

**Record of
Executive
Decisions
published
10/Feb/2021**



Elaine Waugh
Assistant Director of Law and Governance

Civic Centre
Sunderland

10 February 2021

Record of Executive Decisions Published: 10/Feb/2021

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Scrutiny Coordinating Committee

Date decision in force:

18 February 2021

Date of decision:

9 February 2021

Title and author(s) of written report:

Response from Scrutiny Coordinating Committee – 14 January 2021 –
Budget Planning Framework and Medium Term Financial Strategy 2021/2022
– 2024/2025 – Report of the Assistant Director of Law and Governance

Full description of decision:

To note the comments of the Scrutiny Coordinating Committee.

Reasons for decision:

To comply with statutory requirements.

Alternative options considered and rejected:

There are no alternative options recommended for approval.

Contact Officer: Jon Ritchie

Extension: 0191 561 1507

Email: jon.ritchie@sunderland.gov.uk

Is this a key decision:

Yes

Does the Decision contain Confidential/Exempt Information:

No

Declarations of Interest and Dispensations:

None

Record of Executive Decisions Published: 10/Feb/2021

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Scrutiny Coordinating Committee

Date decision in force:

18 February 2021

Date of decision:

9 February 2021

Title and author(s) of written report:

Capital Programme 2021/2022 to 2024/2025 and Treasury Management Policy and Strategy 2021/2022, including Prudential Indicators for 2021/2022 to 2024/2025 – Report of the Executive Director of Corporate Services.

Full description of decision:

To recommend to Council to approve:-

- the proposed Capital Programme for 2021/2022;
- the Treasury Management Policy and Strategy for 2021/2022 (including specifically the Annual Borrowing and Investment Strategies);
- the Prudential Indicators for 2021/2022 to 2024/2025; and
- the Minimum Revenue Provision Statement for 2021/2022.

Reasons for decision:

To comply with Statutory requirements.

Alternative options considered and rejected:

No alternative options are submitted for Cabinet consideration.

Contact Officer: Jon Ritchie

Extension: 0191 561 1507

Email: jon.ritchie@sunderland.gov.uk

Is this a key decision:

Yes

Does the Decision contain Confidential/Exempt Information:

No

Declarations of Interest and Dispensations:

The following Councillors declared interests as members of the bodies indicated:-

Councillor Farthing

as the Council appointed representative on the Education Partnership North East (EPNE) (which is the group brand for Sunderland College, Northumberland College and Hartlepool Sixth Form College).

Councillor Stewart	as Chair-elect of Willow Wood Primary School and a member of the Bishopwearmouth CIC
Councillor Williams	as Chair of Governors of Oxclose Community Academy

Record of Executive Decisions Published: 10/Feb/2021

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Scrutiny Coordinating Committee

Date decision in force:

18 February 2021

Date of decision:

9 February 2021

Title and author(s) of written report:

Revenue Budget and Proposed Council Tax for 2021/2022 and Medium Term Financial Plan 2021/2022 to 2024/2025 – Report of the Executive Director of Corporate Services

Full description of decision:

To:

- recommend to Council the proposals set out in the report including the proposed Revenue Budget for 2021/2022 set out at Appendix J subject to an amendment to remove the proposal DL4 for additional parking permit income of £40,000, with a corresponding adjustment to the proposed use of reserves;
- recommend to Council the Medium Term Financial Plan 2021/2022 to 2024/2025 including Efficiency Strategy as set out in Appendix G and the potential use of Capital Receipts Flexibility set out at section 9 of the report;
- delegate the finalisation of the Council tax supplementary information, that will be published on the Council website, to the Executive Director of Corporate Services in consultation with the Leader of the Council.
- recommend to Council the council tax levels for 2021/2022 and additional associated matters in accordance with the statutory requirements, including the detailed information set out in section 3.2, as follows:
 - a) To note the council tax base applicable to the Council and to the Parish of Hetton Town Council;
 - b) To approve the estimated amount of the Council's aggregate gross revenue expenditure;
 - c) To approve the estimated amount of the Council's aggregate gross revenue income;
 - d) To approve the estimated amount of the Council's council tax requirement;
 - e) To note the precept of the Parish of Hetton Town Council;
 - f) To note the council tax bands applicable to the Council and to the Parish of Hetton Town Council based on the above financial information;
 - g) To note the precept of the Police and Crime Commissioner for Northumbria;

