

CABINET AGENDA

Tuesday, 23 January 2018 at 10.00 am in the Blaydon Room - Civic Centre

From the Chief Executive, Sheena Ramsey

Item	Business
1	Apologies for absence
2	Minutes (Pages 5 - 14) Cabinet is asked to approve as a correct record the minutes of the last meeting held on 19 December 2017. Recommendations to Council
3	Proposed Selective Licensing of Private Landlords within Areas of Central Gateshead (Pages 15 - 26) Report of the Strategic Director, Communities and Environment
4	Charging and Financial Assessment for Adult Social Care and Support Services (Pages 27 - 66) Report of the Strategic Director, Care, Wellbeing and Learning
5	Establishment of post: Director of Joint Commissioning, Performance and Quality (Care, Wellbeing & Learning) (Pages 67 - 72) Report of the Chief Executive
6	Review of the Constitution (Pages 73 - 84) Report of the Strategic Director, Corporate Services and Governance
7	Housing Revenue Account and Housing Capital Programme (Pages 85 - 98) Report of the Strategic Directors, Corporate Resources and Communities & Environment
8	Capital Programme and Prudential Indicators 2017/18 – Third Quarter Review (Pages 99 - 114) Report of the Strategic Director, Corporate Resources Non Key Decisions
9	Revenue Budget 3rd Quarter Review 2017/18 (Pages 115 - 122) Report of the Strategic Director, Corporate Resources

- 10 **Council Tax Base and Business Rates Forecast 2018/19** (Pages 123 - 130)
Report of the Strategic Director, Corporate Resources
- 11 **Council Plan - Six Month Assessment of Performance and Delivery 2016/17**
(Pages 131 - 150)
Report of the Chief Executive
- 12 **Responses to Consultation** (Pages 151 - 196)
Report of the Chief Executive
- 13 **Primary Additionally Resourced Mainstream School (ARMS) Provision**
(Pages 197 - 206)
Report of the Strategic Director, Care, Wellbeing and Learning
- 14 **Nomination of Local Authority School Governors** (Pages 207 - 210)
Report of the Strategic Director, Care, Wellbeing and Learning
- 15 **Gateshead Council Pandemic Influenza Planning** (Pages 211 - 216)
Report of the Strategic Director, Communities & Environment and Director of Public Health
- 16 **Clean Bus Technology Fund 2017** (Pages 217 - 222)
Report of the Strategic Director, Communities and Environment
- 17 **Property Transaction - Surrender and New Lease of Craymer Dykes Durham Road, Gateshead** (Pages 223 - 226)
Report of the Strategic Director, Corporate Services and Governance
- 18 **Property Transaction - Surrender and New Lease of Land at Elysium Lane, Bensham Trading Estate, Gateshead** (Pages 227 - 230)
Report of the Strategic Director, Corporate Services and Governance
- 19 **Petitions Schedule** (Pages 231 - 234)
Report of the Strategic Director, Corporate Services and Governance

20 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
21	3
22	3

Key Decisions

21 Sale of Old Town Hall Quarter (Pages 235 - 242)

Report of the Strategic Directors, Corporate Services & Governance and Communities & Environment

22 Sale of 5.032hectares (12.43acres) of land at Bleach Green, Blaydon (Pages 243 - 250)

Report of the Strategic Directors, Corporate Services and Governance

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GATESHEAD METROPOLITAN BOROUGH COUNCIL

CABINET MEETING

Tuesday, 19 December 2017

PRESENT: Councillor M Gannon

Councillors: A Douglas, G Haley, J McElroy, M McNestry
and J Adams

C110 APOLOGIES FOR ABSENCE

Apologies for absence have been received from Councillors M Brain, C Donovan, M Foy and L Green.

C111 MINUTES

The minutes of the last meeting held on 21 November 2017 were approved as a correct record and signed by the Chair.

**C112 ACADEMY CONVERSION OF THE BEHAVIOUR SUPPORT SERVICE
PROPERTY UPDATE**

Consideration has been given to the property arrangements to support the conversion of the Behaviour Support Service to Academy Status, including the granting of a lease of Heworth Welfare Hall by the Council, in its capacity as Trustee of Heworth Welfare Hall Trust.

- RESOLVED -
- (i) That the progress of discussions with River Tees Multi-Academy Trust be noted.
 - (ii) That the grant of a 2 year lease of Heworth Welfare Hall to River Tees Multi-Academy Trust by the Council, in its capacity as Trustee of the Heworth Welfare Hall Trust be approved, the detailed provisions of the lease to be agreed by the Strategic Director, Corporate Services & Governance, following consultation with the Leader of the Council.

The above decisions have been made to continue delivery of cost savings to the Trust.

**C113 ESTABLISHMENT OF POST: DIRECTOR OF JOINT COMMISSIONING,
PERFORMANCE AND QUALITY (CARE, WELLBEING & LEARNING)**

RESOLVED - That the item be deferred.

C114 CENTRALLY EMPLOYED TEACHERS' PAY POLICY 2017

Consideration has been given to recommending the Council to approve a centrally employed teachers' pay policy for 2017.

RESOLVED - That the Council be recommended to approve the centrally employed teachers' pay policy for 2017 as set out in appendix 2 to the report.

The above decision has been made for the following reasons:

- (A) To comply with the requirements of the School Teachers' Pay and Conditions Document.
- (B) To ensure centrally employed teachers receive a pay award in line with their colleagues in maintained schools.

