

**CABINET MEETING – 12 OCTOBER 2021**  
**EXECUTIVE SUMMARY SHEET – PART I**

**Title of Report:**

MINUTES, PART I

**Author(s):**

Assistant Director of Law and Governance

**Purpose of Report:**

Presents the minutes of the extraordinary meeting held on 14 September 2021, Part I.

**Action Required:**

To confirm the minutes as a correct record.



At a Meeting of the **CABINET** held in the **CIVIC CENTRE (COUNCIL CHAMBER)** on **TUESDAY 14 SEPTEMBER 2021** at **10.00 a.m.**

**Present:-**

Councillor G. Miller in the Chair

Councillors Chequer, K. Johnston, Rowntree, Stewart and Williams

**Also present:-**

Councillors Edgeworth

**Part I**

**Minutes**

The minutes of the meeting of the Cabinet held on 13 July 2021, Part I (copy circulated) were submitted.

(For copy report – see original minutes).

1. RESOLVED that the minutes of the Cabinet meeting held on 13 July 2021, Part I, be confirmed and signed as a correct record.

**Declarations of Interest**

The following Councillors declared the interests detailed and withdrew from the meeting during consideration of the reports:-

Item 19 – Collaboration Agreement with Sunderland Culture Ltd, the University of Sunderland, and the Sunderland Music, Arts and Culture Trust

Councillor Rowntree as a Council appointed representative on the University of Sunderland: Board Of Governors.

Councillor Williams as a Council appointed director on the Board of Sunderland Culture Limited.

Item 20 - Land Acquisition and Potential Use of Compulsory Purchase Powers to Support the Upgrade of the A1290

Councillor G. Miller as the Council appointed representative and Councillor Rowntree as the Council appointed substitute representative on the board of International Advanced Manufacturing Park (IAMP) LLP.

### **Apologies for Absence**

Apologies for absence were submitted to the meeting on behalf of Councillors Farthing and P. Walker.

### **Response from Scrutiny Coordinating Committee – 15 July 2021 - First Revenue Budget Review 2021/2022**

The Assistant Director of Law and Governance submitted a report (copy circulated) to advise of the comments of the Scrutiny Coordinating Committee on a report of the Executive Director of Corporate Services that detailed the outcome of the First Revenue Budget Review 2021/2022.

(For copy report – see original minutes).

The Chair was pleased to report that the Scrutiny Coordinating Committee had noted the contents of the report including the various budget positions, support grants and variances. He advised that the Committee had also thanked Members and Officers for the preparation and continued monitoring of the council's revenue budget position.

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

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

### **Response from Scrutiny Coordinating Committee – 15 July 2021 - Capital Programme First Review 2021/2022 (including Treasury Management)**

The Assistant Director of Law and Governance submitted a report (copy circulated) to advise of the comments of the Scrutiny Coordinating Committee on a report of the Executive Director of Corporate Services that detailed the outcome of the Capital Programme First Review 2021/2022 (including Treasury Management).

(For copy report – see original minutes).

The Chair having reported that the Scrutiny Coordinating Committee had noted the content of the Capital Programme including the information and assurances provided on the prudential indicators and Treasury Management Strategy, it was:-

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

## **Update to Constitution: Procurement Procedure Rules and Review of Financial Thresholds**

The Executive Director of Corporate Services submitted a report (copy circulated) to seek agreement to recommend to Council proposed changes to the Procurement Procedure Rules (PPRs) and key financial reporting thresholds.

(For copy report – see original minutes).

Councillor Stewart reminded Cabinet Members that the Constitution and associated documents were undergoing a full review in a staged approach to make the changes manageable.

Councillor Stewart highlighted that this report dealt with an updated set of Procurement Procedure Rules and the threshold for key decisions. He explained that the current Procurement Procedure Rules (PPRs) were adopted in 2013 and significant changes had taken place since then, including changes to public procurement law, the commitment to Community Wealth Building and the new Procurement Strategy adopted in 2019.

Cabinet Members were advised that whilst day to day processes had been updated it was now time to update the PPRs. The proposed Key Changes were: -

- Increasing the threshold for managers to agree procurements with the Corporate Procurement team to £10k from £5k.
- Increasing the threshold for Cabinet approval to procure to £500k from £250k.
- Updating the thresholds for additional approvals when using Consultants.
- The report also proposes increasing the financial threshold for a key decision to £500k.

