

CIVIC CENTRE,
SUNDERLAND
2 JUNE 2020

TO THE MEMBERS OF SUNDERLAND CITY COUNCIL

YOU ARE SUMMONED TO ATTEND AN EXTRAORDINARY MEETING of
Sunderland City Council on **WEDNESDAY 10 JUNE 2020** at **4.00 p.m.**

This meeting will be held remotely. Joining details will be emailed to all participants.

The meeting will be livestreamed for the public to view on the Council's YouTube channel, 'sunderlandgov' at:- <https://youtu.be/VbNB9akhvL8>

It is proposed that the following business be considered and transacted:-

Item	Page
1. To read the Notice convening the meeting.	-
2. To approve the Minutes of the last meeting of the Council held on 25 March 2020 (copy attached).	1
3. Receipt of Declarations of Interest (if any).	-
4. Announcements (if any) under Rule 2(iv).	-
5. Apologies.	-

- | | | |
|-----|--|----|
| 6. | Covid-19 - Verbal Update from the Leader and Cabinet Portfolio Holders. | - |
| | | |
| 7. | Approval of Reason for Absence from Meetings. | 13 |
| | Report of the Assistant Director of Law and Governance (copy attached). | |
| | | |
| 8. | Council Diary – Dates and Times of Meetings. | 17 |
| | Report of the Assistant Director of Law and Governance (copy attached). | |
| | Please note the Council Diary has been printed separately. | |
| | | |
| 9. | Review of Temporary Delegations to Officers. | 19 |
| | Report of the Assistant Director of Law and Governance (copy attached). | |
| | | |
| 10. | Appointments to Committees and Outside Bodies. | 23 |
| | Report of the Assistant Director of Law and Governance (copy attached). | |



PATRICK MELIA,
CHIEF EXECUTIVE.

Minutes

Sunderland City Council

At a meeting of SUNDERLAND CITY COUNCIL held in the CIVIC CENTRE on
WEDNESDAY 25 MARCH 2020 at 4.00pm

Present: The Mayor (Councillor David Snowdon) in the Chair

Councillors	Atkinson	Hodson	Miller, G	Taylor
	Chequer	Jenkins	Mordey	Walker, P
	Doyle	Johnston	Mullen	Waller
	Fagan	Kelly	Oliver	Williams
	Foster	McDonough	Snowdon, D E	Wilson, A
	Haswell	Miller, F	Stewart	Wood, A

The notice convening the meeting was read.

The Mayor advised that in light of the current situation with the Covid-19 outbreak, members of the public and Councillors who had submitted questions had been informed that the questions would be held on file and written responses provided when resources permitted and asked the Council to endorse this decision.

Prior to the commencement of business, the Mayor invited the Leader of the Council, Councillor G Miller, to address the meeting in respect of the unprecedented situation faced in relation to Covid-19. The Leader thanked Council staff for their part in enabling the Council to respond to the situation and also thanked the Council's partners, especially the NHS and the voluntary and community sector organisations. He advised that the Council's emergency plans had been implemented to keep services operating and stated that safeguarding employees' health was the foremost priority. It was predicted that the infection levels would peak in the UK in the next two to three weeks and the Council had to be ready to keep critical services operating. Senior Council Officers were responding quickly to the guidance and legislative changes which were occurring daily. He had no doubt that the changes to the delegation scheme due to be considered at this meeting would help the Council to save residents from difficulty, suffering and hardship.

Minutes

54. RESOLVED that the minutes of the Council Meeting held on 4 March 2020 be confirmed and signed as a correct record.

Declarations of Interest

The following Councillors declared interests as follows: -

Councillor P. Walker	Item 14 – Appointments to Committees and Outside Bodies	Employee of Gentoo
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Announcements

It was with great sadness that the Mayor informed Council of the death of former Councillor, Mayor and Freeman of the City John Mawston.

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

Councillor Atkinson advised the Council of the 'Clap for our Carers' minute's applause in support of NHS and other key workers that would be taking place on Thursday 26 March 2020 at 8pm and asked the Mayor to consider the Council undertaking a minute's applause at this meeting. The Mayor agreed to this and invited Council to join him in a minute's applause.

Citywide approach to carbon reduction

The Mayor advised that this item had been withdrawn from the agenda and the update would be provided at a future meeting of the Council.

Reception of Petitions

The Mayor advised that there would be no receipt of petitions at this meeting.

Apologies

Apologies for absence were submitted to the meeting on behalf of Councillors Armstrong, Bewick, Blackburn, Blackett, Butler, Crosby, Cunningham, Davison, D. Dixon, M. Dixon, Essl, Farthing, Fletcher, Francis, E. Gibson, P. Gibson, Greener, Heron, Howe, Hunt, Jackson, Lauchlan, Lawson, Leadbitter, D. MacKnight, N. MacKnight, Mann, Marshall, McClennan, McKeith, O'Brien, Potts, Rowntree, Samuels, Scanlan, Scaplehorn, G. Smith, P. Smith, Speding, Thornton, D. Trueman, H. Trueman, Turner, Tye, G. Walker, Watson, D. Wilson, K. Wood and P. Wood together with Aldermen Arnott, Forbes, Greenfield and Tate.