C115 BROWNFIELD LAND REGISTER AND PERMISSION IN PRINCIPLE

Consideration has been given to recommending the Council to approve changes to the Council's constitution to enable the Council, in its capacity as Local Planning Authority, to discharge new statutory duties to create, maintain and publish a register of Brownfield Land, and to allow for the adoption of a decision making framework for allocation of sites to Part 2 of that register thereby granting Permission in Principle (PIP) for residential development of those sites.

The alternative option to that being recommended, but which was discounted, included not entering any sites on to Part 2 of the register.

RESOLVED -

- (i) That the intended publication of Part 1 of the Brownfield Land Register in December 2017 and that it will be annually updated under existing delegated powers be noted.
- (ii) That the decision making framework for Part 2 of the Brownfield Land Register and Technical Details Consent (TDC) be approved.
- (iii) That the Council be recommended to approve the proposed amendments to the scheme of delegation in the Council's Constitution as set out in appendix 3 to the report.

The above decisions have been made for the following reasons:

- (A) To ensure that the regulatory requirements regarding the Brownfield Land Register and PIP are met.
- (B) To ensure that the Council has a proper constitutional as well as statutory basis for decisions in respect of PIPs and TDCs.
- (C) To ensure that the correct balance is struck between timely decision making and appropriate consultation, publicity, oversight and scrutiny.

- (D) To assist in the delivery of additional housing in the Borough.
- (E) To encourage the use of brownfield land for housing or housing-led development.
- (F) To assist in the use of appropriate Council-owned land for housing or housing-led development.
- (G) To assist in-house delivery of new housing.

C116 EARLY HELP STRATEGY

Consideration has been given to recommending the Council to approve the proposed Early Help Strategy as set out in appendix 2 to the report.

RESOLVED - That the Council be recommended to approve the Early Help Strategy as set out in appendix 2 to the report.

The above decision has been made because the Early Help Strategy provides leaders and practitioners working with children, young people and families with information and guidance that will enable them to understand the current context and role of the Early Help Service.

C117 FAMILIES OVERVIEW AND SCRUTINY COMMITTEE - EDGE OF CARE REVIEW

Consideration has been given to the findings and recommendations of a review by Families Overview and Scrutiny Committee (OSC) in relation to young people and families with complex needs on the edge of care.

- RESOLVED -
- (i) That the findings and analysis of evidence outlined in appendix 2 to the report be noted.
 - (ii) That the recommendations from the OSC's review as detailed in appendix 2 to the report be approved.

The above decisions have been made for the following reasons:

- (A) To ensure the effectiveness of children and families services in Gateshead.
- (B) To contribute to the further development and delivery of service to children and families with complex needs and work collaboratively with partners.
- (C) To meet with one of the Council's key budget strategies of managing demand in this case by reducing the number of children looked after by Gateshead Council.

C118 STRATEGIC RESILIENCE AND EMERGENCY PLANNING FRAMEWORK

Consideration has been given to the revised Strategic Resilience and Emergency Planning Framework.

RESOLVED - That the revised Strategic Resilience and Emergency Planning Framework as set out in appendix 2 to the report be approved.

The above decision has been made for the following reasons:

- (A) To ensure compliance with our statutory duties under the Civil Contingencies Act 2004.
- (B) To ensure that the Council has robust arrangements in place to mitigate, prepare for, respond to and recover from major incidents and emergency situations.

C119 PROVISION OF AN IN HOUSE ON-STREET ENVIRONMENTAL ENFORCEMENT SERVICE

Consideration has been given to the establishment of an in house on street environmental enforcement service. It is envisaged that delivery of this service will encompass provision of a team of on-street Environmental Enforcement Officers, complementary back office staff and associated IT support.

The alternative options to that being recommend, but which were discounted, included the development of a pilot using an external contractor or appointing a neighbouring authority to undertake the work on the Council's behalf

- RESOLVED -
- (i) That an on-street Environmental Enforcement service be set up as proposed in the delivery model set out in appendix 2 to the report.
 - (ii) That the mini restructure as set out in appendix 2, figure 1 be approved.
 - (iii) That regular reports on progress and impact be submitted to Portfolio and Cabinet, as necessary.

The above decisions have been made to make a positive impact on the environment by providing a physical presence of officers on the streets to tackle perpetrators and to change behaviours; and to gather data to inform future plans for delivering this service.

C120 CHOPWELL SUSTAINABLE COMMUNITIES PLAN

Consideration has been given to the findings of the recent Chopwell and Blackhall Mill consultation exercise and to agree the key themes emerging from the consultation being used to develop a high level plan for the area.

- RESOLVED -
- (i) That the key themes emerging from the consultation, namely; Housing, Environment and Public realm, Economy, Citizenship, Transport and Community Safety be approved.
 - (ii) That a further report be submitted to Cabinet in February 2018 on the High Level Action Plan, setting out key actions within the above themes for the basis of further consultation with the community.

The above decisions have been made for the following reasons:

- (A) To ensure investment is targeted in the most appropriate way and that it is focused on long term outcomes and community needs.
- (B) To support sustainable housing and economic growth.
- (C) To support Council Plan priorities for Prosperous Gateshead, Live love Gateshead, as well as the Council pledges.

C121 GATESHEAD FUND 2017/18 - ROUND TWO APPLICATIONS

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

- Round 2 applications for funding from the Gateshead Fund
- Sporting Grants to Individuals/Talented Athlete Scheme.

RESOLVED - That the advice of the Gateshead Fund Advisory Group from 20 November 2017 be approved and specifically:

- (i) The recommendations for Round 2 of The Gateshead Fund, as set out in appendix 2 paragraph 4 and appendix 3 of the report; and
- (ii) The recommendations for Sporting Grants to Individuals and Talented Athletes as set out in appendix 2 paragraph 4 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.