Councillor Stewart reported that the current thresholds (£250k for capital and £100k for revenue) had been in place since the Constitution was adopted many years ago. He advised that the review compared the Council to other Metropolitan and Unitary councils which showed that its thresholds were at the lower end of the scale, with limits of £1m capital and £500k revenue being common.

Councillor Stewart assured that Cabinet member consultation would still be undertaken by officers below the Cabinet approval threshold and a Record of Decision would still be completed.

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

4. RESOLVED that:-

- (i) it be recommended to Council to approve the proposed revised Procurement Procedure Rules as contained in Appendix A to the report and the increases to financial thresholds set out in paragraphs 5.1 to 5.7 of the report, and

- (ii) the Assistant Director of Law and Governance be authorised to amend the Constitution accordingly, including the making of any consequential amendments, stylistic or typographical changes, to ensure consistency throughout the Constitution.

### **New Wear Footbridge Compulsory Purchase Order**

The Executive Director of City Development submitted a report (copy circulated) to seek approval for the making of a Compulsory Purchase Order to support the delivery of the New Wear Footbridge (“NWF”).

(For copy report – see original minutes).

Councillor Johnston highlighted that seeking approval for the making of a Compulsory Purchase Order (CPO) would provide certainty that the third party land interests required for the construction of the New Wear Footbridge could be secured by the Council.

Councillor Johnston reported that at its meeting on the 8th December 2020, Cabinet had approved the design of the new wear footbridge and agreed several recommendations to enable its delivery to be progressed. He advised that acquisition of the known land interests required to construct the bridge had been progressing in tandem with the preliminary design and procurement of a preferred construction contractor. He explained that at the current time all of these interests had been acquired or were in the process of being acquired through negotiation, with terms agreed, and it was unlikely that compulsory purchase would be required.

Cabinet Members were advised that it was still however necessary to progress the CPO to mitigate against the risk of failure to complete any of the live acquisitions or those relating to any other unknown land interests. Guidance provided by MHCLG supported the use of compulsory purchase powers in such circumstances and the implications of utilising this approach were summarised in the report.

Cabinet Members were excited to see another part of the City Masterplan coming to fruition, making it easier to move between north and south of the river and changing the nature of city living to walking and cycling.

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

5. RESOLVED that:-

- (i) the making of a Compulsory Purchase Order (“NWF CPO”) pursuant to Sections 239, 240, 246, 250 and 260 of the Highways Act 1980 to be known as The Sunderland City Council (New Wear Footbridge) Compulsory Purchase Order 2021 for the areas of land described in Appendix 1 to this report be approved;

- (ii) the Assistant Director of Law and Governance be authorised to make amendments, modifications or deletions to the schedule of interests and Statement of Reasons should this be necessary and to finalise and make the NWF CPO;
- (iii) the Assistant Director of Law and Governance be authorised to take all necessary action to achieve confirmation of the NWF CPO; and
- (iv) subject to confirmation of the NWF CPO, the Assistant Director of Law and Governance be authorised to take all necessary action to implement the NWF CPO and to acquire title and/or possession of the NWF CPO land.

### **Consultation on the Draft Local Cycling and Walking Infrastructure Plan**

The Executive Director of City Development submitted a report (copy circulated) to seek approval to consult on the City Council's Draft Local Cycling and Walking Infrastructure Plan.

(For copy report – see original minutes).

Councillor Rowntree reported that the LCWIP was a city-wide plan for cycling and walking intended to be informed through engagement with residents, businesses, interested groups and stakeholders on a programme of infrastructure improvements that would encourage citizens to use active travel modes for work and leisure. She advised that it would enable the Council to access future funding opportunities in line with developing government policies.

Cabinet Members were advised that the Plan:-

- Considered the value of cycling and walking in delivering wider economic, social, health and environmental policies and strategies, and;
- Set out a strategy for creating an integrated, high quality, accessible and well-maintained cycling and walking network that connected people and places within Sunderland.

Councillor Rowntree highlighted that in addition to providing a solid foundation to assist in the promotion of Active Modes in the city, it had regard to the latest government guidance on the importance of Active Modes and would assist the Council in the preparation of business cases and funding bids for future investment; including the Levelling Up Fund, Active Travel Fund, Active Travel Capability Fund and Transforming Cities Fund.

Cabinet Members were advised that to ensure that residents and stakeholders were aware of the consultation process it would be publicised via a series of press releases to promote it and remind interested parties of the opportunity to respond. A social media plan would also be put in to place. The Draft for Consultation would be housed on the Council's website with accompanying further information and interested parties would be invited to make comments with a contact e-mail address provided.

