

**Record of
Executive
Decisions
published
19/Jun/2019**



Elaine Waugh
Assistant Director of Law and Governance

Civic Centre
Sunderland

19 June 2019

Record of Executive Decisions Published: 19/Jun/2019

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Scrutiny Coordinating Committee

Date decision in force:

18 June 2019

Date of decision:

18 June 2019

Title and author(s) of written report:

Honorary Freedom of the City – Report of the Chief Executive

Full description of decision:

To recommend to Council that:-

- (i) it agrees to the conferring, in accordance with the provisions of Section 249 of the Local Government Act 1972, of the Honorary Freedom of the City upon Jordan Henderson.
- (ii) authority be given for the Chief Executive in consultation with the Leader of the Council, to agree all appropriate arrangements for the formal ceremony at an extraordinary meeting of the Council.

Reasons for decision:

The proposal will formally recognise the outstanding contribution made by Jordan Henderson as an ambassador and role model for the city.

Alternative options considered and rejected:

There are no alternative options submitted for consideration, as the conferring of an honorary freedom is considered to be appropriate in order to recognise the outstanding contribution made by the nominated individual.

Contact Officer: Beverley Poulter

Extension: 561 1150

Email: beverley.poulter@sunderland.gov.uk

Is this a key decision: No

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

None

Record of Executive Decisions Published: 19/Jun/2019

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Scrutiny Coordinating Committee

Date decision in force:

27 June 2019

Date of decision:

18 June 2019

Title and author(s) of written report:

Capital Programme Outturn 2018/2019 (including Treasury Management) – Report of the Executive Director of Corporate Services

Full description of decision:

To:

- note the inclusion of additional schemes or variations to existing schemes for 2018/2019 detailed at Appendix A, as a variation to the Capital Programme;
- note the overall capital outturn position for 2018/2019; and
- note the Treasury Management Strategy and Prudential Indicators outturn position for 2018/2019.

Reasons for decision:

As included in the Council's constitution, Cabinet is required to exercise control over capital spend and resources and receives quarterly reports to support this. This report notes the inclusion of additional capital scheme approved by Cabinet since the last review and confirms the overall capital outturn for 2018/2019.

Cabinet is also requested to note the Treasury Management Strategy and Prudential Indicators outturn position for 2018/2019.

Alternative options considered and rejected:

No alternative options are proposed.

Contact Officer: Jon Ritchie

Extension: 561 1507

Email: jon.ritchie@sunderland.gov.uk

Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

None

Record of Executive Decisions Published: 19/Jun/2019

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Cabinet

Appropriate Scrutiny Committee:

Scrutiny Coordinating Committee

Date decision in force:

27 June 2019

Date of decision:

18 June 2019

Title and author(s) of written report:

Revenue Budget Outturn 2018/2019 – Report of the Executive Director of Corporate Services

Full description of decision:

To:

- note the budget transfers, contingency and reserve transfers proposed within Section 3, these having been agreed via delegated authority as approved by Cabinet in January 2019;
- note the final account decisions as set out in the report, having been agreed by delegated authority as approved by Cabinet in January 2019.

Reasons for decision:

To report on the outturn position compared to the budget for 2018/2019

Alternative options considered and rejected:

No alternative options are proposed

Contact Officer: Jon Ritchie

Extension: 561 1507

Email: jon.ritchie@sunderland.gov.uk

Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

None

Record of Executive Decisions Published: 19/Jun/2019

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Economic Prosperity Scrutiny Committee

Date decision in force:

27 June 2019

Date of decision:

18 June 2019

Title and author(s) of written report:

Parsons Depot redevelopment and Electric Vehicle Hub installation – Report of the Executive Director of Neighbourhoods

Full description of decision:

To:-

- i. Authorise the Executive Director of Neighbourhoods, in consultation with the Portfolio Holder for Environment and Transport, to procure a contractor(s) to demolish the current Parsons depot and, separately, to design and construct a new depot including vehicle workshops and salt barn on the site. This will include low carbon measures, with a smaller provision for low carbon technology at JCH.
- ii. Confirm the match funding commitment of £1.502m over three years commencing 2019/20 from within the approved capital programme and authorise the Executive Director of Corporate Services to execute the ERDF funding agreement and any associated documentation for this project as issued by MHCLG.

Reasons for decision:

The procurement process outlined in this report demonstrates compliance with the Council's internal Procurement Procedure Rules and UK and EU procurement legislation, as well as helping to secure the most economically advantageous solution for the City.

- ii. The Council's constitution requires that the procurement of works and services with a value over £250,000 seeks Cabinet approval. The anticipated value of the construction procurement is over £6.0m, with a further £3.0m for low carbon technology.
- iii. In order to secure ERDF grant support for the project, the Council is required to provide an equivalent amount of match funding as well as undertaking an EU compliant procurement process for works and services associated with the project.

Alternative options considered and rejected:

To not proceed with this project will result in council operational services continuing to be delivered from a depot that is no longer fit for purpose.

To not proceed with the additional ERDF funded carbon reduction measures would restrict the Council's ability to provide efficient, future-proofed operational services, contributing to carbon emission reductions.

