

**At a meeting of the CABINET held in the CIVIC CENTRE (COMMITTEE ROOM NO. 1) on Wednesday 5 December 2012 at 2.00pm.**

**Present:-**

Councillor P. Watson in the Chair

Councillors Blackburn, Gofton, Kelly, G. Miller, P. Smith, Speding and Trueman.

**Part I**

**Minutes**

The minutes of the meeting of the Cabinet held on 7 November 2012 Part I (copy circulated) were submitted.

(For copy report - see original minutes).

1. RESOLVED that the minutes of the last meeting be confirmed and signed as a correct record.

**Receipt of Declarations of Interest**

There were no declarations of interest.

**Apologies for Absence**

There were no apologies for absence submitted to the meeting.

**Amended procedure for the disposal of surplus land and property**

The Deputy Chief Executive submitted a report (copy circulated) which recommended improvements to the Council's Strategy for Surplus Assets.

(For copy report – see original minutes).

Councillor Speding highlighted that the report sought approval to amendments which would improve the Council's strategy for surplus assets and in particular recommended that small areas of miscellaneous land in Council ownership which could often be unsightly and a focus for anti social behaviour, be offered for disposal at a nominal sum when the cost of maintaining it exceeded its value. He explained that this approach would assist with the Council's efforts to reduce the cost of maintaining land and could act as an incentive for third parties to take ownership of the land for inclusion in their own adjacent premises thereby improving the appearance of neighbourhoods.

Cabinet Members were advised that similarly the Council at times received requests from tenants wishing to purchase the freehold of interest of the land which they occupied, often to raise business finance or to develop the site for business purposes. Councillor Speding therefore proposed amendments to the Council's policy to enable land subject to long leaseholds to be declared surplus to requirements so as to enable the disposal of the freehold interest. He added that this in turn could result in additional receipts to the Council and remove the burden of managing the lease. He drew attention in the report to a small number of conditions that would need to be met before a disposal could take place and also recommended that the Strategy for Surplus Assets be amended to include that the Leader of the Council and the Cabinet Secretary be consulted by the Deputy Chief Executive on the exercise of the officer delegation in respect of the disposal of assets at a value of less than £250,000.

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

2. RESOLVED that approval be given to amend the Strategy for Surplus Assets to:-

- (i) enable the disposal at a nominal price of small areas of miscellaneous land if the holding and maintenance liability is equal to or exceeds the value of the land,
- (ii) declare where appropriate Council freehold reversionary interests surplus to requirements and available for disposal, and
- (iii) the Leader of the Council and the Cabinet Secretary be consulted by the Deputy Chief Executive on the exercise of the officer delegation in respect of the disposal of assets at a value of less than £250,000.

### **Joint Municipal Waste Management Strategy Review 2012**

The Deputy Chief Executive submitted a report (copy circulated) seeking approval to adopt an updated Joint Municipal Waste Management Strategy.

(For copy report – see original minutes).

Councillor Blackburn reported that the South of Tyne Waste Management Partnership developed the 20 year Joint Municipal Waste Management Strategy in 2007 to help guide future Council decisions on the management of municipal waste. He explained that it had been developed after member, public and stakeholder consultation and there was a commitment in the strategy to review it every five years.

Councillor Blackburn advised that officers from all partner authorities had worked on the review of the Strategy and the detailed update was appended to the report. In particular he drew attention to the objectives and policies in the strategy update which had been updated to take account of national changes, including the government's Waste Review 2011. These were relatively minor changes, and did not alter the overall direction of the strategy.

Councillor Blackburn highlighted that one main change had been to the Baseline Review where overall levels of municipal waste had fallen across the partnership area over the last five years and waste collection services continued to improve, in particular the development of kerbside recycling services and bring sites. This service development had contributed to a rise in recycling levels, which stood at almost 37% of municipal waste in 2011/12. In turn more material had been diverted from landfill and the remaining municipal waste was used for energy recovery. The Strategy would more than deliver its key targets ahead of the deadline of 2020.

Cabinet Members were advised that the waste strategy update contained details of Council waste and recycling service performance, reflecting the major progress made in improving services and recycling performance over the last five years and kept in focus the longer term recycling targets set out in the strategy. Councillor Blackburn reported that following approval from Cabinet the Strategy would also be required to be formally approved by the other three partner organisations before it could be implemented.

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

3. RESOLVED that approval be given to the adoption of an updated Joint Municipal Waste Management Strategy, to guide future decisions in the management of municipal waste.

### **Review of the Procurement Procedure Rules**

The Executive Director of Commercial and Corporate Services and Head of Law and Governance submitted a joint report (copy circulated) to recommend Council to make amendments to the Procurement Procedure Rules, which were part of the Constitution.

(For copy report – see original minutes).

Councillor Speding reminded Cabinet Members of the very positive review of Council procurement activity recently completed. He reported that the overall conclusion of the Review was that arrangements in place were strong and there was a high degree of satisfaction from local suppliers. He advised that however, it had also been highlighted that more could be done regarding supporting local businesses to win work, market development, improving commissioning and speeding up the process.

Councillor Speding advised that in order to facilitate this a number of changes were proposed to the Procurement Procedure Rules including the raising of the threshold for which Corporate Procurement could determine the most appropriate procurement process up to the EU threshold, which was currently £173, 934, and a requirement for Chief Officers to ensure that the relevant Portfolio Holder was consulted as appropriate both prior to advertising and provided with progress updates as procurements progressed. He added that the use of Buy Sunderland First was also mandated for any quote processes.

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

4. RESOLVED that it be recommended to Council to make amendments to the Procurement Procedure Rules, which are part of the Constitution, as set out in the report.

### **Framework Agreement for the Supply, Fitment and Maintenance of Fixed Mechanical Equipment and Prefabricated Ramps**

The Executive Director of Health, Housing and Adult Services submitted a report (copy circulated) to seek approval for the procurement of a framework to supply stair lifts, hoists, automatic toilets, prefabricated ramps and vertical lifts to support independent living via the Home Improvement Agency.

(For copy report –see original minutes).

Councillor Miller reported that approval was being sought to invite suppliers to tender for the provision and maintenance of fixed mechanical equipment and prefabricated ramps, and to award the contract to the supplier who provided the most economically advantageous tender. He explained that the Framework Agreement would be awarded in six separate product areas or 'lots' namely, straight track stair lifts, curved track stair lifts, ceiling tracking hoists, automatic toilets, prefabricated ramps and vertical through floor lifts.

Cabinet Members were advised the framework agreement would ensure that the homes of disabled residents could be adapted in a timely manner under the Disabled Facilities Grant process and the most competitive prices were achieved. The contract term would be for three years with an option to extend for up to a further twelve months.

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

5. RESOLVED that approval be given to the procurement of a framework for the supply of:-

- (i) Straight flight stair lifts
- (ii) Curved flight stair lifts
- (iii) Ceiling tracking hoists
- (iv) Automatic toilets
- (v) Prefabricated ramps
- (vi) Vertical through floor lifts

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

At the instance of the Chairman it was: -

6. 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 information relating to the financial or business affairs of any particular person (including the authority) (Paragraph 3 of Part 1, Schedule 12A of the Local Government Act 1972). The public interest in maintaining this exemption outweighs the public interest in disclosing the information.

(Signed) P. WATSON,  
Chairman.

**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.