Councillor Rowntree assured that the Council would utilise its existing community networks, information platforms, partnership arrangements and Area Officers to encourage responses to the consultation. She envisaged that the consultation process would last for four weeks and following this process, a final version of the plan would be produced that took into consideration the result of the consultation process. She advised that a further report would be then submitted to Cabinet to consider the plan's adoption.

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

6. RESOLVED that approval be given to undertake consultation on the Draft Local Cycling and Walking Infrastructure Plan (LCWIP) to encourage Sunderland residents to travel sustainably; encourage healthier travel and help to bring the network up to the latest standard as set out in the Department for Transport (DfT) guidance.

### **Procurement of Rock Armour for Sea Defence Structures located within Strategy Frontage 3 in the Port of Sunderland and Appointment of Contractor for Installation of Rock Armour**

The Executive Director of City Development submitted a report (copy circulated) to seek approval for the procurement of rock armour for Strategy Frontage 3 (SF3), and the appointment of a contractor to install the rock armour along SF3.

(For copy report – see original minutes).

The Chair reported that the proposed procurement and installation of rock armour for the sea defence structures at Stonehill Wall and Hendon Foreshore Barrier would help prolong the lifespan of each structure and continue to help protect the integrity and functionality of Hudson Dock within the Port of Sunderland.

The Chair advised that the estimated cost of the procurement of rock armour to Stonehill Wall and Hendon Foreshore Barrier including port dues and a project contingency was £2.42M. He cautioned that these cost estimates were based on information available at the time of writing. He explained that there was a risk of price fluctuations due to inflation impacting on the cost of raw materials and weather risk and therefore a 10% risk contingency had been allowed for in the supply of the rock armour due to weather delays. He commented that depending on the prevailing weather conditions, the outturn costs, due to any delays, could be significantly more.

Cabinet Members were advised that due to the speciality of the rock armour product and the limited supply chain it was proposed that the supplier was procured through open tender. The appointment of the main contractor would be in accordance with procurement rules and through the Council's contractor framework.

The Chair reported that provision for the cost of these works was included within the allocation for Coastal Defences - Strategic Frontage 3 project within the current capital programme. He advised that subject to Cabinet approval, procurement of the rock armour could commence in September 2021 with delivery of the material anticipated to be no later than May 2022. He added that the procurement of the services of a contractor, using the NEPO 211 Civil Engineering and Infrastructure framework, could mean that the installation of the rock armour could commence during 2021/22 and subject to the statutory consultee applications being finalised, construction activities would commence around May 2022 for Stonehill Wall and sometime during 2022/23 for Hendon Foreshore Barrier.

Cabinet Members were advised that to not undertake these emergency works would leave the Council at risk of further damage due to storm events, including loss of functionality of the Port of Sunderland in terms of the navigation channel and Hudson Dock and impair the Council's ability to comply with its statutory duties under the Coastal Protection Act 1949 and Sunderland Corporation Act 1972.

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

7. RESOLVED that:-

- (i) the Executive Director of City Development, in consultation with the Dynamic City Portfolio Holder and the Executive Director of Corporate Services, be authorised to take all necessary steps to procure the required quantity of rock armour through open tender, together with the appointment of a contractor to install the rock armour using the NEPO 211 Civil Engineering and Infrastructure framework, and
- (ii) the funding arrangements for delivery of the proposed works be approved.

### **Extension of E-Scooter Trial**

The Executive Director of City Development submitted a report (copy circulated) to seek approval for the extension of the E-Scooter Trial from 30th November 2021 to 31st March 2022.

(For copy report – see original minutes)

Councillor Rowntree reminded Cabinet Members that approval was granted on 8 February 2021 for the Council to take place in the Department for Transport (DfT) E-Scooter Trial. She highlighted that the E-Scooter Trial was currently in operation with the appointed E-Scooter provider, Neuron and was launched on 31st March 2021 with the intention to be in place for 8 months until 30 November 2021.

Cabinet Members were advised that Government Ministers had approved an extension of the current e-scooter trials from 30 November 2021 to 31 March 2022. The guiding principle for this change was trial continuation rather than expansion or market development.

Councillor Rowntree reported that the existing contractual arrangements within Sunderland run until the 30 November. She advised that local authorities could choose to withdraw from the trials or extend the current arrangements to 31 March 2022. She added that no changes to the operation of the Trial were proposed and it would continue with its current arrangements and restrictions. She explained that the trial extension would allow extra time for trials to reach capacity and for the DfT to gather additional data.

