

# GATESHEAD METROPOLITAN BOROUGH COUNCIL

## CABINET MEETING

Tuesday, 23 January 2018

**PRESENT:** Councillor M Gannon

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

### **C132 MINUTES**

The minutes of the last meeting held on 19 December 2017 were approved as a correct record and signed by the Chair.

### **C133 PROPOSED SELECTIVE LICENSING OF PRIVATE LANDLORDS WITHIN AREAS OF CENTRAL GATESHEAD**

Consideration has been given to recommending the Council to approve the designation of two Selective Licensing areas of private rented accommodation within the Central Area of Gateshead, under Section 80 of the Housing Act 2004.

Representations were heard on behalf of the Gateshead Private Landlords Association against the proposed designations.

RESOLVED - That the Council be recommended to:

- (i) Approve the designation of two areas of Gateshead, Central Area (Phase 2) – The Redesignated Area and The Avenues (Phases 1, 2 and 3) as set out and identified in the plans within appendix 1 to the report, for selective licensing, and that official notifications be published in accordance with Government guidance and legislation.
- (ii) Approve the proposed schemes detail, implementation programme, and proposed Enforcement Policy, as set out in appendix 2 to the report.
- (iii) Grant delegated authority to the Service Director, Development, Transport and Public Protection to take enforcement action in relation to Part 3 (Selective Licensing) of the Housing Act 2004, throughout the duration of the schemes as appropriate.
- (iv) Approve the proposed application fees and charges as set out in appendix 2 to the report.

The above decisions have been made for the following reasons:

- (A) It is considered that the Areas are experiencing low housing demand and the Council is satisfied that by making a designation, when combined with other measures taken by the

Council, or by the Council in conjunction with others, it will contribute to an improvement in the social and economic conditions in the area. The schemes will complement other initiatives and interventions in place to tackle low demand within the proposed Areas, and support the delivery of the aims and objectives of existing Council strategic objectives and the Bensham and Saltwell Neighbourhood Action Plan.

- (B) To ensure the schemes can be delivered in a timely way, within resources available.
- (C) To ensure the schemes are effective, delivered fairly, and underpin the Council's drive towards improving conditions in the private rented sector.
- (D) To ensure the licence fee structure is transparent and enables recovery of a proportion of the costs of implementing the proposed licensing schemes.

**C134 CHARGING AND FINANCIAL ASSESSMENT FOR ADULT SOCIAL CARE AND SUPPORT SERVICES**

Consideration has been given to recommending the Council to approve the implementation of the policy on Charging and Financial Assessment for Adult Care and Support Services following extensive consultation.

The alternative option to that being recommended, but which was discounted, included continuation of the current charging policy and maintaining a charging cap on the weekly contribution rate at a level aligned to the residential care fee rate (circa £500 in Gateshead).

- RESOLVED -
- (i) That the Council be recommended to approve the proposed policy for Charging and Financial Assessment for Adult Care and Support Services as set out in appendix 2 to this report.
  - (ii) That appropriate arrangements be made for Councillors to review the impact of the new policy after 12 months of operation and regular monitoring reports be submitted to Portfolio meetings.

The above decisions have been made for the following reasons:

- (A) To meet the statutory requirements of the Care Act 2014 and the regulations made under it.
- (B) To provide a transparent, consistent and fair framework for the provision for charging and financial assessment for all adults receiving care and support services.

**C135 ESTABLISHMENT OF POST: DIRECTOR OF JOINT COMMISSIONING, PERFORMANCE AND QUALITY (CARE, WELLBEING & LEARNING)**

Consideration has been given to recommending the Council to approve the establishment of the post of Director of Joint Commissioning, Performance & Quality, to ensure the Care, Wellbeing & Learning Group has the strategic capacity to jointly commission (with

Newcastle Gateshead CCG) Children's, Adults' and Public Health services.

- RESOLVED -
- (i) That the Council be recommended to approve the deletion of the current post of Service Director, Health and Social Care Commissioning & Quality Assurance and the creation of the post of Director of Joint Commissioning, Performance & Quality - Service Director Band 3.
  - (ii) That the joint working arrangements be subject to a 12 month review following implementation.