Written Questions by Members of the Public under Rule 9

It was agreed that no questions from the public would be asked at this meeting and the questions would be held on file and written responses would be provided when resources permitted, if the question was still relevant.

Report of the Cabinet

The Cabinet reported and recommended as follows: -

1. Sunderland City Council Annual Report 2019

That the Cabinet had given consideration to a report of the Chief Executive (copy circulated) on the Sunderland City Council Annual Report for 2019

which summarised some of the many developments and achievements that had occurred during the 2019 calendar year.

Accordingly, the Cabinet recommended Council to approve the report.

2. Update to Constitution – Changes to Committee Structure and Officer Delegation Scheme

That at its meeting held on 24 March 2020 Cabinet gave consideration to a report of the Assistant Director of Law and Governance (copy circulated) to: -

- (a) Present proposals to amend the Council's committee, sub-committee and area board structure in respect of planning, licensing, regulatory and area functions and to make associated changes to the Constitution; and
- (b) To update the functions delegated to the Chief Executive.

Further to the information contained in the report the Cabinet was advised that the report recommended that Council be asked to implement the changes to committee structures from Annual Council. In view of the current uncertainty over whether or not local authorities would be required to hold an annual meeting this year, a slight amendment to the recommendation was agreed, namely that the committee and board changes come into effect from 23.59 hours on 20 May 2020, as detailed in the supplementary report to Council.

Accordingly, the Cabinet recommended the Council to: -

- (i) Agree to implement the changes to the Council's committee, sub-committee and area board structure in respect of planning, highways, licensing, regulatory and area functions, as set out in the report, to come into effect from 23.59 hours on 20 May 2020;
- (ii) Update the functions delegated to the Chief Executive and approve the deputising arrangements as set out in the report, with immediate effect;
- (iii) Approve the temporary delegation of functions set out in the supplementary report with immediate effect; and
- (iv) Authorise the Assistant Director of Law and Governance to make associated amendments to the Constitution set out in the report, together with such other amendments as may be required to ensure consistency between the updated provisions and the remainder of the Constitution.

The Leader of the Council, Councillor G Miller, duly seconded by the Deputy Leader, Councillor Mordey, moved the report of the Cabinet. The Leader of the Council moved an additional recommendation that the temporary delegations of non-executive functions referred to within the supplementary report would be subject to renewal by Council, at the next opportunity it had to meet.

The recommendation was put to the meeting and with all Members present being in agreement it was: -

55. RESOLVED that the report of the Cabinet, including the additional recommendation moved by the Leader of the Council, be approved and adopted.

Report of the Human Resources Committee

The Human Resources Committee reported and recommended as follows: -

1. Pay Policy Statement 2020-2021

That at its meeting on 23 March 2020, the Human Resources Committee considered the report of the Strategic Director of People, Communications and Partnerships (copy circulated) which sought approval for publication, subject to Council approval on 25 March 2020, of the Pay Policy Statement for 2020-21.

Accordingly, the Human Resources Committee having considered the information set out in the report, recommended Council to approve the Pay Policy Statement for 2020-21 and its publication on the Council website by 31 March 2020.

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

The recommendation was put to the meeting and with all Members present being in agreement it was: -

56. RESOLVED that the report of the Human Resources Committee be approved and adopted.

Written Questions under Rule 10.2

It was agreed that there would be no questions asked by Members at the meeting and that written responses would be provided when resources permitted.

Action on Petitions

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

(i) Petition from residents requesting the provision of a barrier rail on Houghton Road

At the meeting of the Council on 18 September 2019 a petition was presented by Councillor Cunningham containing 38 signatures from residents which asked the Council to reinstall a barrier rail outside News and Booze on A182 Houghton Road, opposite Hetton Cemetery. The residents stated that the absence of a barrier caused a safety risk to drivers and pedestrians and wished to have the barrier reinstalled at the earliest opportunity.

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

The guard rail was removed following collision damage and had not been replaced.

Officers had, for many years, assessed the need to replace damaged street furniture in line with the Department for Transport's national guidance on street decluttering. In addition, officers needed to prioritise allocated budgets to those areas of maintenance with provided the greatest asset and community benefit.

The original guard rail was installed when access to the shop was located at the side of the building and at that time, there would have been a benefit in its installation. The change to the shop's access arrangements now made any guard rail redundant and not conducive to pedestrian safety.

Based on these reasons, the petitioners' request to reinstall the barrier rail was declined.

The Ward Councillors and lead petitioner had been advised of the outcome.

(ii) Petition from residents calling on the Council to place cameras along Sea Road to monitor any anti-social behaviour and safety of residents and traders

At the meeting of Council of 20 November 2019, a petition was presented by Councillor G. Miller from residents calling on the Council to place cameras along Sea Road to monitor any anti-social behaviour and safety of residents and traders.

