key changes and these were detailed in paragraph 3.4 of the report. In addition she drew attention to Appendix 1 and 2 which set out the admission arrangements and oversubscription criteria that would be used if a school reached its published admission number. She reported that there were no changes proposed to either of these and as in previous years it was proposed to work within a co-ordinated scheme that included neighbouring authorities, maintained, voluntary aided schools and academies. She stressed that the academies in Sunderland operated the same admissions policies as all Sunderland schools.

Councillor Smith then referred to Appendix 3 of the report which provided the published admission numbers for each school for 2013. She explained that the only proposed changes to individual school PANs were set out at 4.7 of the report.

The attention of Cabinet Members was then drawn to paragraph 4.3 of the report which described the impact of an increase in the birth rate locally which started to have an impact last year. Councillor Smith reported that this was across all of Sunderland but particularly affected the South and West of Sunderland and Washington. She explained that projections had shown that there would be a slight downturn in numbers in 2013 before rising again and so there might not be an impact on admissions numbers in September 2013. She added that since it was known that there would be an impact in 2012, there were proposals to increase the PANs for reception year for this September in a small number of schools.

Councillor Smith having reported that discussions with schools were underway, she proposed to bring back proposals for Cabinet to consider at its April meeting.

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

5. RESOLVED that approval be given to the:-

- (i) admission policy and procedures,
- (ii) details of the oversubscription criteria, and
- (ii) published admission numbers (PANS).

Museums Services in Sunderland

The Executive Director of City Services submitted a report (copy circulated) to seek approval to withdraw from existing arrangements relating to the delivery of Museums Services in Sunderland.

(For copy report – see original minutes).

Councillor Kelly highlighted that the current museums service was provided by a Joint Museums Service for Tyne and Wear, known as Tyne and Wear Museums and was managed through City Services. He added the service was administered by a Joint Agreement between the Tyne and Wear constituent councils that came into effect on 1 April 1986 and was due to expire on 31 March 2016.

Cabinet Members were advised that the current Tyne and Wear Archives and Museums (TWAM) service provided Corporate Support, Museum Customer Focused Specialist Services, Archives Services and direct museum service delivery arrangements in Sunderland via a Service Level Agreement.

Councillor Kelly reported that a review of the existing arrangements had afforded the opportunity to rethink how Museum Services were currently delivered within Sunderland and how the City Council could play a more centric role in designing customer focused services and provide people with choice over what and how they access and use Museum Services. He explained that the Council could potentially continue to work with TWAM via a renegotiated arrangement to commission elements of the customer focussed specialist services with a level of strategic support and it was proposed to establish a Museums Service directly delivered by the City Council underpinned by continued close working with the Voluntary and Community Sector and other partners to support operations and programming.

Councillor Kelly assured Cabinet Members that the proposed service would be tailored to meet customer expectations and aspirations, accessible to all, with opportunities being maximised for securing high profile exhibitions, educational and learning programme and tailored events activity.

Councillor Kelly reported that other options had been explored. Firstly an option to maintain the existing arrangement was not considered to provide the most effective museums service for Sunderland. Secondly to operate all aspects of the museums service would involve the transfer of all aspects of the Museums Service to Sunderland which was not considered to be cost effective nor would it enhance service delivery arrangements.

Cabinet Members were then advised that the Council was required to consult with other local authorities to consider the impact as the Joint Agreement would need to be redesigned to align the delivery of specialist services across all five authorities to enable the participation in joint funding opportunities and the establishment of aligned regional museum outcomes.

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

6. RESOLVED that approval be given to:-

- (i) the issuing of the required 12 months notice to withdraw from the existing Tyne & Wear Joint Museum Agreement, and
- (ii) the Executive Director of City Services, in consultation with the Portfolio Holder for Safer City & Culture, renegotiating appropriate arrangements for the delivery of Museum Services in Sunderland.

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

At the instance of the Chairman, it was:-

7. 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 1, Paragraphs 1, 2, 3 and 4).

(Signed) P. WATSON,
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.

