

GATESHEAD METROPOLITAN BOROUGH COUNCIL

CABINET MEETING

Tuesday, 19 September 2017

PRESENT: Councillor M Gannon

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

C53 MINUTES

The minutes of the last meeting held on 18 July 2017 were approved as a correct record and signed by the Chair.

C54 ACADEMY CONVERSION OF THE BEHAVIOUR SUPPORT SERVICE

Consideration has been given to the implications of the Academy Order in respect of the Behavioural Support Service and to the proposed property arrangements to support the conversion of the Behaviour Support Service to Academy Status.

The alternative accommodation options to those being recommended, but which have been discounted, included using Eslington School, the Dryden Centre, and a new build option.

- RESOLVED -
- (i) That The Strategic Director, Corporate Services & Governance, be authorised to negotiate and agree with the River Tees Multi-Academy Trust (MAT) the necessary legal documentation to implement the proposals set out below, following consultation with the Leader of the Council and Cabinet Member for Children and Young People:
 - a) the Millway site be transferred to the MAT and appropriate arrangements are offered to enable it to occupy the building in the short term pending identification of more suitable accommodation;
 - b) the former Ravensworth Terrace Primary School be transferred to the MAT for such limited period as necessary to allow a more suitable long term site to be identified in agreement with the MAT, to be used for the 'Medically not fit for School' provision, as this building is considered suitable for this purpose with minimal adaptation. (Should a more suitable site be identified in time for delivery of the service in January 2018, the matter will be referred again to Cabinet for consideration.);
 - c) officers progress the discussion to replace the use by the Pupil Referral Unit of Heworth Welfare Hall (which is a Trust Property and as such cannot be transferred to the MAT), with the former Brandling Community Centre

with the intention of transferring the Community Centre to the MAT in the short term, to ensure it has sufficient accommodation to enable it to meet the service need;

- d) the excluded pupil provision, including the alternative education provision, be transferred to the current site of Gibside special school when it is expected to be vacated in 2020, or such other site deemed suitable, subject to satisfactory outcome of service delivery by the MAT which will enable the MAT to provide an enhanced service for the benefit of pupils in the borough. This option would release accommodation at Millway and the former Brandling Community Centre; and
 - e) subject to agreeing replacing the former Brandling Community Centre with Heworth Welfare Hall, the Welfare Hall will be transferred to Fighting Chance Foundation Community Interest Organisation pursuant to the Council's Community Asset Transfer Policy thereby helping to sustain the future of the organisation.
- (ii) That a further report be submitted to Cabinet within twelve months on options for the transfer of alternative sites to the River Tees Multi-Academy Trust (such as Gibside school site, expected to be vacated in 2020) and release of some or all the sites initially transferred under recommendation (i) above.

The above decisions have been made for the following reasons:

- (A) To enable the Academy Order to be implemented in January 2018.
- (B) To enable the Council to meet its statutory obligation to provide suitable education at school or elsewhere for children of compulsory school age.

C55

CONTRACT FOR CONSULTANCY SERVICES TO PREPARE EVIDENCE BASE FOR METROGREEN AREA ACTION PLAN

Consideration has been given to the tenders received for the contract for Consultancy Services to Prepare the Evidence Base for MetroGreen Area Action Plan.

RESOLVED -

That the tender from Mott MacDonald, Newcastle upon Tyne, be accepted for the contract for Consultancy Services to Prepare the Evidence Base for the MetroGreen Area Action Plan under the Homes and Communities Agency (HCA) Multidisciplinary Panel Framework for a period of 12 months commencing 9 October 2017 for the completion of Stages 1 & 2 with the option to extend up to the maximum of 24 months for the completion of Stages 3 to 7.

The above decision has been made following a comprehensive evaluation of the tenders received and the accepted tender best meets the technically challenging requirements of

the commission and is the most economically advantageous tender submitted.

C56 ANNUAL REPORT OF THE AUDIT AND STANDARDS COMMITTEE 2016/17

Consideration has been given to the Audit and Standards Committee Annual Report for 2016/17 and to referring it to the Council for consideration.

