

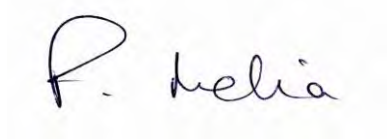
CIVIC CENTRE,
SUNDERLAND
20 JANUARY 2020

TO THE MEMBERS OF SUNDERLAND CITY COUNCIL

YOU ARE SUMMONED TO ATTEND A MEETING of Sunderland City Council to be held in the Council Chamber, Civic Centre, Sunderland, on **WEDNESDAY 29 JANUARY 2020** at **4.00 p.m.** at which it is proposed to consider and transact the following business:-

Item	Page
1. To read the Notice convening the meeting.	-
2. To approve the Minutes of the last meeting of the Council held on 20 November 2019 (copy attached).	1
3. Receipt of Declarations of Interest (if any).	-
4. Announcements (if any) under Rule 2(iv).	-
5. Citywide approach to carbon reduction – Verbal update by the Deputy Leader of the Council	
6. Reception of Petitions.	-
7. Apologies.	-
8. Written Questions by members of the public (if any) under Rule 9.	-

9.	Report of the Cabinet (copy attached).	21
10.	Written Questions (if any) under Rule 10.2.	-
11.	To consider a report on action taken on petitions (copy attended).	93
12.	To consider the attached Motions (copy attached).	101
13.	To consider the following reports:-	
	(i) Report on Special Urgency Decisions – Report of the Leader (copy attached).	107
	(ii) Designation of Statutory Officer and Proper Officer Positions – Report of the Chief Executive (copy attached).	109
	(iii) Appointments to Committees – Report of the Assistant Director of Law and Governance (copy attached).	111



PATRICK MELIA, CHIEF EXECUTIVE.

Minutes

Sunderland City Council

At a meeting of SUNDERLAND CITY COUNCIL held in the CIVIC CENTRE on
WEDNESDAY, 20 NOVEMBER, 2019 at 4.00 pm

Present: The Deputy Mayor (Councillor H. Trueman) in the Chair

Councillors	Armstrong	Foster	MacKnight, N	Smith, G
	Atkinson	Francis	Mann	Smith, P
	Bewick	Gibson, E	Marshall	Stewart
	Blackburn	Gibson, P	McClennan	Taylor
	Blackett	Greener	McDonough	Thornton
	Butler	Haswell	McKeith	Trueman, D
	Chequer	Hodson	Miller, F	Turner
	Crosby	Howe	Miller, G	Tye
	Cunningham	Hunt	Mordey	Walker, P
	Davison	Jackson	Mullen	Waller
	Dixon, D	Jenkins	O'Brien	Watson
	Dixon, M	Johnston	Oliver	Williams
	Doyle	Lauchlan	Potts	Wilson, D
	Essl	Lawson	Samuels	Wood, K
	Fletcher	MacKnight, D	Scanlan	Wood, P

Also Present:-

Honorary Aldermen: - Forbes
Greenfield

The notice convening the meeting was read.

Minutes

29. RESOLVED that the minutes of the Council Meeting held on 18 September 2019 be confirmed and signed as a correct record.

Declarations of Interest

The following Councillors declared interests as follows: -

Item 9 – Report of the Audit and Governance Committee	Councillor K. Wood	Employee of charity delivering first tier welfare rights advice contract
Item 12 – Motions on Notice – Fairer Funding Formula for TWFRS	Councillor Bewick	Employee of TWFRS

Item 12 – Motions on Notice – Abolition of Section 21 ‘No Fault’ Evictions	Councillor Blackburn	Spouse is a landlord
	Councillor Essl	Council appointed Director – Gentoo Group Limited
Item 12 – Motions on Notice – Port Board : Independent Members	Councillor McClennan	Member of the Port Board
	Councillor G. Smith	Member of the Port Board

Announcements

(i) Death of Former Councillor Mr Colin Wakefield

It was with sadness that the Deputy Mayor referred Council to the recent death of former Councillor, Mr. Colin Wakefield.

Colin Wakefield was first elected to the Council in 2007 representing Copt Hill until 2011 and was returned in May 2011 until May 2015 for a further term of office. During both periods of office he led a group of Independent Councillors and served on a number of committees.

The Deputy Mayor invited Council to join him in standing for a minute’s silence as a mark of respect for their former colleague.

(ii) Ministry of Defence Award

At the invitation of the Deputy Mayor, Councillor Mordey advised the Council that Sunderland City Council had received the Defence Employer Recognition Scheme Gold Award from the Ministry of Defence. The award represents the highest badge of achievement for those that employ and support members of the Armed Forces, past and present, and their families.

The Deputy Mayor received the award on behalf of the Council.

Reception of Petitions

30. RESOLVED that the petitions listed below submitted by the Councillors named, be received and referred for consideration in accordance with the Council’s Petitions Scheme: -

Councillor Johnston – Petition from residents calling on the Council to repair the ground water leak coming from the telegraph pole on Voltage Terrace.

Councillor G. Miller – Petition from residents calling on the Council to place cameras along Sea Road to monitor any anti-social behaviour and safety of residents and traders.

Apologies

Apologies for absence were submitted to the meeting on behalf of Councillors Fagan, Farthing, Heron, Kelly, Leadbitter, Rowntree, Scaplehorn, Scullion, Snowdon, D., Snowdon, D.E., Speding, Walker, G., Wilson, A. and Wood, A. together with Alderman Arnott.

Written Questions under Rule 9

Pursuant to Rule 9 of the Council Rules of Procedure, the Leader and Members of the Cabinet were asked questions which had been submitted by members of the public.

Report of the Cabinet

The Cabinet reported and recommended as follows: -

1. City Plan “Sunderland 2019-2030”

That at its meeting held on 16 July, Cabinet gave consideration to a report of the Director of People, Communications and Partnerships (copy report attached) on the City Plan “Sunderland 2019-2030” which outlined the Council’s overarching strategic plan for the period 2019/2020 to 2029/2030.

The Draft City Plan covers:-

- The key Challenges facing Sunderland
- A Vision for the city and Values for the Council which provide the focus for the Council’s activity in respect of addressing those Challenges and other key issues for the city
- Three Key Themes – Dynamic City, Healthy City and Vibrant City - which are used to organise the Council’s aims in respect of the Challenges and the other key issues
- Five Commitments for each Key Theme under which the Council’s Activities in respect of addressing the Challenges and the other key issues are aligned
- A Timeline of Activities illustrating the Council’s actions across all of the Key Themes for the years 2019-2020 to 2024-2025 and the five-year period 2025-2030

The Cabinet noted the contents of the report and the City Plan “Sunderland 2019-2030” and as an Article 4 Plan it was referred to the Scrutiny Coordinating Committee for further advice and consideration prior to recommending it to Council for approval.

The report was considered by the Scrutiny Coordinating Committee on 12 September 2019, at which time the Committee requested that the City Plan be deferred to allow further consideration of amendments made to the timeline. This was supported by Cabinet on 17 September 2019 and Council on 18 September 2019. As a result, the City Plan, including the amended timeline, was again considered by the Scrutiny Coordinating Committee at its meeting on 10 October 2019.

The Scrutiny Coordinating Committee was satisfied with the Final Draft City Plan having given further consideration to the amended timeline. The Committee will continue to receive updates on the City Plan ensuring that the plan remains a focus for the committee.

The Cabinet recommended that Council approve the City Plan as an Article 4 Plan under the Constitution.

2. Capital Programme Planning 2020/2021 to 2023/2024 and Capital Strategy

That Cabinet had given consideration to a report of the Executive Director of Corporate Services which detailed

- an update on the level of capital resources and commitments for the forthcoming financial year within the current approved capital programme;
- additional capital new start project proposals for inclusion in the Capital Programme 2020/2021 to 2023/2024 to be reported to Cabinet in February 2020; and
- a recommendation to Council for the approval of the updated Council Capital Strategy.

The report was referred to the Scrutiny Coordinating Committee for further advice and consideration prior to recommending the Capital Strategy, as set out in the extract, to Council for approval.

The Cabinet were advised that the Scrutiny Coordinating Committee acknowledged the capital programme and the capital strategy and barring further detail on specific projects, was satisfied with the programme as presented.

Accordingly, Cabinet recommended to Council that the updated Council Capital Strategy be approved.

3. Members' Allowances Scheme – 2020/2021

That at its meeting on 19 November, Cabinet considered the joint report of the Executive Director of Corporate Services and Assistant Director of Law and Governance on the members' allowances scheme for the next financial year.

The Independent Remuneration Panel considered the number and level of allowances currently paid to Members, together with proposals outlined by the Leader of the Council for changes to the Council's governance/committee structure, subject to approval where necessary, and submissions made by or on behalf of representatives of the political groups on the Council. The Panel's report was set out in the Appendix to the report.

The Cabinet recommended that Council approve the report and the recommendations of the Independent Remuneration Panel in respect of the scheme for 2020/2021.

4. Revised Protocol for a Joint Health Scrutiny Committee between Durham County Council, South Tyneside Council and Sunderland City Council

That Cabinet gave consideration to a joint report of the Strategic Director of People, Communications and Partnerships and Assistant Director of Law and Governance to set out for agreement a revised Protocol and Terms of Reference for the Joint Health Scrutiny Committee which included representation from Durham County Council.

Following the formation of the South Tyneside and Sunderland Health Care Group and subsequent merger between South Tyneside NHS Foundation Trust and City Hospitals Sunderland Foundation Trust (South Tyneside and Sunderland NHS Foundation Trust), in December 2016 Council agreed a Protocol and Terms of Reference for the establishment of a Joint Health Scrutiny Committee between Sunderland and South Tyneside Councils to consider subsequent proposals for service changes as required by the Local Authorities (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 ("the Health Scrutiny Regulations").

The service change programme, *Path to Excellence*, has now entered its second phase with likely service changes not only affecting South Tyneside and Sunderland residents but also those of North Durham.

The Cabinet recommended to Council that:-

- (i) the revised Protocol and Terms of Reference for the Joint Health Scrutiny Committee between South Tyneside, Sunderland, and Durham be approved (Appendix 1); and
- (ii) the Council's representatives to the Joint Committee remain as appointed.

5. Revised Protocol for Northumberland, Tyne and Wear and North Durham Joint Health Scrutiny Committee

That Cabinet considered a joint report of the Strategic Director of People, Communications and Partnerships and Assistant Director of Law and Governance to set out a revised protocol and Terms of Reference to reflect the changes away from a Sustainability and Transformation Partnerships model to an Integrated Care System model.

The Cabinet recommended to Council that:-

- (i) the revised protocol and terms of reference for the Joint Health Scrutiny Committee between Durham County Council; Gateshead Council; Newcastle City Council; North Tyneside Council; Northumberland County Council; South Tyneside Council and Sunderland City Council (Appendix 1&2) be approved;
- (ii) the Northumberland, Tyne and Wear and North Durham Joint Health Scrutiny Committee be known from this point forward as the Joint OSC for the North East and North Cumbria ICS and North and Central ICP's;
- (iii) the Council's representatives to the Joint Committee remain as appointed.

The Leader of the Council, Councillor G. Miller, duly seconded by the Deputy Leader, Councillor Mordey, moved the report of the Cabinet.

Councillor Oliver, duly seconded by Councillor Mullen, moved a reference back on Item 3 – Members' Allowance Scheme – 2020/2021.

Upon being put to the vote, the reference back was defeated with thirteen Members voting in favour: -

Councillors	Blackett Dixon, M. Doyle Francis	Greener Howe Jenkins	McDonough McKeith Mann	Mullen Oliver Wood, P.
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And forty-six Members voting against:-

Councillors	Armstrong Atkinson Bewick Blackburn Butler Chequer Crosby Cunningham Davison Dixon, D. Essl Fletcher	Foster Gibson, E. Gibson, P. Haswell Hodson Jackson Johnston Lauchlan Lawson MacKnight, D. MacKnight, N. Marshall	McClennan Miller, F. Miller, G. Mordey O'Brien Potts Samuels Scanlan Smith, G. Smith, P. Stewart	Taylor Thornton Trueman, D. Turner Tye Walker, P. Waller Watson Williams Wilson, D. Wood, K.
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The Deputy Mayor proposed that approval and adoption of the Cabinet report be considered in two stages, with a separate vote on Cabinet's recommendations in respect of Item 1 – City Plan “Sunderland 2019-2030 and Item 2 – Capital Programme Planning 2020/2021 to 2023/2024 and Capital Strategy being taken first, followed by a vote on the remainder of Cabinet's recommendations.

Upon being put to the vote, with forty-two Members voting in favour:-

Councillors	Atkinson	Gibson, E.	Mann	Thornton
	Bewick	Gibson, P.	Marshall	Trueman, D.
	Blackburn	Hunt	Miller, F.	Turner
	Butler	Jackson	Miller, G.	Tye
	Chequer	Jenkins	Mordey	Walker, P.
	Cunningham	Johnston	Samuels	Waller
	Davison	Lauchlan	Scanlan	Watson
	Dixon, D.	Lawson	Smith, P.	Williams
	Essl	MackKnight, D.	Stewart	Wilson, D.
	Fletcher	MackKnight, N.	Taylor	Wood, K.
	Foster	McClennan		

Seventeen Members voting against:-

Councillors	Blackett	Greener	McDonough	Oliver
	Crosby	Haswell	McKeith	Potts
	Dixon, M.	Hodson	Mullen	Smith, G.
	Doyle	Howe	O'Brien	Wood, P.
	Francis			

And one abstention:-

Councillor Armstrong

Accordingly it was:-

31. RESOLVED that the Cabinet's recommendations for Items 1 and 2 of the report of the Cabinet be adopted and approved.

In respect of the remainder of Cabinet's recommendations, upon being put to the vote, with forty-five Members voting in favour:-

Councillors	Atkinson	Gibson, P.	Marshall	Taylor
	Blackburn	Haswell	Miller, F.	Thornton
	Butler	Hodson	Miller, G.	Trueman, D.
	Chequer	Hunt	Mordey	Turner
	Crosby	Jackson	O'Brien	Tye
	Cunningham	Johnston	Potts	Walker, P.
	Davison	Lauchlan	Samuels	Waller
	Dixon, D.	Lawson	Scanlan	Watson
	Essl	MacKnight, D.	Smith, G.	Williams
	Fletcher	MacKnight, N.	Smith, P.	Wilson, D.
	Foster	McClennan	Stewart	Wood, K.
	Gibson, E.			

Eleven Members voting against:-

Councillors	Blackett	Francis	McDonough	Oliver
	Dixon, M.	Greener	McKeith	Wood, P.
	Doyle	Howe	Mullen	

And four Members voting to abstain:-

Councillors	Armstrong	Bewick	Jenkins	Mann
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Accordingly it was:-

32. RESOLVED that the remainder of the Cabinet recommendations within the report of the Cabinet be approved and adopted.

Report of the Audit and Governance Committee

The Audit and Governance Committee reported and recommended as follows:-

1. Annual Report on the work of the Audit and Governance Committee 2018/19

That the Audit and Governance Committee had given consideration to a report by the Assistant Director of Business and Property Services on the work of the Audit and Governance Committee during 2018/19, demonstrating how they have fulfilled their delegated responsibilities.

Accordingly, the Committee recommended to Council that they note the Annual Report on the Work of the Audit and Governance Committee 2018/19.

2. Annual Audit Letter 2018/2019

That the Committee gave consideration to the Annual Audit Letter covering the year 2018/2019 prepared by the Council's external auditor Mazars LLP.

The Committee welcomed the positive report and accordingly, the Committee recommended Council note the Annual Audit Letter for 2018/2019.

The Cabinet Secretary, Councillor Stewart, duly seconded by Councillor Lawson, moved the report of the Audit and Governance Committee and accordingly it was:-

33. RESOLVED that the report of the Audit and Governance Committee be received and noted.

Written Questions under Rule 10.2

Pursuant to Rule 10.2 of the Council Rules of Procedure, Members of the Council asked questions of the Leader and Members of the Executive.

Councillor O'Brien, seconded by Councillor Hodson, moved an extension to the time for responding to written questions.

Upon being put to the vote, the motion was defeated with the majority voting against an extension to the time for responding to written questions by way of a show of hands.

Action on Petitions

The Council received and noted the report below which detailed the action taken in relation to the following petitions which had been presented to the Council.

- (i) **Petition to replace and bring up to date equipment and supply a piece of equipment for disabled children to meet inclusive standards. To erect no dogs allowed signs at King George playing field, Church Road, Hetton Downs – Presented by Councillor Cunningham on 19th June, 2019**

Following consideration by Council Officers, work had now been undertaken at the play area to devise an improvement scheme at the current site. The plans had been finalised and a contractor had been appointed. Works to be undertaken included:

- changing the existing surface to grass matting
- new sleeper retaining edges
- the introduction of a new inclusive swirl roundabout and
- installation of a new junior multi-unit

Works were also planned to restore basketball nets and reline the court area. A review of the required signage will then take place establishing the site requirements following the improvements. The contactors aim to have the planned works completed by the end of the calendar year. Councillor Cunningham had been informed of the decision.

(ii) Petition to take action in response to the recent rise in anti social behaviour and arson incidents in Roker Park – Presented by Councillor McKeith on the 18th September, 2019

Officers from Sunderland City Council work with colleagues from Northumbria Police and have discussed required actions in relation to reported incidents in Roker Park.

The arrangements outlined in the report were considered to be an appropriate response to reports of incidents in Roker Park that have been received by Sunderland City Council and Northumbria Police. These arrangements will be subject to review upon receipt of any further reports of incidents in the park.

Councillor McKeith had been informed of the decision.

(iii) Petition to Council with regard to an application calling on the Council to investigate a restriction on the use of Shepherd's Way Car Park and to discourage and prohibit overnight stays, vehicle misuse, noise and damage and the grazing of horses – Presented by Councillor Fiona Miller on 23rd August and 18th September, 2019

In accordance with the Council's procedures, the petition was sent to Housing Services, which leads on Gypsy, Roma and Traveller accommodation to respond to.

The response was prepared by the Encampment Review Group which is a group which meets if there are issues with encampments in the City. The group is comprised of Sunderland City Council officers from Housing, Legal, Security and Environmental Services, a Together for Children representative and Northumbria Police.

The group considered the petition together with evidence relating to complaints about the site, data from Northumbria police, data from Environmental Services and Security staff and overall, the encampments were in line with the Council's unauthorised encampment policy in that it was classed as a suitable site and, where Gypsies, Roma and Travellers overstayed the agreed time, a notice was served and they vacated the site within the terms of the notice. There was no evidence from police or council records of crime and anti-social behaviour on the site. Gypsy and Roma communities are covered by Equality legislation and cannot be treated differently to other people in the community, so existing powers and procedures around noise, anti-social behaviour and crime would be applied in the same way to them as other citizens.

A number of actions were agreed as set out in the report and the Ward Councillors and lead petitioner had been advised of the outcomes.

Notices of Motion

(i) Fairer Funding Formula for Tyne and Wear Fire and Rescue Service

Councillor Taylor, duly seconded by Councillor Samuels, moved the following motion:-

“Tyne and Wear Fire and Rescue Service continues to face ongoing challenges as a result of a funding model that hits hardest those Services that operate in areas of high deprivation such as ours.

