

# CABINET AGENDA

Tuesday, 13 December 2016 at 10.00 am in the Blaydon Room - Civic Centre

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From the Acting Chief Executive, Mike Barker

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Item Business

1 **Apologies for absence**

2 **Minutes** (Pages 5 - 10)

Cabinet is asked to approve the minutes of the last meeting held on 29 November 2016.

**Key Decision**

3 **Tenders for the Supply of Goods and Services** (Pages 11 - 20)

Report of the Strategic Director, Corporate Services and Governance

**Recommendations to Council**

4 **Review of Terms and Conditions** (Pages 21 - 32)

Report of the Acting Chief Executive and Strategic Director, Corporate Services and Governance

5 **Care, Wellbeing and Learning: Special Educational Needs and Disabilities Documents** (Pages 33 - 120)

Report of the Interim Strategic Director, Care, Wellbeing and Learning

6 **Gateshead Council Sports Strategy Documents** (Pages 121 - 136)

Report of the Strategic Director, Communities and Environment

7 **Local Council Tax Support Scheme for 2017/18** (Pages 137 - 144)

Report of the Strategic Director, Corporate Resources

**Non Key Decisions**

8 **Responses to Consultation** (Pages 145 - 164)

Report of the Acting Chief Executive

9 **Gateshead Fund (Capacity Building Fund)** (Pages 165 - 194)

Report of the Strategic Director, Communities and Environment

- 10 Provision of Support, Development, Networking and Representation to the Voluntary and Community Sector in Gateshead from April 2017 (Pages 195 - 206)**

Report of the Strategic Director, Communities and Environment

- 11 Gateshead Local Plan - Planning Obligation Supplementary Planning Document (SPD) First Review (Pages 207 - 238)**

Report of the Strategic Director, Communities and Environment

- 12 Property Transaction - Surplus Declaration and Lease of Worcester Green Day Centre (Community Asset Transfer) (Pages 239 - 244)**

Report of the Strategic Director, Corporate Services and Governance

- 13 Variation of Lease Terms - Springwell Community Centre (Pages 245 - 248)**

Report of the Strategic Director, Corporate Services and Governance

- 14 Petitions Schedule (Pages 249 - 254)**

Report of the Strategic Director, Corporate Services and Governance

- 15 Exclusion of the Press and Public**

The Cabinet may wish to exclude the press and public from the meeting during consideration of the following item(s) on the grounds indicated:

Item	Paragraph of Schedule 12A to the Local Government Act 1972
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16	3
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**Key Decision**

- 16 Extension of the District Energy Scheme (Pages 255 - 262)**

Report of the Strategic Director, Communities and Environment

## GATESHEAD METROPOLITAN BOROUGH COUNCIL

### CABINET MEETING

Tuesday, 29 November 2016

**PRESENT:** Councillor M Gannon

Councillors: C Donovan, M Brain, A Douglas, M Foy,  
G Haley, J McElroy and M McNestry

#### **C121 APOLOGIES FOR ABSENCE**

Apologies for absence have been received from Councillors L Green and L Twist

#### **C122 MINUTES**

The minutes of the last meeting held on 8 November 2016 were approved as a correct record and signed by the Chair.

#### **C123 COMMUNITY LED LOCAL DEVELOPMENT - ACCOUNTABLE BODY STATUS AND MATCHED FUNDING**

Consideration has been given to providing matched funding of £277,345 over five years from the Economic Growth Reserve Fund to support the operation of the Community Led Local Development (CLLD) and to help with the administration of a partner led Local Action Group (LAG) established to oversee the initiative and also for the Council to act as the Accountable Body for the LAG.

- RESOLVED -
- (i) That the Council acting as the Accountable Body for the LAG be approved.
  - (ii) That match funding of up to £277,345 to support administration costs via the Economic Growth Reserve Fund be approved.

The above decisions have been made for the following reasons:

- (A) The programme will attract significant funds to support economic growth in the borough over the next five years.
- (B) The funding will help residents overcome barriers to employment/enterprise.
- (C) It will pilot a new way of working, supporting a greater involvement of the wider community, including public, private and third sector partners.

- (D) It will support Council objectives in relation to exploring new approaches to service delivery, such as through social enterprise activity.
- (E) There is no other organisation able to fulfil the Accountable Body role on behalf of the LAG.

**C124 CENTRALLY EMPLOYED TEACHERS' PAY POLICY 2016**

Consideration has been given to recommending the Council to approve the Centrally Employed Teachers' Pay Policy 2016.

RESOLVED - That the Council be recommended to approve the Centrally Employed Teachers' Pay Policy 2016 as set out in appendix 2 to the report.

The above decision has been made to comply with the School Teachers' Pay and Conditions Document 2016.

**C125 REVISION TO THE EARLY RETIREMENT/REDUNDANCY PAYMENTS FOR TEACHERS AND MEMBERS OF THE TEACHERS' PENSION SCHEME**

Consideration has been given to recommending the Council to approve a revised early retirement/redundancy payments policy for employees who are members of the Teachers' Pension Scheme.

RESOLVED - That the Council be recommended to approve the revised early retirement/redundancy payments policy for employees who are members of the Teachers' Pension Scheme as set out in appendix 2 to the report.

The above decision has been made to reduce the deficit on the compensation budgets therefore contributing towards the Council's effective financial planning and medium term financial sustainability.

**C126 URGENT BUSINESS**

The following item of business was added to the agenda as a matter of urgency in accordance with Section 100A of the Local Government Act 1972.

**C127 RESPONSE TO CONSULTATION**

Consideration has been given to the response to the Boundary Commission's consultation on the Boundary Review 2016.

RESOLVED - That the response to the consultation on the Boundary Review 2016 be endorsed.

The above decision has been made to enable the Council to contribute a response to the consultation.

**TYNE & WEAR ARCHIVES & MUSEUMS: JOINT AGREEMENT & NEW GOVERNANCE ARRANGEMENTS**

Consideration has been given to a revised proposal for the current Tyne and Wear Archives and Museums (TWAM) Joint Agreement for the 2016/17 municipal year. The proposal includes the establishment of a Strategic Board to replace the Joint Committee from 1 June 2017, along with new terms of reference and a new governance structure.

The alternative option to that being recommended, but which was discounted, included continuing with the current Agreement and structures.

- RESOLVED -
- (i) That the adoption of a renewed TWAM Joint Agreement for the 2016/7 municipal year as set out in the report be approved.
  - (ii) That the dissolution of the TWAM Joint Committee on 31 May 2017 be approved.
  - (iii) That the formation of a Strategic Board to replace the Joint Committee from 1 June 2017 be approved.
  - (iv) That the terms of reference for the Strategic Board as set out in appendix 1, paragraph 17 of the report and constituent local authorities be approved.
  - (v) That the principle of the appointment of an independent Chair and members to the Strategic Board and a Vice Chair who is an elected member of the constituent local authorities be approved.
  - (vi) That the establishment of a wholly-owned Trading Company be approved.
  - (vii) That the delegation of authority to the Director of TWAM and the Service Director, Legal, Democratic and Property Services to prepare and negotiate the required legal agreements for the proposals set out above and to agree any appropriate changes, in consultation with the Cabinet Member for Culture and Leisure and the Cabinet Member for Communities and Volunteering be approved.
  - (viii) That it be noted the delegation of authority outlined above is approved on the basis that a report will come back to Cabinet on the detail as and when this process has been concluded, and before the Council enters into any binding legal agreements relating to the new TWAM governance arrangements.

- (ix) That a review of the effectiveness of the arrangements at the end of the first year to ensure that the governance structures are fit for purpose be approved.
- (x) That consideration be given to appropriate scrutiny of the new arrangements and operation of TWAM.

The above decisions have been made for the following reasons:

- (A) The new arrangements will facilitate increased self-reliance.
- (B) The new arrangements will enable businesses to become active stakeholders and support enhanced entrepreneurialism.
- (C) The new arrangements will position the organisation to secure substantial investment from Arts Council England in 2018 -22.
- (D) The new arrangements will improve the long-term sustainability of the service.

**C129 PROPOSAL TO PROVIDE ADDITIONAL PROVISION WITHIN GATESHEAD BEHAVIOUR SUPPORT SERVICE**

Item withdrawn.

**C130 CHILDCARE SUFFICIENCY REPORT 2016**

Consideration has been given to the Childcare Sufficiency Report 2016, which details the availability and sufficiency of childcare in Gateshead in order to fulfil the Council's duties as required by the Childcare Act 2006 (amended by The Children and Families Act 2014).

- RESOLVED -
- (i) That the Childcare Sufficiency Report 2016 be endorsed and officers be authorised to address gaps in provision where identified.
  - (ii) That it be noted that provision and access to places for children with disabilities will be covered as part of the review of the Council's Inclusion Strategy, which is a whole system approach to inclusion, and which will be the subject of a future report to Cabinet.

The above decisions have been made to fulfil statutory duties and ensure sufficiency of childcare places within Gateshead.

**C131 REVIEW OF GATESHEAD HIGHWAYS ASSET MANAGEMENT PLAN**

Consideration has been given to updates to the approved Gateshead Highways Asset Management Plan.

RESOLVED - That the addendum to the Highways Asset Management Plan for Gateshead as set out in appendix 2 to the report be approved.

The above decision has been made to provide the basis for improved management and maintenance of Gateshead's highway network and ensure the effective use of resources.

**C132 NON DOMESTIC RATES - TRANSFER OF UNCOLLECTABLE AMOUNTS**

Consideration has been given to the transfer of outstanding balances from Non-Domestic Rates accounts, where all possible recovery action has been taken and the balances are now considered to be uncollectable.

RESOLVED - (i) That the transfer of the balances on 326 uncollectable accounts totalling £3,002,743.94 be approved.

(ii) That the transfer of accounts totalling £21,827.44 by the Strategic Director, Corporate Resources, acting under delegated powers be noted.

The above decisions have been made for the following reasons:

- (A) To ensure the effective management of the Council's resources.
- (B) To ensure that the Council Accounts accurately reflect the correct financial position.

**C133 NOMINATION OF LOCAL AUTHORITY SCHOOL GOVERNORS**

Consideration as been given to the nomination of local authority governors to schools where there are currently vacancies.

RESOLVED - That the following nominations be approved for a period of four years from the date indicated, in accordance with the Schools' Instruments of Government.

- Dunston Hill Primary – Mr D Bunce from 19 October 2016
- Highfield Primary – Cllr D Bradford from 29 November 2016
- Rowlands Gill Primary – Cllr L Caffrey from 29

October 2016.

The above decisions have been made to ensure the Governing Bodies have full membership.

**C134 EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED - That the press and public be excluded from the meeting during consideration of the following item in accordance with paragraph 3 of schedule 12A to the Local Government Act 1972.

**C135 FOLLINGSBY ENTERPRISE ZONE**

Consideration has been given to the signing of an Enterprise Zone Memorandum of Understanding (MoU) between Gateshead Council, the North East Local Enterprise Partnership and the Secretary of State for Communities and Local Government, committing to the set up and operation of an Enterprise Zone in Follingsby.

RESOLVED - That the signing of the MoU to formally include sites at Follingsby Park and Follingsby South in a North East Enterprise Zone be approved.

The above decisions have been made for the following reasons:

- (A) To accelerate economic growth, inward investment and job creation.
- (B) To secure a funding mechanism to support the cost of enabling infrastructure.

Copies of all reports and appendices referred to in these minutes are available online and in the minute file. Please note access restrictions apply for exempt business as defined by the Access to Information Act.

The decisions referred to in these minutes will come into force and be implemented after the expiry of 3 working days after the publication date of the minutes identified below unless the matters are 'called in'.

Publication date: 1December 2016

**Chair.....**



**TITLE OF REPORT:** Tenders for the Supply of Goods and Services

**REPORT OF:** Mike Barker, Strategic Director Corporate Services and Governance

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### **Purpose of the Report**

1. The purpose of this report is to ask Cabinet to consider the tenders received for;
  - i) the Supply of a Library Management System.
  - ii) the Supply of Construction & Building Materials.
  - iii) the Supply of Construction Small Plant & Tools.
  
2. The background to these contracts is contained in the attached appendices.

### **Proposal**

3. Cabinet is asked to agree and note the recommendations below.

### **Recommendations**

4. It is recommended Cabinet agree:
  - i) the tender from Capita Business Services Ltd, Birmingham be accepted for the contract for the Supply of a Library Management System on the terms set out in appendix 1 to the report.
  
  - ii) the tenders from  
  
(Lot 1 Trade Kits): - R. Dinning, Wolseley, Jewson, CMT Group, Grafton Merchating GB Limited,  
  
(Lot 2 General Kits):- Arco Limited, Arnold Laver, Brammer, Bunzl Catering Supplies, CMT Group, Crossling Ltd, Crown Paints Ltd, Edmundson Electrical Limited, Edmundson Electrical Limited, Eurocell Profiles, Eyre & Elliston Ltd, Flame Heating Spares, Glenwood Paint Supplies Ltd, Grafton Merchating GB Ltd, J & P Hardware Ltd, J T Dove, James A Jobling & Co.t/a Jobling Purser, Jewson Limited, Marshalls Mono Ltd, Newey & Eyre, Pilkington Building Products UK, PPG Architectural Coatings, R. Dinning, Snapfast, Sovereign Chemicals Limited, Specialist Building Products Limited t/a Swish Building Products, Stax Trade Centres Ltd, The Beck Company Limited, Travis Perkins, Wolseley UK Ltd,

be accepted for the contract for the Supply of Construction & Building Materials on the terms set out in appendix 2 to the report.

iii) the tenders from

(Lot 1 Trade Tool Kits): - Frank Howard Tools & Fixings Ltd  
(Lot 2 – General Kits) :- Thomas Graham & Sons Ltd

be accepted for the contract for the Supply of Construction Small Plant & Tools on the terms set out in appendix 3 to the report..

For the following reasons:

- i) A comprehensive evaluation of the tenders received has been undertaken. The recommended tender is the most economically advantageous tender submitted.
- ii) A comprehensive evaluation of the tenders received has been undertaken. The recommended tender is the most economically advantageous tender submitted.
- iii) A comprehensive evaluation of the tenders received has been undertaken. The recommended tender is the most economically advantageous tender submitted.

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**CONTACT:** Andrea Tickner extension: 5995

## APPENDIX 1

### Policy Context

1. The contract for the Supply of a Library Management System has been organised in accordance with the Council's Consolidated Procurement Policy.

### Background

2. The contract for the Supply of a Library Management System is in perpetuity (with a minimum of 3 year period) operating without limit of time until terminated in accordance with the Terms and Conditions of Contract commencing 1 October 2017.
3. The contract is to supply a fit for purpose replacement for its existing Library Management System to be in place by the time the current contract expires on 30th September 2017. The estimated value of the contract for an initial 3 year period is £98,964.00.
4. The contract was tendered via the EU restricted procedure. Pre-Qualification Questionnaires (PQQ'S) were received from the following companies:

Axiell Limited, Nottingham  
Capita Business Services Limited. Birmingham  
Civica UK Limited, London  
Infor (United Kingdom) Ltd, Stoke  
Innovative Interfaces Global Ltd., Dublin  
PTFS Europe Ltd, Woking  
Sirsi Limited, Watford

5. A comprehensive evaluation of the PQQ's was undertaken against the following criteria:
  - Grounds for Mandatory Exclusion, Financial, Insurance, Equality and Diversity and Health and Safety and Project Specific questions.
6. Innovative Interfaces Global Ltd. and Sirsi Limited did not meet the Council's minimum requirements and were not invited to tender.
7. Tenders were received from the following companies:

Axiell Limited, Nottingham  
Capita Business Services Limited. Birmingham  
Civica UK Limited, London  
Infor (United Kingdom) Ltd, Stoke  
PTFS Europe Ltd, Woking

8. A comprehensive evaluation of the tenders has been undertaken against the following criteria:

- Ability to deliver the Specification including:
  - Mandatory Requirements
  - Highly Desirable and Desirable Requirements
  - Quality of system offered
- Demonstration of the System
- Value for Money

### **Consultation**

9. There has been no external consultation.

### **Alternative Options**

10. The anticipated value of this contract exceeded the threshold requiring competitive tenders to be invited in accordance with the EU Public Procurement Directives; therefore there are no alternative options.

### **Implications of Recommended Option**

#### **11. Resources:**

a) **Financial Implications –** The Strategic Director, Corporate Resources, confirms that there are no additional financial implications arising from this report.

b) **Human Resources Implications – Nil**

c) **Property Implications - Nil**

12. **Risk Management Implication – Nil**

13. **Equality and Diversity Implications –** The recommended tenderer meets the legal obligations of the Equality Act 2010.

14. **Crime and Disorder Implications – Nil**

15. **Health Implications - Nil**

16. **Sustainability Implications – Nil**

17. **Human Rights Implications - Nil**

18. **Area and Ward Implications -Nil**

### **Background Information**

19. The documents that have been relied on in the preparation of the report include:  
The received tenders.

### **Policy Context**

1. The contract has been organised in accordance with the Council's Central Purchasing Policy.

### **Background**

2. The contract for the Supply of Construction & Building Materials is being arranged on behalf of Construction Services. The contract is for a 24 month period commencing 1<sup>st</sup> January 2017 with the option to extend for a further 2 x 12 month periods. The estimated annual value of the contract is £5,000,000. As part of the consolidation of procurement and implementation of a category management approach the Councils corporate requirements have been aggregated into one contract.
3. Tenders were received from the following companies listed in alphabetical order:

Arco Limited, Hull  
Arnold Laver, Hebburn  
Brammer, Manchester  
Bunzl Catering Supplies, Gateshead  
CMT Group, Kent  
Crossling Ltd, Newcastle  
Crown Paints Ltd, Gateshead  
Edmundson Electrical Limited, Gateshead  
Edmundson Electrical Limited, Durham  
Eurocell Profiles, Gateshead  
Eyre & Elliston Ltd, Newcastle  
Flame Heating Spares, Gateshead  
Glenwood Paint Supplies Ltd, Darlington  
Grafton Merchanting GB Ltd, Oxfordshire/Nationwide  
J & P Hardware Ltd, Newcastle  
J T Dove, Birtley  
James A Jobling & Co.t/a Jobling Purser, Newcastle  
JDP, Birtley  
Jewson (Minster) Limited, Newcastle  
Jewson Limited, Durham  
Lloyd Worrall, Newcastle  
Marshalls Mono Ltd, Cleveland  
Newey & Eyre, Gateshead  
Pilkington Building Products UK, Gateshead  
PPG Architectural Coatings, Gateshead  
R. Dinning, Gateshead  
SIG Trading, Gateshead  
Snapfast, Gateshead  
Sovereign Chemicals Limited, Barrow in Furness

Specialist Building Products Limited t/a Swish Building Products, North Shields  
Stax Trade Centres Ltd, Manchester  
The Beck Company Limited, Nottingham  
Travis Perkins, Gateshead  
Tyneport Coatings, South Shields  
W.McGovern & Co Ltd, Gateshead Council  
Wolseley UK Ltd, Sunderland

A comprehensive evaluation of the tenders received has been undertaken against the following criteria: Health and Safety, Insurance, Equality, Environmental, Compliance with Specification & Delivery and Price.

### **Consultation**

4. There has been no external consultation.

### **Alternative Options**

5. Due to the value of this contract, it is a legal requirement that competitive tenders are invited in accordance with the EU Public Procurement Directives; therefore there are no alternative options.

### **Implications of Recommended Option**

#### **6. Resources**

**a) Financial Implications** - The Strategic Director, Corporate Resources has confirmed that the value of the contract will be met from existing resources.

**b) Human Resources Implications** – Nil

**c) Property Implications** - Nil

7. **Risk Management Implication** - None at this stage.

8. **Equality and Diversity Implications** - Nil

9. **Crime and Disorder Implications** – Nil

10. **Health Implications** – Nil

11. **Sustainability Implications** - All relevant items within the scope of this procurement are required to be from sustainable sources and be accredited accordingly.

12. **Human Rights Implications** - Nil

13. **Area and Ward Implications** - Nil

### **Background Information**

14. The documents that have been relied on in preparation of the report include:  
Received tenders from suppliers

**Policy Context**

1. The contract has been organised in accordance with the Council's Central Purchasing Policy.

**Background**

2. The contract for the Supply of Construction Small Plant & Tools is being arranged on behalf of Construction Services. The contract is for a 24 month period commencing 1<sup>st</sup> January 2017 with the option to extend for a further 2 x 12 month periods. The estimated annual value of the contract is £190,000.
3. Tenders were received from the following companies listed in alphabetical order:

Aquired Business Services Limited, London  
Brammer, North Shields  
Crossling Ltd, Newcastle  
Frank Howard Tools & Fixings Ltd, Essex  
Jewson Ltd, Gateshead  
Lord Hire Centres, Newcastle  
Marshall Industrial Supplies, No Details Provided  
Plant & Consumable Services Ltd, Cleveland  
Speedy Asset Services Limited, Newcastle  
Thomas Graham, Carlisle  
Tool Fusion Ltd, Lincoln

A comprehensive evaluation of the tenders received has been undertaken against the following criteria: Health and Safety, Insurance, Equality, Environmental, Compliance with Specification & Delivery and Price.

**Consultation**

4. There has been no external consultation.

**Alternative Options**

5. Due to the value of this contract, it is a legal requirement that competitive tenders are invited in accordance with the EU Public Procurement Directives; therefore there are no alternative options.

**Implications of Recommended Option**

6. **Resources**

- a) **Financial Implications** - The Strategic Director, Corporate Resources has confirmed that the value of the contract will be met from existing resources.
- b) **Human Resources Implications** – Nil



**c) Property Implications - Nil**

7. **Risk Management Implication** - None at this stage.
8. **Equality and Diversity Implications** - Nil
9. **Crime and Disorder Implications** – Nil
10. **Health Implications** – Nil
11. **Sustainability Implications** - The suitability section of the Tender document included the standard environmental section which had a Pass/Fail scoring rationale. The specification requires most power tools to be battery (rechargeable) powered and all operate/function from one single battery platform.
12. **Human Rights Implications** - Nil
13. **Area and Ward Implications** - Nil

**Background Information**

14. The documents that have been relied on in preparation of the report include:  
Received tenders from suppliers

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**TITLE OF REPORT:**            **Review of Terms and Conditions**

**REPORT OF:**                 **Mike Barker, Acting Chief Executive and Strategic Director,  
Corporate Services and Governance**

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### **Purpose of the Report**

1. The purpose of this report is to provide feedback to Cabinet on progress made to date in the current review of terms and conditions and to seek Cabinet and Council approval to implement proposals relating to car allowances and the normal working week.

### **Background**

2. The Council's Workforce Strategy and Plan recognise the need to ensure our approach to pay and reward fits the organisation's values whilst being competitive and sustainable.
3. Previous reviews of employment costs have been undertaken in the last few years as part of the continuing review of terms and conditions of employment. This has included: services undertaking operational reviews to remove or reduce the reliance on premium rates of pay; a reduction in the number of essential car users by more than 50%; a reduction in car mileage rates and essential car user lump sums; the removal of some personal allowances; reducing the payment of the excess travel allowance; and a reduction in overtime budgets based on the new protocol designed to ensure premium rate overtime is only applied in accordance with the JE agreement: i.e. for 'emergency' overtime.
4. A further review of terms and conditions is being undertaken to reduce the costs of employment; to ensure services are delivered in the most efficient and effective way possible and are sustainable; to reduce the need for further redundancies because of competitiveness/lack of competitiveness or inability to be more flexible; and to make services more cost effective and thereby increase success in traded services.
5. The current review of terms and conditions is looking at all employment costs including premium payments, personal allowances, essential car user allowance, the working week and pay protection. It will identify which jobs will be affected and by how much, the impact on services and any options for compensation.

### **Progress to date**

7. Workshops were held with service directors and service managers to discuss the scope of the review and better understand the impact of the proposals on individual services.
8. Regular meetings have been held with the trade unions and their representations have been fully considered. In summary, they support a review of operational practices

which identifies how a service can be run more efficiently. They also support the withdrawal of allowances where the work is no longer being carried out for which the allowance is paid. However, they do not support any proposals which will see employees' take home pay reduce when they are continuing to carry out their duties in exactly the same way. They are also concerned about the impact of any changes to the current pay protection arrangements. The trade unions believe that the current protection arrangement has been crucial in achieving the outcomes the Council and trade unions have wanted for employees over the previous 5 years. Further negotiation is ongoing with the trade unions regarding proposals to reduce the pay protection period and a further report will be brought in the near future in relation to this.

9. The Council's proposals in this report relate to:
- Essential car user allowance
  - Changes to the normal working week

Details of the proposals and consultation outcomes are included in Appendix 1.

10. The proposals outlined in this report will contribute £113k to 2018/19 budget savings. In addition to this, the changes in the working week would increase productivity by 275 hours per week and should reduce the need for overtime in some areas.

## **Proposal**

11. It is proposed that:
- The essential car user allowance is withdrawn and all employees redesignated as casual car users
  - All employees protected on 35 hours 50 minutes working week are moved onto 37 hours (or pro rata) from 1 April 2017
12. The intention is to implement the proposals relating to the removal of essential car users from all posts except those in the evening Domiciliary Care service with effect from 1 April 2017 and then remove essential car user status from all posts in the evening Domiciliary Care service at a later date once it has been identified how the allowance can be removed without impacting on service delivery.
13. Employees at all levels of the organisation will be impacted by these proposals. There will be no significant impact on any one group or grade of employees.

## **Recommendations**

14. Cabinet is asked to recommend the Council to approve the implementation of the proposals outlined in this report.

For the following reasons:

- (i) To achieve savings in employment costs
- (ii) To modernise and harmonise terms and conditions of employment
- (iii) To minimise redundancies

## Policy Context

1. The proposals within this report are part of the Ways of Working workstream and support the priorities in the Council Plan and Vision 2030.
2. Developing effective operational practices and relevant terms and conditions of employment are an important part of the Workforce Plan and will contribute to the avoidance of redundancy whilst recognising that our approach to terms and conditions needs to be competitive and sustainable.

## Background

3. Given the continuing need to identify savings to bridge the funding gap identified in the Medium Term Financial Strategy, along with the increasing pressure to ensure our terms and conditions reflect the current climate and the likelihood that this pressure will continue for the foreseeable future we need to ensure our approach to pay and reward fits the organisation's values and commitment to look after the workforce whilst recognising the need to be competitive and sustainable.
4. The Council's Workforce Strategy and Plan confirm this need to have a Pay and Reward Strategy which is fit for purpose, including the continued review of terms and conditions of employment to ensure they are consistent with the Council's aspirations set out in the Council Plan, with particular emphasis on premium payments.
5. The Council is, therefore, proposing a number of amendments to certain terms and conditions of employment that will contribute to the savings targets and improve efficiency, remove anomalies and allow the Council to operate as a modern organisation with fair and appropriate terms & conditions of employment. Whilst the proposals are made reluctantly and the changes may prove unpopular, the alternative of further job loss is far more unpalatable.
6. The review of terms and conditions will continue in order to ensure services are delivered in the most efficient and effective way possible and are sustainable; reduce the need for further redundancies because of competitiveness/lack of competitiveness or inability to be more flexible and make services more cost effective to increase success in traded services.
7. The Trade Unions representations have been fully considered in frequent and regular meetings. Their starting position is as follows:
  - They will support operational reviews on withdrawal of allowances where the work is no longer needed or where the employee has a choice about undertaking the work. They will not, however, support changes in terms and conditions that mean their members will be paid less for doing the same work, in the same circumstances.
  - They do not support a blanket approach to changing terms and conditions believing this will inevitably impact on the poorest paid. They continue to believe that some premium payments could be managed out by managers. Although some services have undertaken operational reviews to reduce or remove the reliance on premium rates, they believe there is further analysis that could be done to identify whether there is scope to remove the need to work in a particular way or to identify those areas where there may be excessive numbers of employees and managers working and attracting premium rates of pay.

- They will agree to review terms and conditions in consultation with their members, where this would secure or retain business or would make the service more competitive or cost effective after all other costs have been looked at and reviewed. They have stated that this should include all on costs not associated with terms and conditions which they feel have never been properly looked at. They believe this is where much larger savings could be made to make services more competitive and may result in increased success in traded services.
  - Terms and conditions spend is less than 2% of the total payroll bill.
  - The trade unions are also concerned about the impact of any changes to the current pay protection arrangements. The trade unions believe that the current protection arrangement has been crucial in achieving the outcomes the Council and trade unions have wanted for employees over the previous 5 years. Further negotiation is ongoing with the trade unions regarding proposals to reduce the pay protection period and a further report will be brought in the near future in relation to this.
8. The Council's proposals for change relate to:
- Essential car user allowances,
  - The normal working week
9. A summary of the proposals are shown below, along with the Trade Unions' response to each proposal.

#### **Proposal relating to withdrawal of Essential Car User status**

10. Prior to the first review of essential car users in 2012, there were approximately 599 essential car users. Following a series of reviews since 2012, there are currently 234 employees who retain the essential car user allowance. The intention is to write to all essential car users as soon as possible confirming that they are to be given 12 weeks' notice to have their essential car user status withdrawn and that they will no longer receive the essential user lump sum payment. These employees will be redesignated as casual car users. While casual car users do not receive a lump sum payment, they do receive a higher mileage rate: 46.9p per mile (as opposed to 36.9p per mile as an essential car user).
11. There may be some employees who refuse to use their personal vehicles for work and this could impact on service delivery. We will need to ensure viable alternatives are in place for those employees, therefore it is planned to add a further two to three additional pool cars increasing the number to 21. This increase will be reviewed on a regular basis to ensure it is appropriate.
12. Employees who lose their essential car user status and subsequently refuse to use their personal vehicles for work will be required to sign up to use pool cars and use pool cars when one is available. Employees will be informed that they cannot refuse to use both their own cars and pool cars. If no pool cars are available then employees should consider using public transport if appropriate for the journey, accessing the corporate metro and bus passes that are available.
13. Managers will be expected to work with their employees to support them to plan their work more efficiently and thereby ensure there is no detrimental impact on service delivery.

14. Senior managers in Children and Families social work teams are largely supportive of the removal of the allowance as there is currently a situation within the group where some social workers have the allowance and others don't and this is seen as unfair. They do, however, agree that there are currently retention issues and that the timing for the removal of the allowance should be considered as part of the ongoing remodelling of the Children & Families social work teams.

### **Trade Union response**

15. The trade unions are concerned that the existing retention issues in Children and Families Social Work teams may be exacerbated by the removal of the allowance (the vast majority of essential car user allowances are paid to children's social workers). They are also concerned about the impact of the removal on the evening Domiciliary Care Workers as they will have limited access to alternative transport methods.
16. Before any further removal of any essential car user allowances the trade unions insist that individual service plans are produced by service directors to demonstrate how they intend to manage this situation for all staff. They believe particular attention should be paid to out-based staff who may have no access to alternative transport methods and those who currently use their own vehicles to transport service users. The trade unions still strongly believe that some employees are essential car users and should continue to receive this allowance.

### **Management response**

17. In light of the issues highlighted it is recommended that essential car user allowance is removed from all posts except those in the evening Domiciliary Care service. The ongoing review of the pay and grading structure and retention issues in the Children and Families Social Work teams should alleviate the concerns regarding retention issues and facilitate the removal of this allowance. There will be a further review of the alternative transport options available to the evening Domiciliary Care workers with a view to identifying how the allowance can be removed without impacting on service delivery.
18. The employee impact information relating to this proposal is detailed in Appendix 2.

**The annual savings that will be delivered from this proposal will be £113,000.**

### **Proposal relating to Normal Working Week: Move all employees on 35 hour 50 minutes protected hours onto 37 hours**

19. The Council wishes to deal with the inequity of employees who still enjoy the protection of working a shorter working week (35h 50m) than their colleagues for the same pay, as it seems particularly inequitable and divisive to have some employees contracted to working fewer hours for the same pay as their colleagues. This protection has been in place since 1998.
20. There are currently approximately 252 employees who are still protected on a 35h 50m or pro rata working week. The proposal is to move all employees protected on 35h 50m onto standard 37 hour working week with no increase in pay.

21. Part time employees working pro rata 35h 50m hours should be given the option to increase hours to appropriate pro rata of 37 hours in order to maintain their earnings (maintaining current hours would result in a pay decrease).

### **Trade Union Response**

22. The Trade Unions believe that this is an unnecessary proposal and does not result in a saving. They believe that this should be phased out as and when people leave the Council or move on to different positions. They have requested an analysis be undertaken to identify if employees who have already had a promotion or moved into a new job have actually moved on to a 37 hour contract, as was previously agreed, as they believe this has not routinely happened.

### **Management Recommendation**

23. The trade unions have previously acknowledged (Cabinet report dated 24 October 2012) that there were provisions in the original single status agreement to review the working week protection arrangements after a period of time, therefore it is recommended that the proposal to move all employees protected on 35h 50m onto a standard 37 hour working week (or pro rata) with no increase in pay is implemented in order to remove the inequality in working arrangements and increase productivity.
24. Moving all protected employees onto a 37h working week (or pro rata) would not deliver any direct savings but would increase productivity by 275 hours per week and should reduce the need for overtime in some areas.
25. The employee impact information relating to this proposal is detailed in Appendix 3.

### **Premium rates of pay**

26. Over £4m is spent per year on premium rates of pay.
27. The Trade Unions were provided with detailed financial information regarding the spend on premium rates of pay per service and per employee for 2015-16 and provided feedback on those areas where they believed there was capacity to reduce or remove the use of premium payments.
28. Meetings were held with service directors to discuss the 2015-16 spend to identify the key issues that would arise from any changes, as well as which changes to premium rates would support them in becoming more sustainable and competitive and to give them an opportunity to comment and consider the information received from the trade unions.
29. A number of service directors are looking at alternative delivery models which might include different terms and conditions. It is accepted that local terms and conditions can be applied to certain groups of employees but only where there is a justifiable difference which could be defended in any equal pay challenge. Service directors are currently putting together business cases about potential delivery models and will work with colleagues in Legal and HR to determine whether local terms and conditions could be justified.
30. Work in relation to premium rates of pay is ongoing and a further report will be brought in the near future on this.



## Trade Union Response

31. The trade unions have stated that Local Government Pay has fallen in real terms by nearly 20% since 2009. They believe that those at the bottom of the pay structure including cleaners, catering assistants, school crossing patrol staff etc. salaries would be worth £1,409 more in real terms if it had risen in line with inflation since 2010. A recent report commissioned by the Joseph Rowntree Foundation also found 55% of those in poverty - are now in working households.
32. Locally, premium rates can be worth as much as 25% of take home pay, any reductions in premium rates will have a substantial impact on hundreds of workers – especially low paid women.
33. The trade unions have stated that significant savings have been achieved by developing more efficient, effective and sustainable ways of working and they are committed to continuing with this approach.

## Consultation

34. The views of the Leader and Deputy Leader of the Council have been sought in drafting this report. The Council's recognised non-teaching Trade Unions have also been consulted and their views taken into account in the drafting of the proposals.

## Alternative Options

35. The Council could decide to make no change to the terms and conditions in the identified areas; however, this alternative will not deliver savings or increase productivity. Savings not achieved would need to be found elsewhere in the budget and would increase the risk of redundancies; it will not address some anomalies within the current payment of the employment costs and it will not help the Council to operate as a modern organisation with fair and appropriate terms and conditions of employment.

## Implications of Recommended Option

36. **Resources:**
  - a) **Financial Implications** – The Strategic Director, Corporate Resources, confirms that the recommendations included in this report will deliver full year budget savings of £113,000.
  - b) **Human Resources Implications** – the human resources implications are considered throughout this report.
  - c) **Property Implications** – there are no property implications arising from the recommendations within this report.
37. **Risk Management Implication** - Failure to implement the recommended option would result in the identified savings not being achieved. The risks that have been identified around the implementation of the specific proposals will be managed through Risk Logs that are maintained within Group Management Teams.

38. **Equality and Diversity Implications** –Equality Impact Assessments have been undertaken to analyse the impact of each of the proposals against 6 of the 9 protected characteristics. There will be no significant impact on any one group of employees however, some of the proposals and their impact will need to be monitored and reviewed and this will be carried out on a regular basis. The full Equality Impact Assessments can be found in the Council’s on line papers.
39. **Crime and Disorder Implications** – There are no crime and disorder implications.
40. **Health Implications** - There are no health implications.
41. **Sustainability Implications** - There are no sustainability implications.
42. **Human Rights Implications** - There are no human rights implications.
43. **Area and Ward Implications** - There are no area and ward implications.
44. **Background Information**

### **Employee Impact from the removal of essential car user allowance**

234 employees would be affected (5.2% of the workforce)

- 191 employees in Care Wellbeing & Learning
  - 87 in Adult Social Care & Independent Living
  - 98 in Social Work: Children & Families
  - 3 in Commissioning & Business Development
  - 1 in Learning & Schools
  - 2 in Public Health
  
- 43 employees in Communities & Environment
  - 32 in Construction Services
  - 6 in Development, Transport & Public Protection
  - 5 in Facilities Management
  
- 75% females
- 25% males
  
- Lowest grades affected
  - 52 employees at grade D £16,772 – £17,547
  - 2 employees at grade E £17,891 - £19,939
  - 29 employees at grade F £21,057 - £23,166
  
- Highest grades affected
  - 2 employees at grade N £43,387 - £46,240
  - 8 employees at grade L £37,858 - £40,619
  - 36 employees at Grade K, K+1 and K+2 increments £35,093 – £39,660
  - 88 employees at Grade I/J and Grade J £29,854 - £35,093.
  
- Types of posts affected – Social Workers, Occupational Therapist, Contact Officer, Evening Domiciliary Care Worker, Reablement Officer, Area Supervisor, Contract Surveyor, Building Surveyor, Assistant Manager, Highways Engineer, Electrical Engineer.

**Employee impact of moving all employees protected on 35h 50m to 37h working week**

252 employees would be affected (5.6% of the workforce)

- 73 employees in Care, Wellbeing & Learning
  - 44 in Adult Social Care and Independent Living
  - 1 in Children and Families Support
  - 1 in Children's Commissioning
  - 5 in Commissioning and Business Development
  - 9 in Learning & Schools – Education Gateshead
  - 12 in Social Work - Children and Families
  - 1 in Commissioning and Business Development
  
- 85 employees in Communities & Environment
  - 4 in Construction Services
  - 9 in Council Housing Design and Technical Services
  - 38 in Culture Communities Leisure and Volunteering
  - 22 in Development, Transport & Public Protection
  - 2 in Facilities Management
  - 7 in Waste Services, Fleet Management & Grounds Maintenance
  - 2 in Economic and Housing Growth
  
- 65 employees in Corporate Resources
  - 13 in Corporate Finance
  - 43 in Customer & Financial Services
  - 10 in ICT Services
  
- 24 employees in Corporate Services and Governance
  - 2 in Corporate Commissioning and Procurement
  - 14 in Human Resources & Litigation
  - 8 in Legal Democratic and Property Services
  
- 5 employees in Policy, Performance and Communications
  
- 73% females
- 27% males
  
- Lowest grades affected
  - 22 employees at grade B/C £15,238 - £16,191
  - 24 employees at grade D £16,772 – £17,547
  - 31 employees at grade E £17,891 - £19,939
  - 25 employees at grade F £21,057 - £23,166
  
- Highest grades affected
  - 4 employees at grade N £43,387 - £46,240
  - 13 employees at grade L £37,858 - £40,619
  - 15 employees at Grade K & K+1 £35,093 – £38,789
  - 17 employees at grade J £32,164 - £35,093

Types of posts affected – Day Centre Officers, Social Workers, Assessing Officers, Operational Support Assistants, Senior Library Assistants and Library Assistants, Senior Clerks

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**TITLE OF REPORT:** Care, Wellbeing and Learning: Special Educational Needs and Disabilities Documents

**REPORT OF:** Sheila Lock, Interim Strategic Director, Care, Wellbeing and Learning

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### **Purpose**

1. This report seeks Cabinet and Council approval of a suite of strategic documents for special educational needs and disabilities, accessibility and services for children, and young people.

### **Background**

2. This suite of documents is presented together to illustrate the considerable level of activity across services for children and young people with special educational needs and disabilities (SEND) in Gateshead, and to fulfil the requirement for the Council to approve and publish a range of documents that addresses the Council's response to its statutory duties for SEND.
3. The documents relate to partnership activity led by the SEND Strategic and Monitoring Groups, Joint Commissioning Group, Special Headteachers Group, Early Years SEND Strategy Group and to a range of Council services.
4. Annual reports are also produced for Overview and Scrutiny related to specific developments for SEND and partnership work with Education, CCG and Social Care.

### **Proposal**

5. To receive the documents to support Gateshead's policy and practice in relation to SEND pupils and young people.
6. **Accessibility Strategy**

The Accessibility Strategy explains how the Local Authority (LA) has adopted a strategic approach to planning for increased access to its schools, to the curriculum and to information. It is a revision and update of the second Accessibility Strategy (2012-2015) and restates the principles and approaches that the Council is taking on accessibility issues in education.

The strategy links with other planning processes in the LA and supports the LA's priorities and principles within the LA Safeguarding Board's strategy and particularly addresses aspects of the guidance document 'Safeguarding Disabled Children 2009'. This policy takes in to account the 2014 Special Educational Needs and Disability Code of Practice: 0 to 25 years statutory guidance for organisations who work with and support children and young people with special educational needs and

disabilities. Schools are required to publish an accessibility plan/disability equality scheme.

#### **7. SEND Strategic Aims for Children and Young people 0-25 Working in partnership with education, health and care commissioners and providers and service users**

The strategic aims underpin the Council's work in partnership with education, health, and care services to improve the outcomes for children and young people. They also detail how the Council will consider its success in working to its strategic aims.

#### **8. Inclusion Policy**

Gateshead Council has based its policy for special educational needs and disabilities (SEND) on the belief that all children, whatever their abilities, share common needs as learners and they should have access to a curriculum that responds to their individual needs.

The Council recognises that most children with identified SEND can, and should be, taught in mainstream schools but also recognises that some children may have needs which are exceptional and that arrangements may need to be made to ensure they reach their potential.

We are taking a look at refreshing our inclusion strategy, we want all provision to be inclusive and while the childcare sufficiency strategy looks at primarily 0-5, we know for parents of older children find additional wrap around difficult in some instances. We will be looking at this in more detail over the next year and our inclusion strategy is an opportunity to do that.

The Council will seek to ensure that its policies, procedures, advice, guidance and resources support a policy of inclusion where this best meets the needs of the child. This will include enabling Gateshead's special schools to increase the range of needs they are able to meet successfully and to contribute to the development of good practice in mainstream schools and settings. Enabling Inclusion will be the key goal in the SEND Strategy.

#### **9. Early Years and SEND - The PVI Monitoring Survey, October 2016**

A survey was sent to all of the 55 PVI settings in Gateshead (Day Nursery settings and Pre-schools) during October 2016. 47 settings responded, giving a return rate of 85%. Not all respondents answered every question. The data in the charts reflects the number of settings that answered the individual question. The aim of the survey was to monitor the SEND provision in PVI settings and for the Area SENCos to identify priorities for development and improvement in their support to PVI settings.

#### **10. SEND Report Guidance for Schools**

The governing bodies of maintained schools and maintained nursery schools and the proprietors of academy schools must publish information on their websites about the implementation of the governing body's or the proprietor's policy for pupils with SEN. The information published should be updated annually and any changes to the information occurring during the year should be updated as soon as possible. The



SEND Report needs to cover: Improving outcomes, Governance, Teaching, Identification and Assessment to be compliant with the SEND Code of Practice.

## 11. Joint Commissioning Strategy

The Children and Families Act 2014 places a duty on local authorities to ensure integration between educational, training, health and social care provision where this promotes wellbeing and improves the quality of provision for children and young people and those with SEN. Local authorities and CCGs must make joint commissioning arrangements for SEND, including clinicians commissioning arrangements and NHS England for specialist health provision.

The aims of the Joint Commissioning Strategy are:

- To identify all children and young people who have SEND as early as possible;
- To provide empowering support for parents and carers to help them care for, and support the development of their children as early as possible;
- To ensure that all services respond swiftly to the needs of children and work towards agreed outcomes. This includes universal, targeted and specialist education, health and social care services;
- To commission co-ordinated, personalised education, health and care support for individual children and young people, with integrated Education, Health and Care Plans (EHCP) for those children needing specialist support, aimed at helping them achieve their best at school and in training and employment and enabling them to live as independent lives as possible and support their inclusion in their local communities;
- To offer choice and control to children, young people and their families about how they use the resources that are available to them through the offer of personal budgets where this is available and ensuring that they are fully involved in decision making processes.

