

At a Meeting of the **CABINET** held in **CITY HALL (COMMITTEE ROOM 1)** on **THURSDAY 8 SEPTEMBER 2022** at **10.00a.m.**

Present:-

Councillor Rowntree in the Chair

Councillors Farthing, Stewart and Williams

Also present:-

Councillors F. Miller, Price, Scott and P. Walker - Deputy Cabinet Members
Councillor Bond

Part I

Minutes

The minutes of the meeting of the Cabinet held on 14 July 2022, Part I (copy circulated) were submitted.

(For copy report – see original minutes).

It was noted that a request had been received from Councillor Edgeworth, who had attended the meeting as an observer, for an amendment to his comments on the report, 'The Improvement of Bereavement Services' on page 5 of the agenda as follows:-

3rd sentence of 1st paragraph

“He highlighted that the Islamic faith required burials to take place within 24 hours of death and as some of his colleagues in the Liberal Democrat Group represented wards with sizeable Muslim communities, he would be happy to discuss these matters outside of the meeting.”

Consideration having been given to the above request and the minutes, it was:-

1. RESOLVED that the minutes of the Cabinet meeting held on 9 June 2022, Part I, with the amendment detailed above, be confirmed and signed as a correct record.

Declarations of Interest

The following declarations of interest were made:-

Agenda Item 14 – Proposed Variation to Energy Infrastructure Enabling Works	Councillor C. Rowntree together with Patrick Melia, Chief Executive, declared interests as Council representatives on the board of IAMP LLP. They indicated that they would withdraw from the meeting during consideration of the report.
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Apologies for Absence

An apology for absence was submitted to the meeting on behalf of Councillors Chequer, K. Johnston and G. Miller.

Response from Scrutiny Coordinating Committee – 14 July 2022 – First Revenue Budget Review 2022/2023

The Assistant Director of Law and Governance submitted a report (copy circulated) to advise of the comments of the Scrutiny Coordinating Committee on a report of the Executive Director of Corporate Services that detailed the outcome of the First Revenue Budget Review 2022/2023.

(For copy report – see original minutes).

The Chair highlighted that the Scrutiny Coordinating Committee had received the report of the Executive Director of Corporate Services on the first revenue budget review for 2022/23 at its meeting held on 14 July 2022. She was pleased to report that the Scrutiny Coordinating Committee had accepted the contents of the report including the various budget positions, contingency transfers, treasury management savings and collection fund updates. She also advised that the Committee had thanked Members and Officers for the preparation and continued monitoring of the Council's revenue budget position and welcomed the receipt of further updates.

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

2. RESOLVED that the comments of the Scrutiny Coordinating Committee be noted.

Response from Scrutiny Coordinating Committee – 14 July 2022 – Capital Programme First Review 2022/2023 (including Treasury Management)

The Assistant Director of Law and Governance submitted a report (copy circulated) to advise of the comments of the Scrutiny Coordinating Committee on a report of the Executive Director of Corporate Services that detailed the outcome of the Capital Programme First Review 2022/2023 (including Treasury Management).

(For copy report – see original minutes).

The Chair highlighted that the Scrutiny Coordinating Committee had received the report of the Executive Director of Corporate Services on the capital programme first review for 2022/23 at its meeting held on 14 July 2022. She was pleased to report that the Scrutiny Coordinating Committee had accepted the contents of the Capital Programme first review including information on performance of the treasury management strategy and prudential indicators. She added that the Committee were also satisfied with the detailed variations to the capital programme.

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

3. RESOLVED that the comments of the Scrutiny Coordinating Committee be noted.

Response from Scrutiny Coordinating Committee – 14 July 2022 - Revenue Budget Outturn 2021/2022

The Assistant Director of Law and Governance submitted a report (copy circulated) to advise of the comments of the Scrutiny Coordinating Committee on a report of the Executive Director of Corporate Services that detailed the outcome of the Revenue Budget Outturn for 2021/2022.

(For copy report – see original minutes).

The Chair highlighted that the Scrutiny Coordinating Committee had received the report of the Executive Director of Corporate Services on the revenue budget outturn at its meeting held on 14 July 2022. She was pleased to report that the Scrutiny Coordinating Committee had accepted the report including including the position on delegated budgets, contingency transfers and reserves. She added that the Committee also noted and acknowledged the information relating to General Fund Balances, Review of Existing Reserves and the Collection Fund.

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

4. RESOLVED that the comments of the Scrutiny Coordinating Committee be noted.

Performance Report – Quarter 4 of 2021/22.

The Chief Executive submitted a report (copy circulated) to provide performance information in relation to Quarter 4 of 2021/22.

(For copy report – see original minutes).