The above decisions have been made for the following reasons:

- (A) To enable the Care, Wellbeing and Learning Group, in partnership with the Newcastle Gateshead CCG, to identify and deliver opportunities for integrating services with the explicit aim of improving the health and wellbeing outcomes of Gateshead's population.
- (B) To enable continued improvement in the strategic management of commissioned services and to enable the delivery of all social care and public health services in a more efficient and effective way.

#### **C136 REVIEW OF THE CONSTITUTION**

Consideration has been given to recommending the Council to approve a number of amendments to the Constitution.

- RESOLVED -
- That the Council be recommended to approve the proposed changes to the Council's Constitution as set out in appendix 2 to the report.

The above decision has been made to ensure that the Constitution remains fit for purpose and that its aims and principles are given effect.

#### **C137 HOUSING REVENUE ACCOUNT AND HOUSING CAPITAL PROGRAMME**

Consideration has been given to recommending the Council to approve:

- (a) the Housing Revenue Account (HRA) budget for 2018/19, including proposed savings;
- (b) the proposed rent changes from 1 April 2018, in line with the Government's policy on rent setting;
- (c) the detailed proposals for fees and charges; and
- (d) the proposed Housing Capital Programme for the next five years (2018/19 to 2022/23).

RESSOLVED -

- That the Council be recommended to:

- (i) Approve the Housing Revenue Account as set out in appendix 2 to the report, including The Gateshead Housing Company management fee, the repairs and maintenance budget and savings as detailed in appendix 3 to the report.

- (ii) Approve the weekly rent reduction of 1% from 1 April 2018.
- (iii) Approve the fees and charges schedule as detailed in appendix 4 to the report.
- (iv) Approve the Housing Capital Programme for the five years 2018/19 to 2022/23 as detailed in appendix 5 to the report.

The above decisions have been made for the following reasons:

- (A) To set a Housing Revenue Account for 2018/19 that is not in debit as required under the Local Government and Housing Act 1989 (Part VI).
- (B) To realise the Council's policies and objectives in relation to Housing Strategy in order to maintain and enhance Council Housing provision in Gateshead.

**C138 CAPITAL PROGRAMME AND PRUDENTIAL INDICATORS 2017/18 – THIRD QUARTER REVIEW**

Consideration has been given to the latest position on the 2017/18 capital programme and Prudential Indicators at the end of the third quarter to 31 December 2017.

RESOLVED -

That the Council be recommended to:

- (i) Approve that all variations to the 2017/18 Capital Programme as detailed in appendix 2 to the report be agreed as the revised programme.
- (ii) Approve the financing of the revised programme.
- (iii) Note that the capital expenditure and capital financing requirement indicators have been revised in line with the revised budget and that none of the approved Prudential Indicators set for 2017/18 have been breached.

The above decisions have been made for the following reasons:

- (A) To ensure the optimum use of the Council's capital resources in 2017/18.
- (B) To accommodate changes to the Council's in-year capital expenditure plans.
- (C) To ensure performance has been assessed against the approved Prudential Limits.

**C139 REVENUE BUDGET 3RD QUARTER REVIEW 2017/18**

Consideration has been given to the latest monitoring position on the 2017/18 revenue budget at the end of the third quarter to 31 December 2017.

RESOLVED - That the Council's revenue expenditure position at 31 December 2017, as set out in appendix 1 to the report be approved.

The above decision has been made to contribute to sound financial management and the long term financial sustainability of the Council.

#### **C140 COUNCIL TAX BASE AND BUSINESS RATES FORECAST 2018/19**

Consideration has been given to the council tax base for 2018/19 for the Parish of Lamesley and the whole of the Borough of Gateshead and also to a Business Rate forecast for 2018/19.

- RESOLVED -
- (i) That pursuant to the report and in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as amended by Local Authorities (Calculation of Council Tax Base)(Amendment)(England) Regulations 2012 the amount calculated by Gateshead Council as its council tax base for the year 2018/19 shall be 51,462.4.
  - (ii) That pursuant to the report and in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as amended by Local Authorities (Calculation of Council Tax Base)(Amendment)(England) Regulations 2012 the amount calculated as being the Parish Council of Lamesley's council tax base for the year 2018/19 shall be 1,212.1.
  - (iii) That the business rates forecast for 2018/19 is £41.267 million.

The above decisions have been made for the following reasons:

- (A) To assist the Council in its financial planning and budget setting.
- (B) To set a council tax base and a business rates forecast for 2018/19 in accordance with statutory requirements.