## Recommendations

11. Cabinet is asked to:

- (i) Recommend the Council to agree and note the following reports:
  - a. Accessibility Strategy
  - b. Inclusion Policy
  - c. PVI Survey
  - d. SEND Report Guidance to Schools
- (ii) Agree to undertake wide consultation with all stakeholders on the SEND strategic aims and to receive a further report on the outcome of the consultations once available
- (iii) Note that the Joint Commissioning Strategy will be submitted to Cabinet early in the Spring Term 2017 to align with the Council and CCG budget strategies.

For the following reasons:

- (i) To continue to ensure that the needs of children and young people are met.
- (ii) To support the key principles of the Equality Act and SEND Code of Practice.
- (iii) To ensure the Council fulfils its statutory duties.

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**CONTACT:** Sheila Lock

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### Policy Context

1. The proposals in these documents are consistent with Gateshead meeting its statutory responsibilities in relation to the Single Equality Duty 2010, Disability Discrimination Act 2005 and SEND Code of Practice, 2014.
2. The proposals also directly support the delivery of the Council Plan, and Children Gateshead, the plan for children, young people and families in Gateshead.

### Background

3. The Council and its partners remain engaged in the delivery of high quality services to support SEND children and young people across Gateshead.
4. There are statutory requirements around ensuring appropriate identification, assessment and provision for children and young people with special educational needs.

### Consultation

5. A variety of agencies have been engaged in the development of these strategies and documents, details of which are included in the reports themselves.
6. The Cabinet Members for Children and Young People have been consulted.

### Alternative Options

7. There are no alternatives to these reports being presented as they are there to ensure co-production, partnership with children and young people, schools and services.
8. By publishing this suite of documents at the same time, partners have the opportunity to review the wide range of activity across SEND.

### Implications of Recommended Option

9. **Resources:**
  - a) **Financial Implications** – The Strategic Director, Corporate Resources confirms there are no specific implications arising from this report. Specific proposals arising from implementation will be presented to Cabinet for approval as required.
  - b) **Human Resources Implications** – There are no specific implications arising from this report. Specific proposals arising from implementation will be presented to Cabinet for approval as required.
  - c) **Property Implications** - There are no specific implications arising from this report. Specific proposals arising from implementation will be presented to Cabinet for approval as required
10. **Risk Management Implication** - The development of effective strategies forms part of control measures for Care, Wellbeing and Learning.

11. **Equality and Diversity Implications** – The Council supports the rights of all children, young people and their families to have access to education, including equality of opportunity in terms of accessing support, advice and guidance.
12. **Crime and Disorder Implications** – There are no specific implications for this.
13. **Health Implications** – There are some proposals in the strategy documents which should address the implications for SEND children and young people.
14. **Sustainability Implications** - No major implications.
15. **Human Rights Implications** – These documents are supportive of children and young people's rights.
16. **Area and Ward Implications** - No specific implications.



# Gateshead Accessibility Strategy 2016-2020

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# Section 1

## Context and Background

### Introduction

Improving access to education and educational achievement by disabled pupils is essential to ensuring equality of opportunity and securing their full participation in society.

This Accessibility Strategy explains how the local authority (LA) has adopted a strategic approach to planning for increased access to its schools, to the curriculum and to information. It is a revision and update of the second Accessibility Strategy (2012-2015) and restates the principles and approaches that the Council is taking on accessibility issues in education.

The strategy links with other planning processes in the LA and supports the LA's priorities and principles within the LA Safeguarding Board's strategy and particularly addresses aspects of the guidance document 'Safeguarding Disabled Children' 2009.

This policy takes in to account the 2014 Special educational needs and disability Code of Practice: 0 to 25 years statutory guidance for organisations who work with and support children and young people with special educational needs and disabilities.

### The Legislative Background

The Equality Act came into force on 1 October 2010. It effectively consolidated the disparate equality/discrimination related to legislation into a single act.

It supports the principle that

***'All children and young people who live in a school's locality, no matter what their background, circumstances or perceived ability, belong in the local community and share the same rights to quality education in their local neighbourhood school.'***

The Act has a Single Equality Duty and covers: disability, race, gender, age, sexual identity, religion and pregnancy.

The Special Educational Needs and Disability Act (SENDA) 2001 amended the Disability Discrimination Act (DDA) 1995 to prevent discrimination against disabled people in their access to education. It is unlawful for LAs or schools to discriminate, without justification, against disabled pupils (and prospective pupils) in all aspects of school life. There are two key duties:

- not to treat disabled pupils (and prospective pupils) less favourably; and
- to take reasonable steps to avoid putting disabled pupils at a substantial disadvantage.

The passing of the Disability Discrimination Act 2005 (which amended the 1995 Act of the same name) introduced a new duty on public authorities to eliminate unlawful discrimination against disabled people and to actively promote their equality and positive attitudes towards them.

The principle behind the 2001 legislation is that wherever possible disabled pupils should have the same opportunities as non-disabled pupils in their access to all aspects of education. The 2005 Act extends the definition of disability and also defines the pre-emptive approach which is required from public authorities towards disability equality.

Duties on schools and LAs and guidance on how to avoid discrimination against pupils are set out in the Code of Practice for Schools published by the Disability Rights Commission (July 2002).

## **The Lamb Report – review of SEN and Disability, 2009 reviewed**

- meeting the needs of parents
- providing greater transparency in the system
- providing a clearer focus on outcomes for children with SEN and disabled children
- improving compliance with the duties
- taking account of proposals on 21st century schools and school report cards

### **and made recommendations to bring significant change in four key areas:**

- communication and engagement with parents rather than standard information
- a reduction in the specific SEN requirements in favour of covering SEN and disability in information for all children
- an increased focus on outcomes for disabled pupils and pupils with SEN
- tighter quality assurance and accountability for meeting streamlined requirements

### **Safeguarding and disability guidance 2009 raised the following issues:**

- Dependency on others for intimate care and needs being met
- Lack of understanding and training about safeguarding and disabled children
- Reducing isolation – giving greater access to others
- Limited personal safety – creating safe environments
- Supporting communication aids

## **The Equality Act 2010 sets out the legal obligations that schools, early years providers, post-16 institutions, local authorities and others have towards disabled children and young people:**

They **must not** directly or indirectly discriminate against, harass or victimise disabled children and young people.

They **must** make reasonable adjustments, including the provision of auxiliary aids and services, to ensure that disabled children and young people are not at a substantial disadvantage compared with their peers. This duty is anticipatory – it requires thought to be given in advance to what disabled children and young people might require and what adjustments might need to be made to prevent that disadvantage.

Public bodies, including further education institutions, **local authorities**, maintained schools, maintained nursery schools, academies and free schools are covered by the public sector equality duty and when carrying out their functions must have regard to the need to eliminate discrimination, promote equality of opportunity and foster good relations between disabled and non-disabled children and young people. They **must** publish information to demonstrate their compliance with this general duty and **must** prepare and publish objectives to achieve the core aims of the general duty. Objectives must be specific and measurable.

The duties cover discrimination in the provision of services and the provision of education, including admissions and exclusions. All providers **must** make reasonable adjustments to procedures, criteria and practices and by the provision of auxiliary aids and services. Most providers must also make reasonable adjustments by making physical alterations. Schools and local authority education functions are not covered by this last duty, **but they must publish accessibility plans (and local authorities, accessibility strategies) setting out how they plan to increase access for disabled pupils to the curriculum, the physical environment and to information.**

School governing bodies and proprietors must also publish information about the arrangements for the admission of disabled children, **the steps taken to prevent disabled children being treated less favourably than others, the facilities provided to assist access of disabled children, and their accessibility plans.**

**Where a child or young person is covered by SEN and disability legislation, reasonable adjustments and access arrangements should be considered as part of SEN planning and review. Where school governors are publishing information about their arrangements for disabled children and young people, this should be brought together with the information required under the Children and Families Act 2014.**



## The Planning Duty

The 2010 Equality Act has consolidated all equality/discrimination related legislation. The 2001 (SENDA) Act also introduced a planning duty under which all LAs must produce an Accessibility Strategy for the schools for which they are responsible, and all schools must produce their own Accessibility Plans. The aims of both the LA Strategy and individual School Accessibility Plans are to improve the physical environment and increase access to the curriculum. Relevant proposals will be incorporated within the LA's capital proposals and the Asset Management Plan to ensure delivery of these aims.

Gateshead Council's first (2003-2006) Accessibility Strategy set out how the Council intended to fulfill its duties under the 2001 Act. The Strategy was also drawn up in accordance with the requirements of the Disability Discrimination Act (DDA) 1995; it took account too of the guidance provided by the Department for Education & Skills (DfES) in "Accessible Schools: Planning to increase access to schools for disabled pupils".

### **In 2005 The Disability Equality Duty was introduced into the Disability Discrimination Act (DDA) 1995 and set out:**

- A general duty - The Disability Equality Duty (DED) - take proactive steps to ensure their disabled pupils, staff and governors, parents/carers and other people using the school are treated equally.
- A specific duty requires a **disability equality scheme** to show how it will meet the general duty.

In Gateshead the Disability Equality Scheme action plan and accessibility action plan are the same plan. School disability equality schemes were developed from 2010 for a further 3 years in Gateshead. **This Gateshead document is still recommended to be used after 2015 and is attached with this policy.** The Equality Act 2010 supports a single equality plan which covers all of the protected characteristics including disability. Schools may have produced a single plan or continued a focus on their Disability Equality Scheme and action plan.

### **The second strategy (2006 -2010) further developed the objectives set out below:**

- increasing the extent to which disabled pupils can participate in the school curriculum
- improving the physical environment of schools to increase the extent to which disabled pupils can take advantage of education and associated services
- improving the delivery to disabled pupils of written information which is provided to pupils who are not disabled. This should be done within a reasonable period of time and in formats which take account of views expressed by the pupils or parents about their preferred means of communication.

## The Special Educational Needs Context

### **Principles**

Support for many children with disabilities is provided by schools and the LA through the Special Educational Needs (SEN) framework, guidance for which is set out in the SEN Code of Practice. The principles of the Code are that:

- a child with special educational needs should have their needs met
- the special educational needs of children will normally be met in mainstream schools or settings
- the views of the child should be sought and taken into account
- parents have a vital role to play in supporting their child's education
- children with special educational needs should be offered full access to a broad, balanced and relevant education, including an appropriate curriculum for the foundation stage and the National Curriculum.

These principles apply equally to children with disabilities.

Gateshead LA recognises the knowledge which parents have of their child's abilities and disabilities, and in light of the Lamb Report recommendations, seeks to work collaboratively with them in overcoming the barriers to education and life chances which each child may experience as a result of their disability or special educational needs. The Parent Partnership Service has an important role in developing and improving communication between the services of the LA, voluntary agencies, parents and children.

The LA also works in partnership with other agencies, both voluntary and statutory, in understanding children's disabilities and providing effective support. Various groups and committees support the strategic development of policy and provision in areas of SEN. These groups include representatives of parents, voluntary and private organisations as well as statutory agencies.

That Strategy is supported by the SEN Implementation Plan - Towards 2012 which sets out key actions to be achieved within specified timescales for each of the above priorities. As indicated above, many of those specific actions have direct relevance and applicability to the Accessibility Strategy.



## Section 2

# The Accessibility Strategy

## Improving the Physical Environment of Schools

The LA considers inclusive design and accessibility of the physical environment of its schools through each new building development. The LA team now have considerable experience and knowledge based on the two previous strategies and the work involved with all partners. In partnership with schools the LA will continue to support that accessibility is not a barrier to preventing pupils from attending local schools when their needs could be met there.

### Context

The planning duty on schools and LAs includes improvements to the physical environment of schools and the provision of physical aids to education. Such improvements may include unique facilities located to be accessible to all users. Improvements could also be achieved by the reallocation of rooms for particular specialisms, the removal of obstructions from circulation areas, improving the acoustic environment and changing classroom layouts. Physical aids to education could include the provision of specialist seating or desks, and ICT equipment.

These improvements will be accessible to all users.

The LA recognises the need to work positively with governing bodies of schools to assist them in understanding their additional responsibilities under the *Equality Act*, including the planning duty and, where appropriate, to plan jointly the improved accessibility of school buildings and facilities. The 2006-2010 Accessibility Strategy has successfully facilitated a broad range of developments across schools based on its minimum criteria (see Appendix A).

Following commencement of the Accessibility Strategy in 2006, 100% of Primary/Infant/Junior Schools received a visit from the Local Authority, whereby the minimum standards set out within Appendix A were discussed. This included scoping any accessibility requirements, with a view to programming works in subsequent Capital Programmes.

The Accessibility Strategy 2006-2010 set thirteen minimum standards for schools to achieve. These standards, following consultation with schools, were to be achieved by a combination of building works and the school implementing management plans to manage certain aspects/situations.

Following commencement of the Accessibility Strategy in 2006, identified works in schools have now been completed as far as practically possible.

To date there are 4 Primary Schools in the Borough where it is not considered feasible to carry out the accessibility upgrade works due to extremely high costs or existing site constraints.

This new strategy intends to refresh all partners on the considerations that need to be taken for those pupils with a range of disabilities and impairments.

### Resources

It is important that the schools consider the long-term access needs of the school. Schools should use the routine refurbishment and other maintenance and equipment budgets to improve the physical environment of the school. The *Equality Act* requires schools to resource their Disability Equality Schemes/ Accessibility plans adequately. Schools should recognise the costs of implementing the plan as legitimate expenditure which should be incorporated into current budget commitments.

Funding sources available to schools which could assist in improving access are currently extremely limited. Previous funding streams such as the Schools Access Initiative are no longer available.

**Note** - *The Equalities Budget for the whole Council departments for 2015/16 is £250k and is fully allocated basic on a scoring matrix and highest priority. This level of funding will drop to £100k by 2017/18, again for the whole borough. There is no other funding, other than Schools Capital Maintenance which can only address condition relating issues.*

Schools should use the repairs and maintenance budget to maintain the standard of accessibility upgrade works already carried out.

Despite limited funding opportunities, as stated previously, the LA Team has built up considerable knowledge regarding inclusive design and accessibility to the physical environment. Schools are encouraged to utilise this source of advice when developing construction projects in their schools to ensure the project is as inclusive as possible.

## Proposals

The LA will:

- ensure that any new buildings planned take full account of the needs of pupils with disabilities and, where appropriate, of other members of the community
- maintain the number of existing, accessible mainstream schools across the borough, both at primary and secondary levels, to ensure that the pupils can access education in their local community
- support and collaborate with schools in making incremental improvements to accessibility
- where possible, and within resources, consider other improvements in line with *Building Bulletin 102* when minimum accessibility criteria have been met
- seek the assistance and expertise of user groups and voluntary agencies to continually inform and develop the strategy

## Improving Provision and Access to the Curriculum

### Aim

To provide ongoing support and advice to schools in order to:

- raise awareness of disability equality and access issues
- encourage schools to develop curriculum policies which reflect inclusive practice
- enable all pupils - whatever their needs - to have access to the full range of curricular and extra-curricular activities as appropriate, with a consequent effect on their achievements and progress.
- Improve the quality of teaching for pupils with special educational needs and disability (SEN/D)

### Context

The new DfE National Curriculum 2013 states in Chapter 4 the following:

#### **Responding to pupils' needs and overcoming potential barriers for individuals and groups of pupils**

Teachers should take account of their duties under equal opportunities legislation that covers race, disability, sex, religion or belief, sexual orientation, pregnancy and maternity, and gender reassignment.

A wide range of pupils have special educational needs, many of whom also have disabilities. Lessons should be planned to ensure that there are no barriers to **every** pupil achieving. In many cases, such planning will mean

that these pupils will be able to study the full national curriculum. The **SEN Code of Practice** includes advice on approaches to identification of need which can support this. A minority of pupils will need access to specialist equipment and different approaches. The SEN Code of Practice outlines what needs to be done for them.

With the right teaching, that recognises their individual needs, many disabled pupils may have little need for additional resources beyond the aids which they use as part of their daily life. Teachers must plan lessons so that these pupils can study every national curriculum subject. Potential areas of difficulty should be identified and addressed at the outset of work.

The Local Authority (LA) ensures that all advice, monitoring and support which is offered to schools supports these areas of focus for pupils with special educational needs and disabilities. Key LA services include: Education Gateshead, SEN commissioning service and Parent Partnership.

The LA is committed to the inclusion of pupils with disabilities in its mainstream schools, and has established Additionally Resourced Mainstream Schools (ARMS) for some areas of special educational needs. Appendix B

Early Years practice also promotes the development of inclusive early year's provision. All pre-school children, including those with disabilities, have access to good quality early education, from the beginning of term following their third birthday.

Regulations and guidance on off-site activities and educational visits support schools in ensuring that pupils have equal opportunities to participate in off-site educational, residential and adventurous activities.

In acknowledging that barriers to learning can be emotional as well as intellectual and physical, the LA promotes flexibility of response and a continuum of provision within its schools.

## **Training**

There is a well-established continuing professional development programme with a clear SEND thread. Training to overcome barriers to curriculum access is embedded within this framework as identified within its strategy for school improvement. Within the governor training programme there is a strong focus on governors' responsibilities as defined within Education Acts and SEN Code of Practice.

There is guidance available for schools on SEN issues and a model Disability Equality Scheme adopted by schools with attached action plan.

Safeguarding and disabled children is included in the training for schools. Issues on bullying, discrimination, access to curriculum and communication are covered. Specialist courses on moving and handling, Makaton, intimate care are available. A separate intimate care guidance document has been produced by the LA and given out to schools.

## **Monitoring and support**

The LA and Ofsted uses categorisation approach for schools, which incorporates judgments on how effectively schools achieve educational standards and on their level of educational inclusion. Schools will not be judged as good or outstanding unless there is evidence that they have identified and appropriately addressed access issues in teaching and learning, and inclusion within the school community and the physical environment. It is the LA's aim that increasing numbers of schools, year on year, should be judged as good or outstanding with regard to both standards and accessibility. This is monitored through the School Intervention Support Programme (SISP). All Gateshead schools can apply to do Gateshead's Inclusion Standard. This is a self-evaluation process which supports schools in identifying their evidence for inclusive practice including accessibility. A large number of schools have attained good level with some moving to outstanding. This strategy provides a focus for developments in school that will be underpinned by the principles of the Inclusion Standard.

## **Multi-agency involvement**

The LA promotes work with other statutory and voluntary agencies as well as parents and carers in evaluating practice and proposing developments.

## Proposals

The LA will:

- make available cohesive advice and training on issues relating to the delivery of an accessible curriculum
- provide advice and guidance on access as part of its curriculum guidelines
- ensure training supports the development of teacher and support staff skills
- include accessibility within school self-evaluation documents, such as, the Inclusion Standard
- update disability equality scheme proformas/accessibility plans

## Improving the Delivery of Information

### Aim

To increase awareness within schools of the importance of accessible information for pupils with special educational needs, and promote the provision and publication of appropriate advice, guidance and resource materials, especially through new technologies.

### Context

The planning duty requires written information normally provided by a school to be made available to disabled pupils. Such information should take account of pupils' disabilities, as well as the preferred formats for pupils and parents; it should also be made available within a reasonable time frame. The Code of Practice for Schools from the Disability Rights Commission suggests that disabilities should include not just physical difficulties, learning difficulties, hearing &/or visual impairments, but also mental health conditions and certain medical conditions (such as epilepsy and diabetes).

Although the duty relates primarily to written information, schools will be advised to consider how other formats (for example, spoken information) could be made available to parents and pupils who have hearing and visual impairments. This could include a recognition of British Sign Language and similar formats, the use of signers at school functions, the availability of portable induction loops for use at parents' evenings and so on.

The implementation of the Disability Equality Duty requires public bodies, including schools and local authorities, to promote equality of opportunity for disabled people. They must have due regard to the need to:

- eliminate unlawful discrimination and harassment against disabled people
- promote equality of opportunity for disabled people
- promote positive attitudes towards disabled people &
- encourage disabled people to participate fully in public life.

Schools are required to report on their Disability equality schemes/Single equality plans and the outcomes for pupils.

### Actions

The LA will:

- advise and update schools on specific special educational needs and disabilities
- prepare and update guidance notes for schools on making written information available in alternative formats
- make relevant in-service training programmes available to support provision for pupils with SEN/D
- update information in alternative formats relating to central processes such as statementing, reviews and admissions

- support schools in making school information and communication available in Braille and large print formats for pupils and parents with visual impairment
- provide access to sign language support for school information and communication for pupils and parents with hearing impairment
- offer support, information and training in respect of the duties under section 3 of the DDA 2005/Equality Act 2010 for schools to promote equality of opportunity for disabled people .

## Monitoring the Strategy

1. It will be the responsibility of named officers in the LA to ensure that the actions and targets in the proposals outlined above will be carried out and achieved in fulfillment of this strategy.
2. It will be the responsibility of the Inspector for SEN/Inclusion to monitor the overall implementation and effectiveness of its Accessibility Strategy.
3. The Inspector will fulfil specific components of the Strategy :
  - review School Accessibility Plans and Disability Schemes and/or Single Equality plans
  - provide support to the LA SEN Strategy group on accessibility issues
  - Provide reports to key groups within the council as requested.

## Recommendations

- Ensure that new building programmes maximise opportunities to provide environments to support the further development of the SEN/Inclusion Review.
- Ensure all training supports disability and safeguarding to raise expectations and meet policy guidance.
- Identify how more complex buildings can have some works, within reasonable use of the budget, to improve physical and/or curriculum access. Appendix C
- Identify opportunities, within the resources available, to enhance some programmes linked to the guidance in Appendix A
- Ensure schools have a duty to comply with the Equality Act 2010, following completion of planned works, including repair and maintenance of facilities and equipment.

# Appendix A

## Accessibility criteria and standards for maintained schools (Accessibility Strategy 2006)

In order to achieve a minimum level of accessibility by disabled pupils the LA has adopted the following criteria and descriptors. Schools will have:

- Physical environment
- One level marked and signed disabled parking bay and/or drop-off point
- Level/ramped access to main entrance and at least one additional exit
- Appropriate signage on all approaches to main entrance from parking bay/drop-off point
- Appropriate arrangements for communication at the reception desk with at least an induction loop for hearing aid users, and possibly one or more of the following aids -
  - CCTV
  - drop down counter
  - intercom
- Appropriate signage throughout the school
- Access to essential curriculum areas
- Access to at least one play area
- Access to dining facilities
- Access to disabled toilet facilities (in accordance with British Standard and Building Regulations)
- All stairs and steps to have contrast edging and dual height handrails or banisters
- Risk assessment in place to determine the means of escape
- Personal evacuation plans for every disabled pupil and staff member

### Other requirements

- staff to have undertaken disability awareness training and basic inclusion training
- appropriate training to the needs of the children admitted
- appropriate equipment to ensure that most of the curriculum is accessible
- knowledge of pupils' and parents' requirements for alternative formats for written information, and their preferred means of communication

This list outlines the minimum essential elements to meet the LA's definition of an accessible school. It does not, of course, constitute a complete catalogue of all components to be considered in all schools. Some schools may have to examine their door openings, for example, to ensure that they can be used by a wheelchair user independently; others may have to buy chairs with proper back and arm support; others may find it helpful to have further portable induction loops.



# Appendix B

## A list of primary Additionally Resourced Provision - ARMS

Rowlands Gill	Complex Needs	KS2
High Spen	Hearing Impairment (HI)	EYFS/KS1/KS2
St Wilfred's	Complex Needs	EYFS/KS1
Brandling	Speech and language	KS1/KS2
Swalwell	Physical Disability	EYFS/KS1/ KS2

# Appendix C

## Designing for Pupil's needs – A checklist for consideration

Pupil's need	Typical support requirements	Design Issues	Space needed in classroom for
<b>Sensory and / or physical</b>			
<b>Hearing impairment HI</b>	Use of CCTV; HI Teaching strategies; oral signing; HI learning & communication support; SPLG therapy & social skills training; audiology & HI assessment.	Avoid distraction: low sensory stimulus and subdued colours; good quality low glare lighting, avoiding shadows and silhouetting; good quality acoustics, low background noise; visual alarms, sound-field systems, hearing loops; storage & maintenance of technical aids.	Signing, communication worker, U shaped or other layout for good visibility; visual aids / ICT/TV/CCTV; radio aids.
<b>Visual impairment VI</b>	VI specialist aids eg tactile and visual aids , Braille, CCTV viewers, ICT text magnification, speech and sound output; VI teaching strategies; VI support by mobility training officer	Good quality ambient & task lighting & controls; visual contrast cues, symbols, tactile trails & maps; good acoustics, low background noise, speech and audio aids, sounder alarms, H&S warnings; VI resource room; storage and maintenance of technical aids	Clear, safe uncluttered layout; specialist (eg tactile and visual) aids; adapted ICT
<b>Physical disability PD</b>	Learning and mobility aids, scribe, adapted ICT, communication aids, assistive technology; use of hoists, mobility aids; occupational, physio - & hydrotherapy; personal carers, nurse, medical and / or health care support	Higher accessibility standards; much bulky mobility equipment (independent or assisted use), equipment store, storage bays off corridors; H&S risk assessments: manual handling; shallow pitch stairs, rest places; hygiene and infection control; assisted and emergency escape, evacuation lifts and safe refuges; space for carers & equipment storage; place for rest and respite; large equipment storage spaces	Learning & communication aids, adapted ICT, assistive technology; scribe, assistant, carers, occupational therapist; specialist adjustable height FF&E; equipment storage; movement & circulation (some bulky mobility aids)
<b>Multi-sensory impairment MSI</b>	Visual, tactile, mobility, communication aids and multi-sensory work; varied support as needed; MSI assessment, 1-1 learning and behaviour work; soft play room	As for HI and VI: clear, simple layout for sensory wayfinding with visual, audio and tactile cues; good quality non-glare lighting; good quality room acoustics, no background noise; greater use of mobility aids, hoist & hydrotherapy (as PD) ; large store	Individual or small groups, with HI, VI, MSI workers; practical learning aids; multi-sensory work; adapted ICT & access technology; flexible use of FF&E

Continued on next page

Pupil's need	Typical support requirements	Design Issues	Space needed in classroom for
<b>Communication and interaction</b>			
<b>Autistic spectrum disorder ASD</b>	Learning and behaviour support; social skills programmes in class and by withdrawal; specialist ASD teaching approaches; specialist ASD resource base	Simple layout: calm, ordered low stimulus spaces, no confusing large spaces; indirect lighting, no glare subdued colours; good acoustics, avoiding sudden / background noise; robust materials, tamper-proof elements and concealed services; possibly H&S risk assessments; safe indoor and outdoor places for withdrawal and to calm down.	Varying approaches; structured activities using ICT and FF&E; position of child in class; screened workstations; safe quiet place to calm down
<b>Speech, language &amp; communication needs SLCN</b>	Social skills support; learning and communication, synthetic speech production equipment, assistive technology, SpLg therapy; learning and behaviour support	Easily understood whole school layout with clear signage; good lighting, room acoustics and sound insulation; sound-field systems, extra ICT and associated services	Position of child in class; use of signs, symbols, communications aids and synthetic speech production equipment; SpLg therapy

Pupil's need	Typical support requirements	Design Issues	Space needed in classroom for
<b>Cognition and learning</b>			
<b>Specific Learning difficulty SpLd</b>	3D learning aids; occupational and / or physiotherapy; learning, behaviour / speech & language (SpLg) support	Good acoustics for SpLg therapy; storage for learning aids; SEN resource base	Learning aids, ICT; practical work, flexible layouts for movement work, appropriate positioning of child in class
<b>Moderate learning difficulty MLD</b>	SpLg therapy; learning & behaviour; support; social skills training	Good visibility for supervision; good acoustics for SpLg; H&S risk assessments; storage for resources and learning aids; SEN resource & specialist base	Learning aids, ICT; practical work; flexible use of FF&E; appropriate positioning of child in class
<b>Severe learning difficulty SLD</b>	3D learning aids; multi-sensory work; adapted ICT; social skills & independence training; SpLg therapy; learning & behaviour support; physio - , occupational & hydrotherapy	Good visibility for supervision; wayfinding to aid independence; good acoustics for SpLg therapy; specialist SEN support; H&S risk assessments; storage & use of mobility / learning aids	Multi- sensory and practical activities; learning aids, ICT; flexible use of FF&E; movement and circulation (some mobility aids) additional support staff
<b>Profound &amp; multiple learning difficulty PMLD</b>	3D learning aids; multi-sensory work; sensory impairment support; SpLg therapy; occupational' physio-and / or hydrotherapy; medical & personal care; soft play	As SLD but more space for greater support, storage and concentration of needs; higher accessibility standards; intensive use of mobility aids & hoists; H&S risk assessments: manual handling, infection control; storage and use of mobility and learning aids	Multi-sensory, practical & therapy work; adapted ICT & access technology; additional staff; flexible use of FF&E; movement and circulation (bulky mobility aids)
<b>Behaviour, emotional and social development</b>			
<b>Behaviour, emotional and social difficulty BESD</b>	Behavioural, cognitive, social skills support; learning mentors; social workers, educational psychologists, mental health service (CAMHS)	Good sightlines, balance between privacy and ease of overseeing children; secure storage; robust materials, tamper proof FF&E & concealed services; H&S risk assessments; large spaces for social and outdoor activities	Avoiding distraction and conflict; varying layout (eg separated or grouped tables); supervision; developing social skills; quiet corner





## SEN/D Strategic Aims for Children and Young people 0-25

### Working in partnership with education, health and care commissioners and providers and service users

- To develop and deliver cohesive, outcomes focussed education, health, care services and support systems which give children and young people the best opportunity to engage, achieve, succeed, and progress
- To agree arrangements and protocols that enable a partnership approach to:
  - Identifying need
  - Structured information gathering and sharing
  - Joint or collaborative service planning
  - Joint or collaborative commissioning
  - Efficient delivery
  - Effective monitoring
  - Evaluation and analysis
- To develop and maintain comprehensive, accurate data and information to understand need and inform service planning, development and delivery
- To ensure that children, young people and families have access to timely assessment that enables intervention at the earliest opportunity
- To establish and maintain co-ordinated information and advice services that are accessible and support decision making and choice
- To co-ordinate services so that transitions are smooth and support is continuous
- To provide opportunities for children, young people and families to contribute to the design, delivery and evaluation of services
- To adopt best value principles in directly provided and commissioned services

### We will know we have succeeded when:

- Outcomes demonstrate that children and young people have access to and are receiving *high quality* education, health and care services and support
- Service developments are proactive and clearly based on an *accurate understanding* of types and levels of need derived from *comprehensive and co-ordinated information systems*
- Children, young people and their families *actively engage* with education, health and care professionals in identifying service development priorities
- Education, health and care services *co-ordinate their communication arrangements* and families report that they can easily access appropriate information, advice and guidance
- Education, health and care professionals work together in ways that ensure that children, young people and families experience *seamless access to and progression through services*
- Targeted joint commissioning which delivers *best value* is routinely undertaken
- The system is driven by “*Total Quality Assurance*” principles

Draft

# **Gateshead Local Authority**

## **Inclusion Policy for Special Educational Needs and Disabilities**

## **Gateshead Local Authority**

### **Inclusion Policy for Special Educational Needs and Disabilities**

#### **Introduction**

Gateshead Council has based its policy for special educational needs and disabilities (SEND) on the belief that all children, whatever their abilities, share common needs as learners and they should have access to a curriculum that responds to their individual needs.

The Council recognises that most children with identified SEND can, and should be, taught in mainstream schools but also recognises that some children may have needs which are exceptional and that arrangements may need to be made to ensure they reach their potential.

The Council will seek to ensure that its policies, procedures, advice, guidance and resources support a policy of inclusion where this best meets the needs of the child. This will include enabling Gateshead's special schools to increase the range of needs they are able to meet successfully and to contribute to the development of good practice in mainstream schools and settings. Enabling Inclusion will be the key goal in the SEND Strategy.

#### **Aims**

Gateshead Council aims to provide the highest quality of education for all young people and seeks to offer a continuum of provision which will enable:

- pupils' needs to be met in as inclusive a setting as possible;
- pupils to have access to the broad, balanced and relevant curriculum to which they are entitled;
- high expectations to be set for all pupils including those with SEND;
- a focus on the participation of children and young people and parents in decision making at individual and strategic levels
- focus on high aspirations and improving outcomes for children and young people.

#### **Continuum of Provision**

The continuum of provision available within Gateshead Council includes:

- support from within the delegated resources of mainstream schools;
- provision of targeted support from centrally held resources for pre-school children;
- placement in additionally resourced provision in a mainstream school
- placement in a special school maintained by the Council.
- in exceptional circumstances, in order to meet a child's needs satisfactorily, the continuum may be extended to include:
  - placement at a special school maintained by another Council;
  - placement at a non-maintained or independent special school.



## Definitions

The Council uses the terms “**special educational needs**”, “**special educational provision**” and “**learning difficulties**” in ways defined by the Children and Families Act 2014. The term “**disability**” is linked but distinct and is used as defined in the the Special Educational Needs and Disability Regulations 2014.

The Council recognises that special educational needs can arise when the experience, skills, knowledge and abilities a child brings to school or educational setting require adjustment in any or all of the following:

- The physical environment;
- The social environment;
- The curriculum and how it is delivered;
- The nature and level of additional support available to the pupil, family, school or educational setting.

An **individual need** becomes a **special educational need** when a child requires different or exceptional provision from that which is generally available. The LEA is committed to increasing the range of what is generally available to ensure individual needs do not become special educational needs.

**Exceptionally able** or gifted children and those for whom **English is an additional language** are excluded from this definition, unless they have an identified special educational need.

The Council is mindful of the Equality Act 2010 which sets out the legal obligations that schools, early years providers, post 16 institutions and others have towards disabled children and young people.

## Key Principles

- The special educational needs of pupils should normally be met in mainstream schools or settings unless it is necessary for special educational provision to be made for them.
- If a child’s parent or young person with an Education, Health and Care Plan makes a request for a particular nursery, school or post-16 institution, then the local authority must agree with this request unless:
  - it would be unsuitable for the age, ability, aptitude or SEND of the child or young person, or
  - the attendance of the child would be incompatible with the efficient education of others or efficient use of resources.
- **In addition:**
  - All pupils should have access to a curriculum and teaching and learning strategies which maximise achievement.
  - The views of children and young people should always be sought and taken into account.
  - Opportunities should be taken to develop the role of parents in supporting their child’s education.
  - Children’s special educational needs should be identified as early as possible.

- Provision to meet children's special educational needs should ensure value for money and equality of opportunity.
- Effective partnerships should be established with key partners, including Social Services and Health, to develop policies and practices that are co-ordinated and best meet the needs of children, young people, parents and carers.

## **Roles and Responsibilities**

### ***Role of the Council***

The LEA/School Relations Code of Practice 2001 sets out guidance on the relationships between Councils, Governing Bodies and schools in seeking to ensure success for all children.

In Gateshead, the Council will provide leadership, challenge and support in order to:

- ensure the development of an inclusive educational system;
- ensure statutory frameworks are implemented efficiently;
- develop the knowledge and skills of all staff working with pupils with SEN to ensure children achieve their potential;
- ensure there is close co-operation between relevant external agencies and a multi-agency approach to meeting the needs of pupils with SEN;
- ensure arrangements for SEN are kept under review and publish information on how the Council is meeting its obligations under the SEN and Disability Regulations 2014;
- provide advice and guidance to schools to support the implementation of the SEND Code of Practice and SEND Regulations 2014;
- publish plans, strategies and targets in relation to the identification, monitoring, assessment and support for pupils with SEND.

### ***Role of Schools***

The vast majority of pupils identified as having SEND will be educated in mainstream schools. Responsibilities towards pupils with SEND are highlighted in the Children and Families Act 2014 and the Special Educational Needs and Disability Code of Practice: 0 to 25 Years. The Council will work in partnership with schools to ensure these responsibilities are met.

Gateshead Council recognises the important part special schools play in the development of an inclusive education system and strives to support the development of strong partnerships between special schools, mainstream schools and other resourced provisions. The LEA will work closely with special schools to ensure specialist provisions can be offered to mainstream schools.

Governing Bodies of mainstream and special schools will need to:

- ensure that responsibility for meeting the needs of all children, including those with SEND, is shared by all in the school;
- ensure they are clear about their arrangements for co-ordinating special educational provision for those with and without Education, Health and Care Plans within school;
- determine the school's SEND policy and establish appropriate staffing and funding arrangements to meet the needs of pupils with SEND;
- promote high standards for pupils with SEND in line with the requirements of the Education and Inspections Act 2006;
- have regard to the SEND Code of Practice

- ensure the curriculum addresses the needs of pupils with SEND;
- demonstrate that the funding, equipment and resources allocated for SEND are deployed effectively.

### ***Role of Early Years Settings***

- to develop, review and report on their SEND policy;
- to understand that the accountability for meeting the needs of all children, including those with SEND, is shared by all in the setting;
- to ensure that effective arrangements are in place for the early identification and assessment of individual needs.

### ***Role of Support Services***

- to enable schools to meet a wide range of special educational needs by providing advice, training and support, and, where appropriate targeted provision;
- to enable the Council to meet its statutory responsibilities towards children and young people with SEND, in conjunction with schools;
- to work closely with schools, parents, carers and other support services to ensure that high quality provision and resources are allocated equitably and efficiently;
- to contribute to the Council's Continual Professional Development Programme;
- to support the Council's procedures for monitoring processes for referrals, provision and pupil progress.

### **Arrangements for Identification and Assessment**

The Council will seek to fulfil its duty to keep its procedures for assessing and meeting special educational needs under review and will ensure:

- a child's needs are identified as early as possible and interventions are reviewed regularly;
- assessment and intervention is based on partnership with those who have special educational needs and disabilities, together with their parents and carers;
- assessment and provision empowers young people, taking their views into account in order that they can make a contribution to decision-making;
- assessment and intervention involving multiple agencies should be co-ordinated rather than separately planned and delivered.

Decisions about placement will be made in a number of ways but always with the oversight of the SEND Panel. Decisions about the strategic development of SEN in Gateshead will be made in the SEND Strategy Group which meets on a termly basis to review all aspects of SEND provision.

### **SEN Policies in Early Years Settings and Schools**

The LEA will seek to support all early years settings and schools with the implementation of an SEN policy which takes account of statutory requirements in the interests of ensuring co-ordinated SEN provision within the Borough as a whole. The LA will also ensure Pupil Referral Units have an appropriate SEN policy.

### **Arrangements for Co-ordination and Collaboration with Other Local Authorities**

Pupils from Gateshead attend special school and units in other local authorities and children from other areas attend schools in Gateshead. Gateshead Council is committed to developing effective partnerships with other local authorities to ensure the needs of pupils

with SEND are met. Gateshead Council will seek to ensure all schools are supported in ensuring that the following are in place.

- Open and effective communication.
- Clear and agreed procedures.
- Arrangements for early review of placements should any difficulties arise.

### **Sharing Good Practice**

Gateshead Council values the opportunity to celebrate success and will continue to support schools and settings with the identification and sharing of good practice. The Council seeks to build on and improve communication with and between schools and will maintain and develop an effective programme of continual professional development to ensure SEND issues and initiatives are discussed fully.

### **Monitoring and Evaluation**

The Council will continue to update and develop its procedures for monitoring the implementation of the SEND policy and evaluating its impact on provision for pupils with SEND.

The Council ensures the policy is subject to a regular cycle of monitoring, evaluation and review with reference to the following success criteria:

- an improvement in the quality of SEND policies as judged through systematic monitoring of a sample submitted to the Council;
- a year on year improvement in the quality of Support Plans as judged by a random sample submitted to the Council;
- significant progress towards ensuring statutory assessments are completed within prescribed time-scales;
- annual growth in the numbers of teachers and support staff completing relevant training with reference to the priorities of the Education Development Plan;
- an improvement in the quality of procedures for setting targets for pupils with SEND

## PVI Monitoring Survey — October 2016

A survey was sent to all 55 PVI settings in Gateshead (Day Nursery settings and Pre-schools) during October 2016. 47 settings responded, giving a return rate of 85%. Not all respondents answered every question. The data in the charts reflects the number of settings that answered the individual question.

The aim of the survey was to monitor the SEND provision in PVI settings and for the Area SENCOs to identify priorities for development and improvement in their support to PVI settings.

Information was collected in the following areas:

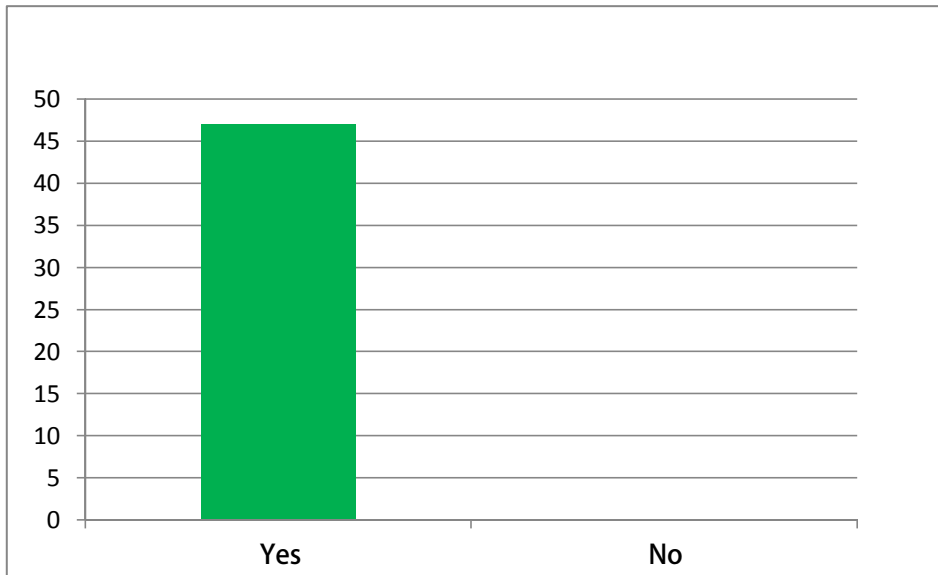
1. The SENCO
2. Early identification and intervention
3. Early Years Pupil Premium
4. Monitoring and Tracking
5. SEND Policy
6. Self-Evaluation
7. Area SENCO support

Following analysis of this survey long-term priorities for development have been set by the Area SENCOs.

## Survey results

### 1. The SENCo

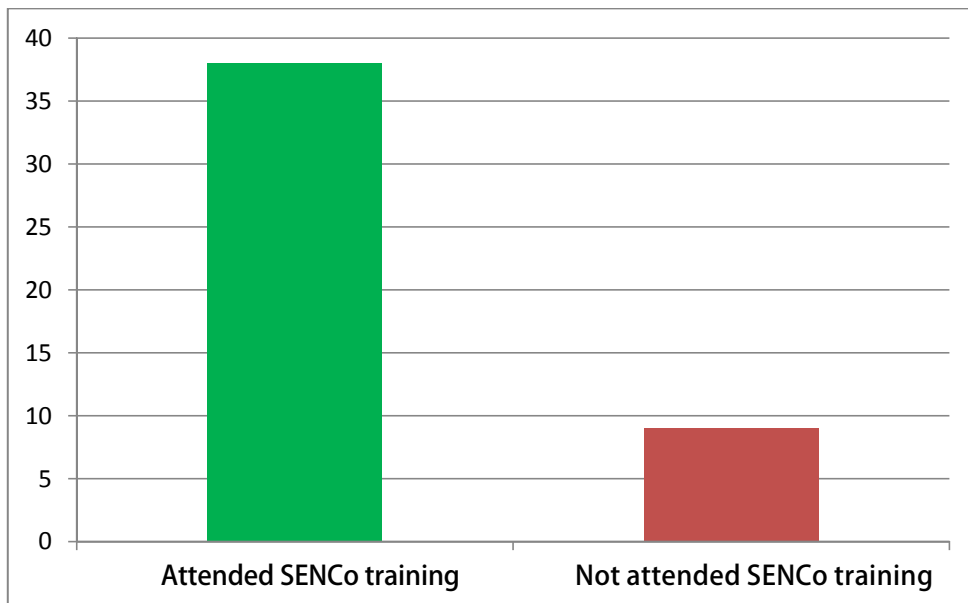
Q1 — Does your setting have a named SENCo in place?



Summary:

All settings have a named SENCo in place.

Q2 — Has the SENCo attended SENCo training (Managing SEN in the Early Years Part 1 and 2)?