Councillor Stewart highlighted that the report set out the progress made by the Council in delivering the City Plan 2019-30, during Quarter 4 of 2021/22. He explained that the report was aligned to the three key themes of the City Plan namely; Dynamic Smart City, Healthy Smart City and Vibrant Smart City. He added that the report also provided data in relation to performance against Council organisational health indicators.

Councillor Stewart drew attention to page 38 of the report and was pleased to report that the Council's total third party spend with local suppliers had continued to increase. He advised that the Council ensured that its activity supported the local economy by using local suppliers wherever possible. He explained that circa £34 million of social value was secured through procurement projects and of that £18.5 million was with voluntary and community sector organisations. He added that the Council also supported small and medium enterprises and through investment in the city, providing more opportunities for local residents to gain employment.

Councillor Williams referred to the Council's crisis support team and wished to place on record her gratitude for their effective and efficient service to get help whether it be by providing funding, fresh food through the food bank network or energy vouchers.

Councillor Farthing agreed that whilst the report was mainly positive, she was becoming concerned at the declining employment rates particularly in view of increased cost of living pressures. She added that these pressures would also affect all businesses and she was concerned that the employment rate would continue to decline. She noted that there was some hope for families as wages were beginning to improve but families in crisis needed a lot of support. She commented that many families could not afford to provide a cooked meal for their children and that the government should extend the free school meals programme.

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

5. RESOLVED that the performance information in relation to Quarter 4 performance of 2021/22 be accepted and noted.

Acquisition of land and potential use of Compulsory Purchase Powers to support the development of Riverside Sunderland

The Executive Director of City Development submitted a report (copy circulated) to seek approval to acquire land by agreement within the Riverside Sunderland masterplan area shown edged red on the plan at Appendix 1 ("the Site") and agree in principle to the potential future use of the Council's compulsory purchase powers to facilitate the redevelopment of the Site.

(For copy report – see original minutes).

Councillor Stewart highlighted that significant progress had been made to date at Riverside Sunderland and the Council was advancing plans for subsequent phases of development which included the construction of a new residential neighbourhood at Farrington Row, the transformation of Riverside Park, the delivery of sustainable new homes at Ayre's Quay, the creation of a new mixed used community at Sheepfolds, and the redevelopment of the northern section of High Street West to create the southern section of the new Central Business District.

Cabinet Members were advised that the Council owned approximately 80% of the land and property needed for the delivery of the Masterplan proposals. However, to facilitate the comprehensive redevelopment of the Site, it was critical that the Council acquired all the required land and property interests within the masterplan area.

Councillor Stewart reported that it was therefore recommended that the Executive Director of City Development, in consultation with Leader of the Council, the Chief Executive and the Chief Finance Officer, be authorised to acquire land and property within the Site by negotiation and agreement. He explained that this would enable the Council to respond quickly to acquisition opportunities when they arose and enable negotiations to be concluded in a timely manner and prevent unnecessary delay or loss of opportunity.

Councillor Stewart advised that in parallel, and to provide an appropriate degree of certainty regarding the comprehensive redevelopment of the Site in accordance with the Riverside Sunderland Masterplan, it was recommended that Cabinet approved, in principle, the potential use of its CPO powers under Section 226(1) of the 1990 Act, whilst simultaneously conducting negotiations to acquire the relevant third-party land and property interests by negotiation and agreement. He assured Cabinet Members that a further report would be presented to Cabinet in due course in respect of the proposed making of a CPO once a land referencing exercise was complete, the proposed relevant CPO area had been finalised and a draft order and accompanying statement of reasons had been prepared.

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

6. RESOLVED that:-

- (i) the Executive Director of City Development be authorised to acquire by agreement land and property within the Site on terms to be agreed by the Executive Director of City Development in consultation with the Leader of the Council, the Chief Executive and the Chief Finance Officer;
- (ii) approval be given, in principle, to the potential 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, redevelopment and/or improvement of the Site;

- (iii) the Executive Director of City Development be authorised to undertake a detailed land referencing exercise in respect of the Site and take all preparatory steps required to prepare for a potential CPO as referred to above; and
- (iv) a further report be submitted to Cabinet in due course in respect of the proposed making of a CPO once the land referencing exercise is complete and the draft order and accompanying statement of reasons has been prepared.

Local Cycling and Walking Infrastructure Plan: Adoption of Final Document

The Executive Director of City Development submitted a report (copy circulated) to seek approval to adopt the City Council's Local Cycling and Walking Infrastructure Plan (LCWIP).

(For copy report – see original minutes).

The Chair reported that Local Cycling and Walking Infrastructure Plans (LCWIPs) were a key requirement of the Department for Transport in order to access government funding for cycling and walking infrastructure. She advised that they had taken on added significance due to changing working patterns and a greater focus on health awareness in the post-pandemic period.

Cabinet Members were advised that central government had given active travel, such as cycling and walking, a much higher profile through the publication of the 'Gear Change' policy document and increased funding for active travel schemes.