- h) To note the provisional precept of the Tyne and Wear Fire and Rescue Authority;
 - i) To approve the draft total council tax levels for 2021/2022 applicable to the Council and to the Parish of Hetton Town Council including all relevant precepts; and
 - j) To determine that the Council's relevant basic amount of council tax for 2021/2022 is not excessive in accordance with Section 52ZB of the Local Government Finance Act 1992, which means a 5% increase to the council tax for 2021/2022; and
- note the views, if any, expressed by the local Business Sector, Trade Unions, and Scrutiny Coordinating Committee.

Reasons for decision:

To comply with statutory requirements.

Alternative options considered and rejected:

There are no alternative options recommended for approval as the budget has been developed on the basis of an agreed framework with consultation carried out at appropriate times during the process.

Contact Officer: Jon Ritchie

Extension: 0191 561 1507

Email: jon.ritchie@sunderland.gov.uk

Is this a key decision:

Yes

Does the Decision contain Confidential/Exempt Information:

No

Declarations of Interest and Dispensations:

None

Record of Executive Decisions Published: 10/Feb/2021

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Scrutiny Coordinating Committee

Date decision in force:

18 February 2021

Date of decision:

9 February 2021

Title and author(s) of written report:

Collection Fund (Council Tax) 2020/2021

Full description of decision:

To note the overall position in relation to the Collection Fund (Council Tax) for 2020/2021 and the Council's share of the deficit.

Reasons for decision:

Estimating the Collection Fund balance available at 31 March 2021 for use in setting the Council Tax for 2021/2022 is a legal requirement, which the Council must fulfil, based on information available to it as at 15th January, each year.

The Council also has an obligation to notify its major precepting authorities of the estimated surplus or deficit on the Collection Fund within 7 working days of when this calculation has been made.

Alternative options considered and rejected:

Not applicable as the report is for information only.

Contact Officer: Jon Ritchie

Extension: 0191 561 1507

Email: jon.ritchie@sunderland.gov.uk

Is this a key decision:

Yes

Does the Decision contain Confidential/Exempt Information:

No

Declarations of Interest and Dispensations:

None

Record of Executive Decisions Published: 10/Feb/2021

Decision Taker:
Cabinet

Appropriate Scrutiny Committee:
Economic Prosperity Scrutiny
Committee

Date decision in force:
18 February 2021

Date of decision:
9 February 2021

Title and author(s) of written report:

South Sunderland Growth Area Infrastructure Delivery - Housing
Infrastructure Fund – Report of the Executive Director of City Development

Full description of decision:

To:-

- i. Note the content of the report and authorise the Executive Director of City Development, in consultation with the Chief Executive, Executive Director of Corporate Services and Leader of the Council, to;
 1. Take all necessary steps to progress the delivery of the Projects;
 2. Procure and appoint contractors and consultants to deliver the Projects; in accordance with the available approved funding; and
 3. Agree terms and enter into a Land Option Agreement (LOA) for the future purchase of land required for development of the proposed new primary school at relevant market value;
- ii. Authorise the Chief Executive, Executive Director of Corporate Services and the Assistant Director of Law and Governance to execute all necessary legal agreements in order to give effect to the above.
- iii. Agree the inclusion of the HIF funding within the Council's Capital Programme and approve the resultant variation to the Capital Programme.