This council notes that:

- whilst all fire and rescue services have experienced funding challenges to some extent, Tyne and Wear Fire and Rescue Service’s core spending power has been significantly reduced since austerity began in 2010, having experienced some of the most significant budget reductions across fire and rescue services in England.
- based on the best information available at this time, the Authority is projected to be facing a cumulative funding shortfall of £4.089m by the end of 2022/2023.

This council therefore agrees to support the Chief Fire Officer and the Tyne and Wear Fire and Rescue Authority, in lobbying the Government for a fairer funding formula for Tyne and Wear Fire and Rescue Service that takes into account areas of deprivation and those that exist in Sunderland and Tyne and Wear.”

The motion having been unanimously agreed, it was:-

34. RESOLVED that:-

Tyne and Wear Fire and Rescue Service continues to face ongoing challenges as a result of a funding model that hits hardest those Services that operate in areas of high deprivation such as ours.

This council notes that:

- whilst all fire and rescue services have experienced funding challenges to some extent, Tyne and Wear Fire and Rescue Service’s core spending power has been significantly reduced since austerity began in 2010, having experienced some of the most significant budget reductions across fire and rescue services in England.

- based on the best information available at this time, the Authority is projected to be facing a cumulative funding shortfall of £4.089m by the end of 2022/2023.

This council therefore agrees to support the Chief Fire Officer and the Tyne and Wear Fire and Rescue Authority, in lobbying the Government for a fairer funding formula for Tyne and Wear Fire and Rescue Service that takes into account areas of deprivation and those that exist in Sunderland and Tyne and Wear.

(ii) Abolition of Section 21 ‘No Fault’ Evictions

Councillor Haswell, duly seconded by Councillor Hodson, moved the following motion:-

“Section 21, ‘no fault’ evictions allow a landlord to evict a tenant after a set period without giving a reason. This motion calls on Sunderland City Council to campaign to end the use of Section 21 evictions, as Scotland has done, and create greater security for renters.

This council notes that:

- no-fault evictions, introduced under Section 21 of the 1988 Housing Act, allow landlords to evict tenants, without having to give a reason, once the term of the tenancy has expired;
- 80% of England’s 11 million renters are on tenancies with fixed terms of six months or a year; after this period has ended, landlords can evict their tenants under Section 21 without cause;
- research published by The Observer campaign group Generation Rent indicates that Section 21 evictions are now the single biggest cause of homelessness in England; and that
- in 2017, the Scottish Government made tenancies indefinite and banned no-fault evictions under the terms of the Private Housing (Tenancies) (Scotland) Act 2016.

This council believes Abolishing Section 21 no-fault evictions:

- would help to make renting more secure and communities more stable, improve standards and increase tenant confidence;
- would further help to tackle homelessness, which should be a priority for government at all levels; and,
- should happen as soon as practicably possible.

This council, therefore:

- notes with concern the failure of the UK Government to pass legislation to abolish Section 21 no-fault evictions in England despite announcing plans to consult on new legislation in April 2019;

- calls upon the next UK Government, formed after the General Election on 12 December 2019 to ensure that legislation is brought forward in the new Parliament to abolish Section 21 no-fault evictions in England;
- ensures that existing rules on evictions where there is damage to a property, anti-social behaviour or non payment of rent are simplified for landlords whilst ensuring that reasonable requirements on dispute resolution are maintained; and
- resolves to work with the Unfair Evictions Campaign led by Generation Rent, the New Economics Foundation and renters' unions, to bring about the swift abolition of Section 21 no-fault evictions.

The motion having been unanimously agreed it was:-

35. RESOLVED that:-

Section 21, 'no fault' evictions allow a landlord to evict a tenant after a set period without giving a reason. This motion calls on Sunderland City Council to campaign to end the use of Section 21 evictions, as Scotland has done, and create greater security for renters.

This council notes that:

- no-fault evictions, introduced under Section 21 of the 1988 Housing Act, allow landlords to evict tenants, without having to give a reason, once the term of the tenancy has expired;
- 80% of England's 11 million renters are on tenancies with fixed terms of six months or a year; after this period has ended, landlords can evict their tenants under Section 21 without cause;
- research published by The Observer campaign group Generation Rent indicates that Section 21 evictions are now the single biggest cause of homelessness in England; and that
- in 2017, the Scottish Government made tenancies indefinite and banned no-fault evictions under the terms of the Private Housing (Tenancies) (Scotland) Act 2016.

This council believes Abolishing Section 21 no-fault evictions:

- would help to make renting more secure and communities more stable, improve standards and increase tenant confidence;
- would further help to tackle homelessness, which should be a priority for government at all levels; and,
- should happen as soon as practicably possible.

This council, therefore:

- notes with concern the failure of the UK Government to pass legislation to abolish Section 21 no-fault evictions in England despite announcing plans to consult on new legislation in April 2019;

- calls upon the next UK Government, formed after the General Election on 12 December 2019 to ensure that legislation is brought forward in the new Parliament to abolish Section 21 no-fault evictions in England;
- ensures that existing rules on evictions where there is damage to a property, anti-social behaviour or non payment of rent are simplified for landlords whilst ensuring that reasonable requirements on dispute resolution are maintained; and
- resolves to work with the Unfair Evictions Campaign led by Generation Rent, the New Economics Foundation and renters' unions, to bring about the swift abolition of Section 21 no-fault evictions.

(iii) Port Board: Independent Members

Councillor P. Wood, duly seconded by Councillor George Smith, moved the following motion:-

“This Council regrets the termination on 31 December 2019 of the co-options of the two independent members of the Port Board and records its appreciation of their services.

It believes the expertise of such members will continue to be required for the successful operation of the Port and that it would be proper for an appropriate payment to continue to be made for such expertise.”

Pursuant to Rule 13.12 of the Council Rules of Procedure, the Leader, duly seconded by Councillor Mordey, moved that the question be put and the matter proceed to the vote, given that the item had already been considered under the Report of the Cabinet earlier on the agenda.

Upon being put to the vote, with thirty-seven Members voting in favour:-

Councillors	Armstrong	Foster	Marshall	Taylor
	Atkinson	Gibson, E.	Mann	Thornton
	Bewick	Gibson, P.	Miller, F.	Trueman, D.
	Blackburn	Jackson	Miller, G.	Turner
	Butler	Jenkins	Mordey	Tye
	Chequer	Johnston	Samuels	Walker, P.
	Cunningham	Lauchlan	Scanlan	Waller
	Dixon, D.	Lawson	Smith, P.	Williams
	Essl	MacKnight, N.	Stewart	Wilson, D.
	Fletcher			

Sixteen Members voting against:-

Councillors	Blackett	Francis	McDonough	Oliver
	Crosby	Greener	McKeith	Potts
	Dixon, M.	Haswell	Mullen	Smith, G.
	Doyle	Hodson	O'Brien	Wood, P.

And one abstention:-

Councillors McClennan

Accordingly it was:-

36. RESOLVED that the procedural motion to proceed to the vote on the substantive motion be agreed.

Upon being put to the vote, the substantive motion was defeated, with thirty-two Members voting against:-

Councillors	Atkinson	Foster	Marshall	Taylor
	Blackburn	Gibson, E.	Miller, F.	Thornton
	Butler	Gibson, P.	Miller, G.	Trueman, D.
	Chequer	Jackson	Mordey	Turner
	Cunningham	Johnston	Samuels	Tye
	Dixon, D.	Lauchlan	Scanlan	Walker, P.
	Essl	Lawson	Smith, P.	Williams
	Fletcher	MacKnight, N.	Stewart	Wilson, D.

Twenty Members voting in favour:-

Councillors	Armstrong	Doyle	Jenkins	O'Brien
	Bewick	Francis	McDonough	Oliver
	Blackett	Greener	McKeith	Potts
	Crosby	Haswell	Mann	Smith, G.
	Dixon, M.	Hodson	Mullen	Wood, P.

And one abstention:-

Councillors McClennan

(iv) Together for Children Failures

Councillor McKeith, duly seconded by Councillor Oliver, moved the following motion:-

“Recent reports and evidence suggest that the quality of operations in some TfC departments have not improved since the last full Ofsted inspection; in some areas they have got worse.

Council agrees that the Portfolio Holder should resign from her position if no clear improvements have been made within six months.

The Portfolio Holder is asked to produce a report detailing what she is doing in response to the imminent monitoring letter.”

Upon being put to the vote, the motion was defeated, with thirty-four Members voting against:-

Councillors	Armstrong	Foster	Miller, F.	Thornton
	Atkinson	Gibson, E.	Miller, G.	Trueman, D.
	Blackburn	Gibson, P.	Mordey	Turner
	Butler	Jackson	Samuels	Tye
	Chequer	Johnston	Scanlan	Walker, P.
	Cunningham	Lauchlan	Smith, P.	Waller
	Dixon, D.	Lawson	Stewart	Williams
	Essl	MacKnight, N.	Taylor	Wilson, D.
	Fletcher	Marshall		

And, nineteen Members voting in favour:-

Councillors	Bewick	Francis	McDonough	Oliver
	Blackett	Greener	McKeith	Potts
	Crosby	Haswell	Mann	Smith, G.
	Dixon, M.	Hodson	Mullen	Wood, P.
	Doyle	Jenkins	O'Brien	

(v) Register of Political Interests

The following motion was the next item of business on the Council agenda.

“In the interests of transparency this Council agrees to establish a register of political interests which all senior officers who are members of a political party will be expected to complete.”

Prior to the motion being moved and seconded, the Deputy Leader raised a point of order under the Council Rules of Procedure regarding the scope of the motion and sought advice on its appropriateness.

The Deputy Mayor ruled that the motion would be unlawful and would not be debated. Accordingly he proceeded to the next item of business.

Report on Special Urgency Decisions

The Leader of the Council submitted a quarterly report and supplementary report on executive decisions which had been taken as a matter of special urgency.

The Leader of the Council, Councillor G. Miller, duly seconded by the Deputy Leader, Councillor Mordey, moved the reports which advised that since the publication of the Council Summons, the undermentioned decision had been made:-

Decision Taker	Date	Particulars of Decision	Summary of matters in respect of which the decision was made
Cabinet	19.11.19	To seek approval to vary funding within the agreed capital programme to enable the award of a contract in respect of a local authority commissioned special free school.	Action required to secure the award of a contract to ensure there is no delay in the creation of a new ASD School, which is intended to increase the availability of specialist autistic places across the City.

and accordingly, it was:-

37. RESOLVED that the report be received and noted.

Appointments to Outside Bodies

The Assistant Director of Law and Governance submitted a report which requested the Council to consider appointments to the Together for Children Sunderland Board.

The Leader of the Council, Councillor G. Miller, duly seconded by the Deputy Leader, Councillor Mordey, moved the report and accordingly, it was:-

38. RESOLVED that the appointment of David Gallagher and Denise Bexley on the Together for Children Board, for a three year term, subject to satisfactory DBS and references be approved.

(Signed) H. TRUEMAN,
Deputy Mayor.

Report of the Cabinet

The CABINET reports and recommends as follows:-

1. Review of Polling Districts, Polling Places and Polling Stations

That they have given consideration to a report of the Chief Executive (copy attached) on the review of polling districts, polling places and polling stations carried out as required by the Electoral Registration and Administration Act 2013.

Accordingly, the Cabinet recommended to Council to approve:-

- (a) The implementation of changes to the parliamentary polling districts and parliamentary polling places as detailed in Appendix 3 to apply to all elections, namely UK Parliamentary, Local Government and any other elections and referenda;
- (b) The authorisation of the Electoral Registration Officer to make the amendments to polling districts for the Electoral Register to be published on 1 February 2020;
- (c) The delegation to the Chief Executive to make, where necessary, alterations to the designation of any polling place prior to the next full review in consultation with ward Councillors and the portfolio holder; and
- (d) That due to the parish areas of Burdon (in Doxford ward) and Warden Law (in Copt Hill ward) being extremely small, with few electors, special circumstances apply for the purposes of the Representation of the People Act 1983, so that those parishes do not need to be separate polling districts.

2. Council Tax Base 2020/2021

That they have given consideration to a report of the Executive Director of Corporate Services (copy attached) on the calculation of the Council Tax Base for 2020/2021 and to seek approval to recommend to Council the Council Tax Base for 2020/2021 in accordance with the Local Government Finance Act 1992 as amended by the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012.

Accordingly, the Cabinet recommended to Council that:-

- (a) The report for the calculation of the Tax Bases for the City Council and Hetton Town Council for 2020/2021 be approved; and

- (b) That pursuant to the report and in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992 and the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by Sunderland City Council as its Council Tax Base for the year 2020/2021, shall be 71,336 and for the area of Hetton Town Council shall be 3,868.

3. Local Council Tax Support Scheme

That they have given consideration to a report of the Executive Director of Corporate Services (copy attached) requesting that Cabinet consider, for the purposes of paragraph 5 of Schedule 1A to the Local Government Finance Act (LGFA) 1992, whether the Local Council Tax Support Scheme (LCTSS) – which is the Council's Council Tax Reduction Scheme under section 13A(2) LGFA 1992 – should be revised or replaced with another scheme for the financial year 1 April 2020 to 31 March 2021.

Accordingly, the Cabinet recommended to Council that:-

- (i) The current LCTSS for the City of Sunderland, the main features of which are set out at Appendix A, be amended from 1 April 2020 to incorporate any legislative changes to the prescribed requirements for the Scheme but that it be not otherwise revised or replaced; and
- (ii) The approved LCTSS for the financial year 2020/2021 be published on the Council's website and in any additional manner determined by the Executive Director of Corporate Services in consultation with the Cabinet Secretary.

4. Feed and Food Law Service Plan 2019/20

That they have given consideration to a report of the Executive Director of Neighbourhoods (copy attached) on the Feed and Food Controls Service Plan for 2019/2020 to be used by the Feed and Food Safety Enforcement across the city, which had been formulated to comply with the current recommendations of the Food Standards Agency Framework Agreement and outlined the national priorities and standards for service delivery.

They also referred the matter to the Economic Prosperity Scrutiny Committee for advice and consideration. The Committee commended the hard work of the staff during the year and supported the Cabinet's recommendation to submit the Feed and Food Controls Service Plan for 2019/2020 to Council for final approval.

Cabinet also gave delegated authority to the Executive Director of Neighbourhoods, in consultation with the Portfolio Holder for Environment and Transport, to make any amendments to the plan that were considered appropriate in the light of comments from the Economic Prosperity Scrutiny Committee, prior to it being referred to Council for endorsement.

Accordingly, the Cabinet recommended to Council to approve the Feed and Food Law Service Plan 2019/20.

5. Adoption of Core Strategy and Development Plan 2015-2033

That they have given consideration to a report of the Executive Director of City Development (copy attached) to seek approval to the adoption of the Core Strategy and Development Plan 2015-2033 (the Plan).

They also referred the matter to the Economic Prosperity Scrutiny Committee and the Planning and Highways Committee for advice and consideration. The Committees supported the recommendations of the report and thanked officers for all the work involved in the preparation of the Plan.

Accordingly the Cabinet recommends that Council:-

- (i) Notes the Planning Inspector's Report on the Core Strategy and Development Plan (Appendix 1) and accepts the Main Modifications;
- (ii) Adopts the Core Strategy and Development Plan 2015-2033 including the Policies Map (Appendix 2) to take effect from 30 January 2020; and
- (iii) Notes that Cabinet agreed that the Supplementary Planning Documents set out in Appendix 3 to the report are revoked with effect from 30th January 2020 subject to Council's agreement to adopt the Core Strategy and Development Plan with effect from that date, with revised SPDs to be developed where appropriate.

N.B. Members are requested to note that the Core Strategy and Development Plan 2015-2033 is included in Appendices 1 to 4 of the Cabinet report, which are available for inspection in Members' Group Rooms and the Members' Workroom or alternatively the document can be viewed on-line at:-

<https://www.sunderland.gov.uk/committees/cm5/Meetings/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/9951/Committee/1966/Default.aspx>

CABINET – 14 JANUARY 2020

REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

Report of Chief Executive

1. Purpose of the Report

- 1.1 To advise Cabinet of the review of polling districts, polling places and polling stations carried out as required by the Electoral Registration and Administration Act 2013.

2. Description of Decision

- 2.1 To note the submissions made to the Council in respect of the review of polling districts and polling places for Sunderland City Council.
- 2.2 To note the final proposals in respect of the review.
- 2.3 To recommend to Council to agree:
- The implementation of changes to the parliamentary polling districts and parliamentary polling places as detailed in Appendix 3 to apply to all elections, namely UK Parliamentary, Local Government and any other elections and referenda
 - The authorisation of the Electoral Registration Officer to make the amendments to polling districts for the Electoral Register to be published on 1 February 2020
 - The delegation to the Chief Executive to make, where necessary, alterations to the designation of any polling place prior to the next full review in consultation with ward Councillors and the portfolio holder
 - That due to the parish areas of Burdon (in Doxford ward) and Warden Law (in Copt Hill ward) being extremely small, with few electors, special circumstances apply for the purposes of the Representation of the People Act 1983, so that those parishes do not need to be separate polling districts

3. Background

- 3.1 The Electoral Administration Act 2006 introduced a duty for all polling districts and polling places to be reviewed by the end of 2007, and then at least once every four years thereafter. The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places. This change required that the next compulsory review should be started and completed between 1 October 2013 and 31 January 2015. Subsequent compulsory reviews must be started and completed within the period of 16 months that starts on 1 October of every fifth year after 1 October 2013.

- 3.2 Under the Representation of the People Act 1983, the Council may divide the city wards into polling districts and designate at least one polling place for each district. It also should keep these arrangements under review. The boundaries of local government wards are not covered by this review as they are determined by the Boundary Commission for England.
- 3.3 For the purpose of this review, a polling district is a geographical area created by the sub division of a UK Parliamentary Constituency for the purposes of a UK Parliamentary Election. A polling place is the building or area in which polling station will be positioned by the Acting Returning Officer. A polling station is the room or area within the polling place where voting will take place.
- 3.4 Polling districts and polling places for other elections are not automatically part of this compulsory review. However, as polling districts and polling places for other elections are based on UK Parliamentary polling arrangements, the requirements of any other elections held within the local authority should be taken into consideration as part of this review and it is proposed the recommendations in respect of parliamentary elections are applied to all other elections and referenda.
- 3.5 The Council has carried out informal reviews of polling districts and polling places regularly since the ward boundaries were last reviewed and changed in 2004.
- 3.6 As part of the informal reviews, consultation was held with Council members, candidates, election agents and local Members of Parliament. Arising from that, amendments have been made to some polling districts and polling stations to improve access and comply with the requirements of the Disability Discrimination Act.
- 3.7 The Electoral Registration and Administration Act 2013 introduced several changes to the RPA 1983 in respect of the way reviews must be undertaken. The most important change is that the Council must conduct a full review by 31 January 2020 and every five years thereafter. This does not, however, prevent changes being made at any time before the next full review.
- 3.8 Council agreed the current polling districts within the City in November 2014.
- 3.9 It should be noted that the Electoral Commission (EC) has no role in the review process itself. However, the EC can consider comments if people do not think the review has met the reasonable requirements of electors or taken sufficient account of the needs of disabled electors. The following can appeal to the commission:
- 30 or more registered electors
 - any person who made comments during the review
 - any non elector who has expertise in access to premises or facilities for disabled people

As a result, the Electoral Commission can direct the Council to alter arrangements arising from the review and make these alterations itself if the Council does not do so within two months.