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

It was identified that the Sea Road Traders Association had installed three external CCTV cameras and a transmitter onto the side of Calvert's Euronics Store (60 Sea Road), with a receiver and recording equipment within Gray's Framing (101 Sea Road). The Traders Association appointed a contractor to install the equipment at a cost of nearly £1,400. The Council would like to support this project and as such, discussions had taken place with the Traders representative and Vivienne Metcalfe (Area Arrangements Lead) with a view to increasing the number of cameras in the area and investigating whether the traders would consider entering into a Service Level Agreement with the Council's City Alarm and Emergency Centre. The control room would then monitor these cameras both on behalf of the traders and the wider community and provide some levels of reassurance that CCTV was operational in the area and was being monitored.

At this point in time there were also two fully functioning cameras installed on lighting columns on Sea Road, one being at the junction of Sea

Road/Fulwell Road and one near the School/Public House. These were North Sunderland Area Committee environmental cameras which the Council deployed at their request and were currently monitoring until a full time dedicated North Environment Officer was appointed. However, these cameras were not permanent and could be moved at the request of the Area Committee as and when other crime/anti-social behaviour or fly tipping issues arose in the North area.

The North Sunderland Area Place Board had purchased three fully functional cameras and the Local Multi Agency Partnership (LMAPS North Area) also had another four cameras at their disposal, both of which the Council deployed and monitored on their behalf.

Northumbria Police were aware that there was a spike in the number of burglaries before Christmas and they had informed the Council that they had increased patrols in the area and Council CCTV operatives were proactively monitoring the two cameras mentioned above.

If problems arose again in the future, the local Members could approach and request a temporary deployment of cameras from either the North Sunderland Area Place Board or the LMAPS group.

Councillor G Miller and the Lead Petitioner had been advised of the outcome and it was hoped that this information was of assistance and would provide local residents and traders some level of reassurance that both the Council and Northumbria Police had taken on board local concerns and were responding accordingly.

(iii) Petition to include Westmoor Road and Midmoor Road (Pallion) in the Council Priority Gritting Routes or to make alternative gritting arrangements

At the meeting of the Council on 29 January 2020, a petition was presented by Councillor Haswell containing 71 signatures from residents asking the Council to include Westmoor Road and Midmoor Road in the council priority gritting routes or make alternative gritting arrangements.

After consideration by Council Officers the outcome of the petition was to include Westmoor Road and Midmoor Road, Pallion, to the pre-determined secondary gritting routes.

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

57. RESOLVED the report detailing action on petitions be noted.

Notices of Motion

The Mayor advised the Council that the motions which had been included on the agenda had been withdrawn.

Report on Special Urgency Decisions

The Leader of the Council submitted a quarterly report on executive decisions which had been taken as a matter of special urgency, which advised that there were no such instances since the last report.

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

58. RESOLVED that the report be received and noted.

Appointments to Committees

The Assistant Director of Law and Governance submitted a report which provided an update on changes to Gentoo's board arrangements designed to strengthen the Group's governance and requested the Council to consider appointments to the Board of Together for Children and the Sunderland Empire Theatre Trust and to note proposed changes to the Boards of the Siglion Group.

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

59. RESOLVED that: -

- (i) The change to Gentoo's board arrangements designed to strengthen the Group's governance arrangements be noted;
- (ii) The appointment of Catherine Hearn and Steven Mason as non-executive directors of TfC with effect from 1 April 2020 for a term of three years, subject to satisfactory DBS checks, be approved;
- (iii) The proposed changes to the Boards of the Siglion Group be noted and approved; and
- (iv) Paul Wilson, the Assistant Director of Finance of the Council be appointed to the Sunderland Empire Theatre Trust for a three year term of office ending 28 March 2023.

(Signed) D SNOWDON,
Mayor.

Reports

COUNCIL**10 JUNE 2020****APPROVAL OF REASON FOR ABSENCE FROM MEETINGS****REPORT OF THE ASSISTANT DIRECTOR OF LAW AND GOVERNANCE****1.0 INTRODUCTION**

- 1.1** The purpose of this report is to seek the approval of Council, under Section 85 Local Government Act 1972 (the Act), to the absence of members from meetings.

2.0 BACKGROUND

- 2.1** Section 85(1) of the Act provides that “if a member of a local authority fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority”.
- 2.2** Due to illness, Councillor Scaplehorn’s last attendance at a formal committee meeting was the Washington Area Committee on 19 December 2019 and Councillor D MacKnight’s last attendance was the Scrutiny Co-ordinating Committee on 16 January 2020. In view of the provisions of the Act regarding absence from meetings, should Councillor Scaplehorn or Councillor MacKnight be unable to attend this June Council meeting, it is considered appropriate to request Council to approve their absence by reason of ill health, such approval to apply until end November 2020. Council may grant a further approval for absence prior to end November.
- 2.3** In addition, the last formal Council meeting to be held in person was Council on 25 March 2020 which, by agreement of group leaders, was attended by a reduced number of members, in order to enable physical distancing in the Council Chamber. Since then, the only formal meetings to have been held which count for the purpose of attendance have been Cabinet, Licensing Sub Committee and Port Board, and therefore several Members will reach the 6 months’ period of absence during September, if they do not participate in a qualifying meeting beforehand.