Cabinet Members were advised that the evidence gathered in the trial would guide final decisions about whether and, if so, how to fully legalise the use of e-scooters. It was important that Sunderland continued to take part in the trial, as data collected would contribute to deciding the long-term vision of sustainable and active travel in Sunderland and the UK.

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

8. RESOLVED that:-

- (i) the extension of the existing E-Scooter trial to 31st March 2022 be approved; and
- (ii) the Executive Director of City Development and Executive Director of Corporate Services be authorised to undertake all necessary contractual and legal work to extend the trial to 31 March 2022.

### **Highway Asset Management Policy and Strategy 2021-26**

The Executive Director of Corporate Services submitted a report (copy circulated) to seek approval of the Highway Asset Management Policy and Strategy 2021-26.

(For copy report – see original minutes).

Councillor Rowntree reported that highway assets represented one of the most financially valuable asset groups for which the Council was responsible with an estimated value in excess of £2.3 billion. She advised that the Council policy was to adopt asset management best practice as a cornerstone of maintaining, managing and improving the highways against a backdrop of continued financial constraints from central government.

Cabinet Members were advised that the Council adopted a Highway Asset Policy and Strategy in January 2018. The revision of this would allow the Council to pursue fresh long term strategies for highway asset management, in order to make best use of the funds and resources at its disposal. The Policy and Strategy demonstrated a continued commitment by the Council to maintaining an effective highway network and set out the plans to revise and implement the integrated asset management service over the coming five years. The Strategy was based around the three key themes from the City Plan 2019-2030, namely:-

- A Dynamic City
- A Healthy City
- A Vibrant City

Councillor Rowntree reported that maintaining an up to date Highway Asset Management Policy and Strategy was regarded as best practice and was a requirement by Government for the provision of current and future capital funding for highway maintenance. The revised Highway Asset Management Policy and Strategy would assist the Council in managing its highway assets efficiently.

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

9. RESOLVED that the Highway Asset Management Policy and Strategy 2021-26, as set out in Appendix A to the report, be approved.

### **Next Generation Advanced Manufacturing Accelerator (N-GAMA) Project**

The Executive Director of City Development submitted a report (copy circulated) seeking approval to take forward an ERDF funded Next Generation Advanced Manufacturing Accelerator (N-GAMA) project (“the Project”) following an approval in principle from Ministry of Housing, Communities and Local Government (“MHCLG”) issued on 15 July 2021 and approval to sign a subsequent funding agreement.

(For copy report – see original minutes).

The Chair highlighted that in collaboration with the North East Automotive Alliance (NEAA), the Council, had submitted an application in April 2021 to the European Regional Development Fund (ERDF) to deliver the Next Generation Advanced Manufacturing Project (N-GAMA). He reported that the application was approved in principle by MHCLG in July 2021.

Cabinet Members were advised that the project would target advanced manufacturing businesses within the NE Local Enterprise Partnership area (Sunderland, South Tyneside, North Tyneside, Gateshead, Newcastle, Durham and Northumberland), particularly in relation to the adoption of digital technologies. It would secure £613,500 of ERDF funding to deliver business innovation advice and grant funding to SMEs over a 2 year period, completing activity at the end of June 2023. It was anticipated that the average grant per SME would be £20,000, supporting approximately 20 businesses, and expected to lever £600,00 private sector investment.

The Chair reported that the grant programme would focus on supporting two key strands of activity; manufacturing innovation, and prototype and scale-up activity. He advised that eligible expenditure would include plant, machinery and other capital equipment, revenue costs directly associated with a capital investment, and specialist support where appropriate. He explained that the support package for businesses would include workshops, events, networking and knowledge transfer and would promote access to equipment at the new Driving the Electric Revolution North East Centre adjacent to IAMP.

Cabinet Members were advised that the Council was the lead applicant for the Project and would establish a detailed partnership agreement with the NEAA as a delivery partner. A project steering group would be set up which would include representatives from the Council's Business Investment Team and the NEAA. Grant applications would be considered by an investment panel which would also include representatives from the Council's Business Investment Team and NEAA. The NEAA was a not-for-profit organisation limited by guarantee with its registered office at Washington Business Centre. It was the UK's largest automotive cluster and was established to support the sector's economic sustainable growth and competitiveness.

Councillor Williams commended the report and commented that it was excellent news for the whole region bring opportunities for STEM technologies, new skills and new employment prospects for young people. She added that it would further cement relationships in the automotive sector and add to the Council's City Plan.