Councillor Rowntree reminded Members that a LCWIP Consultation Draft was approved by Cabinet in 2021, with the Consultation taking place in November 2021. She reported that the draft LCWIP noted the benefits of Cycling and Walking, such as improved health and wellbeing, reduced demands on the NHS, reduced use of fossil fuels and less dependence on private cars. She added that the consultation responses were generally supportive and highlighted the need to invest in improved cycling and walking infrastructure.

Cabinet Members were advised that this final document had been amended to take in to account the results of the consultation.

Councillor Farthing suggested that the Infrastructure Plan should be combined with a litter and dog waste strategy in order to keep the cycling and walking footpaths clean. She added that to encourage greater cycle usage, consideration should be given to providing secure storage areas for cycles in shopping areas and perhaps hold discussions with the larger supermarkets.

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

7. RESOLVED that the Council's Local Cycling and Walking Infrastructure Plan (LCWIP) be approved.

Proposed variation to the Integrated Drug and Alcohol Recovery and Harm Minimisation Service Contract up to 31 March 2025

The Executive Director of Health, Housing and Communities submitted a report (copy circulated) to seek approval to vary the existing Integrated Drug and Alcohol Recovery and Harm Minimisation Service contract to include part of the Supplemental Substance Misuse Treatment and Recovery Grant allocation to increase service provision across the City.

(For copy report – see original minutes).

The Deputy Cabinet Member for Healthy City, Councillor Miller, highlighted that Sunderland continued to experience poor health outcomes around substance misuse and faced multiple challenges due to several complex issues associated with poverty, unemployment, and criminal justice involvement. She reported that substance misuse could have a profound and negative effect on communities, families, and individuals, limiting the ability to work, to parent, and to function effectively in society.

Cabinet Members were advised that in 2020, Dame Carol Black was commissioned by the Home Office and the Department of Health and Social Care to undertake an independent review of drugs which would inform Government's thinking on what more can be done to tackle drug related harm. From Harm to Hope, the new 10-year drug plan followed the recommendations in Dame Carol Black's report. To support delivery of the plan the Council had been awarded year one of the Supplemental Substance Misuse Treatment and Recovery Grant which would be used to enhance local Integrated Drug and Alcohol Recovery and Harm Minimisation Service support service delivery to increase and strengthen the workforce to respond to the increase in treatment need.

Councillor Williams welcomed the provision of grant support to provide these vital services and hoped that support service would also include carers of residents suffering from these issues. Councillor Farthing concurred with the comments as drug and alcohol issues often led to tensions within families, and this could further increase the cost of living pressures on families. She also added that she had concerns that the Government's proposal to now reduce National Insurance Contributions would have a major adverse effect on Adult and Social Care funding in the future.

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

8. RESOLVED that the Executive Director Health, Housing and Communities, in consultation with the Assistant Director of Finance and the Healthy City Portfolio Holder, be authorised to undertake all necessary steps to:-

- (i) procure a contract variation to the Council's existing Integrated Drug and Alcohol Recovery and Harm Minimisation Service contract ("the Contract") with Change Grow Live ("CGL"), to apply retrospectively with effect from June 2022 up to 31 March 2025 to implement the new Supplemental Substance Misuse Treatment and Recovery Grant allocation for the City; and

- (ii) subject to the receipt of additional funding from the Supplemental Substance Misuse Treatment and Recovery Grant allocation for years two and/or three, to delegate authority to the Executive Director of Health, Housing and Communities to agree further contract variation(s) to procure further variations to the Contract with CGL as may be required in order to implement any such further additional grant funding.

Proposed commissioning intentions for the Specialist Stop Smoking Service for Sunderland.

The Executive Director of Health, Housing and Communities submitted a report (copy circulated) to seek approval to the proposed commissioning intentions for a Specialist Stop Smoking Service for Sunderland from 1 April 2023 to 31 March 2027 (with an available optional extension for up to 24 months) as set out in the report.

(For copy report – see original minutes).

The Deputy Cabinet Member for Healthy City, Councillor Miller, highlighted that Sunderland continued to experience poor health outcomes around tobacco related harms. She reported that smoking remained the key driver of health inequalities with around half the difference in life expectancy between the most and least affluent groups due to smoking. She advised that it was also the main cause of premature death in Sunderland.

Cabinet Members were advised that although smoking rates had fallen in Sunderland over the past few years, the city still had higher rates than the Northeast and England, therefore it remained imperative to ensure that specialist, bespoke support interventions such as those undertaken by a Specialist Stop Smoking Service was sustained. Doing so would help to deliver the Health and Wellbeing Board Priorities, Healthy City Plan and improve local Public Health outcomes.