Contact Officer: Fiona Brown

Extension: 561 8953

Email: Fiona.brown2@sunderland.gov.uk

Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

None

Record of Executive Decisions Published: 19/Jun/2019

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Economic Prosperity Scrutiny Committee

Date decision in force:

27 June 2019

Date of decision:

18 June 2019

Title and author(s) of written report:

Cross Border Taxi Licensing Enforcement – Report of the Executive Director of Neighbourhoods

Full description of decision:

To approve that:

- (1) The Council enters into a Memorandum of Understanding with other local authorities in the north east region in order to facilitate cross border licensing enforcement with regard to hackney carriages and private hire vehicles that are being operated outside of the area of the local authority from which the relevant licences were obtained.
- (2) The form of the Memorandum of Understanding shall be in the form, or substantially in the form, of that set out in Appendix 1 to this report, subject to any amendments required or agreed by the Assistant Director of Law and Governance.
- (3) The Council enters into agreements under section 113 of the Local Government Act 1972 with the other authorities participating in the Cross Border Hackney Carriage and Private Hire Vehicle Authorisation Scheme for (a) the placing at the disposal of the other authorities for the purposes of the Scheme the services of licensing officers employed by the Council; and (b) the acceptance of the services of officers of those other participating authorities on a reciprocal basis.
- (4) The Executive Director of Neighbourhoods be authorised to take all steps necessary to implement the above and be given delegated power to authorise officers made available by other participating authorities to exercise taxi licensing enforcement powers within their respective areas on behalf of this Council.
- (5) Council be asked to agree provisions (1) to (4) above in relation to any matters within the remit of the Scheme and the Memorandum of Understanding that are not functions of the Executive.

Reasons for decision:

To enable effective regulation of the taxi trade in the City and throughout the North East region.

Alternative options considered and rejected:

None

Contact Officer: Fiona Brown

Extension: 561 8953

Email: Fiona.brown2@sunderland.gov.uk

Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

None

Record of Executive Decisions Published: 19/Jun/2019

Decision Taker:

Cabinet

Appropriate Scrutiny Committee:

Health and Wellbeing Scrutiny Committee

Date decision in force:

27 June 2019

Date of decision:

18 June 2019

Title and author(s) of written report:

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

Full description of decision:

To:

- (i) approve the procurement, through a competitive tendering process, of Care and Support at Home Services for adults aged 18 years and over who have care and support needs that have been assessed as being eligible for support from the Council; and
- (ii) authorise the Executive Director Neighbourhoods in consultation with the Portfolio Holder for Health and Social Care to subsequently award contracts to the successful bidder(s).

Reasons for decision:

The current contractual arrangement the Council has in place for the provision of Care and Support at Home Services is due to end on 2 January 2020. The Council has a continuing need to commission these services to support adults to live independently in their own homes therefore there is a need to undertake a competitive procurement process in order to establish replacement services. The proposal shall ensure that services remain in place to meet the care and support needs of individuals in the future; support the Council to meet its obligations under the Care Act 2014, specifically with regard to promoting well-being and market shaping and commissioning; allow fair and equal access to all interested providers to tender for Care and Support at Home Services thereby ensuring value for money is achieved.

Alternative options considered and rejected:

Do not procure Care and Support at Home Services – this option is recommended to be rejected as the current contractual arrangements are due to end and in line with the Public Contracts Regulations 2015 and the Council's Procurement Procedure Rules a procurement process must be undertaken to appoint a care provider(s) to deliver this service. Without a contract, the Council will have no control over either the price of services or the quality of service provision. This may have a negative impact on the Council's financial resources should providers choose to increase their prices; those needing care and support services and the care and support market which may become destabilised. Securing these services through formal procurement arrangements enables the Council to have oversight of the market both in terms of quality and cost and in the event of provider failure or providers leaving the market, the Council can work with the remaining market to secure contingency arrangements.

Contact Officer: Fiona Brown

Extension: 561 8953

Email: Fiona.brown2@sunderland.gov.uk

Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

None

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Cabinet

Appropriate Scrutiny Committee:

Economic Prosperity Scrutiny Committee

Date decision in force:

27 June 2019

Date of decision:

18 June 2019

Title and author(s) of written report:

Private Sector Housing Enforcement Policy – Report of the Executive Director of Neighbourhoods

Full description of decision:

To:

- (i) Approve the adoption of the Private Sector Housing Enforcement Policy annexed to this report.
- (ii) Grant delegated authority to the Executive Director of Neighbourhoods, in consultation with the Assistant Director of Law and Governance, to approve minor modifications and updates to the policy.
- (iii) Grant delegated authority to the Executive Director of Neighbourhoods to exercise the functions of the Council under the Housing and Planning Act 2016, The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014, The Efficiency (Private Rented Properties) (England and Wales) Regulations 2015 (as amended) and the Tenant Fees Act 2019 insofar as they relate to housing conditions and the management of housing.

Reasons for decision:

It is essential that the Council reviews private housing to ensure that good management and housing standards are improved or maintained within the sector and that it acts effectively, using the powers available to it to regulate the sector. The Enforcement Policy ensures that decisions made in the exercise of these powers are consistent and transparent. A Penalties Matrix, as contained in the Policy, is also required in order for the Council to impose financial penalties under the Housing and Planning Act 2016 and therefore be able to make use of the full range of powers available to it.

Alternative options considered and rejected:

There are no alternative options to consider as it is essential for enforcement purposes that the Council has a policy as to how enforcement powers will be fairly and consistently applied.

Contact Officer: Fiona Brown

Extension: 561 8953

Email: Fiona.brown2@sunderland.gov.uk

Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

None