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

10. RESOLVED that:-

- (i) the Executive Director of Corporate Services, in consultation with the Leader and Cabinet Secretary, be authorised to accept the terms of a Funding Agreement with associated conditions from MHCLG to enable delivery of the Project;
- (ii) the Executive Director of City Development, in consultation with the Leader, Cabinet Secretary and Executive Director of Corporate Services, be authorised to agree the terms of a Partnership Agreement with the North East Automotive Alliance (NEAA) to underpin the delivery of the Project;
- (iii) the Executive Director of Corporate Services and/or the Assistant Director of Law and Governance be authorised to execute all necessary legal agreements in order to give effect to (i) and (ii) above; and
- (iv) the Executive Director of City Development, in consultation with the Executive Director of Corporate Services and the Cabinet Secretary, be authorised to take all necessary steps to procure and award all relevant contracts to support delivery of the Project pursuant to the Funding Agreement.

## **Enterprise Development – Innovate for Good**

The Executive Director of City Development submitted a report (copy circulated) to seek approval for Financial Assistance to the North East Business Innovation Centre (NEBIC) to enable delivery of a city-wide enterprise development project focused around the Innovate for Good programme.

(For copy report – see original minutes).

Councillor Stewart in highlighting the report, explained that Sunderland had been designated as a Social Enterprise Place in 2014 and work to support development of the social enterprise sector in its broadest sense, including the Co-operative Business and Community Interest Company (CIC) models, was led by the BIC. He advised that Sunderland's Community Led Local Development (CLLD) programme, which runs until summer 2023, was funded through European Structural and Investment Funds and had three strategic objectives. Strategic objective two was focused on 'Boosting Enterprise and Entrepreneurship'.

Councillor Stewart reported that the Council was the accountable body for the CLLD programme and responsible for the appraisal of projects before they were considered by the Local Action Group that decided which applications were approved. He advised that Sunderland had a Community Wealth Building Strategy which was adopted by Cabinet in March 2020, and its Delivery Plan included a section focused on 'Business Growth and Investment including the Voluntary and Community Sector (VCS)'.

Cabinet Members were advised that in response to the most recent call for projects under the CLLD programme, the BIC had submitted an application in relation to Boosting Enterprise and Entrepreneurship. There was, however, a funding gap within the application which needed to be addressed if the project, which would run for 19 months from September 2021 until March 2023 if successful, was to be able to progress.

Councillor Stewart reported that consideration had therefore been given to the contribution that the project could make to the city's wider Community Wealth Building Strategy objectives in relation to Business Growth and Investment as well as Community empowerment, engagement and involvement. He added that consideration had also been given to broadening the project beyond the specific target areas on which the CLLD programme was focused to enable delivery across the city as a whole.

Councillor Stewart explained that a total of £146,243 was required to enable the project to progress and be delivered on a city wide basis. He explained that this contribution would lever £139,829 of ERDF through the CLLD programme.

Cabinet Members were advised that delivery of the project would enable a range of activity from pre-start and start-up support for existing businesses in the Voluntary Community and Social Enterprise (VCSE) sector and deliver a range of outputs linked to entrepreneurship and enterprise. These would include working with 55 people to become enterprise ready, engagement with 36 social enterprises, work with 28 VCSE organisations to help them to become more sustainable, as well as engagement with 40 VCSE employees or volunteers to develop enterprise skills. Three cohorts of businesses were expected to take part in the Innovate for Good programme.

Councillor Stewart highlighted that Innovate for Good, which was piloted by the NEBIC in early 2020, was designed to provide a programme of intensive support to social enterprises with innovative or high impact business models. He reported that it was also designed to capitalise on Sunderland's significant social enterprise sector and the rise in community led, place-based activity during Covid-19. He commented that if approved, a detailed Partnership Agreement would be developed between the Council and the BIC setting out the outputs to be delivered by the BIC across the project as a whole, including the outputs directly related to the CLLD funding.

Councillor Stewart reminded Cabinet Members that supporting and developing Community Wealth was the heart of the vision of Sunderland as a co-operative council. He remarked that Sunderland had the highest number of community interest companies across the North East

Cabinet Members commended the report and agreed that the Project would support the City Plan and be a force for the good in bring new and exciting employment opportunities for residents in the city.

