

**Record of
Executive
Decisions
published
09/Nov/2023**



Elaine Waugh
Assistant Director of Law and Governance

City Hall
Sunderland

9 November 2023

Record of Executive Decisions Published: 09/Nov/2023

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Scrutiny Co-ordinating Committee

Date decision in force:

17 November 2023

Date of decision:

9 November 2023

Title and author(s) of written report:

Response from Scrutiny Co-ordinating Committee – 12 October 2023 –
Second Revenue Budget Review 2023/2024 – Report of the Assistant
Director of Law and Governance

Full description of decision:

To consider the comments of the Scrutiny Co-ordinating Committee.

Reasons for decision:

To comply with the statutory requirements.

Alternative options considered and rejected:

No alternative options are proposed.

Contact Officer: Elaine Waugh

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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: 09/Nov/2023

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Scrutiny Co-ordinating Committee

Date decision in force:

17 November 2023

Date of decision:

9 November 2023

Title and author(s) of written report:

Response from Scrutiny Co-ordinating Committee – 12 October 2023 –
Budget Planning Framework and Medium Term Financial Plan 2024-2025 –
2027/2028

Full description of decision:

To consider the comments of the Scrutiny Co-ordinating Committee.

Reasons for decision:

To comply with statutory requirements.

Alternative options considered and rejected:

No alternative options are proposed.

Contact Officer: Elaine Waugh

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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: 09/Nov/2023

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Scrutiny Co-ordinating Committee

Date decision in force:

17 November 2023

Date of decision:

9 November 2023

Title and author(s) of written report:

North East Devolution – Report of the Chief Executive

Full description of decision:

To:

- consider the content of the report;
- agree in principle that the Council should consent to the making of the order;
- authorise the Chief Executive, in consultation with the Leader of the Council, to issue the Council's formal consent to the Secretary of State when requested;
- authorise the Chief Executive, in consultation with the Leader of the Council, to finalise the terms of the side agreement regarding the support arrangements associated with these proposals; and
- authorise the Chief Executive to take all other steps necessary to implement these proposals.

Reasons for decision:

It is considered that the creation of a new mayoral combined authority for the North East would unlock the benefits of the "minded to" devolution deal and improve the exercise of statutory functions across the region.

It is a matter for the Secretary of State to decide whether to make the necessary statutory order but it is considered that the evidence demonstrates that the relevant statutory criteria have been met.

Alternative options considered and rejected:

Not to consent to the making of the order – that is recommended to be rejected as the provision of the Council's consent to the making of the order will enable it to be laid before Parliament and thereby establish the mayoral combined authority for the region, which will in turn provide access to the benefits of devolution across the region.

Contact Officer: Patrick Melia

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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: 09/Nov/2023

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Scrutiny Co-ordinating Committee

Date decision in force:

17 November 2023

Date of decision:

9 November 2023

Title and author(s) of written report:

Capital Programme Planning 2024/2025 to 2027/2028 – Report of the Director of Finance

Full description of decision:

To approve the additional new start capital project proposals set out in this report for inclusion in the full capital programme 2024/2025 to 2027/2028 to be reported to Cabinet in February 2024.

Reasons for decision:

To comply with statutory requirements.

Alternative options considered and rejected:

No alternative options are proposed.

Contact Officer: Paul Wilson

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Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

Councillor Johnston declared an interest as an employee of Everyone Active and left the room during consideration of the item.

Councillor Chequer declared an interest as her partner is an employee of Everyone Active and left the room during consideration of the item.

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Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Health and Wellbeing Scrutiny
Committee

Date decision in force:

17 November 2023

Date of decision:

9 November 2023

Title and author(s) of written report:

Procurement of Care and Support at Home Services – Report of the Director of Adults Services

Full description of decision:

To:

- (i) approve the procurement of care and support at home services, and
- (ii) authorise the Director of Adult Services in consultation with the Healthy City Portfolio Holder and Director of Finance to subsequently award contract(s) to the successful bidder(s).

Reasons for decision:

The existing contracts for the provision of care and support at home services are due to end in November 2024, however the Council still has a duty in relation to the Care Act 2014, to commission services to support adults who have social care and support needs to enable them to live independently at home. The commissioning of ongoing care and support provision will help ensure that the residents' care and support needs are met.

The value of the contract(s) will exceed £500,000, therefore in accordance with the Council's Procurement Procedure Rules, Cabinet approval is required prior to proceeding with the proposed procurement process.