4. Current Position

4.1 A review of polling districts, places and stations, in line with Electoral Commission guidance, was carried out between 2 September and 11 October. As part of the review the Council published the Acting Returning Officer's comments in respect of each of the existing polling districts, places and stations. These were published on the Council's website, in the Customer Service Centre and sent to all Members, the three Members of Parliament and various equality forums.

4.2 12 comments were received, all of which are contained in Appendix 2.

4.3 All comments were considered and the Acting Returning Officer has suggested the following:

Electoral Area	Polling District / Station	Polling place /station name	Proposed changes
Barnes Ward Sunderland Central Constituency	A5 / A05	West Community Association, Chester Road	No proposed changes – keep under review
Copt Hill Ward Houghton and Sunderland South Constituency	C4 / C04	Cherry Tree Gardens, Orchard Place, Houghton le Spring	No proposed changes – keep under review
Redhill Ward Washington and Sunderland West Constituency	L4 / L04	Willow Fields Community Primary School, Winslow Close, Witherwack	No proposed changes – keep under review
St Anne's Ward Washington and Sunderland West Constituency	N2 / N02	St Thomas Church, Petersfield Road	Propose to move polling district boundary which will move properties in Birchberry Close that are currently in N02 into N04

St Anne's Ward Washington and Sunderland West Constituency	N4 / N04	Broadway Junior School, Springwell Road	Propose to move polling district boundary which will move properties from Birchberry Close that are currently in N02 into N04
St. Peters Ward Sunderland Central Constituency	Q1 / Q01	Residents Lounge, Zetland Square, Multi Storey Block	No change to polling district. Propose to change polling station to Dame Dorothy Community Hub, Dock Street, Monkwearmouth, Sunderland
Silksworth Ward Houghton and Sunderland South Constituency	T3 / T03	Beckwith Mews Activity Room, Beckwith Mews	Propose to move polling district boundary and move properties on Mary Street from T03 to T04
Silksworth Ward Houghton and Sunderland South Constituency	T4 / T04	New Silksworth Methodist Church, North Street	Propose to move polling district boundary and move properties on Mary Street from T03 to T04

A full list of polling districts, places and stations can be found at Appendix 3 which includes the above.

4.4 This report recommends that these changes are proposed to full Council to be implemented.

5. Reasons for the Decision

5.1 To comply with the Electoral Registration and Administration Act 2013 which requires all local authorities to review their UK Parliamentary polling districts and polling places by 31 January 2020.

6. Alternative Options

6.1 The Council does not comply with the Electoral Registration and Administration Act 2013. This is not recommended as the Council would be in breach of the Act.

7. Impact Analysis

7.1 An equality analysis has been carried out and the recommendations in this report are not considered to have any adverse impact on equalities.

8. Other Relevant Considerations / Consultations

There are no other considerations.

9. Glossary

N/A

10. List of Appendices

Appendix 1 – a list of polling stations currently used detailing the allocation of polling districts and polling places.

Appendix 2 – summary of the representations received and the comments from the Acting Returning Officer

Appendix 3 – proposed changes to polling districts and polling places.

11. Background Papers

Consultee's comments on the Acting Returning Officers recommendations

<http://www.legislation.gov.uk/ukpga/2006/22/contents>

http://www.legislation.gov.uk/ukpga/2013/6/pdfs/ukpga_20130006_en.pdf

<http://www.legislation.gov.uk/ukpga/1983/2/contents/enacted>

<http://www.electoralcommission.org.uk/i-am-a/electoral-administrator/polling-place-reviews>

<http://www.legislation.gov.uk/uksi/2006/2965/contents/made>

Polling Districts and Polling Places (Stations)

September 2019

Constituency	Ward	Station Reference	Polling District(s)	Polling Place
Houghton and Sunderland South	Copt Hill	C1	C01	Eppleton Cricket Club, Tea Room, Church Road
		C2	C02	Bethany Christian Centre, Hetton Road
		C3	C03	Communal Hall, Burdon Avenue
		C4	C04	Cherry Tree Gardens, Orchard Place, Houghton le Spring
		C5	C05	St Matthews Youth & Community Centre, Church Hall, Front Street
		C6	C06	Philadelphia Cricket and Community Club, Bunker Hill Ground, Back Shop Row
	Doxford	D1	D01	Benedict Biscop C E Academy, Marcross Drive
		D2	D02	The Box Youth Project, Hall Farm Road
		D3	D03	Doxford Park Community Association, Mill Hill Road, Doxford Park
		D4	D04	Mill Hill Primary School, Torphin Hill Drive, Doxford Park
		D5	D05	Venerable Bede CE Academy, Entrance to the school, Tunstall Bank
	Hetton	G1	G01	Hetton Lyons Primary School, Four Lane Ends
		G2	G02,G04	Hetton Centre, Welfare Road, Hetton-Le-Hole
		G3	G03	East Rainton Primary School, School Road
		G4	G05	Easington Lane Community Access Point, Brickgarth
	Houghton	H1	H01	Dubmire Primary School, Britannia Terrace, Fence Houses
		H2	H02	Dubmire Primary School, Britannia Terrace, Fence Houses
		H3	H03	Houghton Centre for the Blind, Thornhill Street
		H4	H04	Sunniside Methodist Church, School Room, Blind Lane
		H5	H05	Newbottle Primary Academy, Houghton Road, Newbottle
	St Chad's	O1	O01	Amalfi Tower, Main Entrance - Ground Floor, Lakeside
		O2	O02	Farringdon Academy, Archer Road, Farringdon
		O3	O03	St Chad's Church Hall, Charter Drive, East Herrington
		O4	O04	Farringdon Youth and Community Centre, Allendale Road, Farringdon
		O5	O05	East Herrington Primary Nursery, Charter Drive, East Herrington
	Sandhill	R1	R01	St Mary's & St Peter's Community Project, Springwell Road
		R2	R02	Thorney Close Primary School, Torquay Road
		R3	R03	Hasting Hill Academy, Tilbury Road, Thorney Close
		R4	R04	Grindon U R Church, Galway Road, Grindon
		R5	R05	Grindon Infant School - Nursery Entrance, Gleneagles Road, Grindon
	Shiney Row	S1	S01	Boundary Houses C A, Golf Course Road
		S2	S02	Shiney Row Community Association, Claremont Drive
		S3	S03	Trinity Methodist Church, Chester Road
		S4	S04	St Aidan's Parish Centre, St Aidan's Terrace
		S5	S05	Penshaw Parish Centre, Station Road, Penshaw
		S6	S06	Penshaw Community Association, Wensleydale Avenue, Houghton Le Spring
	Silksworth	T1	T01	Temporary Polling Station, Corner of Perth Road and Purley Road
		T2	T02	Temporary Polling Station, Foot of Barras Drive
		T3	T03	Beckwith Mews Activity Room, Beckwith Mews
		T4	T04	New Silksworth Methodist Church, North Street
		T5	T05	Tom Urwin House, Silksworth Terrace

Polling Districts and Polling Places (Stations)

September 2019

Constituency	Ward	Station Reference	Polling District(s)	Polling Place
Sunderland Central	Barnes	A1	A01	Grindon Community Association, Cortina Avenue
		A2	A02	Barnes Junior School, Entrance from Wycliffe Road
		A3	A03	Humbledon Methodist Church, Ettrick Grove
		A4	A04	Richard Avenue Primary School, Hurstwood Road
		A5	A05	West Community Association, Chester Road
	Fulwell	E1	E01	Army Reserve Centre, Dykelands Road
		E2	E02	Fulwell Methodist Church, Dovedale Road
		E3	E03	Fulwell Community Library, Dene Lane
		E4	E04	The Grange Public House, Newcastle Road
		E5	E05	Seaburn Dene Primary School, Torver Crescent
	Hendon	F1	F01	CHANCE Sunderland, 2 Rickaby Street
		F2	F02	Hudson Road Primary School, Villiers Street South
		F3	F03	Valley Road Academy, Corporation Road
		F4	F04	Carnegie Community Corner, Toward Road
		F5	F05	Grangetown Primary School, Spelterworks Road
	Millfield	J1	J01	Diamond Hall Junior Academy, Community Room, Well Street
		J2	J02	St Bedes U R Church, School Room, Sorley Street
		J3	J03	Burn Park Methodist School Room, Burn Park Road
		J4	J04	St Marks Community Association, St Marks Church, St Marks Terrace
		J5	J05	Sunderland Minster, High Street West
	Pallion	K1	K01	Highfield Academy, Fordfield Road
		K2	K02	Bethesda Free Church Mission Hall, Flodden Road
		K3	K03	St Luke's Neighbourhood Centre, Corner of Merle Terrace, St Lukes Road
		K4	K04	Lambton Street Youth Centre, Falkland Road
		K5	K05	St Gabriel's Mens Institute Building, St Gabriel's Avenue
	Ryhope	M1	M01	St Aidan's Church Hall, Ryhope Road
		M2	M02	Temporary Polling Station, Car Park Olympian Boxing Club, Leechmere Way
		M3	M03	Ryhope Pentecostal Church, Ryhope Street South
		M4	M04	Ryhope Community Association, Ryhope Street
		M5	M05	Derwenthurst Club, Entrance at Rear from Station Road, The Village
	St Michael's	P1	P01	St Nicholas Church, Haver Hall, Silksworth Lane
		P2	P02	St John's Church, Entrance from The Grove, Ashbrooke
		P3	P03	Church of Jesus Christ of Latter Day Saints, Queen Alexandra Road
		P4	P04	Grangetown Community Centre, Stannington Grove
		P5	P05	The Alexandra Public House, Queen Alexandra Road
	St Peter's	Q1	Q01	Residents Lounge, Zetland Square, Multistorey Block
		Q2	Q02	Hallgarth Bethesda Mission Hall, Bright Street
		Q3	Q03	Roker Methodist Church, Roker Park Road, Entrance from Lonsdale Road
		Q4	Q04	Redby Community Centre, Fulwell Road
		Q5	Q05	Priestman Hall, St. Andrews Church, Talbot Road
	Southwick	U1	U01	St Andrews Centre, Old Mill Road
		U2	U02	Southwick Community Centre, Junction of Thompson Road and Southwick Road
		U3	U03	Southwick Community Primary School, Shakespeare Street
		U4	U04	Grange Park Primary School, Swan Street
		U5	U05	The Grange Public House, Newcastle Road

Polling Districts and Polling Places (Stations)

September 2019

Constituency	Ward	Station Reference	Polling District(s)	Polling Place
Washington and Sunderland West	Castle	B1	B01	Bexhill Primary Academy, Conservatory, Bexhill Road
		B2	B02	Hylton Castle Primary School - Nursery Entrance, Cardigan Road
		B3	B03	Sacred Heart & St John Bosco R C Church, Chiswick Road
		B4	B04	Castletown Community Association, Grange Road, Castletown
	Redhill	L1	L01	Sunderland Customer Service Centre, Bunny Hill Centre
		L2	L02	St Cuthbert's Church, Rotherham Road, Red House
		L3	L03	Redhouse Community Centre, Rutherglen Road
		L4	L04	Willow Fields Community Primary School, Winslow Close, Witherwack
	St Anne's	N1	N01	The South Hylton Tansy Centre, 11 Church Street, Sunderland
		N2	N02	St Thomas Church, Petersfield Road
		N3	N03	St Anne's R C Primary School, Hylton Road
		N4	N04	Broadway Junior School, Springwell Road
	Washington Central	V1	V01	Residents Hall, Hambleton Road
		V2	V02	Biddick Primary and Nursery School, Kirkham
		V3	V03	John F Kennedy Primary School (Nursery), Station Road
		V4	V04	Wessington Primary School, Lanercost
		V5	V05	Our Lady's Parish Room, Saint Joseph's R C Primary School, Abbey Road
	Washington East	W1	W01	Temporary Polling Station, Beatrice Terrace, (The James Steel Park)
		W2	W02	Harraton Skills Centre, Community Room, Firtree Avenue
		W3	W03	Washington Arts Centre, Biddick Lane, Fatfield
		W4	W04	The Children's Society Charity Shop, 3 Craggs Road, Teal Farm
		W5	W05	Barmston Village Primary School, Barmston Centre
	Washington North	X1	X01	St Bede's Parish Hall, Coach Road Estate
		X2	X02	Millennium Centre, The Oval, Concord
		X3	X03	Rainbow Family Centre, 34 Elliott Terrace
		X4	X04	Usworth Colliery Nursery School, Manor Road, Sulgrave
	Washington South	Y1	Y01	Rickleton Primary School, Vigo Lane
		Y2	Y02	Oxclose and District Young Peoples Project, Dunlin Drive
		Y3	Y03	Holley Park Academy, Ayton Road South
		Y4	Y04	Oxclose Church, Oxclose Village Centre, Brancepeth Road
		Y5	Y05	Lambton Primary School, Caradoc Close
	Washington West	Z1	Z01	Blackfell Primary School, Knoulberry
		Z2	Z02	The Albany Centre, 26 Albany Village Centre
		Z3	Z03	Springwell Village Community Venue, Fell Road
		Z4	Z04	George Washington Primary School, Well Bank Road

Polling District Review 2019 -Comments Received

Appendix 2

Date Received	Electoral Area	Constituency	Comments as received	ARO Comments
2 Sep 2019	Redhill Ward	Washington and Sunderland West	Do not propose any amendments	Noted
2 Sep 2019	Whole City	Whole City	No Issues - all Polling Stations seem fit for purpose	Noted
3 Sep 2019	Hendon Ward	Sunderland Central	Do not propose any amendments	Noted
4 Sep 2019	Washington East	Washington and Sunderland West	No Issues - All Pollings stations are DDA compliant.	Noted
5 Sep 2019	Redhill Ward	Washington and Sunderland West	can you look at amending boundary of Redhill to include the proposed relocation of Willow Fields Primary School. It is moving to the expanded site of old Maplewood School and St Thomas Aquinas all weather pitch (Southwick Ward). The school is currently in Redhill Ward and would like this to continue.	This is not within the scope of this review. To keep under review.
5 Sep 2019	Southwick Ward / Carley Hill area	Sunderland Central	Can Carley Hill area be made more accessible within Southwick Ward as it seems more secluded from current Polling Stations, Southwick Primary and St Andrews Church. Would there be scope to consider a polling station closer by?	No suitable polling place within the area. To keep under review.
6 Sep 2019	St Michael's Ward	Sunderland Central	all 4 locations more than adequately serve their purpose - no reason to look elsewhere	Noted
17 Sep 2019	Doxford Ward	Houghton and Sunderland South	Happy with all stations in Doxford Ward	Noted
24 Sep 2019	Copt Hill Ward	Houghton and Sunderland South	The only thing I would say in regards to Copt Hill is that the change in polling station from Nesham Place nursery to the Cherry Tree Gardens confused a lot of residents and many, I believe, did not bother to turn out last time from the Gravel walks and the market place. The nursery was already a central location to have a polling district and people from in and around cherry tree would still either be able to make it, or go up to the Community Association. I would much prefer the polling station to be relocated to the nursery as many were unhappy and unaware, despite info on polling cards, of the change.	Propose for polling station to remain at Cherry Tree Gardens. To ensure additional directional signage is in place directing electors to the polling station, to keep under review.
26 Sep 2019	St Michael's Ward	Sunderland Central	Findings are satisfactory - happy to accept them	Noted

Date Received	Electoral Area	Constituency	Comments as received	ARO Comments
30 Sep 2019	Burdon & Warden Law Area	Houghton and Sunderland South	<p>The City of Sunderland has included three parishes since 1974, Hetton, Burdon and Warden Law. Hetton was a successor parish formed from Hetton Urban District, whilst Burdon and Warden Law were parishes transferred from the former Easington Rural District. The parishes are specifically named in Schedule 1 to the Local Government Act 1972, which defines the areas of the new metropolitan districts.</p> <p>The three parishes are still in existence. The 2001 and 2011 censuses showed the population of Burdon parish to be 971 and 991 respectively. The 2001 census showed the population of Warden Law parish as 33, whilst the 2011 census did not disclose separately the population of Warden Law parish under data protection regulations.</p> <p>The Ordnance Survey election maps website shows clearly the boundaries of these two parishes. Burdon parish falls entirely within Doxford ward and forms a part of polling district D2 (but not the whole polling district). Warden Law parish falls entirely within Copt Hill ward and forms part of polling district C3 (but not the whole polling district).</p> <p>Thus both the Office of Population, Censuses and Surveys (OPCS) and Ordnance Survey are working on the basis that Burdon and Warden Law parishes are still in existence.</p> <p>The Electoral Commission has published Guidance on the Review of Polling Districts and Places. Paragraph 2.11 of this Guidance states</p>	<p>Section 18A RPA 1983 provides in England that each parish is to be a separate polling district unless there are special circumstances. In this case special circumstances are considered to apply for both Burdon and Warden Law, in that they are both extremely small parish areas in size with few electors, namely 599 and 25 electors respectively for Burdon and Warden Law. In addition they have not been separate polling districts since at least the last ward boundary review in 2004.</p> <p>(Please Note - Section 9(2) of the Local Government Act 1972 has been repealed and is not relevant for this review)</p>

Date Received	Electoral Area	Constituency	Comments as received	ARO Comments
			<p>“In England, each parish is to be a separate polling district and, in Wales, each community should be a separate polling district, unless there are special circumstances. This means that a parish or community must not be in a polling district which has a part of either a different parish or community within it, or any un-parished part of the local authority area within it, unless special circumstances apply. Those special circumstances could arise if, for example, the parish/community has only a small number of electors and it is not practicable for the parish/community to be its own polling district.”</p> <p>Polling Districts D2 and C3, as proposed in the review documentation, breach this Guidance. I suggest therefore that separate polling districts are established for these two parishes, although the parishes may retain the same polling stations.</p> <p>Paragraph 2.13 of the Electoral Commission Guidance states</p> <p>“When a parish or community is not a separate polling district or a Scottish electoral ward is not split into two or more polling districts, the special circumstances and the recommendation resulting from these should be clearly set in the review document for the council or relevant committee to consider.”</p> <p>If the Review determines that special circumstances apply to Warden Law parish, then these should be set out clearly for the council or relevant committee to consider.</p> <p><i>There is a further issue relating to Burdon parish, which does not have a parish council. Section 9(2) of the Local Government Act 1972 states</i></p> <p>“If a parish has not a parish council (whether separate or common) the district council shall by order establish a separate parish council for that parish if the population includes 200 or more local government electors.”</p> <p>The City Council would appear to be currently in breach of section 9(2) of the Local Government Act with respect to Burdon parish. The position could be remedied by conducting a Community Governance Review and resolving to dissolve Burdon parish.</p> <p>In the meantime, however, there would appear to be an inescapable case to establish a separate polling district for Burdon parish and to set out the special circumstances which give rise to including Warden Law parish within the larger C3 polling district.</p>	