C122 ENTERPRISE ZONE: BUSINESS RATE GROWTH INCOME POOLING AGREEMENT

Consideration has been given to entering into an overarching Business Rates Growth Income (BRGI) Pooling Agreement with the North East Combined Authority (NECA) in its current role as the accountable body of the North East Local Enterprise Partnership (North East LEP). This BRGI Pooling Agreement sets out the BRGI pooling arrangements for Enterprise Zones in the NELEP area over the 25 year BRGI period for each site, with a final date of the agreement running to 31 March 2043.

- RESOLVED -
- (i) That the entering into the overarching Enterprise Zone Pooled Business Rate Income Agreement with the North East LEP and its accountable body NECA be approved.
 - (ii) That the existing round 1 funding agreements being replaced with new agreements consistent with the new overarching BRGI agreement (Newcastle: North Tyneside: Northumberland and

Sunderland) be noted.

- (iii) That the Strategic Director, Corporate Services and Governance be authorised to complete the necessary legal documentation, following consultation with the Strategic Director, Corporate Resources and the Chief Executive.

The above decisions have been made to provide a regional framework to enable the Council and other local authorities to pursue economic growth objectives in relation to Enterprise Zones.

C123 RESPONSES TO CONSULTATION

Consideration has been given to responses to recent government consultations.

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

- Disqualification criteria for elected members – Department for Communities and Local Government
- Constituency changes for the North East region – Boundary Commission for England

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

C124 SURPLUS DECLARATION: GARAGES AT GARTH FARM ROAD, WINLATON

Consideration has been given to garages at Garth Farm Road, Winlaton being declared surplus to the Council's requirements and to the future proposal for the property after being declared surplus.

- RESOLVED -
- (i) That the garages at Garth Farm Road, Winlaton be declared surplus to the Council's requirements.
- (ii) That the Service Director, Legal Democratic and Property Services be authorised to dispose of the property to Greenway Homes Ltd on terms to be agreed.

The above decisions have been made for the following reasons:

- (A) To manage resources and rationalise the Council's assets to facilitate the long term sustainability of the Housing revenue Account.
- (B) To manage resources and rationalise the Council's assets in line with the Corporate Asset Strategy and Management Plan 2015 - 2020.

C125 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.

C126 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.

C127 GO GATESHEAD SPORT AND LEISURE - REVIEW

Consideration has been given to the progress and impact of the review of leisure as well as current financial performance and a future income generation strategy, together with proposed future management arrangements for the service in order to best deliver the Vision for Leisure and Council Plan priorities for Gateshead.

The alternative options to that being recommended, but which were discounted, included adopting an alternative delivery model such as an alternative provider, or a separate management arrangement.

- RESOLVED -
- (i) That the progress made on reviewing Go Gateshead Sport and Leisure Service, including the impact of the many changes made to date and improved financial performance be noted.
 - (ii) That the continuation of an in-house Go Gateshead Sport and Leisure Service provided by the Council be approved.
 - (iii) That a further report be submitted to Cabinet in December 2018 on progress towards income generation and reducing the subsidy the Council provides for the Go Gateshead Sport and Leisure Service.
 - (iv) That a further report be submitted to Cabinet in due course regarding the facility review described in appendix 1 of the report.

The above decisions have been made for the following reasons:

- (A) To ensure the future sustainability of the service using the option identified through the options analysis, and in recognition that while further income generation is required, progress in reducing costs and income levels are on a positive trajectory.
- (B) The implications of NNDR and VAT changes are likely to be more positive for an in-house model than previously recognised.
- (C) An in-house service is more likely to deliver Council priorities and outcomes for Live Well Gateshead supporting Gateshead residents to choose to live healthy lifestyles.

C128 SALE OF THE OLD TOWN HALL QUARTER

RESOLVED - That the item be deferred.

C129 SPECULATIVE OFFICE DEVELOPMENT IN BALTIC BUSINESS QUARTER

Consideration has been given to the final business case for a speculative Grade A office development in Baltic Business Quarter in central Gateshead.

- RESOLVED -
- (i) That the final business case be approved.
 - (ii) That the signing of a construction contract with Wilmott Dixon via the SCAPE Major Works Framework, for the development of the new office accommodation be approved.
 - (iii) That the Strategic Director, Communities and Environment, following consultation with the Strategic Directors, Corporate Services and Governance and Corporate Resources, be authorised to agree the final terms of the contract.

The above decisions have been made for the following reasons:

- (A) To stimulate development in one of Gateshead's primary employment areas – Baltic Business Quarter; and assist in the process of driving rents upwards to a level at which the private sector can re-enter the market.
- (B) To provide Grade A* office accommodation to meet evidenced demand for office space in the Gateshead and Newcastle Urban Core.
- (C) To ensure that there is a range of accommodation options, including move on space, to meet the needs of existing tenants, growing indigenous businesses and inward investors, thereby capturing and retaining companies and employment opportunities of up to 400 jobs within Gateshead.
- (D) To maximise income from Business Rates, within the ADZ, and creating an income generating asset for the Council, delivering a profit over its lifetime.
- (E) To give confidence to the market that the Council, as a corporate body, is committed to creating the right environment in Gateshead in which businesses can grow and prosper.
- (F) To demonstrate that the Council, as a developer, can deliver a distinctive and high quality product to the market, establishing the Gateshead Quays / Baltic Business Quarter area as a viable business location of choice for end users.
- (G) To utilise the Council's land and property portfolio to support the Council's policy priorities in accordance with the provisions of the Council's Corporate Asset Strategy and Management Plan 2015 – 2020.