Councillor Miller reported that Sunderland's Healthy City Plan 2020-2030 had identified key areas in which improvements could be made to improve smoking prevalence rates across the city, to achieve a target of 5% smoking prevalence by 2030. She explained that currently smoking prevalence was 14.6% which was higher than the Northeast average of 13.6% and the England average of 12.1%.

In conclusion, in response to a question by Councillor Miller, the Executive Director of Health, Housing and Communities confirmed that there would be access to vaping products as part of the stop smoking services.

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

9. RESOLVED that the Executive Director of Health, Housing and Communities, in consultation with the Healthy City Portfolio Holder and the Assistant Director of Finance, be authorised to undertake all necessary steps to procure and award a new contract for Specialist Stop Smoking Service for Sunderland for the period 1 April 2023 to 31 March 2027 (with an available optional extension for up to 24 months, which will be at the discretion of the Council).

Playing Pitch Plan

The Executive Director Health Housing and Communities and the Executive Director City Development submitted a joint report (copy circulated) to present an updated Playing Pitch Plan (PPP) for adoption by Cabinet that would be used as a strategic planning document for sport playing pitches in the city.

(For copy report – see original minutes).

The Chair having advised that it was proposed to withdraw the item from the agenda to enable further information to be provided about the impact on areas within the City and an updated report be brought back to Cabinet in due course, it was:-

10. RESOLVED that the item be withdrawn from the agenda to enable further information to be provided about the impact on areas within the City and a report be brought back to Cabinet in due course.

Procurement of Direct Payment Employment Support Service

The Director of Adult Services submitted a report (copy circulated) to seek approval to procure a Direct Payment Employment Support Service to support adults who were eligible for Social Care or continuing health care and who chose to take their personal budget as a Direct Payment.

(For copy report – see original minutes).

Councillor Stewart, in highlighting the report, explained that the Direct Payment Employment Support Service included:-

- (a) The provision of information, advice and support about the roles and responsibilities of being an employer, including the need to register with Her Majesty's Revenue and Customs (HMRC) and to ensure that the Direct Payment recipient was fully empowered to understand the legal responsibilities of being an employer.
- (b) Development of good employer practice for the sourcing and recruitment of Personal Assistants (PAs), including support with advertisement, selection and safer recruitment and retention of potential candidates and information, advice, and guidance with performance management of PAs to support the identification of skills gaps and access to a range of training.

- (c) A Payroll Support function to support Direct Payment recipients with their payment responsibilities to their employee(s) and (HMRC) regarding statutory payments and record keeping, processing of payslips and payroll summaries.

Councillor Stewart reported that as the Council still had a need to provide support to people who were eligible for social care or continuing health care and who chose to take their personal budget as a Direct Payment approval was being sought to procure future arrangements in line with the Council's Procurement Procedure Rules.

Cabinet Members were advised that the current contract for the Direct Payment Employment Support service was due to end on the 31 March 2023 and that the value of the contract would exceed £500,000. They were requested to approve the procurement of a Direct Payment Employment Support Service and authorise the Director of Adult Services in consultation with the Healthy City Portfolio Holder to subsequently award contracts to the successful bidder.

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

11. RESOLVED that:-

- (i) the procurement of a Direct Payment Employment Support Service be approved; and
- (ii) the Director of Adult Services, in consultation with the Healthy City Portfolio Holder, be authorised to procure and subsequently award a contract for a Direct Payment Employment Support Service.

Annual Health and Safety Report: April 2021 – March 2022

The Assistant Director of Assurance and Property Services submitted a report (copy circulated) to review the management of health and safety at work within the Council during 2021/22.

(For copy report – see original minutes).

Councillor Stewart highlighted that the report summarised:-

- significant health and safety events,
- incidents reported to the Health & Safety Executive,
- information from formal health and safety audit/inspection reports,
- Council-wide initiatives to improve health and safety, and
- confirmed future priorities.

Councillor Stewart reported that the provision of an annual report was a key measure in reviewing the management of health and safety at work within the Council and provided assurance about the Council's compliance with its legal obligations in relation to health and safety at work.

The attention of Cabinet Members was drawn to Section 5 of the report which detailed three significant health and safety incidents referenced and in each case appropriate action had been undertaken including implementing key learning points.

Turning to Section 6 of the report, some initiatives and priorities for 2022/23 were identified which included improvements to learning and development alongside some specific training for senior managers which was due to take place this month.

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

12. RESOLVED that the content of the Annual Health and Safety Report: April 2021 to March 2022 be noted.

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

At the instance of the Chairman, it was: -

13. 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 exempt information relating to the financial or business affairs of any particular person (including the authority holding that information) (Local Government Act 1972, Schedule 12A, Part 1, Paragraph 3). The public interest in maintaining this exemption outweighs the public interest in disclosing the information.

(Signed) C. ROWNTREE,
Chair.

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.