Reasons for decision:

In March 2020 the Council was awarded £25.4m of funding from MHCLG under its HIF programme and subsequently executed a Grant Determination Agreement which confirmed the award of the grant, the key project deliverables and the funding milestones associated with the Projects.

To enable the Projects to be delivered in accordance with the agreed milestones the Council must now procure contractors and consultants to undertake the work and apply for the necessary statutory consents required for each Project.

The delivery of these Projects will enable the completion of key infrastructure works and unlock strategic residential development and supporting community facilities in the South Sunderland Growth Area (“SSGA”).

The SSGA Supplementary Planning Document (“SPD”) identifies the need for provision of a new primary school on land North of Burdon Lane within the next 10 years to address the education needs of the population of the proposed new residential developments. Entering a LOA allows the Council to secure the future acquisition of land needed for the delivery of the school, without significant capital outlay, at this early stage in the development process.

The delivery of the essential HIF infrastructure will facilitate the timely development of SSGA, helping to meet the housing needs of the City, bringing associated financial benefits to the Council, such as capital receipts and additional income from Council Tax once the properties are completed.

Alternative options considered and rejected:

There are no alternative options recommended.

In January 2019 Cabinet approved the Council entering into the Grant Determination Agreement with MHCLG in respect of the funding of the Projects. As a consequence, the Council is now required to take the necessary action in order to deliver the Projects in accordance with the relevant grant funding conditions.

Contact Officer: Peter McIntyre

Extension: 0191 561 1134

Email: peter.mcintyre@sunderland.gov.uk

Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations: None

Record of Executive Decisions Published: 10/Feb/2021

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Economic Prosperity Scrutiny
Committee

Date decision in force:

18 February 2021

Date of decision:

9 February 2021

Title and author(s) of written report:

Disposal of two potential development sites at Emsworth Road, Sunderland –
Report of the Executive Director of City Development

Full description of decision:

To:

- i) Approve the disposal of Property 1
- ii) Grant an option to purchase Property 2

to Gentoo Group Limited 'Gentoo' at a price which represents best consideration and on terms to be agreed by the Executive Director of City Development in consultation with the Chief Executive, Executive Director of Corporate Services and Leader of the Council.

Reasons for decision:

The sites are currently surplus to Council requirements and due to the ground conditions associated with the former land use, have been assessed as being unviable for development without significant capital investment.

The sale of the sites to Gentoo will enable it to secure third party grant funding to unlock the development of up to 225 new affordable homes without the need for capital investment by the Council.

As Gentoo currently owns land adjacent to Property 2 which is required for its development, has an established track record of delivering affordable housing schemes and has a significant stock holding in the area, it is best placed to effectively deliver and manage homes on the sites.

Alternative options considered and rejected:

The alternative options are: -

- (i) Retain the Properties or dispose later:

The Properties are no longer required for operational purposes and retention would not facilitate the strategic aims of the City Plan to provide more and better housing for Sunderland residents.

Delaying the sale would not create any additional benefits but would delay the regeneration of two vacant sites, defer employment opportunities that would be created during the construction phase, and increase the Council's ongoing holding costs of the properties.

- (ii) Sell the Properties to another interested party:

Site investigation and appraisal has demonstrated that the Properties are unviable for development without significant grant funding and would therefore not be attractive to private developers.

Whilst other registered housing providers would be able to secure grant support through the Homes England Affordable Homes Programme, initial market engagement has suggested that an additional capital contribution would be sought from the Council.

Third party ability to develop Property 2 is also restricted by Gentoo's adjacent land ownership which is required to create access to the development site.

These options have been considered and are recommended to be rejected.

Contact Officer: Peter McIntyre

Extension: 0191 561 1134

Email: peter.mcintyre@sunderland.gov.uk

Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

Councillor P. Walker declared an interest as an employee of Gentoo and withdrew from the remote meeting during consideration of the report.

