

At a Meeting of the **CABINET** held remotely using **Microsoft Teams** and **livestreamed on YouTube** on **TUESDAY 17 NOVEMBER 2020** at **10.00 a.m.**

**Present:-**

Councillor G. Miller in the Chair

Councillors Atkinson, Farthing, Stewart, G. Walker and Williams

**Also present:-**

Councillors Chequer, Johnston and Rowntree

**Part I**

**Minutes**

The minutes of the meeting of the Cabinet held on 13 October 2020, Part I (copy circulated) were submitted.

(For copy report – see original minutes).

1. RESOLVED that the minutes of the Cabinet meeting held on 13 October 2020, Part I, be confirmed and signed as a correct record.

**Declarations of Interest**

There were no declarations of interest declared.

**Apologies for Absence**

There were no apologies for absence submitted to the meeting.

**Response from Economic Prosperity Scrutiny Committee – 6 October 2020 –  
Supplementary Planning Documents (SPD's)  
A – Draft Homes in Multiple Occupation SPD  
B – Riverside Sunderland SPD**

The Assistant Director of Law and Governance submitted a report (copy circulated) to advise of the comments of the Economic Prosperity Scrutiny Committee on a report of the Executive Director of City Development which sought the Committee's consideration on the Draft Homes in Multiple Occupation SPD and the Riverside Sunderland SPD.

(For copy report – see original minutes).

Councillor Atkinson reported that the Economic Prosperity Scrutiny Committee had given consideration to the report and there were no comments to be passed on to Cabinet as both documents were received, noted and agreed by the Committee.

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

2. RESOLVED that the comments of Economic Prosperity Scrutiny Committee be noted.

**Response from Scrutiny Coordinating Committee – 5 November 2020 – Budget  
Planning Framework and Medium Term Financial Strategy 2021/2022 –  
2024/2025**

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 sets out the Council's Budget Planning Framework and Medium Term Financial Strategy 2021/2022 – 2024/2025.

(for copy report – see original minutes).

Councillor Stewart highlighted that the Scrutiny Coordinating Committee had considered the report of the Executive Director of Corporate Services on the budget planning framework and medium-term financial strategy at its meeting held on 5 November 2020. He was pleased to report that the Scrutiny Coordinating Committee was satisfied with the budget planning framework and the medium-term financial strategy as set out in the report. He advised that the Committee had recognised the various spending pressures and Central Government funding uncertainties that existed for the Council and the impact of Covid-19 on all Council services and funding.

Cabinet was advised that the Committee was also pleased to note that it would again be consulted on the results of the budget consultation and looked forward to receiving this at a future meeting. The Committee also put on record its appreciation for the hard work and diligence of officers and members in the budget planning process, particularly during these present difficult times.

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

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

### **Response from Scrutiny Coordinating Committee – 5 November 2020 – Capital Programme Second Review 2020/2021 (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 an extract from a report of the Executive Director of Corporate Services that detailed an amendment to the Treasury Management Lending List and Criteria.

(For copy report – see original minutes).

Councillor Stewart highlighted that the Scrutiny Coordinating Committee had received the report of the Executive Director of Corporate Services on the capital programme second review at its meeting held on 5 November 2020. He was pleased to report that the Scrutiny Coordinating Committee acknowledged the information and noted the risks and mitigations in relation to the revisions to the lending list and criteria for the proposed loan facility to EPNE.

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

4. RESOLVED that the comments of the Scrutiny Coordinating Committee be noted and reported to Council that in relation to the Treasury Management Strategy, the proposed amendment to the Lending List and Criteria be approved at its November 2020 meeting.

### **European Union (EU) - Exit Planning**

The Executive Director of Corporate Services submitted a report (copy circulated) to provide an update on the Council's European Union – Exit Planning arrangements.

(For copy report – see original minutes).

Councillor Stewart reported that Cabinet Members would be aware that the UK had left the EU on 31 January this year and as part of the Withdrawal Agreement, an eleven-month Transition Period had been entered into to allow the Government to seek to put in place a Trade Deal. He advised that officers had continued to track progress and this report provided an update on the negotiations, setting out the key risks for the City and the Council within the context of Covid-19 and entering the winter period, and its exit planning arrangements.