Date Received	Electoral Area	Constituency	Comments as received	ARO Comments
9 Oct 2019	Barnes Ward	Sunderland Central	<p>Make representations regarding polling station reference A5 in Barnes Ward which serves polling District A05.</p> <p>At every election I receive numerous complaints about this station. The parking surrounding this area is terrible and voters state this is extremely off putting when attempting to vote. The polling station also has the difficulty of being within the hospital parking management scheme so voters who travel there by car are unable to vote between 10am and 11am and 2pm to 3pm as parking spaces are few and far between in this area, meaning people are denied the chance to vote if they turn up by car at one of these times. The station is not in the ward of Barnes and causes extreme confusion with people believing they should in fact vote at Richard Avenue Primary School. Residents find locating the centre difficult as it not somewhere where residents of Barnes ward use or frequent. The centre is located on a very busy main road and so people state it is dangerous when trying to find the location and attempt to slow down on the main road when seeing how to access the centre when in a car.</p> <p>In my opinion the station should be moved to richard Avenue school and allow 2 polling districts which are next to each other to both vote at the same location. The school is a safe location with ample parking and easy to access.</p>	<p>No other complaints received about accessibility and polling arrangements for this polling station. No change proposed at this time and to keep under review.</p>

Polling District, Polling Place and Polling Station Review 2019
(Acting) Returning Officer Comments and Proposed Changes

Appendix 3

Date: 16 December 2019

ward	Station	Polling District	Polling Place / Station name	Notes
Houghton and Sunderland South Constituency				
Copt Hill	C1	C01	Eppleton Cricket Club, Tea Room, Church Road	No proposed changes
	C2	C02	Bethany Christian Centre, Hetton Road	No proposed changes
	C3	C03	Communal Hall, Burdon Avenue	No proposed changes
	C4	C04	Cherry Tree Gardens, Orchard Place, Houghton le Spring	No proposed changes - keep under review
	C5	C05	St Matthews Youth & Community Centre, Church Hall, Front Street	No proposed changes
	C6	C06	Philadelphia Cricket and Community Club, Bunker Hill Ground, Back Shop Row	No proposed changes
Doxford	D1	D01	Benedict Biscop C E Academy, Marcross Drive	No proposed changes
	D2	D02	The Box Youth Project, Hall Farm Road	No proposed changes
	D3	D03	Doxford Park Community Association, Mill Hill Road, Doxford Park	No proposed changes
	D4	D04	Mill Hill Primary School, Torphin Hill Drive, Doxford Park	No proposed changes
	D5	D05	Venerable Bede CE Academy, Entrance to the school, Tunstall Bank	No proposed changes
Hetton	G1	G01	Hetton Lyons Primary School, Four Lane Ends	No proposed changes
	G2	G02,G04	Hetton Centre, Welfare Road, Hetton-Le-Hole	No proposed changes
	G3	G03	East Rainton Primary School, School Road	No proposed changes
	G4	G05	Easington Lane Community Access Point, Brickgarth	No proposed changes
Houghton	H1	H01	Dubmire Primary School, Britannia Terrace, Fence Houses	No proposed changes
	H2	H02	Dubmire Primary School, Britannia Terrace, Fence Houses	No proposed changes
	H3	H03	Houghton Centre for the Blind, Thornhill Street	No proposed changes
	H4	H04	Sunnside Methodist Church, School Room, Blind Lane	No proposed changes
	H5	H05	Newbottle Primary Academy, Houghton Road, Newbottle	No proposed changes
St Chad's	O1	O01	Amalfi Tower, Main Entrance - Ground Floor, Lakeside	No proposed changes
	O2	O02	Farringdon Academy, Archer Road, Farringdon	No proposed changes
	O3	O03	St Chad's Church Hall, Charter Drive, East Herrington	No proposed changes
	O4	O04	Farringdon Youth and Community Centre, Allendale Road, Farringdon	No proposed changes
	O5	O05	East Herrington Primary Nursery, Charter Drive, East Herrington	No proposed changes

ward	Station	Polling District	Polling Place / Station name	Notes
Sandhill	R1	R01	St Mary's & St Peter's Community Project, Springwell Road	No proposed changes
	R2	R02	Thorney Close Primary School, Torquay Road	No proposed changes
	R3	R03	Hasting Hill Academy, Tilbury Road, Thorney Close	No proposed changes
	R4	R04	Grindon U R Church, Galway Road, Grindon	No proposed changes
	R5	R05	Grindon Infant School - Nursery Entrance, Gleneagles Road, Grindon	No proposed changes
Shiney Row	S1	S01	Boundary Houses C A, Golf Course Road	No proposed changes
	S2	S02	Shiney Row Community Association, Claremont Drive	No proposed changes
	S3	S03	Trinity Methodist Church, Chester Road	No proposed changes
	S4	S04	St Aidan's Parish Centre, St Aidan's Terrace	No proposed changes
	S5	S05	Penshaw Parish Centre, Station Road, Penshaw	No proposed changes
	S6	S06	Penshaw Community Association, Wensleydale Avenue, Houghton Le Spring	No proposed changes
Silksworth	T1	T01	Temporary Polling Station, Corner of Perth Road and Purley Road	No proposed changes
	T2	T02	Temporary Polling Station, Foot of Barras Drive	No proposed changes
	T3	T03	Beckwith Mews Activity Room, Beckwith Mews	Propose to move polling district boundary and move properties on Mary Street from T03 to T04
	T4	T04	New Silksworth Methodist Church, North Street	Propose to move polling district boundary and move properties on Mary Street from T03 to T04
	T5	T05	Tom Urwin House, Silksworth Terrace	No proposed changes

ward	Station	Polling District	Polling Place / Station name	Notes
Sunderland Central Constituency				
Barnes	A1	A01	Grindon Community Association, Cortina Avenue	No proposed changes
	A2	A02	Barnes Junior School, Entrance from Wycliffe Road	No proposed changes
	A3	A03	Humbledon Methodist Church, Ettrick Grove	No proposed changes
	A4	A04	Richard Avenue Primary School, Hurstwood Road	No proposed changes
	A5	A05	West Community Association, Chester Road	No proposed changes - keep under review
Fulwell	E1	E01	Army Reserve Centre, Dykelands Road	No proposed changes
	E2	E02	Fulwell Methodist Church, Dovedale Road	No proposed changes
	E3	E03	Fulwell Community Library, Dene Lane	No proposed changes
	E4	E04	The Grange Public House, Newcastle Road	No proposed changes
	E5	E05	Seaburn Dene Primary School, Torver Crescent	No proposed changes
Hendon	F1	F01	CHANCE Sunderland, 2 Rickaby Street	No proposed changes
	F2	F02	Hudson Road Primary School, Villiers Street South	No proposed changes
	F3	F03	Valley Road Academy, Corporation Road	No proposed changes
	F4	F04	Carnegie Community Corner, Toward Road	No proposed changes
	F5	F05	Grangetown Primary School, Spelterworks Road	No proposed changes
Millfield	J1	J01	Diamond Hall Junior Academy, Community Room, Well Street	No proposed changes
	J2	J02	St Bedes U R Church, School Room, Sorley Street	No proposed changes
	J3	J03	Burn Park Methodist School Room, Burn Park Road	No proposed changes
	J4	J04	St Marks Community Association, St Marks Church, St Marks Terrace	No proposed changes
	J5	J05	Sunderland Minster, High Street West	No proposed changes
Pallion	K1	K01	Highfield Academy, Fordfield Road	No proposed changes
	K2	K02	Bethesda Free Church Mission Hall, Flodden Road	No proposed changes
	K3	K03	St Luke's Neighbourhood Centre, Corner of Merle Terrace, St Lukes Road	No proposed changes
	K4	K04	Lambton Street Youth Centre, Falkland Road	No proposed changes
	K5	K05	St Gabriel's Mens Institute Building, St Gabriel's Avenue	No proposed changes

ward	Station	Polling District	Polling Place / Station name	Notes
Ryhope	M1	M01	St Aidan`s Church Hall, Ryhope Road	No proposed changes
	M2	M02	Temporary Polling Station, Car Park Olympian Boxing Club, Leechmere Way	No proposed changes
	M3	M03	Ryhope Pentecostal Church, Ryhope Street South	No proposed changes
	M4	M04	Ryhope Community Association, Ryhope Street	No proposed changes
	M5	M05	Derwenthurst Club, Entrance at Rear from Station Road, The Village	No proposed changes
St Michael`s	P1	P01	St Nicholas Church, Haver Hall, Silksworth Lane	No proposed changes
	P2	P02	St John's Church, Entrance from The Grove, Ashbrooke	No proposed changes
	P3	P03	Church of Jesus Christ of Latter Day Saints, Queen Alexandra Road	No proposed changes
	P4	P04	Grangetown Community Centre, Stannington Grove	No proposed changes
	P5	P05	The Alexandra Public House, Queen Alexandra Road	No proposed changes
St Peter`s	Q1	Q01	Residents Lounge, Zetland Square, Multistorey Block	No change to polling district. Propose to change polling place and station to Dame Dorothy Community Hub, Dock Street, Monkwearmouth, Sunderland
	Q2	Q02	Hallgarth Bethesda Mission Hall, Bright Street	No proposed changes
	Q3	Q03	Roker Methodist Church, Roker Park Road, Entrance from Lonsdale Road	No proposed changes
	Q4	Q04	Redby Community Centre, Fulwell Road	No proposed changes
	Q5	Q05	Priestman Hall, St. Andrews Church, Talbot Road	No proposed changes
Southwick	U1	U01	St Andrews Centre, Old Mill Road	No proposed changes
	U2	U02	Southwick Community Centre, Junction of Thompson Road and Southwick Road	No proposed changes
	U3	U03	Southwick Community Primary School, Shakespeare Street	No proposed changes
	U4	U04	Grange Park Primary School, Swan Street	No proposed changes
	U5	U05	The Grange Public House, Newcastle Road	No proposed changes

ward	Station	Polling District	Polling Place / Station name	Notes
Washington and Sunderland West Constituency				
Castle	B1	B01	Bexhill Primary Academy, Conservatory, Bexhill Road	No proposed changes
	B2	B02	Hylton Castle Primary School - Nursery Entrance, Cardigan Road	No proposed changes
	B3	B03	Sacred Heart & St John Bosco R C Church, Chiswick Road	No proposed changes
	B4	B04	Castletown Community Association, Grange Road, Castletown	No proposed changes
Redhill	L1	L01	Sunderland Customer Service Centre, Bunny Hill Centre	No proposed changes
	L2	L02	St Cuthbert's Church, Rotherham Road, Red House	No proposed changes
	L3	L03	Redhouse Community Centre, Rutherglen Road	No proposed changes
	L4	L04	Willow Fields Community Primary School, Winslow Close, Witherwack	No proposed changes - keep under review
St Anne's	N1	N01	The South Hylton Tansy Centre, 11 Church Street, Sunderland	No proposed changes
	N2	N02	St Thomas Church, Petersfield Road	Propose to move polling district boundary which will move properties in Birchberry Close that are currently in N02 into N04
	N3	N03	St Anne's R C Primary School, Hylton Road	No proposed changes
	N4	N04	Broadway Junior School, Springwell Road	Propose to move polling district boundary which will move properties from Birchberry Close that are currently in N02 into N04
Washington Central	V1	V01	Residents Hall, Hambleton Road	No proposed changes
	V2	V02	Biddick Primary and Nursery School, Kirkham	No proposed changes
	V3	V03	John F Kennedy Primary School (Nursery), Station Road	No proposed changes
	V4	V04	Wessington Primary School, Lanercost	No proposed changes
	V5	V05	Our Lady's Parish Room, Saint Joseph's R C Primary School, Abbey Road	No proposed changes
Washington East	W1	W01	Temporary Polling Station, Beatrice Terrace, (The James Steel Park)	No proposed changes
	W2	W02	Harraton Skills Centre, Community Room, Firtree Avenue	No proposed changes
	W3	W03	Washington Arts Centre, Biddick Lane, Fatfield	No proposed changes
	W4	W04	The Children's Society Charity Shop, 3 Craggs Road, Teal Farm	No proposed changes
	W5	W05	Barmston Village Primary School, Barmston Centre	No proposed changes
Washington North	X1	X01	St Bede's Parish Hall, Coach Road Estate	No proposed changes
	X2	X02	Millennium Centre, The Oval, Concord	No proposed changes
	X3	X03	Rainbow Family Centre, 34 Elliott Terrace	No proposed changes
	X4	X04	Usworth Colliery Nursery School, Manor Road, Sulgrave	No proposed changes

ward	Station	Polling District	Polling Place / Station name	Notes
Washington South	Y1	Y01	Rickleton Primary School, Vigo Lane	No proposed changes
	Y2	Y02	Oxclose and District Young Peoples Project, Dunlin Drive	No proposed changes
	Y3	Y03	Holley Park Academy, Ayton Road South	No proposed changes
	Y4	Y04	Oxclose Church, Oxclose Village Centre, Brancepeth Road	No proposed changes
	Y5	Y05	Lambton Primary School, Caradoc Close	No proposed changes
Washington West	Z1	Z01	Blackfell Primary School, Knoulberry	No proposed changes
	Z2	Z02	The Albany Centre, 26 Albany Village Centre	No proposed changes
	Z3	Z03	Springwell Village Community Venue, Fell Road	No proposed changes
	Z4	Z04	George Washington Primary School, Well Bank Road	No proposed changes

CABINET – 14 JANUARY 2020

COUNCIL TAX BASE 2020/2021

Report of the Executive Director of Corporate Services

1. Purpose of Report

- 1.1. To detail the calculation of the Council Tax Base for 2020/2021 and to seek approval to recommend to Council the Council Tax Base for 2020/2021 in accordance with the Local Government Finance Act 1992 as amended by Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012.

2. Description of Decision

- 2.1 Cabinet is recommended to recommend to Council:
 - The report for the calculation of the Tax Bases for the City Council and Hetton Town Council for 2020/2021 be approved; and
 - That pursuant to the report and in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992 and the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by Sunderland City Council as its Council Tax Base for the year 2020/2021, shall be 71,336 and for the area of Hetton Town Council shall be 3,868.

3. Background to the Calculation of the Council Tax Base

- 3.1 The Council Tax Base is the estimated number of properties in each valuation band adjusted to take account of the estimated number of discounts, disregards and exemptions. The Council levies a Council Tax on the basis of properties in band D and thus the numbers for each valuation band are adjusted to the proportion which their number is to band D. The Council must then estimate its level of collection for the year and apply this figure to arrive at the Council Tax Base figure.
- 3.2 The Council Tax Base must be calculated for both the Billing Authority and Hetton Town Council (a local parish precept). The Billing Authority's Tax Base will be used to calculate the Council Tax for the City Council (including any social care precept) and as the basis for the major precepting authorities (Police and Crime Commissioner for Northumbria and Tyne and Wear Fire and Rescue Authority) to determine their precept requirements.
- 3.3 The introduction of the Local Council Tax Benefit Scheme from 1st April 2013 means that the Council must approve annually its proposed Local Council Tax Support Scheme. The impact of the Scheme is recognised within the calculations as a Council Tax discount which is referred to as Item Z. The proposed 2020/2021 Scheme is set out elsewhere on today's agenda. The Tax Base of the Council for 2020/2021 includes the full impact of the Scheme as required by the regulations.
- 3.4 The Council Tax Base has increased from last year by 947. The increase is primarily due to the number of new homes built across the city over the last year and the anticipated number of new homes expected to be built over the next year.

4. Calculations of the Billing Authority's Council Tax Base

4.1 This calculation is in two parts – 'A' - the calculation of the estimated adjusted band D properties and 'B' - the estimated level of collection.

4.2 The calculation of 'A' - the relevant amounts for each band is complex and includes a number of calculations which are shown at Appendix 1.

4.3 Calculation of Item 'B' - Estimate of Collection Rate

This element of the formula is to reflect the level of collection anticipated. Following consideration of historic and current collection levels of both in year debit and arrears collection, and the overall favourable collection fund position, it is proposed to continue applying 98.5% in 2020/2021.

4.4 Calculation of Council Tax Base

The Council's Tax Base is: 'A' 72,422.34 x 'B' 98.5% = 71,336
(for comparison the previous year's Tax Base was 70,389)

5. Calculation of Council Tax Base for Hetton Town Council - Local Precept

5.1 The rules for calculating the Council Tax Base for the area covered by Hetton Town Council are similar to those used in calculating the Billing Authority's Tax Base except that chargeable dwellings and discounts are to be taken for only those dwellings and discounts relating to the area for which the Council Tax Base is to be calculated. These detailed calculations are shown in Appendix 1.

5.2 The same collection rate is required to be used for Parish precepts as for the Billing Authority.

5.3 Calculation of Council Tax Base

The Tax Base for Hetton Town Council is: 'A' 3,926.90 x 'B' 98.5% = 3,868
(for comparison the previous year's Tax base was 3,786.01).