RESOLVED - That the annual report of the Audit and Standards Committee for 2016/17 be endorsed and that it be referred to Council.

The above decision has been made to strengthen the Council's arrangements for oversight by councillors of governance, audit, risk management, the internal control framework, value for money and efficiency.

C57 PROPOSAL TO INTRODUCE CHARGES FOR FOOD HYGIENE RESCORING VISITS

Consideration has been given to recommending the Council to agree to the introduction of a new charge for undertaking Food Hygiene Rating Scheme (FHRS) re-rating visits carried out by the Environmental Health Team within the Development, Transport and Public Protection service.

RESOLVED - That the Council be recommended to approve the implementation of a charge of £160 for undertaking a FHRS re-rating.

The above decision has been made to achieve full cost recovery for this non-statutory work.

C58 INTRODUCTION OF A DOG CONTROL ORDER

Consideration has been given to a consultation being carried out on the introduction of a Dog Control Order.

RESOLVED - That the Council be recommended to approve:

- (i) Consultation for a period of six weeks on the introduction of a Dog Control Order as set out below, subject to exemptions as appropriate for assistance dogs:

Requirement	Area Covered
To remove dog faeces from land	Boroughwide
To put a dog on a lead when requested	Boroughwide
To keep a dog on a lead at all times	All Cemeteries and School sites within the Borough

The penalty for breaching the Order is a fine of up to £1000 on conviction or a Fixed Penalty Notice of £80.

- (ii) Subject to no representations being received within the consultation period, the Order be adopted.
- (iii) In the event that objections to the proposed Order are received that a further report be presented to Cabinet and Council.

The above decisions have been made to support the protection of the environment in Gateshead through the use of an effective enforcement toolkit which reflects the seriousness with which residents view the issues and allows Officers to take robust action where required.

C59 SAFEGUARDING BOARDS UPDATE

Consideration has been given to the Annual Report 2016/17 and Business Plan 2017/18 for the Local Safeguarding Children Board (LSCB) and the Annual Report 2016/17 and updated Strategic Plan 2016/2019 for the Safeguarding Adults Board (SAB).

RESOLVED - That the Annual Report 2016/17 and Business Plan 2017/18 for the Local Safeguarding Children Board (LSCB) and the Annual Report 2016/17 and updated Strategic Plan 2016/2019 for the Safeguarding Adults Board be endorsed.

The above decision has been made to ensure that statutory duties of the Gateshead Local Safeguarding Children Board and Gateshead Safeguarding Adults Board are met.

C60 BETTER CARE FUND 2017-19 SUBMISSION FOR GATESHEAD

Consideration has been given to the Better Care Fund submission for Gateshead for 2017-19 in order to support health and social care services to provide integrated care for the benefit of local people in ways that are sustainable for the local health and care economy.

RESOLVED - (i) That the Better Care Fund submission for Gateshead for 2017-19 be endorsed.

(ii) That it be noted that at the request of the Health and Wellbeing Board the submission Narrative Plan contained a statement setting out concerns about government expectations relating to local performance against the metric for Delayed Transfers of Care.

The above decisions have been made for the following reasons:

- (A) To enable the Council, working with local partners and local communities, to take forward the 2017-19 Better Care Fund plan for Gateshead to support integrated health and care for the benefit of local people.
- (B) To help ensure that the health and care economy is sustainable for the future and is in a position to respond to demographic and funding pressures across the system.

C61 NOMINATION OF LOCAL AUTHORITY SCHOOL GOVERNORS AND APPOINTMENT OF AN ACADEMY GOVERNOR

Consideration has been given to:

- a) Nominating Local Authority Governors to schools seeking to retain their Local Authority governor in accordance with The School Governance (Constitution) (England) Regulations 2012.