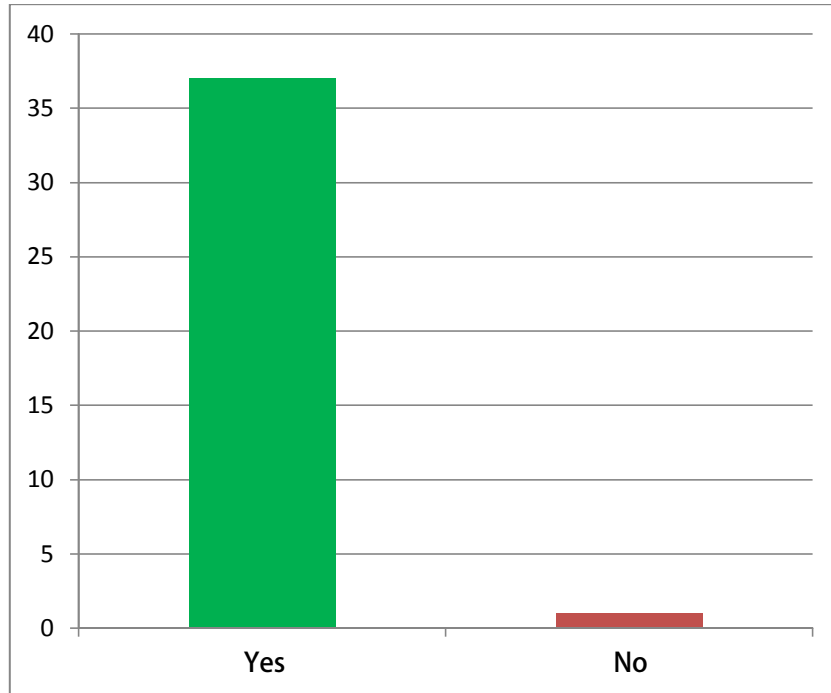


Summary:

81% of settings have attended SENCo training in Gateshead and 19% have not.

## 2. Early identification and intervention.

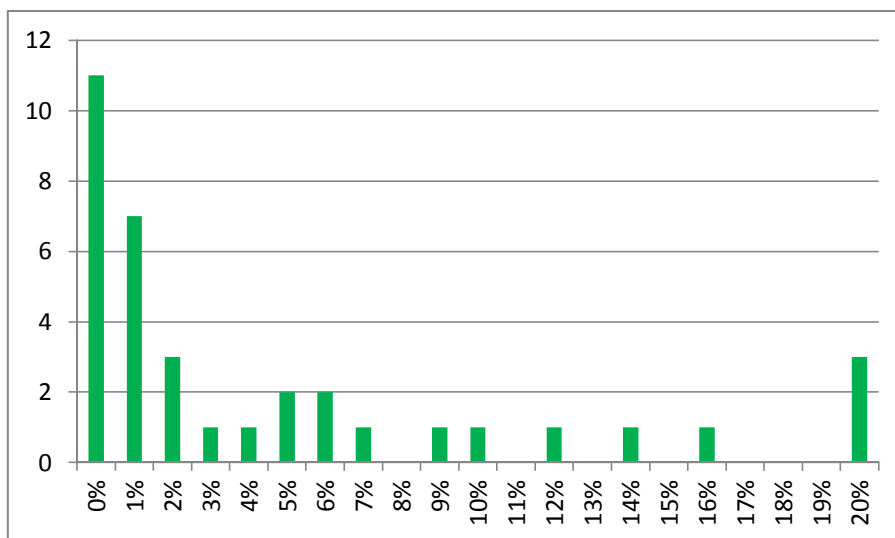
Q3 — Do you feel confident in identifying when and where children may need extra support?



Summary:

97% of settings felt confident in identifying when and where children may need extra support and 3% (1 setting) did not.

Q4 — What percentage of children in your setting have been identified as having special educational needs or disability (requiring SEN support or have an Education Health Care Plan in place)?



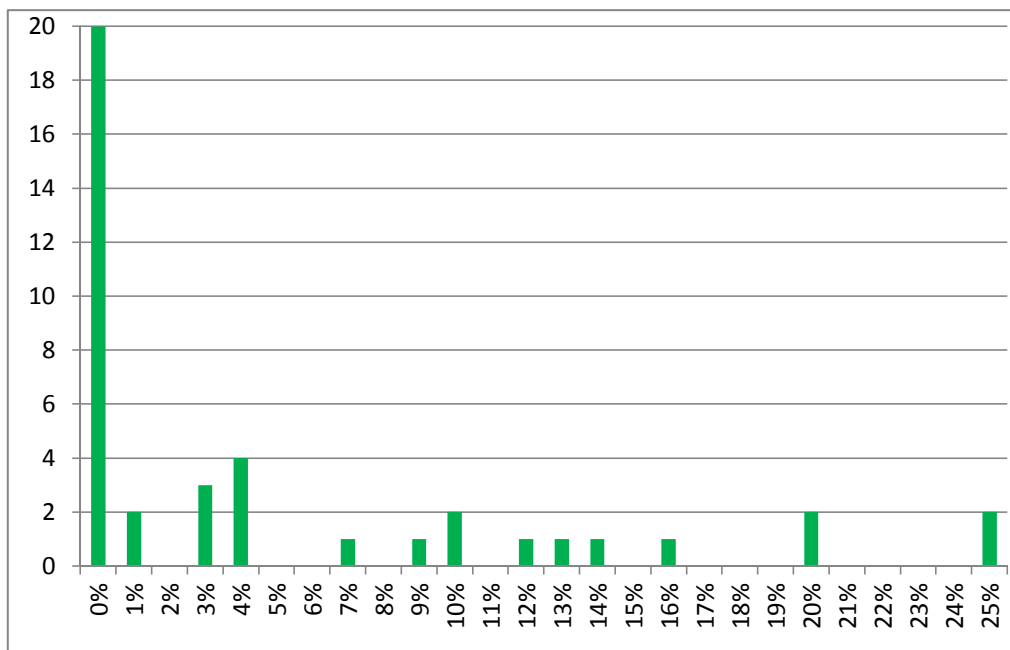
Summary:

Nationally, 14.4% of pupils had special educational needs in 2016, *Special educational needs in England: January 2016 (Department for Education)*.

The figures received in this survey ranged from 23% of the settings that responded having no children with special educational needs or disabilities attending to 6% of the settings that responded having 20% of children identified. It should be noted that this survey was sent out at the beginning of the academic year, which may influence the figures given.

### 3. Early Years Pupil Premium

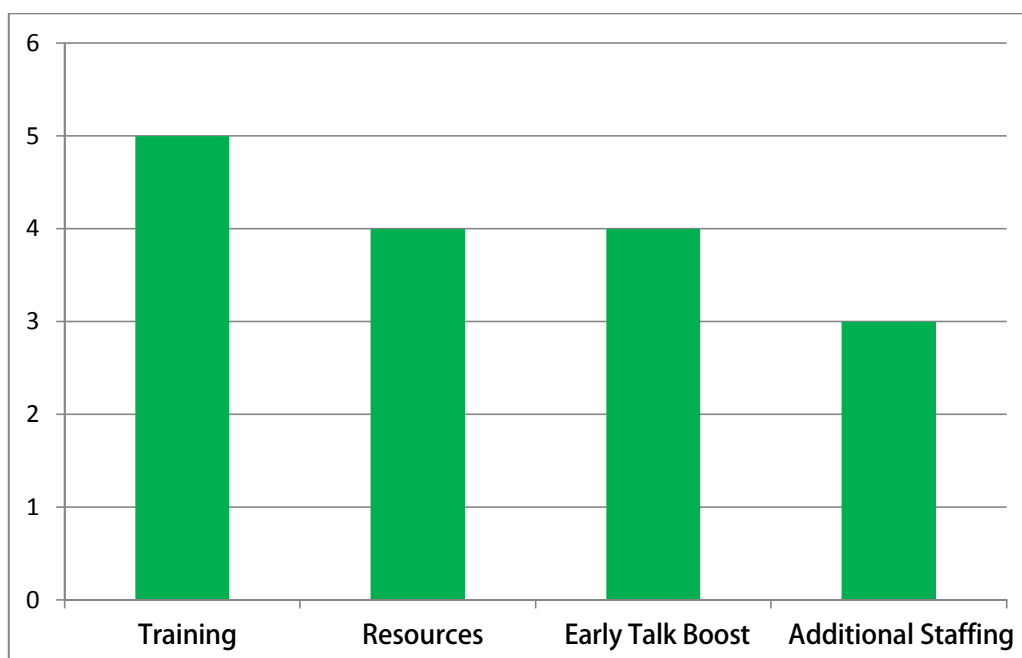
Q5 — What percentage of children receive Early Years Pupil Premium?



Summary:

From the responses received, 16 settings received Early Years Pupil Premium. There were huge variants between the amount of EYPP settings received, ranging from 59% receiving no EYPP and 6% receiving EYPP for 25% of its children.

Q6 — How has the Early Years Pupil Premium been used to support children?

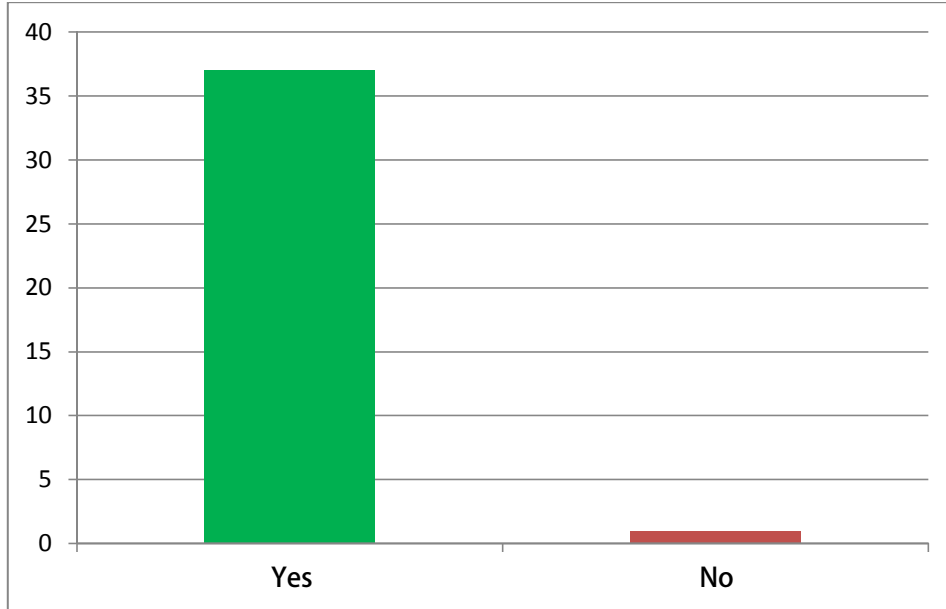


Within the settings receiving EYPP 31% used the premium for training, 25% for speech and language training / Early Talk Boost, 25% for resources and 19% for additional staffing.



## 4. Monitoring and Tracking

Q7 — Do you analyse and review tracking information regarding children with SEND?

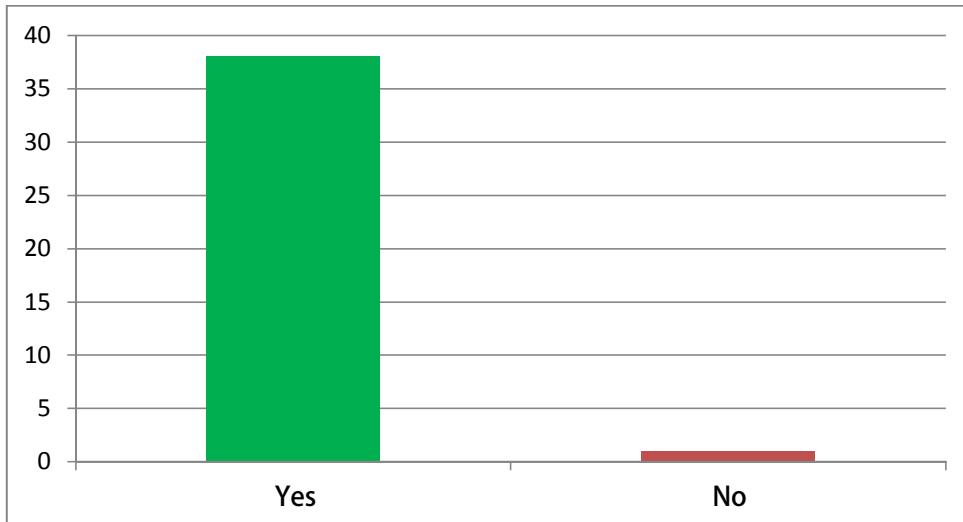


Summary:

97% of settings stated that they analyse and review tracking information regarding children with SEND. 3% (1 setting) did not.

## 5. SEND Policy

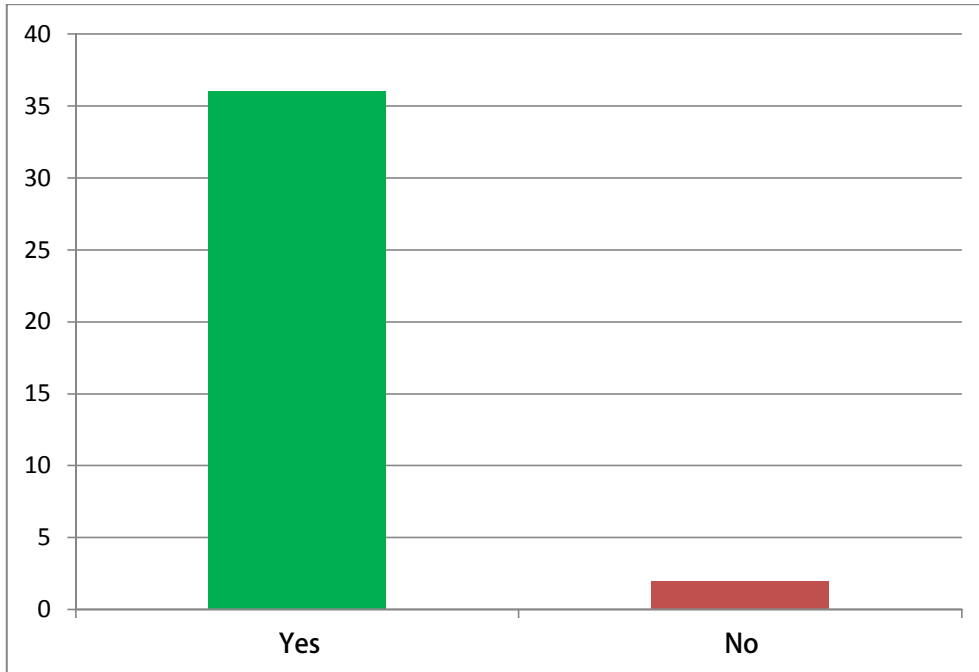
Q8 — Does your setting have SEND policy in place?



Summary:

97% of settings stated that they had a SEND policy in place. 3% (1 setting) did not.

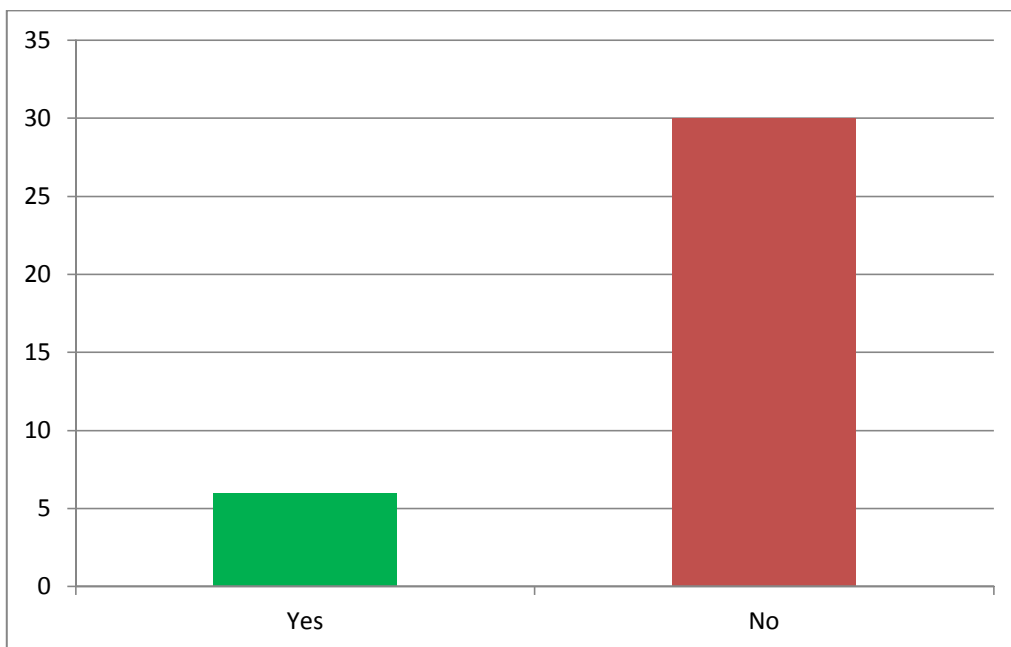
**Q9 — Is your SEND policy shared with parents?**



**Summary:**

95% of settings stated that they shared their SEND policy with parents. 5% (2 settings) did not.

**Q10 — If you have a website, is your SEND policy published online?**



**Summary:**

Only 17% of settings published their SEND policy online and 83% did not.

36 settings stated how they shared their SEND policy with parents.

Their responses included:

- copies sent home periodically and upon request. Also available to view in the school office at any time.
- it is available for them to see at any time, and can be emailed out on request as well
- our policies are available on our website
- website, parents policy file
- policy reviews termly
- available in parent handbook
- displayed, emailed
- parent leaflet
- Pre school prospectus
- during parent induction
- paper copy
- policy folder and displays
- all policies are available in group
- parents pack
- available on request and informed on updates via newsletter
- discussed on commencement
- emailed and registration pack
- on request
- policy is in parents information pack when they first start
- ease of access and highlighted aspects
- on web site and hard copy
- copies available

## 6. Self-Evaluation

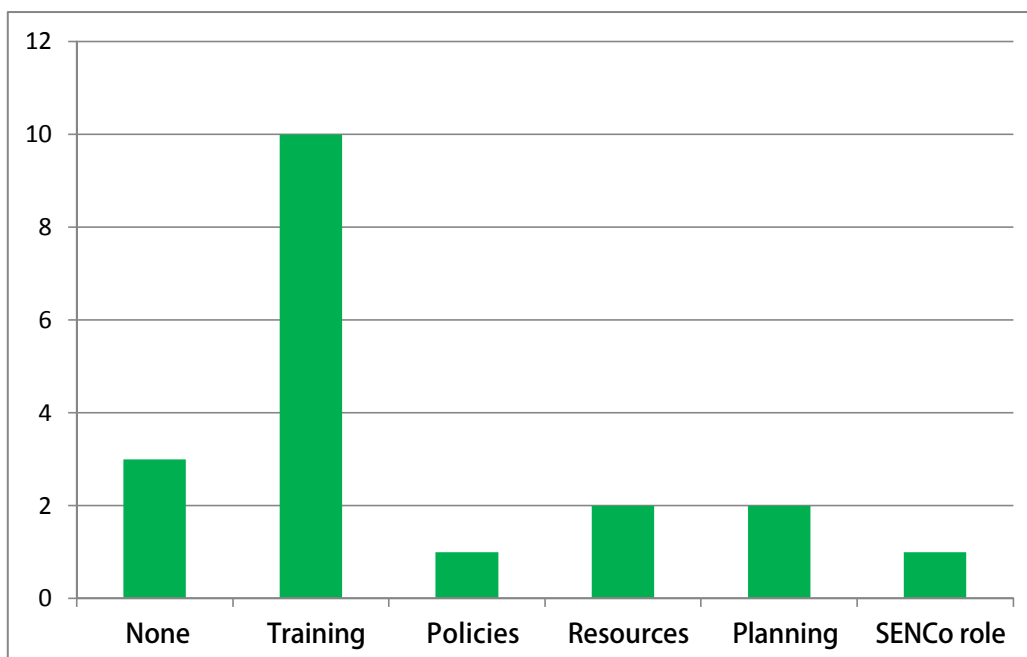
Q11 — What self-evaluation would your setting make on its current SEND provision based on the Ofsted judgements?



Summary:

37 % of settings judged themselves as outstanding and 63% judged themselves as good. No settings judged themselves as Requires Improvement or Inadequate.

Q12 — What priorities for improvement have been identified for SEND provision?

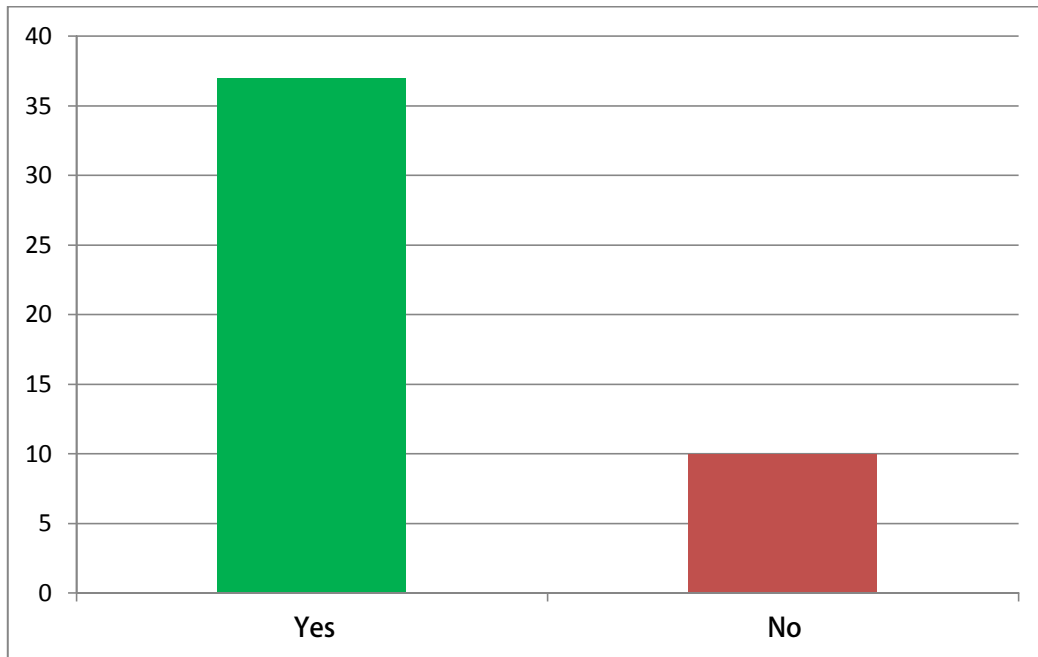


Summary:

50 % of settings identified training as a priority for development, 10% identified improving resources, 10% identified improving planning, 5 % identified reviewing policies and procedures and 5% identified developing the SENCo role. 15% did not identify an areas for improvement for SEND provision.

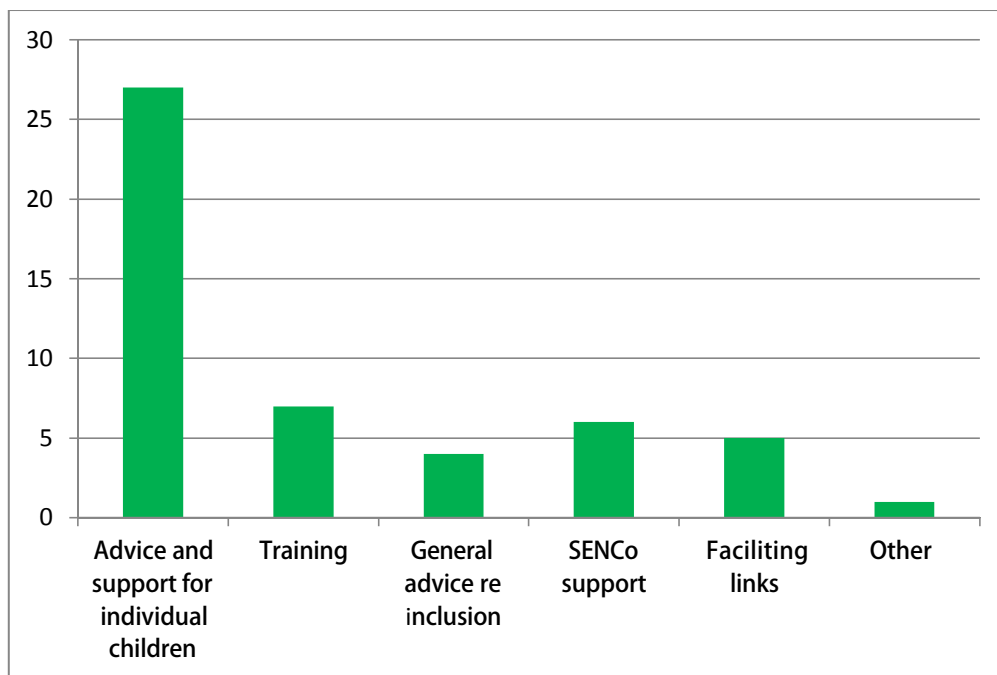
## 7. Area SENCo support

Q13 — Have you accessed the advice and support of your Area SENCo during the academic year 2015-2016?



79% of settings accessed the support and advice of the Area SENCo during the academic year 2015-2016 and 21% did not.

Q14 — If yes, what type of support did you receive?



## Q15 — Have you any further comments regarding the support you have received from your Area SENCo?

All responses were positive and included:

- Very useful, practical information
- Our Area SENCo is always very knowledgeable and supportive
- We always feel well supported by our area Senco and think she is a great support within her role
- Area SENCO is always available to offer advice etc whether they come into the setting or via telephone
- We have very good links with our area SENCo and she is extremely supportive of our setting if we have any concerns about a child, she will come out to see us very quickly to support us and to put strategies in place. The SEND training provided is very good and well presented
- The Area SENCo will come to visit our setting whenever required
- Good support and visits. Can be contactable easily
- Service used this academic year and was very prompt and useful
- Always available and approachable for advice whatever our concern is for the child
- We have had no need to access support recently but feel that if we do need support we are confident in our Area SENCO that the appropriate support would be given as it has in the past
- All the staff and myself (SENCO) feel support is available at all times from our Area Senco whether it is just general advice or giving us strategies to deal with individual children. It is a great service and one we couldn't do without!
- Our Area SENCo is a fantastic support to offer advice and support and general reassurance

Priorities for development identified in survey:

- Prioritise and target SENCo training (Managing SEN in the Early Years) to those settings that have a SENCo in place that have not yet attended training.
- To provide an Early Years SENCo toolkit which includes information regarding early identification and intervention, legislative requirements and documentation and tracking information.
- To contact and target visits to those settings that have not used Area SENCos over the past academic year.
- To continue to offer Early Talk and Early Talk Boost training to PVI settings.

Dear Headteacher

**Re – The SEND Report, Accessibility Plan/Disability Equality Scheme**

I have recently sampled some of your websites to see if they are compliant for the SEND report and accessibility plan. It would seem in some of our schools we aren't publishing the SEND report or Accessibility/Disability Equality Scheme (DES). I have, therefore, provided some guidance notes for you to discuss with your SENCO and governors to check what you have in place. I have also attached the current LA Accessibility Plan and DES for your information.

Ann Muxworthy

## 1 Publishing information

There is confusion on what the SEND report is across what is published nationally. The guidance below from the Code of Practice gives direction on what information we need to include to make us compliant.

First we need a SEN policy which includes:

A rationale, Principles/objectives, Roles and responsibilities, Access to facilities & Provision, Admissions, Resources, Identification, Review, Support and access for curriculum, Student voice, Transition, Monitoring and evaluation, Complaints and agreements with LA e.g EP time.

Next we need to write an Accessibility plan or Disability Equality Scheme to address how the school is moving disability equality forward. This is 3 year plan.

Then we need a SEN report from governors. This includes the SEND policy and Accessibility Plan/DES as you already have relevant information in those documents. There is more of a focus on monitoring policy and plans, communication with parents/children, training completed by staff, monitoring the quality of provision and outcomes achieved for pupils.

SEN information report - The governing bodies of maintained schools and maintained nursery schools and the proprietors of academy schools must publish information on their websites **about the implementation of the governing body's** or the proprietor's **policy for pupils with SEN**. The information published should be **updated annually** and any changes to the information occurring during the year should be updated as soon as possible.

Schools should ensure that the information is easily accessible by young people and parents and is set out in clear, straightforward language. It should include named contacts within the school for situations where young people or parents have concerns. It should also give details of the school's contribution to the Local Offer and must include information on where the local authority's Local Offer is published. Section 2 below lists the requirements for the SEND report identified in the Code of Practice under item 6.79.

## 2 The DFE requirements September 2014 for **Special educational needs (SEND) report (6.79 Code of Practice)**

You must publish a report on your school's policy for pupils with SEND.

The report must comply with:

- [section 69\(2\) of the Children and Families Act 2014](#)
- [regulation 51 and schedule 1 of the Special Educational Needs and Disability Regulations 2014](#)
- [section 6 of the 'Special educational needs and disability code of practice: 0 to 25 years'](#)



Detailed below is what you need to have in your report and accessibility plan to comply with the above regulations.

**The Report should include:**

- How the school implements the SEND policy
- Admission of disabled children
- The steps being taken to prevent disabled children from being treated less favourably than others
- The facilities provided to enable access to the school for disabled children,
- The school's Accessibility plan/Disability Equality Scheme (DES) showing how they plan to improve access over time (3 year plan) [paragraph 3 of schedule 10 to the Equality Act 2010](#) **Note** - Copy of plan attached.

The Report should also include:

- the kinds of SEN that are provided for
- policies for identifying children and young people with SEN and assessing their needs, including the name and contact details of the SENCO (mainstream schools)
- arrangements for consulting parents of children with SEN and involving them in their child's education
- arrangements for consulting young people with SEN and involving them in their education
- arrangements for assessing and reviewing children and young people's progress towards outcomes. This should include the opportunities available to work with parents and young people as part of this assessment and review
- arrangements for supporting children and young people in moving between phases of education and in preparing for adulthood. As young people prepare for adulthood outcomes should reflect their ambitions, which could include higher education, employment, independent living and participation in society
- the approach to teaching children and young people with SEN
- how adaptations are made to the curriculum and the learning environment of children and young people with SEN
- the expertise and training of staff to support children and young people with SEN, including how specialist expertise will be secured
- evaluating the effectiveness of the provision made for children and young people with SEN
- how children and young people with SEN are enabled to engage in activities available with children and young people in the school who do not have SEN
- support for improving emotional and social development. This should include extra pastoral support arrangements for listening to the views of children and young people with SEN and measures to prevent bullying
- how the school involves other bodies, including health and social care bodies, local authority support services and voluntary sector organisations, in meeting children and young people's SEN and supporting their families
- arrangements for handling complaints from parents of children with SEN about the provision made at the school.

The above should include arrangements for supporting children and young people who are looked after by the local authority and have SEN.

**The information published should be updated annually and any changes to the information occurring during the year should be updated as soon as possible.**

- 3 **The Equality Act 2010** sets out the legal obligations that schools, early years providers, post-16 institutions, local authorities and others have towards disabled children and young people.

The Accessibility Plan/Disability Equality Scheme must demonstrate reasonable adjustments, including the provision of auxiliary aids and services, to ensure that disabled children and young people are not at a substantial disadvantage compared with their peers. This duty is anticipatory – it requires thought to be given in advance to what disabled children and young people might require and what adjustments might need to be made to prevent that disadvantage. Provision may be auxiliary aids and services for disabled children. Schools also have wider duties to prevent discrimination, to promote equality of opportunity and to foster good relations.

Where a child or young person is covered by SEN and disability legislation, reasonable adjustments and access arrangements should be considered as part of **SEN planning and review**. Where school governors are publishing information about their arrangements for disabled children and young people, this should be brought together with the information required under the Children and Families Act 2014.

- 4 Schools have additional duties under the Special Educational Needs and Disability Regulations 2014.

- The school-specific information should relate to the schools' arrangements for providing a graduated response to children's SEN. It should elaborate on the information provided at a local authority wide level in the Local Offer.
- Requesting an EHC needs assessment  
*Section 36 of the Children and Families Act 2014*  
The following people have a specific right to ask a local authority to conduct an education, health and care needs assessment for a child or young person aged between 0 and 25:
  - the child's parent
  - a young person over the age of 16 but under the age of 25, and
  - a person acting on behalf of a school or post-16 institution (this should ideally be with the knowledge and agreement of the parent or young person where possible)
- The assessment and planning process should:
  - focus on the child or young person as an individual
  - enable children and young people and their parents to express their views, wishes and feelings
  - enable children and young people and their parents to be part of the decision-making process
  - be easy for children, young people and their parents or carers to understand, and use clear ordinary language and images rather than professional jargon
  - highlight the child or young person's strengths and capabilities
  - enable the child or young person, and those that know them best to say what they have done, what they are interested in and what outcomes they are seeking in the future
  - tailor support to the needs of the individual
  - organise assessments to minimise demands on families

- bring together relevant professionals to discuss and agree together the overall approach
- deliver an outcomes-focused and co-ordinated plan for the child or young person and their parents

## **5 Improving outcomes**

Every school is required to identify and address the SEND of the pupils that they support. Mainstream schools must:

- use their best endeavours to make sure that a child with SEN gets the support they need – this means doing everything they can to meet children and young people’s SEN
- ensure that children and young people with SEN engage in the activities of the school alongside pupils who do not have SEN
- designate a teacher to be responsible for co-ordinating SEN provision – the SEN co-ordinator, or SENCO (this does not apply to 16 to 19 academies)
- inform parents when they are making special educational provision for a child
- prepare an SEN information report (see ‘Publishing information: SEN information report’, paragraph 6.78 onwards) and their arrangements for the admission of disabled children, the steps being taken to prevent disabled children from being treated less favourably than others, the facilities provided to enable access to the school for disabled children and their accessibility plan showing how they plan to improve access progressively over time

## **5 Governance**

- There should be a member of the governing body or a sub-committee with specific oversight of the school’s arrangements for SEN and disability. School leaders should regularly review how expertise and resources used to address SEN can be used to build the quality of whole-school provision as part of their approach to school improvement.

## **6 Teaching**

The quality of teaching for pupils with SEN, and the progress made by pupils, should be a core part of the school’s performance management arrangements and its approach to professional development for all teaching and support staff.

School leaders and teaching staff, including the SENCO, should identify any patterns in the identification of SEN, both within the school and in comparison with national data, and use these to reflect on and reinforce the quality of teaching. The identification of SEN should be built into the overall approach to monitoring the progress and development of all pupils. School’s tracking system should provide information to inform interventions and support.

## **7 Identification and assessment**

A mainstream school’s arrangements for assessing and identifying pupils as having SEN should be agreed and set out as part of the Local Offer. A school should publish its arrangements as part of the information it makes available on SEN (see the Special Educational Needs and Disability Regulations 2014).

Schools should ensure that children, parents and young people are actively involved in decision-making.

## 8 Reviewing support

Schools should regularly review and evaluate the breadth and impact of the support they offer or can access. Schools must co-operate with the local authority in reviewing the provision that is available locally and in developing the Local Offer. Schools should also collaborate with other local education providers to explore how different needs can be met most effectively. They must have due regard to general duties to promote disability equality.

## 9 Medical conditions

The Children and Families Act 2014 places a duty on maintained schools and academies to make arrangements to support pupils with medical conditions. Individual healthcare plans will normally specify the type and level of support required to meet the medical needs of such pupils. Where children and young people also have SEN, their provision should be planned and delivered in a co-ordinated way with the healthcare plan. Schools are required to have regard to statutory guidance 'Supporting pupils at school with medical conditions'.

## 10 Curriculum

All pupils should have access to a broad and balanced curriculum. The National Curriculum Inclusion Statement states that teachers should set high expectations for every pupil, whatever their prior attainment. Teachers should use appropriate assessment to set targets which are deliberately ambitious. Potential areas of difficulty should be identified and addressed at the outset. Lessons should be planned to address potential areas of difficulty and to remove barriers to pupil achievement. In many cases, such planning will mean that pupils with SEN and disabilities will be able to study the full national curriculum.

## 11 Identifying need

All schools should have a clear approach to identifying and responding to SEN. The benefits of early identification are widely recognised – identifying need at the earliest point and then making effective provision improves long-term outcomes for the child or young person.

Schools should assess each pupil's current skills and levels of attainment on entry, building on information from previous settings and key stages where appropriate. At the same time, schools should consider evidence that a pupil may have a disability under the Equality Act 2010 and, if so, what reasonable adjustments may need to be made for them.

Class and subject teachers, supported by the senior leadership team, should make regular assessments of progress for all pupils. These should seek to identify pupils making less than expected progress given their age and individual circumstances. This can be characterised by progress which:

- is significantly slower than that of their peers starting from the same baseline
- fails to match or better the child's previous rate of progress

- fails to close the attainment gap between the child and their peers
- widens the attainment gap

While informally gathering evidence (including the views of the pupil and their parents) schools should not delay in putting in place extra teaching or other rigorous interventions designed to secure better progress, where required. The pupil's response to such support can help identify their particular needs.

Where progress continues to be less than expected the class or subject teacher, working with the SENCO, should assess whether the child has SEN.

For some children, SEN can be identified at an early age. However, for other children and young people difficulties become evident only as they develop. All those who work with children and young people should be alert to emerging difficulties and respond early. In particular, parents know their children best and it is important that all professionals listen and understand when parents express concerns about their child's development. They should also listen to and address any concerns raised by children and young people themselves.

## 12 Special educational provision in schools

When reviewing and managing special educational provision the broad areas of need and support is outlined in section 6.28 Code of Practice

Teachers are responsible and accountable for the progress and development of the pupils in their class, including where pupils access support from teaching assistants or specialist staff.

High quality teaching, differentiated for individual pupils, is the first step in responding to pupils who have or may have SEN. Schools should regularly and carefully review the quality of teaching for all pupils, including those at risk of underachievement. This includes reviewing and, where necessary, improving, teachers' understanding of strategies to identify and support vulnerable pupils and their knowledge of the SEN most frequently encountered.

In deciding whether to make special educational provision, the teacher and SENCO should consider all of the information gathered from within the school about the pupil's progress, alongside national data and expectations of progress. This should include high quality and accurate formative assessment, using effective tools and early assessment materials. For higher levels of need, schools should have arrangements in place to draw on more specialised assessments from external agencies and professionals.

This information gathering should include an early discussion with the pupil and their parents. A short note of these early discussions should be added to the pupil's record on the school information system and given to the parents. Schools should also tell children, parents and young people about the local authority's SEND services.

Consideration of whether special educational provision is required should start with the desired outcomes, including the expected progress and attainment and the views and wishes of the pupil and their parents. This should then help determine the support that is needed and whether it can be provided by adapting the school's core offer or whether something different or additional is required.

More detailed information on what constitutes good outcome setting is given in Chapter 9, Education, Health and Care needs assessments and plans (paragraphs 9.64 to 9.69). These principles should be applied to planning for all children and young people with SEN. From Year 9 onwards, the nature of the outcomes will reflect the need to ensure young people are preparing for adulthood.

The outcomes considered should include those needed to make successful transitions between phases of education and to prepare for adult life. Schools should engage with secondary schools or FE providers as necessary to help plan for these transitions (see Chapter 8, Preparing for adulthood from the earliest years).

Arrangements for appropriate support should be made through the school's approach to SEN support. SEN support in schools

Where a pupil is identified as having SEN, schools should take action to remove barriers to learning and put effective special educational provision in place. This SEN support should take the form of a four-part cycle through which earlier decisions and actions are revisited, refined and revised with a growing understanding of the pupil's needs and of what supports the pupil in making good progress and securing good outcomes. This is known as the graduated approach. It draws on more detailed approaches, more frequent review and more specialist expertise in successive cycles in order to match interventions to the SEN of children and young people.

In identifying a child as needing SEN support the class or subject teacher, working with the SENCO, should carry out a clear analysis of the pupil's needs. This should draw on the teacher's assessment and experience of the pupil, their previous progress and attainment, as well as information from the school's core approach to pupil progress, attainment, and behaviour. It should also draw on other subject teachers' assessments where relevant, the individual's development in comparison to their peers and national data, the views and experience of parents, the pupil's own views and, if relevant, advice from external support services.

This assessment should be reviewed regularly. Where it is decided to provide a pupil with SEN support, the parents must be formally notified, although parents should have already been involved in forming the assessment of needs as outlined above. The teacher and the SENCO should agree in consultation with the parent and the pupil the adjustments, interventions and support to be put in place, as well as the expected impact on progress, development or behaviour, along with a clear date for review.

All teachers and support staff who work with the pupil should be made aware of their needs, the outcomes sought, the support provided and any teaching strategies or approaches that are required. This should also be recorded on the school's information system.

The support and intervention provided should be selected to meet the outcomes identified for the pupil, based on reliable evidence of effectiveness, and should be provided by staff with sufficient skills and knowledge. The class or subject teacher should remain responsible for working with the child on a daily basis. Where the interventions involve group or one-to-one teaching away from the main class or subject teacher, they should still retain responsibility for the pupil. They should work closely with any teaching assistants or specialist staff involved, to plan and assess the impact of support and interventions and how they can be linked to classroom teaching. The SENCO should support the class or subject teacher in the further assessment of the child's particular strengths and weaknesses, in problem solving and advising on the effective implementation of support.

The effectiveness of the support and interventions and their impact on the pupil's progress should be reviewed in line with the agreed date. The impact and quality of the support and interventions should be evaluated, along with the views of the pupil and their parents. This should feed back into the analysis of the pupil's needs. The class or subject teacher, working with the SENCO, should revise the support in light of the pupil's progress and development, deciding on any changes to the support and outcomes in consultation with the parent and pupil. Parents should have clear information about the impact of the support and interventions provided, enabling them to be involved in planning next steps.

Where a pupil has an EHC plan, the local authority must review that plan as a minimum every twelve months. Further information about EHC plan reviews is given in Chapter 9, Education, Health and Care needs assessments and plans.

The Local Offer should set out clearly what support is available from different services and how it may be accessed. The SENCO and class teacher, together with the specialists, and involving the pupil's parents, should consider a range of evidence-based and effective teaching approaches, appropriate equipment, strategies and interventions in order to support the child's progress.

SEN support should be adapted or replaced depending on how effective it has been in achieving the agreed outcomes. Where, despite the school having taken relevant and purposeful action to identify, assess and meet the SEN of the child or young person, the child or young person has not made expected progress, the school or parents should consider requesting an Education, Health and Care needs 104 assessment (see Chapter 9). To inform its decision the local authority will expect to see evidence of the action taken by the school as part of SEN support. Involving parents and pupils in planning and reviewing progress

**Schools must provide an annual report for parents on their child's progress.** Most schools will want to go beyond this and provide regular reports for parents on how their child is progressing.

The provision made for pupils with SEN should be recorded accurately and kept up to date. As part of any inspection, **Ofsted will expect to see evidence of pupil progress**, a focus on outcomes and a rigorous approach to the monitoring and evaluation of any SEN support provided. Ofsted publish more detail about their expectations in their inspection guidelines.

Schools should particularly record details of additional or different provision made under SEN support. They should ensure that they have accurate information to evidence the SEN support that has been provided over the pupil's time in the school, as well as its impact.

**Provision maps** are an efficient way of showing all the provision that the school makes which is additional to and different from that which is offered through the school's curriculum. The use of provision maps can help SENCOs to maintain an overview of the programmes and interventions used with different groups of pupils and provide a basis for monitoring the levels of intervention.

Provision management can be used strategically to develop special educational provision to match the assessed needs of pupils across the school, and to evaluate the impact of that provision on pupil progress. Used in this way provision management can also contribute to school improvement by identifying particular patterns of need and potential areas of development for teaching staff. It can support schools to improve their core offer for all pupils as the most effective approaches are adopted more widely across the school.

The SENCO must be a qualified teacher working at the school. A newly appointed SENCO must be a qualified teacher and, where they have not previously been the SENCO at that or any other relevant school for a total period of more than twelve months, **they must achieve a National Award in Special Educational Needs Coordination** within three years of appointment.

### **13 Funding for SEN support**

All mainstream schools are provided with resources to support those with additional needs, including pupils with SEN and disabilities. Most of these resources are determined by a local funding formula, discussed with the local schools forum.



## Gateshead SEND Strategy

### Vision

Gateshead is committed to giving children the best start in life and to supporting children and young people to achieve their best. We want children and young people to develop their independence as far as practicable, to become confident, participating and contributing adults and to live fulfilled and productive lives. To this end, we undertake to work in partnership as professionals and with children, young people and their families to ensure that services and individualised support arrangements are appropriate, accessible, effective and efficient.

### Introduction

Within Vision 2030 the Council and its partners present a shared ambition for the future of the Borough. The common aim is to create a confident and aspirational place in which children get the best start in life and where those who need help get it easily with agencies working together and where inequalities in health and education are eradicated.

Supporting children and young people who have special educational needs and/or disabilities is crucial to the successful delivery of this ambition.