6. Reasons for Decision

6.1 To comply with statutory requirements.

7. Alternative Options

7.1 To comply with statutory requirements.

8. Impact Analysis

8.1 There are no implications.

9. Other Relevant Considerations / Consultations

9.1 None

10. List of Appendices

Appendix 1 - Calculation of the Council Tax Base

11. Background Papers

None

											Appendix 1
Council Tax Base - Sunderland City Council											
		Disabled Band (A)	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	Total
Chargeable Dwellings	Item H	200.00	77,884.00	18,423.00	16,828.00	8,900.00	3,245.00	1,079.00	630.00	20.00	127,209.00
Total Discount	Item Q	(12.25)	(9,634.00)	(1,618.50)	(1,146.25)	(444.50)	(150.00)	(56.75)	(50.50)	(4.00)	(13,116.75)
Premium Factor	Item E	0.00	462.00	64.00	29.00	18.00	6.00	5.00	4.00	5.00	593.00
Adjustment in number of dwellings or discounts	Item J	0.00	20.00	146.00	199.00	123.00	68.00	27.00	14.00	3.00	600.00
Council Tax Support Estimate	Item Z	(38.80)	(20,304.65)	(1,836.36)	(732.77)	(193.37)	(50.12)	(8.64)	(6.26)	0.00	(23,170.97)
Adjusted number of dwellings		148.95	48,427.35	15,178.14	15,176.98	8,403.13	3,118.88	1,045.61	591.24	24.00	92,114.28
Prescribed Proportions for each Band	Item F	5	6	7	8	9	11	13	15	18	
Prescribed Proportion for Band D	Item G	9	9	9	9	9	9	9	9	9	
Adjusted number of dwellings*(F/G)	Item A	82.75	32,284.90	11,805.22	13,490.65	8,403.13	3,811.96	1,510.33	985.40	48.00	72,422.34
Estimated Collection Rate	Item B	98.5%	98.5%	98.5%	98.5%	98.5%	98.5%	98.5%	98.5%	98.5%	98.5%
Tax Base A*B		81.51	31,800.63	11,628.14	13,288.29	8,277.08	3,754.78	1,487.67	970.62	47.28	71,336.00
Council Tax Base - Hetton Town Council											
		Disabled Band (A)	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	Total
Chargeable Dwellings	Item H	13.00	4,711.00	1,193.00	655.00	323.00	121.00	52.00	23.00	1.00	7,092.00
Total Discount	Item Q	(1.00)	(569.25)	(87.50)	(36.25)	(16.25)	(6.00)	(4.00)	(1.75)	0.00	(722.00)
Premium Factor	Item E	0.00	38.00	3.00	0.00	4.00	0.00	1.00	0.00	0.00	46.00
Adjustment in number of dwellings or discounts	Item J	0.00	0.00	23.00	49.00	28.00	2.00	1.00	0.00	0.00	103.00
Council Tax Support Estimate	Item Z	(2.48)	(1,273.67)	(68.06)	(16.80)	(9.16)	(2.01)	0.00	(0.77)	0.00	(1,372.95)
Adjusted number of dwellings		9.52	2,906.08	1,063.44	650.95	329.59	114.99	50.00	20.48	1.00	5,146.05
Prescribed Proportions for each Band	Item F	5	6	7	8	9	11	13	15	18	
Prescribed Proportion for Band D	Item G	9	9	9	9	9	9	9	9	9	
Adjusted number of dwellings*(F/G)	Item A	5.29	1,937.39	827.12	578.62	329.59	140.54	72.22	34.13	2.00	3,926.90
Estimated Collection Rate	Item B	98.5%	98.5%	98.5%	98.5%	98.5%	98.5%	98.5%	98.5%	98.5%	98.5%
Tax Base A*B		5.21	1,908.33	814.71	569.94	324.65	138.43	71.14	33.62	1.97	3,868.00

CABINET MEETING – 14 JANUARY 2020

LOCAL COUNCIL TAX SUPPORT SCHEME

REPORT OF THE EXECUTIVE DIRECTOR OF CORPORATE SERVICES

1. Purpose of the Report

- 1.1 To request Cabinet to consider, for the purposes of paragraph 5 of Schedule 1A to the Local Government Finance Act (LGFA) 1992, whether the Local Council Tax Support Scheme (LCTSS) – which is the Council's Council Tax Reduction Scheme under section 13A(2) LGFA 1992 – should be revised or replaced with another scheme for the financial year 1 April 2020 to 31 March 2021.

2. Description of Decision (Recommendations)

- 2.1 Cabinet is requested to recommend to Council that:
- (i) The current LCTSS for the City of Sunderland, the main features of which are set out at Appendix A, be amended from 1st April 2020 to incorporate any legislative changes to the prescribed requirements for the Scheme but that it be not otherwise revised or replaced; and
 - (ii) The approved LCTSS for the financial year 2020/2021 be published on the Council's website and in any additional manner determined by the Executive Director of Corporate Services in consultation with the Cabinet Secretary.

3. Background

- 3.1 The former Council Tax Benefit system was abolished by the Welfare Reform Act 2012 and was replaced (by virtue of the provisions of the Local Government Finance Act 2012) by a requirement for locally adopted Council Tax reduction schemes (in Sunderland referred to as the "Local Council Tax Support Scheme") from 1st April 2013, thereby transferring responsibility for Council Tax support from central to local government.
- 3.2 In accordance with that requirement, the Council adopted a LCTSS which was based on the government's default scheme, for implementation as from April 2013. The scheme incorporated protection for pensioners as required by the Local Government Finance Act provisions, namely the requirement that they must receive the same levels of entitlement under the new Council Tax Support Scheme as they had received under the old Council Tax Benefit Scheme. Evaluation of previous consultation resulted in some minor modifications to the scheme in 2015/16 such as utilising assumed consent that applicants of Housing Benefit also wished to be considered for Local Council Tax Support. Following consultation, further technical and administrative changes were implemented from 1st April 2018 in order to align the scheme to Housing Benefit rules and to make the LCTSS more efficient to administer and easier for the customer to understand.

- 3.3 There were no changes to the council tax support entitlement which will continue to be calculated and reduced by 8.5% for all working aged claimants.

4. Current Position

- 4.1 The existing scheme is operating effectively and pensioners continue to be afforded protection. It is proposed to continue to monitor any impacts to the scheme over the coming year as a result of any Welfare Reform changes and review as necessary going forward.

5. Proposed Local Council Tax Support Scheme

- 5.1 Following the successful application of the current scheme it is proposed that no changes are made except for introducing those regulations laid down by the Ministry of Housing, Community and Local Government (MHCLG) regarding Mixed Aged Couples.
- 5.2 On 15 May 2019 new legislation came into force that affect how mixed age couples access benefits. A mixed age couple is where one partner of the couple is over Pension Credit qualifying age and the other one is under that age. Previously, when the older of the couple reached the Pension Credit qualifying age, they had the choice on whether to claim a Working Age benefit (Universal Credit) or a Pension Age benefit (Pension Credit and/or Pension Age Housing Benefit).
- 5.3 The new rules mean that they no longer have that choice – they must wait until both parties of the couple reach Pension Credit qualifying age before they can be entitled to Pension Age Benefits. Housing Benefit legislation was amended by government in May 2019.
- 5.4 In relation to the LCTSS, the MHCLG have confirmed that it will amend the regulations to ensure consistency between Local Council Tax Reduction and other benefits information and definitions, and as set out above the changes in relation to how mixed age couples access benefits. This will be undertaken as part of the government's annual amendments to the Local Council Tax Reduction Scheme prescribed requirements. These amendments must therefore be included in all local schemes from 1 April 2020.
- 5.5 The main features of the proposed scheme for the 2020/2021 financial year are set out in Appendix A.

6. Financial Implications

- 6.1 The cost of the scheme has been factored into the Council's budget planning for 2020/21.

7. Reasons for the Decision

- 7.1 The Council must have its LCTSS approved by 11th March 2020, and the design of the scheme impacts upon the calculation of the council tax base which is considered elsewhere on today's agenda.

- 7.2 The proposed Scheme, the main features which are as set out at Appendix A, reflects the experience of the impact of the scheme to date. Impacts of the scheme will continue to be closely monitored following the LCTSS implementation in April 2020.

8. Alternative Options

- 8.1 There are no alternative options proposed. There is a statutory requirement for the Council to consider, for each financial year, whether to revise its LCTSS or replace it with another scheme, with any revision or replacement scheme being determined by 11th March in the preceding financial year.

9. Impact Analysis

(a) Equalities –

An Equality Impact Assessment has been undertaken and is set out in Appendix B to this report.

Work will continue to assess the impact of this scheme alongside the related impacts of any welfare and benefit reforms either already introduced, planned to be introduced or still being considered by Government.

10. Other Relevant Considerations / Consultations

- (i) **Legal Implications** –The comments of the Assistant Director of Law and Governance have been taken into account in preparing this report.
- (ii) **Other Consultations** –The comments of the Executive Director of Neighbourhoods have been taken into account in preparing this report. Consultation has not been carried out with Tyne and Wear Fire and Rescue Authority nor the Police and Crime Commissioner (the Council's major precepting authorities) or any other persons as the requirement for such wider consultation applies only in cases where the Council exercises discretion to revise or replace the scheme.

11. List of Appendices

Appendix A – Local Council Tax Support Scheme Main Features

Appendix B – Equality Analysis

12. Background Papers

There are no background papers to this report.

Local Council Tax Support Scheme Main Features

1. Council tax support entitlement will be calculated and reduced by 8.5% for all working aged claimants.
2. Pensioners will continue to receive protection in line with the prescribed regulations.
3. Those non-dependants serving in the forces on operations will continue to be disregarded from the calculation.
4. Information held in respect of Housing Benefit can be used to calculate Council Tax support where appropriate.
5. LCTSS claims may be backdated to a maximum of one month providing good cause is shown.
6. No family premium will be used in the calculation for new applicants.
7. There will be no personal allowance for any third or subsequent child for new applicants (unless an exception applies).
8. A claimant will not be entitled to Council Tax Support if they are temporarily absent from Great Britain for longer than 4 weeks (unless an exception applies).
9. A notification of Universal Credit will be treated as an indication of a claim for Council Tax Support.

EQUALITY ANALYSIS

You must complete this in conjunction with reading Equality Analysis Guidance

Name of Policy/Decision/Project/Activity:

Local Council Tax Support Scheme 2020/21

Date: 17/12/19

Version Number: v1

Equality Analysis completed by:

Name/Job title: Sharon Holden (Revenues Manager)
Loraine Nelson (Benefits Manager)

Responsible Officer or Group:

Name/Job title: Paul S Wilson (Assistant Director of Finance)

Is the Activity:

New/Proposed ()

Changing/Being Reviewed (x)

Other ()

1. Purpose and scope

Purpose

In this section outline briefly:

- what the policy, decision or activity is and what the intended outcomes/benefits are (linked to the Corporate Outcomes Framework)
- over what period of time the outcomes will be achieved
- why it needs to be implemented or revised
- what populations are affected by the proposal
- who is expected to benefit and how, i.e. young people, older people, carers, BME groups, ward areas/communities, etc
- whether there are any overlaps with regional, sub-regional, national priorities.

The Local Government Finance Act (LGFA) 2012 transferred responsibility for Local Council Tax Support Schemes (LCTSS) from central to local government from 1st April 2013. The LGFA 2012 also legislated that pensioners must receive protection, in that they must receive the same levels of entitlement under the new local Council Tax Support scheme as they had received under the old Council Tax Benefit scheme.

The Council adopted a scheme which was based on the government's default scheme incorporating protection for pensioners. The scheme requires that all working age households contribute towards their council tax bill.

Since April 2013, the scheme has been reviewed and moderately updated to reflect legislative changes and policy decisions. In April 2018 some further technical and administrative changes were implemented in order to align the scheme to Housing Benefit rules and to make the LCTSS more efficient to administer and easier for the customer to understand. The Sunderland scheme for 2019/20 continued with a reduction in Council Tax Support by 8.5% for all working age claimants (e.g working age on lowest income paid £1.33 per week (single people), and £1.77 per week (couples/families),

On 15 May 2019 new legislation came into force that affect how mixed age couples access benefits. A mixed age couple is where one partner of the couple is over Pension Credit qualifying age and the other one is under that age. Previously, when the older of the couple reached the Pension Credit qualifying age, they had the choice on whether to claim a Working Age benefit (Universal Credit) or a Pension Age benefit (Pension Credit and/or Pension Age Housing Benefit).

The new rules mean that they no longer have that choice – they must wait until both parties of the couple reach Pension Credit qualifying age before they can be entitled to Pension Age Benefits. Ministry of Housing, Communities and Local Government (MHCLG) have confirmed that it will amend the regulations to ensure consistency between Local Council Tax Reduction and other benefits information and definitions, as part of the government's annual amendments to the Local Council Tax prescribed requirements and which must therefore be included in local schemes from 1 April 2020.

The council must approve its Local Council Tax Support Scheme by 11 March 2020. In line with reviewing the scheme, it is proposed that the existing scheme **continues to apply** (subject to the change in legislation for mixed age couples) for the year commencing 1st April 2020. Subject to approval by 11th March

2020, the scheme will come into force on 1st April 2020.

The scheme will be reviewed each year and any impacts or unintended consequences will be assessed and reviewed when considering the scheme for 2021/22.

None of the protected groups are restricted from claiming council tax support. Their eligibility is determined by their financial and personal circumstances. The current caseload is 32,590 of which 13,203 are pensioners and 19,387 are working age claimants.

Intelligence and Analysis

Please describe:

- What sources of information have been used to inform this assessment/analysis (this should include but is not limited to consultations, resident/service user feedback and statistical data and intelligence)
- **What the information is telling you** – this should be broken down by each of the protected characteristics or other identified groups which could be disadvantaged. Each of the aims of the equality act should be considered in relation to each of the protected characteristics.

This equality analysis has been informed by

- Consultation with the Revenues Manager, Benefits Manager and Assistant Director of Local Finance
- Proposed legislation in relation to mixed age couples

The proposed legislation means that mixed age couples will remain at the rate of benefit they are currently receiving and will not move onto the pension age scheme until the younger party also reaches state pension age.

Aside from the change to mixed age couples, the proposal makes no changes to the current system and is to continue for 2020/21. Given that there will be no immediate change to the level of benefit for mixed age couples, there is expected to be no impact on customers of any group/protected characteristic

Gaps in intelligence and information

Having analysed the information available to you:

- are there any gaps in intelligence or areas where understanding needs to be improved? Please describe what these are and what actions you intend to take to obtain/improve the information. These actions should be covered in the action plan.
- are there any groups who should be expected to benefit who do not? Please describe why not and whether you will amend the decision to change this outcome. This should also be covered in the action plan.

Not applicable.

Additional Impacts

The policy or action may also have an impact on other groups or individuals which are not covered by statutory requirements. Please outline any additional individuals or groups which have not already been covered. This could include socio-economic groups, voluntary and community sector, carers or specific communities which face additional challenges (such as former coal mining areas or areas of high deprivation)

Not applicable.

2. Analysis of impact on people

In this section you must **review the intelligence described above and summarise the intended and potential impact of the policy, decision or activity** on the people of Sunderland. This includes specific consideration of the impact on individuals, groups with protected characteristics and communities of interest within the city. Please briefly outline any positive, neutral or negative impacts on the specific groups below. Please note that any negative impacts should have a corresponding action in the action plan in the page below.

In this assessment it is important to remember the **Council is required to give due regard to:**

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

Each of these aims must be summarised in turn in relation to the groups outlined below.

Characteristic	List of Impacts		
	Positive	Neutral	Negative
Age		Although there will be a change to the rules for mixed age couples, the overall impact is neutral.	
Disability		Given that the scheme is unchanged, the impact is neutral.	
Gender/Sex		Given that the scheme is unchanged, the impact is neutral.	
Marriage & Civil Partnership		Given that the scheme is unchanged, the impact is neutral.	
Pregnancy and maternity		Given that the scheme is unchanged, the impact is neutral.	
Race/Ethnicity		Given that the scheme is unchanged, the impact is neutral.	
Religion/belief		Given that the scheme is unchanged, the impact is neutral.	
Sexual Orientation		Given that the scheme is unchanged, the impact is neutral.	
Gender identity		Given that the scheme is unchanged, the impact is neutral.	

Please add any additional groups mentioned in “additional impacts” above to this table.

3. Response to Analysis, Action Plan and Monitoring

In this section please outline what actions you propose to take to minimise the negative, and maximise the positive, impacts that have been identified through the analysis. By considering and implementing these actions the policy or action can be refined to make sure that the greatest benefits are achieved for the people of Sunderland. The performance monitoring process should also be set out to explain how ongoing progress is going to be followed to make sure that the aims are met.

From the analysis four broad approaches can be taken, (No major change; continue with the policy/action despite negative implications; adjust the policy/decision/action; or stop the policy/action). Please indicate, using the list below, which is proposed.

- No Major Change (X)
- Continue Despite Negative Implications ()
- Adjust the Policy/Decision/Project/Activity ()
- Stop ()

Action Plan

ACTION	WHO	WHEN	Monitoring Arrangements
Monitor the impact through payment and arrears statistics	Sharon Holden (Revenues Manager)	Quarterly	As part of routine Council Tax performance monitoring
Monitor impact on claimants	Sharon Holden (Revenues Manager) and Loraine Nelson (Benefits Manager)	Ongoing	In conjunction with Benefits team. Feedback from customers.
Review of scheme	Sharon Holden (Revenues Manager) and Loraine Nelson (Benefits Manager)	July 2020	Consultation exercise / workshops with the residents of Sunderland

CABINET

14

JANUARY 2019

FEED AND FOOD LAW SERVICE PLAN 2019/2020

REPORT OF THE EXECUTIVE DIRECTOR OF NEIGHBOURHOODS

1. Purpose of the Report

- 1.1 This report informs Cabinet of the Feed and Food Law Service Plan 2019/2020 ("the Plan") which will be referred to Scrutiny Committee for comment and subsequently Full Council for endorsement.

2. Description of Decision

- a. Cabinet is recommended to provide comment on the 2019-2020 Feed and Food Law Service Plan (Appendix 1), which has also been referred to Economic Prosperity Scrutiny Committee for their consideration.
- b. Cabinet is further requested to give delegated authority to the Executive Director of Neighbourhoods, in consultation with the Portfolio Holder for Environment and Transport, to make any amendments to the plan that are considered appropriate in the light of comments from the Economic Prosperity Scrutiny Committee, prior to it being referred to Council for endorsement.

3. Introduction/Background

- 3.1 The Food Standards Agency is an independent government department responsible for food safety and hygiene across the United Kingdom. It works with businesses to help them produce safe food and with local authorities to enforce food safety regulations.
- 3.2 The Food Standards Agency has produced a Framework Agreement on Official Feed and Food Law Controls by Local Authorities. The Agreement sets out what the Food Standards Agency expects from local authorities in their delivery of feed and food law.
- 3.3 Part of the Agreement contains specific service planning guidance. It ensures that key areas of enforcement covered by the Feed and Food Law Enforcement Standard are included within local service plans, whilst allowing scope for flexibility and the inclusion of any locally defined objectives.
- 3.4 The Food Standards Agency requires a Local Authority's proposed service plans to be submitted to the relevant Member forum to recommend approval to ensure local transparency and accountability.

4. Current Position

- 4.1 The Feed and Food Law Service Plan in Sunderland is the primary document for Feed and Food Safety Enforcement across the city. It has been developed by the Council to comply with the recommendations of the Food Standards Agency's Framework Agreement.
- 4.2 Service plans developed under the Framework Agreement provide the basis on which local authorities are monitored and audited by the Agency under The Food Standards Act 1999 and Official Feed and Food Controls Regulations.
- 4.3 The plan has been refreshed in light of the new Council structure. It has also been referred to Economic Prosperity Scrutiny Committee for comments and it is recommended that the Executive Director of Neighbourhoods, in consultation with the Portfolio Holder for Environment and Transport be authorised to make any changes that are considered appropriate in the light of the Scrutiny Committee's comments, prior to referral of the Plan to Council.
- 4.4 The Plan will be benchmarked across the region to determine best practice for local accountability and future approval mechanisms.

5. Reason for Decision

- 5.1 The reason for the decision is to provide local transparency of regulation and accountability and hence facilitate compliance with the guidance of the Food Standards Agency.
- 5.2 The Council has a statutory duty to enforce legislation relating to food. The Food Standards Agency Food Law Code of Practice (England) March 2017 details the minimum training and qualification requirements for officers authorised by Food Authorities to undertake food enforcement work. Food Authorities that do not have regard to relevant provisions of this Code may find their decisions or actions successfully challenged, and evidence gathered during a criminal investigation being ruled inadmissible by a court.

6. Alternative Options

- 6.1 The option of not producing Feed and Food Law Service Plan would place the Council at risk of receiving criticism in the event of an audit by the Food Standards Agency. It would also weaken the reputation of the Council and our ability to enforce regulations with regard to matters of food safety. It has been discounted on these grounds.