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

11. RESOLVED that:-

- (i) financial Assistance of £146,243 to the NEBIC be approved to enable delivery of a city-wide enterprise development project, focused around the Innovate for Good programme, ("the Project") subject to a successful outcome in relation to the NEBIC's current application to the Sunderland Community Led Local Development (CLLD) programme.
- (ii) subject to the above, the Executive Director of City Development, in consultation with the Executive Director of Corporate Services, the Leader of the Council and the Portfolio Holder for Dynamic City, be authorised to agree and enter into a partnership agreement with the NEBIC for the delivery of the Project.

### **Variation of contract for the management of the Household Waste and Recycling Centre at Beach Street**

The Executive Director of Neighbourhoods submitted a report (copy circulated) to approval to vary the existing contract for the management of the Household Waste and Recycling Centre (HWRC) at Beach Street, Deptford.

(For copy report – see original minutes).

Councillor Rowntree highlighted that to ensure continuity of service provision and the availability of a HWRC within the City it was necessary to continue to operate the HWRC at Beach Street until the new HWRC at Pallion was operational. She advised that therefore, a contract variation was required for this interim period.

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

12. RESOLVED that the Executive Director of Neighbourhoods, in consultation with the Deputy Leader, be authorised to vary the contract for the management of the Household Waste and Recycling Centre (HWRC) at Beach Street, Deptford, to extend the contract term until the site ceases to operate.

### **Private Sector Housing Leasing models**

The Executive Director of Neighbourhoods submitted a report (copy circulated) to seek approval to implement a Private Sector Housing leasing scheme, whereby the Council leased empty properties from the Private Sector, improved the housing conditions where necessary and let the properties to Council tenants. This would provide additional interventions to tackle empty properties and poor housing conditions in the private sector that can adversely affect local communities.

(For copy report – see original minutes).

Councillor Johnston highlighted that the report submitted for consideration the implementation of two private sector housing leasing models, namely:-

1. Private Sector Housing Lease Model; and
2. Private Sector Housing Lease & Repair Model.

Councillor Johnston explained that these leasing models had been developed to create additional interventions that would assist in tackling empty properties, poor housing conditions and associated adverse community impacts within the private sector housing environment. He advised that financial models had been developed which had considered the risks to the Council and had been mitigated against ensuring that the models provided a good investment for the Council and that each lease should provide a small positive return over its term.

Cabinet Members having been advised that these new leasing models would benefit residents and communities, it was:-

13. RESOLVED that the Private Sector Housing Leasing Models be approved.

## **Winter Service Policy 2021/22**

The Executive Director of Neighbourhoods submitted a report (copy circulated) to seek approval to adopt and publish the Winter Service Policy Statement 2021/22 and the associated Winter Grit Bin Policy 2021/22.

(For copy report – see original minutes).

Councillor Rowntree highlighted that the Council had a legal duty under the Highways Act 1980 and the Traffic Management Act 2004 to introduce systems to ensure the safe and expeditious movement of traffic by ensuring, so far as was reasonably practicable, safe passage along the highway without danger from snow or ice. She reported that to achieve this the Council had developed the Winter Service Policy 2021/22 to provide a clear outline on how the Council would manage and respond to winter weather that adversely impacted upon the highway and other priority areas.

Cabinet Members were advised that the proposed policy statement provided a range of winter services to the highway network and priority pedestrian areas. This would ensure as far as reasonably practicable, that designated roads and footpaths were treated, and snow was removed through the 2021/22 winter period. In addition, the report proposed a Grit Bin Policy which outlined the criteria for the assessment of new Grit Bins. This was important so that the Council had Grit Bins in the right locations for residents to access grit salt for local area treatments near their home.

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

14. RESOLVED that:-

- (i) the Winter Service Policy 2021/22 be approved and adopted;
- (ii) the publication of the Winter Service Policy 2021/22 on the Council's Website be approved; and
- (iii) the Winter Grit Bin Policy 2021/22 be approved and adopted.

## **Licensing Act 2003 – Review of Cumulative Impact Assessment**

The Executive Director of Neighbourhoods submitted a report (copy circulated) on the legal requirement of the Council, in its capacity of a Licensing Authority, to undertake a review of the Council's Cumulative Impact Assessment (CIA), under the Licensing Act 2003, ("the Act").

(For copy report – see original minutes).

Councillor Chequer highlighted that since the implementation of the Licensing Act, Councils had commonly exercised Cumulative Impact Policies as a means of placing restrictions on the grant of new licences and on applications for variations of existing licences within their areas. She explained that the report referred to guidance on the type of data that needed to be gathered in order that consideration be given to the implementation of a CIA.