- (H) To support the delivery of Vision 2030 in particular the strong economy element of the Sustainable Gateshead big idea.

C130 HILLGATE QUAY

Consideration has been given to progress made on the temporary urban container garden development proposed for Hillgate Quay, including details of the business plan and to the proposal for the Council to invest in the development as part of the cultural and community elements of the Great Exhibition (GEOTN) of the North and in order to support Council priorities.

- RESOLVED -
- (i) That the progress made in preparing the site in advance of the Great Exhibition of the North be noted.
 - (ii) That the lease of the site for two years plus a further two years, subject to appropriate performance measures being met; or such other terms as agreed by the Strategic Director, Corporate Services & Governance following consultation with the Leader of the Council be approved.
 - (iii) That the investment in the development and the cultural elements of the temporary urban container garden, of the amount set out in the report, subject to conditions to be developed be approved.
 - (iv) That the conditions referred to at (iii) above to be developed by the Strategic Director, Communities and Environment and the Strategic Director, Corporate Resources using delegated powers.

The above decisions have been made for the following reasons:

- (A) To ensure an innovative visitor attraction in Gateshead during GEOTN that provides cultural elements, horticulture, as well as business start-ups that will support economic growth.
- (B) To improve connectivity between local community groups and schools to Gateshead Quays.

C131 SALE OF THE FORMER RAVENSWOOD AGED PERSONS UNIT SITE, CHURCH ROAD, GATESHEAD

Consideration has been given to the sale of the Council's freehold interest in the former Ravenswood Aged Persons Unit site, shown edged black on the plan attached to the report, to Saltwell Park Developments Ltd.

- RESOLVED -
- (i) That the sale of the site shown edged black on the plan attached to the report, to Saltwell Park Developments Limited, for the purchase price as set out in the report be approved.
 - (ii) That the Service Director, Legal, Democratic & Property Services be authorised to accept the next best offer, in the event that Saltwell Park Developments Ltd withdraws from the

purchase.

The above decisions have been made for the following reasons:

- (A) To dispose of a surplus asset and realise a capital receipt.
- (B) To manage resources and rationalise the Council's assets in line with the Corporate Asset Strategy and Management Plan 2015 – 2020.

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: 20 December 2017

Chair.....

TITLE OF REPORT: **Proposed Selective Licensing of Private Landlords within Areas of Central Gateshead**

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

Purpose of the Report

1. This report seeks Cabinet approval to 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.
2. Following approval by Cabinet, the proposals seeking to designate the two areas require approval from Council.

Background

3. In October 2016, Cabinet considered evidence to support the introduction of further Selective Licensing in specific areas within Gateshead, and agreed in principle to a proposed phased approach, subject to formal designations and following necessary consultation. This report details the final proposal for landlord licensing in respect of the two areas identified following consultation.
4. The second Appendix to this report provides detailed evidence in support of two new Selective Licensing Area designations, and includes feedback from consultation that has been carried out. The same Appendix also provides detailed information on the strategic fit of licensing with Council objectives, alternative ways of working in future schemes, how the Council will work in partnership with other stakeholders and what options other than licensing have been considered. A copy of Appendix 2 can be viewed on-line within the Agenda folder for this meeting.
5. Selective Licensing Areas can be designated for two principle reasons. Either an area is, or is likely to become, an area of low housing demand, and/or the area is experiencing significant and persistent problems caused by anti-social behaviour (ASB). In addition, new criteria introduced in 2015 require proposed areas to contain high concentrations of private rented homes, as well as one or more of the following; high levels of crime, high levels of deprivation, high levels of migration and poor property conditions.
6. Based upon experience gained from former landlord licensing designations, and on analysis of relevant data, the proposed new designations are made in response to problems associated with low housing demand. Both areas are also exhibiting disproportionately high levels of ASB which has been shown to be linked with private rented homes.
7. No referral or authorisation by Central Government will be necessary prior to Scheme implementation, as a new general consent regime for discretionary

licensing was introduced in April 2010. This enables authorities to introduce schemes without seeking prior consent from Central Government.

8. Prior to making any designation based upon low housing demand, a Local Authority must:
 - a. be satisfied that the area is, or is likely to become, an area of low housing demand, and that the designation, together with other measures, will contribute to improved social or economic conditions in that area; and
 - b. be satisfied that the additional criteria in relation to high levels of private rented homes and either high levels of crime, migration, deprivation and poor property conditions have been met (Pages 17-37 of main report)
 - c. take reasonable steps to consult those likely to be affected by the designation, and take into account representations made. (Pages 70-78 of main report)
 - d. Ensure that any exercise of the power is consistent with the authority's overall housing strategy (Pages 13-17 of main report)
 - e. Seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour (Pages 65-69)
 - f. Consider any other courses of action available to them that might provide an effective method of achieving the objectives that the designation would intend to achieve (Pages 79 of main report) and Appendix N.
9. The existing Selective Licensing Scheme in Swalwell is operating effectively and the expired schemes in Central Gateshead Phase 1, Chopwell and Sunderland Road resulted in improved management and property standards, and contributed towards the reduction in low housing demand in the areas. The Swalwell Scheme will expire in April 2018. The improvements achieved in these areas gives confidence that the schemes now proposed will have a similar positive impact.
10. The introduction of further Selective Licensing will also demonstrate the Council's ongoing commitment towards making Gateshead a place where residents thrive by improving local neighbourhoods and communities.