2.4 Because of the pandemic and the move to remote meetings, it is possible that fewer formal meetings than is normally the case will be held in the next few months, or that meetings may be cancelled at short notice, and therefore there may be less opportunity for a member to attend a meeting, before their absence is impacted by application of the 6 months' rule. In the current situation, there is also increased risk that a member may be unwell and unable to attend a meeting or that, even if they attempt to attend a meeting remotely, they have difficulties joining it, for example, as a result of broadband issues.

2.5 While it is envisaged that a Council meeting will be held in September, due to the uncertainties associated with the current pandemic situation, and the requirement for any approval for absence to be given by full Council before the 6-months' period expires, it is proposed that in addition to the approvals given to Councillors Scaplehorn and MacKnight, an approval for absence, to expire on 18 November 2020, (being the day after the date scheduled for the November Council meeting) be given for any other member who does not attend a meeting in a period of six consecutive months, in circumstances where either:

2.5.1 no meeting is held between the Council meetings of 10 June and 17 November 2020, of Council, a committee, sub-committee or other body to which the member has been appointed by the Council or,

2.5.2 where one or more meetings referred to in paragraph 2.5.1 above are convened, the member does not attend any of the meetings as a result of illness, or due to being unable to connect to and participate in the meeting remotely.

It is proposed that any member who is unable to attend a meeting by reason of illness or inability to connect to a remote meeting, notifies the monitoring officer of the reason for their non-attendance. It is suggested that this approval be given until 18 November 2020, so that Council may, if necessary, review the position at its meeting on 17 November.

3.0 RECOMMENDATION

3.1 Council is recommended to

3.1.1 note Councillors Scaplehorn's and D MacKnight's absence from meetings due to ill health and, in accordance with section 85 Local Government Act 1972 (the Act), approve the reason for their absence

from meetings, such approval to apply up to and including 30 November 2020 and

3.1.2 also in accordance with section 85 of the Act, approve the absence of any other member who does not attend a meeting during a period of six consecutive months in circumstances where either:

3.1.2.1 no meeting is held between the Council meetings of 10 June and 17 November 2020 of either Council, or a committee, sub-committee or other body to which they have been appointed by the Council or,

3.1.2.2 where any meeting or meetings referred to in paragraph 3.1.2.1 is, or are, convened, the member does not attend the meeting or meetings as a result of illness, or being unable to connect to, and participate remotely in, the meeting or meetings,

such approval, in respect of absences referred to in this paragraph 3.1.2, to apply up to and including 18 November 2020, and

3.1.3 agree that any member who wishes to rely on the approval for absence referred to in 3.1.2 above, notifies the monitoring officer of the reason for their non-attendance at a meeting that they would otherwise have been able to attend.

BACKGROUND PAPERS

There are no background papers to this report

COUNCIL

10 JUNE 2020

COUNCIL DIARY - DATES AND TIMES OF MEETINGS

REPORT OF THE ASSISTANT DIRECTOR OF LAW AND GOVERNANCE

1. BACKGROUND

- 1.1 The draft diary of meetings is presented for Council's consideration.
- 1.2 With regard to ordinary Council meetings, depending upon Government guidelines, it may be some time before the Council is able to hold such meetings other than remotely, with the associated challenges of conducting formal business with a large number of participants connecting to the meeting from a variety of locations, and with a variety of electronic devices. It is therefore proposed that ordinary meetings, with the full range of agenda items normally considered at such meetings, do not commence before November 2020.
- 1.3 Prior to that date, subject to the guidelines prevailing at the time, it is intended that an extraordinary meeting or meetings be held during September 2020 in order to appoint the new Mayor and Deputy Mayor and if necessary, to consider any other matters of Council business which require determination prior to the November meeting.

2. RECOMMENDATION

- 2.1 Council is recommended to:
 - 2.1.1 approve the diary of meetings,
 - 2.1.2 note the intention to hold an extraordinary meeting or meetings during September 2020, at a date or dates to be set by the Chief Executive in consultation with the Mayor, in order to appoint the new Mayor and Deputy Mayor and to consider any other matters, that in the interests of the efficient conduct of Council business, require determination prior to the ordinary meeting scheduled for November 2020, and
 - 2.1.3 authorise the Assistant Director of Law and Governance to change the dates and times of meetings in consultation with the relevant Chair, and to cancel meetings.

BACKGROUND PAPERS

There are no background papers to this report

REVIEW OF TEMPORARY DELEGATIONS TO OFFICERS**REPORT OF THE ASSISTANT DIRECTOR OF LAW AND GOVERNANCE****1.0 BACKGROUND**

- 1.1 At its meeting on 25 March 2020, in view of the situation with the COVID-19 pandemic, Council agreed that non-executive functions that ordinarily would be determined by a Committee or Sub-Committee, would be determined by the appropriate Chief Officer, in consultation, so far as reasonably practicable, with the relevant Chair. It was also agreed that these arrangements would be subject to review at the next Council meeting.