#### **C141 COUNCIL PLAN - SIX MONTH ASSESSMENT OF PERFORMANCE AND DELIVERY 2016/17**

Consideration has been given to the Council Plan – Six Month Assessment of Performance and Delivery report for 2017/18.

- RESOLVED -
- (i) That the recommendations of all the Council's Overview and Scrutiny Committees in relation to the 2017/18 six month performance report, as set out in appendix 3 to the report be approved.
  - (ii) That the Council has met its performance objectives and is addressing the outcomes in delivering the Council Plan 2015-2020.

The above decisions have been made to ensure performance supports the delivery and achievements of the Council Plan 2015-2020.

## C142 RESPONSES TO CONSULTATION

Consideration has been given to responses to a number of recent consultations.

RESOLVED - That the responses to the following consultations be endorsed:

- Homelessness Reduction Act – Code of Guidance – Department for Communities and Local Government (DCLG)
- Improving Access to Social Housing for Victims of Domestic Abuse – DCLG
- Working Together to Safeguard Children – Department for Education
- Proposals for changes to gaming Machines and Social Responsibility Measures – Department for Digital, Culture, Media and Sport
- Provisional Local Government Funding Settlement – DCLG

The above decision has been taken to enable the Council to contribute responses to the consultations.

## C143 PRIMARY ADDITIONALLY RESOURCED MAINSTREAM SCHOOL (ARMS) PROVISION

Consideration has been given to progress in relation to:

- (a) the development of the proposed pilot of Primary Additionally Resourced Mainstream School (ARMS) provision, as well as proposed changes to existing ARMS provision; and
- (b) the further development and implementation of ARMS attached to Gateshead Primary Schools.

- RESOLVED -
- (i) That the further development and implementation of the pilot model Special/Mainstream Host School (SMHS) which will provide specialist inclusive teaching for children and young people in the primary sector with Autism/Social Communication Difficulties be approved.
  - (ii) That the developments in relation to the existing primary ARMS provision intentions be approved and they together with the approved host model agreed at (i) above to be the subject of an update report to Cabinet during the spring term 2018.
  - (iii) That consultation to commence in relation to the phasing out/closure of High Spen and Eslington ARMS.
  - (iv) That it be noted a review of the Secondary ARMS provision will be undertaken and will be the subject of a further report to Cabinet in early Summer 2018.

The above decisions have been made for the following reasons:

- (A) To meet the Council's statutory duty to promote high

educational standards and to make effective use of resources.

- (B) To comply with School Organisation legislation.

#### **C144 NOMINATION OF LOCAL AUTHORITY SCHOOL GOVERNORS**

Consideration has been given to the nomination of Local Authority Governors to schools seeking to retain their Local Authority governor in accordance with The School Governance (Constitution) (England) Regulations.

- RESOLVED - (i) That the nomination of the following Local Authority Governors for a period of four years from the date indicated be approved:

<b>School</b>	<b>Nomination</b>	<b>Date from</b>
Front St Primary	Mrs Sandra McCall	19 December 2017
White Mere Primary	Cllr S Green	1 January 2017

- (ii) That it be noted the term of office is determined by the school Instruments of Government.

The above decision has been made to ensure the School Governing Bodies have full membership.

#### **C145 GATESHEAD COUNCIL PANDEMIC INFLUENZA PLANNING**

Consideration has been given to the Council's Pandemic Influenza Plan.

- RESOLVED - That the Council's Pandemic Influenza Plan as set out in appendix 2 to the report be endorsed.

The above decision has been made for the following reasons:

- (A) To ensure compliance with the Council's statutory duties under the Civil Contingencies Act 2004.
- (B) To ensure that the Council has robust arrangements in place to prepare for, mitigate and respond to the impacts of an outbreak of pandemic Influenza.

#### **C146 CLEAN BUS TECHNOLOGY FUND 2017**

Consideration has been given to endorsement of the bid for funding made to the Government's Clean Bus Technology Fund on the 17 November 2017 in relation to improving engine emissions from buses in Gateshead.

- RESOLVED - That the action taken by the Strategic Director, Communities and Environment, in accordance with Schedule 5, Part 2 – General Delegations to Managers, paragraph 4 (e) of the Constitution, in submitting the bid for funding from the Clean Bus Technology Fund to the Department for Environment Food & Rural Affairs, by the deadline of 17 November 2017, be endorsed.