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

5. RESOLVED that the Council's European Union – Exit Planning arrangements be noted and approved.

## **New Wear Footbridge – Scheme Under Section 106(3) of the Highways Act 1980 and Marine Licence Under Part 4 of the Marine and Coastal Access Act 2009**

The Executive Director of City Development submitted a report (copy circulated) to request approval for making a scheme and seeking its confirmation by the Secretary of State for Transport under section 106(3) of the Highways Act 1980 and for making an application to the Marine Management Organisation for a marine licence under Part 4 of the Marine and Coastal Access Act 2009 in respect of the New Wear Footbridge project.

(For copy report – see original minutes).

Councillor Atkinson highlighted that statutory permissions were necessary to consent bridge crossings across rivers, as was the case for the Spire Bridge. She advised that approval was sought to progress with two statutory instrument processes, in respect of the New Wear Footbridge project as part of delivering the Riverside Sunderland Masterplan.

Councillor Atkinson explained that approval was requested to authorise the construction of a bridge over a navigable waterway by means of a bridge scheme under section 106(3) of the Highways Act 1980 and as the bridge crossed a tidal river, the construction of works over the river required an application to be made for a marine licence from the Marine Management Organisation under Part 4 of the Marine and Coastal Access Act 2009.

Cabinet Members were advised that both applications would be made by relevant officers and further reports would be submitted to Cabinet in due course to secure the execution of the bridge as and when required.

Councillor Walker commented that this project was an integral part of the developments proposed for Riverside Sunderland. He commended the report and the pace of the developments for the area which the residents of Sunderland would be proud of.

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

6. RESOLVED that in respect of the New Wear Footbridge project:-

- (i) the making of a scheme under section 106(3) of the Highways Act 1980 be approved and thereafter the submission of the scheme to the Secretary of State for Transport for confirmation;
- (ii) the making of an application to the Marine Management Organisation for a marine licence under Part 4 of the Marine and Coastal Access Act 2009 be approved; and
- (iii) the Assistant Director of Law and Governance be authorised to take all necessary action to achieve confirmation of the above scheme and to obtain the above licence.

## **Farringdon Row Multi Storey Car Park**

The Executive Director of City Development submitted a report (copy circulated) to provide an update on the feasibility work carried out in relation to the construction of a new multi storey car park (MSCP) on Farringdon Row, as part of the Riverside Sunderland Masterplan and to seek approval to progress with procurement of a contractor to design and build the MSCP.

(For copy report – see original minutes).

Councillor Atkinson reminded Cabinet Members that in March 2020, Council, as part of its capital programme, approved the financial provision of £9 million and the procurement of a design team to undertake a feasibility study to create a new Multi Storey Car Park to support the Riverside Sunderland proposals. She explained that a new city centre Multi Storey Car Park was required to satisfy obligations within the Development Agreement with Legal & General, to provide a minimum of 500 car park spaces for the delivery of its office development on the former Vaux site and the feasibility had further identified up to 250 additional car park spaces to serve the wider Riverside residential and commercial proposals.

Cabinet Members were advised that the completion of the outline designs and the additional parking space requirements would require an additional £5 million Capital budget allocation to execute the plans for a high quality multi story car park of up to 750 spaces. It was proposed that the car park would be managed and operated under an extension of existing arrangements provided across the City by the Council's own Parking Services Team which provided substantial income to the Council.

The Chair highlighted that this development along with the new Wear footbridge were very important for the development of the City Centre.

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

### **7. RESOLVED that:-**

- (i) the Executive Director of City Development, in consultation with the Vibrant City Portfolio Holder and the Dynamic City Portfolio Holder, be authorised to take all necessary steps to procure the delivery and completion of the MSCP, including the procurement of a design and build contractor for the scheme and any other relevant appointments; and
- (ii) the funding arrangements for the MSCP and the resultant variation to the Capital Programme be approved.

## **Proposal to Publish Notice of Statutory Proposals for the Closure of Hetton-Le-Hole Nursery School**

At the instance of the Chair, it was:-

8. RESOLVED that the report of the Executive Director of Neighbourhoods, on information relating to and seeking a decision on the proposal to commence the statutory consultation process required to close Hetton-Le-Hole Nursery School, be deferred for further consideration in the New Year.