- b) Appointing a Local Authority governor in accordance with Article 51 (Articles Association of Academies) to an academy seeking to retain their Local Authority governor. of

RESOLVED - (i) That the nominations and the appointment of Local Authority Governors as set out below be approved:

School	Nomination	Date from
Ravensworth	Cllr Neil Weatherley	8 September 2017
Dryden & Hilltop Federation	Cllr David Bradford	12 September 2017
High Spen	Cllr Maria Hall	12 September 2017
Lobley Hill	Cllr Catherine Donovan	6 July 2017
Eslington and Furrowfield Federation	Cllr Angela Douglas	1 September 2017
Academy	Appointment	Date from
Whickham	Cllr David Bradford	12 September 2017

- (ii) That it be noted that the term of office in respect of Schools is determined by the school's Instrument of Government and for the Academy is determined by its Articles of Association.

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

C62

RATIONALISATION OF BOWLING GREENS

Consideration has been given to the implementation of the proposed rationalisation plan for bowling green provision in Gateshead.

Representations were received from representatives of the Northumberland and Durham Bowling Association and individual club members about aspects of the proposals and issues regarding the timing of implementation.

- RESOLVED - (i) That the proposals to rationalise the bowling green provision in Gateshead as outlined in Appendix 4 to the report be approved.
- (ii) That the deferment of the proposals to the 1 April 2018, to enable a number of feasibility studies regarding asset transfers, outlined in Appendix 4 to be assessed, be approved and it be noted that if it is deemed not feasible, then the Council will stop maintaining these facilities.
- (iii) That it be further noted that the Council will work closely with the Northumberland and Durham Bowling Association and Bowling Clubs on finding ways and solutions to ensure as far as possible that the rationalisation plan is implemented in such a way that is

feasible for all parties.

The above decisions have been made for the following reasons:

- (A) To achieve the budget saving identified as part of the 2017/2018 budget setting process.
- (B) To maintain an accessible and equitable supply of bowling greens across the Borough.
- (C) To maintain an accessible and equitable supply of bowling greens across the Borough.

C63

GATESHEAD BUS ALLIANCES

Consideration has been given to the extension of joint working with Nexus and bus operators to the whole of Gateshead and, in particular, a revised agreement and relaunch for the East Gateshead Quality Bus Partnership as the East Gateshead Bus Alliance.

- RESOLVED -
- (i) That the expansion of the area covered by the East Gateshead Bus Alliance and the establishment of a West Gateshead Bus Alliance be approved.
 - (ii) That the Voluntary Agreement for the East Gateshead Bus Alliance through to 30 September 2022, as set out in Appendix 3 to the report be approved.
 - (iii) That the Service Director, Development, Transport and Public Protection be authorised to make any necessary minor changes to this Agreement, following consultation with the Cabinet Member for Environment and Transport before formal signing.
 - (iv) That a further report be submitted to Cabinet, setting out the Voluntary Agreement for a West Gateshead Bus Alliance, in due course.

The above decisions have been made to support a sustainable transport system capable of meeting the borough's environmental, social and economic objectives.

C64

GATESHEAD FUND 2017/18 ROUND ONE APPLICATIONS

Consideration has been given to the advice of Gateshead Fund Advisory Group to Cabinet, specifically:

- a) The approach for the Gateshead Fund for 2017/18;
- b) Round 1 applications for capacity building funding;
- c) Sporting Grants to Individuals; and
- d) The early release of the Gateshead Fund to the Community Foundation.

- RESOLVED -
- That the advice of the Gateshead Fund Advisory Group from 8 September 2017 be accepted and specifically:
 - (i) The approach for The Gateshead Fund for 2017/18 as set out in paragraphs 10 and 11, and Appendix 3 of the report;

- (ii) The recommendations for Round 1 of The Gateshead Fund as set out in Appendix 2 paragraph 4 and Appendix 4 of the report;
- (iii) The recommendations for Gateshead Volunteers Month as set out in Appendix 5 of the report;
- (iv) The recommendations for Sporting Grants to Individuals as set out in Appendix 2 paragraph 4 of the report; and
- (v) The recommendation that the Council releases The Gateshead Fund allocation prior to each round to enable awards to be made to applicants immediately after the Cabinet has accepted the recommendations provided by the Advisory Group as set out in paragraph 25 and Appendix 2 paragraph 5.1 of the report.

The above decisions have been made for the following reasons:

- (A) To ensure that the Gateshead Fund is used to maximise benefits to local communities and is managed effectively.
- (B) To build capacity and sustainability in voluntary and community organisations in Gateshead.