The above decision has been made to support a sustainable transport system capable of supporting the borough's environmental, social and economic objectives.

**C147 PROPERTY TRANSACTION - SURRENDER AND NEW LEASE OF CRAYMER DYKES DURHAM ROAD, GATESHEAD**

Consideration has been given to accepting the surrender of the current lease of Cramer Dykes from Springfield Cars Limited ("the Tenant") and the grant of a new 125 year lease to the Tenant.

- RESOLVED -
- (i) That the surrender of the current lease of Cramer Dykes from Springfield Cars Limited and the grant of a new 125 year lease to the Tenant, from a date to be agreed, at a rent of £23,716 per annum, with a 5 year rent review pattern, be approved.
  - (ii) That the Strategic Director, Corporate Services and Governance be authorised to agree the detailed terms.

The above decisions have been made to manage resources in accordance with the provisions of the Corporate Asset Strategy and Management Plan.

**C148 PROPERTY TRANSACTION - SURRENDER AND NEW LEASE OF LAND AT ELYSIUM LANE, BENSAM TRADING ESTATE, GATESHEAD**

Consideration has been given to accepting the surrender of the current lease of land at Elysium Lane from Alan Vincent Sales ("the Tenant") and the grant of a new 125 year lease to the Tenant.

- RESOLVED -
- (i) That the surrender of the current lease of land at Elysium Lane from Alan Vincent Sales and the grant of a new 125 year lease to the Tenant from a date to be agreed, at a rent of £1,725 per annum, with a 5 year rent review pattern be approved.
  - (ii) That the Strategic Director, Corporate Services and Governance be authorised to agree the detailed terms.

The above decisions have been made to manage resources in accordance with the provisions of the Corporate Asset Strategy and Management Plan.

**C149 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.



**C150 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.

**C151 SALE OF OLD TOWN HALL QUARTER**

Consideration has been given to the grant of a 250 year lease of the Old Town Hall Quarter to Dinosauria Ltd.

- RESOLVED -
- (i) That the grant of a 250 year lease of the Old Town Hall Quarter as shown edged black on the site plan attached to the report, to Dinosauria Ltd for the sum detailed in the report and on such detailed terms to be agreed by the Strategic Director, Corporate Services and Governance, following consultation with the Strategic Directors, Communities & Environment and Corporate Resources, and the Leader of the Council be approved.
  - (ii) That detailed terms to include, as a minimum:
    - provisions relating to financial due diligence;
    - appropriate pre-conditions relating to investment in the site and development timescales (including surrender of the lease if development does not proceed within a set timescale);
    - limitations on alienation (including an option for the Council to have first refusal of the lease should the scheme not be completed or fail, and any other disposal of the site requiring the Council's prior consent); and
    - user restrictions applying to the site, subject to Council agreement to vary (including the car parking management to be aligned with the Council's).
  - (iii) That the development of a place making strategy for the Old Town Hall Quarter within the context of a wider strategy for Gateshead Urban Core be approved.

The above decisions have been made for the following reasons:

- (A) To meet the aspirations of the Council as set out in the Urban Core Area Action Plan.
- (B) To dispose of a surplus asset and realise a capital receipt.

**C152 SALE OF 5.032HECTARES (12.43ACRES) OF LAND AT BLEACH GREEN, BLAYDON**

Consideration has been given to the revised conditional sale of 5.032 hectares (12.43acres) of land to Keepmoat Homes Limited at the Bleach Green housing estate.

The alternative option to that being recommended, but which was discounted, included remarketing the site.

- RESOLVED -
- (i) That the revised conditional sale of the land, as shown edged

black on the site plan attached to the report, to Keepmoat Homes Limited (KHL) for the purchase price as set out in the report, subject to vacant possession, detailed planning approval for the provision of new housing, including 15% affordable housing and KHL to start on site within 6 months of approval of the sale be approved.

- (ii) That the engineering review of the development costs with the external consultant to continue.
- (iii) That the Strategic Director, Corporate Services & Governance be authorised to agree a schedule of costs following the results of the engineering review and it be noted that this may result in an increase in the purchase price.

The above decisions have been made for the following reasons:

- (A) To support the proposed compulsory purchase order to acquire all remaining legal estates and interests within the land.
- (B) To provide new dwelling houses on the former Bleach Green housing estate.

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: 25 January 2018

**Chair.....**