This Strategy provides insight into the immediate and longer term challenges that we currently face and the practical steps that we are taking to address them. The statistical analysis presented in the Context section provides the rationale for some priorities. Other work streams are a response to issues identified by practitioners or emerging from the new SEND Code of Practice. Details of this work and the ways in which it supports the delivery of our goals are provided in the Strategic Aims and Implementation sections of the strategy.

### Context

#### Incidence of SEND

In January 2016, there were 4,387 *school-age pupils in Gateshead* with a special educational need or disability (SEND), which equates to 15% of the school population. Of these, 891 (20%) had either a statement of SEN or Education, Health and Care Plan (EHCP) and 3,319 (80%) were at SEN Support (*School Census*).

#### Children and young people with a statement of SEN or EHC Plan

In January 2016, 980 children and young people aged 0-25 had either a statement of SEN or EHCP (*SEN2 Return*).

The majority of these (82%) were aged between 5 and 15, 3.9% were under 5 years, 13.6% were aged 16 to 19 and just 3 were aged 20 to 25.

Most of those with a statement or EHCP were attending a special school or academy (51.8%), 17.3% were attending a maintained mainstream school, 4.5% were in resourced provision in a Local Authority maintained mainstream school, 12.2% were attending an academy and 7.3% were attending either a non-maintained special school, an independent special or 'other' independent school. 0.6% were attending non-maintained early years settings in the private and voluntary sector, 3.9% were attending a general Further Education (FE) and tertiary college (Higher Education) and 0.5% were attending specialist post-16 institutions. The remainder were educated other than at school or were waiting provision.

1.1% of all primary mainstream pupils have a statement of SEN or EHCP (School Census data) and 98.6% of all primary special school pupils have a statement of SEN or EHCP (*School Census; Jan 2016*).

1.0% of all primary mainstream pupils, 1.5% of all secondary mainstream pupils and 99.2% of all special school pupils have a statement of SEN or EHCP (*School Census; Jan 2016*).

#### Children and young people at SEN Support

In January 2016, 11.7% of all school-age pupils in Gateshead (3,496) were at SEN Support. The vast majority of these (95.9%) were attending a mainstream school (*School Census*).

13.7% of all primary mainstream pupils, 9.6% of all secondary mainstream pupils and 0.8% of all special school pupils were at SEN Support (*School Census; Jan 2016*).

#### Primary needs of pupils with SEND

Primary Special Educational Need Category	Number of pupils*	% of all school-age pupils (29,842)
Moderate Learning Needs (MLD)	1073	3.6%
Speech, Language and Communication Needs (SLCN)	833	2.8%
Social, Emotional Mental Health (SEMH)**	573	1.9%
Specific Learning Difficulty (SpLD)	480	1.6%
Autistic Spectrum Disorder (ASD)	342	1.1%
Physical Disability (PD)	113	0.4%
Severe Learning Difficulty (SLD)	104	0.3%

Hearing Impairment (HI)	94	0.3%
Visual Impairment (VI)	46	0.2%
Profound and Multiple Learning Difficulty (PMLD)	25	0.1%

School Census; Jan 2016

\*Includes pupils with EHC Plans and those at SEN Support

\*\*The term Social, Emotional Mental Health (SEMH) needs replaced Behaviour, Emotional and Social Difficulties (BESD) following the publication of the [SEN Code of Practice 2014](#)

Between 2010 and 2014 there was a growth trend in the following primary need areas:

- Autistic Spectrum Disorder (ASD)
- Speech, Language and Communication Needs (SLCN), specifically in the primary sector

There was a downward trend in the following primary need areas between 2010 and 2014:

- Moderate Learning Difficulties (MLD)
- Specific Learning Difficulties (SpLD), specifically in the secondary sector

Due to changes in how primary needs were recorded from 2015 as part of the School Census data collection process it has not been possible to identify trends from this date. The SEND Monitoring Group will monitor trends at least annually in order to predict demand and feed this into commissioning processes.

#### Additionally Resourced Mainstream School Provision (ARMS)

There are currently 7 primary ARMS and 2 secondary ARMS in Gateshead for pupils with EHC Plans. In Gateshead, ARMS provision is not a short term intervention model, but is an alternative to mainstream and special school where pupils benefit from learning in a mainstream school whilst receiving additional specialist help that is tailored to their individual needs.

A breakdown of the pupils learning in ARMS provision in October 2016 is shown below:

School	Type of need catered for	Number of pupils
Bede Primary	Social Emotional and Mental Health	6
Bill Quay Primary	Complex Communication Needs including Autism	2
Brandling Primary	Speech, Language and Communication	14
Eslington Primary	Social Emotional and Mental Health	3

High Spen Primary	Hearing Impairment	4
Rowlands Gill Primary	Complex Learning Needs	4
Swalwell Primary	Physical Difficulties	10
Thorp Academy (Secondary)	Moderate Learning Needs	18
Whickham Academy (Secondary)	Autism Spectrum Disorder	9

The Council is currently working in partnership with mainstream schools to implement a new model for ARMS provision, which is proposed to be based on an outreach basis from special schools.

### Early Years

In July 2015 a questionnaire was sent to all schools (including specialist provision/additionally resourced mainstream provision) and Private Voluntary Independent settings in the Early Years Foundation Stage.

63.5% responded providing the following information about children aged 0-5 identified with SEND:

- 611 (14.2%) children of all children aged 0-5 in those settings were identified as having SEND (11.8% in PVI settings and 16.3% in school settings).
- 79% of the 611 children were at SEN Support, 13% had an EHCP and 8% were undertaking an EHCP assessment.
- The highest primary categories of need reported in year groups Nursery (1 and 2) and Reception were Speech, Language and Communication Needs (SLCN) followed by Autistic Spectrum Disorder (ASD), Social, Emotional and Mental Health (SEMH) and Cognitive/Development Delay.

The Council's Early Years Assessment and Intervention Team (EYAIT) was established in January 2014 and is made up of specialist teachers, Portage workers and teaching assistants working with pre-school children aged 0-4 years identified by settings. During the 2014-15 academic year, there were 123 referrals made to the team and 114 referrals made during the 2015-16 academic year. It is anticipated that the number of referrals is set to increase during the 2016-17 academic year due to numbers of referrals received so far and higher numbers of younger children being referred to the team. For example, in 2014-15 there were 16 two year olds referred whereas this had increased to 50 two year olds being referred in 2015-16. It is thought that this is due to an increase in two year olds accessing early education, integrated two year old assessments and improved early identification processes. Children in PVI provision can be referred from the EYAIT to the Educational Psychology Service (EPS). During the 2014-15 academic year there were 39 referrals to the EPS and 36 during the 2015-16 academic year. It is anticipated there will be about 40 referrals between September 2016 and August 2017. The majority, but not all of these, will go on for EHC assessments.

### Attainment of children and young people with SEND (RAISEonline data)

In 2015, outcomes for Key Stage 1 pupils at SEN Support were very low compared to the national average (KS1 pupils at SEN support) and to their peers (pupils without SEN). Outcomes for Key Stage 1 pupils with a statement of SEN or EHCP were low compared to the national average (KS1 pupils with a statement/EHCP) and to their peers (pupils without SEN). Outcomes for both cohorts are generally in line with regional neighbours.

Outcomes for Key Stage 2 pupils at SEN Support in 2015 had been better than the national average for several years, although the gap has closed a little more recently. 44% of these pupils achieved level 4+ Reading, Writing and Maths, 1% more than the national average (KS2 pupils at SEN Support). Level 4 Writing was poor in 2015, compared to the national average. Outcomes for pupils with a statement of SEN or EHCP tend to be lower than average although the % level 4+ in Reading is above the national figure. 10% of these pupils attained Level 4+ in Reading, Writing and Maths compared to a national figure of 16% (KS2 pupils with a statement/EHCP).

The achievement of 5 x Grade A\*-C GCSE's including English and Maths and the English Baccalaureate for Key Stage 4 students at SEN Support in 2015 compares favourably with regional and statistical neighbours and is higher than the national figure (pupils at SEN Support). However, outcomes in terms of 5 x Grade A\*-C GCSE's including English and Maths at Key Stage 4 for students who have a statement of SEN or an EHCP are lower than the national average and low compared to regional and statistical neighbours (pupils with a statement/EHCP). Achievement of the English Baccalaureate by this group is lower than the national average and lower than regional and statistical neighbours whose figures are published (pupils with a statement/EHCP).

In 2015, Key Stage 5 students at SEN Support had generally higher Average Point Score (APS) on entry to KS5 and had better outcomes than the national average. Students at Key Stage 5 with a statement of SEN or EHCP had a lower APS on entry to KS5 and lower outcomes; however this was a very small cohort of 4 students.

The % of 19 year olds with SEND in Year 11 qualified to Level 2 with Maths and English in 2015 was 24.5%, which was lower than the regional and national average. The % of 19 year olds with SEND in Year 11 qualified to Level 3 with Maths and English in 2015 was 20.8%, which was lower than the regional and national average.

### School Absence

The school absence rate for SEN pupils in the academic year 2014-15 was as follows:

**Primary:** 5.1% absence (overall absence of primary school pupils in Gateshead was 3.8%)

**Secondary:** 7.1% absence (overall absence of secondary school pupils was 5.5%)

**Pupil Referral Unit:** 54.5% absence (pupils with SEN aged 5-15 years)

**Special:** 6.5% absence (pupils with SEN aged 5-15 years)

### Exclusion rates

During the 2014-15 academic year, there were no permanent exclusions and 86 fixed term exclusions of pupils with SEND.

Number of fixed term exclusions	Reason for exclusion
14	Persistent Disruptive Behaviour
12	Physical assault against an adult
10	Other
8	Verbal abuse/threatening behaviour against an adult
7	Drugs and alcohol
6	Physical assault against a pupil
2	Damage
2	Racist abuse
2	Theft

### Post 16

The table below highlights the types of post-16 educational provision that young people with a statement of SEN/EHC Plan were studying at during the 2015-16 academic year:

Provision Type	Number	Percentage
General FE College	51	29%
Maintained Special	41	23.4%
Supported Internship	20	11.4%
Special Academy	18	10.2%
Independent Specialist College	12	6.9%
Mainstream Academy	8	4.6%
Not placed	6	3.4%
Traineeship	6	3.4%
Non-maintained Special School	4	2.3%
Independent School	2	1.2%
Independent Special School	2	1.2%
Elective Home Education	1	0.6%
EOTAS	1	0.6%
Free School	1	0.6%
Independent Other	1	0.6%
Maintained Mainstream	1	0.6%

<b>Total</b>	<b>175</b>	<b>100%</b>
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The Gateshead Connexions data below highlights the destinations of students in years 12, 13 and 14 that have either a statement of SEN or an EHC Plan as at June 2016:

<b>Destination</b>	<b>Year 12</b>	<b>Year 13</b>	<b>Year 14</b>	<b>% of cohort</b>
Further Education	28	35	18	29%
Sixth Form	33	31	9	26%
Apprenticeships	8	12	2	8%
NEET Available	10	7	7	8%
Training	4	16	1	7%
Employment with training	3	10	3	6%
Out of Area	9	7	0	6%
Employed without training	0	9	1	3%
Moved Away / other	4	2	1	2%
Not Available	2	2	3	2%
Other Post 16	2	1	1	1%
Not Known	0	1	1	0.7%
Higher Education	0	0	1	0.3%
	<b>103</b>	<b>133</b>	<b>48</b>	

The data above highlights that a total of 8% of young people age 16-18 years (in years 12, 13 and 14) with SEN (with a statement of SEN or EHC Plan) were Not in Education, Employment or Training (NEET). In December 2015, 4.8% of all 16-17 years olds in Gateshead were NEET compared to a national average of 7.1% (DfE NEET and Not Known Scorecard).

#### Social care support

In September 2016, 195 children and young people with SEND were receiving social care support from the Disabled Children's Team (a team of social workers), of which 11 were Looked After Children (LAC). Gateshead Council's Transitions Team provide Transition (Care Act) assessments to young people who are 17 and moving into adulthood. The provisions in the Care Act relate not only to those who are already receiving children's services, but for anyone who is likely to have needs for adult care and support after turning 18. To enable the team to identify those who may have eligible needs there is a dedicated Assessing Officer who works within the special schools in Gateshead and out of borough schools who have Gateshead pupils in placement. This worker attends Education, Health and Care plan reviews, provide information and advice regarding preventative, universal and specialist services, signpost to health colleagues and offer an assessment to those who have a physical or mental impairment.

In May 2016, 161 Looked After Children (LAC) had SEND, which equates to 69% of all school-age Looked After Children. 52% of the 161 LAC had a statement or EHCP and 44% were at SEN Support.

438 school-age Children In Need (CIN) had SEND, which equates to 37% of all school-age Children In Need. 218 of the 438 (50%) had a statement of SEN or EHCP, 216 (49%) were at SEN Support and 4 (1%) were undergoing an EHCP assessment.

In the financial year 2015-16, 497 short break services were provided to Gateshead families. Of these, 120 were provided as a direct payment/personal budget, which were predominantly used to provide a personal assistant to accompany children and young people on social outings and activities. Other types of short break services provided included overnight stays in specialist residential provision, access to out of school and holiday clubs, community outreach and home care support.

### **Strategic Aims**

Working in partnership with education, health and care commissioners and providers and service users to:

1. Develop and deliver cohesive, outcomes focussed education, health, care services and support systems which give children and young people the best opportunity to engage, achieve, succeed, and progress
2. Agree arrangements and protocols that enable a partnership approach to:
  - Identifying need
  - Structured information gathering and sharing
  - Joint or collaborative service planning
  - Joint or collaborative commissioning
  - Efficient delivery
  - Effective monitoring
  - Evaluation and analysis
3. Develop and maintain comprehensive, accurate data and information to understand need and inform service planning, development and delivery
4. Ensure that children, young people and families have access to timely assessment that enables intervention at the earliest opportunity
5. Establish and maintain co-ordinated information and advice services that are accessible and support decision making and choice
6. Co-ordinate services so that transitions are smooth and support is continuous
7. Provide opportunities for children, young people and families to contribute to the design, delivery and evaluation of services



8. Adopt best value principles in directly provided and commissioned services

#### **How we will know we have succeeded**

- Outcomes demonstrate that children and young people have access to and are receiving *high quality* education, health and care services and support
- Service developments are proactive and clearly based on an *accurate understanding* of types and levels of need derived from *comprehensive and co-ordinated information systems*
- Children, young people and their families *actively engage* with education, health and care professionals in identifying service development priorities
- Education, health and care services *co-ordinate their communication arrangements* and families report that they can easily access appropriate information, advice and guidance
- Education, health and care professionals work together in ways that ensure that children, young people and families experience *seamless access to and progression through services*
- Targeted joint commissioning which delivers *best value* is routinely undertaken
- The system is driven by “*Total Quality Assurance*” principles

#### **Implementation**

The Strategy will be implemented through the standing and working groups that collectively:

- Manage the use of available funds
- Oversee the delivery of services
- Develop the partnership arrangements required to ensure there is:
  - a common ambition
  - a shared commitment to the delivery of effective and efficient services, including information services
  - systems, procedures and protocols that enable productive partnership working including through joint commissioning of services
- Identify priorities for action
- Undertake assigned work and/or time limited projects that are focussed on the development of improved services for children, young people and families

The work of each of the groups is presented in the pages that follow. The key areas for action in 2016-2017 are to:

1. Ensure that through Early Intervention the needs of children and young people can be identified and action taken to meet their needs as soon as possible
2. Develop services for children and young people who have Autism and Social, Emotional and Mental Health need (SEMH)
3. To ensure that children and young people who are looked after receive the support they need to achieve their best
4. Ensure that there are sufficient and appropriate progression opportunities for young people SEN/D leaving school
5. Ensure that there is sufficient and appropriate provision for children and young people who are at risk of exclusion or who have been excluded
6. Monitor and review provision for SEN/D children and young people in order to develop services and settings in response to the existing and emerging volumes and types of need
7. Further strengthen co-production and partnership working with service users, including children and young people and parents and carers
8. Develop strong partnerships between Education, Health and Care that will enable the establishment of working practices that will enable all partners to collectively deliver the requirements of the Code of Practice
9. Conduct a review of ARMS provision and reconfigure ARMS on the basis of the outcomes of the Review
10. To examine the level and causes of Persistent Absenteeism among pupils who have SEN/D with a view to supporting schools to address this issue
11. To continue to work with partners to raise standards of attainment for SEN/D children with especial reference to Key Stage 1

## ***Strategic Planning***

### **SEND Strategy Group**

#### **Aim of group**

The aim of the working group is to understand need and performance in relation to SEN/D in Gateshead in order to identify development priorities which will inform the design and delivery and continuous improvement of services and support for children, young people and their families.

#### **Key areas of work**

- To develop a Strategy for SEN/D for Gateshead and to ensure that it is delivered
- Through the SEN/D Monitoring Group to ensure that data re the performance of SEN/D children and young people is collated, analysed, reviewed and used as a basis for evaluating performance and identifying need
- To ensure that there is an annual SEN/D Evaluation and that there a Self Evaluation is produced and agreed
- To receive reports from the funding groups, other standing groups and work groups to ensure that:
  - Strengths and areas for development are identified
  - Planned actions are consistent with identified needs
  - Gaps in provision are being addressed
  - To provide support and challenge to these groups
- To report to the key strategic groups within the Local Authority and Health Trust
- To receive and respond to queries and directives raised by the Strategic groups
- To ensure key information sources for service users, including the local offer, are reviewed and revised as appropriate
- To develop productive partnerships with service users and service providers to ensure that service development is properly informed, that service delivery is in line with required standards, and that service review and evaluation is inclusive.

**Contribution to Strategic Aims: All**

**Contribution to Key Areas for 2016-2017: All**

## ***Funding Groups***

### **Disabled Children Resource Panel**

#### **Aim of group**

The aim of the working group is to assist the council in relation to decisions about

short break provision for children with special educational needs and disabilities.

#### **Key areas of work**

- To assist the council to make decisions on initial requests for provision
- To assist the council to reviewing short break packages of support
- To review any responses received either from parents or schools in relation to recommendations made and advise the council on the appropriate response

**Contribution to Strategic Aims: 1, 3, 8**

**Contribution to Key Areas for 2016-2017: 2,6**

### **High Needs Block working group**

#### **Aim of group**

The aim of the working group is to review the functions supported by the High Needs Block of the Dedicated Schools Grant (DSG). To ascertain where possible savings could be made if there is a reduction in the High Needs Block of the DSG following the DSG funding review and the implementation of a national funding formula for the High Needs Block.

#### **Key areas of work**

- Input into Stage 2 of the High Needs funding consultation which is expected summer 2016
- Review areas of funding when possible savings targets are known December 2016 for possible implementation April 2017.

**Contribution to Strategic Aims: 1, 8**

**Contribution to Objectives for 2016-2017: 1, 2, 3, 4, 5, 9**

### **Schools Forum**

#### **Aim of group**

Schools forums generally have a consultative role on issues that affect school funding. However, there are situations in which they have decision-making powers. The respective roles of schools forums, local authorities and the DfE are summarised in schools forum powers and responsibilities (below).

#### **Key areas of work**

Key areas of work that link to the SEND agenda are:

- Consultation on formula changes for mainstream schools (notional SEN calculation) Special Schools, the Pupil Referral Unit (PRU) and high needs top ups in mainstream schools
- Funding proposals that affect the calculation of mainstream school budgets must be agreed before 20<sup>th</sup> January each year (notional SEN)
- Funding arrangements for Special Schools, the PRU and top up amounts for mainstream schools must be agreed by mid-February
- The number of commissioned high needs places in mainstream schools, special schools and PRU.

**Contribution to Strategic Aims: 1, 2, 3, 8**

**Contribution to Objectives for 2016-2017: 1, 2, 3, 4, 5, 6**

## ***Standing Groups***

### **Autism Steering Group**

#### **Aim of group**

The purpose of the group is to implement the National Autism Strategy 'Fulfilling and Rewarding Lives' for people with autism and their carers in Gateshead.

#### **Key areas of work**

Key objectives of the Autism Steering Group are to:

- Support the delivery of an all age Autism Strategy by developing a work programme focusing on three key priorities
  - Early intervention/prevention
  - Diagnosis
  - Independent Living and Support
- Monitor the priorities through an Improvement and Development Action Plan (IDAP), via task and finish groups
- Develop and Implement a Quality Assurance Framework

**Contribution to Strategic Aims: 1, 2, 4, 5, 6**

**Contribution to Objectives for 2016-2017: 1, 2, 4, 6, 8, 11**

## **Children's Hearing Services Working Group**

### **Aim of group**

To ensure that services work together to make sure that deaf children and their families have good quality local support which meets their needs.

### **Key Areas of Work**

- Review Regional Policies & Procedures
- Service Updates
- Respond to Hearing Impairment developments
- Multi agency liaison

**Contribution to Strategic Aims: 1, 2**

**Contribution to Objectives for 2016-2017: 1, 6, 8, 11**

## **SEND Communication and Engagement Group**

### **Aim of group**

The aim of the working group is to ensure that a range of stakeholders, including children and young people and parents and carers, are meaningfully engaged in and kept up to date with SEND developments and processes in Gateshead.

### **Key areas of work**

- Develop a key stakeholders list and keep up to date
- Implement a bi-monthly stakeholder E-bulletin about SEND developments in Gateshead
- Audit current methods of engagement and communication with parents/carers around SEND developments and identify any gaps
- Investigate and implement the most effective methods to engage with and communicate key SEND messages to young people, parents and carers, including through the use of social media and other technology
- Review and update the Local Offer, at least annually.

**Contribution to Strategic Aims: 1, 2, 5, 7**

**Contribution to Objectives for 2016-2017: 6, 7**

## **Early Years SEND Strategy Group**

### **Aim of group**

- Ensure the development of an inclusive system within Early Years schools and settings
- Ensure statutory frameworks are implemented efficiently
- Plan a cohesive training programme to develop the knowledge and skills of all staff working with children with SEN/D in the Early Years to ensure children achieve their potential
- Ensure there is close co-operation between relevant external agencies and a multi-agency approach to meeting the needs of pupils with SEN/D
- Ensure arrangements for SEN/ D within Early Years are kept under review and publish information on how the LA is meeting its obligations
- Provide advice and guidance to schools to support the implementation of the SEN Code of Practice and Equality Act
- Publish plans, strategies and targets in relation to the identification, monitoring and assessment and support for pupils with SEN/D within the Early Years
- To work closely with settings / schools and other services to ensure that provision and resources are allocated equitably and efficiently
- To support procedures for the monitoring processes of referrals and planning for future provision.

### **Key areas of work**

- Strategic planning, monitoring and evaluation.

**Contribution to Strategic Aims: 1, 2, 3, 4**

**Contribution to Objectives for 2016-2017: 1, 6, 8, 11**

## **Post 16 Co-ordinating Group**

### **Aim of group**

The aim of the working group is to ensure that the work of post 16 SEN/D groups, including those preparing young people for transition, is co-ordinated and can collectively contribute to improved opportunities and services for young people SEN/D 16-25 and support and challenge to their providers.

### **Key areas of work**

- To establish a single Post 16 SEN/D Co-ordinating Group
- To agree the work strands that are needed and the best means to progress these
- To review the arrangements for commissioning post 16 provision including

the ways in which provision and outcomes are monitored and evaluated

- Working with schools, both special and mainstream, to identify the educational needs of young people who are SEN/D and match these to currently available provision highlighting where there are gaps in provision
- Working with Connexions and post 16 providers including special and mainstream schools, consider how to better meet the needs of young people who have SEN/D
- Develop young people's advocacy
- Working with Health and Care professionals explore current arrangements for the identification, co-ordination and evaluation of packages of provision and support and identify areas for further development and improvement
- Develop a register of young people identified as "SEN/D Support" at year 10 and 11 to compile a complete register of SEN/D students and enable their progression to be mapped and, where necessary, supported
- Develop information for families that explains the LAs role in relation to post 16 provision and that prepares them for and supports them and their children through the transition
- Update the Gateshead Local Offer to reflect the Post 16 Offer

**Contribution to Strategic Aims: 1, 2, 3, 5, 6, 7, 8**

**Contribution to Objectives for 2016-2017: 4, 5, 7, 8, 11**

### **Primary Fair Access Panel (FAP) working group**

#### **Aim of group**

The aim of the working group is to ensure better educational outcomes for vulnerable children by:

- Establishing a fair and transparent system which ensures that all schools/academies admit their fair share of children with challenging behaviour and educational needs on a turn taking basis
- Ensuring access for children to education is secured quickly where there is no school/academy place and access to alternative placement is available where a fresh start is indicated (excluding children with an EHDP)

#### **Key areas of work**

- As part of the admissions process, to place children into schools/academies when they are without an educational placement
  - Pupils who transfer between Gateshead schools with complex needs



- Attendance below 90% history of disruptive behaviour
  - Involvement with external services
  - Relationship issues with pupils
  - Complexity of year group
  - Inappropriate sexualised behaviour
  - TAF/CAF/CP plan in place
  - Pupils who transfer into Gateshead with complex needs (as above)
  - Refugees and asylum seekers
  - Elective home educated young people who are moving back into mainstream educational provision
  - Permanently excluded pupils from the PRU back into mainstream schools
- Monitor the use of the funds paid by schools/academies but held centrally for use by the panel to support the needs of the children
  - Monitor rates of permanent exclusion
  - Monitor pupils on the 'off roll' register every ½ term

**Contribution to Strategic Aims: 1, 2, 3, 4, 6**

**Contribution to Objectives for 2016-2017: 1, 5, 6, 10, 11**

## **Secondary Pupil Placement Panel working group**

### **Aim of group**

The aim of the working group is to ensure better educational outcomes for vulnerable young people by:

- Establishing a fair and transparent system which ensures that all schools/academies admit their fair share of young people with challenging behaviour and educational needs on a turn taking basis
- Ensuring access for young people to education is secured quickly where there is no school/academy place and access to alternative placement is available where a fresh start is indicated (excluding young people with an EHCP)

### **Key areas of work**

- As part of the admissions process, to place young people into schools/academies when they are without an educational placement
  - Pupils who transfer between Gateshead schools with complex needs
    - Attendance below 90% history of disruptive behaviour
    - Involvement with external services
    - Relationship issues with pupils
    - Complexity of year group

- Inappropriate sexualised behaviour
  - TAF/CAF/CP plan in place
  - In Years 10/11
  - Pupils who transfer into Gateshead with complex needs (as above)
  - Refugees and asylum seekers
  - Elective home educated young people who are moving back into mainstream educational provision
  - Permanently excluded pupils from the PRU back into mainstream schools
- Monitor the use of the funds paid by schools/academies but held centrally for use by the panel to support the needs of the pupils
  - Monitor rates of permanent exclusion
  - Monitor pupils on the 'off roll' register every ½ term

**Contribution to Strategic Aims: 1,2,3,4,6**

**Contribution to Objectives for 2016-2017: 1,5,6,10,11**

## **Special Heads Improvement Partnership (SHIP) Group**

### **Aim of group**

SHIP is a partnership between all special schools and the local authority, with major responsibility and accountability for the quality of education and learning outcomes for children and young people in special schools in Gateshead.

The Partnership aims to support a distributed, sustainable self-improving education system in a shared, collaborative culture of educational excellence that recognises those in schools and other providers as equal, trusted partners. It intends to build on an existing network, relationships and local partnerships to ensure that no school is isolated and benefits from shared expertise.

### **Key areas of work**

#### **Remit for the Group**

The Strategic Group is responsible for the direction of the Partnership, monitoring effectiveness, identifying and agreeing priorities and programmes. It is also responsible for determining further actions where necessary in schools that are being supported.

The Group works to the following objectives:

- i. To improve the standards of education provided to all children and young people in the special school settings of Gateshead
- ii. To work in partnership with other schools and health and social care

iii. To consider the priority areas within the school system and SEND areas and identify/suggest suitable strategies for their resolution;

#### Specific responsibilities of the Strategic Group

- i. To work collaboratively to ensure outstanding educational provision and practice within our special schools.
- ii. To support the local authority in key strategic aims relating to SEN in Gateshead.
- iii. To contribute to and coordinate the necessary communication activities required to further develop Gateshead SEND provision
- iv. To support a fair, accessible funding model for all special schools
- v. To consider, support and make recommendations as appropriate for identified initiatives specific to special schools.
- vi. Support and engage with Ofsted inspections of local authority arrangements for SEND

**Contribution to Strategic Aims: 1, 2, 3, 4**

**Contribution to Objectives: 3, 6, 8, 11**

### **SEND Monitoring Group**

#### **Aim of group**

The aim of the working group is to ensure there is comprehensive and robust data and information relating to SEN/D to support:

- monitoring of provision
- identification of existing and emerging need
- Service development and deliver
- Increased engagement, participation and attainment
- Successful transition

#### **Key areas of work**

- To define data needs
- To examine data sources
- To identify gaps in data/information and the means by which these can be addressed
- To design and develop a data dashboard for SEN/D in Gateshead
- Within the Self Evaluation Process to analyse available data
- From the analysis to identify strengths and areas for development
- From the analysis to identify trends and the implications for service development
- From the analysis to identify issues to be explored with schools and support needs of schools

**Contribution to Strategic Aims: 1, 2, 3**

## ***Task and Finish Groups***

### **Additionally Resourced Mainstream School (ARMS) working group**

#### **Aim of group**

The aim of the working group is to explore options for the delivery of the ARMS model for 2017-2018 in order to advise portfolio holders and seek approval for the conduct of a consultation process with schools.

#### **Key areas of work**

- Review current arrangements, operational strengths and issues, threats and opportunities
- To confirm the intended role of ARMS in the context of SEN provision in Gateshead Council
- To define the Council's Commissioning intentions for 2017 onwards
- To advise portfolio holders of the preferred model for implementation from September 2017
- To conduct a formal consultation process with schools
- To progress arrangements to ensure that an agreed model is successfully implemented for September 2017

**Contribution to Strategic Aims: 1, 2, 6, 8**

**Contribution to Objectives for 2016-2017: 1, 2, 5, 6, 9, 11**

### **Pupil Referral Unit (PRU) Working Group**

#### **Aim of group**

- To ensure that the Local Authority is able to deliver fully its duty in relation to Day 6 provision, full time education for Permanently Excluded Pupils, full time education for Home and Hospital Service Pupils.
- To ensure that there are high quality curriculum pathways available to meet the diverse needs of those children and young people.
- To ensure that a sustainable funding model is in place and is managed in a way that enables the delivery of and access to appropriate provision and support.
- To ensure that the Local Authority works collaboratively with schools to reduce the number of PEx pupils.

- To ensure that children and young people are supported to achieve their best and are equipped to make positive progression.

#### **Key areas of work**

- Review and revise the Key Stage 4 Curriculum model.
- Review and revise the Key Stage 3 Curriculum model.
- Identify appropriate, quality assured Alternative Education provision that extends and enhances learner choice.
- Explore accommodation options for the Behaviour Support Service and make recommendations for the future.
- Develop In School Support Services for Secondary schools.
- Review and revise the funding model for the Behaviour Support Service.
- Review and revise funding arrangements with Secondary schools.
- Review PEx numbers to identify trends, causes, and options to address.
- Investigate the causes of disaffection in KS3 to enable strategies to be developed that will provide early warning and keep students in mainstream learning.

**Contribution to Strategic Aims: 1, 2, 3, 4, 8**

**Contribution to Objectives for 2016-2017: 5, 6, 10, 11**

### **Local Safeguarding Children’s Board – Permanent Exclusions Task and Finish Group**

#### **Aim of Group**

- To undertake a piece of work for the LSCB in relation to the increase in permanent exclusion

The objectives are:

- To identify the reasons for this increase in permanent exclusions
- To identify areas for development which are required to reduce the number of permanent exclusions
- To identify future strategies to support both those at risk of and/or those permanently excluded

#### **Key areas of work**

After looking at the data provided and following a discussion on the issues which might lead to a school to a permanent exclusion, the group decided that in order to understand the causes leading to a permanent exclusion, the group required additional information in the following areas:

- School contextual information, including information on:
  - Regulatory frameworks (Ofsted)
  - Funding
  - Curriculum
  - In-house systems in place to address behaviour issues
- Young person's contextual information, including information from
  - Birth to current age in relation to their
    - Educational context
    - Involvement of other services
      - Social care
      - Health (including mental health)
      - Youth offending
      - Police
      - SEN/learning difficulties
      - Domestic violence
- Support services contextual information, including information on:
  - The role of a CAF/TAF in school and the impact on the young person and their family
  - Early Help service in Gateshead
  - The changes to the delivery of the mental health services in Gateshead/Newcastle
  - The impact of the Fair Access Process (primary/secondary)

**Contribution to Strategic Aims: 1, 2, 3**

**Contribution to Objectives for 2016-2017: 5, 6, 8, 10**

### **Early Years, SEN/D and Post 16 Panels**

The Early Year, SEN/D and Post 16 Panels are multi agency groups of experts whose task is to oversee the use of funds to support individualised Education, Health and Care Plans.

Panels provide an opportunity for EHCPs to be scrutinised, challenged and confirmed and also enable fair use of funding. A core membership ensures continuity and consistency of approach.

### **Strategic Governance and Commissioning Arrangements**

The diagram at Appendix 1 provides a picture of the way in which work is initiated, commissioned and monitored. The SEND Strategy Group, a partnership of education, health and care officers serves as the principal reporting hub. Beyond the level of the Strategic Partnership Groups [Children's Trust and LSCB] the line of report is through the accountability lines of the Local Authority and the Health Trust. Within the Local Authority the highest level of report is to Cabinet which ensures

political as well as managerial engagement. In the Health Service, the highest level of report is to the Clinical Commissioning Group.

Work may be commissioned through the Health Trust or through the Local Authority and from the strategic partnership groups, for example, Children's Trust or Local Safeguarding of Children Board. An example of this would be the LSCB's recent commissioning of a piece of work relating to the incidence of permanent exclusions which has resulted in a project being developed which will seek to trace the causes of disaffection at Key Stage 3 and to make recommendations concerning the management of transition to reduce this.

Individual groups may have additional accountability, for example, to schools.

### **Links to other strategies**

Council Plan 2015-2020

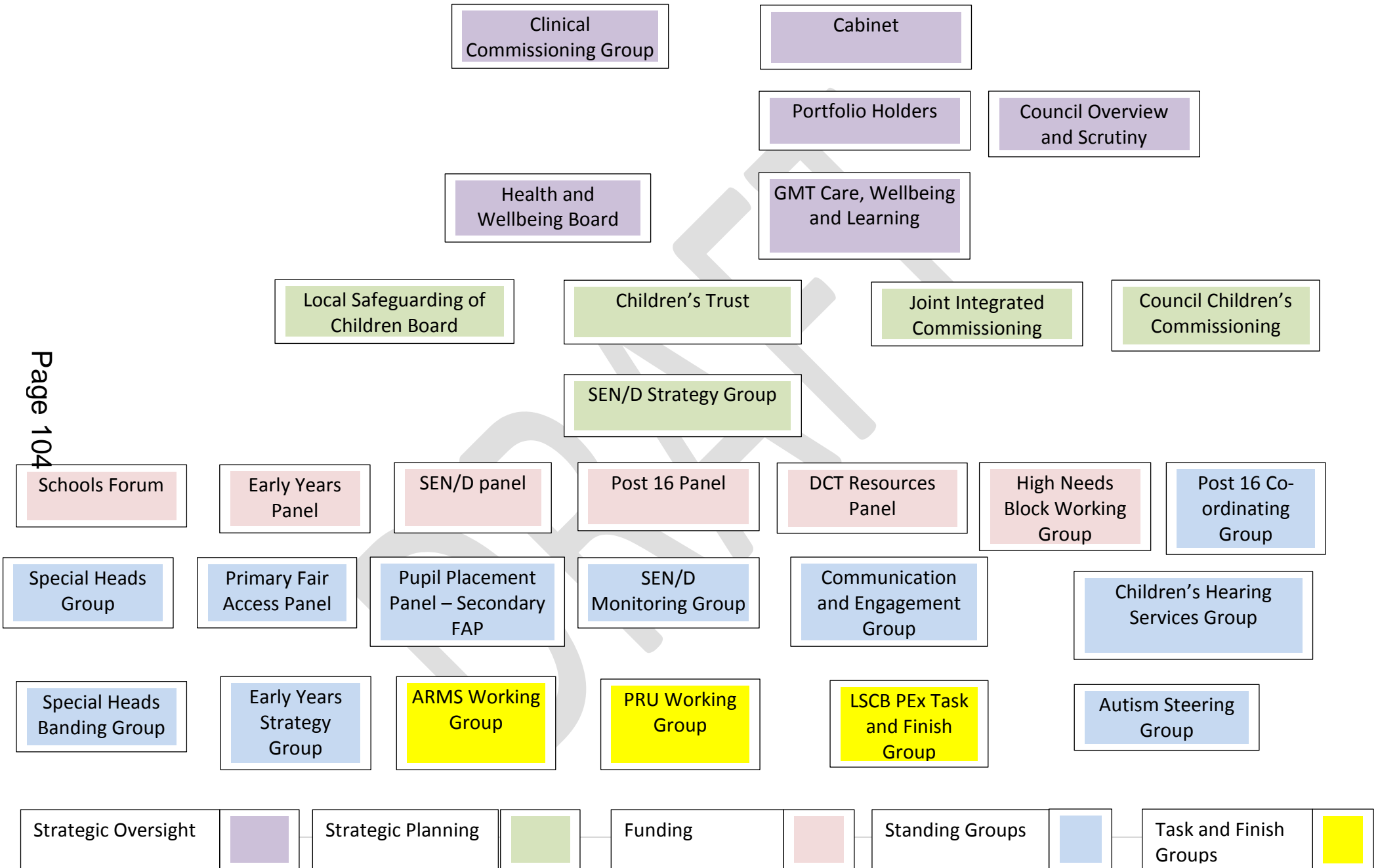
Vision 2030

Gateshead Inclusion Policy 2016

Gateshead Accessibility Strategy 2016-2020

Gateshead All-Age Autism Strategy 2014-2017

Anti-Bullying Strategy 2015-2020





# Accessibility Plan/Disability Equality Scheme

----- School



# Accessibility Plan/Disability Equality Scheme

**School name:** ----- School

**3 year period of the plan:** January 2018

## 1 Vision, Values and Ethos

----- School is committed to the principles of inclusion. We have a caring, supportive ethos that seeks to value all individuals. Our school promotes equality of opportunity for disabled people: pupils, staff, parents, carers and others who use our school.

By promoting a positive attitude towards disabled people we aim to eliminate discrimination and harassment related to disability and thereby fulfil an essential component of our ethos.

We will involve disabled people in informing the direction our school takes to promote equality of opportunity and accessibility to the school environment. We also seek to encourage full participation of disabled people in the school community even if this requires more favourable treatment.

Our school aims to provide a broad and balanced curriculum in a happy, challenging environment where each pupil can develop to the maximum of his/ her potential and feel valued as an individual who can contribute to the life of our school and society in general.

We promote:

- pupil self-confidence so that each pupil develops a sense of personal worth and is confident in his/her ability to succeed.
- relationships to help pupils develop good relations with others, based on mutual respect and consideration, and an understanding of, and a tolerance towards various races, religions and cultures.
- co-operation to develop pupils' abilities in contributing as members of groups and recognising their responsibilities.
- self discipline so that pupils understand the need for high standards of behaviour and to develop responsibility towards people and property.

## 2 The legal context

The 2010 Equality Act and the 1995 Disability Discrimination Act (DDA) introduced a duty, which applies to all schools, which sets out a general duty to promote disability and a specific duty to publish an

accessibility plan. It requires schools to be more proactive in their approach to promoting disability equality and eliminating discrimination. Our definition of disability defines a disabled person as someone who has:

*'a physical impairment which has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.'*

This definition covers a wide range of impairments, including hidden impairments such as dyslexia, autism, speech and language impairments, Attention Deficit Hyperactivity Disorder (ADHD). These are all likely to amount to a disability only if the effect is on a person's ability to carry out normal day-to-day activities. *See Appendix D for a list of impairments that would effect normal day-to-day activities.*

The duty puts greater focus on approaches to policy development and management of issues in relation to disability.

Part 4 of the DDA requires that the governing body increase access to education for disabled pupils. Our school has produced with this scheme an Accessibility Plan, which identifies actions based on our self-evaluation that will promote opportunities for participating in curriculum; accessing the building and services and delivery of information to pupils and adults. *See Appendices A, C and D.*

### **3 Involvement of pupils, staff, parent/carers, governors, agencies and service providers**

A working group representing the views of disabled people are fulfilling our statutory duty to involve disabled people in the production of this disability equality scheme (DES). This group consists of Mrs Smith, (Deputy headteacher) Mr Jones, (Governor) Miss Brown (Teaching assistant) and Mrs Gray (Parent).

Pupils in our school, including our school council, have provided their views to the group on accessibility issues and the provision they are receiving. *See Appendix B.* From the Annual Review of pupil statements we collate pupil and parent views to inform our scheme. Through respectful relationships with disabled pupils we would acknowledge their feelings and respond to their views.

Where we have disabled staff, parents and service providers we will provide a response to suggestions on how we can improve our disability scheme and its priorities. This would inform considerations that may be required to make reasonable adjustments.

We will seek to record views of external agencies, voluntary groups and services we procure to make adjustments and inform our disability equality scheme.

An annual report will be provided from the working group to the governing body identifying priorities for school action.

#### **4 Information Gathering in relation to the recruitment, development and retention of disabled employees**

----- school will follow local authority guidance on the collecting of information on disabled employees and the recruitment of new staff. This information will be available on the local authority school staffing database. It will be analysed by our school to show where disabled staff are deployed across the school. Other areas of analysis will cover: seniority, TLR payments, permanency of staff, CPD, disciplinary and capability proceedings, harassment and bullying, sickness and those leaving the profession early. Those staff who voluntarily provide information will be assured that it is used confidentially to inform working practice and conditions.

All staff will be supported by the local authority agreed policies on sickness and returning to work. Our school would seek to contact the 'Access to work' scheme to explore possible support to staff if required during their employment.

#### **5 The educational opportunities available to, and achievements of, disabled pupils**

The school maintains a pupil tracking system, which provides current data for analysis on pupil attainment and achievement. This system also provides specific information on pupil disability and attainment. Pupils with a disability will be registered on admission to ----- school. Information will be collected through the transfer of records from previous schools, the local authority and parents to ascertain pupil needs and levels of attainment and achievement in order that consideration be given to provision and access to curriculum. Further detail is available in our school's SEN and Admissions Policies.

In order that pupils can have full access to the curriculum the school will provide priorities in the school Accessibility plan which will address giving pupils greater participation in the curriculum if they have a disability.

Consideration will be given to the management of pupils with medical needs and their care plans to access the curriculum.

**The following questions would be considered to identify priorities:**

- Are there areas of the curriculum to which a disabled pupil has limited or no access?
- Are pupils fully participating in extra-curricular activities?
- How are we addressing those areas of the school building that are not accessible to disabled pupils, staff or others?
- What forms of communication can we provide for pupils and adults?
- Does our written information allow greater access to the curriculum and information on our school?
- Are we monitoring policies and practice? e.g. administration of medicines, staff development on inclusion areas, incidents that may affect disabled pupils

*Further questions are in Appendix C.*

## **6 Impact, reviewing and reporting our scheme**

The scheme will be monitored by the governing body and will be reviewed annually with the SEN policy and Accessibility Plan. The review of the scheme will cover:

- Information on attainment and achievement for those pupils with a disability.
- Current pupils, staffing and others who are registered with a disability.
- A record of the progress made against the school accessibility plan.
- Adjustments that are to be considered in the school SEN policy which would cover staffing and provision.
- Priorities that would be included in updating the SEF and school improvement plan.

Our scheme is reported on annually to the governing body. A summary of the scheme priorities are in the school prospectus and on our website. *See Appendix C for further questions that may be used by the governing body to assess the quality of the scheme.*

## **Appendices**

**Appendix A** Accessibility Plan and Disability Equality Scheme Activities

**Appendix B** Pupil views primary, special and secondary

**Appendix C** The Disability Equality Duty and the Governing Body (GB)

**Appendix D** The Equality Act 2010 definition of disability

**Appendix A: Example**

**Accessibility Plan  
& Disability Equality Scheme Activities**

**School:**

**Date:**

Activities	Resources	Date achieved	Responsible	Outcomes
<b>1. Leading and monitoring the disability equality scheme</b>				
Review all school policies, procedures and plans to ensure that our vision and value statements are explicit within them.				
Establish the disability working group to ascertain views of disabled people, identify key actions and promote greater involvement in school life.				
Review and update the school accessibility plan and its actions				
The DES will be monitored and reviewed on an annual basis.				