Record of Executive Decisions Published: 10/Feb/2021

Decision Taker:
Cabinet

Appropriate Scrutiny Committee:
Economic Prosperity Scrutiny
Committee

Date decision in force:
18 February 2021

Date of decision:
9 February 2021

Title and author(s) of written report:

Proposed E-Scooter Trial – Report of the Executive Director of City Development

Full description of decision:

To approve in principle to support the E-Scooter Trail to commence 1st March 2021 for approximately 8 months until November 2021. This trial will be operated by (to be confirmed) who are to be appointed following their successful bid during a full procurement exercise.

Reasons for decision:

- (i) To support a 'green' restart of local travel and help mitigate reduced public transport capacity, E-scooters offer the potential for fast, clean and inexpensive travel that can also help ease the burden on transport networks and allow for social distancing.
- (ii) To contribute towards demonstrating a strong positive and continuing commitment to sustainable travel, continuing improvement of the local environment and health.
- (iii) To assist in the government's decision to legalise E-Scooters and obtain the necessary evidence required for evaluation of use.

The trail would provide far reaching access to micromobility solutions to cater for personal, commuting and leisure needs of the community. The scheme aims to: -

- reduce private car use by 15% over the 8-month trial having acknowledged that 60% of all car trips are between 1 to 3 miles.
- Create long term behavioural changes when it comes to choosing the mode of travel. For example, educating communities to continually evaluate the environmental impact of the way they move for short journeys.
- Reduce emissions and traffic on the roads to allow for greater space for other road users, such as cyclists and e-scooter riders who produce a tiny fraction of the emissions and congestion.

Alternative options considered and rejected:

Due to initial government timescales for the trial, a Delegated Decision was made on 19 August 2020 to allow for a direct award to an e-scooter operator to undertake a joint Trial with South Tyneside Council. However, circumstances have now changed, particularly in regard to timescales and the involvement of South Tyneside Council it was considered appropriate to undertake a full procurement exercise, which has been carried out.

Contact Officer: Peter McIntyre

Extension: 0191 561 1134

Email: peter.mcintyre@sunderland.gov.uk

Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations: None

Record of Executive Decisions Published: 10/Feb/2021

Decision Taker:
Cabinet

Appropriate Scrutiny Committee:
Economic Prosperity Scrutiny
Committee

Date decision in force:
18 February 2021

Date of decision:
9 February 2021

Title and author(s) of written report:
Managed Store Facility – Report of the Executive Director of Neighbourhoods

Full description of decision:
To approve the procurement approach and award of a contract to a managed store provider for material purchasing for a four-year period.

Reasons for decision:
The estimated total value of the material purchasing requirements of Building Services under the proposed agreement exceeds £350,000 per annum and therefore requires the approval of Cabinet.

The award of the proposed framework agreement is necessary to ensure the continued timely procurement and provision of materials on a call-off basis as required to deliver the repairs and maintenance function of Building Services.

The Building Services review has indicated the need to make new and appropriate material purchasing provision to improve service productivity, efficiency and generate a more holistic localised arrangement.

Alternative options considered and rejected:
Option 1. Undertake a Sunderland City Council framework similar to the regional framework, with 11 lots that will end in March.

This option has been rejected as this option is a less efficient approach to future service arrangements and that a one stop shop material purchasing system is a more efficient and cost-effective approach, which cannot be achieved using this type of framework

Option 2: Undertake a Sunderland City Council framework for a single supplier managed store

This option has been rejected as there is currently a regional Dynamic Purchasing System (DPS) that has been procured in-line with the Public Contracts Regulation 2015. The DPS will give the Council the flexibility to conduct a competitive competition with those suppliers that have successfully obtained a place on the DPS.