2. PROPOSALS IN RESPECT OF TEMPORARY DELEGATIONS

- 2.1 It is important that the democratic decision-making process operates effectively, whilst also ensuring, particularly in respect of regulatory decisions such as those relating to planning and licensing matters, that decisions can be taken in accordance with applicable timescales. Whilst the Council has started to hold remote meetings, it is still early days for this new method of conducting formal meetings. Experience to date, together with information shared by other authorities, is that remote meetings are more resource intensive than meetings held in person and consideration of business generally takes longer. The development of members' and officers' proficiency in participating in remote meetings is an ongoing process, and as part of that, it has also become clear that consideration needs to be given to the suitability of electronic devices available to access meetings, in order to ensure the ability of all members to participate fully.
- 2.2 For the reasons above and in view of the ongoing challenging circumstances and uncertainties with the pandemic, it is recommended that a level of flexibility is maintained. It is proposed that the relevant Chief Officer liaises with the appropriate Committee Chair, in respect of all matters that ordinarily would be referred to a Committee or Sub-Committee, to determine which are of such a nature that it would be appropriate for them to be referred to the Committee or Sub-Committee for decision, rather than be determined by the Chief Officer. This will enable decisions to be taken promptly, whilst also ensuring that appropriate matters, for example, those of a complex or a particularly contentious nature, are referred to members for determination.

- 2.3 Should the temporary delegations remain in place as proposed, this will continue to override any arrangements under which a Member may refer a matter to a Committee or Sub-Committee for decision. In addition, where planning matters are considered by a Committee or Sub-Committee, ordinarily there is the opportunity for those who have submitted written representations in respect of an application to also have the opportunity to make verbal representations. This procedure does not apply in respect of applications determined by the Chief Officer. It is proposed that while meetings are being held remotely, when an application is referred to Committee for determination, the Chief Officer, in consultation with the Chair, will determine whether enabling verbal representations to be made would assist the Committee in determining the application. If considered that it would do so, the officer will make arrangements to enable this to take place. Whether or not it is determined that verbal submissions would assist the Committee, written representations made by objectors, supporters and ward members, would of course continue to be considered.
- 2.4 These arrangements will be kept under review in the light of the prevailing situation with the pandemic and having regard to Government guidelines. It is recommended that they be reviewed further at the next ordinary Council meeting, if they have not been discontinued beforehand by the Chief Executive, in consultation with the Leader.
- 2.5 As referred to in the report to March Council, Chief Officers may authorise members of their service area to act on their behalf under the terms of internal delegation schemes, and this will continue in the usual way. In addition, the arrangements for dealing with situations where a Chief Officer is unable to act will continue, namely that where the relevant Chief Officer has a conflict of interest or is absent or unable to act for any other reason, the Chief Executive will nominate another Officer who will be authorised to make the decision in question. In the absence of the Chief Executive, the Executive Director of Corporate Services will make the nomination. As is already the case under the Constitution, the Chief Executive may themselves exercise any function delegated to an Officer.

3.0 AUTHORISATION OF OFFICERS TO UNDERTAKE SPECIFIC FUNCTIONS

- 3.1 The report to March Council also confirmed that where legislation gives authority to officers to take specific action when they have been appointed or authorised by the Council to undertake particular functions, the Chief Executive and/or other relevant Chief Officer may authorise or appoint individual officers to undertake the function concerned. This can be of particular relevance in the enforcement arena, where legislation occasionally requires certain functions to be undertaken by officers in their own name, rather than in the name of the Chief Officer.

In view of the importance of this, particularly in the current pandemic situation, it is recommended that a provision to expressly state this authority to designate officers is included in the Constitution.

4. RECOMMENDATIONS

4.1 Council is recommended

- 4.1.1 to authorise Chief Officers, in respect of those areas for which they have managerial or professional responsibility, to determine, in consultation with the Chair of the relevant Committee or Sub-Committee, whether the Chief Officer or relevant Committee or Sub-Committee will determine any matter normally determined by the Committee or Sub-Committee, in accordance with the arrangements set out in this report,
- 4.1.2 subject to 4.1.1 above, to the extent permitted by law, to authorise the relevant Chief Officer with professional or managerial responsibility for the function concerned, to determine matters normally determined by a Committee or Sub-Committee,
- 4.1.3 to agree that the relevant Chief Officer, in consultation with the Chair, may determine the procedure to be followed at a remote meeting including, in respect of those Committees or Sub-Committees where ordinarily members of the public or other parties would have the opportunity to address the Committee or Sub-Committee verbally, to determine whether such arrangements be put in place,
- 4.1.4 in respect of the matters referred to in 4.1.1 to 4.1.3 above, to review the arrangements at its next ordinary meeting, unless prior to that meeting, the Chief Executive has determined, in consultation with the Leader, that the temporary additional delegations to officers should cease, and
- 4.1.5 to authorise the Assistant Director of Law and Governance to include a provision in the Constitution to the effect that where a particular function under legislation is to be carried out by an officer authorised, appointed or designated by the Council to undertake the function concerned, the Chief Executive and/or other Chief Officer with professional or managerial responsibility for the relevant function or service area concerned, may authorise, appoint or designate such officers.