<b>2 Promoting curriculum access for disabled pupils and adults</b>				
Pupils with disabilities can access ICT				
School visits are made accessible to all pupils irrespective of attainment and impairment.				
Pupils with disabilities are encouraged to take part in music, drama and physical activities				
<b>3 Improving the quality of information for and about disabled pupils and adults</b>				
Provide on the website information in a range of formats				
Ensure that parents who have a disability can receive information and reports by an alternative method				
<b>4 Improving the physical environment of the school and its services</b>				
Ensure that pupils in wheelchairs can move around the school without experiencing barriers				
Provide pathways to travel around the site				
Emergency evacuation covers pupils and adults with a disability				



Appendix B: Example

Pupil Views on Meeting My Needs – Primary/special

Name:

Date:

This is how I feel about:

Getting to school	☺	☹	☹
Being at school	☺	☹	☹
My classroom	☺	☹	☹
Sitting with my teacher	☺	☹	☹
Getting help from my teacher	☺	☹	☹
Working on my own	☺	☹	☹
Working in a group	☺	☹	☹
Listening to the teacher	☺	☹	☹
Pupils who talk too much	☺	☹	☹

I think:

	Yes	Sometimes	No
My teacher explains well when I am stuck			
I get help when I ask			
My school cares about me			

I like/don't like

Using the computer	☺	☹	☹
Writing	☺	☹	☹
Reading	☺	☹	☹
Number/Maths	☺	☹	☹



## Appendix B

### Pupil Views on Meeting My Needs – Secondary

Question	Comment
1 During the school day you have another person giving you extra support with your work. How helpful do you find this? Are there any difficulties because you get this extra support?	
2 You have additional support separate from your fellow classmates (e.g. in the library). How do you feel about this? Do you feel you miss much that has gone on in class without you? How can we do things better?	
3 Can you think of an example where the additional support has helped you understand a topic or a subject better?	
4 Are there activities - either in class, in technology, or in P.E. or games - which you would like to do but don't get the chance to do?  What are they, and why don't you get the chance? What can the school do to help you in this?	

## The Disability Equality Duty and the Governing Body (GB)

Questions the governing body may want to ask itself as re responsible body for the school

### 1 Duties to disabled pupils, staff and parents

	Yes	No	Evidence
Does the GB receive reports on how the school is meeting its duties to: <ul style="list-style-type: none"> <li>• Disabled pupils?</li> <li>• Disabled staff?</li> <li>• Disabled parents, carers, governors, other disabled people who use the school?</li> </ul>			

### 2 Disability equality duty: General duty

Does the GB have regard to the need to: <ul style="list-style-type: none"> <li>• Promote equality of opportunity for disabled people?</li> <li>• Eliminate disability discrimination?</li> <li>• Eliminate disability-related harassment?</li> <li>• Promote positive attitudes towards disabled people?</li> <li>• Encourage participation by disabled people in public life?</li> <li>• Take steps to meet disabled people's needs, even if this requires more favourable treatment?</li> </ul>			
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### 3 Disability equality duty: Specific duty

Does the school have a disability equality scheme?			
Did the school involve disabled people (pupils, staff, parents) in the development of the scheme?			
<p>Does the school's scheme show:</p> <ul style="list-style-type: none"> <li>• How disabled people have been involved?</li> <li>• How information is gathered on the effect of the school's policies on: <ul style="list-style-type: none"> <li>- recruitment, retention of disabled staff?</li> <li>- Opportunities for, achievements of disabled pupils?</li> </ul> </li> <li>• How the school assesses the impact of policies, current or proposed, on disability equality?</li> <li>• The steps it is going to take to meet the general duty (the school's action plan)?</li> <li>• How information will be used to support the review of the action plan and inform subsequent schemes?</li> </ul>			
Did the school implement the actions in the scheme within three years?			
<p>Does the GB:</p> <ul style="list-style-type: none"> <li>• Report on its scheme annually?</li> <li>• Review and revise its scheme every three years?</li> </ul>			

## Appendix D

### The Equality Act 2010 definition of disability

The Equality Act 2010 defines a disabled person as someone who has:

*'a physical or mental impairment which has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.'*

#### Definition of the terms:

- a physical impairment includes sensory impairments
- mental impairment includes learning difficulties and impairment resulting from or consisting of mental illness
- substantial means more than minor or trivial; and long-term is defined as 12 months or more.

#### Things that would effect day-to-day activities:

- Mobility
- Manual dexterity
- Physical co-ordination
- Continence
- Ability to lift, carry or otherwise move everyday objects
- Speech, hearing or eyesight
- Memory or ability to concentrate, learn or understand
- Perception of risk of physical danger



**REPORT TO CABINET**  
13 December 2016

**TITLE OF REPORT: Gateshead Council Sports Strategy Documents**

**REPORT OF: Paul Dowling, Strategic Director, Communities and Environment**

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**Purpose of the Report**

1. To inform and seek approval from Cabinet and Council for Gateshead Council's Sports Strategy Documents, which comprise a Playing Pitch Strategy, an Indoor and Built Sports Facilities Strategy, and the Gateshead Football Plan.

**Background**

2. Policies contained within Gateshead's emerging Local Plan need to be supported by an accurate and up-to-date evidence base. To meet this requirement, three sports strategy documents have been prepared which provide information on needs and opportunities for provision of sports facilities in Gateshead. In addition to supporting policy preparation, and the Development Management process, the sports strategy documents will be used to inform the development of future leisure provision across the Borough, and may provide key evidence in future funding bids.
3. In 2012 Gateshead published a Playing Pitch Strategy (PPS). In order to ensure that information on provision and use of all playing pitch space is up to date, and to comply with Sport England's requirements for undertaking needs assessments for sports pitches, the Council has prepared a new PPS.
4. Building upon the work of the PPS, the Council has also prepared a Football Plan (GFP). The GFP has been prepared in partnership with the Football Association, with the aim of developing a plan for grassroots football in direct response to reductions in public subsidy to develop a longer term sustainable model for football facility provision and management.
5. The Council has also produced an Indoor and Built Sports Facilities Strategy (BSFS), which has assessed the need and opportunities for indoor and outdoor sports facilities (other than those covered by the PPS).

6. Knight, Kavanagh and Page (KKP) were commissioned to assist in the preparation of these documents. KKP have extensive experience of preparing sports and leisure strategy documents for public sector clients, and supported Sport England in developing the PPS and BSFS methodology.

### **Proposal**

7. It is proposed that Cabinet approves the findings and recommendations of the Playing Pitch Strategy, the Built Sports Facilities Strategy, and the Gateshead Football Plan (a summary of findings and recommendations is provided at Appendix 2). The actual documents can be viewed via the attached link <http://www.gateshead.gov.uk/Building%20and%20Development/PlanningpolicyandLDF/LocalPlan/Gateshead-Sports-Strategy-documents.aspx>. Cabinet approval of these documents will allow the Council to implement their findings through collaborative work with local sports clubs, facilities providers, and sports' national governing bodies. Formal approval of the sports strategies will also provide Sport England with assurance that the Council's activities in exploring new mechanisms for the provision and maintenance of sports facilities are compatible with Sport England's policy approach, and will continue to support sporting activity in the Borough. Such new mechanisms for the provision and maintenance of sites and facilities could include developing partnerships, lease agreements and asset transfer arrangements with sustainable, development-minded clubs to manage their own sites and / or facilities.

### **Recommendations**

8. Cabinet is asked to:
  - (i) Note the potential implications of the Gateshead Sports Strategy documents, including opportunities for new mechanisms for the provision and maintenance of sports facilities.
  - (ii) Recommend to Council the Gateshead Playing Pitch Strategy 2016-2019, the Gateshead Indoor and Built Sports Facilities Strategy, 2016-2026, and the Gateshead Football Plan 2016-2019.

For the following reason(s)

- (i) Evidence within the sports strategies will be necessary to provide a valid assessment of provision to underpin future proposals relating to sports facilities.
- (ii) The sports strategies have the potential to support funding proposals to Sport England and national governing bodies of sport.



- (iii) Implementation of the recommendations of the sports strategies will assist the Council in making its approach to the management of sports facilities more efficient.

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**CONTACT:** Neil Wilkinson/Chris Strong

extension: 3411/2708

## Policy Context

1. In 2015 the Department for Culture, Media and Sport (DCMS) published a new national strategy for sport: Sporting Future; A New Strategy for an Active Nation. This strategy confirms the recognition and understanding that sport makes a positive difference through broader means and that it will help the sector to deliver five simple but fundamental outcomes: physical health, mental health, individual development, social and community development and economic development. In order to measure its success in producing outputs which accord with these aims it has also adopted a series of 23 performance indicators under nine key headings, as follows:
  - More people taking part in sport and physical activity.
  - More people volunteering in sport.
  - More people experiencing live sport.
  - Maximising international sporting success.
  - Maximising domestic sporting success.
  - Maximising the impact of major events.
  - A more productive sport sector.
  - A more financially and organisationally sustainable sport sector.
  - A more responsible sport sector
2. Sport England's response to the new DCMS strategy: Towards an Active Nation 2016-2011, and identifies that it will invest in:
  - Tackling inactivity
  - Children and young people
  - Volunteering – a dual benefit
  - Taking sport and activity into the mass market
  - Supporting sport's core market
  - Local delivery
  - Facilities
  - These seven investment programmes will be underpinned by a new Workforce Strategy and a new Coaching Plan.
3. The National Planning Policy Framework specifies that Local Plans should meet objectively assessed needs. Planning policy should be based on robust, up-to-date assessments of need for open space, sports and recreation facilities and opportunities for new provision.
4. Sport England reflects this by promoting a planned approach to the provision of facilities and opportunities to participate in sport, in doing so adding value to the work of others and helping to deliver sustainable development goals through:

- Recognising and taking full advantage of the unique role of sport and active recreation in contributing to a wide array of policy and community aspirations, including leisure, health and education.
  - Using sport and recreation as a fundamental part of the planning and delivery of sustainable communities.
  - The development of partnership working using sport and active recreation as a common interest.
5. In line with the Government's National Planning Policy Framework (NPPF para 73), Sport England advocates that at the core of planning for sport should be a robust and up-to-date assessment of the needs for sport and active recreational facilities and opportunities for new provision. The results of the assessment should be developed into a clear strategy for meeting the identified needs and integrated into Forward Planning and applied within Development Management.
  6. Local Authorities are required to prepare robust and up to date evidence regarding demand for, and supply of sports facilities to support preparation of Local Plan policies. Sport England has established a methodology for how this evidence should be collected and assessed. Sport England advises that two distinct, but inter-related strategy documents are produced: a Playing Pitch Strategy (PPS), and an Indoor and Built Sports Facilities Strategy (BSFS).
  7. Preparation of these strategies provides an opportunity to review the Council's approach to the provision, maintenance, and management of sports facilities in Gateshead. Accordingly, a Football Plan has been prepared alongside the PPS which explores the specific issues related to supporting grassroots football, while addressing the challenge of reduced public subsidy for Gateshead's most popular team sport.
  8. The strategies' proposals accord with the provisions of the Corporate Asset Strategy and Management Plan 2015 – 2020. In particular, utilisation of the Council's assets to support the Council's policy priorities including supporting health and wellbeing of residents

## **Background**

9. Gateshead has a rich sporting heritage which can make a profound and positive impact on individuals, communities and wider society. According to Sport England, who commission their own research in Sport;
  - a. In 2010, sport and sport-related activity contributed £20.3 billion to the English economy – 1.9% of the England total.
  - b. sport and sport-related activity is estimated to support over 400,000 full-time equivalent jobs, 2.3% of all jobs in England.

- c. Physical activity, including sport, is linked to reduced risk of over 20 illnesses, including cardiovascular disease and some cancers.
  - d. Taking part in regular sport can save between £1,750 and £6,900 in healthcare costs per person.
  - e. Published studies show the positive effects of sport on education include improved attainment, lower absenteeism and drop-out, and increased progression to higher education. For instance, young people's participation in sport improves their numeracy scores by 8 per cent on average above non-participants.
  - f. Other studies have found that sport programmes aimed at youths at risk of criminal behaviour can enhance self-esteem and reduce reoffending.
10. The primary purpose of the strategy documents are to provide a strategic framework which ensures that the provision of sports facilities which meet the local needs of existing and future residents within Gateshead.
11. Gateshead's PPS, BSFS and Football Plan have been prepared by consultants Knight Kavanagh and Page. The strategies have been developed with input from a steering group featuring representatives from Council services (including Spatial Planning and Environment, Sport, Physical Activity and Health, Corporate Asset Strategy, and Street Scene Services), Sport England, and national governing bodies of sport. Local sports clubs have been consulted as part of the assessment process, and have contributed to the strategies' understanding of the quality of facilities.
12. Sport England is a statutory consultee for planning applications which affect sports facilities. Gateshead Council has prepared its sports strategy documents in keeping with Sport England's requirements for assessing the supply of, and demand for sports facilities. The strategies assess valid and robust evidence and present clear recommendations for the future of sports provision in Gateshead. Rejecting the strategies' recommendations would miss this opportunity to improve the efficiency of Gateshead's sports facilities. It could also reduce support from Sport England for funding proposals related to facilities in Gateshead, and for development proposals which affect sports facilities.
13. Appendix 2 provides an overview of the key findings and recommendations of the sport strategy documents, however the following key strategic objectives are identified;

- Secure, protect and enhance the current provision where it is needed for meeting current or future needs.
- Enhance playing fields, pitches and ancillary facilities through improving quality management of sites.
- Identify key strategic playing pitch sites for improvement, development and investment. Focusing on securing sites, pitch quality and ancillary facilities (changing rooms and car parking)
- Increase the provision of 3G pitches in Gateshead to meet training and competitive demand for football and rugby.
- Identify the feasibility of converting surplus/under used sand based pitches to 3G.
- Establish a Gateshead wide Sports Board/Partnership to ensure facility programme pathways and sports development outcomes are cohesive and drive sports participation.
- Gateshead International Stadium's role as an integral sporting and cultural hub has been highlighted with an aim to provide, protect and enhance provision.
- Further develop partnerships, lease agreements and asset transfer arrangements with sustainable, development-minded clubs to manage their own sites and / or facilities. The aim is to improve quality and potentially access funding sources not currently available to the Council.
- Rationalise Bowling green provision.

### **Consultation**

14. The Cabinet Members for Environment & Transport and Culture, Sport and Leisure have been consulted.

### **Alternative Options**

15. There are no alternative options.

### **Implications of Recommended Option**

#### **16. Resources:**

- a) **Financial Implications** – The Strategic Director, Corporate Resources, confirms there are no direct financial implications as a result of the proposals, however it is recognised that the strategy documents will support lever significant external funding to the Borough.
- b) **Human Resources Implications** – No human resources implications.
- c) **Property Implications** - The proposals present an opportunity to consider an alternative approach to the management and maintenance of local sports facility provision.

17. **Risk Management Implication** - No risks associated with the strategies
18. **Equality and Diversity Implications** – No equality and diversity implications
19. **Crime and Disorder Implications** – No crime implications.
20. **Health Implications** – Implementation of the sports strategies will allow Gateshead Council to continue to support sports and leisure activity in Gateshead, to support the health and wellbeing of local residents.
21. **Sustainability Implications** - A Sustainability Appraisal and Strategic Environmental Assessment will be carried out on proposals that are carried forward into the emerging Local Plan.
22. **Human Rights Implications** - No human rights implications.
23. **Area and Ward Implications** – The proposals relate to a Borough wide approach to the strategic approach to sport and leisure facilities, however the strategy documents include ward level recommendations. Further feasibility and ward level consultation would be undertaken prior to any proposal being delivered.

### **Background Papers**

<http://www.gateshead.gov.uk/Building%20and%20Development/PlanningpolicyandLDF/LocalPlan/Gateshead-Sports-Strategy-documents.aspx>

## APPENDIX 2

### Key findings;

1. The following is a summary of the key findings from the assessment carried out Knight, Kavanagh and Page;
2. Football grass pitch
  - The audit identifies 109 pitches across the borough. The 2011 PPS identified a total of 89 football pitches.
  - In total, 45 pitches are assessed as standard quality and 36 as poor quality.
  - In total, 53% of pitches have poor quality ancillary facilities and 47% have standard quality.
  - In summary there is an overall shortfall of match equivalent sessions to satisfy current and future demand for grass football in Gateshead. Any spare capacity expressed should be retained for strategic reserve and to help protect/improve quality.
3. Third Generation Artificial Turf Pitches (3G)
  - There are two full size 3G pitches within Gateshead, both of which are medium pile. There are also 13 smaller 3G pitches.
  - Pitches at Gateshead International Stadium have not been refurbished since 2006, and are likely to need refurbishing in the near future.
  - Based on 254 teams in Gateshead there is a requirement for six AGPs in Gateshead.
  - The FA model of training demand indicates a need for an additional four 3G pitches in the Borough.
  - Moving all mini (5v5 and 7v7) teams to 3G pitches would generate demand for a total of seven 3G pitches based on the programming principles
  - Although current 3G pitches are well used it is likely that some spare capacity exists, however, cost and access issues are likely to influence usage.
4. Cricket
  - In total, there are 11 grass cricket pitches identified in Gateshead all of which are available for community use.

- The audit found four pitches to be good quality, whilst the remaining seven were assessed as standard quality.
- Based on current demand, there is a small amount of spare capacity (to accommodate one team) on pitches in the South Analysis Area (Kibblesworth Park).
- Future demand for three senior teams (39 match equivalent sessions) results in a shortfall of 26 match equivalent sessions per season overall in Gateshead in the future.

#### 5. Rugby Union

- Within Gateshead there are 14 sites containing a total of 23 senior rugby union pitches. Of these, 16 pitches are considered available for community use.
- Nine pitches available for community use were assessed as good quality and seven as standard.
- There will be a shortfall of match sessions in the Central South, East and Inner West areas, to accommodate demand, which is exacerbated in the Central South Area where Gateshead RFC is already overplayed.
- Overall there is spare capacity across Gateshead due to the spare capacity identified in the West Analysis Area. However, not all of this spare capacity can accommodate the demand from the other areas as five match sessions are at a club site (Ryton RFC).
- Spare capacity (two sessions) at Blaydon Leisure & Primary Care Centre could offer some capacity; however, this relies on teams from other areas accessing the pitch. Unused school sites could offer potential capacity to accommodate shortfalls with further investigation into access.

#### 6. Rugby League

- There are three rugby league pitches within Gateshead.
- All pitches are assessed as standard quality.
- The pitch at Gateshead Stadium is overplayed by 2.25 match equivalents per week. The Club is nearing capacity and will require additional pitch capacity in the future.

#### 7. Hockey



- There are five full sized sand based artificial pitches in Gateshead that are suitable and available for competitive hockey.
- There is a need for one hockey suitable pitch to accommodate current and future demand, there are currently five within Gateshead which means that demand is being met.

## 8. Bowls

- A total of 28 bowling greens have been identified across 19 different sites in Gateshead. Of these, the vast majority (26 greens located across 20 sites) are Council owned and maintained.
- There is a general perception that the maintenance of Council managed greens is of a poor standard. Prominent issues include a lack of sport specific turf knowledge and lack of grass cutting.
- Quality ratings determined through non-technical assessments show most greens in Gateshead to be rated as good quality, with five assessed as standard quality and two as poor quality
- Potential opportunities for asset transfer or for clubs to take on greater responsibility for green maintenance should be explored where appropriate.
- On sites where there is more than one green it is likely that all demand can be met on one green.
- Consideration should also be given as to whether one green could accommodate the demand of two or more clubs.
- A rationalised approach to bowling greens should be considered.

## 9. Sports Halls

- The KKP audit identified that there are 27 sports halls with the space equivalent of 96 badminton courts
- There has been significant investment in the sports hall stock within the Council managed and school facilities.
- Overall the quality of facilities (with three or more courts) in Gateshead is generally good with 11 of these above average, nine good and only one being poor at Dunston Activity Centre

- When the accessibility modelling is taken into account, the overall level of satisfied demand in Gateshead is 91% which is in line with national and regional figures.

#### 10. Health and Fitness

- There are 24 health and fitness suites with 20 or more stations within Gateshead, all of which are considered to have pay and play community use.
- The good quality Gateshead Council managed facilities further reinforces the need to have high quality, well presented facilities in order to compete in this market.
- Based on the analysis the assessment is suggesting that there is sufficient supply to meet demand.

#### 11. Swimming Pools

- Sport England's Facilities Planning Model (FPM) indicates that there are 13 pools on five sites.
- The FPM indicates that in Gateshead there is a current shortfall of 158m<sup>2</sup> (5 lanes), the shortfall is further exacerbated by calculations of future demand (based on population change) for an additional 2.26 lanes.
- Gateshead Council needs to consider its approach to pool programming to meet the needs of clubs, Learn to Swim and community access to pools. Improved programming may be able to result in additional future demand being accommodated within existing pools.

#### 12. Squash Courts

- There are four squash courts across two sites in Gateshead, all located in Council managed facilities.
- No extra demand for courts is required at this time.

#### 13. Indoor Bowls

- There is one indoor bowling centre in Gateshead; Gateshead Indoor Bowling Club, which is now managed by a group of trustees.
- The ancillary facilities were assessed as poor quality and in need of refurbishment.

#### 14. Tennis

- There are 40 tennis courts in Gateshead across 16 sites; 24 are managed by Gateshead Council, the remaining 16 are located and managed on Education sites.
- As no indoor tennis courts were identified there is a case to further investigate the need to look at the potential to cover court(s) at Derwent Walk Country Park and Derwenthaugh Park the home to Blaydon Tennis Club.

#### 15. Athletics

- There is one athletics track in Gateshead at Gateshead International Stadium which is of international standard.
- There is also a cinder 400 metre track located at Blaydon Leisure Centre, which is of poor quality and in need of maintenance and investment. It is recommended that any improvements to the Blaydon Leisure Centre site, are that to meet the club needs.
- Gateshead is seen as a priority by England Athletics, there is also a Gateshead Athletics Network established to support clubs.

#### 16. Cycling

- British Cycling (BC) was consulted about the potential development of a closed road circuit; further investigation would need to be carried out as to the feasibility of such a facility.
- British Cycling also uses the Sport England Market Segmentation data to test the population need for new facilities. Within a one mile catchment of GIS there are 1,947 that would like to participate in cycling (total population 7,647).

#### 17. Golf

- There are seven golf courses and one driving range servicing Gateshead.
- All clubs report an intention to increase membership in the future.
- The current level of supply is deemed sufficient for residents.

#### 18. Gymnastics

- Overall in Gateshead, gymnastics is a thriving sport with a good spread of clubs for both male and females and disciplines. With

the move for British Gymnastics (BG) to support clubs to manage their own dedicated gymnastics centres, and to work closely with leisure facility operators, there is an opportunity for partners including Gateshead Council, BG and the Clubs to feasibly look at a dedicated gymnastics facility with the appropriate equipment.

#### 19. Gateshead International Stadium

The focus of Gateshead International Stadium has changed and there is a need for the Council and its partners to embrace this and to refine the future role and function of facility in line with the needs of the wider community. The stadium was previously a nationally significant athletics venue which is reflected in the level of events that it has hosted. However, its status as a major athletics venue has been superseded on two fronts:

- The development of larger and more modern athletics venues in other parts of the country.
- The expansion of the facility mix and alternative uses of the stadium including developments such as 3G pitches, expanded health and fitness and use by Gateshead FC, which generate higher levels of throughput, thus diluting the focus for athletics.

As such, there is a need for the Council and its partners to recognise the future role of the stadium and what it should deliver rather than its previous status. This future role should be within the context of a multi-sport hub and events venue for the Borough and the North East Region.

The future role of the stadium should focus on the following:

- The North East's premier Athletics venue and one which is capable of continuing to host the English Schools Athletics Championships.
- A football stadium for Gateshead FC, accommodating their current league requirements and potential future stadium conditions if promoted into the Football League.
- A football development hub for Gateshead which accommodates both training and fixtures for junior football clubs.
- Part of the wider health and fitness offer across the Borough, but which is differentiated as a result of the functional training and strength and conditioning offer available.

- The main outdoor events venue for the Borough and one which can attract regionally significant outdoor events, shows, concerts and festivals; and which contributes to the wider economic development of Gateshead.
- A potential gymnastics venue for the Borough if the decision is taken to convert half of the sports hall into a permanent gymnastics venue.
- A potential closed road cycling venue for the Borough if the decision is taken to work with British Cycling to invest in a facility at GIS.

If GIS is to achieve the above, it will require the Council and its partners to ensure that the Stadium is recognised for more than just athletics and football and that it is a key tool in the delivery of a wider sporting, cultural and economic development offer for Gateshead.

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**TITLE OF REPORT: Local Council Tax Support Scheme for 2017/18**

**REPORT OF: Darren Collins, Strategic Director, Corporate Resources**

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### **Purpose of the Report**

1. Cabinet is requested to recommend to Council a Local Council Tax Support Scheme for the year 2017/18 following consultation.

### **Background**

- 2 The Local Government Finance Act 2012, paragraph 5 of Schedule 1A, established a framework for Local Council Tax Support that requires the Council for each financial year, to revise its scheme, or replace it with another scheme and to do so before 31 January in the financial year preceding that for which the revision or replacement scheme is to have effect.
- 3 The Council is provided with funding to deliver its own Local Council Tax Support scheme although this grant is no longer separately identifiable having been subsumed within the council's overall settlement figure that continues to reduce year on year. The regulations require that pensioner households must be protected from the impact of the local scheme and therefore any shortfall in funding will fall to working age households or the council itself.
- 4 When designing a scheme the Council additionally must also consider its responsibilities under:
  - The Child Poverty Act 2010
  - The Disabled Persons (Services, Consultation and Representation) Act 1986, and Chronically Sick and Disabled Persons Act 1970
  - The Housing Act 1996 which gives local authorities a duty to prevent homelessness with special regard to vulnerable groups
- 5 Under legislation, the Council's own Local Council Tax Support scheme must be approved each year by Council by 31 January at the latest. The proposed council tax support scheme within this report is therefore a scheme for 2017/18.
- 6 Cabinet received a report on 13 September 2016 requesting approval to consult on a number of potential options for a scheme for 2017/18. The outcome of this consultation has informed the proposed Local Council Tax Support Scheme for 2017/18.

### **Proposal**

- 7 The proposed Local Council Tax Support scheme for Gateshead has been established with due regard to the Council's statutory obligations and in order to

attempt to distribute the reduced funding available amongst those claimants most in need of financial assistance, whilst still achieving a contribution to meet the funding reduction.

8 Apart from some minor underlying adjustments to the scheme calculations to bring the scheme in line with the Government's Housing Benefit and Universal Credit scheme, the outline proposed scheme for 2017/18 will remain the same as the scheme that was in place in previous years from 2013/14 and this will retain the same provision for pensioners and the original 8 underlying principles outlined below;

- Protection should be given to certain groups – all working age claimants to pay at least 8.5% of their council tax liability
- The scheme should encourage people to work
- Everyone in the household should contribute
- Capital or Savings threshold should be maintained at £16,000
- War Pensions should be disregarded
- Minimum level of support should be £1
- Child benefit should be disregarded as income.
- A discretionary fund should be maintained.

9 The proposed scheme therefore retains the minimum contribution of all working age claimants at 8.5% of their Council Tax liability and does not recommend an increase to this figure.

## **Recommendations**

10 Cabinet is requested to recommend that Council:

- (i) Approves the proposed scheme as set out in paragraphs 8 and 9 of the report.
- (ii) Delegates powers to the Strategic Director, Corporate Resources, to provide regulations to give effect to the scheme.

For the following reasons:

- (i) To meet the statutory requirements of the Local Government Finance Act 2012 in relation the establishment of a framework for Localised Council Tax Support.
- (ii) To mitigate the impact of budget cuts on Council Tax support claimants.
- (iii) To mitigate the impact of funding reductions on Council finances.

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**CONTACT:** John Jopling extension: 3582



## APPENDIX 1

### Policy Context

1. The proposal in this report will support the vision for Gateshead as outlined in the Council plan in particular the key council priority of ensuring a sustainable Gateshead through best use of resources.

### Background

2. The Welfare Reform Act 2012 included the abolition of the Council Tax Benefit scheme with effect from 1 April 2013.

The Act created the need for each billing authority in England to develop a scheme that 'states the classes of person who are to be entitled to a reduction under the scheme'. The Council must, before developing a scheme, consult any major precepting authority which has power to issue a precept, publish a draft scheme in such a manner as it sees fit, and then consult such other persons as it considers are likely to have an interest in the operation of the scheme.

3. The Council scheme, since 2013 has been based on 8 underlying principles:
  - **Principle 1 – Protection should be given to certain groups** – All working age claimants to pay at least 8.5% of their council tax liability. The council will support through the local scheme the remaining amount up to 91.5%.
  - **Principle 2 – The scheme should encourage people to work** – The earnings taper will not be increased and the earnings disregard will not be decreased.
  - **Principle 3a – Everyone in the household should contribute: Non-Dependants** - Non dependant deductions will increase in line with government recommendations and be on a sliding scale according to income.
  - **Principle 3b – Everyone in the household should contribute: Second Adult Rebate** – there will be no second adult rebate.
  - **Principle 4 – Benefit should not be paid to those with relatively large capital or savings** – The level of savings a claimant can have will be £16,000. A tariff will be applied for savings held between £6,000 and £16,000.
  - **Principle 5 – War pensions should not be included as income** – In recognition of the sacrifices made by war pensioners, war pension income will be excluded as income.
  - **Principle 6 – There should be a minimum level of support** – The minimum award of council tax support will remain at £1 per week.
  - **Principle 7 – Child benefit will not be included as income** – All child benefit income will continue to be disregarded in the calculation.

- **Principle 8 – Establishment of a discretionary fund** – A discretionary fund will allow for additional support to be provided to the most vulnerable in exceptional circumstances.

### **Proposal**

4. The proposed scheme for 2017/18 will retain the same 8 underlying principles and remain the same as the scheme in place in previous years apart from some adjustments to the underlying entitlement calculation.
5. Those changes, which have been consulted on are:
  - Allow minor changes to be made to the scheme whenever the Government makes welfare and benefit changes that have an impact on the scheme and those entitled to support
  - To retain the minimum amount that a working age claimant must pay towards their Council Tax bill at 8.5%

### **Consultation**

6. Where the draft scheme for a year remains the same as in previous years, no formal consultation is required to be undertaken. Where even minor changes are considered to a scheme, the Council must undertake a formal consultation with stakeholders.
7. Consultation on those changes therefore took place between 15<sup>th</sup> September 2016 and 10<sup>th</sup> November 2016.
8. The Council consulted on the option to increase the minimum contribution amount to either 10% or 12.5% or 15%, however, the proposal is to retain the minimum contribution at 8.5% of liability.
9. 137 residents and groups completed the survey and included Advice Agencies, Housing Associations and Private Landlords, residents and members. Stakeholders indicated their overall support- 74% (96 respondents) to the proposal to allow minor changes to be made to the scheme whenever the Government made welfare and benefit changes that had an impact on the scheme and those entitled to support. The consultation provided the following levels of support for the options around the minimum contribution: 47% supported 8.5% liability, 28% supported 10% liability, 7% supported 12½% liability and 15% supported 15% liability. 3% provided no response to this question.
10. Corporate Resources Advisory Group commented on the proposals following a presentation on 24 November 2016 and the details are attached at appendix 2.
11. The Leader and Deputy Leader have been consulted.

### **Alternative Options**

12. Alternative options could involve the adoption of a scheme which offers more support to residents by increasing at a greater rate the Council's commitment of

resources or the council could adopt a scheme which offers less support by increasing the minimum contribution to either 10%, 12.5% or 15%.

### **Implications of Recommended Option**

#### **13. Resources:**

- a) Financial Implications** – The proposed approach enables the Council to operate a support scheme within the funding available and to mitigate the impact on working age claimants by utilising council resources.

Adopting the scheme means that approximately 11,000 council tax payers will continue to pay no more than 8.5% of their council tax (around £100 per year/£1.92 per week).

The full impact on the Collection Fund continues to be monitored and the behaviour of those claimants who are required to pay has been analysed during the current and previous years. Collection from this client group has exceeded previous assumptions in the first three years of the scheme and continues to do so in 2016/17.

The removal of the ring-fence within the Government funding calculation means that funding for this area has been significantly reduced, it is impossible to identify this separately. The best estimate of the Council's overall subsidy in relation to the scheme is approximately £6m.

- b) Human Resources Implications** – There are no human resource implications directly arising from this report
- c) Property Implications** - There are no property implications directly arising from this report

- 14. Risk Management Implication** - Retaining a scheme based on the same principles eliminates the risk of a local scheme not being supported from a technology perspective.

Comprehensive consultation has mitigated the risk of legal challenge and the ability to adopt a scheme for 2017/18

- 15. Equality and Diversity Implications** - A Comprehensive Impact Assessment has been carried out following the outcome of the consultation responses.
- 16. Crime and Disorder Implications** – No impact.
- 17. Health Implications** – Financial concerns arising from the Governments Welfare Reforms may adversely affect the mental and physical health of some residents.
- 18. Sustainability Implications** - There are no sustainability implications arising from this report.
- 19. Human Rights Implications** – There are no Human Rights implications arising from this report.

20. **Area and Ward Implications** – This scheme affects all current and future working age benefit recipients across Wards within the borough.

**Background Information**

Welfare Reform Act 2012

Local Government Finance Bill

Communities and Local Government - Statement of intent

Communities and Local Government - Vulnerable people –key local authority duties

Welfare Reform and Work Bill 2015

Comprehensive Impact Assessment

**Corporate Resources Advisory Group**

**24 November 2016**

**Report to Cabinet**

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**Local Council Tax Support Scheme;  
Review of the Discretionary Rate Relief Policy; and  
Business Rate Retention update.**

**Purpose of the Meeting**

The purpose of the meeting was to enable councillors to consider the proposed Local Council Tax Support Scheme (LCTSS) and to contribute to the Review of the Discretionary Rate Relief Policy (DRRP). The group also received an update in respect of Business Rate retention.

**Summary of Advice - LCTSS**

**The Group:**

- Queried whether the cost of collection would increase if the level of claimant contribution was raised. It was clarified that the LCTSS proposals would not require additional resources therefore collection costs would not increase as a result of raising the level of claimant contribution.
- Raised concerns about the response rate to the LCTSS consultation but acknowledged that it is higher than in previous years.
- Queried whether pensioners will remain protected, as they represent 50% of the caseload. It was noted that no indication has been received that this exemption will be reviewed.
- Commented that it would be appropriate to retain the minimum contribution at 8.5%, due in part to other welfare changes and the likely decrease in collection rates.

**Summary of Advice - DRRP**

**The Group:**

- Supported the financial assessment of organisations. Concerns were raised in respect of rate relief to organisations with the ability to pay rate liability. As an example, the group highlighted that some childcare providers are extremely profitable national companies, branded as local small enterprises.

- Expressed support for the provision of rate relief to organisations whose members/customers are Gateshead residents. It was acknowledged that affected business could consider relocation.
- Requested a clear and efficient process to reduce the strain on already limited resources. It was noted that copies of audited accounts could be requested from Limited Companies to speed up the financial assessment of organisations.

### **Summary of Advice – Business Rate Retention**

#### **The Group:**

- Agreed to note the update, in particular the key issues and risks as highlighted in the presentation.
- Requested that collaborative work with other Local Authorities be undertaken to ensure the North East economy can remain competitive with that of Scotland.

**Chair:** C Donovan (In the Chair)

**Councillors Present:** D Bradford, M Brain, P Dillon, M Henry, M Hood, J McElroy, P Mole, I Patterson, L Twist, J Wallace and N Weatherley.

**Officers Present:** Keith Purvis – Corporate Resources  
John Jopling – Corporate Resources  
Pam Richardson – Corporate Resources  
Neil Porteous – Corporate Service and Governance

**TITLE OF REPORT:** Responses to Consultation

**REPORT OF:** Mike Barker, Acting Chief Executive

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### **Purpose of the Report**

1. To endorse the responses to the following consultations:
  - Northumberland Local Plan Core Strategy Pre-Submission Draft: Proposed Further Major Modifications – Northumberland County Council – appendix 1
  - Allocating 2017-18 funding to disregard war pensions in social care financial assessments – Department of Health – appendix 2

### **Background**

2. The background to the consultations and responses are set out in appendices 1 and 2.

### **Proposal**

3. To endorse the responses set out in appendices 1 and 2.

### **Recommendation**

4. It is recommended that Cabinet endorses the consultation responses set out in appendices 1 and 2.

For the following reason:

To enable the Council to contribute responses to the consultations.

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**CONTACT:** Kevin Ingledew extension: 2142

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**Northumberland County Council – Northumberland Local Plan Core Strategy Pre-Submission Draft: Proposed Further Major Modifications**

**Background**

1. Northumberland County Council is consulting on proposed further major modifications to the pre-submission draft of the Northumberland Local Plan Core Strategy (NLPCS). This follows consultation on major modifications to the pre-submission draft NLPCS that took in June/July 2016. The current consultation is part of ongoing discussions between Local Authority areas regarding strategic priorities for development, held under the Duty to Cooperate.
2. Once in place, the NLPCS will provide strategic policies on the overall quantity and locations of development in Northumberland, along with more detailed policies that the Council will use to determine planning applications, and potential development sites within the County. The NLPCS also proposes to allocate a number of sites currently in the Green Belt for residential development.
3. Throughout various stages of consultation on the NLPCS Gateshead Council has provided formal consultation responses that highlight issues in a number of areas, the most recent consultation response having been approved by Gateshead Cabinet in September 2016. The most significant issues raised in our consultation responses so far relate to the scale of growth proposed within the NLPCS. The evidence that Gateshead Council has been presented with so far suggests that the level of growth set out within the NLPCS, if delivered, could have a negative impact on Gateshead.
4. As identified in the documents published for consultation, Northumberland County Council has not proposed to address the issues we have raised by modifying the policies relating to the scale of growth set out in the plan. Conversely, the current consultation proposes a modification to the plan which seeks to increase the potential housing delivered in Northumberland from 24,000 new homes, to 26,000 new homes, through the allocation of additional Green Belt land for housing development at Dissington garden village (Ponteland).
5. Officers from Gateshead Council have held discussions with colleagues at Northumberland County Council as part of ongoing activity under the Duty to Cooperate. These discussions have taken place with the intention of

preparing a joint position statement that will explore concerns raised by Gateshead Council and Newcastle City Council through consultation. Evidence prepared to support this work suggests that the scale of housing growth planned for Northumberland will significantly increase the number of residents moving from Gateshead to Northumberland. This approach is not consistent with the Gateshead and Newcastle Core Strategy and Urban Core Plan, which plans to accommodate Gateshead's housing needs within the Borough. As such, there do not appear to be the "exceptional circumstances" required by national planning policy which would justify the allocation of greenfield Green Belt land for housing in Northumberland.

6. Consultation on the further proposed major modifications of the NLPCS must be limited to the proposed further modifications. Our draft consultation response therefore requests that Northumberland County Council removes the proposed allocation of land at Dissington garden village for housing development.
7. Our draft response to this consultation is consistent with responses we have provided to earlier stages of consultation on the emerging NLPCS. Gateshead Council has raised concerns regarding the scale of proposed housing growth in Northumberland, and the impact this may have on Gateshead during each stage of consultation on the emerging NLPCS, from December 2013 onwards.
8. The emerging NLPCS is at an advanced stage; subject to the outcome of consultation on proposed further major modifications to the NLPCS, and subject to approval by Northumberland County Council, the next stage of the plan-making process could be submission of the NLPCS to the Secretary of State for examination in 2017. Accordingly, although our draft consultation response emphasises that we support the principle of sustainable growth within the North East, it also re-states our concerns regarding the potential impact of the NLPCS for Gateshead.
9. The deadline for consultation responses is 23 December 2016. In order to meet this deadline, our comments have been forwarded to Northumberland County Council for information, with an accompanying covering letter stating that our formal consultation response is subject to Cabinet approval in December 2016.

## **Consultation**

10. The Cabinet Members for Economy and Transport have been consulted.

## **Implications of Recommended Option**

### **11. Resources:**

- a) Financial Implications** – The Strategic Director, Corporate Resources confirms that no financial implications directly arise from this report
- b) Human Resources Implications** – None
- c) Property Implications** - None

**12. Risk Management Implication** - None

**13. Equality and Diversity Implications** – None

**14. Crime and Disorder Implications** – None

**15. Health Implications** – None

**16. Sustainability Implications** – Sustainability Appraisal and Strategic Environmental Assessments have been published and will be revised as proposals are developed.

**17. Human Rights Implications** - None

**18. Area and Ward Implications** – None

## **Appendix 2**

### **Northumberland Local Plan Core Strategy Pre-Submission Draft: Proposed Further Major Modifications**

Thank you for providing us with the opportunity to comment on the proposed further major modifications to the pre-submission draft of the Northumberland Local Plan Core Strategy (NLPCS). This letter is provided to support a completed representation form, enclosed with this letter.

As you are aware, Gateshead Council has submitted formal written responses to consultation on the emerging NLPCS on several occasions throughout the plan's preparation. The most important issues raised in our comments relate to the scale of housing growth set out in the plan and the impact this could have on Gateshead. The proposed further major modifications to the NLPCS do not seek to address the issues we have raised through consultation. Therefore, rather than re-stating the comments we have provided previously, we advise that this consultation response is considered in addition to our previous submissions to consultation on the NLPCS. In particular, this letter should be considered alongside our response to consultation on the proposed modifications to the pre-submission draft NLPCS, contained within our letter to you dated 27 July 2016.

Over recent months officers from Gateshead Council, Newcastle City Council and Northumberland County Council have met with the aim of preparing a joint position statement. The joint position statement is being developed with the aim of supporting an understanding of the issues raised to date through consultation on the NLPCS, including understanding the significance of any impact of the NLPCS for Gateshead and Newcastle. Work on the joint position statement is ongoing, and we hope to reach a stage where areas of mutual agreement are identified within the statement, and where opportunities for mitigating anticipated impacts are explored, if appropriate.

An analysis of recent migration trends between Northumberland, Gateshead and Newcastle has been carried out by the Councils to support preparation of the joint position statement. This analysis suggests that if the level of housing provision identified within the NLPCS is delivered, it could result in around 2,000 additional residents moving from Gateshead to Northumberland over the plan period. This level of out-migration is over and above the current trend of net migration of residents from Gateshead to Northumberland.

There are many factors influencing migration patterns which are hard to quantify, making an accurate estimate of future trends difficult. However, the analysis of migration trends prepared for the emerging joint position statement has provided a useful indication of the potential implications for Gateshead. Although quantifying the exact impact of Northumberland's growth for surrounding areas is difficult, the evidence available to us makes clear that if the scale of housing growth proposed within the NLPCS is delivered, it will significantly increase the number of residents moving from Gateshead to Northumberland. Our previous consultation responses have highlighted our concerns regarding the potential implications of this for the delivery of

objectives aimed at supporting sustainable economic and housing growth in Gateshead. The proposed development of around 2,000 homes on Green Belt land at Dissington has the effect of increasing the plan's housing provision to around 26,000 new homes over the plan period. In our view, this proposed increase in the supply of allocated housing land in Northumberland is likely to exacerbate the potential negative impacts of the NLPCS for Gateshead.

The Gateshead and Newcastle Core Strategy and Urban Core Plan (CSUCP) plans to accommodate the full objectively assessed need for housing in Gateshead and Newcastle. However, through its implicit assumption that net migration into Northumberland will increase, it appears that the NLPCS aims to accommodate a portion of housing growth that has already been attributed to Gateshead within the adopted CSUCP. We therefore question whether there are exceptional circumstances which justify the allocation of greenfield land currently within Northumberland's Green Belt to accommodate housing development.

For the reasons set out above, we respectfully request that Northumberland County Council removes the proposed housing allocation at Dissington Garden Village from the further major modifications of the NLPCS.

We regret that our request for modifications to the NLPCS comes at a late stage in the plan's preparation. However, our request is in keeping with the issues we have identified within our past responses to consultation on the emerging NLPCS: Gateshead Council has consistently raised concerns regarding the implications of the quantity of housing provision proposed within the NLPCS at each stage of consultation on the emerging plan, from December 2013 onwards. Our response also results from an objective assessment of migration trends recently prepared in collaboration with Northumberland County Council to support our emerging joint position statement.

Over the coming months we hope to continue to work with Northumberland County Council and Newcastle City Council to progress our joint position statement. This work will involve discussion regarding the potential implications of Northumberland's proposed housing growth for Gateshead's road network. Gateshead Council is currently awaiting further information regarding anticipated transport impacts of development in Northumberland. We hope to provide a response on this issue once we have been able to develop a detailed understanding of the specific mitigation measures that may be required in Gateshead to address any identified issues associated with new developments in Northumberland.