7. Impact analysis

- a. **Equalities** there are no equalities implications as a result of this decision. Equalities are embedded within the national framework with which the Feed and Food Law Service Plan complies.
- b. **Financial Implications** – Financial provision for the delivery of the Plan is included within the relevant service revenue budget as part of the Council's budget for 2020/2021 and the Medium-Term Financial Plan.

8. List of Appendices

Appendix 1 – Feed and Food Law Service Plan of Public Protection and Regulatory Services for 2019/20.

9. Background Papers

[Framework Agreement on Official Feed and Food Controls by Local Authorities](#)

Appendix 1

Feed and Food Law Service Plan 2019/20

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1. Service Aims and Objectives

1.1 Aims and objectives

The aims of Public Protection and Regulatory Services (“the Service”) are to protect the health and wellbeing of all persons within the City in relation to food safety matters and, in relation to animal feed, to protect the health and welfare of livestock and prevent the outbreak of animal disease.

Our objectives are:

- To secure compliance with food safety law having regard to official codes of practice; particularly concerning the frequency of food safety interventions;
- To seek to secure the protection of consumers from the potential dangers of suspect or contaminated food; particularly those which may result in foodborne infections;
- To ensure so far as is reasonably practicable that food is fit for human consumption and free from extraneous matter;
- To increase the knowledge of food handlers, food managers and the general public about the principles and practice of food hygiene and food safety management;
- To increase the knowledge of food business operators of food safety management; thereby assisting the raising of standards and enabling improved food hygiene rating scores under the National Food Hygiene Rating Scheme;
- To assist in the control and prevention of the spread of foodborne diseases;
- To carry out food safety interventions (activities that are designed to monitor, support and increase food law compliance within a food establishment) in accordance with minimum frequencies and to standards determined by the Food Standards Agency (“the FSA”);
- To respond to and investigate Food Standards Agency ‘Food Alerts and Allergy Alerts for Action’ in accordance with published guidance where these impact upon food originating or traded within the City;
- To investigate all notified cases of foodborne disease and take effective action to control the spread of infection;
- To undertake the inspection of ships visiting the Port of Sunderland in accordance with current guidance;
- To carry out inspections at premises presenting the highest potential risk for contamination of the feed chain;
- To conduct on farm visits in order to examine primary production and animal feeding;

- To investigate complaints about feed and, where necessary, take samples;
- To give guidance to people supplying material into the feed chain and to new livestock keepers.

1.2 Links to corporate objectives and plans

The City Plan sets out the vision for the Council and outlines the strategic direction of the Council up to 2030. The City Plan highlights three key priorities; one of which is:

By 2030 we will have a dynamic, healthy and vibrant City.

The delivery of this plan will contribute positively to the aspirations set out in the City Plan by, among other means:

- ensuring the protection of public health through inspection and education activity;
- protecting the livestock of our local farms from contaminants in their feed that could harm their health and welfare; and
- proportionate enforcement which provides a fair and equitable trading environment in which businesses can develop and be protected from those who fail to comply with the law.

1.3 Performance Management – Directorate Service Plans and Reporting

Our work is closely reviewed in accordance with the Council's and Directorate performance management systems. Activities reported quarterly include:

- Number of Food Safety Service Requests received in period
- Number of Food Safety Service Requests completed in period
- Number of Food Safety Service Requests responded to in five working days
- Number of cases of foodborne diseases investigated in period (based on incoming requests)
- Number of food outlets with a SotD rating of 5* at the end of the period
- Percentage of food outlets with a SotD rating of 5* at the end of the period
- Number of food outlets with a SotD rating of 3* or more at the end of the period (compliant)
- Percentage of food outlets with a SotD rating of 3* or more at the end of the period (compliant)
- Number of food outlets with a SotD rating of 2* or less at the end of the period (non-compliant)

- Percentage of food outlets with a SotD rating of 2* or less at the end of the period (non-compliant)

2. Background

2.1 Profile of the Local Authority

Sunderland City Council serves an area of 137 square kilometres and has a population of around 283,500 people resident in some 121,000 households. The City principally comprises urban areas, the City Centre and Washington, as well as the former coalfields communities of Easington Lane, Hetton-le-Hole and Houghton-le-Spring. A small number of farms surround the urban population centres.

2.2 Organisational Structure

The Council is composed of 75 councillors within 25 wards. Governance is through the Leader and Cabinet model.

This Feed and Food Controls Service Plan is delivered by staff from Public Protection and Regulatory Services within the Neighbourhoods Directorate. The service operates within the remit of the Environment and Transport Portfolio and works closely with the Portfolio Holder and Deputy Cabinet Member.

The Environmental Health Trading Standards and Licensing Manager reports to the Executive Director of Neighbourhoods on several matters including feed and food control. Public Protection and Regulatory Services deliver the Environmental Health, Trading Standards and Licensing functions on behalf of the Council.

The Principal Environmental Health Officer, Commercial, has specialist responsibility for food hygiene and standards matters. The Principal Trading Standards Officer has specialist responsibility for feeding stuffs.

The Council uses the services of Public Health England Laboratories, a Public Analyst and an Agricultural Analyst as necessary. The Public Analyst and Agricultural Analyst appointed by the authority is Public Analyst Scientific Services Limited.

2.3 Scope of the Feed and Food Service

The activities relating to feed and food in the City are undertaken by the Trading Standards and Environmental Health teams.

The Environmental Health team undertake a programme of food hygiene and standards interventions as well as responding to requests for service and infectious disease notifications. Sampling of foodstuffs, both microbiological and compositional, is also undertaken. Officers also respond to Port Health requests and food hygiene inspections are undertaken in connection with Ship Sanitation Certificates required under international health regulations.

The City has a small agricultural sector; principally arable with a few livestock holdings. The Trading Standards team carries out the enforcement of primary production and feeding stuffs legislation and provides advice to farmers and

retailers. The Trading Standards team also have some responsibility for food standards.

2.4 Demands on the Feed and Food Service

2.4.1 Food establishments profile

There are 2072 food premises currently operating in the City, including one registered primary producer.

Types of Food Premises in the City	No.	Food Hygiene High Risk (A)	Food Hygiene Medium Risk (B)	Food Hygiene Medium Risk (C)	Food Hygiene Medium Risk (D)	Food Hygiene Low Risk (E)	Not rated
Manufacturers/packers/primary producers	78	0	6	16	15	4	1
Importers/exporters/distributors etc.	26	0	1	0	9	16	0
Retailers	543	0	3	39	224	276	1
Restaurants/other caterers	1425	2	81	355	705	274	8
Contact materials and articles	0	0	0	0	0	0	0
Total food premises	2072	2	91	410	953	606	10

Most of Sunderland's food premises are classified in the restaurant/catering outlet group (1425), whilst there are 543 food retailers. These categories feature many changes of food business operators. This creates additional demands for the Service in educating new operators.

There are 5 Approved Premises in the City including a cooked chicken processing plant, 2 kebab manufacturers, a manufacturer of meat products and a processor/distributor of natural sausage casings.

There are a significant number of outdoor events held regularly each year (e.g. the International Air Show) which are attended by up to 1.5 million visitors. Various mobile caterers and food businesses from around the region visit the City to cater at these events.

Port health inspections which require inspections of food hygiene and standards on board vessels coming into the port are undertaken. The provision of ten Ship Sanitation Certificates was requested from the Service last year in addition to five ships water samples being undertaken.

2.4.2 Feed establishments profile

There are currently 62 premises registered as Feed Business Operators.

Types of Feed Premises	Number
Arable farms	11
Livestock farms	10
Manufacturers and packers	6
Food businesses selling co-products/surplus food	25
Distributors / transporters	5
Stores	5
Total	62

The arable farms principally produce cereal for food production or for incorporation in animal feed. Inspections of these premises are on a low risk basis. Several of the farms are members of farm assurance schemes.

The livestock farmers generally grow arable crops for feeding to their own livestock along with silage. The use of supplementary feed is generally restricted to sheep and pigs. Visits to these premises are generally scheduled when the animals are housed and are undertaken in conjunction with animal health and welfare visits.

Sunderland has several pet treat manufacturers who operate from their residential properties. All have been assisted with advice on their legal obligations regarding both Feed and Animal By- Products. The premises may be visited for sampling purposes.

As supermarkets particularly find more environmentally friendly ways to dispose of their waste food, the recent upward trend in businesses sending these products into the feed chain has diminished somewhat. However, this is a relatively volatile market which could find feed being reinstated as the disposal route of choice. Following potential issues previously identified on inspection, all premises registering to supply waste food into the feed chain will be inspected.

One registered transporter removes waste food from shops for use in the manufacture of feed. The others are haulage companies who transport feed material (that can generally be used for other applications) on an occasional basis.

Increased vigilance continues to be undertaken with regard to the inland enforcement of imported feed legislation to prevent the spread of disease in food animals.

2.4.3 Service delivery points

The officers who undertake feed and food controls work are based at Jack Crawford House, Sunderland. The Council's Customer Service Centre in Fawcett Street, Sunderland is open to the public during normal working hours throughout the week, 8.30am to 5.15pm (4.45pm Friday), although officers from the Environmental Health and Trading Standards teams may be contacted by businesses directly. There is an evening and weekend service

arrangement for contacting managers for out-of-hours emergencies. Visits are conducted at events and as necessary outside normal working hours.

The Council website: www.sunderland.gov.uk encourages the public to communicate with the Service by email and makes information constantly available. Letters from the Service to customers / companies encourage the use of email. Initial contact for services to the public is through the Council's Customer Services Network.

The Council displays current food hygiene ratings on the www.sunderlandcitycouncil.com website. This website may also be accessed from the sunderland.gov.uk website (Food Hygiene). The Council also regularly updates data on the Food Standards Agency national scheme. Ratings can be found at <http://ratings.food.gov.uk>

The Food Hygiene Rating Scheme involves the publication of a food safety rating for food premises in the City. The scheme is based on standards of structure, hygiene and confidence in management scores assessed during programmed inspections. Following inspections, business owners are advised in writing that the information may be available via the website in the future and in response to third party requests as required by Freedom of Information legislation. Where improvements have been made to a business, the food business operator has the right to request a re-visit for re-inspection.

2.4.4 External factors impacting upon the Service

The Freedom of Information Act 2000 and the Data Protection Act 2018 impacts on the workload of the Service due to the administration of requests for service and time spent recovering the information. Press and other enquirers often request specific information with a view to making comparisons of businesses in various local authority areas. In the past year, the Service responded to twenty requests for information regarding food premises.

The Service's responsibilities under the Licensing Act 2003 also impact on workload. Officers consider applications for new and varied licences for food premises in pursuance of duties as responsible authorities.

There is a possibility that any large outbreak of food poisoning or illness, or a serious accident at food premises, would impact significantly on the routine activities of the Service.

There are no other likely major impacts upon the Service expected, e.g. significant food imports, seasonal variations or an increase in the number of food manufacturing businesses. However, where food alerts necessitate a significant response, this will impact upon the Service.

Food alerts are notified to local authorities by the Food Standards Agency. During 2018/19 the Service received 55 alerts of food problems occurring elsewhere in the country. Many of these alerts were product recalls where the response required from the Service was limited.

The Food Standards Agency also notifies local authorities of allergy alerts, e.g. instances of food labelling errors or contamination of specific ingredients. There were 67 such alerts received in 2018/19. Whilst not critical to general

public health, such incidents can have serious effects on persons who are allergic to specific ingredients.

2.5 Regulation Policy

Public Protection and Regulatory Services has a documented Enforcement Policy covering the Environmental Health, Trading Standards and Licensing functions of the Council. The Service works within the principles of the Regulators' Code.

<https://www.sunderland.gov.uk/media/20308/PPRS-Enforcement-Policy/pdf/pprs-enforcement-policy.pdf?m=636620724549700000>

3. Service Delivery

3.1 Interventions at Food and Feeding stuffs establishments

Food premises in the City have been found to demonstrate an annual increase in the level of compliance over the last eight years, with the percentage of all premises achieving a rating of three on the Food Hygiene Rating Scheme remaining at 87%. Within these figures the number of premises achieving a food hygiene rating of five has remained consistent, demonstrating that good premises are maintaining their high standards across the city.

The Service will use the wide range of interventions outlined in FSA guidance in order to monitor and increase business compliance in the most efficient and proportionate way.

Interventions are defined as activities that are designed to monitor, support and increase food law compliance within a food establishment and they include but are not restricted to the following “official controls”:

- Inspections and audits (full/partial inspection and audits);
- Monitoring;
- Surveillance;
- Verification; and
- Sampling and analyses where examination is carried out by an Official Laboratory.

When undertaking official controls, officers will take account of any identified risks, the food business operator’s past record and current knowledge, an examination of practices and procedures in place, a physical inspection of the premises, the reliability of an operator’s own checks, and any information that may indicate non-compliance.

Other interventions that do not constitute official controls can be undertaken in some premises in addition to the official control or at an interval between official controls. These include:

- Education;
- Advice and coaching;
- Information and intelligence gathering; and
- Sampling where examination is not carried out by an Official Laboratory.

Premises will continue to be identified in categories ranging from A to E depending on the previous level of food safety and structural compliance together with confidence in management. Factors considered include the type of food prepared and the type and number of consumers potentially at risk.

Those food premises which fall into the highest risk categories are those with the highest risk, whether as a result of the nature of the main activities undertaken on the premises or because of the relatively poor operating conditions which have prevailed previously. These premises will be subject to controls more frequently than lower risk premises.

The approach to last year's intervention programme was to target the poorest performing premises across the City. This was achieved by providing tailored support and time to business operators who have fallen below a rating of three in the Food Hygiene Rating Scheme. The service provided initial support and education, and as a last resort, undertook enforcement activity, in order to achieve sustained higher standards across the City for the benefit of all residents. There were 42 premises in total that were targeted in this way during the last financial year. At the end of the process, 30 premises were re-rated as at least broadly compliant. Of these, 15 achieved a rating of three stars, 10 achieved a rating of four stars and 5 achieved a rating of 5 stars. There were 12 premises that closed in this time. 8 food hygiene notices were served as a result of this programme and compliance followed in each case.

The service will also undertake to visit all new or currently unrated businesses.

In summary the predicted numbers of planned interventions are as follows:

- There are currently no high-risk category A rated premises;
- All high-risk category B premises will receive an inspection (93 visits);
- There are 246 compliant category C premises due an intervention this year;
- There are 485 category D premises due an intervention this year.
- There are 206 lower risk compliant category E premises due an intervention; and
- All new businesses will receive an inspection, which following that visit will be risk rated accordingly.

The total estimated number of interventions is therefore 1030 in addition to those pertaining to any new businesses established within the year.

There were also 122 outstanding interventions carried over from last year and 49 unrated new premises requiring an intervention.

In line with our commitment to carry out inspections on new businesses and revisits to check on compliance where necessary, it is estimated that the above-mentioned planned interventions will generate a further 400 visits.

This will result in an estimated 1,601 visits for 2019/20.

The Service aims generally to undertake interventions at premises within one month of the due date for inspection; the only exceptions being those businesses that operate seasonally.

Secondary inspections (including revisits and requests for revisits by operators of food businesses) will be undertaken as necessary on a risk assessed basis in order to ensure that any significant hygiene concerns are rectified. Those premises which are not broadly compliant will be visited with a view to enforcing compliance standards.

Individual businesses may be visited more frequently or the planned date for intervention may be brought forward if a problem is identified such as:

- A complaint about the food premises or notification of an issue received from another authority which requires further investigation;
- An unsatisfactory sampling result is received;
- The business is implicated in a food poisoning outbreak;
- There is a change in business operations resulting in a higher risk;
- A request for a re-rating revisit under the FSA Food Hygiene Rating Scheme is received; or
- A notification is received from the FSA regarding a food safety incident or food alert.

All requests for revisits by businesses wishing to amend their risk ratings as part of the National Food Hygiene Rating Scheme will be considered in line with FSA procedures. Whilst the published rating of the business may improve as a result of this revisit, the Service will need to examine sufficient elements of the business and be satisfied of the improvements made. Businesses are reminded that if their standards fall, their rating can go down as well as up.

The City, being principally urban in nature, has only a small number of feeding stuffs premises registered. None of the premises registered are high risk. The premises will be visited on a risk assessed basis. Last year there were eleven inspections undertaken at feed establishments.

The Service has good working relations with neighbouring authorities and the Public Analyst should any specialised process be identified. Sunderland City Council Feed Officers respond to requests for assistance received from those colleagues in neighbouring authorities with regard to queries that they receive.

3.2 Feed and Food Complaints

The Service is committed to responding to all complaints about feed or food. The extent of the investigation will depend on the merits of the complaint. This can range from re-assuring the complainant to a more formal process, including reference to home or originating authorities in accordance with the guidance and the relevant Code of Practice. Officers also liaise with any relevant primary authority in pursuance of the relevant scheme administered by the Regulatory Delivery directorate of the Department of Business, Innovation and Skills.

In 2018/19, 629 requests for service requiring a response from officers were made including enquiries relating to foodborne illnesses, miscellaneous requests for service in relation to food businesses, and general food complaints.

Due to the relatively few numbers of feeding stuffs establishments, it is not anticipated that there will be a significant number of complaints received by the Service. Any complaints will be investigated in line with Service procedures. There was 1 feed complaint which resulted in a notice being served to secure compliance. Pet foods are anticipated as being the most likely subject of complaints.

3.3 Home Authority Principle and Primary Authority Scheme

The Service undertakes to comply with all the relevant legal requirements of the Primary Authority Scheme and liaises with other relevant local authorities within the context of the Home Authority Principle.

3.4 Advice to Business

The Service seeks to assist local businesses in order to encourage the success of our local economy. Last year 35 specific requests for advice were received by the Environmental Health and Trading Standards teams. Additionally, advice is given by officers informally at every visit to food premises, as appropriate.

The Service is committed to promoting the Food Standards Agency's project: "Safer Food, Better Business" which is intended to support food businesses in complying with the food safety management principles. There will continue to be great efforts to educate businesses in complying with their requirement to implement a suitable food safety management system, which some smaller food businesses seem to find difficult

In correspondence to food businesses, a standard invitation is given to them to seek advice from the Service.

An increasing number of business start-ups in manufacturing pet treats have been provided with business advice. Further advice is given on inspection and new livestock keepers are provided with guidance when registering their premises.

3.5 Feed and Food Sampling

The Service is committed to sampling foods in order to determine compliance with compositional and bacteriological standards. Sampling of imported and locally produced foods is undertaken pro-actively and the Service participates in national and regional surveys arranged by the regional food authorities' group and Public Health England Laboratory Service.

The collection of 31 samples were taken for bacteriological examination in the year 2018/19. This includes participation in the collection of samples for cross-regional surveys decided upon locally with the support of Public Health England. In addition to this, it is estimated that we will take a further 12 water samples.

The Public Health England Laboratory transports samples from the region as necessary by courier to York. The Service liaises with the management of the laboratory and neighbouring authorities in order to facilitate an effective and co-ordinated sampling programme with flexibility for local needs.