BACKGROUND PAPER

[Report to Council 25 March 2020: Cabinet Report on Update to Constitution – Changes to Committee Structure and Officer Delegation Scheme.](#)

COUNCIL

10 JUNE 2020

APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES**REPORT OF THE ASSISTANT DIRECTOR OF LAW AND GOVERNANCE****1.0 Introduction and Background**

- 1.1 The purpose of this report is to seek approval to note the decision of the Leader of the Council on the appointments to the Cabinet and the portfolio responsibilities and to note the appointment of Deputy Cabinet Members. In accordance with legislation introduced as a result of the current pandemic, existing appointments to committees etc. are carried forward unless Council decides otherwise. This report details proposed changes to a number of committees and outside bodies that would otherwise continue under the “carry-forward” arrangements.
- 1.2 In addition, at Council on 25 March, authority was granted to the Chief Executive to implement changes in respect of the new Planning and Highways Committees and the Licensing and Regulatory Committee, which came into effect on 20 May 2020. Those appointments are listed below at paragraph 2 for the Council to note.
- 1.3 A full list of appointments to committees and outside bodies will be circulated to Members for information, following the meeting.

2. Cabinet

- 2.1 Council is invited to note the decision of the Leader on the appointments to the Cabinet and the portfolio responsibilities aligned to the Council’s City Plan, and also to note the appointment of Deputy Cabinet Members. The remits of the Portfolios are set out in the Appendix to the report.

Deputy Leader of the Council Councillor Mordey

Cabinet Secretary Councillor Stewart

Portfolio	Executive Member	Deputy Cabinet Member
Children, Learning and Skills	Councillor Farthing	Councillor Williams
Healthy City	Councillor G. Walker	Councillor Chequer
Vibrant City	Councillor Kelly	Councillor P. Walker
Dynamic City	Councillor Atkinson	Councillor Johnston

3.0 Planning & Highways Committees, Licensing and Regulatory Committee

- 3.1 Under the delegation approved at the last Council meeting, the Chief Executive approved the following composition of the committees:-

Planning and Highways (East) Committee

(Comprising Barnes, Castle, Doxford, Fulwell, Hendon, Millfield, Pallion, Redhill, Ryhope, Sandhill, Silksworth, Southwick, St Anne's, St Chad's, St Michael's and St Peter's)

16 Members

Councillor	Butler	Councillor	Dixon
	D. Dixon		Doyle
	Essl		
	Foster	Councillor	Hodson
	E. Gibson		O'Brien
	Scanlan		
	P. Smith	Councillor	Bewick
	Stewart		
	D. Waller		
	A. Wilson		
	D. Wilson		

Chair Councillor Essl
Vice-Chair Councillor Butler

Planning and Highways (West) Committee

(Comprising Copt Hill, Hetton, Houghton, Shiney Row, Washington Central, Washington East, Washington North, Washington South and Washington West)

9 Members

Councillor	Lauchlan	Councillor	Blackett
	F. Miller		
	Rowntree		
	Thornton	Councillor	Fagan
	G. Walker		
	P. Walker		
		Councillor	Armstrong

Chair Councillor Rowntree
Vice-Chair Councillor Thornton

Licensing and Regulatory Committee

15 Members

Councillor	Cunningham	Councillor	Howe
	P. Gibson		Leadbitter
	Fletcher		
	Heron	Councillor	O'Brien
	Johnston		A. Wood
	Lawson		
	D. MacKnight	Councillor	Bewick
	D. Snowdon		
	A. Wilson		
	D. Wilson		
Chair	Councillor Fletcher		
Vice-Chair	Councillor A. Wilson		

Licensing Sub-Committees

Panels of 3 Members from Licensing Committee – Rotation system to operate

4.0 Changes to Political Balance

- 4.1 As a result of the creation of the new committees outlined in paragraph 3.1, it was necessary to review the political balance in respect of allocation of seats on committees and as a result, the following changes were also required to be made:-

Standards Committee – Councillor Marshall replaced by Councillor Armstrong

Joint Consultative Committee – Councillor Armstrong appointed to the vacant position on the Committee

5.0 Changes to Appointments on Committees

- 5.1 The changes to committees and/or appointment to vacant positions which have been requested by the political groups are as follows:-

Audit and Governance Committee – To appoint Councillor N. MacKnight to the vacant position.

Human Resources Committee – To replace Councillor A. Wilson with Councillor Tye; to replace Councillor Potts with Councillor Haswell; to replace Councillor Jenkins with Councillor Mann.

Scrutiny Coordinating Committee – To replace Councillors Francis and Oliver with Councillors McDonough and Mullen; to replace Councillor Hodson with Councillor O'Brien. Subject to approval of the proposal below in respect of Economic Prosperity Scrutiny Committee, with effect from the date upon which Councillor D. Snowdon becomes Chair of that Committee, to replace Councillor D. Turner with Councillor D. Snowdon.

Health and Wellbeing Scrutiny Committee – to replace Councillor McDonough with Councillor Greener; to replace Councillor O'Brien with Councillor Haswell.