We support ambitions to grow the economy of the North East to deliver increased prosperity for the region. Unfortunately, the evidence that is available to us suggests the delivery of housing growth in Northumberland, as set out in the pre-submission draft NLPCS could have negative impacts on Gateshead. We are keen to work with Northumberland County Council to

support the County in preparing a plan capable of supporting sustainable growth in the region.

**For Office Use Only**

Consultee ID:  
Agent ID:  
Received:  
Acknowledged:  
Processed:

## Northumberland Local Plan Core Strategy Pre-Submission Draft: Proposed Further Major Modifications (November 2016)

### Representation Form

This is the form for making representations on the Northumberland Local Plan Core Strategy Pre-Submission Draft: Schedule of Proposed Further Major Modifications.

Consultation will begin on **11 November 2016 and end at 4pm on 23 December 2016**. Representations received after this date cannot be considered. Only representations received within this period have the statutory right to be considered by the inspector at the subsequent examination.

If you wish to submit a representation, you can provide your comments online at [http://northumberland-consult.limehouse.co.uk/portal/planning/core\\_strategy/csfmm](http://northumberland-consult.limehouse.co.uk/portal/planning/core_strategy/csfmm) or by completing and returning the form to the email address or postal address given at the end of this form.

**Please note:**

1. All respondents need to provide their personal details.
2. The Council are only inviting comments on the proposed further major modifications to the Plan, which are underlined or scored through within the consultation document. Representations must reference the modification to which the comments relate and comments must be on the basis of the 'soundness' or legal compliance of the proposed further major modification. Please read the guidance note before completing this representation form.
3. It is recommended that groups that share a common view send a single representation rather than multiple copies. Please attach a list of the contact details of each person (include names, addresses, emails, telephone numbers and signatures) who supports the representation.
4. Separate forms should be completed for each representation.
5. By completing this form you agree to your details being shared and your name and comment (but not your address or other personal details) will be made available for public viewing. These representations cannot be treated as confidential.

Please expand the boxes as necessary or attach additional sheets. If attaching additional sheets, please clearly mark these with the part of the document the representation relates to and your name.

### Section 1: Personal Details

	1. Personal details	2. Agent details (if applicable)
Title	Mr	
Name	Neil Wilkinson	
Organisation / group	Spatial Planning and Environment, Gateshead Council	
Address 1	Gateshead Civic Centre	
Address 2	Regent Terrace	
Address 3	Gateshead	
Address 4		
Post Code	NE8 1HH	
Telephone number	(0191) 4333411	
Email address	neilwilkinson@gateshead.gov.uk	

If you are replying on behalf of a group, how many people does it represent?  
(Where applicable, see point 3 above)

**Section 2: Consultation Questions**

**Question 1. Which proposed further major modification of the Plan does your representation relate to?**

Change reference (FMAJ/XX/XX)	FMAJ/13/01
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**Question 2. Do you consider that this proposed further major modification meets the legal and procedural requirements?**

Yes  No

**Question 3. Local Planning Authorities should submit a plan for examination which is considered to be 'sound'. To be sound, the plan must be positively prepared, justified, effective and consistent with national policy. Do you consider that this proposed further major modification has met these tests?**

Yes  No

*If you have entered 'no' to Question 2 or 3, please continue to Question 4. In all other circumstances, please go to Question 5.*

**Question 4. Do you consider this part of the Plan to be unsound because it is not:**

Positively prepared	<input type="checkbox"/>	Justified	<input type="checkbox"/>
Effective	<input type="checkbox"/>	Consistent with national policy	<input checked="" type="checkbox"/>

**Question 5. Please give details of why you consider this proposed further major modification is not legally compliant or sound or if you wish to support the legal compliance or soundness of the proposed further major modification please also use this box to set out your comments.**

Please see attached consultation response

(Please continue on a separate sheet / expand box if necessary)



**Question 6. Have you raised this issue during previous consultation on the Core Strategy?**

Yes

No

If you have answered 'no' please explain why this issue has not been raised before:

(Please continue on a separate sheet / expand box if necessary)

**Question 7. Please set out what change(s) to the proposed further major modification you consider necessary to make the Plan legally compliant or sound. You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text.**

Please see attached consultation response

(Please continue on a separate sheet / expand box if necessary)

*Please note your representation should cover all the information evidence and supporting information necessary to support/justify the representation and the suggested change.*

**Question 8. If your representation is seeking a change, do you consider it necessary to participate in the Independent Examination?** (Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the Examination)

Yes

No

**Question 9. If you wish to participate in the Independent Examination, please outline why you consider it to be necessary?**

It may be necessary to make clear Gateshead's position during examination hearings.

(Please continue on a separate sheet / expand box if necessary)

### Section 3: Declaration

**Please tick the box if you would like to be notified at an address/email address of the following:**

- The submission of the Northumberland Local Plan Core Strategy for Independent Examination;
- The publication of the recommendations of any person appointed to carry out an Independent Examination of the Northumberland Local Plan Core Strategy (the Inspector's Report); and
- The adoption of Northumberland Local Plan Core Strategy.

### How we will use your personal information

The personal information you provide on this form will be processed in accordance with the requirements of the Data Protection Act 1998 and the County Council's Data Protection Policy. The information you provide will only be used for the purposes of the preparation of the Local Plan as required by the Planning and Compulsory Act 2004, and may be used by the County Council to contact you if necessary regarding your submission. Your name, organisation and comments will be made available for public inspection when displaying and reporting the outcome of the statutory consultation stage, and cannot be treated as confidential. You will not be asked for any unnecessary information, and in order to protect personal data, we will not publish signatures, telephone numbers, addresses or e-mail addresses on the internet.

We will not keep your personal information longer than is required by legislation. We will process your personal data in accordance with the rights of data subjects under the Data Protection Act. We will take all reasonable precautions to protect your personal data from accidental or deliberate loss or unauthorised disclosure.

You can access the personal data that Northumberland County Council holds about you by contacting the Council's Information Governance Officer. If you have any concerns about information placed on the internet by Northumberland County, or if you wish at any time you wish to have your details removed from the Council's online planning portal, please contact the Planning and Housing Policy Team at [PlanningStrategy@northumberland.gov.uk](mailto:PlanningStrategy@northumberland.gov.uk)

Please sign and date this form. Electronic signatures will be accepted.

**Declaration:**

**By completing and signing this form, I agree to my name, organisation and representations being made available for public inspection on the internet.**



**Signature:**

**Date:** 23/12/2016

The Council would prefer it if you made your representation online, via the interactive website at:  
[http://northumberland-consult.limehouse.co.uk/portal/planning/core\\_strategy/csfmm](http://northumberland-consult.limehouse.co.uk/portal/planning/core_strategy/csfmm)

An electronic version of the representation form can also be found at the above address. Hard copies of the representation form are also available from council offices, customer information centres, libraries and the drop-in events. Details of the drop in events are available on the Council's website at:  
[corestrategy.northumberland.gov.uk](http://corestrategy.northumberland.gov.uk)

Representation forms submitted by e-mail or post should be directed to:

Email to: [PlanningStrategy@northumberland.gov.uk](mailto:PlanningStrategy@northumberland.gov.uk)

Or post to: Planning and Housing Policy  
Northumberland County Council  
County Hall  
Morpeth  
Northumberland  
NE61 2EF

**Closing date for responses – 4pm on Friday 23 December 2016**

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### **Response to the Consultation on allocating 2017-18 funding to disregard war pensions in social care financial assessments**

#### **Policy Context**

1. In the 2016 Budget, the government announced that a change would be made to the care and support charging arrangements in England to treat the schemes, under which payments to armed forces veterans who have been injured during service, more consistently. This will be done by requiring regular payments made to veterans under the War Pensions Scheme (WPS) to be disregarded (i.e. not taken into account) when local authorities conduct the financial assessment. This will come at a cost to local authorities through reduced income from charging.
2. As disregarding WPS payments would be a New Burden on local authorities, the Government has agreed to cover the cost to local authorities for the remainder of this Spending Review.

#### **Background**

3. On 4 November the Department of Health opened a consultation seeking local authorities' views on the formula by which the £14m funding to cover these costs in 2017-18 should be allocated to individual local authorities. The £14m was calculated by projecting war pensioner numbers and estimating their social care need.
4. Since 29 October 2012 the regular Guaranteed Income Payments (GIP) paid under the Armed Forces Compensation Scheme (applying to veterans injured on or after 6 April 2005) have been disregarded in the financial assessment of what people can afford to pay. By contrast, only the first £10 per week of ongoing payments under the WPS is disregarded (applying to veterans injured before 6 April 2005).
5. There are currently 550 war pensioners in Gateshead that may have current or future social care needs.
6. The consultation proposes three options for the distribution of the funding:
  - Option 1 – Relative Needs Formula (RNF)
  - Option 2 – War Pensioner Numbers
  - Option 3 – War Pensioner Numbers weighted by RNF
7. The RNF reflects how the main components of social care eligibility vary across the country. Whilst this would generate a simplistic and consistent approach to previous funding allocations it does not take account of the actual distribution of War Pensioners. Under this option the Council would receive £66, 108.

8. The use of the actual number of War Pensioners adjusted by the Area cost adjustment and sparsity adjustment from the RNF would provide a more direct link to the actual proportions of War pensioners in each geographic area. This does however assume war pensioners have equal social care needs across the country. Under this option the Council would receive £89,622.
9. This option is based on actual war pensioner numbers but also adjusts for the distribution of social care needs based on the RNF. The advantage of this approach is that it better accounts for where war pensioners live and takes into account relative social care needs in that area. This does assume a link between the general social care need of the population and that of war pensioners but this is not underpinned by any robust data. Under this option the Council would receive £112,666.

### **Consultation**

10. The Cabinet Members for Adult Social Care has been consulted on this proposal.

### **Alternative Options**

11. An alternative option would be not to respond to the consultation and therefore not influence the way in which the funding to disregard war pensions in social care financial assessments is allocated.

### **Implications of Recommended Option**

#### **12. Resources:**

- a) **Financial Implications** – The Strategic Director, Corporate Resources confirms that the financial implications of the outcome of the consultation are outlined in this report
- b) **Human Resource Implications** – there are no direct HR implications arising from this report
- c) **Property Implications**- there are no property implications arising from this report.

13. **Risk Management Implications** – There is a risk that the Council is under resourced to meet the cost of disregarding war pensions in the social care financial assessment process.

14. **Equality and Diversity Implications** – There are no equality and diversity implications arising directly from this proposal.

15. **Crime and Disorder Implications** – There are no Crime and Disorder implications arising directly from this proposal.

16. **Health Implications** – There are no health implications for the Council arising directly from this proposal

17. **Sustainability Implications** – There are no sustainability implications arising directly from this proposal.
18. **Human Rights Implications** – There are no Human Rights implications arising directly from this proposal.
19. **Area and Ward Implications** –There are no specific Area or Ward implications.

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## **Response to Consultation on allocating 2017-18 funding to disregard war pensions in social care financial assessments**

Question WPS1

Do you prefer Option 1 (the standard RNF), Option 2 (using war pensioner numbers), or Option 3 (using war pensioner numbers and the RNF)?

**Option 3 using war pensioner numbers and the RNF.**

Question WPS2

Why do you prefer the option selected above? Do you have any comments about the options or alternative suggestions for allocating the funding?

**Linking the funding allocation to the number of war pensioners in an area takes account of the disparity in numbers that occurs across the Country. By applying the RNF to this further aligns resources to the potential for social care need in an area.**

**Allocations could be based on local authorities' actual data regarding the potential cost of the disregard. However, given the quantum of funding has already been calculated this could result in a disparity of projected cost and actual resources available.**

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**TITLE OF REPORT:** Gateshead Fund (Capacity Building Fund)

**REPORT OF:** Paul Dowling, Strategic Director, Communities and Environment

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### **Purpose of the Report**

1. To consider the advice of Capacity Building Fund Advisory Group to Cabinet, specifically:
  - (i) The approach to the Capacity Building Fund for 2016/17
  - (ii) Round 2 applications for capacity building funding
  - (iii) Sporting Grants to Individuals.

### **Background**

2. Council has agreed that the purpose of the Capacity Building Fund is to support voluntary organisations and community sector groups (infrastructure and delivery) to build capacity and sustainability.
3. The fund is to increase organisations' skills / expertise to diversify their income, expand services or consider different ways of working (e.g. delivering services, collaboration and/or partnership working) so that they become more sustainable.
4. Council has agreed that the overall aim is to achieve a thriving voluntary and community and social enterprise sector in Gateshead as a result of the following outcomes:
  - Increased capacity building and sustainability within the voluntary and community sector
  - Increased provision of services by the voluntary and community sector (commissioned by the Council and Gateshead Strategic Partnership)
  - Improved clarity and equity in commissioning processes.
  - Simplified and proportionate application and assessment processes.
5. Council has agreed a £400,000 budget for the Gateshead Fund in 2016/17: £334,000 for the Capacity Building Fund and £66,000 for the Local Community Fund.
6. A further £100,000 from Public Health was also agreed. The primary purpose of the funding is to enable voluntary and community organisations to apply for small amounts of funding to build capacity within the Integrated Wellness model. It was agreed that the fund will be part of the Capacity Building Fund.

7. In addition Cabinet agreed Advisory Group's recommendation of 19<sup>th</sup> February 2016, that the remaining £56,267 funding from 2015/16 should be carried forward to 2016/17 which has resulted in a total budget of £490,267

## Proposal

8. Council has agreed that applications to the Capacity Building Fund will be considered by the Capacity Building Fund Advisory Group who will give advice to Cabinet. This Advisory Group met on 22<sup>nd</sup> June 2016 to consider the approach and principles on which allocations of the Gateshead Fund (Capacity Building Fund) for 2016/17 will be made.
9. It is proposed to continue with the same objectives and approach as 2015/16 with a few minor changes. These include; 3 new objectives:
  - Developing and mobilising volunteers
  - Supporting building relationships within communities
  - Supporting residents to build their communities and improve what is already there.

The criteria for the Gateshead Fund (Capacity Building Fund) for 2016/17 is at Appendix 2.

10. An agreement for the development and administration of the Gateshead Fund (Capacity Building Fund) by the Community Foundation for Tyne & Wear and Northumberland was established in August 2016. This covers administration of the Capacity Building Fund; Gateshead Volunteers Month Small Grants and Sporting Grants to Individuals.
11. The Capacity Building Fund is an open application process for new and existing groups and organisations based or working in Gateshead. It was agreed that in 2016/17, the Capacity Building Fund will support organisations to build their capacity and sustainability as well as small grassroots community groups to help the Council achieve the following objectives:
  - Achievement of Council Plan outcomes:
    - Prosperous Gateshead
    - Live Love Gateshead
    - Live Well Gateshead
  - Developing and mobilising volunteers
  - Supporting building relationships within communities
  - Supporting residents to build their communities and improve what is already there
  - Increased capability, capacity and sustainability in the voluntary and community sector
  - Maximising the opportunities of funding - including exploration of different funding models, leverage of other funding, and collaborations.
  - Support health and wellbeing activities which improve healthy lifestyles and environments which support Public Health priorities as identified in the Health & Wellbeing Strategy.
12. The Advisory Group met on 18th November 2016 to consider the allocation of funding for the second round of applications.

13. 38 applications were received requesting a total amount of funding of £263,622. 6 of the applications (16%) were for small grants of less than £2,000. The Capacity Building Fund Advisory Group has ensured that all organisations recommended for funding have demonstrably evidenced need and impact.
14. The Capacity Building Fund Advisory Group recommended 18 funding applications are approved, totalling £118,242.
15. The advice of the Capacity Building Fund Advisory Group for Round 2 applications is at Appendix 3 paragraph 2a and Appendix 4
16. The budget for Sporting Grants to Individuals is £12,000 a year, offering support to talented individuals to compete in events such as the Olympics and Commonwealth Games and other major international events. This is in addition to the retrospective awards for individuals who compete on an individual basis or selected for a team.
17. The advice of the Capacity Building Fund Advisory Group for Sporting Grants to Individuals is at Appendix 3 paragraph 2a.
18. The Capacity Building Fund Advisory Group noted and approved a progress report, timeline and outcomes provided by the Community Foundation for the research project designed to grow and develop the Gateshead Fund.
19. Over the next 12 months, the potential for growing the Gateshead Fund will be explored through partnerships and activities that engage:
  - a. Public Sector partners, including dormant trusts and employees
  - b. The corporate sector, directly and via employees
  - c. Individual philanthropists
  - d. Gateshead residents
  - e. Online platforms such as crowd funding.

A copy of the report is at Appendix 5.

## **Recommendations**

20. Cabinet is recommended to approve the advice of the Capacity Building Fund Advisory Group from 18<sup>th</sup> November 2016 and in particular:
  - i. The recommendations for Round 2 Capacity Building Fund as set out in Appendix 3 paragraph 2a and Appendix 4;
  - ii. The recommendations for Sporting Grants to Individuals as set out in Appendix 3 paragraph 2a; and
  - iii. The progress report, timeline and outcomes for the research project designed to grow and develop the Gateshead Fund as set out in Appendix 3 paragraph 3 and Appendix 5.

For the following reasons:

- To ensure that the Gateshead Fund is used to maximise benefits to local communities and is managed effectively.

- To build capacity and sustainability in voluntary and community organisations in Gateshead.

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**CONTACT: Linda Whitfield**

extension: 2836

### Policy Context

1. The Council is committed to supporting and maintaining a vibrant voluntary and community sector in the Borough. The Council funds voluntary and community sector organisations, supporting their running costs, specific activities and building their capacity. The Council asks organisations to demonstrate how activities support the Council's policies and priorities (Vision 2030 and the Council Plan).

### Background

2. The Capacity Building Fund Advisory Group met on 18<sup>th</sup> November 2016 to consider the second round of 2016/17 funding applications from voluntary and community organisations as well as Sporting Grants to Individuals and a progress report on the research project designed to grow and develop the Gateshead Fund.
3. An agreement for the development and administration of the Gateshead Fund (Capacity Building Fund) by the Community Foundation for Tyne & Wear and Northumberland was established in August 2016. This covers administration of the Capacity Building Fund; Gateshead Volunteers Month Small Grants and Sporting Grants to Individuals.

### Consultation

4. This report has been prepared following consultation with the Capacity Building Fund Advisory Group. The Cabinet Members for Communities and Volunteering have been consulted on this proposal.

### Alternative Options

5. The applications have been recommended based on the Gateshead Fund criteria. The Council could decide not to award any funding to voluntary and community organisations. This would prevent the Council meeting its priorities in Vision 2030 and the Council Plan.

### Implications of Recommended Option

6. **Resources:**
  - a) **Financial Implications** – These are set out in the financial summary within Appendix 3.

- b) **Human Resources Implications** – There are no human resources implications for the Council from the proposals.
  - c) **Property Implications** - There are no property implications for the Council from the proposals.
7. **Risk Management Implication** - There are no risk management implications for the Council from the proposals.
  8. **Equality and Diversity Implications** - The applications will support the voluntary and community sector to deliver services to vulnerable groups across Gateshead.
  9. **Crime and Disorder Implications** – There are no crime and disorder implications for the Council from the proposals.
  10. **Health Implications** - The applications will support the voluntary and community sector to deliver services and Public Health priorities to improve the health and wellbeing of vulnerable groups across Gateshead.
  11. **Sustainability Implications** - The applications will support the sustainability of the voluntary and community sector based and working in Gateshead.
  12. **Human Rights Implications** - There are no Human Rights implications for the Council from the proposals.
  13. **Area and Ward Implications** - The applications will support all wards in the Borough as membership of some of the organisations concerned is drawn from across the Borough.

#### **Background Information**

14. The minutes and papers for the Gateshead Capacity Building Fund Advisory Group meeting held on 18<sup>th</sup> November 2016.



## Appendix 2

### Capacity Building Fund 2016/17

#### **Principle of the Capacity Building Fund**

1. To support, develop and build capability, capacity and sustainability in the voluntary, community and social enterprise sector (VCSE) in Gateshead and to help create stronger, cohesive and connected communities.

#### **Objectives and Outcomes of the Capacity Building Fund**

2. The Capacity Building Fund will support organisations to build their capability, capacity and sustainability as well as small grassroots community groups to help the Council achieve the following outcomes:
3. Achievement of Council Plan:
  - Prosperous Gateshead – a thriving economy for all; e.g. more people in work, fewer people with low skills through increased learning and development,
  - Live Love Gateshead – a sense of pride and ownership by all; e.g. a community which cares about their local area and share responsibility for making and keeping our environment the best it can be,
  - Live Well Gateshead – a healthy, inclusive and nurturing place for all; e.g. a place where, children have the best start in life, older people are independent and able to make a valuable contribution to the community, people choose to lead healthy lifestyles and more people are living longer and without life-limiting illnesses, a place where people feel safe
  - Developing and mobilising volunteers
  - Supporting building relationships within communities
  - Supporting residents to build their communities and improve what is already there
  - Increased capability, capacity and sustainability in the voluntary and community sector
  - Maximising the opportunities of funding - including exploration of different funding models, leverage of other funding, and collaborations.
  - Support health and wellbeing activities which improve healthy lifestyles and environments which support Public Health priorities as identified in the Health & Wellbeing Strategy. This includes projects developed in association with the Live Well Gateshead Programme. For example:
    - Obesity, Nutrition and Physical Activity - increasing the number of people who are of a healthy weight, improving nutrition and levels of physical activity.
    - Children and Young People - ensuring every child in Gateshead is safe, healthy and happy and has the chance to fulfil their potential

- Wellbeing and Health Improvement - build community capacity and create opportunities for residents to take control of improving their wellbeing and health
- Tobacco Control - support Gateshead towards becoming smoke free by 2030.
- Drugs and Alcohol - reducing the numbers of people who misuse drugs and alcohol by providing a creative approach to challenge alcohol and drug use and promoting recovery in Gateshead
- Sexual Health - improving sexual wellbeing and reducing risk taking behaviour
- Community approaches to improving mental health and reducing stigma
- Older People - reducing isolation, promoting independence and reducing the risk of falls, providing advice on preventing malnutrition in older people.

### **There are 2 levels of funding within the Capacity Building Fund**

4. **Small grants for small groups:** provides funding up to £2,000 for organisations with an annual income up to £50,000 for:

- Start-up costs
- Contribution to core running costs (part salaries, rent, utilities, telephone, insurance)
- Innovation feasibility /projects,
- Small scale community and health projects
- Events which bring communities together e.g. consultation events, festivals, 'spring clean' the neighbourhood events
- Projects which support the delivery of the Live Well programme
- Community based activities and events that contribute to Public Health priorities; for example, healthy eating sessions, school holiday activities
- Projects within neighbourhoods and communities which add value to and enhance local service provision, tackling disadvantage and demonstrate self- help, social capital and community involvement.
- Licenses or permits for events and activities
- Small capital items related new project or activity costs e.g. new computer, tools, special clothing (must remain the property of the organisations and not for individual use), arts and crafts materials

**Groups and organisations applying for a small grant should complete the small grants application form.**

5. **Main CBF Fund** - provides funding between £2,000 and £10,000 for organisations with an **annual income of £250,000 or less** for projects and activities which build capability, capacity and sustainability within the organisation and /or builds stronger communities, e.g.

- Developing new ways of working e.g. social value and social impact measurement, outcome based approach, consortia / partnership development, staff, management committee, volunteer training
  - Organisational change e.g. business and strategic planning, governance, fiscal and financial planning
  - Exploring different funding models e.g. exploring loan finance, social investment, delivering contracts, transition to trading
  - Larger projects delivering public health priorities
  - Mobilising and developing volunteers
  - Projects within neighbourhoods and communities which add value to and enhance local service provision, tackling disadvantage and demonstrate self- help, social capital and community involvement.
  - Contribution, up to 50%, to core running costs such as salaries, rent, telephone, utilities, insurance but only if related to capacity building activity or part of a new project cost.
  - Any funding request for new salary posts which is not time limited must demonstrate how the post will be funded after Capacity Building Fund ends.
  - Professional fees or services e.g. planning application fees, facilitator costs
  - Small capital items related to capacity building activity or new project costs e.g. ICT, office furniture for a new member of staff.
6. Organisations with an income in excess of £250,000 may apply if part of a consortia / partnership application and can be lead and accountable body.
7. Larger funding levels may be considered in exceptional circumstance, where an application demonstrates significant levels of innovation, impact and outcome; in particular those that are focussed new models of delivery and engagement. (community of interest or geography)

**Organisations applying for funding between £2,000 and £10,000 should complete the Main CBF fund application form.**

**Who can be funded:**

8. Eligible applicants must demonstrate that they have;
- A management committee or board of trustees
  - A governing document
  - A separate bank account with at least two unrelated signatories
9. This includes:
- Voluntary or community organisations with a constitution or set of rules
  - Registered charities
  - Charitable Incorporated Organisations (CIO)
  - Companies Ltd by Guarantee

- Community Interest Companies (CIC) – (start-up / development costs within the first 2 years of trading)
- Co-operatives – where social aim is the primary purpose - (start-up / development costs within the first 2 years of trading)
- Consortia, partnerships of the above eligible organisation

#### **Who cannot funded:**

10. The Gateshead Fund (Capacity Building Fund) will **not** fund:

- Groups and organisations without a suitable and appropriate constitution or governing document
- Group and organisations without a separate bank account with at least two unrelated signatories
- Organisations with an annual income over £250,000 unless part of a consortia / partnership application
- Private and for profit organisations
- Co-operatives which are profit making organisations where the social aim is not the primary purpose.
- Organisations in receipt of other Council funding such as Gateshead Fund (Local Community Fund) and / or a contract or funding agreement unless it can be demonstrated that the funding is additional and not to deliver the same activities / service
- Organisations which appear to have excessive unrestricted or free reserves (over 12 month's annual running costs).
- Sole traders
- Individuals

#### **What will not be funded:**

11. The Gateshead Fund (Capacity Building Fund) will **not** fund:

- Projects or activities which are designed to promote religion or where people have to take part in religious activities to benefit (although applications from religious groups wanting to deliver services for the community will be welcomed).
- Large capital expenditure such as refurbishments, building work, painting and decorating, new windows. In exceptional circumstances, capital expenditure may be considered if it is part of a wider capacity building project which will generate increased income or mitigate against loss of income. A business case and income forecast must be submitted with the application.
- Energy efficiency projects such as solar panels, heating systems and lighting.
- Capacity Building Fund cannot be used to replace reduced or withdrawn Council funding. Although applications will be considered for transition funding provided it can be demonstrated how the funding will enable capacity to be built and increase self-sustainability.
- Core running and business costs and Director's salaries for Community Interest Companies and Co-operatives.

- Capacity Building Fund will not fund 100% core running costs
- Holidays / outings
- Refreshments / catering (unless part of a Fill the Holiday Gap or Healthy Eating project)
- Retrospective funding for activities / projects already begun before funding is awarded
- Political activities or activities which support a particular political party
- Campaigns which seek to lobby for changes in law or government policies.

### **Match funding:**

12. No match funding is required. However groups and organisations are encouraged to find a proportion of match funding towards the total project costs. This can be in-kind volunteer time or cash.
13. **General criteria / guidelines:**
  - The Capacity Building Fund is an open, competitive application process for new and existing groups and organisations based or working in Gateshead.
  - Funding will be awarded to organisations which can demonstrate the need and impact of the funding request.
  - Outcomes or targets will be attached to the funding.
  - Organisations which are still applying to the Capacity Building Fund after receiving funding for 5 consecutive years, will need to demonstrate why they still require funding and have not built their capacity.
  - Organisations will be required to complete a monitoring report by the end of the funding period. The Capacity Building Team may also carry out a monitoring visit.
  - Applications received to the Capacity Building Fund may be shared across funds within Gateshead Council if it is thought that other funding is more appropriate than the Capacity Building Fund.
  - A satisfactorily completed monitoring form for previous funding received, evidencing achievement of milestones must accompany the application form, if it has not previously been submitted. Applications will **not** be supported if milestones have not been achieved or an organisation cannot present reasonable and appropriate evidence as to why the milestones have not been achieved.
  - Organisations can apply for up to the maximum Capacity Building Fund award of £10,000 within a 12 month period. This can be requested across more than one round. However these applications will be subject to the availability of resources as well as satisfactory evidence demonstrating achievement of milestones from the initial award.
  - Applications **will not** be accepted or assessed if any information or documentation is missing.
  - Funding will be paid as a one-off single payment on receipt of the signed funding offer letter

For queries please contact; Culture, Communities, Leisure and Volunteering. Tel 0191 433 2836 or email [capacitybuildingfund@gateshead.gov.uk](mailto:capacitybuildingfund@gateshead.gov.uk)

## APPENDIX 3

### CAPACITY BUILDING FUND (GATESHEAD FUND) ADVISORY GROUP

Friday, 18 November 2016

#### Advice to Cabinet

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#### 1 DECLARATIONS OF INTEREST

Councillor Hughes declared an interest in Crawcrook and Greenside Local Environment Group and would leave the meeting during the consideration of this item.

#### 2 COVERING REPORT - ROUND 2 2016/17

The Advisory Group were informed of the approach taken to Round 2 of the Capacity Building Fund and funding recommendations.

In Round 2, 18 applications are recommended for funding totalling £118,242.

With regards to sporting grants to individuals, 20 applications have been recommended totalling £6,600.

An agreement for the development and administration of the Gateshead Fund (Capacity Building Fund) by the Community Foundation for Tyne and Wear and Northumberland was established in August 2016. This covers administration of the Capacity Building Fund; Gateshead Volunteers Month Small Grants and Sporting Grants to Individuals.

A summary table of the applications received, and the Community Foundation's assessment reports and recommendations relating to them were also tabled for the Advisory Group's recommendations.

The Community Foundation suggested the following amendments to the fund criteria:

- Make provision to assess the income of the applicants on the basis of the last two financial years. This mitigates against applicants being prejudiced by short term increases in income during the previous financial year (e.g. one-off donations).
- Clarify the rules on partnerships so that it is clear that at least one partner must have income and reserves within the threshold level
- Make it explicit that full salary costs are permissible for the first year of new posts.

It is proposed that the Community Foundation develop appropriate wording for approval by the Advisory Group at its next meeting.

RESOLVED - that the information be noted and the suggested amendments to the Capacity Building Fund criteria be agreed.

**2a Financial Summary, Recommendations for Round 2 Applications and Sporting Grants to Individuals**

**Round 2 Applications to the Capacity Building Fund**

**Financial Summary**

<b>Financial Summary – November 2016</b>	<b>Total Funding Requested</b>	<b>Total Funding Recommended</b>
Capacity Building Fund funding available to organisations after Round 1		<b>£319,045</b>
Withdrawn/returned 15/16 CBF awards added to 16/17 budget		<b>£830</b>
<b>Total Remaining for organisations after Round 1</b>		<b>£319,875</b>
<b>Funding Available to Talented Athlete/Sporting Individuals after Round 1 2016/2017</b>		<b>£10,300</b>
<b>Total Funding available</b>		<b>£330,175</b>
Round 2 – 38 Applications received	£263,622	
Round 2 – 18 Applications recommended	£126,645	£118,242
20 Talented Athlete/Sporting Grants to Individuals	£6,600	£6,600
<b>Total funding recommended</b>		<b>£124,842</b>
<b>Remaining Funding for Organisations 2016/2017</b>		<b>£201,633</b>
<b>Remaining Funding for Talented Athlete/Sporting Individuals</b>		<b>£3,700</b>



**Cabinet are asked to note the following rejected applications**

<b>Organisation</b>	<b>Amount Requested</b>	<b>Amount Recommended</b>
1st Ryton Scout Group	£3,800	£0
Experts by Experience	£10,000	£0
Gateshead Redheugh 1957	£1,800	£0
Gateshead Sea Cadets (TS Flamingo)	£1,600	£0
Peer Support North East CIC	£7,000	£0
*Samaritans of Tyneside	£5,000	£0
Tyne and Wear Anti Fascist Association	£10,000	£0

\*The Advisory Group asked officers to investigate other streams of funding for the Samaritans of Tyneside and report back in due course.

**Cabinet are asked to note the following deferred applications**

<b>Organisation</b>	<b>Amount Requested</b>	<b>Amount Recommended</b>
Ashreinu	£9,000	£0
*Friends of Recovery	£7,940	£0
Mount Community Organisations	£9,102	£0

\*The Advisory Group asked officers to see if Health/Evolve colleagues could offer any financial assistance and report back in due course.

**Cabinet are asked to note the following recommended applications for small grants**

<b>Organisation</b>	<b>Amount Requested</b>	<b>Amount Recommended</b>
Guidepost	£1,920	£1,920
Seven Stars Residents Association	£1,490	£1,490
SPLASH – Special Play & Leisure After School Hours	£1,980	£1,980

**Cabinet are asked to note the following recommended applications for large grants**

<b>Organisation</b>	<b>Amount Requested</b>	<b>Amount Recommended</b>
Birtley Amateur Swimming Club	£5,620	£5,620
Crawcrook and Greenside Local Environment Group	£10,000	£10,000
Dunston Community Centre	£6,983	£5,430
Edbert's House	£10,000	£10,000
Felling Male Voice Choir	£4,500	£4,500
Gateshead Older People's Assembly	£9,321	£9,321

Gateshead Team Gymnastics	£9,000	£5,750
Gateshead Visible EM	£10,000	£10,000
HTM Teamwork Ltd	£10,000	£10,000
Kittiwake Trust	£5,000	£5,000
Oasis Aquila Housing	£10,000	£10,000
Special Olympics Gateshead	£3,000	£3,000
Victims First Northumbria	£10,000	£10,000
Wayout in Gateshead (WinG)	£4,231	£4,231

**Councillor Hughes declared an interest in the Crawcrook and Greenside Local Environment Group and removed herself from the meeting during consideration of this item.**

**Cabinet are asked to note the following large grants were refused by the Advisory Group**

<b>Organisation</b>	<b>Amount Requested</b>	<b>Outcome</b>
Dynamix Extreme Ltd CIC	£5,870	Refused as planning permission is required
Fighting All Cancers Together	£10,000	Refused
Gwk Woodshed CIC	£10,000	Refused
Washingwell FUNdraisers	£2,500	Refused, officers to try and direct to alternative funds elsewhere

**Cabinet are requested to note that the following applications were not recommended for approval**

<b>Organisation</b>	<b>Amount Requested</b>	<b>Amount Recommended</b>
3 <sup>rd</sup> Gateshead Boy's Brigade	£4,000	£0
AfriMEAD	£1,980	£0
Age UK Gateshead	£9,669	£0
Little Theatre (Gateshead)	£10,000	£0
Samosa Sisters	£7,716	£0
Workplace Foundation	£10,000	£0

**Cabinet are requested the note that the following application was considered**

<b>Organisation</b>	<b>Amount Requested</b>	<b>Amount Recommended</b>
<b>Gateshead and Whickham ASC</b>	<b>£13,600</b>	<b>£10,000 – officers to seek guidance from Newcastle CVS re governance arrangements</b>

**Cabinet are requested to note the Talented Athlete Scheme and the Individual Sporting Grant Scheme as listed below.**

Owen Kennedy	£900
Matthew Loftus	£1000
Brandon Bailey	£1000
Scott Mears	£400
Tegan Hewitt	£200
Duncan Rowlands	£400
Sophie Donaldson	£100
Rachel Emma Lee	£200
Sophie Littlemore	£200
Liam Reveley	£200
Samuel Gorman	£200
Harry John Young	£200
Simon Robinson	£400
Jess Weymes	£100
Sally Mills	£100
Niamh Lendrum	£100
Ellen Donaldson	£100
Kyle Crombie	£400
Steven James	£200
Helen Rowlands	£200

**3 GATESHEAD FUND RESEARCH PROJECT**

The Advisory Group were informed of the progress to date of the research project designed to grow and develop the Gateshead Fund.

An agreement for the development and administration of the Gateshead Fund (Capacity Building Fund) by the Community Foundation for Tyne and Wear and Northumberland was established in August 2016.

Alongside overseeing the grant-making of The Gateshead Fund, the Community Foundation Tyne and Wear and Northumberland will be exploring the potential for growing the Gateshead Fund through partnerships and activities that engage:

- Public sector partners, including dormant trusts and employees
- The corporate sector, directly and via employees
- Individual philanthropists
- Gateshead residents
- Individuals further afield who may be willing to support specific projects in the borough e.g. through crowdfunding.

RESOLVED - that the information is noted and thanks be placed upon record to the Community Foundation on the partnership working undertaken so far.

**4 ANY OTHER BUSINESS**

There were no items of any other business discussed.

**PRESENT:** Councillor P Foy (Chair)

**MEMBERS PRESENT:** Councillors: C Donovan, H Hughes, I Patterson and J Turnbull

**OFFICERS PRESENT:** Lindsay Murray  
Helen Conway

**IN ATTENDANCE:** Adam Lopardo      The Community Foundation  
Mark Pierce      The Community Foundation  
Nils Stronach      The Community Foundation

## Appendix 4 – Table of recommendations

REJECTED APPLICATIONS				
Application reference	Organisation	Amount requested	Amount recommended	Comments
171090	1st Ryton Scout Group	£3,800	£0	<b>Rejected</b> as the project budget unclear and reserves above programme limit therefore ineligible under Capacity Building Fund Criteria
171091	Experts By Experience <b>New applicant</b>	£10,000	£0	<b>Rejected</b> as the constitution and accounts were not submitted and not provided following request, therefore ineligible under Capacity Building Fund criteria
171168	Gateshead Redheugh 1957	£1,800	£0	<b>Rejected</b> as the latest annual accounts were not submitted and not provided following request. Additionally, organisation's income is above programme limit for both small and large grants and this is not a partnership application therefore ineligible under Capacity Building Fund criteria.
171197	Gateshead Sea Cadets (TS Flamingo)	£1,600	£0	<b>Rejected</b> as the application was received after the programme deadline for applications therefore ineligible under Capacity Building Fund criteria. Applicant advised to reapply for the next round
171022	Peer Support North East CIC	£7,000	£0	<b>Rejected</b> as the organisation was formed in 2012 and this application is for existing activities/core running costs, as stated in the organisation's CIC statement. Organisation is therefore ineligible under Capacity Building Fund criteria
171088	Samaritans of Tyneside	£5,000	£0	<b>Rejected</b> as reserves are above the programme limit therefore ineligible under Capacity Building Fund criteria.
171102	Tyne and Wear Anti-Fascist Association	£10,000	£0	<b>Rejected</b> as the reserves above programme limit therefore ineligible under Capacity Building Fund criteria.
<b>Total</b>	<b>Total rejected</b>	<b>£39,200</b>	<b>£0</b>	

<b>DEFERRED APPLICATIONS</b>				
<b>Application reference</b>	<b>Organisation</b>	<b>Amount requested</b>	<b>Amount recommended</b>	<b>Comments</b>
171149	Ashreinu	£9,000	£0	<b>Deferred</b> pending further information
171137	Friends of Recovery	£7,940	£0	<b>Deferred</b> pending further information
171155	Mount Community Association	£9,102	£0	<b>Deferred</b> pending further information
	<b>Total deferred</b>	<b>£26,042</b>	<b>£0</b>	

<b>RECOMMENDED APPLICATIONS – SMALL GRANTS</b>				
<b>Application reference</b>	<b>Organisation</b>	<b>Amount requested</b>	<b>Amount recommended</b>	<b>Comments</b>
171153	Guidepost	£1,920	£1,920	<b>Recommended</b> to support the organisation's sustainability for the next year allowing time for the organisation to explore different funding models, consider new models of enterprise, generate further grant support and develop a business plan.
171156	Seven Stars Residents Association <b>New applicant</b>	£1,490	£1,490	<b>Recommended</b> to enable the group to carry out a mapping exercise around the needs of the community and develop activities which will bring the community together.
171089	SPLASH - Special Play & Leisure After School Hours <b>New applicant</b>	£1,980	£1,980	<b>Recommended</b> to enable the organisation to continue to deliver activities and allow time to research further funding options, particularly longer-term support.
	<b>Total recommended</b>	<b>£5,390</b>	<b>£5,390</b>	

<b>RECOMMENDED APPLICATIONS – LARGE GRANTS</b>				
<b>Application reference</b>	<b>Organisation</b>	<b>Amount requested</b>	<b>Amount recommended</b>	<b>Comments</b>
171136	Birtley Amateur Swimming Club	£5,620	£5,620	<b>Recommended</b> to increase the capacity for the organisation as well as increase the skills of volunteers.
171092	Crawcrook & Greenside Local Environment Group	£10,000	£10,000	<b>Recommended</b> to enable the organisation to carry out a feasibility study, which will increase engagement and help to engender ownership within the local community, enabling them to start to improve their local area.
171130	Dunston Community Centre	£6,983	£5,430	<b>Recommended</b> to enable the organisation to increase its income and provide additional activities to young people.
171131	Edbert's House	£10,000	£10,000	<b>Recommended</b> to enable the organisation to increase its capacity and sustainability
171132	Felling Male Voice Choir <b>New applicant</b>	£4,500	£4,500	<b>Recommended</b> to contribute to the group's centenary celebrations and sessions across Gateshead, which will attract new members and support long-term sustainability, as well as helping to build strong relationships within the community.
171085	Gateshead and Wickham ASC	£13,600	£10,000	<b>Recommended</b> to enable the organisation to build its capacity and sustainability
171100	Gateshead Older People's Assembly	£9,321	£9,321	<b>Recommended</b> to allow the organisation build its capacity and increase promotion of its services across Gateshead.
171086	Gateshead Team Gymnastics <b>New applicant</b>	£9,000	£5,750	<b>Recommended</b> to enable the organisation to increase its capacity and sustainability
171152	Gateshead Visible EM	£10,000	£10,000	<b>Recommended</b> to allow the organisation to increase the capability and capacity of its partner organisation.
171133	HTH Teamwork Ltd	£10,000	£10,000	<b>Recommended</b> to enable the organisation to expand its services to benefit older people in Gateshead.

<b>RECOMMENDED APPLICATIONS – LARGE GRANTS</b>				
<b>Application reference</b>	<b>Organisation</b>	<b>Amount requested</b>	<b>Amount recommended</b>	<b>Comments</b>
171157	Kittiwake Trust	£5,000	£5,000	<b>Recommended</b> to enable the organisation to build capacity, supporting children to have improved life chances and enabling adults to choose to live more healthy lifestyles.
171134	Oasis Aquila Housing	£10,000	£10,000	<b>Recommended</b> to enable the organisation to work in partnership to develop and mobilise volunteers and maximise the opportunities of funding.
171101	Special Olympics Gateshead	£3,000	£3,000	<b>Recommended</b> to allow the organisation to grow and develop by forming new partnerships with Specialist Schools.
171160	Victims First Northumbria <b>New applicant</b>	£10,000	£10,000	<b>Recommended</b> to enable the delivery of a partnership pilot project which will benefit women in Gateshead and which both organisations can progress in future years through contracts with local authorities and funding from the Northumbria Police and Crime Commissioner.
171139	Wayout in Gateshead (WinG)	£4,231	£4,231	<b>Recommended</b> to enable the organisation to develop and grow by expanding its partnership working across Gateshead.
	<b>Total recommended</b>	<b>£121,255</b>	<b>£112,852</b>	

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<b>NOT RECOMMENDED</b>				
<b>Application reference</b>	<b>Organisation</b>	<b>Amount requested</b>	<b>Amount recommended</b>	<b>Comments</b>
171128	3rd Gateshead Boy's Brigade	£4,000	£0	<b>Not recommended</b> as the application did not provide sufficient evidence as to how the funding met the aims of the Capacity Building Fund
171075	AfriMEAD	£1,980	£0	<b>Not recommended</b> as most of the funding request is for costs ineligible under the Capacity Building Fund criteria



<b>NOT RECOMMENDED</b>				
<b>Application reference</b>	<b>Organisation</b>	<b>Amount requested</b>	<b>Amount recommended</b>	<b>Comments</b>
171148	Age UK Gateshead	£9,669	£0	<b>Not recommended</b> as the project does not demonstrate capacity building within the organisation and the partner organisations are ineligible under the Capacity Building Fund criteria.
171150	Dynamix Extreme Ltd CIC	£5,870	£0	<b>Not Recommended</b> as planning permission for the building is required prior to any funding being considered
171151	Fighting All Cancers Together	£10,000	£0	<b>Not Recommended</b> as the application did not demonstrate sufficient need and impact
171087	Gwk Woodshed C.I.C.	£10,000	£0	<b>Not Recommended</b> as the application did not provide sufficient evidence of need and impact with Gateshead
171154	Little Theatre (Gateshead)	£10,000	£0	<b>Not recommended</b> as the application did not provide sufficient evidence as to how capacity would be built within the organisation.
171123	Samosa Sisters	£7,716	£0	<b>Not recommended</b> as the application did not provide sufficient evidence as to how the organisation would build its capacity and sustainability.
171069	Washingwell FUNdraisers	£2,500	£0	<b>Not Recommended</b> as Advisory Group felt there were more appropriate funding sources available.
171158	Workplace Foundation	£10,000	£0	<b>Not recommended</b> as the application did not clearly demonstrate benefit to the wider Gateshead community against the Council's priorities and plan
	<b>Total not recommended</b>	<b>£71,735</b>	<b>£0</b>	
	<b>Total</b>	<b>£263,622</b>	<b>£118,242</b>	

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## **Appendix 5**

### **Gateshead Fund (Capacity Building Fund) Advisory Group Research Project 18<sup>th</sup> November 2016**

#### **Report from Community Foundation Tyne & Wear and Northumberland**

##### **1. Purpose of Report**

To outline the progress of the research project designed to grow and develop the Gateshead Fund.