## **Licensing Act 2003 – Approval of the Council's Statement of Licensing Policy**

The Executive Director of Neighbourhoods submitted a report (copy circulated) to provide an update on the responsibility of the Council with regard to the publishing of a Statement of Licensing Policy under the Licensing Act 2003.

(For copy report – see original minutes).

The Chair reported that under the Licensing Act 2003, the Council was required to prepare and publish a Statement of Licensing Policy every five years. He explained that the existing policy took effect on 7 January 2016 for the period up to 6 January 2021.

Cabinet Members were advised that the Council's Statement of Licensing Policy should have been subject to a full review in 2020, a process which involved consultation with a specified list of consultees, including the licensed trade, in line with statutory procedures. However, due to the Coronavirus Pandemic which had had an unprecedented impact on the hospitality industry it had not been possible to consult with the industry regarding the Council's Licensing Policy to any meaningful degree. As there were currently no provisions to alter the statutory timeframe for undertaking the five-yearly review of the Licensing Policy, ministerial advice, recently provided, suggested that councils should consider rolling forward their existing Statement of Licensing Policy in its current form considering any representations received in response to this with a full review at a later more appropriate date.

The Chair reported that at its meeting held on 26 October 2020, the Licensing and Regulatory Committee had approved this proposal and subsequently at its meeting held on 3 November 2020, the Economic Prosperity Scrutiny Committee approved the recommendation to support the proposed arrangements for the roll forward of the existing Statement of Licensing Policy and provide comments to Cabinet on the responses to the consultation held between 19 October 2020 to 2nd November 2020. He advised that the Scrutiny Committee had noted that the four respondents to the consultation had stated that they were in agreement with the proposed roll forward of the Statement of Licensing Policy.

Councillor Williams welcomed the report and the proposal to roll forward the Statement of Licensing Policy. She advised that it was vital to get the timing right and this proposal was a sensible solution to support the hospitality industry which had had a difficult time during the pandemic.

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

9. RESOLVED that it be recommended to Council that the existing Statement of Licensing Policy be rolled forward as from and including the 7 January 2021 to the 6 January 2026, with a review of the Licensing Policy being undertaken as and when deemed appropriate to do so within the stated five year period.

### **Ancillary contracts for the development of a Household Waste and Recycling Centre at Pallion Industrial Estate**

The Executive Director of Neighbourhoods submitted a report (copy circulated) to seek approval to procure and award contracts for the development of a Household Waste and Recycling Centre (HWRC) at Pallion Industrial Estate.

(For copy report – see original minutes).

The Chair reminded Cabinet Members that they approved a report at its meeting held on 17 September 2019 which allowed the Council to develop plans for a new HWRC to improve the quality of service provision and to increase the amount of household waste recycled. He reported that furthermore, approval had been given to procure contracts to develop and operate the HWRC facility and submit a full planning application.

Cabinet Members were advised that full planning approval for the Pallion HWRC was granted at the Planning and Highways (East) Committee on 2 October 2020 and works delivered by the Council's Highways Operations Team would commence this month. Some of the features of the new HWRC including buildings and steel canopies required the services of specialist suppliers and the value of these works would exceed £250,000 therefore Cabinet approval was required to procure and award these works.

The Chair reported that to not procure these specialist ancillary contracts had been rejected because it would jeopardise the construction and operation of the HWRC.

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

10. RESOLVED that the Executive Director of Neighbourhoods, in consultation with the Portfolio Holder for a Dynamic City, be authorised to procure and award ancillary contracts for the construction of a new HWRC at Pallion Industrial Estate.

## **Acquisition of bungalows at Hylton Road, Sunderland**

The Executive Director of Neighbourhoods submitted a report (copy circulated) to seek approval to acquire properties at Hylton Road for supported bungalow accommodation.

(For copy report – see original minutes).

Councillor Atkinson highlighted that the report outlined a potential acquisition of fifteen bungalows that would provide new homes for those with Learning and Physical Disabilities. She reported that working with MCC Homes, a local SME contractor, the Council would enter into a turnkey arrangement to purchase the bungalows on practical completion.

Cabinet Members were advised that the acquisition was subject to financial assessment and if the project met the financial parameters of the Council it was proposed to enter into the turnkey arrangement.