Children, Education and Skills Scrutiny Committee – to replace Councillor Francis as a member of the Committee and Vice Chair with Councillor McDonough.

Economic Prosperity Scrutiny Committee – To appoint Councillor D.E. Snowden to the Majority Group Vacancy. With effect from the day following the date upon which Councillor D. Snowden ceases to be Mayor, to replace Councillor D. Turner with Councillor D. Snowden as a member of, and Chair of, the Committee.

Standards Committee – To note a vacancy for a Member nominated by Hetton Town Council, to be advised.

Homelessness Appeals Panel – To replace Councillor O'Brien with Councillor Hodson.

Education Complaints Panel – to replace Councillor Francis with Councillor Greener; to replace Councillor O'Brien with Councillor G. Smith.

Appeals Committee – to replace Councillor G. Smith with Councillor Potts.

Joint Consultative Committee – to replace Councillor A. Wilson with Councillor Atkinson.

Corporate Parenting Board – To replace Councillors Davison and N. MacKnight with Councillors Foster and Heron; to replace Councillor Francis with Councillor McDonough; to replace Councillor O'Brien with Councillor Potts.

Coalfield Area Committee – to appoint Councillor Blackburn as Chair in place of Councillor Lawson.

6.0 Changes to Outside Bodies

6.1 The changes to the outside bodies are as follows:-

Children's Centres/Early Help Local Advisory Partnership Board – Following the change in structure of the Area Committee/Board arrangements, to appoint the Chairs of the Neighbourhood and Community Boards with the Chairs of Area Committees as substitutes as follows:-

Coalfield and Washington –Coalfield Area Committee representative, Councillor Heron (Substitute – Councillor Blackburn) and Washington Area Committee Representative, Councillor F. Miller (Substitute - Councillor Lauchlan)

Sunderland North & South –North Sunderland Area Committee Representative, Councillor Foster (Substitute - Councillor D. Wilson), East Sunderland Area Committee Representative, Councillor Marshall (Substitute – Councillor E. Gibson) and West Area Committee Representative, Councillor Watson (Substitute – Councillor P. Gibson)

Environmental Protection UK – To replace Councillor A. Wilson with the Deputy Leader of the Council and to note Councillor Atkinson's continued membership as the Dynamic City Portfolio Holder. To appoint Councillor Samuels to the vacant position.

Fostering Panels – Orange Panel - To note Councillor Rowntree no longer to serve on this panel. Nomination to be made to vacant position.

GENTOO GROUP LIMITED (This includes board membership of GENTOO HOMES. Nominations are made subject to the application of Gentoo's appointments process) – To replace Councillor Essl with Councillor Waller.

Health Scrutiny Joint Committee between South Tyneside and Sunderland Local Authorities – To replace Councillor Fagan with Councillor Haswell.

North East Joint Transport Committee – To change the appointments so that the Deputy Leader of the Council becomes the representative with the Leader of the Council as the substitute.

North East Joint Transport (Tyne and Wear) Sub-Committee – To appoint the Deputy Leader of the Council in place of Councillor A. Wilson and the Leader of the Council as substitute in place of Councillor Waller.

North East Joint Transport Audit Committee – To replace the substitute member, the Deputy Leader of the Council, with Councillor Kelly.

North East Migration Network Core Strategic Group – To replace the Deputy Leader of the Council with the Dynamic City Portfolio Holder (appointed by ANEC Ltd).

Northumbria Regional Flood and Coastal Committee – For the remainder of the four-year Term commencing 1 June 2017 to 31 May 2021, to replace Councillor A. Wilson with the Deputy Leader of the Council and to appoint the Dynamic City Portfolio Holder to the resultant vacancy as the substitute member.

Safer Sunderland Partnership – To replace Councillor Tye with the Deputy Cabinet Member for Healthy City.

Transport for the North Board – To nominate to the North East Combined Authority that the Leader of the Council be replaced with the Deputy Leader of the Council as the Deputy Representative.

Transport for the North Scrutiny Committee - To request the North East Combined Authority to replace the Deputy Leader of the Council with an appointment of their choice.

7.0 Representatives on Bodies established under Joint Arrangements

- 7.1 To note the under mentioned changes made by the Leader to appointments to bodies established under Joint Arrangements:-

South Tyne and Wear Waste Management Partnership Joint Executive Committee – To appoint the Deputy Leader of the Council and the Cabinet Secretary in place of Councillors Waller and A. Wilson with Councillor Kelly being appointed to the resultant vacancy as the substitute member.

PATROL (Parking and Traffic Regulations Outside London) Adjudication Joint Committee) - To appoint the Deputy Leader of the Council in place of Councillor A. Wilson and to note that no substitute member is required.

Tyne and Wear Trading Standards Joint Committee – To appoint the Deputy Leader of the Council and the Deputy Cabinet Member for Vibrant City in place of Councillors Waller and A. Wilson.