Contact Officer: Fiona Brown

Extension: 0191 561 8953

Email: fiona.brown2@sunderland.gov.uk

Is this a key decision:

Yes

Does the Decision contain Confidential/Exempt Information:

No

Declarations of Interest and Dispensations:

None

Record of Executive Decisions Published: 10/Feb/2021

Decision Taker:
Cabinet

Appropriate Scrutiny Committee:
Children, Education and Skills Scrutiny
Committee

Date decision in force:
18 February 2021

Date of decision:
9 February 2021

Title and author(s) of written report:

Proposal to Publish Notice of Statutory Proposals for the Closure of Hetton le Hole Nursery School – Report of the Executive Director of Neighbourhoods

Full description of decision:

To:

- note the responses received to date from the pre-publication consultation relating to the proposal to discontinue provision at Hetton le Hole Nursery School; and
- Authorise the commencement of the necessary statutory proposal process required to discontinue provision at Hetton le Hole Nursery School.

Reasons for decision:

Hetton le Hole Nursery School has become financially unviable. The nursery has an operational budget deficit that has increased year on year since 2015. It is now considered that neither implementing revised operational arrangements nor a further increase in pupil recruitment will be sufficient to resolve the nursery's budget deficit.

Alternative options considered and rejected:

To not commence the statutory process to discontinue Hetton Le Hole Nursery. This option is not recommended given the nursery is unable to operate within its current budget and its deficit budget position is projected to continue to increase in future years.

Contact Officer: Fiona Brown

Extension: 0191 561 8953

Email: fiona.brown2@sunderland.gov.uk

Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations: None

Record of Executive Decisions Published: 10/Feb/2021

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Children, Education and Skills
Scrutiny Committee

Date decision in force:

18 February 2021

Date of decision:

9 February 2021

Title and author(s) of written report:

Proposal to Make Necessary Variations to the Council's Capital Programme Relating to New and Existing Education Proposals and to Procure Capital Works for Education Proposals Included within the Council's Capital Programme – Report of the Executive Director of Neighbourhoods

Full description of decision:

To:

- Authorise the Executive Director of the Neighbourhood Directorate to procure capital works to facilitate the refurbishment of the former Harraton Skills Centre, a replacement dining block at Barnes Junior School, and refurbishment to the teaching blocks at Barnes Junior School and Fulwell Junior School;
- Approve the funding arrangements for delivery of the proposed works at Harraton Skills Centre and approve the resultant variation to the Capital Programme; and
- Approve the funding arrangements associated with the development of a new Hetton Primary School and approve the resultant variation to the Capital Programme.

Reasons for decision:

The proposals contained within this paper have been identified as necessary to ensure that the Council effectively meets its statutory duty to ensure that there are enough local school places to meet demand and provides buildings that are safe and suitable for delivery of education.

The development of the former Harraton School site will enable the Council to further increase the sufficiency of local specialist autism places. The refurbishment of the Harraton School is anticipated to result in a further 64 places for the city.

Barnes Junior School and Fulwell Junior School have both been identified as requiring capital investment. This includes replacement of the current dining block at Barnes Junior School and the delivery of a further £2.5m of condition works at each of the main school buildings at both Barnes Junior School and

Fulwell Junior School.

Council previously approved a programme to replace the current Hetton Primary School buildings. It is proposed the scope of works associated with that scheme are expanded to include enhanced external facilities and internal works to facilitate any required future capacity increase at the school.

Alternative options considered and rejected:

- To retain current levels of local specialist autism provision. This will result in a long-term shortfall of local specialist school places and lead to a requirement for the Council to seek higher cost alternative placements;
- To retain current dining facilities at Barnes Junior School and not resolve capital issues at the main teaching blocks at Barnes Junior School and Fulwell Junior School. This results in the increased risk of potential school closures; and
- To retain the current scope of works at Hetton Primary School. Without the changes to the programme any costs associated with further expansion of places at the site are anticipated to cost circa £1.1m more. Changes also increase the opportunity to use the wider outdoor resources at the site at all points in the year

Contact Officer: Fiona Brown

Extension: 0191 561 8953

Email: fiona.brown2@sunderland.gov.uk

Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations: None