Cabinet Members were advised that the existing Sunderland CIA was adopted on 19 September 2018 following a prescribed consultation process. A copy of the CIA was attached to the report at Appendix 1. Under the Act, CIAs must be reviewed every 3 years, so the current Assessment was due for a review prior to 18 September 2021. However since March 2020, the Coronavirus Pandemic had had a significant impact on hospitality businesses resulting in periods of full lockdown, or in some periods trading authorised subject to various restrictions. The impact of the pandemic had also caused issues as to the accuracy of the relevant data that might be available to justify a CIA at this time.

Councillor Chequer reported that in view of these circumstances along with the instability still currently being experienced by the hospitality sector, it was not considered appropriate to continue with the implementation of a CIA beyond 18 September 2021. She assured that it was intended that a potential new CIA be further considered in due course subject to the availability of all relevant data at that time.

Cabinet Members were therefore advised that consultation on a proposal that the Council's CIA should cease as from 19 September 2021 had been held with the statutory consultees including the Director of Public Health and Commissioning, Northumbria Police and the Tyne and Wear Fire and Rescue Service. No opposition had been received in response to this proposal.

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

15. RESOLVED that it be recommended to Council that the existing CIA should cease as from 19 September 2021, and that a CIA be further considered in the next 6-12 months subject to the availability of all relevant data at that time.

### **Sunderland Domestic Abuse and Violence Against Women and Girls Executive Board**

The Executive Director of Public Health and Integrated Commissioning submitted a report (copy circulated) to:-

- (a) set the national context for the need to establish a new board to support the local authority to fulfil its functions under Part 4 of the Domestic Abuse Act 2021;
- (b) set the local context and case to extend the scope of the board beyond statutory responsibilities required by the Domestic Abuse Act 2021 in order to address the wider violence against women and girls (VAWG) agenda; and

- (c) seek approval to appoint a new Sunderland Domestic Abuse and Violence Against Women and Girls Executive Board (the Board).

(For copy report – see original minutes).

Councillor Chequer reported that the Domestic Abuse Act 2021 aimed to ensure all victims of domestic abuse had access to the right support within safe accommodation. She advised that the Act placed a range of duties on tier one local authorities. This included a duty to appoint a multi-agency Domestic Abuse Local Partnership Board, which it must consult as it performed certain specified functions (outlined in the report). As set out under Part 4 of the Act, the Local Domestic Abuse Partnership Board should provide advice to the council on the exercise of its functions under the Act.

Cabinet Members were advised that it was important that the Council met its statutory duties outlined in the Act, but this work should be undertaken in the context of its local position. Domestic abuse and violence against women and girls had been key priorities for the City for many years via the Safer Sunderland Partnership. Many survivors did not live single issue lives as they could experience multiple forms of gendered violence and abuse. It was therefore important to acknowledge this and ensure the new local governance arrangements continued to tackle the whole of the violence against women and girls agenda, as opposed just responding to the specific requirements of the Act.

Councillor Chequer highlighted that the establishment of a new board provided an opportunity to review existing domestic abuse and violence against women and girls' governance arrangements, ensuring future arrangements were fit for purpose. She therefore requested that Cabinet approves the appointment of a new Sunderland Domestic Abuse and Violence against Women and Girls Executive Board to support the local authority to fulfil its duty under Part 4 of the Domestic Abuse Act 2021 and to address a wider VAWG agenda.

The Chair commended the report which would ensure future arrangements were fit for purpose. Councillor Williams agreed and advised that it was important to work to educate the perpetrators as well as supporting the victims. She added that sight must not be lost that men and boys could also be victims of domestic abuse and violence.

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

16. RESOLVED that:-

- (i) approval be given for the appointment of a new Sunderland Domestic Abuse and Violence against Women and Girls Executive Board pursuant to the Council's duties under Part 4 of the Domestic Abuse Act 2021;
- (ii) the Terms of Reference and membership of the Board as set out in Appendix 1 to this report be approved;

- (iii) the Chief Executive, in consultation with the Executive Director of Public Health and Integrated Commissioning, be authorised to appoint representatives to the Board and to agree any outstanding appointments where necessary and to take all other necessary administrative steps to establish and maintain the Board.

At this juncture, Councillors Rowntree and Williams withdrew from the meeting in view of their declarations of interest in the following report.

### **Collaboration Agreement with Sunderland Culture Ltd, the University of Sunderland, and the Sunderland Music, Arts and Culture Trust**

The Executive Director of Neighbourhoods submitted a report (copy circulated) to seek approval to enter into a new a Collaboration Agreement with Sunderland Culture Ltd, the University of Sunderland and Sunderland Music, Arts and Culture Trust.