Proposal

11. Based upon evidence and data analysis, it is proposed to designate the following areas as Selective Licensing Areas:
 - a. Central Area (Phase 2) – The Redesignated Area
 - b. The Avenues (Phases 1,2 and 3).
12. Appendix 2 to this report identifies the Areas, provides evidence of low demand, sets out details of the proposed schemes, and describes the requisite consultation carried out.
13. Once a designation is made, it will be necessary to publish prescribed Notices, in local papers, on the Council website, and make relevant information available to the public.
14. The designation would come into effect no earlier than three months from the date of approval by Full Council, and the proposed duration of each Scheme would be five years, which is the maximum period allowed.

15. In line with the resources available, and recognising that the existing scheme expires mid-April 2018, it is proposed to phase the timing that the schemes come into effect, with Central Area (Phase 2) programmed to come into effect at the end of April 2018, and the Avenues phases as follows, Area 1- October 2018, Area 2, - October 2019 and Area 3 - April 2020. The introduction of Area 3 will be subject to ongoing consultation. If the introduction of Areas 1 and 2 result in noticeable reductions in low housing demand to the wider area in advance of April 2020, Phase 3 may no longer be required. Ongoing monitoring of the relevant indicators of low demand will be undertaken periodically in relation to this and also to determine if other areas within Gateshead would benefit from landlord licensing.
16. The Housing Act 2004 allows a fee to be applied to licence applications. The fee can be set at a level which takes into account the cost of delivering the schemes. The Government's intention was that licensing should be self-financing, with a fee structure which is fair and transparent. Local authorities have the discretion to offer discounts on licences, for example to landlords who are accredited under a local authority scheme. The fee structure for the schemes now proposed is set out on pages 49-52 of the main report in Appendix 2 and also within Appendix F of that report.

Recommendations

17. Cabinet is asked to recommend the Council to;
 - i. Agree to the designation of two areas of Gateshead (as identified in Appendix 1) for selective licensing, and that official notifications are published in accordance with Government guidance and legislation.
 - ii. Agree the proposed schemes detail, implementation programme, and proposed Enforcement Policy, as set out in Appendix 2.
 - iii. Delegated authority is given 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. Agree the proposed application fees and charges

For the following reasons:

- i. It is considered that the Areas proposed 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.
- ii. To ensure the Schemes can be delivered in a timely way, within resources available

- iii. To ensure the Schemes are effective, delivered fairly, and underpin the Council's drive towards improving conditions in the private rented sector.
- iv. To ensure the licence fee structure is transparent, and enables recovery of a proportion of the costs of implementing the proposed Licensing Schemes.

CONTACT: Rachel Crosby ext 2793

Policy Context

1. The proposal referred to in this report supports Gateshead's long-term Sustainable Community Strategy: **Vision 2030**, and the Council Plan. The proposal also aligns with a key priority within The Core Strategy and Urban Core Plan for Gateshead (2010-30) in ensuring that existing communities will be sustainable places of quality and choice.
2. The proposal also aligns with three objectives of The Housing Strategy 2013-18 in relation to *Support* – helping residents access and sustain a home which promotes their wellbeing, *Standards*-to improve quality, condition and management of housing in the private rented sector so residents will benefit from safe, healthy and well managed homes, and finally *Supply* – to ensure use of existing stock to best meet current and future needs and aspirations.
3. The introduction of landlord licensing also complements the objectives of the Bensham and Saltwell Neighbourhood Action Plan; and complements the Council's wider regeneration and economic development objectives.
4. By ensuring that Selective Licensing is implemented alongside other initiatives, it is envisaged that this will significantly assist in tackling the Council's key priorities.

Background

5. The Housing Act 2004 gives the power to Local Housing Authorities to designate areas for selective licensing in respect of privately rented accommodation, provided:
 - The area is experiencing low housing demand and, when combined with other measures, would contribute to an improvement in the social or economic conditions in the area, and/or,
 - The area is experiencing a significant and persistent problem caused by anti-social behaviour and that some or all of the landlords in the area are not taking appropriate action to combat the problem, and when combined with other measures will lead to a reduction in the problem.
6. New criteria introduced in 2015 also require there to be high levels of privately rented homes in proposed areas, and the existence of one or more of the following: high levels of deprivation, high levels of crime, high levels of migration and poor property conditions.
7. These powers can be used if a designation would be consistent with the Authorities overall housing strategy, and subject to required consultation.
8. One existing Selective Licensing Schemes is in operation within Gateshead. There have been three former licensing schemes that have received approval and implemented in the Borough since 2007, the Sunderland Road Area from 2007-2012, Chopwell River Streets 2010-2015 and Central Bensham Phase 1 2012-2017. The existing scheme running in parts of Swalwell will expire mid-April 2018.
9. The expired schemes operated effectively, and delivered significant improvements in housing market conditions and neighbourhood sustainability, through improvement to properties, management practices, and reductions in anti-social

behaviour. The success of the existing Schemes demonstrates that Licensing can be an effective approach to providing support to an area suffering from low housing demand.