8.0 Recommendations

The Council is accordingly invited to:-

- (i) note the decision of the Leader on the appointments to the Cabinet and the portfolio responsibilities aligned to the Council's City Plan and also to note the appointment of deputy cabinet members;
- (ii) note the composition of the Planning and Highways Committees and the Licensing and Regulatory Committee under the delegation to the Chief Executive approved at the last Council meeting;
- (iii) note the changes required to the Standards Committee and the Joint Consultative Committee as a result of the review of the political balance allocation of seats on committees detailed at paragraph 4.1;
- (iv) approve the appointments to the Committees and Outside Bodies detailed in paragraphs 5.1 and 6.1; and
- (v) note the changes made by the Leader to appointments to bodies established under Joint Arrangements detailed at paragraph 7.1.

CABINET MEMBERS AND PORTFOLIO RESPONSIBILITIES

The revised portfolio responsibilities for executive members are as follows:

Executive Member

Portfolio

Leader

To provide political leadership on behalf of residents, stakeholders and partners in the co-ordination of Council strategies, policies and service delivery, ensuring good quality services.

To provide political leadership in the development of local, regional, sub-regional strategy and strategic partnerships.

To promote and enhance the reputation of Sunderland, the city and the council at national, European and international levels.

To ensure that the Council's approach to economic, social and physical regeneration of the City is integrated, enabling and effective.

To provide democratic leadership to partners, residents and stakeholders.

To co-ordinate and apportion the roles and responsibilities of Members.

Deputy Leader

In the absence of the Leader of the Council, the Deputy Leader has overall responsibility for the portfolio of the Leader of the Council.

To support the Leader as appropriate, working collectively with the Cabinet and Deputy Cabinet Members.

To support the Leader in the approach to strategic economic, social and physical regeneration activity in the City.

To provide political leadership in relation to communications and corporate affairs.

To provide political leadership to the Council's approach to equalities, safer communities and social inclusion including the work in the city with the armed forces.

To ensure that the Council's approach to people management and development is enabling and effective.

To provide political leadership to the Council's approach to the priorities of Environment and Transport priorities, ensuring that the City is as attractive, sustainable and accessible for all.

To ensure that the Council's approach to Environment and Transport agenda is integrated, enabling and effective and the Council fulfils its strategic and statutory roles in relation to these functions. This includes improving the physical environment and its connectivity for sustainable living, working and visiting the City.

To provide political leadership to the Council's approach to environment and transport, sustainability and energy partnerships.

To exercise political policy oversight relating to the Council's Environment, Transport, Infrastructure, Public Protection and Place Regulation functions.

To provide political leadership to the citywide approach to carbon reduction.

Cabinet Secretary

To provide political leadership to the Council's approach to the efficient and effective deployment of resources to sustain services that matter to local people and to local communities.

To deputise for the Leader as appropriate.

To ensure that the Council's internal operations are integrated, enabling and effective and the Council fulfils its strategic and statutory roles in relation to corporate services.

To provide political leadership to the Council's approach to commissioned and procured partnerships as well as partnerships where Sunderland is the lead authority.

To exercise political policy oversight relating to functions within Corporate Services and Data Protection.

Children, Learning and Skills

To be the designated “lead member for children’s services” in accordance with Section 19 of the Children Act 2004.

To provide political leadership to the Council’s approach to the priorities of Children, Learning and Skills to ensure that children and young people achieve the best outcomes and supporting all-age learning and skills.

To ensure that the Council’s approach to the Children, Learning and Skills agenda is integrated, enabling and effective and the Council fulfils its strategic and statutory roles in relation to these functions.

To provide political leadership to the Council’s approach to Children, Learning and Skills.

To exercise political policy oversight relating to the Council’s Adults and Public Health functions.

Healthy City

To provide political leadership to the Council’s approach to the priorities of health and life chances of children and adults and providing all-population approach to public health to achieve the best outcomes.

To ensure that the Council’s approach to the Adults and Public Health agenda is integrated, enabling and effective and the Council fulfils its strategic and statutory roles in relation to these functions.

To exercise political policy oversight relating to the Council’s Adults and Public Health functions.

Vibrant City

To provide political leadership to the Council’s approach to the priorities of local communities to achieve the best outcomes as well as ensuring a wide-ranging cultural offer and communities having the access to the opportunities on offer in the City.

To ensure that the Council’s approach to the Communities, Culture, Leisure and Community Resilience agenda is integrated, enabling and effective and the Council fulfils its strategic and statutory roles in relation to these functions.

To provide political leadership to the Council’s approach to Area/Community and Cultural partnerships.

To exercise political policy oversight relating to the Council's Communities and Culture functions, including tourism and heritage.

Dynamic City

To provide political leadership to the Council's approach to the priorities of Housing, Regeneration and Planning priorities, ensuring that the City achieves the best outcomes from physical and economic regeneration including business and housing growth.

To ensure that the Council's approach to Housing and Regeneration agenda is integrated, enabling and effective and the Council fulfils its strategic and statutory roles in relation to these functions.

To provide political leadership to the Council's approach to partnerships relating to housing and regeneration.

To exercise political policy oversight relating to the Council's Regeneration and Housing functions, including dealing with homelessness.