Councillor Atkinson explained that the project met local strategic housing needs, supported the City Plan and delivered on approved outputs within the Housing Delivery and Investment Plan which had a target of 22 bungalows and this project would provide 15 homes against this target.

The Chair and Councillor Stewart commended the report which highlighted another excellent project for the city and more importantly working with a local SME company to achieve the aims and objectives of the Council's strategic plans.

Councillor Atkinson thanked Cabinet Members for their comments on this exciting project. She added that this project highlighted the commitment of the Council to become a local registered housing provider and showed real work in action to change the lives of residents. She thanked colleagues and officers in the Housing Team.

The Chair reported that major schemes like Riverside Sunderland the Future Sunderland Living Expo were in the headlines which demonstrated this city's drive and determination to transform itself to give residents what they need in the twenty first century. He advised that it was schemes like these bungalows, where the Council was taking ownership of its housing and social housing issues, building with local businesses and building wealth within the community. He also drew attention to Sunderland being the first authority in the North East to be a real living wage employer and moving that commitment into the supply chain. He commented that it could not be underestimated how important this ongoing commitment was. He thanked Councillor Atkinson, Graham Scanlan and his Team in Housing Services.

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



11. RESOLVED that:-

- (i) the acquisition of 15 new build residential bungalows at Hylton Road for supported accommodation be approved on terms to be agreed by the Executive Director of Neighbourhoods in consultation with the Executive Director of Corporate Services and Portfolio Holder for Dynamic City; and
- (ii) the Executive Director of Neighbourhoods be authorised to submit an application to Homes England for grant funding to support the acquisition of the properties and subject to securing the agreement of the Executive Director of Corporate Services as to the acceptability of the grant terms to accept any grant funding which is offered further to these applications.

**Full Business Case for a Regional Adoption Agency**

The Director of Children's Services and the Executive Director of Corporate Services submitted a joint report (copy circulated) to seek approval to the Full Business Case for the Adopt Coast to Coast Regional Adoption Agency ("RAA") and the proposed next steps.

(For copy report – see original minutes).

Councillor Farthing highlighted the report and advised that it had been Government policy for some time now to regionalise adoption services over a larger footprint in order to improve the time taken to secure a permanent home for a child but also to widen the pool of prospective adopters. She reminded Cabinet Members that in January 2019, they had approved the Outline Business Case for the RAA and the establishment in principle of the Adopt Coast to Coast RAA model.

Councillor Farthing reported that this full and final business case contained the detail of the envisaged operating model and would enable the Council to meet the revised Department for Education ("DfE") deadline requirement for the establishment and operation of an RAA including Sunderland Council (in collaboration with Together for Children as its provider of adoption services) by 1 April 2021.

Cabinet Members were advised that Adopt Coast to Coast would stretch across the geographies of Sunderland, Durham and Cumbria and it was intended to bring the following key benefits on a regional scale:-

- Sunderland children would have the opportunity to be matched and placed with adopters from a wider pool, improving the quality of the match;
- The ability to share best practice and resources across the area to enhance the service for vulnerable children in their adoptive families; and

- The establishment of a collaborative hub and spoke model which would secure the benefits of regional collaboration at a focused “hub” level, whilst allowing each authority to continue to operate at a local “spoke” level without service disruption and without any delegation of legal powers or transfer of existing staff required.

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

12. RESOLVED that:-

- (i) the Full Business Case, as set out in Appendix A, be approved for establishing the RAA with Durham County Council and Cumbria County Council; and
- (ii) the Executive Director of Corporate Services, in consultation with the Chief Executive and the Portfolio Holder for Children, Learning and Skills, be authorised to:-
  - a) Agree the detailed terms of the partnership agreement and any other legal agreements as required to establish and govern the operation of the RAA;
  - b) (Subject to prior consultation with the Department for Education), to issue the necessary consent on behalf of the Council to Together for Children Sunderland Ltd (“TfC”) to enter into the agreement(s) referred to above; and
  - c) To execute any necessary legal agreement(s) as may be required in order to give effect to the above.

### **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) G. MILLER,  
Chair.

Prior to moving to Part II of the agenda, it was confirmed that the livestream of the meeting had ended.

**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.