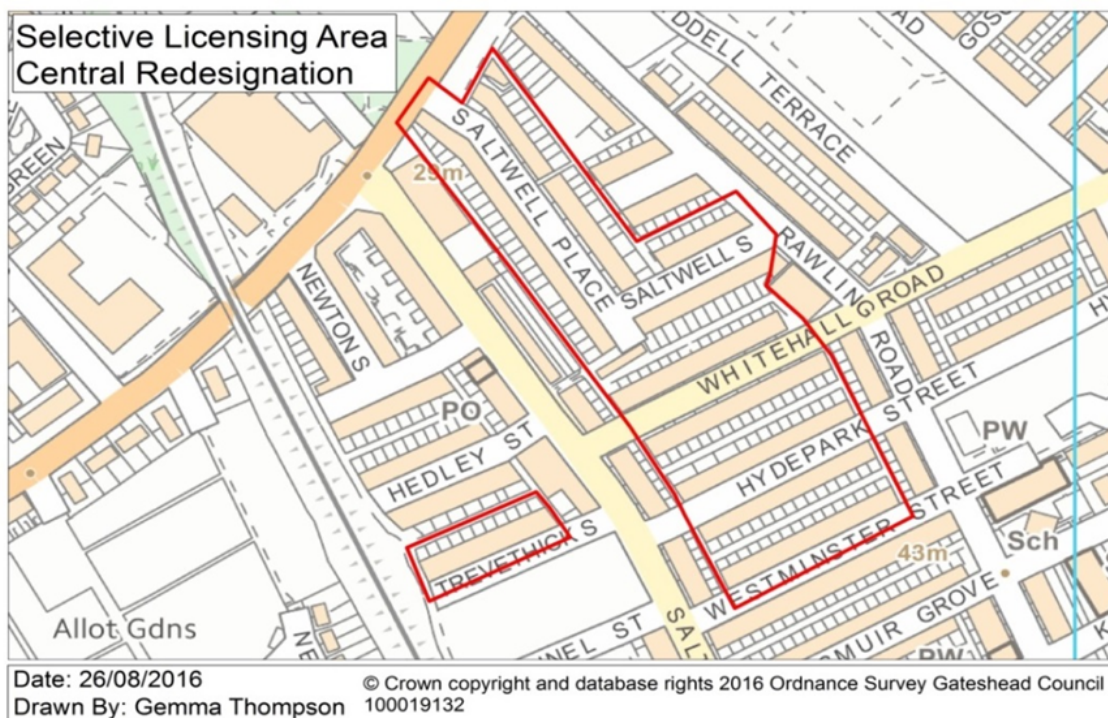
10. In October 2016, Cabinet considered research that identified areas containing concentrations of private rented sector properties within the Bensham and Saltwell Neighbourhood Action Plan Area, as exhibiting indicators of low housing demand, and issued of deprivation and crime. It was agreed in principle that these areas would benefit from Selective Licensing, and that work towards designations should be progressed. The evidence now provided within this report supports a formal designation of two specific areas.
11. Evidenced indicators of low housing demand are being exhibited within both the areas proposed for Licensing, including problems with deprivation and crime in both, and property conditions in the Avenues, There is a correlation between housing conditions, tenure mix, dwelling type and age, and social and economic circumstances. Where these factors are unbalanced, and the housing offered is not meeting local needs, low demand and market vulnerability can arise. Selective Licensing can contribute to improving social and economic conditions that will in turn improve housing market conditions. There have been significant improvements in the former wider Central Bensham licensing area since its introduction in 2012. Evidence and data gathered have confirmed that a smaller and redefined area would benefit from the ongoing intervention of landlord licensing to sustain and increase improvements to date.
12. Appendix 2 to this report sets out the evidence of low housing demand in detail across both proposed areas. Issues include poor management of tenancies and properties; concerns regarding anti-social behavior; and the presence of criminal activity; and the fear of crime. These issues combine to result in:
 - lower than expected property values;
 - low levels of owner occupation;
 - high incidence of empty properties; and
 - high turnover of residents and ownership
13. Appendix 2 also sets out the evidence to confirm that the additional criteria in relation to concentrations of privately rented homes and problems with deprivation, crime and for the Avenues, poor property conditions are met.
14. Although the Areas do suffer from some level of anti-social behaviour, it is felt that this is a symptom of low housing demand. It is considered that the designation of Selective Licensing on the basis of low housing demand is most appropriate, however, it is considered that the designation will also help reduce anti-social behaviour in the Areas.
15. It is recognised that Selective Licensing is most effective when implemented in conjunction with other physical, economic and social interventions. The proposed schemes will complement and strengthen existing interventions, and will help deliver the objectives of approved regeneration plans including, The Bensham and Saltwell Neighbourhood Action Plan. Licensing would also be implemented alongside the recently approved on street Environmental Enforcement service in order to make a positive impact on the environment by providing a physical

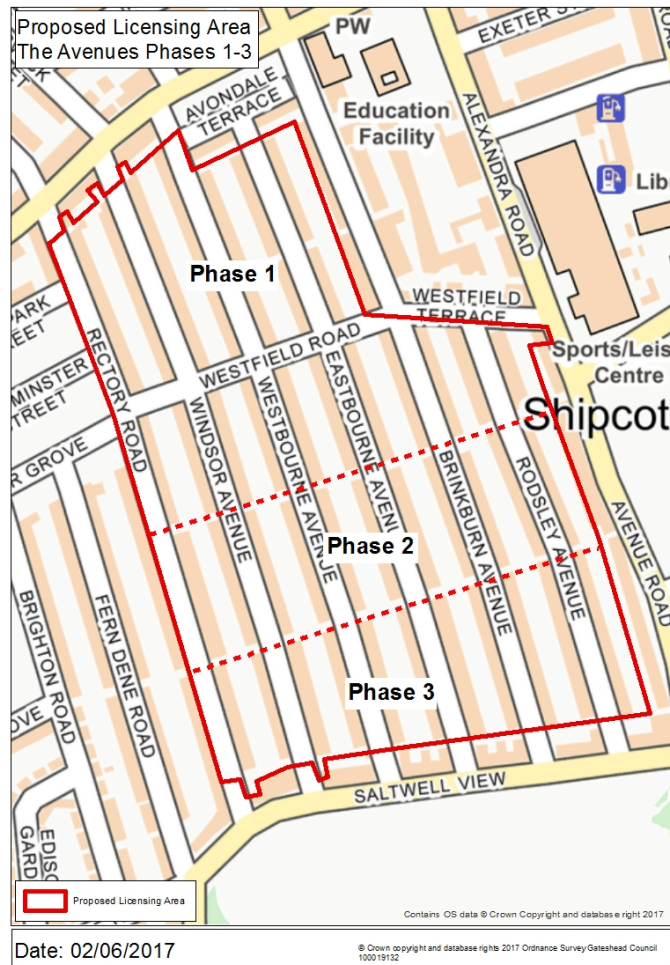
presence of officers on the streets to tackle perpetrators in relation to littering and dog fouling and to change behaviours.