(For copy report – see original minutes).

The Chair having highlighted that the new Collaboration Agreement would clarify the respective rights and obligations of the partner organisations in addition to adding clarity to the way in which any new individual cultural projects might be developed in the future, it was:-

17. RESOLVED that:-

- (i) the proposed Collaboration Agreement with Sunderland Culture Ltd, the University of Sunderland and Sunderland Music, Arts and Culture Trust be approved; and
- (ii) the Executive Director of Neighbourhoods, in consultation with the Portfolio Holder for Vibrant City and the Executive Director of Corporate Services, be authorised to agree the terms on which Sunderland Culture Ltd will continue to be responsible for the delivery and marketing of the cultural programme at both Sunderland Museum and Winter Gardens and Arts Centre Washington, and to enter into a 'Project Schedule' which will formalise this arrangement.

Councillor Williams was readmitted to the meeting. Councillor Rowntree remained out of the meeting for the next report and was joined by Councillor Miller who also withdrew in relation to their declarations of interest.

Councillor Stewart took the Chair during consideration of the report.

## **Land Acquisition and Potential Use of Compulsory Purchase Powers to Support the Upgrade of the A1290**

The Development Director (Residential) submitted a report (copy circulated) to seek approval for the acquisition of land by agreement for the upgrading of the A1290 between its junction with the A19 and its junction with Glover Road (“the Scheme”) and approval in principle to the future use of the Council’s compulsory purchase powers to facilitate the Scheme.

(For copy report – see original minutes).

Councillor Johnston highlighted that the Scheme was located within the International Advanced Manufacturing Park (IAMP) boundary which was a nationally significant infrastructure project and a major strategic development site within Sunderland and South Tyneside. He reported that the delivery of IAMP One was well underway and terms had recently been agreed for a further phase of development on IAMP One which would see a purpose-built battery plant delivered by Envision AESC.

Cabinet Members were advised that in order to facilitate this proposed development and the delivery of IAMP Two, the Scheme to upgrade the A1290 to dual carriageway was required. Some of the land needed for the A1290 project was already owned by the Council or IAMP LLP. The Council would seek to acquire the remaining third-party land by negotiation and agreement with the existing landowners. However, in order to provide certainty in relation to the delivery of the Scheme, it was recommended that the Council considered the potential use of its CPO powers.

Should Cabinet agree in principle to the potential use of the Council’s CPO powers to facilitate the Scheme, Councillor Johnston reported that it would be necessary to undertake certain preliminary work to prepare for the CPO as detailed in section 5 of the report.

Consideration having been given to the report it was:-

18. RESOLVED that:-

- (i) the Development Director (Residential), in consultation with the Leader of the Council, the Cabinet Secretary and the Executive Director of Corporate Services, be authorised to acquire such land and/or rights by agreement as may be needed to allow the delivery of the Scheme on such terms as considered appropriate.
- (ii) approval be given in principle, the potential use of Compulsory Purchase Order (CPO) powers pursuant to Sections 239, 240, 246, 250 and 260 of the Highways Act 1980 to facilitate the delivery of the Scheme;
- (iii) the Development Director (Residential) be authorised to undertake a detailed land referencing exercise in respect of the Scheme land and take all preparatory steps required to prepare for the potential CPO referred to above;

- (iv) the Development Director (Residential), in consultation with the Cabinet Secretary and the Executive Director of Corporate Services, be authorised to agree the terms of, and enter into, appropriate indemnification arrangements with IAMP LLP in respect of the costs of the proposed CPO process; and
- (v) a further report be submitted to Cabinet in due course in respect of the proposed making of the CPO once the land referencing exercise is complete and the draft order and the accompanying statement of reasons has been prepared.

Councillors Miller and Rowntree were re-admitted to the meeting and Councillor Miller resumed the Chair.

### **Local Government (Access to Information) (Variation) Order 2006**

At the instance of the Chairman it was: -

19. RESOLVED that in accordance with the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during consideration of the remaining business as it was considered to involve a likely disclosure of exempt information relating to the financial or business affairs of any particular person (including the authority holding that information) (Local Government Act 1972, Schedule 12A, Part 1, Paragraph 3). The public interest in maintaining this exemption outweighs the public interest in disclosing the information.

(Signed) G. MILLER,  
Chair.

P. STEWART,  
Chair.

### **Note:-**

The above minutes comprise only those relating to items during which the meeting was open to the public.

Additional minutes in respect of other items are included in Part II.