Alternative options considered and rejected:

No alternative options have been considered. The Council has a duty in relation to the Care Act 2014, to commission care and support for adults who have social care and support needs to enable them to live independently at home. In line with the Public Contract Regulations 2015 and the Council's own Procurement Procedure Rules, the Council must undertake a compliant procurement process to appoint a care provider(s) to deliver this service(s).

Contact Officer: Graham King

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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: 09/Nov/2023

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Health and Wellbeing Scrutiny
Committee

Date decision in force:

17 November 2023

Date of decision:

9 November 2023

Title and author(s) of written report:

Contract Term Variation of the Contracts for the Provision of Personal Care and Nursing Care within a Care Home – Report of the Director of Adults Services

Full description of decision:

To authorise the Director of Adult Services in consultation with the Portfolio Holder for Healthy City and the Director of Finance to vary the terms of all relevant contracts to allow an extension of the current arrangements for a period of 24 months from 1st September 2024 to 31st August 2026.

Reasons for decision:

The Council has a need to commission Personal Care and Nursing Care within a Care Home for people who have been assessed under the Care Act 2014 as being eligible for care and support from the Local Authority and to allow the person to exercise choice over their preferred accommodation.

The contract period for each contract is 1st September 2019 to 31st August 2024. There is no option to extend clause within the contract and therefore a variation is required to enable this in order to enable services to continue to be provided to our residents.

This will enable the longer-term commissioning approach for these contracts to be determined and then implemented following the enactment of the new Procurement Act, which is anticipated will make specific procurement provisions for social care contracts where service user choice needs to be exercised.

Alternative options considered and rejected:

Do not vary and do not extend the contracts – it is recommended that this option be discounted on the basis that the current contracts are due to end and the Council has a duty to have appropriate contracts in place for the provision of care and support services. In addition, for the reasons stated in this report, it is not considered appropriate to undertake a new procurement process at this stage until the new Procurement Act has been enacted.

Contact Officer: Graham King

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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: 09/Nov/2023

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Health and Wellbeing Scrutiny
Committee

Date decision in force:

9 November 2023

Date of decision:

9 November 2023

Title and author(s) of written report:

Creating a Smokefree Generation and Tackling Youth Vaping Consultation –
Report of the Executive Director of Health, Housing and Communities

Full description of decision:

To authorise the Executive Director of Health, Housing and Communities in consultation with the Portfolio Holder for Healthy City and the Health and Wellbeing Board to respond to Creating a Smokefree Generation and Tackling Youth Vaping consultation on the proposed actions the UK Government will take to reduce smoking and youth vaping.

Reasons for decision:

The four “critical must dos” for the Government, centred on increasing investment in smokefree 2030 policies, increasing the age of sale of tobacco by one year every year, promoting vaping as a smoking cessation tool, and improving the prevention of ill health by offering smokers advice and support to quit at every interaction within the NHS. The consultation response would support the proposed introduction of measures to reduce the harms from smoking in our local communities, reduce health inequalities, reduce smoking and youth vaping. The measures would help to achieve our target of 5% smoking prevalence by 2030 and deliver local Health and Wellbeing Board Priorities, the objectives of Sunderland’s City Plan, Healthy City Plan and local Public Health outcomes.

Alternative options considered and rejected:

There are 2 potential alternative options as follows:

- a. Do not support the introduction of measures outlined in the consultation. This option is not recommended as smoking is the leading cause of premature mortality. Sunderland has higher rates of smoking than the England average and therefore it is important to support the measure as outlined in the consultation.
- b. Support some measures but not others in the consultation. This option is not recommended as it is important to support all the measure as outlined in the consultation and the independent review, Khan Review: making smoking obsolete that “without further action, England will miss the smokefree 2030 target by at least 7 years, and the poorest areas in society will not meet it until 2044.

Contact Officer: Gerry Taylor

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Is this a key decision:

No

Does the Decision contain Confidential/Exempt Information:

No

Declarations of Interest and Dispensations:

None

Record of Executive Decisions Published: 09/Nov/2023

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Economic Prosperity Scrutiny
Committee

Date decision in force:

17 November 2023

Date of decision:

9 November 2023

Title and author(s) of written report:

Brownfield Land Release Fund ("BLRF") – Report of the Executive Director of City Development.

Full description of decision:

As set out in the Cabinet Report.

Reasons for decision:

As set out in the Cabinet Report

Alternative options considered and rejected:

As set out in the Cabinet Report.

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Contact Officer: Neil Guthrie

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Is this a key decision:

Yes

Does the Decision contain Confidential/Exempt Information:

Yes

Declarations of Interest and Dispensations:

None