Participation with neighbouring authorities in sampling and other food-related matters ensures that the Service works in a co-ordinated and compatible way.

Sampling of feed will take place as appropriate following the receipt of requests for service, although there is no expectation of any such requests. Samples may be taken to assist in projects instituted by the Food Standards

Agency or the North East Trading Standards Association or to maintain competence levels.

3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease

The Service has agreed with Public Health England a policy for considering the investigation of confirmed cases of foodborne illness. The unwell people involved in most cases, other than in the case of suspected viral infections or Campylobacter, are usually contacted by officers in order to trace the source of the infection and prevent further spread. People involved in Campylobacter cases are contacted by letter.

The local Consultant for Communicable Disease Control, employed by Public Health England, will provide the Service with advice regarding specific problems relating to infectious disease.

Medical practitioners, where suspected cases of food poisoning are confirmed following analysis of a sample, have a legal duty to inform the Council. The Service liaises closely with relevant laboratories and Public Health England in order to effectively investigate all such cases.

Regular meetings are arranged regionally with local representatives of Public Health England in order to discuss various matters relating to food poisoning cases and sampling programmes. The Public Analyst and Public Health England will be contacted in order to assist with expertise where any additional problems arise. Similar networks exist within the regionally and nationally involving the Chartered Institute of Environmental Health and the Food Hygiene Forum.

Statistics of cases notified over recent years

<input type="checkbox"/> YEAR TO DATE 31 MARCH	CAMPYLOBACTER	SALMONELLA	CRYPTOSPORIDIUM	FOOD POISONING SUSPECTED	SHIGELLA	ECOLI	OTHER MISCELLANEOUS ORGANISMS	TOTAL
2009	306	58	26	24	5	2	2	423
2010	357	52	38	12	4	4	4	471
2011	440	28	27	11	3	2	0	511
2012	286	38	17	6	2	12	2	363
2013	329	40	48	19	2	3	3	444
2014	353	35	29	61	5	4	10	497
2015	292	28	18	38	4	4	27	411
2016	150	43	30	48	1	2	37	311
2017	152	54	39	47	3	5	57	357
2018	228	33	33	84	1	2	27	408
2019	255	40	28	31	2	3	32	391

3.7 Feed/Food Safety Incidents

The Service is committed to responding appropriately to all Feed and Food Alerts issued by the Food Standards Agency in accordance with the relevant

code of practice. The level of response is determined by the category of response required and the individual circumstances of the incident.

3.8 Liaison with other organisations

The Service seeks to co-operate in joint working with other local authorities in the North East. In relation to animal feed, information sharing and joint working is coordinated by the North East Trading Standards Association (NETSA), and via the Local Government Association Knowledge Hub. In respect of food matters, Environmental Health Officers liaise with colleagues via the North East Food Liaison Group and the North East Sampling and Public Protection Groups.

Officers of the Service meet with our six neighbouring authorities, i.e. those in Tyne and Wear, Durham and Northumberland, in the North East Food Liaison Group. This group facilitates close cooperation between the representatives. Officers are also involved with sampling sub-groups, the combined North and South of Tyne meetings involving Public Health England, Local Authorities and the Primary Care Trust. These meetings involve representatives from the relevant bacteriological laboratories and communicable disease specialists.

Officers liaise frequently with Council colleagues in connection with food matters, including catering and school meals, and with regard to building control and planning applications.

3.9 Feed and Food Safety and Standards promotional work

The very small number of feed establishments registered within the City does not make promotional work on any scale viable. Imparting information on the importance of feed control is restricted to business advice given on inspection.

Basic food hygiene information for consumers is available on the Council's website.

4. Resources

4.1 Financial Allocation

The Council allocates a budget for the delivery of Food Safety and Enforcement which includes appropriate staffing, running and equipment costs as part of the overall Council's revenue budget.

Last year there was some considerable investment in a new database system for Regulatory Services. It is envisaged that further investment will be required to extend the functionality of the system as officers become more agile working.

Any costs for legal action will be supported from other Regulatory revenue budgets as necessary with associated costs being recovered where possible.

4.2 Staffing Allocation

Environmental Health personnel specialising in food comprise:

- 1 Principal Environmental Health Officer – 0.7 Full time equivalent (FTE)
- 4 Senior Environmental Health Officers - 2.2 FTE
- 2 Technical Officers - 0.7 FTE
- 1 Senior Trading Standards Officer (part time on food standards) - (0.25 FTE)

All food-specialist Environmental Health Officers have over two years' experience in food matters and are fully competent in accordance with the Food Law Code of Practice.

Of the team working on food there are 3 Senior Environmental Health Officers and 1 Principal EHO competent to deal with Approved Premises.

4.2 Staff Development Plan

Staff appraisals are undertaken annually, and the findings are included in staff development and training plans. A competency matrix has been developed in line with the requirements of the Food Law Code of Practice and training needs have been assessed. An action plan in order to ensure that personnel are fully competent commensurate with the activities assigned will be delivered during the current year. Individuals will receive specific training where appropriate and all food-specialist Environmental Health Officers are to complete a minimum 20 hour Continuing Professional Development (10 hours of food-specific).

The Service cooperates regionally through the Food Liaison Group and with the Food Standards Agency in order to source low cost training.

Training days and training sessions on subjects are programmed as necessary.

Any inexperienced officers assigned to food work are supervised and receive training commensurate with the Code of Practice.

Officers enforcing feed work undertake training provided by the FSA and will utilise online training provided by the Chartered Trading Standards Institute.

5. Quality Assessment

A documented internal monitoring procedure in accordance with Article 8 of Regulation (EC) No. 882/2004 (Official Feed and Food Controls), the Food Law Code of Practice and centrally issued guidance will be reviewed and updated annually.

Monitored inspections are recorded on a database in addition to random file checks, case load meetings and specific premises interventions.

Visits to feed establishments are recorded and feedback on the inspection provided to the business operator. Annual returns on activities are provided to the FSA.

6. Review

6.1 Review against Service Plan

A review of the plan will be undertaken mid-year with consideration of achievements against targets. In the periods either side of the mid-year review, managers monitor progress with case work and regular meetings.

The Service carried out 87% of planned interventions of food premises in 2018/19 with 1094 food premises being inspected with 122 inspections outstanding at the year end.

6.2 Identification of any variance from the Service Plan

There were 122 programmed premises outstanding from the inspection programme at the end of the financial year 2018/19.

Heavy officer workloads from routine inspection work and an increase in revisits due to the service of notices and requests for re-inspection, have contributed to the number of overdue inspections.

A significant project to move from the previous bespoke environmental health commercial premises database to a new Idox system commenced part way through the year. This involved a significant amount of officer resource, taking the team from planned work to undertake training on the new system. Additionally, there is an ongoing demand which continues to challenge the service as new procedures and reporting methods are developed and system errors are encountered. This has significantly impacted on the service coming into in 2019/20. Once the full functionality of the system is realised, we anticipate service efficiencies and cash savings.

The method employed by the new Idox system of calculating the due inspections also differed from the previous system. This resulted in identifying a significant number of overdue programmed inspections too late in the financial year to enable any additional officer resources, placing additional demand on the existing staff.

A further challenge to the workload has been an increase in the number of unrated businesses arising from new food business registrations with an additional 225 businesses spanning the whole of the last financial year which were in addition to the planned programme. So far in this half year, there has already been an additional 200 new food business registrations requiring an inspection, adding to the workload of the team in addition to the programmed work.

This financial year has also seen the service of 4 hygiene emergency prohibition notices, and significant officer time to prepare case files for potential court proceedings for another 4 prosecutions for breaching food hygiene legislation, impacting on the routine work of the staff.

Additionally, where we have in the past used alternative interventions for category E premises, we aim to visit all these premises this financial year. This creates an additional 200 interventions, placing a further demand on the service.

A strategy continues to make every effort to recover the position through 2019/20 using a combination of an external contractor and in-house resource. We have already secured the assistance of permanent variable hours officer part-time and aim to recruit further resources to pick up the backlog of inspections.

7. Areas of Improvement

To assist in long term with the resolution of current and future Idox operating systems issues, we have recently appointed a Regulatory Delivery Officer, whose role it will be amongst other things to ensure appropriate updates in our Idox operating systems as necessary within the department. The role will also involve building and developing a document management system and developing a system of reporting and workflow tools to support internal monitoring procedures.

A new sampling budget has been included within the Council's budget and Medium Term Financial Plan for the coming financial year, and appropriate staffing resource allocated to ensure we can fulfil commitments to local and regional sampling plans.

Additional funding has also been provided for this year to recruit additional agency staff up until the end of the financial year. They will assist our current staff in completing our planned programme of interventions, up to the end of this financial year. Looking forward to next year work is being undertaken to benchmark the service with other local authorities with a view to determining the most appropriate level of resourcing for the unit.

The service will continue to develop the service to improve our delivery in response to changes brought about by the Food Standards Agency's 'Food Law Code of Practice 2017'.

On-going review and development of operating procedures, including a review of the premise's inspection pro-forma, will be undertaken in order to assist with the consistency of planned interventions.

Additionally, we will further consider innovative methods of service delivery, agile working, service redesign and an appropriate business operating model to ensure the most appropriate officers are tasked with the right work.

In line with previous years, we continue establishing and targeting workload priorities with available resources to deliver and maintain the best achievable levels of public health protection, through the development of alternative approaches to business engagement.

CABINET

14

JANUARY 2020

**ADOPTION OF THE SUNDERLAND CORE STRATEGY AND DEVELOPMENT
PLAN 2015-2033**

REPORT OF THE EXECUTIVE DIRECTOR OF CITY DEVELOPMENT

1. Purpose of the Report

- 1.1 The purpose of this report is to seek Cabinet approval to recommend that Council approves the adoption of the Core Strategy and Development Plan 2015-2033 (the Plan).

2. Description of Decision (Recommendations)

- 2.1 Cabinet is requested to recommend that Council:-
- Notes the Planning Inspector's Report on the Core Strategy and Development Plan (Appendix 1) and accepts the Main Modifications;
 - Adopts the Core Strategy and Development Plan including the Policies Map (Appendix 2) to take effect from 30th January 2020; and
 - Cabinet is also requested to agree that the Supplementary Planning Documents set out in Appendix 3 to the report are revoked with effect from 30th January 2020 subject to Council's agreement to adopt the Core Strategy and Development Plan with effect from that date, with revised SPDs to be developed where appropriate.

3. Introduction/Background

- 3.1 The Sunderland Local Plan aims to establish a policy framework that guides and shapes development. It will set the parameters for this to be achieved, and to encourage and support development in coming forward. It will ensure that Sunderland is a city that is open for business and growth, providing jobs and prosperity for local people, delivering housing to meet the needs of all of our communities, and tackling deprivation within the city. The document will provide a spatial framework to assist in the delivery of the priorities identified within the City Plan.

- 3.2 Sunderland's Local Plan is being prepared in three parts;
- Part One - Core Strategy and Development Plan which will set out an overarching strategy for future change and growth in the city and includes detailed development management policies and strategic allocations and designations. This report seeks approval for the Council to formally adopt this document.
 - Part Two – Allocations and Designation Plan which will set out site-specific policies for the development, protection and conservation of land in the city.
 - Part Three - International Advance Manufacturing Park (IAMP) Area Action Plan (AAP), which sets out site specific policies for the development of an employment park on land to the north of the Nissan Plant. The AAP was adopted in November 2017.
- 3.3 This Report relates to the preparation of the Core Strategy and Development Plan, hereafter referred to as the Plan.

Preparation of the Core Strategy and Development Plan

- 3.4 All Local Authorities are required to prepare a Local Plan. Plans must be prepared in accordance with the National Planning Policy Framework (NPPF), the Duty to Cooperate and legal and procedural requirements as set out in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 3.5 Local Plans must be considered to be sound following an examination in public which means that the Plan has been positively prepared and seeks to meet the objectively assessed needs for development and infrastructure requirements, is justified, is the most appropriate strategy, is effective and is consistent with national policy.
- 3.6 The Council has been preparing the Plan for some time in accordance with the legislative requirements above and has consulted on numerous iterations.
- 3.7 Following Cabinet approval on 30 May 2018, the Council undertook a six week public consultation on the Publication Draft Core Strategy and Development Plan, in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Regulation 19 stage is a formal stage where stakeholders and members of the public are given a final chance to make representations on whether they support the Plan or not prior to its submission.
- 3.8 Following the conclusion of this consultation, on 21 November 2018, Council approved the submission of the Plan to the Secretary of State to commence the Examination in Public into the soundness and legal compliance of the Plan.

- 3.9 The Plan and submission documents were submitted to the Secretary of State on 21st December 2018. The Secretary of State for Communities and Local Government appointed Mark Dakeyne BA(Hons) MRTPI as Planning Inspector to conduct the Examination in Public.

4. Examination in Public

- 4.1 The Inspector held examination sessions during May and June 2019. Following the hearing sessions, in July 2019, the Inspector published his post-hearing advice note which indicated that in his preliminary views the Plan was capable of being found sound subject to a number of proposed Main Modifications being made to the Plan. He then invited the Council to prepare precise wording for the modifications and organise a consultation on them.
- 4.2 Between 13 September and 25 October 2019, the Council undertook a six week public consultation on a Schedule of Proposed Main Modifications to the Plan, which included changes discussed during the course of the hearing sessions and to reflect the recommendations of the Inspector in his post-hearing advice note. A summary of the main changes proposed through the Main Modifications is as follows:
- Clarifying and adjusting the distribution of housing and employment land and supply figures to reflect up-to-date information;
 - Articulating the exceptional circumstances for the release of Green Belt land;
 - Clarifying and updating the components of housing land supply, the assumptions that will be relied upon to calculate the five-year supply and the role of a Housing Implementation Strategy;
 - Ensuring that policies and proposals for gypsies and travellers are positively prepared, effective and consistent with national policy;
 - Clarifying the components of employment land supply and ensuring employment policies are effective;
 - Ensuring that the strategic and generic policies, including those relating to the Green Belt, valued landscapes, housing, and minerals and waste are positively prepared, justified, effective, consistent with national policy, and clear to the decision-maker;
 - Deleting Green Belt Housing Growth Areas [HGA] and Safeguarded Land at East Springwell, Rickleton and North Hylton so that land release is positively prepared, justified and consistent with national policy;
 - Avoiding the protection of the part of the Hendon Key Employment Area where there is no reasonable prospect of the land being used for that purpose;
 - Ensuring that the extent of Settlement Breaks is positively prepared and justified;
 - Modifying the development criteria for HGA and the South Sunderland Growth Area so that they are positively prepared, justified and effective; and
 - Ensuring that key triggers that would lead to a review and the Implementation and Monitoring Framework are embedded in the Plan.

- 4.3 A full schedule of the Main Modifications which were consulted on is available on the Examination webpage (see document EX19.001 at www.sunderland.gov.uk/csdpeip).
- 4.4 Following the consultation, the Council summarised all of the representations received and submitted these to the Planning Inspector for his consideration.
- 4.5 After taking into account all of the representations received, including those made during the hearing sessions and submitted to the Council in response to the Regulation 19 consultation during the summer of 2018, the Inspector has now issued his final report (see Appendix 1), which sets out that the Plan is considered to be 'sound', subject to the Schedule of Main Modifications appended to the report.
- 4.6 Following publication of the Inspector's report, Council approval is being sought to formally adopt the Plan to take effect from the 30 January 2020.
- 4.7 Following adoption of the Local Plan, under Section 113 of the Planning and Compulsory Purchase Act 2004, a person aggrieved by the Plan may make an application to the High Court to challenge it. Such an application must be made within six weeks of adoption. In these circumstances the Plan's adoption may be delayed by an interim order of the Court pending the outcome of the legal challenge.
- 4.8 Upon adoption, the Plan will replace a number of Policies within the existing Unitary Development Plan (UDP) and Unitary Development Plan Alteration No.2. The list of policies that will be replaced is set out within Appendix 1 of the Plan.
- 4.9 It is the intention that the remainder of the UDP and UDP Alteration No.2 policies which remain 'saved', will be replaced by policies within the emerging Allocations and Designations Plan, which will complete the suite of documents which comprise the Council's Local Plan.
- 4.10 In addition, the Council will delete all Supplementary Planning Documents (SPDs) which expand upon UDP Policies which are to be deleted, as set out in Appendix 3 to this report. Where necessary, new or replacement SPDs will be developed and taken through consultation as appropriate.
- 4.11 Appendices 1-4 will be circulated once the final report has been received from the Planning Inspectorate.

5. Reasons for the Decision

- 5.1 In accordance with the applicable legislation and the Budget and Policy Framework, Council is required to approve the adoption of the Core Strategy and Development Plan as part of Sunderland's Development Plan.

6. Alternative Options

- 6.1 The Council is required to prepare and regularly review its Local Plan. The existing development plan comprises of the Unitary Development Plan (1998) and Unitary Development Plan Alteration No.2 (2007) which are substantively out-of-date. The Plan will provide an updated planning policy framework which will support development within the city, whilst protecting important environmental assets.

7. Impact Analysis

- (a) **Equalities** – As part of the preparation of the Plan an Equalities Impact Assessment was undertaken which is attached at Appendix 4.
- (b) **Sustainability** – As part of the preparation of the Plan a Sustainability Appraisal was undertaken.
- (c) **Reduction of Crime and Disorder – Community Cohesion/Social Inclusion** – The Plan contains policies that seek to promote crime reduction and social cohesion within new developments.

8. Other Relevant Considerations/Consultations

- (i) **Financial Implications** – There are no direct financial implications arising from this report.
- (ii) **Risk Analysis** – Any development plan document such as the Core Strategy and Development Plan is required to be formally examined by an independent Planning Inspector to consider whether or not it is 'sound' and fit-for-purpose. This requires that it has been positively prepared in accordance with all the legal requirements and statutory processes. As part of this the Council was required to demonstrate effective co-operation with others on strategic cross boundary issues (the Duty to Co-operate) and that the proposed Plan is justified, effective and consistent with national planning policy. To mitigate this risk, officers ensured that the policies set out in the Plan were justified and supported by robust evidence, the appropriate Regulations were followed precisely and a diligent approach to the Duty to Co-operate had been taken.
- (iii) **Legal Implications** – Preparation of the Plan has been progressed in accordance with the Planning & Compulsory Purchase Act 2004 (as amended) and the Town & Country Planning (Local Planning) (England) Regulations 2012.

Upon adoption of the Plan, it must be made publicly available as soon as reasonably practicable. In addition, an Adoption Statement must be made available and sent to the Secretary of State and any person who has asked to be notified of the adoption of the Plan. The Adoption Statement must state the date of adoption of the Plan, identify the modifications made and inform the public of the ability to challenge the Plan by an application to the High Court within 6 weeks from the date of adoption under Section 113 of the 2004 Act.