- Both areas proposed for designation have been the subject of recent and historical interventions aimed at improving housing market confidence and tackling problem empty properties. The introduction and continuation of Selective Licensing is considered necessary to ensure improvement continues and becomes self-sustaining. Interventions in the Central Area have included residential Block Improvement Schemes; targeted enforcement activity; engagement with property owners and residents; and promotion of the Council's property Accreditation Scheme.

The Schemes detail

- The designations will apply to all privately rented residential properties subject to specific exclusions, in the areas outlined on the plans below. The designations will require that all private landlords and agents who rent properties in the areas must obtain a licence to operate.





18. The designations are proposed to come into effect at the end of April 2018 for the Central Bensham Phase 2 (The Redesignated Area) and for the Avenues as follows – Phase 1 (October 2018), Phase 2 (October 2019) and Phase 3 (April 2020-subject to ongoing consultation). This phased approach reflects current service delivery capacity, the expiry date of the Swalwell scheme and the amount of resource required at the differing stages of each scheme following introduction.
19. The Housing Act 2004 allows Local Authorities to apply a fee to licence applications. The proposed fee structure for the new Schemes is detailed in the report in Appendix 2. The proposed fees can be set at a level which takes into account the Local Authorities costs of developing and running a scheme, without being too much a financial burden on landlords. The Government's intention was that Licensing should be self-financing, with a fair and transparent fee structure that reflects the actual costs of Licensing. Local Authorities do have the discretion to offer discounts on licenses.
20. It is proposed that the fee structure for the new schemes should both incentivise good practice, including property accreditation and nationally recognised Landlord Association membership, and penalise deficient applications. Discounts show additional support for private landlords who have demonstrated their commitment to good standards of property and tenancy management, by either becoming members of a nationally recognised Landlords' Association, and/or ensuring their properties attain Gateshead's Accreditation Standard. A discount is also offered

where multiple licence applications are required reflecting the reduction in resources required.

21. The inclusion of discounted rates will limit the total fee income, to a level below the current running costs. There is an important synergy however, between the availability of incentives to landlords, and buy-in-to, and commitment to Selective Licensing from Landlords. The removal of fee discounts could shift the balance, with Landlords resisting the added regulation and so reducing the extent of voluntary improvement that goes beyond the mandatory requirement.
22. There are criteria against which all licence applications will be assessed, the most critical is that a landlord or manager of a property is a “fit and proper” person to be the licence holder. The assessment of “fit and proper” will be in line with criteria used for HMO licensing, and former/existing Licensing Schemes. These are detailed in the Appendix 2 report.
23. Conditions attached to Licences are also detailed in Appendix 2. Mandatory conditions to be included are set by Central Government and a Local Authority is able to set additional conditions. Conditions have been developed to respond to local issues and problems within the proposed areas. The conditions provide a framework for a landlord to follow to ensure effective management of the tenancy and property. A licence can be revoked where breaches of the licence conditions have occurred, and/or it is considered that the Licence holder is no longer capable of managing the property effectively, and/or where they are no longer considered to meet the “fit and proper” criteria.
24. A person commits an offence if they have control of, or manage, a property which is required to be licensed, but it is not so licensed. The penalty for this offence is an unlimited fine (previously £20,000 but recently made unlimited by Central Government in an attempt to encourage good practice within the private rented sector). In addition, where a licence holder fails to comply with any condition of the licence, they are deemed to have committed an offence, and liable to a fine not exceeding level 5 on the standard scale (currently £5,000).
25. Enforcement of the Licensing Schemes will be carried out in accordance with the Council’s overarching Enforcement Policy, meaning that it will be transparent, proportionate, and outcome focused. A specific Landlord Licensing Enforcement Policy has also been developed, details of which can be found in Appendix 2.
26. It is proposed that the Selective Licensing Area designations would apply for the maximum time period of five years. The Schemes, however, will be regularly reviewed, and if it is deemed that the designations have been successful, and the problems associated with low demand have been resolved sooner than expected, the designations may be revised or revoked.

Consultation

27. In preparing this report the Cabinet Members for Economy and Housing and the appropriate Ward Councillors have been consulted.
28. Specific consultation in relation to the proposed Selective Licensing areas has taken place, and this involved:

- sending a questionnaire to all stakeholders (including all residents, landlords and property agents) in and around the proposed areas, inviting responses on the proposed Selective Licensing Scheme. Over 317 completed questionnaires were received.
- Consultation promotion on social media, online webpages and Council publications.
- Drop-in events held within the proposed areas and at the Civic Centre
- Individual consultation with stakeholders who had specific comments and concerns.