(Councillor McNestry declared a personal and non-pecuniary interest in the above matter and took no part in the discussion or voting thereon, because he is Chair of one of the recipient organisations, namely NRASS).

C65

DECISIONS TAKEN UNDER DELEGATED POWERS DURING SUMMER RECESS 2017

Consideration has been given to the decisions made under delegated powers during the summer recess 2017.

- RESOLVED -
- (i) That the decisions made by the Strategic Director, Communities and Environment under delegated powers as set out in Appendix 2 to this report relating to the award of contracts to Wilmott Dixon Construction for Regent Court HEIGHTs and Fabric Works; Harlow Green External & Internal Works, with contract values totalling £19,623,854 and to Balfour Beatty Civil Engineering Limited for the extension of the district heating and private wire from the Civic Centre to the Leisure Centre, with a contract value amounting to £2,742,012 be noted.
 - (ii) That the decision of the Strategic Director, Communities and Environment, following consultation with the Strategic Directors, Corporate Resources and Corporate Services and Governance to award the contract for the supply installation and maintenance of bus lane enforcement cameras and associated review and notice processing services to Capita Business Services Limited following an OJEU compliant tender process, for a period of 24 months commencing 18 August 2017 with the option to extend for a further 2 x 12 month periods be noted.

C66 SURRENDER AND RE-GRANT OF LEASE AT OAKWOOD AND WEALCROFT LEAM LANE GATESHEAD

Consideration has been given to the grant of a new lease of land at Oakwood and Wealcroft, Leam Lane.

- RESOLVED -
- (i) That the land at Oakwood, as set out in the plan attached to the report, be declared surplus to the Council's requirements.
 - (ii) That a surrender of the existing lease and authorisation of the grant of a 35 year lease of the land at Oakwood and Wealcroft to the Trustees of Leam Rangers Youth Football Club at an initial annual rent of £1,900, subject to 5 yearly rent reviews, be approved.

The above decisions have been made to manage resources and rationalise the Council's assets in line with the Corporate Asset Strategy and Management Plan.

C67 LEASE RENEWAL OF LAND TO THE REAR OF LEAD ROAD GREENSIDE

Consideration has been given to the lease renewal of land to the rear of Lead Road, Greenside.

- RESOLVED -
- That the authorisation of the grant of a 35 year lease to the Trustees of Greenside Football Club at an initial rent of £500 per annum, subject to 5 yearly rent reviews, be approved.

The above decision has been made to manage resources and rationalise the Council's assets in line with the Corporate Asset Strategy and Management Plan.

C68 PETITIONS SCHEDULE

Consideration has been given to the latest update on petitions submitted to the Council and the action taken on them.

- RESOLVED -
- That the petitions received and the action taken on them be noted.

The above decision has been made to inform the Cabinet of the progress of action on petitions received.

C69 EXCLUSION OF THE PRESS AND PUBLIC

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

C70 SALE OF LAND TO KEEPMOAT HOMES LIMITED AT RAVENSWORTH ROAD, DUNSTON

Consideration has been given to the sale of land, shown edged black and referred to as Phase 2 on the plan attached to the report, to Keepmoat Homes Limited (KHL). The land is

subject to a Development Agreement dated 4 December 2013 between the Council and KHL and together with Phase 1 forms part of the wider redevelopment of Ravensworth Road, Dunston.

RESOLVED - That the variation to the terms of the Development Agreement to allow KHL to purchase the Phase 2 subject site as set out in the plan attached to the report, in advance of the practical completion of Phase 1, be approved.

The above decision has been made for the following reasons:

- (i) To achieve a capital receipt earlier than expected in the development programme.
- (ii) To accelerate housing delivery in Dunston by 12 months by facilitating the early commencement of the construction of 45 new residential dwellings, including 4 Lifetime compliant dwellings and 1 wheelchair designed dwelling in accordance with the reserved matters application (DC/15/00817/REM).
- (iii) To achieve all the regeneration objectives of the Ravensworth Road redevelopment project.

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: 21 September 2017

Chair.....