##### **2. Summary**

Work has commenced on a plan for the development of the Gateshead Fund, and a timeline of activities developed.

##### **3. Background**

An agreement for the development and administration of the Gateshead Fund (Capacity Building Fund) by the Community Foundation for Tyne & Wear and Northumberland was established in August 2016. This covered a research project to explore the potential to grow and develop the Gateshead Fund.

##### **4. Research Project**

###### **4.1. The aim of the project**

Alongside overseeing the grant-making of The Gateshead Fund, the Community Foundation Tyne & Wear and Northumberland will be exploring the potential for growing the Gateshead Fund through partnerships and activities that engage:

- Public sector partners, including dormant trusts and employees
- The corporate sector, directly and via employees
- Individual philanthropists
- Gateshead residents
- Individuals further afield who may be willing to support specific projects in the borough e.g. through crowdfunding

As outlined in our original proposal, it is critical that the Council and other partners are realistic about the prospects of combining individual and corporate giving with public funds. This field is relatively untested in the UK and, in the current climate, it is challenging to get over the perception that private gifts would add value and not just offset cuts. There is also a risk of criticism that any Council-backed scheme could be seen to divert donations away from existing fundraising done by charities in the borough.

With this in mind, we will be engaging potential partners and supporters in the order laid out below. Over the course of the first three stages we will also engage with existing donors to our own Give2 Gateshead Endowment Fund, which

include representatives from all three groups. The aim is to develop a picture of the potential support before going ahead with any specific fundraising or development activity.

#### **4.2 The 'pitch'**

Gateshead Council are a major founding contributor to the fund and so a catalyst for further supporters. This is an innovative approach to supporting the voluntary and community sector in Gateshead. In discussions with potential supporters of the fund we will initially be using, testing and developing the sample case for support outlined in our proposal.

*“The Gateshead Fund is an innovative approach lead by the Council to helping the many voluntary and community groups which help make our borough a great place to live and work. Public money has reduced, making community-led activities more vital than ever. With your help, this is where the Gateshead Fund comes in. The Council believes it can have a greater impact by pooling resources and joining forces with the borough’s people, businesses and partner bodies to help charities and community groups across the patch.”*

We will discuss ways for potential supporters to get involved, to show ‘what can they give to’. We will discuss the range of opportunities that sit within the current fund and how they can be aligned with their own interests. This could mean aligning them with specific elements e.g. volunteering or supporting sporting excellence or finding other areas in which they feel they can make the best use of their resources. It could also mean that their support comes in ways other than financial e.g. by providing volunteers, expertise or other in kind support. We will also be listening to what interests them and find ways to align them to the Fund.

These discussions, alongside the outcomes from the grant-making, will give us the opportunity to update and develop the case for support.

#### **4.3 The sectors we will research**

We will initially be researching the following sectors:

##### **Public sector**

We will research opportunities for additional contributions based on shared, borough-wide issues being addressed by public sector partners, for example, health and wellbeing, housing and regeneration. Other opportunities we will research include:

- Dormant and ineffective trust funds that sit within the Council, NHS or other public bodies being revitalised as part of the Fund.
- Piggy-backing on existing charity efforts within public bodies e.g. the Mayor’s Charity of the Year.
- Levies from activities like private developments in the borough.

This will require commitment and input from Gateshead Council officers to aid us in clarifying which elements they feel are worth pursuing, and which align appropriately with other corporate priorities, and the pinpointing the right contacts to meet and discuss opportunities with.

## **Businesses**

Other than public bodies, the strongest target for donations will be businesses based, or working extensively in, the borough. We will engage with:

- Companies with which the Council or other partners have a pre-existing relationship or are developing relationships with as part of inward investment.
- The borough's top 50 businesses including and researching an appetite for a 'club' or 'circle' into which corporates could engage and be recognised for.
- Business networks to encourage their support for the fund with their members and partners.

As with public sector partners, Gateshead Council officer support is vital providing intelligence on and introduction in these areas, especially the economic development/inward investment teams.

## **Individuals – stage 1**

The initial research on potential individual donations to the fund will be linked to the above elements as the Council, public sector partners and businesses could play a key role in championing the Fund as large employers in their own right. Payroll giving would be one avenue to explore, and we will raise this opportunity during the wider conversations.

High-net-worth individuals (HNWIs) are the core donor audience with whom the Community Foundation already works and we will engage with our own contacts to discuss their opinion of supporting a pooled fund for Gateshead. Again, support from the Council and other partners would be vital in developing a further pipeline of contacts and making introductions.

## **Individuals – Stage 2**

Getting buy-in from the wider general public will likely be the most challenging and the hardest to research. Asking for pooled donations to a general fund without evidence of what groups the fund has supported and the stories around them is difficult. As a result, this will be the last area we will look at to allow time for that evidence to be collected. We will then develop the case for support and the tools to engage individuals. Initially we plan to look at three specific strands:

- A donation platform - the Fund should have a simple, straightforward mechanism for accepting general donations.
- Crowdfunding – this will include experience from other crowdfunding campaigns we will be involved in during the same period
- A Gateshead 'challenge' - led by a specific call or opportunity in the borough e.g. an anniversary, the Mayors Charity
- Utilising our own Give 2 Fund – looking at how we may use our own fund for those individuals who may feel uncomfortable giving to a 'council' fund.

#### 4.4 Timeline and outcomes

<b>Sector</b>	<b>Partner</b>	<b>Activity and Outcome</b>	<b>Timeline</b>
Public	Gateshead Council	Determine potential public sector partners, potential dormant trusts, existing charitable promotions and opportunities arising from levies. Develop marketing pitch before approaching partners.	Activity - Nov-Dec 16 Reporting - Jan 2017  Also update activity plan
Public	Public Sector Organisations	Meet and market engagement opportunities. Collate list of potential supporters and their interests and those unwilling support and reasons why. Develop initial products and partnerships	Activity - Dec 16-Jan 17 Reporting - Jan 2017  Also update activity plan
Business	Gateshead Council	Determine potential business supporters and networks including attending Economic, Housing and Growth business breakfasts to approach at next stage.	Activity – Nov-Dec 16 Reporting – Jan 2017  Also update activity plan
Business	Identified Businesses	Meet and market engagement opportunities. Collate list of potential supporters and their interests and those unwilling support and reasons why. Develop products for support.	Activity – Jan-May 2017 Reporting – June/July 2017  Also update activity plan
Individual (stage 1)	Gateshead Council and public sector partners	Identify appetite for support promoting fund and implementing payroll giving	Activity - Dec 16-Jan 17 Reporting - Jan 2017
Individual (stage 1)	Gateshead Council and Community Foundation donors	Identify High Net Worth Individuals	Activity – Jan-May 17 Reporting – June/July 2017
Individuals (Stage 2)	Community Foundation donors	Identify donors willing to support our own Give 2 Gateshead Endowment if they will not support the Gateshead Fund	Activity – Ongoing Reporting - Ongoing

<b>Sector</b>	<b>Partner</b>	<b>Activity and Outcome</b>	<b>Timeline</b>
Individuals (Stage 2)	Gateshead Council and other partners	Identify potential partners in donation and crowdfunding platform	Activity – Ongoing Reporting – Jul-Sept 2017
Individuals (Stage 2)	Donation platform partner	Identify partner and develop opportunity	Autumn 2017
Individuals (Stage 2)	Crowdfunding partner	Identify partner and develop opportunity	Autumn 2017

**Adam Lopardo**  
**Director of Partnerships**  
**Community Foundation Tyne & Wear and Northumberland**

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**TITLE OF REPORT: Provision of Support, Development, Networking and Representation to the Voluntary and Community Sector in Gateshead from April 2017**

**REPORT OF: Paul Dowling, Strategic Director, Communities and Environment**

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### **Purpose of the Report**

1. The purpose of this report is to seek Cabinet approval for:
  - Implementation of the extension clause in the current Agreement between the Council and Newcastle Council for Voluntary Service (NCVS) to provide support, development, networking and representation to the Voluntary and Community Sector (VCS) in Gateshead up to September 2017
  - To agree to the Council leading a joint procurement exercise with Newcastle City Council as partners to secure an infrastructure support service for the VCS across both authorities from September 2017

### **Background**

2. Following a Review of Funding to the Voluntary and Community Sector (VCS) by the Council, Cabinet agreed on 19 January 2016 to implement a review of how the Council commissions an infrastructure organisation in Gateshead to support the Voluntary and Community Sector (Minute C138 refers).
3. The Council maintained its commitment to supporting access to advice, guidance and representation for Gateshead's groups and organisations for 2016/17 with the commissioning of Newcastle Council for Voluntary Service (NCVS), following Cabinet approval to enter into an agreement with NCVS in April (minute 227 refers). This was an interim arrangement whilst the Council considers options for providing these services from 1st April 2017 onwards and includes conversations with Newcastle City Council and Newcastle Gateshead CCG, as well as capturing views from the VCS.
4. An online survey was carried out with community groups and organisations in August and September 2016 to capture views on the need for infrastructure support services, and the type of advice and support likely to be required by the Borough's VCS over the next few years.

### **Proposal**

5. A thriving and vibrant voluntary and community sector is a vital characteristic that helps ensure the Borough's residents enjoy a higher quality of life with opportunities to improve their own health and wellbeing, together with their fellow residents and the communities they live in. To achieve this, the Borough's VCS needs to:
  - be effectively represented
  - be engaged in influencing and delivering services

- be engaging in key decision-making processes
  - be championing excellence, continuous improvement and innovation, and
  - move towards greater self-sustainability where possible
6. Council officers have been in discussion with colleagues at Newcastle City Council and Newcastle Gateshead Clinical Commissioning Group, exploring the potential for a jointly procured VCS infrastructure service, or services, available to community groups and organisations across the two local authority areas. The key drivers for considering this partnership approach are:
- the shared ambitions and objectives that the two Councils have for a strong, vibrant and sustainable VCS that continues to contribute to the health and wellbeing of local residents and communities
  - a recognition that many organisations provide services and activities in both Newcastle and Gateshead Council
  - builds on the existing cross-river working relationship, and
  - provides the potential for a more efficient use of financial resources
7. Subject to Cabinet approval, a tender specification will be jointly drafted that will invite submissions from either a single organisation or a partnership collaboration for the provision of support, development, networking and representation to the voluntary and community sector. The successful submission would need to demonstrate that the services and representation of the VCS would be provided in a manner that reflects the respective characteristics of the VCS in each area. Newcastle City Council has indicated that it is amenable to Gateshead Council acting as the lead commissioner for the procurement process. Newcastle Gateshead CCG has indicated its interest in the joint procurement process but is not in a position to provide financial support at this time.
8. A further report will be presented to Cabinet in due course to seek approval for a final tender specification, and to seek approval to commence the procurement process.

### **Recommendation**

9. It is recommended that Cabinet:-
- Agrees the implementation of the extension clause in the current Agreement between the Council and Newcastle Council for Voluntary Service to provide support, development, networking and representation to the Voluntary and Community Sector (VCS) in Gateshead up to September 2017
  - To agree to the Council leading a joint procurement exercise with Newcastle City Council as partners to secure an infrastructure support service for the VCS across both authorities, with the ambition of implementing the new arrangement from September 2017 subject to further Cabinet approval and budget considerations

For the following reasons:

- To enable the discussions regarding the potential for jointly commissioned support for the VCS in Newcastle and Gateshead to continue towards procurement
- To build capacity and sustainability in voluntary and community organisations in Gateshead

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**CONTACT:** Lindsay Murray extension: 2794

### Policy Context

1. The recommendations in this report are consistent with the Council's vision and medium term objectives as set out in Vision 2030 and the Council Plan as follows:
2. Council Plan  
Live Love Gateshead – a sense of pride and ownership by all
  - A confident and more aspirational population acting as Gateshead's strongest advocates
  - Gateshead people who care about their local area and share responsibility for making and keeping our environment the best it can be
  - A community who take pride in Gateshead the place and enjoy and engage in world class culture and heritage that contributes to a sense of belonging and wellbeing
  - Increasing Community, Individual and Council Resilience
  - Supporting people to help themselves, whilst making sure that we work with our partners and residents to help and protect those most in need.
  - Supporting economic growth will enable the Council to be more financially sustainable, allowing us to redirect resources to those most in need, in addition to the beneficial effects of people having sufficient money to prosper.
3. Vision 2030
  - Active and Healthy Gateshead  
Gateshead to have one of the healthiest communities in the country with the building blocks in place to support and encourage people to take up opportunities to improve their health and lifestyle.

### Background

4. The Gateshead Compact with the VCS  
Providing an over-arching framework to the Review is the Gateshead Compact with the voluntary and community sector. The Compact, covering 2014-2017, is an agreement between the Council and the VCS to work together to agreed standards and shared objectives. It formalises a set of shared priorities which recognise the value and role of the VCS and includes a series of actions to deliver the priorities. The current Compact priorities are:
  - Strong, sustainable voluntary and community sector
  - Long term planning and transparency in commissioning
  - Valuing and enabling volunteering
  - Gateshead Communities Together

### Consultation

5. The Cabinet Members for Communities and Volunteering, and for Culture, Sport and Leisure have been consulted on the proposals.

## **Alternative Options**

6. The Council could decide not to support the provision of services to voluntary and community organisations. This would prevent the Council meeting its priorities in Vision 2030 and the Council Plan.

## **Implications of Recommended option**

### **7. Resources:**

- a) **Financial Implications** - The Strategic Director, Corporate Resources confirms that support for the provision of a CVS function of £160,000 is included in the Council's revenue budget
- b) **Human Resources Implications** – Nil
- c) **Property Implications** – Nil

### **8. Risk Management Implication** – Nil

9. **Equality and Diversity Implications** – The services provided under the Agreement with Newcastle CVS helps support the voluntary and community sector to deliver services to vulnerable groups and communities of interest across Gateshead.

### **10. Crime and Disorder Implications** – Nil

### **11. Health Implications** – Nil

### **12. Sustainability Implications** - Nil

### **13. Human Rights Implications** – Nil

14. **Area and Ward Implications** - All wards – the report recommendations impact upon communities and the VCS across the Borough.

### **15. Background Information** – Nil

**Summary of Findings from VCS Survey 2016**

## Supporting access to advice, guidance and representation for Gateshead's community groups and organisations

### Summary of 2016 survey findings



#### Introduction

Infrastructure bodies, such as Councils for Voluntary Service (CVS) are organisations that provide advice and support for the voluntary and community sector (VCS), and also provide a key role representing the sector to ensure it has a voice, and to help build its capacity to help create stronger communities. Aided by Council funding, this role was provided by Gateshead Voluntary Organisations Council (GVOC) for many years, until it ran into financial difficulties and closed down in May 2016.

The Council maintained its commitment to supporting access to advice, guidance and representation for Gateshead's groups and organisations for 2016/17 by entering into an Agreement with Newcastle Council for Voluntary Service (NCVS), in April 2016.

#### Looking ahead beyond 2017

The Agreement with NCVS is an interim arrangement whilst the Council considered options for support for infrastructure services beyond April 2017, which involves conversations with Newcastle City Council and Newcastle Gateshead CCG, as well as gathering the views of groups and organisations that will help shape and influence the type of support and its method of delivery.

#### The survey

A survey was carried out via Gateshead Council's consultation portal between 4th August 2016 and 9th September 2016. Invitations to take part in the survey were sent to the 393 organisations that have received funding over the last 5 years via the Council's Capacity Building Fund.

A total of 66 organisations provided 77 responses, representing a 20% response rate. Not all respondents answered every question, therefore percentages are based on the number of responses to each question rather than the total number of responses received.

This paper a summary of the main findings from the survey.

#### Type of organisation responding

Organisations were able to select more than one option where relevant.

Registered Charity	65%
Company Ltd by Guarantee	32%
Charitable Incorporated Organisation (CIO)	20%
Small constituted unregistered community group	12%
Small un-constituted group	1%

## Organisation Size and Characteristics

The survey was completed by organisations covering a broad spectrum of characteristics. It should be noted that whilst the spread of contributions is useful when considering options, the nature of the responses does not necessarily reflect the profile of organisations in Gateshead, the vast majority of which are operated by volunteers.

0 employees	12%
Up to 10 employees	17%
More than 10 employees	15%
An organisation with up to 10 employees	17%
An organisation with more than 10 employees	15%
An organisation with no employees	12%
An organisation which has a national support body but also a local structure	12%
A national organisation with an HQ elsewhere delivering services in Gateshead	7%
Other	2%

## Organisation income

Organisations with an annual income of less than £100,000 comprised 70% of the responses received. Of these, 57% had an annual income of less than £10,000.

£0 - £10,000	30%
£10,001 - £50,000	28%
£50,001 - £100,000	13%
£100,001 - £250,000	8%
£250,001 - £500,000	7%
£500,001 - £1,000,000	5%
Over £1,000,000	10%

## Principal sources of income

The respondents indicated that the majority of their income came from the trading of goods and services, followed by contributions from charitable trusts and foundations.

> 50% income from trading goods/ services, or hiring out facilities	28%
> 50% income from charitable trusts and foundations	22%
> 50% income from public sector grants	15%
> 50% income from The Big Lottery Fund	14%
> 50% income through delivery of public sector contracts	12%
> 50% income from other Lottery distributors	7%
18 - 20% of income through delivery of non-public sector contracts	7%



### Type of support accessed over the past 2 years

Out of 35 topics available to choose from in the survey, the top 5 areas of support over the last 2 years identified by 59 respondents were as follows:

Funding advice	46%
Free training	39%
DBS checks	31%
Accountancy/ payroll services	25%
Business Planning	25%
Different sources of finance	25%
Safeguarding	24%

### Sources of advice and support accessed over the past 2 years

Groups and organisations responding to the survey have sought support from quite a wide variety of sources, depending on their requirements. Sources of advice mentioned by respondents have included:

- A CVS (e.g. NCVS, GVOC)
- Gateshead Council
- Consultants
- Business Advisers
- Solicitors
- Accountants / Auditors
- Parent organisation / Governing Body
- Other national, regional and local VCS organisations
- Specialist organisations e.g. School of Social Enterprise
- The Big Lottery Fund

### Advice and support needs over the next 3 years

Out of 37 topics listed, the **top 6** areas of future advice and support needs identified by the 54 respondents were:

Accessing different sources of finance	61%
Funding advice	59%
Business planning	35%
Recruitment and placement of volunteers	31%
Marketing	30%
Training	30%

### Support priorities over the next 3 years

The following are the top five support priorities identified by the 59 respondents:

Support to improve funding and financial stability	81%
Demonstrating impact and social value	48%
Increasing capability and skills to manage the organisation and deliver its aims	46%
Increasing commercial skills (e.g. selling goods and services )	40%
Increasing influence of the organisation	38%

### The importance of an effective infrastructure support structure in Gateshead

Of the 48 respondents, 96% felt that it was important to have effective infrastructure support available to VCSE organisations, and 94% felt it was important that Gateshead Council provided resources and support to an effective infrastructure support structure.

### The most effective and beneficial type of support delivery

In order of priority, 49 respondents identified the following delivery of advice and support which would be most beneficial to their needs:

Specific areas of advice / support delivered by a number of individual organisations	38%
Delivered by a single organisation	23%
Delivered by a consortium of general and specialist organisations	14%
Free peer to peer mentoring delivered by VCSE organisations	14%

### The most important roles and functions of infrastructure support

Out of 49 responses, perhaps unsurprisingly free advice and training were the most desired services the respondents desire to have provided by an infrastructure support service.

Free Advice	80%
Free Information	78%
Free Support	69%
Free Training	61%
Campaigning (on behalf of the sector on issues of concern and importance)	45%
Partnership Development (across all sectors)	43%
Representation (of the sector to collect / present views on strategies and issues)	41%
Influencing (on behalf of the sector e.g. plans, strategies)	37%
Paid for Training	33%
Paid for Advice	14%
Paid for Support	14%
Paid for Information	10%

### How would you like to receive advice and support in the future?

Organisations responding to this question could choose more than one preference; the spread of responses indicates a preparedness to make use of a variety of approaches although the majority preferred approach is by 1-1 meetings and regular bulletins.

Regular bulletins	57%
1-1 meetings	56%
Networking	48%
Online toolkits	48%
Training	46%

### Would you be willing to provide support to other organisations?

Ten organisations expressed an interest in exploring peer support. The following are those areas of expertise that the respondents indicated they were able to offer

- Project planning
- Budgeting and finance
- Community engagement
- Equality and diversity
- Team building
- Marketing
- Fundraising
- People management
- Asset based approaches

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For further information regarding this survey please contact :

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**REPORT TO CABINET**  
**13 December 2016**

**TITLE OF REPORT: Gateshead Local Plan - Planning Obligation  
Supplementary Planning Document (SPD) First Review**

**REPORT OF: Paul Dowling, Strategic Director, Communities and Environment**

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**Purpose of the Report**

1. The purpose of this report is to seek Cabinet approval for the adoption of the Planning Obligations Supplementary Planning Document (SPD) First Review (appended at Appendix 2) following adoption by Council of the Gateshead Community Infrastructure Levy (CIL) on 10 November 2016. Both are to take effect on 1<sup>st</sup> January 2017.

**Background**

2. The current Planning Obligations SPD (adopted 23<sup>rd</sup> February 2016) was prepared as an interim SPD setting out Gateshead's approach to developer contributions in advance of the Council becoming a CIL charging authority.
3. Following adoption of the CIL, the current Planning Obligations SPD has been reviewed to ensure it conforms with the provisions set out in CIL, and notably to ensure there is no double counting in respect of the categories of infrastructure that are covered by the CIL, as set out on the Council's CIL 123 infrastructure list.
4. The need to review the current SPD in light of CIL has been communicated to developers and other interested parties during consultation on the SPD, and was also discussed at the CIL examination, which was conducted in public. The key updates include:
  - Amendment of all references to CIL to reflect its status as being adopted
  - Removal of primary school education references and formula (now included on the CIL 123 Infrastructure List)
  - Other minor changes
5. Consultation on the Planning Obligations SPD First Review took place for 4 weeks between 14<sup>th</sup> September and 12<sup>th</sup> October 2016. The comments made resulted in the following main changes to the SPD:
  - Deletion of the additional text relating to lifetime and wheelchair homes under planning obligations.

- Additional wording on accessible and adaptable dwellings and wheelchair user dwellings included under planning conditions.
  - The MetroGreen Strategic Flood Alleviation & Mitigation and Green Infrastructure project added to Appendix 4 of the SPD.
  - Built sport facilities strategy added to the community and sporting facilities table.
6. The Planning Obligations SPD First Review was republished alongside a consultation statement and consultation took place for a further 4 weeks between 21 October 2016 and 18 November 2016. The comments made resulted in no further changes to the SPD.

### **The Proposal**

7. Cabinet is asked to approve the Planning Obligations First Review Supplementary Planning Document at Appendix 2.

### **Recommendations**

8. It is recommended that Cabinet approves the Planning Obligations First Review SPD at Appendix 2.

For the following reason:

To enable a CIL compliant SPD to be a material consideration in the development management process and to ensure that sufficient infrastructure is provided at a local level to make development acceptable.

## **Policy Context**

1. The Core Strategy and Urban Core Plan for Gateshead and Newcastle (CSUCP) was adopted on the 25<sup>th</sup> March 2015 and forms part of the Gateshead Local Plan. This SPD is supplementary to the CSUCP and the saved policies within the Unitary Development Plan.
2. The CSUCP Plan is a strategic planning framework that will guide development in Gateshead to 2030. It is the first part of the council Local Plan, containing an overall vision and spatial strategy to deliver economic prosperity and create lifetime neighbourhoods. CSUCP covers the whole of the area within the administrative boundaries of Gateshead and includes strategic policies and specific policies for the Urban Core, Sub-Areas and sites.

## **Background**

3. Following the adoption of the CSUCP, there are a number of large housing development sites coming forward in Neighbourhood and Village Growth Areas, and this SPD will ensure that the infrastructure needed to make these sites acceptable is delivered.
4. The use of Planning Obligations, between the council and developers, is well known. Their purpose is to mitigate the impact of development by providing new infrastructure.
5. The Planning Obligations SPD First Review sets out Gateshead's approach to developer contributions. The SPD does not set policy, but provides a framework for implementation of policy DEL1: Infrastructure and Developer Contributions of the Local Plan. The SPD clarifies the relationship between planning conditions, planning obligations and CIL. It will ensure the timely provision of the specific local infrastructure required to support growth whilst providing clarity in the consideration of planning applications by explaining to developers when the council will require planning obligations.
6. Planning Obligations can secure affordable housing and mitigate the site specific impacts of the development. However the Community Infrastructure Levy Regulations restrict the use of planning obligations and restrict the number of contributions that can be pooled to deliver a type of infrastructure or infrastructure project. No more planning obligations may be collected in respect of specific infrastructure projects or a type of infrastructure, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010. The changes to the use of planning obligations are to ensure that Councils cannot double charge developers for the same items of infrastructure through both CIL and a planning obligation.
7. All infrastructure specified on the CIL infrastructure 123 list can no longer be funded by planning obligations, however, site specific infrastructure will remain to be funded by planning obligations.

## Next Steps

8. The SPD, if approved, will be used alongside the Gateshead Local Plan to inform decision making on planning applications.

## Alternative Options

9. The alternative is not to have a Planning Obligations SPD but this has been discounted because without a robust Planning Obligations SPD there is a risk that necessary and strategic infrastructure will not be delivered in a timely manner.

## Consultation

10. The Cabinet Members for Environment and Transport have been consulted.

## Implications of the recommended option

### 11. Resources:

**a) Financial Implications** - The Strategic Director, Corporate Resources confirms that there are no direct financial implications arising from this report. The SPD will assist in ensuring that the strategic infrastructure necessary to support development is delivered. The use of developer contributions will be reflected within the Council's revenue budget or capital programme depending upon the nature of the expenditure.

**b) Human Resources Implications** – There are no human resource implications arising from this report.

**c) Property Implications** - There are no direct property implications arising from this report. However the implementation of the Planning Obligations First Review SPD at Appendix 2 may have an impact on some Council owned sites when brought to the market for sale. The direct implications of which will be highlighted in the Cabinet report relating to that disposal.

12. **Risk Management Implication** – There is a risk that without a robust Planning Obligation SPD that meets legal requirements, necessary and strategic infrastructure will not be delivered in a timely manner placing a strain on existing infrastructure in neighborhood and village growth areas. There is also a risk that there will be double counting in terms of S106 and CIL, should the SPD not be brought up to date.

13. **Equality and Diversity Implications** – There are no equality and diversity implications arising from this report

14. **Crime and Disorder Implications** – There are no crime and disorder implications arising from this report.

15. **Health Implications** – There are no health implications arising from the report



16. **Sustainability Implications** – There are no sustainability implications arising from the report.
17. **Human Rights Implications** - There are no human rights implications arising from this report.
18. **Area and Ward Implications** - All

## APPENDIX 2

# **Planning Obligations Supplementary Planning Document** **First Review**

## **December 2016**

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## Introduction

### Purpose of this document

1. The purpose of this Supplementary Planning Document (SPD) is to set out Gateshead Council's approach to developer contributions. The SPD does not set policy. It provides a framework for implementation of existing policies contained in the adopted Planning for the Future Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne (CSUCP) relating to the impacts of development. The main policy this SPD supports is CSUCP Policy DEL1: Infrastructure and Developer Contributions.

2. It is set within the context of the Council's adopted Gateshead Community Infrastructure Levy (Gateshead CIL). For a significant proportion of planning applications CIL is now the primary method by which the Council seeks developer contributions to pay for infrastructure to support development growth. It is through planning obligations, however, that the Council seeks contributions for infrastructure needed to mitigate the impact of a specific development that is not covered by CIL.

3. Since 6 April 2015, the Community Infrastructure Levy Regulations 2010 (as amended) limit the use of planning obligations and the requirements set out in this document are subject to that statutory limitation.

4. This SPD will:

- Clarify the relationship between planning conditions, planning obligations, and other legal agreements;
- Help ensure the timely provision of infrastructure to support growth;
- Aid the smooth functioning of the planning application process by explaining the Council's process and procedures for using planning obligations;
- Assist in securing both local and national objectives in respect of the provision of sustainable development; and
- Assist applicants to make successful applications.

5. This SPD will provide clarity to developers, development management officers, stakeholders and local neighbourhoods regarding the basis on which site specific planning obligations will be sought to make a development acceptable in planning terms. It details the obligations that may be required from different types and quanta of development and sets out the basis on which the level of obligation will be calculated, where appropriate.

6. Development often creates a need for specific measures to mitigate its impact, without which there could be a detrimental impact on local amenity and the quality of the environment which makes the development unacceptable. This SPD will help to ensure that development contributes towards the necessary measures needed to

mitigate its impact, resulting in a high quality sustainable environment, where people choose to live, work, learn and play.

7. Planning obligations are secured by an Agreement under section 106 of the Town and Country Planning Act 1990 .These Agreements, often referred to as s.106 Agreements, are legally binding agreements entered into between a Local Authority and a landowner or solely the land owner in the case of a unilateral undertaking. They provide the mechanism by which planning obligations are secured to mitigate the impact of development. The use of planning obligations is an effective tool to ensure that development is acceptable by mitigating its impact and meeting the objectives set out in national and local planning policies.

8. This SPD deals with procedural matters relating to the drafting and enforcement of Section 106 Agreements. It sets out the types of obligation that the Council may seek to secure from development. It will identify the relevant policy basis, types of development to which the obligation will apply, thresholds over which the obligation will be sought and sets out, where possible, the basis on which the level of obligation will be calculated. It specifically covers the following obligation types:

- Affordable Housing
- Highways and Transport\*
- Local Open Space
- Children's Play Facilities
- Local Employment Training and Opportunities
- Sustainable Urban Drainage Systems (SuDS)\*
- Ecology
- Flood\*
- Community Sporting facilities

\*Projects or infrastructure not covered by CIL 123 Infrastructure List

### **How to use this document**

9. The primary users of this document are Development Management officers and developers.

10. Anyone intending to submit a planning application for development is encouraged to read this SPD and contact the Council's Development Management Team for further pre-application advice and information which will identify whether any planning obligations will be required.

<http://www.gateshead.gov.uk/Building%20and%20Development/Planning/advice.aspx>

## **Document status and relationship to other documents**

11. Proposals for development that may require mitigation which will be delivered by planning obligations, should be made in accordance with the relevant Local Plan policies, the saved policies of the Unitary Development Plan, and the policies of the CSUCP. This SPD, which supports the CSUCP, constitutes a material consideration in the decision-making process.

12. The SPD supplements policies within the Local Plan;

### Saved UDP Policies

DC1 (part of)

H9

H10

H13

H14

H15

T1

CFR 14,15,20,21,28,29,30

ENV44, ENV46, ENV47, ENV48, ENV49, ENV50 & ENV51

### CSUCP

- CS1 Sustainable Growth
- CS2 Urban Core
- CS3 Neighbourhood Areas
- CS4 Rural and Village Areas
- CS5 Employment and Economic Growth Priorities
- CS9 Existing Communities
- CS10 Delivering New Homes
- CS13 Transport
- CS17 Flood Risk and Water Management
- CS18 Green Infrastructure
- DEL 1 Infrastructure and Developer Contributions

## **Part 1 Context and evidence**

### **National Policy Context**

13. The legislative framework for planning obligations is set out in Section 106 of the Town and Country Planning Act 1990 (as amended). Further legislation is set out in Regulations 122 and 123 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). Government policy on planning obligations is set out in Paragraphs 203 to 205 of the National Planning Policy Framework (NPPF) and the online National Planning Practice Guidance (NPPG) tool.

14. The CIL Regulations require that local authorities scale back planning obligations to those matters that are directly related to a specific site, or are otherwise not those

set out in the Infrastructure List for the Council area. In addition, from 6 April 2015, the CIL Regulations restrict the pooling of planning obligation contributions to no more than five separate planning obligations (entered into since 6 April 2010) which provide for the funding or provision of an infrastructure project or type of infrastructure.

15. Regulation 122 of the CIL Regulations and Paragraph 204 of the NPPF set out the following tests that must be satisfied in order for obligations to be required in respect of development proposals:

- the obligation must be necessary to make the proposed development acceptable in planning terms;
- the obligation must be directly related to the proposed development;
- the obligation must be fairly and reasonably related in scale and kind to the proposed development.

16. Planning obligations will still be required for the provision of affordable housing and site specific measures required to mitigate the impact of development.

### **Planning Obligations**

17. Planning obligations must be clear and precise, directly related to the development and necessary to make the development acceptable in planning terms. Therefore obligations will only be sought where the nature of the site and proposal makes it necessary to do so.

18. The Council will use planning obligations to mitigate site specific impacts caused by the development. Obligations will only be used where the development could not be permitted without the measures, i.e. where the measures are necessary to make the development acceptable in planning terms.

19. The Council will assess each planning application individually to determine whether an obligation is needed and what matters it should address.

20. Where a proposed development is likely to need a Section 106 agreement this will be raised with the developer as soon as possible in the process. This is likely to be at pre-application stage if pre-application advice is sought.

### **Community Infrastructure Levy (CIL)**

21. Gateshead Council's CIL, was adopted on 10<sup>th</sup> November 2016, and came into operation in 1<sup>st</sup> January 2017.

22. Regulation 123 provides for the Council to set out a list of those infrastructure projects or types of infrastructure that it intends will be wholly or partly funded through the CIL. Developer contributions to the projects listed will not be sought through planning obligations or Section 278 of Highways Act 1980. The list specifies the types of infrastructure that the authority shall fund through CIL and also specifies exceptions with that infrastructure type that will not be funded through CIL (and so could be required to be delivered by a planning obligation or another source of funding). The list may be reviewed from time to time.

24. The list attached at Appendix 4 sets out those infrastructure projects or types of infrastructure that Gateshead Council intends will be, or may be, wholly or partially funded through CIL.

### **Section 278 agreements**

25. A “Section 278 agreement” is an agreement between a developer and the Council in its capacity as Highway Authority made pursuant to section 278 of the Highways Act 1980. The agreement secures alterations or improvements to the adopted highway, having regard to the needs generated by a development. Where highway schemes require developers to dedicate or transfer land within their control for adoption as highway, an agreement pursuant to section 38 of the Highways Act 1980 may also be required either separately or combined with a section 278 agreement and a landowner can also dedicate land to the Highway Authority to enable a road to be widened under section 72 of the Highways Act 1980.

### **Summary**

26. The table below identifies the different mechanisms that will be used to mitigate the impact of development in order to make it acceptable.

<b>Mechanism</b>	<b>Details</b>	<b>Use</b>
Planning Conditions	To make otherwise unacceptable development acceptable  These may restrict what you can do on the premises, or requiring you to get specific approval for aspects of the development, before you can proceed	Including accessible and adaptable dwellings, wheelchair user dwellings, noise, green infrastructure, and materials.
Grampian Conditions	A condition precluding the commencement of development permitted by a planning permission until particular measures have been undertaken	Environmental and infrastructure improvements.

Planning Obligations	To make otherwise unacceptable development acceptable  Planning obligations can secure particular necessary infrastructure which is normally provided on or immediately adjoining the site or strategic infrastructure which would mitigate the cumulative impact of a number of sites or would impose controls that cannot be secured by condition	Affordable housing, on-site public open space and children's play facilities and also to address direct site specific impacts of development, often as commuted sums.
CIL	CIL is a fixed tariff based on size, type and location of development providing a consistent mechanism for pooling contributions from new developments towards the provision of infrastructure across the borough	Borough wide infrastructure as specified in the Council's 123 Infrastructure List
Section 278 Agreements	Provides for alterations to the adopted highway to be funded by developers	Highway improvements

## Thresholds

27. Contributions for affordable housing will not be sought on developments of less than 15 dwellings in accordance with CS policy 11. Contributions for public open space and children's play, specific to the site in question, will be limited to the requirements of saved UDP policies CFR20 and CFR28-30, respectively.

28. As referred to previously, Regulation 123 of the CIL Regulations limits the scope for pooling contributions secured by planning obligations to no more than five obligations for the provision or funding of each infrastructure project or type of infrastructure, taking account of planning obligations secured for that project or type since 6 April 2010. Hence where the threshold of five obligations has already been met, for the provision or funding of a particular infrastructure project or type of infrastructure no further obligations can be sought for that specific infrastructure project or type of infrastructure.



### **Location of contributions**

29. Developer contributions should be provided on site. Off-site provision will be acceptable only when the developer can clearly demonstrate why on site provision is not possible. Commuted sums will only be acceptable in lieu of on or off site provision where it has been clearly demonstrated that neither on, or off site provision are not possible.

### **Starter homes exception sites**

30. As set out in the Starter Homes Written Ministerial Statement of 2 March 2015, starter homes exception sites should not be required to make affordable housing or tariff-style section 106 contributions. Further guidance is available in the National Planning Practice Guidance.

### **Housing and Planning Act 2016**

31. Part 1 of the Act (not yet in force) places the Government's commitment to provide a number of Starter Homes for first-time buyers under the age of 40 on a statutory footing. Starter Homes will be sold at a discount of at least 20% of the market value with a capped price of no more than £250,000. Specifically, the Act places a general duty on all planning authorities to promote the supply of Starter Homes, and provides a specific duty, which will be detailed in secondary legislation, to require a certain number or proportion of Starter Homes on development sites.

32. Part 6 of the Act contains a number of different reforms to the planning system, with the aim of speeding it up and allowing it to deliver more housing. Powers are given to the Secretary of State to intervene in the local and neighbourhood plan making process. A new duty to keep a register of brownfield land suitable and available for housing within a local authority's area will tie in with a new system of allowing the Secretary of State to grant planning permission in principle for housing on sites identified in these registers. It also allows for major infrastructure projects with an element of housing to apply for development consent through the Planning Act 2008 regime, rather than having to seek separate planning permission.

33. When each provision comes into force, the Council will adhere to the terms within it, and these will be reflected in the review of the SPD if timing permits.

## **Part 2 Guidance**

### **Onsite/Offsite**

#### **Necessary Infrastructure**

34. Where possible, developers should provide required provision / mitigation on site. However, there will be cases where this is neither practicable nor appropriate. In these instances, the Council will require financial contributions or physical works towards the off-site provision of necessary measures to mitigate the impact of the development.

#### **Strategic Infrastructure**

35. In cases where a number of developments are proposed in close proximity to each other and the cumulative effect will result in the need for a specific mitigating measure, the Council may seek obligations in respect of each of the developments, in order to fund the provision of a necessary infrastructure or measure. Close proximity will be assessed on a case by case depending on the type of infrastructure required and development proposed.

### **Viability**

36. The Council accepts that there may be occasions where development proposals are unable to meet all the relevant policy requirements and still remain viable when considering the cumulative impact of requirements. Where the Council is satisfied that a development cannot be fully policy compliant and remain viable, a reduced package of planning obligations may be recommended. In many cases where viability is an issue, the application will be determined by the Planning and Development Committee and not under delegated powers.

37. In all cases where viability is contested, the Council requires an independent viability assessment to be undertaken normally using the residual valuation model. An assessment made by the developer using, for example, the HCA toolkit is acceptable as long as the Council can interrogate the information. This will look at the value of the completed development (gross development value GDV); the direct costs of development including site acquisition costs where relevant, build costs, developer profit, finance and the cost of any planning obligations and CIL contributions (gross development costs (GDC)). The residual valuation approach is generally used to assess land with potential for development where direct comparison with other transactions is not possible. However residual development appraisals should be checked against suitable market evidence. The comparable method, or other valuation techniques, may be used to analyse elements of the appraisal such as land value.

38. This approach should test the ability of a development project to meet its costs including the cost of planning obligations while ensuring an appropriate Site Value for

the landowner and a market risk adjusted return to the developer in delivering that project. For the purposes of CIL, developer's return has been generically applied at 20% of GDV on private housing and 6% of GDV on affordable. The viability assessment will be appraised by the Council to determine whether the development would be viable/not viable as a result of the obligations being required. Thereafter a balanced view would need to be taken as to whether the obligation is necessary to make the development acceptable in planning terms.

39. The information that is required to be submitted by the applicant to assess viability is included in a list in Appendix 3.

## **Types of Obligation**

### **Affordable housing**

<b>Issue</b>	<b>Guidance and policy</b>
Which developments require affordable housing	<p>Developments of 15 or more homes or sites over 0.5 hectares</p> <p>The pooling restrictions on planning obligations under CIL Regulation 123 do not apply to affordable housing financial contributions as there is no pooling restriction on infrastructure that cannot be funded through CIL.</p>
Standards	<p>15% of total homes provided to be affordable homes</p> <p>The Councils preference is for 65% subsidised rent and 35% subsidised home ownership, and, based on the SHMA for: subsidised rent – 20% 1 bed, 40 % 2 bed, 20% 3 bed 20% 4 bed, and subsidised home ownership – 20% - 1 bed, 80% 2 bed. This will be assessed on a case by case basis.</p> <p>Any proposals for off-site provision must ensure that the mix of dwellings set out above is achieved, where appropriate, and in a location considered suitable by the Council within Gateshead. It should result in provision of no fewer than the number of dwellings of the appropriate size that would have been required on site.</p>
How delivered	<p>Agreement will be made prior to the issue of planning permission. Affordable housing will be secured through a planning obligation. The involvement of a Registered Provider is strongly encouraged. The Section 106 agreement will control occupancy and affordability. Provision should be phased across the development negotiated on a case by case basis, preferably pepper potted.</p> <p>Off-site provision to be made upon commencement of development subject to viability.</p> <p>Payments in Lieu to be made before commencement of development (Where issues relating to the viability of the development are demonstrated, the timing of the payment of the commuted sum may be subject to further negotiation.)</p> <p>The amount of the commuted sum will only be agreed by the Council once all necessary financial information is provided by the applicant. Where possible this will be done pre-application. Formula for calculating commuted sum in in Appendix 1.</p>

Maintenance	None
Relevant policy	CS11

### Commuted Sums (Financial Contribution)

40. The Council will utilise the monies received from such commuted sums for any purposes it considers appropriate for the provision of affordable housing. This will include working with Registered Providers to:

- Identify suitable alternative land or property, ideally with planning permission or with the likelihood of receiving planning permission;
- Prepare and submit schemes for approval, using the funding provided by such financial contributions, either singly or collectively;
- Agree a timetable for the purchase of alternative sites or properties;
- Utilise the financial contributions on sites with existing planning permission in order to either increase the amount of affordable housing or to increase the proportion of homes for Affordable or Social Rented accommodation.

