

Action Taken 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:-

1. Petition – Reopen The Pallion Shipyard

Request calling on Sunderland City Council to review the Council's strategy for the marine engineering economy.

A petition signed by 387 signatories was received at the Council meeting on 16 November 2022 from former Councillor Bewick. The statement on the petition sheet was as follows:-

"We therefore call upon Sunderland City Council to use of the Council's Compulsory Purchase Order ("CPO") powers pursuant to section 226 (1) of the Town and Country Planning Act 1990 ("the 1990 Act") to facilitate the development of the Pallion shipyard and associated area into a Marine Engineering Centre of Excellence creating up to 3 thousand jobs within 5 years within the Northeast and Sunderland."

Council Officers have considered the petition.

The Pallion Shipbuilding Yard closed to commercial shipbuilding in December 1988 and no shipbuilding activity has taken place at this facility since that time. It was considered that without sight of a business plan detailing confirmation (or otherwise) of potential support by the site owner for the proposals and confirming the feasibility of the proposals in both economic and environmental terms, a Compulsory Purchase Order would not realistically facilitate the successful development of the Pallion Shipyard site for maritime related investment.

Any future plans for the Pallion shipyard site, which is privately owned, will presumably be subject to the site owner's own internal investment appraisals and the commercial appetite of such an investment for potential users of the facility.

The City Council has repeatedly requested sight of a business plan (from various groups and organisations) however this has not been forthcoming.

Therefore, the petition was declined on the basis set out above.

The Ward Councillors and Lead petitioner have been advised of the outcome.

2. Petition – Princes Avenue

Request to consider alternative measures instead of road closures.

A petition signed by 118 signatories was received at the Council meeting on 23 March 2022 from Councillor Hartnack. The statement on the petition sheet was as follows:-

“We the undersigned object to any changes to surrounding roads, mainly Princes Ave/Douglas Road in the interest of safety for all residents without full consideration.

We are concerned the impact this will cause on the surrounding streets and want alternative measures to be explored instead of road closures”.

Council Officers have considered the petition.

As part of the Section 106 planning agreement with the Avant Homes Lowry Park development, funding was allocated to the Council to investigate and develop a scheme on Princes Avenue.

Reports and requests were also made to the Council in relation to “rat-running” and speeding along Princes Avenue and a scheme was designed to remove or at least reduce the majority of the reported issues. The proposed scheme consisted of closing the existing junction at Seaburn Terrace/Sea Lane with Princes Avenue. In addition, part of the junction modifications consisted of collapsible bollards and dropped kerbs to allow the junction to be opened for periods during events on the Seafront.

An initial public engagement was carried out between 24 January and 25 February 2022 in respect of Princes Avenue and the nearby surrounding streets. Residents were asked to submit any comments by email or telephone.

Results from the consultation showed that from the 198 properties engaged with, 21 properties were for the scheme going ahead and 39 properties were against the scheme. However, when taking into account the votes for Princes Avenue only, 14 properties were for the scheme going ahead and 3 properties were against the scheme. Considering the overall vote and lack of support from other nearby streets it was decided that this particular scheme would not be progressed.

Therefore, Officers have produced a new proposal consisting of three new sets of speed cushions on Princes Avenue. A new public engagement process was carried out for the new proposals between 27 July and 19 August 2022. Although some residents still raised concerns regarding these proposals, there was much less resistance to the scheme, with the majority of residents engaged with, specifically those on Princes Avenue, in favour of the scheme going ahead. Following discussions with local Ward Councillors, an update letter was sent out to the same residents informing them that the

Council plans to proceed with the proposed traffic calming on Princes Avenue. Officers are now working with the legal team to progress through statutory consultation with the traffic calming notice. Statutory consultation ended on 20 February 2023 with no objections received. Officers are now working with contractors to have the works installed at the earliest opportunity.

As the traffic calming scheme as detailed above was in progress, the petition is declined.

The Ward Councillors and Lead petitioner have been advised of the outcome.

3. Petition – Holiday Inn

Response to petition in relation to the use of the Holiday Inn in Ayton, Washington

A petition was received at the Council meeting on 22 March 2023 from Councillor Hartnack.

Council Officers have considered the petition.

The Council does not currently use the Holiday Inn for homeless referrals. During the Covid Pandemic, the Council used the Holiday Inn to meet the needs of local people experiencing homelessness. This was a response to specific guidance issued by Government under their “Everyone In” campaign. Once the Covid Pandemic eased and the Government guidance changed, the Council stopped use of the Holiday Inn by its Housing Options Team for homeless clients.

The Holiday Inn has been used by the Council as emergency response to wider issues such as responding to the accommodation needs of Ukrainian families.

The petition outlines an increase in anti-social behaviour in the area. These issues would need to be reported to the Police so that they can be fully investigated appropriately. As the Council do not refer homeless clients into the Holiday Inn these issues cannot be attributed to Sunderland Council’s homeless clients.

There are occasions when some other Local Authorities place their homeless clients in the Holiday Inn. They inform the Council when this happens with a Section 208 Notice. Gateshead Council has been stated in the petition with regards to a recent incident. The Council have raised the process of risk assessments with Gateshead Council and the provision of a detailed Section 208. In addition, the Council did facilitate a meeting with a local resident with Gateshead Council to discuss concerns.