- (iv) **Policy Implications** – The Plan will be part of the Development Plan and as set out in Section 38(6) of the 2004 Act, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise
- (v) **Implications for Other Services** – The Plan’s policies reflect as appropriate other Council and partner strategies, plans and programmes.
- (vi) **The Public/External Bodies** – It is a requirement of the planning system that the public as a whole are engaged in the development plan process, with minimum statutory requirements for consultation set out by Regulations. The Duty to Co-operate as set out in the Planning and Compulsory Purchase Act 2004 (as amended) places a legal duty on local planning authorities to co-operate with neighbouring authorities and other public bodies and this is tested at examination. A report of consultation has been published alongside the Plan setting out how consultation has been undertaken at all stages.
- (vii) **Project Management Methodology** – The Plan has had the benefit of a dedicated Project Manager.
- (viii) **Procurement** – All procurement undertaken by the Council within the development of the Plan has been conducted according to the Council’s procurement rules and applicable legislation.

9. Background Papers

- 9.1 A comprehensive evidence base was published alongside the Plan. All documentation can be found on the Council’s website at www.sunderland.gov.uk/csdpeip.

10. List of Appendices

- Appendix 1 Planning Inspector’s Report on the Core Strategy and Development Plan
- Appendix 2 Core Strategy and Development Plan
- Appendix 3 Schedule of SPDs to be deleted
- Appendix 4 Equalities Impact Assessment

ADOPTION OF THE SUNDERLAND CORE STRATEGY AND DEVELOPMENT PLAN 2015-2033 – SUPPLEMENTARY REPORT**Report of the Executive Director of City Development**

The report on the main agenda in respect of the adoption of the Core Strategy and Development Plan 2015-2033 (the Plan) identified at paragraph 4.11 that the appendices to the report would follow, once the Inspector's final report was received. The appendices are now circulated for Cabinet's consideration. An electronic link to the Cabinet agenda page on the Council website is provided below. Appendices 1 to 4 may be viewed under item 11 in the list of reports.

<https://www.sunderland.gov.uk/committees/cm5/Meetings/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/9961/Committee/1953/Default.aspx>

The recommendations remain as set out in the original agenda namely, Cabinet is requested to recommend that Council:-

- Notes the Planning Inspector's Report on the Core Strategy and Development Plan (Appendix 1) and accepts the Main Modifications;
- Adopts the Core Strategy and Development Plan 2015-2033 including the Policies Map (Appendix 2) to take effect from 30th January 2020; and
- Cabinet is also requested to agree that the Supplementary Planning Documents set out in Appendix 3 to the report are revoked with effect from 30th January 2020 subject to Council's agreement to adopt the Core Strategy and Development Plan with effect from that date, with revised SPDs to be developed where appropriate.

Action on Petitions

ACTION TAKEN ON PETITIONS

Council Members are asked to note the action taken in relation to the under-mentioned petitions which were presented to Council:-

- (i) **Petition from residents calling on the reinstatement of the Go North East 36 Bus to serve the Houghton-Le-Spring – Herrington and Silksworth Areas.**

Detail of the Petition and Background

At the meeting of Council on 19 June 2019 a petition was presented by Councillor G. Walker, signed mainly by residents of New Herrington, requesting the reinstatement of Go North East Service 36 serving the Houghton le Spring, Herrington and Silksworth Areas.

The petition raised inter-alia, a number of issues including connectivity with other neighbouring areas, extended journey times, reduced frequencies, impact on older and younger residents, access to medical facilities, access to Farrington School and claimed that Go North East had reneged on a previous commitment to continue the service.

Actions Taken

Sunderland City Council has no powers in relation to bus services. The City Council's powers in this context are limited to influencing or lobbying the commercial operators and requesting Nexus, the Tyne and Wear Passenger Transport Executive, to secure additional services to make good any gaps in the commercial network. Whilst Nexus are able to secure socially necessary bus services not provided by the commercial operators, in practice budgetary constraints mean that the scope for action is quite limited. In either instance the final decision on whether to reinstate the service will rest with the operator or Nexus.

Go North East announced a number of network changes to take place in May of this year. Nexus provided a briefing to the Portfolio Holder and officers which raised a number of concerns, one of which was the partial withdrawal of service 238 and also the service 36. The withdrawal of 36 was of concern because of the lost links as described in the petition and the withdrawal of service 238 would have left many Sunderland residents without any bus service at all.

This matter particularly affects older and very young residents in the affected area along with all others who are dependent on public transport in conducting essential personal business.

Nexus endeavoured to manage this unfortunate situation with a very limited budget. The Portfolio Holder wrote to the Managing Director of Nexus and the immediate accessibility issue caused by the withdrawal of service 238 was alleviated by the introduction of secured service 79. However, there were insufficient funds to address the problem of the 36 withdrawal which was covered by other services. Existing service TB20 was extended to cover an unserved portion of the route in Fence Houses (again replacing the only bus in the area).

Following a subsequent meeting with the residents of Oakfield Court, East Herrington, Go North East promised to look at resolving the situation of lost connectivity between East Herrington and Silksworth through registering a change to service 33. The link was restored with effect from 21 July. This change should resolve most of the points raised in the petition.

Councillor G. Walker and the lead petitioner have been advised of the outcome.

(ii) Petition requesting the introduction traffic calming measures such as chicanes on Saint Luke's Road to reduce vehicle speeds

At the meeting of Council on 18 September 2019 a petition was presented by Councillor Haswell containing 174 signatures from residents requesting the introduction traffic calming measures such as chicanes on Saint Luke's Road to reduce vehicle speeds.

After consideration by Council Officers, the outcome of the petition is as follows:-

To decline the petition requesting Sunderland City Council introduce traffic calming measures such as chicanes on Saint Luke's Road to reduce vehicle speeds.

An examination of the accident/collision history for St Luke's Road indicated that over the latest 5-year period to the end of July 2019, Northumbria Police have reported that 2 personal injury accidents have occurred at this location. This accident/collision rate is considered good, particularly given the relatively high volumes of traffic utilising this route.

The recent introduction of a 20mph speed limit on St Luke's Road is a traffic management measure that should help reduce vehicle speeds. The success of this scheme will be reviewed in 12 months-time, after it has had time to become established.

Northumbria Police will be asked to continue undertaking speed enforcement action on this road.

It is because of the above, additional traffic calming measures are not considered necessary at this time.

The local ward councillors, as lead petitioners, have been advised of the outcome.

(iii) Petition requesting the upgrade to the Thompson Road/Carley Road junction on the grounds of safety

At the meeting of Council on 18 September 2019 a petition was presented by Councillors Butler, Chequer and Samuels on behalf of the residents of Southwick containing 1,651 signatures requesting the Council to upgrade the Thompson Road/Carley Road junction on the grounds of safety.

The petitioners reported that this was following long-standing concerns and in the light of numerous accidents that had happened in a short space of time that year that had seen the road being named 'the notorious road' by Sunderland Echo. The petitioners urged the council to listen to residents and urgently review the junction.

On further examination of the petition by officers, the 883 electronic signatures of the 1,651 submitted appear to be for a second petition that stated as follows:-

"Install traffic lights on the junction of Carley Road and Thompson Road in Sunderland.

Why is this important?

Tonight, there has been a bad car crash on this awful junction. The lack of lights on this junction leads to daily near misses on an incredibly busy cross road and it is only time before somebody is killed. It is essential pressure is put on the City Council to install these lights and also ensure that they are not able to claim that they were unaware of the problems on this junction. If they fail to deal with the issues on this junction they need to be aware that local voters will hold them responsible for their failure to keep local people safe."

As the petitions had a similar intent it was decided to treat both petitions as one and investigate accordingly.

After consideration by Council Officers, the outcome of the petition is as follows:-

To decline the petition as the Thompson Road/Carley Hill Road junction is not considered to be inherently unsafe, without the contributory factors involved and detailed in the accident/collision investigation.

In addition, the request to introduce traffic signals to this junction is also declined as the proposals requested by the petitioners would lead to significant capacity issues at this junction, result in the formation of long vehicle queues and introduce unnecessary vehicle delay. This could lead to driver impatience occurring and potential red light running, both of which could increase accidents/collisions at this junction.

The local ward councillors, as lead petitioners, have been advised of the outcome.

(iv) General condition of the footpaths and surfaces to Mayfield Road South Hylton and in particular a block of lock up garages

At the meeting of Council on 18 September 2019, a petition was presented by Councillor Mann signed by residents of Mayfield Road requesting that Council representatives look into the general condition of the private residential street of Mayfield Road, specifically a block of garages and the condition of the road and footpath surfaces.

A copy of the petition was forwarded to the Development Management Compliance team to investigate the condition of the garage block in private ownership, having regard to the possible use of powers under the Town and Country Planning Act in respect of land and buildings whose appearance, normally through neglect, has an adverse impact on the amenity of the neighbourhood.

An inspection was made of the properties and an approach was made to the landowner, highlighting the main visual defects which included heavily-peeled paint to the timber fascia boards and some growth of weeds and bushes on the tarmac-surfaced apron to the front.

As a matter of practice prior to any consideration of formal action, the landowner was asked to undertake voluntary remedial works aimed to improve the appearance of the garage block prior to a proposed further inspection during the week commencing Monday 11 November 2019.

During the course of a site inspection on Wednesday 13 November, it was noted that weeds and bushes had been cleared, new white plastic fascia boards fitted to the front of the garages and the front edge of the mineral felt roofs made good. These works had considerably improved the appearance of the garage block, as viewed from the public realm.

The works undertaken by the landowner were acknowledged and the lead petitioner and Councillor Mann advised that the works voluntarily undertaken were sufficient not to warrant any further action.

(v) Request to remove the bus lane at the Board Inn roundabout in Herrington

At the meeting of Council on 19 June 2019 a petition was presented by Councillor McDonough containing 321 signatures from 212 properties requesting the Council to remove the bus lane at the Board Inn roundabout in Herrington.

Although no reason was given by the petitioners for the removal of the Bus Lane, an investigation had been undertaken by officers into its operation.

It should be noted that the Bus Lane referred to in the petition is actually a “No Car Lane.”

It is often a wide-spread misconception that the introduction of Bus Lane/No Car Lanes onto the highway infrastructure will create congestion, i.e. “if you remove a lane from the road, you must reduce the capacity of the network, and hence the level of congestion goes up.” This assumption is often based on visual evidence, i.e. when Bus Lane/No Car Lanes are put in the traffic queues increase. However, in the urban environment, congestion almost always occurs around junctions and consequently, it is the junctions that are constraining capacity and not the loss of a lane.

Although this is a relatively short No Car Lane, these have significant benefits to, in particular, the bus operators. These lanes enable public transport to bypass queues on the approach to the roundabout and their importance is recognised nationally as a bus priority measure.

The bus operators have a high frequency of services operating along this route which are well utilised, and the services have benefitted significantly from the presence of a No Car Lane. The bus operators have stated that given the services which run along this route, the removal of any No Car Lanes could result in major service disruption.

The Cirtas Accident Data System indicates that, in the last three-year period to the end of July 2019, Northumbria Police recorded that four personal injury accidents have occurred within 100m of the roundabout. The opinion of Northumbria Police investigations into each of the accidents indicated that in their opinion, the No Car Lane was not a contributory factor in the accident occurring.

The accident data record for this junction is good considering that it is a busy urban route into and out of the City. Most drivers who are using this junction can negotiate while taking the appropriate due care and attention. There is no indication that the No Car Lane has had a negative impact on the overall road safety.

On 1 May 2019, the UK Parliament declared a climate emergency. With the increasing amount of carbon in our atmosphere we need to make a modal shift into using more sustainable travel around our City. The introduction of

No Car Lanes around the City allows for better transport links and encourages motorists to use alternative modes of sustainable transport helping to reduce Sunderland's carbon footprint.

As a consequence of the above, it is considered that the No Car Lane on Durham Road is operating successfully and has the full support of Nexus and the bus operators.

Therefore, the petition is declined and no changes are to be made to the No car Lanes operation at this moment in time.

Councillor McDonough and the lead petitioner have been advised of the outcome.

Motions on Notice

MOTIONS ON NOTICE

Council Members are asked to consider the under-mentioned Motions:-

1. Alcohol Minimum Unit Pricing

This Council notes that alcohol remains one of the key drivers of health inequalities and one of the key causes of premature death in Sunderland. That Minimum Unit Pricing (MUP) can have a positive impact on reducing alcohol related deaths, alcohol related crimes and reducing health inequalities.

This council calls on the new government to introduce minimum unit pricing in England without delay.

Councillor K. Chequer
Councillor L. Williams
Councillor M. Mordey
Councillor G. Miller
Councillor P. Stewart
Councillor R. Atkinson
Councillor K. Johnston

Councillor A. Wilson
Councillor D. Waller
Councillor A. Lawson
Councillor S. Foster
Councillor J. Jackson
Councillor J. Heron

2. Moving the City forward

This Council notes the results of the general election in the three Sunderland constituencies and pledges to make the most of every opportunity to move the City forward under the Conservative Government.

Councillor R. Oliver
Councillor J. McKeith
Councillor P. Wood
Councillor D. McDonough
Councillor J. Doyle

Councillor A. Mullen
Councillor G.E. Howe
Councillor R. Francis
Councillor M. Dixon

3. Holocaust Memorial Day in Sunderland

Seventy-five years after the liberation of Auschwitz-Birkenau, this Council pays tribute to residents of the City who have worked, for many years, to commemorate Holocaust Memorial Day in Sunderland.

Councillor R. Oliver
Councillor J. McKeith
Councillor P. Wood
Councillor D. McDonough
Councillor J. Doyle

Councillor A. Mullen
Councillor G.E. Howe
Councillor R. Francis
Councillor M. Dixon

4. Empire Theatre Tickets

The Empire Theatre is a key attraction in Sunderland holding a unique position in the North East cultural scene. In recent years the Empire Theatre, under the management of ATG has hosted some of the best stage shows usually reserved for the West End and other major venues. The Sunderland Empire also attracts wide praise for its engagement in the community and efforts to work with groups across Sunderland, Washington, Houghton and Hetton.

This council notes that:

- Residents across the city have expressed dismay at the practice of free Empire Theatre tickets being taken by Councillors;
- Councillors accepting 'perks' such as free tickets impacts upon the reputation of elected representatives amongst residents of the city;
- Existing contractual terms between Sunderland City Council and ATG include the provision of free tickets for Councillors.

This council therefore resolves to:

- Respectfully decline free Empire Theatre tickets for Councillors until the end of the current term of the contract with ATG;
- Ensure that within any future contract for private business to run the Empire Theatre, free tickets for Councillors are not part of the agreement;
- Maintain existing arrangements as far as possible for tickets for tickets to be offered to community groups and good causes.

Councillor M. Haswell
Councillor N.D. Hodson

Councillor H. Fagan
Councillor J. Potts

Reports

Update on Special Urgency Decisions**Report of the Leader**

The Council's Constitution requires that a quarterly report be submitted to Council on executive decisions which have been taken as a matter of special urgency. The relevant provisions are now contained in Regulations 11 and 19 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

These are the special urgency provisions under which key decisions may be taken by the executive, although not contained in the 28 day Notice of Key decisions (whether proposed to be taken in public or private), where compliance with Regulation 10 (the general exception) was also impracticable.

There have been no such instances since the last report.

Recommendation

That the Council notes the content of this report.

DESIGNATION OF STATUTORY OFFICER AND PROPER OFFICER POSITIONS

REPORT OF THE CHIEF EXECUTIVE

1.0 Purpose of Report

- 1.1 The purpose of this report is to seek approval to the designation of certain posts in respect of statutory and proper officer functions.

2.0 Executive Director of Public Health and Integrated Commissioning / Statutory Director of Public Health

- 2.1 At its meeting on 21 February 2019, as part of the Council's directorate and senior management restructure, the Human Resources Committee approved the creation of the new post of Executive Director of Public Health and Joint Commissioning, with the role of statutory director of public health sitting with a separate post within the Public Health and Joint Commissioning Directorate. On 17th December 2019, the Committee considered a further report on the Executive Director role and the process for recruitment to the post.
- 2.2 As a significant challenge for Sunderland remains around the health of the population, the post of Executive Director is to lead the new directorate, working in partnership with the CCG, to support a whole system approach to improving health outcomes for residents. Whilst the post is to provide system leadership for improving the health and wellbeing of residents, reducing inequalities in health outcomes and protecting local communities from public health hazards, a unique feature of the role is also to lead on the integration of the commissioning of services across both the Council and the CCG, to drive improvement in health outcomes.
- 2.3 It is proposed that the responsibilities of the postholder should include those of the statutory director of public health, and therefore the Human Resources Committee recommended that Council be requested to formally approve this designation, with effect from the commencement in post of the Executive Director. In addition, following further consultation with the CCG with regard to the roles and responsibilities of the post, it is proposed that it be retitled Executive Director of Public Health and Integrated Commissioning and that the Directorate be retitled accordingly to Public Health and Integrated Commissioning.

3.0 Proper Officer for Registration Functions

- 3.1 At the meeting on 21 February 2019, the Human Resources Committee also agreed the transfer of the Registration Service to Law and Governance Services. Whilst Council subsequently approved the appropriate reallocation of delegated functions to officers to reflect the new management structure, there is also a requirement for designation of a “proper officer” for certain registration functions. In recent years the functions concerned and formal designations have been split between the Chief Executive, former Executive Director of Economy and Place and to an extent, the Registration Services Manager. It is therefore recommended that Council formally confirm that the Assistant Director of Law and Governance is the designated proper officer for registration services functions.

4.0 Recommendation

- 4.1 To amend the title of the post of Executive Director of Public Health and Joint Commissioning to Executive Director of Public Health and Integrated Commissioning and designate the post as the statutory director of public health under section 73A National Health Service Act 2006, with effect from the date of commencement in post of the first individual appointed to the position and to amend the title of the directorate to Public Health and Integrated Commissioning; and
- 4.2 To designate the post of Assistant Director of Law and Governance as the proper officer for the exercise of registration functions under the various legislative provisions relating to births, deaths and marriages, including the Registration Service Act 1953, the Marriage Act 1949 and Civil Partnership Act 2004 and to undertake all associated functions including those in respect of appointment of superintendent registrars, local schemes and other ceremonies including citizenship ceremonies.

APPOINTMENTS TO COMMITTEES

REPORT OF THE ASSISTANT DIRECTOR OF LAW AND GOVERNANCE

1.0 Introduction

- 1.1 The purpose of this report is to consider appointments to the Planning and Highways Committee and the Development Control (Hetton, Houghton and Washington) Sub-Committee.

2.0 Planning and Highways Committee and Development Control (Hetton, Houghton and Washington) Sub-Committee

- 2.1. Appointments are required to the following Committee and Sub-Committee in place of former Councillor Scullion:-

Planning and Highways Committee – Chair and Vice Chair
Development Control (Hetton, Houghton and Washington) Sub-Committee – Vice Chair

- 2.2 The appointments will be until the Annual Meeting of Council on 20 May 2020.

3.0 Recommendations

- 3.1 The Council is accordingly recommended to approve the following appointments:-

Planning and Highways Committee – Councillor Jackson as Chair and Councillor D. Wilson as Vice Chair
Development Control (Hetton, Houghton and Washington) Sub-Committee – Councillor Thornton as Vice Chair