### Public Open Space

Issue	Summary of guidance and policy
Which developments require public open space	Saved UDP policies H13, H14, CFR20, and CFR21 set out requirements for provision of open space, including standards, which will be determined on a site by site basis. Gateshead Supplementary Planning Guidance 5 provides guidance. CSUCP policies CS14, CS18, and policies for Neighbourhood and Village Growth Areas (GN1, GV1, GV2, GV3, GV4, GV5, GV6 and GV7) also support the provision of open spaces.
Standards	In accordance with draft Gateshead Residential Design Code Supplementary Planning Document. Formula for the area required is in appendix 1.
How delivered	By the developer, to be completed before completion of the development.  Payments in lieu of provision will only be acceptable where it has been clearly demonstrated that neither on, or off site provision by the developer are possible.  The Council has reached the statutory maximum number of planning obligations that can be required in respect of generic open space infrastructure. Planning obligations relating to

	<p>payments in lieu for open space will only be required where</p> <ul style="list-style-type: none"> <li>• there is an identified infrastructure project need as a result of the development , which is accessible from the development site,</li> <li>• no more than 4 obligations towards that infrastructure project have already been required;</li> </ul>
Maintenance	Landowner in accordance with an agreed management plan.
Relevant policy	H13, H14, CFR20, CFR21, CS14, CS18, GN1, GV1-GV7

### Children's Play

Issue	Summary of guidance and policy
Which developments require play provision	Saved UDP policies H15, CFR28, CFR29 and CFR30 set out requirements for provision of play facilities, including standards, will be determined on a site by site basis. Gateshead Supplementary Planning Guidance 4 provides guidance. CSUCP policy CS18, and policies for Neighbourhood and Village Growth Areas (GN1, GV1, GV2, GV3, GV4, GV5, GV6 and GV7) also support the provision of recreational facilities.
Standards	In accordance with draft Gateshead Residential Design Code Supplementary Planning Document. Formula for the area required is in appendix 1.
How delivered	<p>Developer, to be completed before completion of the development and before first occupation of adjacent dwellings.</p> <p>Payments in lieu of provision will only be acceptable where it has been clearly demonstrated that neither on or off site provision by the developer are feasible or viable.</p> <p>The Council has reached the statutory maximum number of planning obligations that can be required in respect of generic play space infrastructure. Planning obligations relating to payments in lieu for play space will only be required where:</p> <ul style="list-style-type: none"> <li>• there is an identified infrastructure project need as a result of the development, which is accessible from the development site and meets the policy requirements in terms of distance,</li> <li>• no more than 4 obligations towards that infrastructure project type have already been required;</li> </ul>
Maintenance	Landowner in accordance with an agreed management plan.
Relevant policy	H15, CFR28, CFR29, CFR30 CS 14, CS18, GN1, GV1-GV7

### Highways and Transport

Issue	Summary of guidance and policy
Which developments	Improvements to the highway network or other transport

require highway and transport infrastructure	infrastructure needed to mitigate the impact of a specific development and make it acceptable in planning terms will be considered on a case by case basis.
Standards	Guidance on the approach towards designing for transport can be found in the Council's draft Gateshead Residential Design Code SPD and associated technical appendices.
How delivered	S278 agreements are the preferred mechanism for delivery of highway improvements, with new highways being provided through S38 agreements. Where developments require highway improvements which are required via a planning obligation these will be identified during the pre-application process.  (Note – strategic transport infrastructure is intended to be funded through CIL once adopted.)
Adoption	The nature and extent of areas to be adopted will be agreed with the Council as part of the planning process.
Maintenance	The Council will maintain adopted infrastructure. Commuted sums may be sought for future maintenance in some circumstances, notably where non-standard materials or equipment is agreed.  The Council will not maintain infrastructure outside adopted areas.  Retaining structures required as part of development proposals will not be maintained by the Council unless otherwise agreed.
Relevant policy	CS13

The Council's 123 Infrastructure List includes strategic transport infrastructure. Where strategic transport infrastructure projects fall under the infrastructure types in the 123 Infrastructure List, financial planning obligations will not be sought for the same project.

### Targeted Recruitment and Training-Provision

Issue	Summary of guidance and policy
Which developments require training and employment management provision	The requirement for considering the need for targeted Recruitment and Training provision will apply to all major planning application as defined in the Town and Country Planning (Development Management) Order 2015) excluding planning applications for housing schemes with 100 or fewer units.
Standards	A number of different labour forecasting tools are available including Construction Skills own <a href="http://www.citb.co.uk/research/consultancy/labour-forecasting-tool/">http://www.citb.co.uk/research/consultancy/labour-forecasting-tool/</a> , all of which are industry accredited and can be based on cost (£M) of development or type of build and trades used Alternatively it may be that the Homes and Communities Agency guidance and toolkits are more applicable for certain

	<p>developments. The Council's Economic and Housing Growth Service will advise on the most appropriate arrangements for each case.</p> <p>Alternatively, where a developer has an existing training and recruitment programme, this could be used.</p>
How delivered	<p>The Council will work in partnership with developers to secure a reasonable and proportionate approach to targeted recruitment and training.</p> <p>Targeted recruitment and training requirements will be delivered by developers through a Training and Employment Management Plan for both the construction and end user phases of the development where appropriate. Alternatively, where a developer has an existing training and recruitment programme, this could be used. Where the developer is unable to deliver on site training or employment an equivalent financial contribution will be required.</p> <p>The Training and Employment Management Plan will normally be secured through a planning condition. The financial contribution will be secured through a planning obligation.</p>
Maintenance	Not required
Relevant policy	CSUCP CS5

## SUDS

Issue	Summary of guidance and policy
Which developments require SuDS	<p>Infrastructure needed to mitigate the impact of a specific development and to make it acceptable in planning terms, including site specific SuDS, flood mitigation and green infrastructure.</p> <p>Major new development: 10 or more dwellings and non-residential or mixed use (1,000 square metres or more, or 1ha or more) as in accordance with the SuDS Ministerial Statement and NPPG ID 7 para 79; will be expected to provide sustainable drainage systems for the management of surface water run-off, unless it is demonstrated to be inappropriate.</p>
Standards	<ul style="list-style-type: none"> <li>- Standards in CSUCP Policies, including Neighbourhood and Village Growth site policies, to address local flood issues.</li> <li>- NPPG ID7 para 83 sets out the technical standards for SUDS</li> <li>- Gateshead Strategic Flood Risk Assessment and Newcastle and Gateshead Surface Water Management Plan.</li> <li>- Forthcoming Gateshead SuDS SPD. Local design, construction and maintenance standards for adoption by the Council.</li> </ul> <p>Drainage assessments will be required to ensure regard is given to</p>

	these standards.
How delivered	<p>A planning obligation will normally be required for the Council's preferred maintenance model as detailed within the SuDS SPD. This will set out the obligation on the developer to construct and secure the maintenance of the SuDS in accordance with a SuDS management plan and/or a SuDS agreement. This will set out the minimum standard of maintenance over the lifetime of the development, funding, and the roles and the responsibilities of the developer, the Council, service management companies (if applicable) and Northumbrian Water.</p> <p>Where the developer demonstrates it is not feasible to follow the Council's preferred maintenance model other maintenance models may be considered provided there are clear arrangements for the lifetime maintenance. These will be subject to compliance with the SuDS SPD and will be secured through planning conditions.</p>
Adoption	Under the Council's preferred maintenance model, the Council will adopt SuDS, situated on open space and public highways after completion, provided the SuDS comply with the forthcoming Gateshead SuDS SPD on local design, construction and maintenance standards and adoption process. Further adoption details will be provided in the forthcoming SuDS SPD.
Maintenance	A SuDS Management Plan will be required describing how the SuDS scheme will be maintained within the open space, highways and private property over the lifetime of the development. This should include: a site plan, and a schedule of work setting out the responsibilities and frequency of maintenance tasks, costs and funding. This should comply with Gateshead's SuDS SPD when adopted.
Relevant policy	CS17, AOC2, GN1, GV1, 2, 3, 4, 5, 6, 7 KEA2, UC – QB2, QB3.

The Council's 123 Infrastructure List includes:

- Strategic Green Infrastructure; and
- MetroGreen Strategic Flood Alleviation and Mitigation and Green Infrastructure.

Where strategic infrastructure projects fall within the types in the 123 Infrastructure List, financial planning obligations will not be sought for the same project.



## Ecology

Issue	Summary of guidance and policy
Which developments require ecological contributions	Any development that has an impact on ecology that requires mitigation measures to make the development acceptable.
Standards	<p>Priority should be given to the avoidance of impacts at source, whether through re-design or by regulating the timing or location of development activities. If it is not possible to avoid significant impacts, consideration should be given to the provision of on-site mitigation and/or compensation measures. Where impacts remain the provision of off-site measures involving the creation, restoration and/or enhancement of habitats may be required</p> <p>Proposals will be required to provide measures to mitigate any ecological impact of the development as determined by the submitted ecological report in accordance with BS 42020: Biodiversity Code of Practice for Planning and Development.</p>
How delivered	<p>By the developer, to be completed either before commencement of development, phased, or after completion of the development/before first occupation decided on a case by case basis.</p> <p>On site ecological mitigation and / or compensation provided within the curtilage of the proposed development site will be secured by a planning condition. Off-site ecological mitigation and / or compensation provided outside the curtilage of the proposed development site will be secured by planning obligations.</p> <p>Payments in lieu of provision will only be acceptable where it has been demonstrated that neither on or off site provision are possible. The commuted sum due will be decided on a case by case basis and linked to the extent of mitigating measures required. These will be secured by planning obligations.</p> <p>(Note – strategic ecological infrastructure is intended to be funded through CIL once adopted.)</p>
Maintenance	Developer in accordance with an agreed management plan
Relevant policy	CS18, ENV44, ENV46, ENV47, ENV48, ENV49, ENV50 & ENV51

## Flood and Water

Issue	Summary of guidance and policy
Which developments require flood and water contributions	<p>Infrastructure needed to mitigate the impact of a specific development and make it acceptable in planning terms, including site specific SuDS, flood mitigation and green infrastructure.</p> <p>Development at risk of flooding over its lifetime including an allowance for climate change, or development which could increase flood risk elsewhere will be required to incorporate flood mitigation measures and manage residual flood risk, informed by the Strategic Flood Risk Assessment.</p> <p>Development will be required to ensure no significant adverse impact on water quality.</p> <p>Development will be required to ensure water supply and foul and surface water infrastructure are provided with adequate capacity.</p>
Standards	<p>The standards of flood and water quality mitigation measures will be determined by individual flood risk assessments, drainage assessments and water quality assessments informed by CSUCP Policies, NPPF and NPPG.</p>
How delivered	<p>Site specific flood mitigation measures required to make development safe over its lifetime, including an allowance for climate change, without increasing flood risk elsewhere will be delivered by developers through planning obligations and planning conditions. These measures may include: on and off site compensatory flood storage, river restoration, land raising, site specific defences, flood resilience and resistance construction measures, evacuation plans, flood warning systems, water treatment techniques and adequate public sewerage system capacity. Planning obligations are most likely to be required to deliver off site flood mitigation measures.</p> <p><u>(Note – strategic flood and water infrastructure for only MetroGreen (i.e. strategic land drainage network, tidal flood defence along the River Tyne and strategic compensatory storage in the River Derwent) is intended to be funded through CIL once adopted).</u></p>
Maintenance	<p>The Council (as Lead Local Flood Authority) may adopt strategic flood alleviation infrastructure required to safeguard strategic development areas and support catchment management. The Lead Local Flood Authority and other third parties such as wildlife trusts or service management companies will maintain new strategic flood management infrastructure.</p> <p>Landowners are responsible for site specific flood mitigation</p>

	<p>measures and management of residual flood risk.</p> <p>The Council (Lead Local Flood Authority) will register new flood management assets which are incorporate in new development which have a significant effect on flood risk.</p> <p>The Highway Authority is responsible for draining adopted highways of surface water in reasonable conditions.</p> <p>Environment Agency is responsible for managing the risk from main rivers.</p> <p>Northumbrian Water is responsible for maintaining the public sewerage network and managing the risk of flooding from that system.</p>
Relevant policy	CS17, AOC2, QB1, QB2, QB3, GN1, GV1,2,3,4,5,6,7 KEA2

The Council's 123 Infrastructure List includes:

- Strategic Green Infrastructure; and
- MetroGreen Strategic Flood Alleviation and Mitigation and Green Infrastructure.

Where strategic infrastructure projects fall within the types in the 123 Infrastructure List, financial planning obligations will not be sought for the same project.

### Pre-application advice

41. The Environment Agency provides a free initial pre-application service in the form of a preliminary opinion. As part of this preliminary opinion the Environment Agency highlights any environmental issues we may be concerned about as a statutory consultee. Developers can then receive further bespoke advice, if required, at a chargeable rate. This could include Flood Risk Assessment reviews, meetings, and site visits. The form can be downloaded from <https://www.gov.uk/government/publications/pre-planning-application-enquiry-form-preliminary-opinion>

### Community and sporting facilities (other than children's play)

Issue	Summary of guidance and policy
Which developments require community or sporting provision	Where development would result in the loss of existing provision, or where existing sports facility provision does not meet identified needs, or where the need generated by a new development would result in there being a deficiency in provision.
Standards	As identified in the Council's playing pitch strategy and built sports facilities strategy or

	the requirements of saved UDP policies CFR14 and CFR15.
How delivered	<p>Delivered by developers through a planning obligation.</p> <p>Payments in lieu of provision will only be acceptable where it has been clearly demonstrated that neither on, or off site provision by the developer are feasible or viable.</p> <p>(Note – the provision of strategic sports infrastructure could be funded through CIL once adopted and the approach will be informed by forthcoming evidence base studies.)</p>
Maintenance	Developer in accordance with an agreed management plan
Relevant policy	CFR14, CFR15, CS8, CS9, CS14, CS18, GN1, GV1, 2, 3, 4, 5, 6, 7

## **Part 3 monitoring and Implementation**

### **Monitoring**

42. Monitoring of obligations will be undertaken by the Council to ensure all obligations entered into are complied with by both the developer and the Council. Obligations will be reported in the Annual Monitoring Report. Obligations that are being pooled will be monitored on an ongoing basis to ensure that no more than 5 obligations relating to a type of infrastructure or infrastructure project are sought.

### **Enforcement**

43. The Council will enforce obligations where necessary but will seek to remedy failure to comply with an obligation informally in the first instance. Where this is not possible, the Council will seek to enforce the obligation and retrieve its legal costs in taking action against the party in default.

### **Reporting of Section 106 Obligations and Payments**

44. New planning obligations and payments received are reported to every Planning and Development Committee along with a Schedule of each obligation giving information on monies collected via planning obligations and schemes funded through planning obligations.

### **Practicalities**

#### **Pre-application advice**

45. The Council offers a dedicated pre-application advice service, which is subject to a fee.

<http://www.gateshead.gov.uk/Building%20and%20Development/Planning/advice.aspx#preapplicationforms>

46. Pre application advice will give an indication of the likely requirement for contributions to be made by the developer (e.g. levels of affordable housing, highways or other contributions). Usually, providing the pre application advice is taken into account, applications can be processed with without any unnecessary delay.

#### **Planning Performance Agreement**

47. A planning performance agreement (PPA) is a project management tool which sets timescales for actions between the local planning authority and an applicant. It should cover the pre-application and application stages but may also extend through to the post-application stage. A PPA provides greater certainty and transparency in

the process for determining a large and/or complex planning application, and can help to ensure that a clear and efficient process is in place for dealing with an application. They encourage joint working between the applicant and local planning authority and can also help to bring together other parties such as statutory consultees. A PPA is agreed voluntarily between the applicant and the local planning authority prior to the application being submitted, and can be a useful focus of pre-application discussions about the issues that will need to be addressed. As part of the PPA the Council factors in the time it takes to approve a section 106 Agreement. A copy of a draft PPA can be provided on request.

### **Section 106 Agreements**

48. Section 106 Agreements are usually drafted by the Council's solicitors but can also be drafted by solicitors acting for the landowner. Applicants will be required to pay the Council's reasonable costs incurred in drafting/agreeing and completing the Agreement as set out in the Council's annual fees and charges list.

49. Where the landowner does not require a reciprocal agreement from the Council, the Council encourages the use of Unilateral Undertakings, which require only the landowner to enter into the Agreement. A Unilateral Undertaking template is available on the Council's website

<http://www.gateshead.gov.uk/DocumentLibrary/Building/planning/GuidancenoteforPlanningObligations.pdf>

50. In the majority of cases, use of this template will result in the speedier completion of a section 106 Agreement. Where Unilateral Undertakings are submitted to the Council applicants will be required to meet the Council's reasonable costs incurred in dealing with the Agreement.

51. Obligations which require financial contributions will be payable at specific stages in the development process, usually on commencement or on first occupation of the development. However, there may also be large-scale developments where contributions can be phased, in order to match the proportional impact of each phase of the development. Trigger dates for the payment of financial contributions will be included in the section 106 Agreement, as will any time periods by which the contribution is to be spent unless it is a unilateral undertaking. Following receipt by the Council, financial contributions will be held by the Council in interest bearing accounts and will be individually identifiable due to each contribution being allocated a unique finance code. Contributions remaining unspent at the end of a time period specified in the section 106 Agreement will be returned to the payee in accordance with the terms of the Agreement.

52. All financial contributions calculated from formulae contained in this SPD are to be index linked (using a relevant form of indexation) from the date of completion of the section 106 Agreement to the date when the contribution is triggered.

## **Appendix 1**

### **Formulae**

#### **Affordable housing**

53. Commuted sums proposed should meet the shortfall between the Market Value of affordable dwellings and market dwellings and so fund the provision of affordable housing elsewhere in Gateshead.

$$(A-B) \times (C \times D)$$

Where A = market value of a dwelling (or sq. m)

Where B is the transfer value of a dwelling (or sq. m) to a Registered Provider

Where C is the affordable housing percentage

Where D is the total number of dwellings (that would have been provided on-site) (or sq. m)

54. The capitalised rental income should be calculated net of any service charges, management charges and voids.

55. The Council will expect the developer to set out in detail their calculations when assessing the level of a financial contribution. This will require independent review by an RICS qualified valuer, at the developer's expense.

56. Where agreement on the amount of the commuted sum payable cannot be reached the appraisal will be sent to a third party for independent scrutiny and validation. Payment for this service must be paid by the developer.

#### **Open Space**

58. The anticipated population of the development is calculated as follows:

$$\text{Population} = (1.1 \times A) + (1.5 \times B) + (2.6 \times C) + (3.2 \times D)$$

Where A is the number of 1 bedroomed dwellings.

Where B is the number of 2 bedroomed dwellings.

Where C is the number of 3 bedroomed dwellings.

Where D is the number of 4 or more bedroomed dwellings.

The open space area required is 3ha per 1000 population so the formula for the site requirement would be:

**Population x 30 = open space requirement on-site in m<sup>2</sup>**

**Commuted sums (off-site provision)**

£6.88 per m<sup>2</sup> required

### **Play**

59. The anticipated population of the development is calculated as for open space:

Population = (1.1 x A) + (1.5 x B) + (2.6 x C) + (3.2 x D)

Where A is the number of 1 bedroomed dwellings.

Where B is the number of 2 bedroomed dwellings.

Where C is the number of 3 bedroomed dwellings.

Where D is the number of 4 or more bedroomed dwellings

**Population x 7sqm = play area required on-site in m<sup>2</sup>**

65% of this would be toddler play provision, 20% junior play provision and 15% teen recreation provision.

Play contributions can count towards open space requirements in relation to the area of on-site provision.

**Commuted sums (off-site provision)**

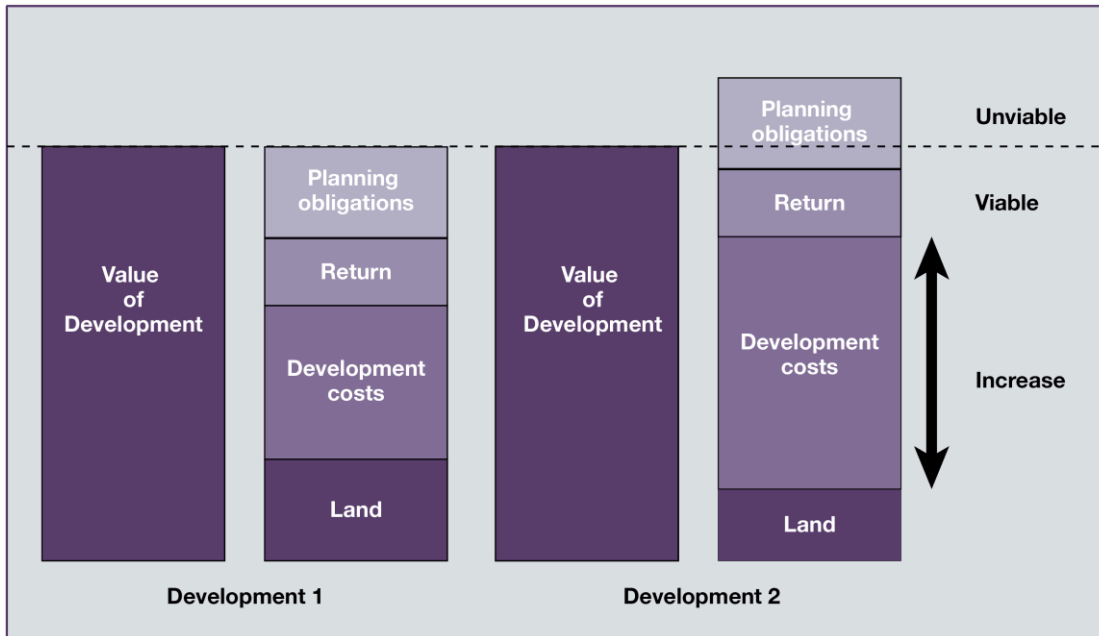
£144.94 per m<sup>2</sup> required, adjusted annually for inflation if necessary.



## Appendix 2 Viability model

### Viability

#### 61. Comparative development viability model.



RICS Professional Guidance, England.

<https://www.scams.gov.uk/sites/default/files/documents/RICS%20Financial%20viability%20in%20planning.pdf>

**Appendix 3 The information that is required to be submitted by the applicant to assess viability:**

- Developer should include within their viability assessment report their appraisal using appropriate software such as the Homes and Communities Agency (HCA) Development Appraisal Tool or Argus Developer. The report should also include the following information as a minimum:
- O.S plan showing the site edged red for identification purposes and identifying gross site area and net developable area of proposed development.
- Type of development proposed to include type of housing proposed
- Proposed unit size for each dwelling
- Number of dwellings
- Proposed sales price for each dwelling and include source of evidence
- Build cost and source of information
- Developer's Profit
- Other costs associated with development, e.g. site investigation summary report to confirm abnormal costs and why the developer considers such costs abnormal.
- Phasing of scheme to include build rates and sale rates
- Developer/agent view of benchmark land value for the site compared to the price agreed (conditionally) with landowner.
  
- The list is not exhaustive and the developer should include any further information if necessary in support of their viability assessment and be able to provide the Council with any site specific information upon request.

## Appendix 4

### Gateshead Regulation 123 - List of Recipient Infrastructure

8<sup>th</sup> November 2016

62. Regulation 123 provides for the Council to set out a list of those infrastructure projects or types of infrastructure that it intends will be, or may be, wholly or partly funded through the Community Infrastructure Levy (CIL).

63. The purpose of the list is to differentiate between those types of infrastructure that the authority intends to fund through CIL and those areas where a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) or another source of funding may be pursued to deliver the relevant infrastructure item.

64. The list below sets out those infrastructure projects or types of infrastructure that Gateshead Council intend will be, or may be, wholly or partially funded by CIL. In accordance with Regulation 123, when the Gateshead CIL is operational, developer contributions to the projects listed will not be sought through planning obligations or S278 of Highways Act 1980.

<b>CIL INFRASTRUCTURE LIST</b> <i>Plan Ref (CS and UC), IDP Ref (IDP)</i>	<b>EXCLUSIONS</b> <i>Plan Ref (CS and UC), IDP Ref (IDP)</i>
<b>Transport</b>	
Strategic transport infrastructure including transport corridor improvements (CS13(1)), cycle network improvements (CS13(1)) and key junction/road improvements (CS13(2))	Infrastructure needed to mitigate the impact of a specific development and to make it acceptable in planning terms
Removal of Gateshead Highway flyover and creation of tree lined boulevard from Durham Rd to Redheugh Bridge (Gateshead Boulevard) (CSSG1(v), IDP SG6/7)	
Durham Rd Bus Corridor Phases 4-6 (IDP T5)	
A694 corridor (CS13, GV1(2), IDP GA3.1, GA3.8-3.14)	
A695 Corridor (CS13, GV2 & GV6; IDP GA3.3, GA3.6, GA3.7, GA3.8 & GA3.20)	A695/Greenside Road Junction Improvement (CS GV2 (7ii), IDP GA3.2)
Angel Cycle Route (west) (UC6/GA5.7)	
New park and ride facilities at Eighton Lodge and Follingsby (CS13(1), IDP T7, T8)	Park and ride provision required for the Dunston Hill Neighbourhood Growth Area (CS GN1(1ii), IDP T9)
Heworth Roundabout Improvements (A184 / A185) (CS13, IDP T35)	Lamesley Roundabout Improvements (CS GV5 (1), IDP GA5.1)
A195 (New Rd) Bus Lane (IDP GA6.2)	
<b>Schools</b>	
Provision of new primary school places	

Additional primary school provision required under CS policies GN1, GV1-7 and IDP GA3.18/GA4.8/GA5.2	
<b>Water, Flood and Green Infrastructure</b>	
Strategic Green infrastructure (CS18)	Infrastructure needed to mitigate the impact of a specific development and to make it acceptable in planning terms, including site specific SuDS, flood mitigation and green infrastructure.
MetroGreen Strategic Flood Alleviation & Mitigation and Green Infrastructure (CS17, CS18 & AOC2; IDP G1 & W1) including strategic land drainage network, tidal flood defence along the River Tyne and strategic compensatory storage in the River Derwent	

65. **Strategic Infrastructure-** provides for infrastructure that can mitigate unacceptable impacts of development, or cumulative impact of a number of sites, and can refer to off-site provision serving a wider area.

66. The inclusion of a project or type of infrastructure in this list does not signify a commitment from the Council to fund (either in whole or in part) the listed project or type of infrastructure through CIL. Nor does the list identify priorities for spending within it, or any apportionment of the CIL funds across the authority.

67. Future updates of this list will take place on a periodic basis, and will be subject to appropriate local consultation, and will also have regard to:

- monitoring of the collection and spending of CIL funds
- updates to the Council's Infrastructure Delivery Plan
- changes to the CIL regulations



**REPORT TO CABINET**  
**13 December 2016**

**TITLE OF REPORT:** Property Transaction – Surplus Declaration and Lease of Worcester Green Day Centre (Community Asset Transfer)

**REPORT OF:** Mike Barker, Strategic Director, Corporate Services and Governance

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**Purpose of the Report**

1. To seek approval to (i) Worcester Green Day Centre being declared surplus and (ii) the grant of a 35 year lease to Gateshead Clubhouse.

**Background**

2. Terms have been provisionally agreed in relation to the property transaction as set out in the attached appendix.

**Proposal**

3. It is proposed to proceed with the property transaction outlined in the attached appendix.

**Recommendations**

4. It is recommended that Cabinet:
  - (i) declares the property surplus to the Council's requirements;
  - (ii) approves the property transaction outlined in Appendix 1: and
  - (iii) authorises the Strategic Director, Corporate Services and Governance to agree the detailed terms.

For the following reasons:

- (i) To manage resources in accordance with the provisions of the Corporate Asset Strategy and Management Plan.

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**CONTACT:** Lee Wright extension 2921

### **Policy Context**

1. The proposed new lease is consistent with the overall vision for Gateshead as set out in Vision 2030 and the Council Plan. In particular making best use of Council assets.
2. The proposed letting accords with the provisions of the Corporate Asset Strategy and Management Plan 2015-20. In particular, the rationalisation of the estate and support of the voluntary sector through Community Asset Transfer.

### **Background**

3. The property known as Worcester Green Day Centre, which is shown edged red on the attached plan, was previously used a learning disability day service.
4. In 2010 the Council closed Carlisle House, a day centre for adults with mental health issues and the building was declared surplus. The service users formed a user group and worked with the Council to identify a property for the service to continue without the need for council employees. The former Worcester Green Day Centre was identified as a suitable property.
5. In 2011, Mental Health Concern agreed to act as a host to the user group in the early stages of their development, with the intention that the user group would eventually be able to take responsibility for the building.
6. In 2014, the user group known as Gateshead Clubhouse began managing the service without the need for direct support and a Tenancy at Will was granted to enable them to develop their business plan to ensure continuation of their occupation of the property.
7. The building is used as a place to hold activities and is a mental health focal point where people can give and receive peer support in a safe, friendly environment. All users are encouraged to become involved and take ownership for service delivery and the management and running of the building is a core part of what the organisation does.

### **Current Position**

8. Gateshead Clubhouse registered as a Community Interest Organisation in 2015 and they are now in a position to proceed with a community asset transfer of the property.
9. Terms have been provisionally agreed with the organisation to accord with the Council's Community Asset Transfer Policy, namely a new lease for a term of 35 years at a peppercorn rent on a full repairing and insuring basis.
10. The property is currently held by the Council for housing purposes. Ordinarily the consent of the Secretary of State would be required to dispose of land held for

housing purposes; however, as it has never been used for the provision of dwelling houses it is deemed to be vacant and as such the Council can rely on the General Consent A.3.2. of the General Consent for the Disposal of Land held for the purpose of Part II of the Housing Act 1983 – 2013, which gives consent to a local authority to dispose of vacant land.

### **Proposal**

11. It is proposed that the property be declared surplus and a 35 year lease be granted pursuant to the Council's Community Asset Transfer policy.

### **Consultation**

12. In preparing this report, consultations have taken place with the Leader, Deputy Leader and Cabinet Members for Communities and Volunteering. Ward Councillors have also been consulted and have raised no objections.

### **Alternative Options**

13. The alternative options to granting a new lease is to dispose of the freehold of the property on the open market but this has been discounted because of the community benefits derived from the proposed use: the present occupiers may need to vacate should they not have funds to acquire the building.

### **Implications of Recommended Option**

#### **14. Resources:**

- a. **Financial Implications** – The Strategic Director, Corporate Resources confirms that there are no financial implications arising from this report.
- b. **Human Resources Implications** - There are no human resource implications arising from this report.
- c. **Property Implications** – The proposed letting accords with the Council's Community Asset Transfer Policy, ensures the continued occupation of a property thereby mitigating the Council's property outgoings and supports community involvement which is a policy priority of the Council.

15. **Risk Management Implication** – There are no additional risk management implications arising from this report.

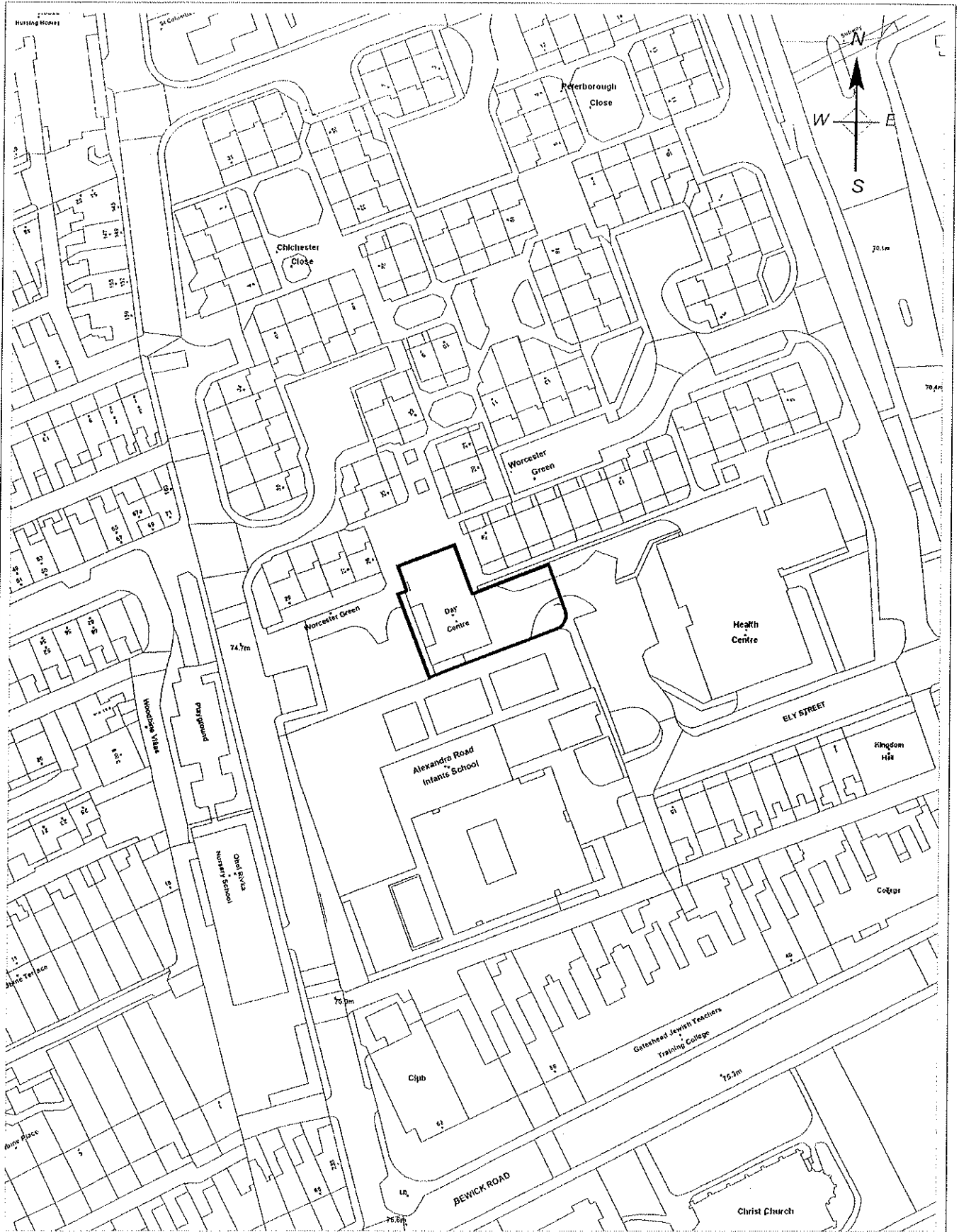
16. **Equality and Diversity Implications** – There are no equality & diversity implications arising from this report.

17. **Crime and Disorder Implications** – There are no crime and disorder implications arising from this report.

18. **Health Implications** – There are no health implications arising from this report.

19. **Sustainability Implications** – The disposal of this property by the grant of a lease will reduce the Council's operational costs.
20. **Human Rights Implications** – There are no human rights implications arising from this report.
21. **Area and Ward Implications** – Bridges in the Central Area.





<b>Title</b> Worcester Green Day Centre Worcester Green, Gateshead		<small>© Crown Copyright and Database Right 2011. Ordnance Survey (Basemap data) 100010132.</small>		 <b>Gateshead Council</b>
<b>Scale</b> 1:1250	<b>Date Created</b> 3rd September 2010	<b>Drawn By</b> Gillian Hall	<b>Drawing Number</b> Asset ID 000100	
		<b>Date Printed</b> 5th December 2011	<b>O/S NUMBER</b> NZ2562SW	Corporate Asset Strategy Legal and Corporate Services Gateshead Council

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**TITLE OF REPORT: Variation of Lease Terms – Springwell Community Centre**

**REPORT OF: Strategic Director Corporate Services and Governance**

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### **Purpose of the Report**

1. To seek approval to the variation of the agreed lease terms in relation to Springwell Community Centre.

### **Background**

2. At its meeting on 19 April 2016, Cabinet approved to grant a 35 year lease of Springwell Community Centre to 19 Plus Community Interest Company(CIC) at a rent of £15,000 per annum, which reflected the use of the building to provide education, training and activities for people with learning disabilities, whilst encouraging community activity.
3. Since April, however, the level of community activity taking place within the building has increased significantly & 19 Plus CIC has been unable to use the Community Centre for their intended training and activities for people with learning disabilities. It is proposed that 19 Plus CIC will continue to manage the building for purely community activity. Alternative Council owned accommodation has been identified which is more suitable for delivery of their education and training programmes for people with learning disabilities.
4. The agreed lease terms now need to be varied to reflect this revised approach.

### **Proposal**

5. It is proposed that the lease terms be varied so that the rent payable is reduced from £15,000 per annum to a peppercorn to reflect the use of the property as a community centre pursuant to the Council's Community Asset Transfer policy.

### **Recommendations**

6. Cabinet is asked to approve the variation of agreed lease terms to reduce the rent payable to a peppercorn.

For the following reason:-

To manage resources and rationalise the Council's assets in line with the Corporate Asset Strategy and Management Plan.

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## **Policy Context**

1. The proposed variation of lease terms supports the overall vision for Gateshead as set out in Vision 2030 and the Council Plan. In particular, creating capacity for volunteering and community cohesion.
2. The proposed variation of lease terms will also accord with the provisions of the update of the Corporate Asset Strategy and Management Plan 2015 – 2020. In particular, the rationalisation of the estate through the disposal of an uneconomic asset

## **Background**

3. At its meeting on 19<sup>th</sup> April 2016 Cabinet declared Springwell Community Centre surplus to the Council's requirements and approved a 35 year lease to 19 Plus CIC pursuant to the Council's Community Asset Transfer policy (Minute No.C223).
4. A rental of £15,000 per annum, subject to three yearly rent reviews was agreed to reflect the services proposed for delivery by 19 Plus CIC. The organisation proposed to provide education, training and activities to advance independent living, life and social skills and employment of people with learning disabilities. The proposed use of the property was considered to complement and support the existing community activity and enable it to continue
5. The benefit of being able to maintain the existing level of community activities in the Community Centre was taken into account when assessing the level of rent that should be payable, although it would mainly be used to run the organisation's activities.
6. Since 19 Plus CIC have been managing the Centre, they have been able to build upon the programme of community activity which existed when they took occupation, The degree of activities provided have increased due to demand from the community and the level of community activity has increased so significantly that there is now insufficient capacity to deliver the organisation's programme to advance independent living, life and social skills, and employment of people with learning disabilities.
7. The Organisation has, therefore, identified alternative Council owned accommodation nearby to deliver the education, training and activities programme from but recognise the benefit to the local community by continuing to manage the community centre. They have, therefore, requested that the rental level be reduced to £1 per annum in line with other community centres in the borough, to reflect the use of the Centre being used wholly for community activities.
8. The property is currently held by the Council for housing purposes. Ordinarily the consent of the Secretary of State would be required to dispose of land held for housing purposes, however, as it has never been used for the provision of dwelling houses it is deemed to be vacant and as such the Council can rely on the General Consent A.3.2. of the General Consent for the Disposal of Land held for the purpose of Part II of the Housing Act 1983 – 2013, which gives consent to a local authority to dispose of vacant land at any price determined by the local authority.

## **Consultation**

9. In preparing this report consultations have taken place with the Leader, Deputy Leader and Ward Councillors for High Fell who have raised no objections to the proposal.

## **Alternative Options**

10. The option of maintaining the rent at the same level has been discounted as this may lead to a reduced level of community activities being offered from the property.

## **Implications of Recommended Option**

### **11. Resources:**

- a) **Financial Implications** - The Strategic Director, Corporate Resources confirms there are no financial implications as a result of this report, as 19 Plus CIC has entered negotiations to lease a nearby vacant property from the Council, generating an additional rental to cover the reduced income from the proposed Community Asset Transfer.
  - b) **Human Resources Implications** - There are no implications arising from this recommendation.
  - c) **Property Implications** - The reduction of rent payable will secure the future use of the property as a community centre.
12. **Risk Management Implication** – The continued use of the property will minimise the risk of vandalism to a vulnerable property.
  13. **Equality and Diversity** - There are no implications arising from this recommendation.
  14. **Crime and Disorder Implications** - There are no implications arising from this recommendation.
  15. **Health Implications** - There are no implications arising from this recommendation.
  16. **Sustainability Implications** - There are no implications arising from this recommendation.
  17. **Human Rights Implications** - There are no implications arising from this recommendation.
  18. **Area and Ward Implications** – High Fell in the South area
  19. **Background Information** - Minute No. C223

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**REPORT TO CABINET**  
13 December 2016

**TITLE OF REPORT:** Petitions Schedule

**REPORT OF:** Mike Barker, Strategic Director, Corporate Services and Governance

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**Purpose of the Report**

1. To provide an update on petitions submitted to the Council and the action taken on them.

**Background**

2. Council Procedure Rule 10.1 provides that any member of the Council or resident of the borough may submit a petition to the Leader of the Council, to another member of the Council nominated by the Leader, to the Chief Executive or a Strategic Director.

**Proposal**

3. The Cabinet is asked to note the petitions received and actions taken on them.

**Recommendations**

4. It is recommended that the Cabinet notes the petitions received and action taken on them.

For the following reason:

To inform the Cabinet of the progress of the petitions.

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**CONTACT:** Mike Aynsley extension: 2128

## APPENDIX 1

### Policy Context

1. The information is provided in accordance Council Procedure Rule 10.2 whereby progress of petitions is to be reported regularly to meetings of the Cabinet. The procedure supports the Council Plan.

### Background

2. Council Procedure Rule 10.1 provides that any member of the Council or resident of the borough may submit a petition to the Leader of the Council, to another member of the Council nominated by the Leader, to the Chief Executive or a Strategic Director.

### Consultation

3. This report has been prepared following consultation as set out in the schedule.

### Alternative Options

4. There are no alternative options.

### Implications of Recommended Option

#### 5. Resources:

a) **Financial Implications** – The Strategic Director, Corporate Resources confirms that there are no financial implications arising from this report.

b) **Human Resources Implications** – Nil

c) **Property Implications** - Nil

6. **Risk Management Implication** - Nil

7. **Equality and Diversity Implications** - Nil

8. **Crime and Disorder Implications** – Nil

9. **Health Implications** - Nil

10. **Sustainability Implications** - Nil

11. **Human Rights Implications** - Nil

12. **Area and Ward Implications** - Borough wide

### Background Information

13. Petitions schedule attached.



**APPENDIX 2**

**PETITIONS SUBMITTED TO GATESHEAD METROPOLITAN BOROUGH COUNCIL**

<b>DATE RECEIVED</b>	<b>REF</b>	<b>FROM</b>	<b>ISSUE</b>	<b>FORWARDED TO</b>	<b>ACTION TO DATE</b>
6.07.16 Submitted to Communities and Environment	8/16	Residents of Greenside	Petition requesting a zebra crossing on Lead Road, Greenside	Strategic Director, Communities and Environment	The content of the petition is currently being considered by officers.  Ward members and the Cabinet member for Environment and Transport will be advised of the response intended to be subsequently sent to the lead petitioner.
9.07.16 Submitted to Councillor Geoffrey Gaffrey	9/16	Residents of Rowlands Gill	Petition in support of Rowlands Gill Library remaining open.	Strategic Director, Communities and Environment	The Cabinet on 8 November 2016 considered the outcome of the consultation with residents and other stakeholders regarding the Library Service review. It approved options as the basis for employee consultation and agreed that a further report be presented to Cabinet on 23 February 2017, following the Council's formal consultation on its budget, for a decision on implementation.
20.08.2016 Submitted via the Council's online petition's site.	11/16	Residents of Gateshead	Petition in support of Whickham Library remaining open and requesting that the current staffing levels continue to be funded.		
25.08.2016 Submitted via the Council's online petition's site.	12/16	Residents of Gateshead	Petition stating 'no to volunteer libraries' and requesting that the Council stops entrusting the running of libraries in Gateshead to volunteers.		
04.10.16 Submitted to Communities and Environment	15/16	Petitions from Residents of Felling and local schoolchildren	Petition to Save Felling Library		

<p>07.10.16 Submitted to Councillor Wheeler</p> <p>10.10.16 Submitted by Councillor McCartney</p>	<p>16/16</p> <p>17/16</p>	<p>Petition from residents of Pelaw</p> <p>Petition from residents of Crawcrook and surrounding communities</p>	<p>Petition objecting to the possible closure of Pelaw Library and the option to remove staff and insert volunteers.</p> <p>Petition requesting that Crawcrook Library remains open.</p>		
<p>24.08.16 Submitted to The Gateshead Housing Company</p> <p>Page 250</p>	<p>13/16</p>	<p>Petition from residents of Ventnor Gardens</p>	<p>Petition complaining about the height of trees in neighbouring properties and asking for them to be cut back to a reasonable height.</p>	<p>Strategic Director, Communities and Environment/ The Gateshead Housing Company</p>	<p>The petition raised concerns about the large trees which belong to a private property. Residents have raised concerns that the trees are blocking out light and have also caused some damage to a boundary wall.</p> <p>The hedge has been inspected by the Council's Arboricultural Officer. He has reported that the hedge may be dealt with using High Hedge legislation with regard to the light issues. However, the legislation is not appropriate to use to deal with the damage to the walls as it only allows the Council to prune the hedge. In order to deal with the damage to the wall, it is considered more appropriate to remove the hedge. The Council is now in the process of contacting the land owner to arrange a meeting to discuss the damage to the wall. Following this meeting the lead petitioner and the ward councillors will be updated on progress.</p>

### The Gateshead Housing Company

<p>12.11.2012 Submitted by Cllr A Douglas</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 251</p>	<p>45/12</p>	<p>Petition received from residents of East Street flats</p>	<p>Petition regarding replacement of windows</p>	<p>The Gateshead Housing Company</p>	<p>The Company and Council are working with partners to explore all options for work to multi-storey blocks, including insulation and window replacement. The lead petitioner was updated as part of the November 'Multi-storey Service Improvement Group' meeting. An update was provided on the Town Centre heating scheme (CHP), approved by cabinet. Details on the CHP will be developed in conjunction with the Council after which further updates will be provided to residents in these blocks.</p> <p>Preparatory work to connect these blocks to the CHP is ongoing. Further funding opportunities to support additional energy measures are to be explored alongside the proposed future capital programme.</p>
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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