As a Council we have also raised the issue of out of area placements with the Regional Local Authority Group to ensure when this does happen appropriate risk assessments are undertaken.

4. Petition – Cole Kitchen

Petition calling on Sunderland City Council to support the application for a hot food takeaway at Cole Kitchen, Side House, Saint George's Terrace, Roker, Sunderland, SR6 9LX

A petition from Councillor Lynn Vera was presented at the Council meeting on 25th January 2023 calling on Sunderland City Council to support the application for a hot food takeaway at Cole Kitchen, Side House, Saint George's Terrace, Roker, Sunderland, SR6 9LX.

The petition was signed by approximately 4726 persons from addresses throughout Sunderland and other towns and cities in the region and further afield calling on the City Council to support the application for a hot food takeaway at Cole Kitchen, Side House, Saint George's Terrace, Roker.

Council Officers have considered the petition.

A planning application for change of use of Cole Kitchen from a café to a hot food takeaway was validated by the Council as Local Planning Authority on 3rd November 2022. The hot food takeaway use was already occurring at the premises and so planning permission was being sought retrospectively. The planning application reference is 22/01391/FUL.

The planning application was refused by Officers, under delegated powers, for the following reasons:

- 1. The hot food takeaway is located within an electoral Ward (Saint Peters) where the obesity level of year 6 pupils is higher than 21%, consequently it is considered that the use will not support or improve the health and wellbeing of local communities and is therefore contrary to policy VC4 of the Council's Core Strategy and Development Plan and the provisions of the National Planning Policy Framework.*
- 2. The hot food takeaway use has an unacceptable impact on the amenity of the area and the local environment by virtue of the generation of noise, disturbance and odour, contrary to the requirements of policies HS1 and BH1 of the Council's adopted CSDP and the NPPF.*

The refusal of planning permission was confirmed via notice dated 19th December 2022.

To clarify, policy VC4 of the Council's adopted Core Strategy and Development Plan sets out that in order to promote healthier communities, the Council will prevent new hot food takeaways in electoral Wards where the prevalence of

obesity is more than 21% for Year 6 pupils and more than 10% for Reception pupils.

In the case of St. Peter's Ward, in which the application site is located, Year 6 obesity rates are above the 21% threshold.

Policies HS1 and BH1 of the CSDP, meanwhile, are concerned with maintaining acceptable standards of amenity, taking into account matters such as noise, disturbance and odour. In this case, Officers were concerned that the proposed use of the premises was causing significant harm to the amenity of neighbouring properties and the locality.

Given the identified conflict with policies VC4, HS1 and BH1 of the CSDP, Officers determined that the planning application should be refused.

As the use of the premises as a hot food takeaway was already taking place, following the refusal of planning permission, the Council's Planning Compliance team issued an enforcement notice, dated 19th December 2022. The notice required the cessation of the use of the premises as a hot food takeaway by no later than 19th January 2023.

The applicant has since exercised their right to appeal the refusal of planning permission and the issuing of the enforcement notice with the Planning Inspectorate. Appeals were lodged with the Planning Inspectorate on 19th January 2023; however, the Council is, at present, awaiting the Planning Inspectorate's confirmation that the appeal process has formally started.

Given the above, at present there are no live planning applications or planning appeals against which the petition can be considered. The Council as Local Planning Authority has determined the planning application for the hot-food takeaway at the premises and has issued an enforcement notice. Upon being notified that the appeal process has started, Officers will provide the Planning Inspectorate with a copy of the petition, so that the petition can be considered by the Planning Inspectorate as part of the appeal process.

5. Petition - To support and help Luciano's in relocating and to remain in the area they have become popular with over 3 decades.

Request calling on Sunderland City Council to support and help Luciano's in relocating and to remain in the area they have become popular with over 3 decades.

An online petition signed by 4,714 customers was submitted to Council by Councillor Antony Mullen on 28th January 2022.

Council Officers have considered the petition from Councillor Antony Mullen presented at full council calling on Sunderland City Council to find an alternative city centre location for Luciano's long-established business.

The Council recognises that Luciano's is a popular restaurant and a place that holds strong memories for lots of people in the city. However, ambitious cities develop and change.

Sunderland's transformation programme will require some businesses to relocate to facilitate new development. The city's new Culture House will be a world-class venue that will inspire, excite and complement the wider retail and leisure offer. The Council acknowledges residents of Sunderland also share the Council's excitement and desire to see this happen through feedback received.

The Council has fully supported Luciano's over the years, particularly seven years ago when Luciano's lease on the building became unsecured. The Council agreed to a significant reduction in rent in recognition that they could not guarantee Luciano's could remain in this location in the long term.

The Council's City Development team assisted Luciano's' management team, initially pulling together lists of available premises in the city centre in both public and private ownership. City Development colleagues have met with the owners on a number of occasions to offer informal assistance and advice.

The Council also granted a further short-term Tenancy at Will to allow Luciano's to continue trading from the premises on High Street West while awaiting bookings for service disconnections in readiness for demolition.

The petition has been declined on the basis that the Council has fully supported Luciano's over the years having provided Luciano's with lists of available premises in the city centre and also having met with the owners on a number of occasions to offer informal assistance and advice.

The Council will continue to offer assistance and advice as required.