29. Whilst the results of the consultation showed overwhelming support for the introduction of Selective Licensing by residents and some landlords, a number of concerns about the introduction of Licensing have also been raised. The feedback is considered in the Appendix 2 report.

30. A late submission from the Gateshead Private Landlords Association was sent to members on 14th January 2018. Whilst this is eight months after the completion of the statutory consultation period, Officers and members have considered the information provided in the short timescale available.

Alternative Options

31. Cabinet may choose not to support this initiative however, the proposal has been informed by extensive analysis and consultation, and the approach proposed is considered appropriate, and in alignment with the Council's wider strategic objectives and the wider regeneration policy context.

Implications of Recommended Option

32. Resources

- (a) **Financial Implications** - The Strategic Director, Corporate Resources confirms that resources within the Development & Public Protection budget, in addition to income from licence fees, are available to deliver the proposed Selective Licensing Schemes (based upon anticipated licence fee income).
- (b) **Human Resources Implications** – Staffing resources are available within the Development and Public Protection Service to deliver the schemes in the phased approach proposed.
- (c) **Property Implications** – None anticipated

33. **Risk Management Implication** –The Sunderland Road, Chopwell and Central Bensham Phase 1 Licensing Schemes delivered noticeable improvements and the existing Swalwell scheme is operating successfully, and potential risks have not arisen or affected the deliverability of the scheme. Factors that could affect the deliverability of the new schemes include; funding, stakeholder support, and human resources.

There is no evidence in relation to the three former and one existing scheme that selective licensing has led to significant displacement of “problem” landlords or tenants to nearby areas.

34. **Equality and Diversity Implications** – The schemes aims to have a positive impact upon those in most need within the designation areas. Public consultation has been carried out in such a way as to attempt to reach all stakeholder groups. A Equalities Impact Assessment has been undertaken.
35. **Crime and Disorder Implications** - Selective Licensing aims to reduce levels of anti-social behaviour thereby benefiting the whole community.
36. **Health Implications** – Selective Licensing actively promotes the Accreditation of privately rented properties. For properties to become accredited they must achieve the decent homes standard and thereby provide a safe and healthy environment for the occupants
37. **Sustainability Implications** - Securing the long-term sustainability of the proposed designation areas is an underlying objective.
38. **Human Rights Implications** – Where the Council's undertakes enforcement activity there are human rights implications, under Article 8 Right to respect for private and family life (Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others) The interference is reasonable in order to achieve adequate standards of repair and comfort to the occupiers.
39. **Area and Ward Implications** – The proposals affect the Saltwell and Lobley Hill and Bensham Wards. The scheme will benefit residents of the all the areas.
40. **Background Information** -
- The Core Strategy and Urban Core Plan for Gateshead (2010-2030)
 - The Housing Strategy 2013-2018
 - Cabinet report – October 2016 - Future Programme for the Selective Licensing of Private Landlords
 - Housing Portfolio Briefing November 2017 – Summary of the Landlord Licensing Consultation Responses
 - Cabinet Report August 2017– Review of Selective Licensing of Private Landlords within Central Gateshead-Phase 1
 - Cabinet Report November 2014– Review of Selective Licensing of Private Landlords within The Chopwell River Streets

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TITLE OF REPORT: Charging and Financial Assessment for Adult Care and Support Services

REPORT OF: Caroline O'Neil Strategic Director Care, Wellbeing and Learning

Purpose of the Report

1. Cabinet is requested to recommend to Council that the policy on Charging and Financial Assessment for Adult Care and Support Services be implemented following consultation.

Background

2. The Care Act 2014 and the regulations made under it provide a legal framework for charging for care and support. It enables the Council to decide whether or not to charge an adult when it is arranging to meet an adult's care and support needs or a carer's support needs.
3. The charging policy provides a transparent, consistent and fair framework for the Council to use when assessing an individual's ability to pay towards any social care services they are assessed to receive. The actual charges for Adult Social Care Services are reviewed annually and are defined in the Councils Fees and Charges Report.
4. This policy included some key changes to the current charging policy:
 - to calculate the adults contribution based on the cost of two carers (when the adult requires this) rather than on one carer in every case as at present;
 - to remove the maximum weekly amount an adult is required to pay towards their care, which is currently capped at £205. They would be required to pay their full assessed contribution. The maximum amount an adult will pay towards their care is the cost of their care package, and
 - to reduce the Disability Related Expenditure (DRE), which is to cover additional expenditure an adult may have due to their disability, e.g. speciality clothing, from £20.60 per week to £15.00.
5. Cabinet approved the new policy for Charging and Financial Assessment for Adult Social Care and Support Services in March 2017 and this was implemented in April 2017. However, following the implementation some concerns were raised regarding service users being unaware of the consultation process. The implementation of the policy was therefore halted, and the charging framework reverted to the previous arrangements. A further period of consultation took place. The outcome of the consultations has informed the proposed policy and additional recommendations.

Proposal

6. The proposed policy for Charging and Financial Assessment for Adult Care and Support Services is implemented with effect 1 April 2018.
7. The proposed changes are implemented as consulted upon.

8. Some minor amendments to the wording of the Review and Appeals section of the policy are proposed which include a 20 working days timescale for appeal and subsequent review of the appeal. This is not considered a significant change in the policy.
9. That in light of comments from members of the public, a period of tapering be included in respect of those people who will be most impacted by the policy, which will limit the immediate impact and enable people to undertake appropriate financial planning (Appendix 6).

Recommendations

10. Cabinet is requested to recommend that Council approves the proposed policy for Charging and Financial Assessment for Adult Care and Support Services as set out in appendix 2 to this report.

For the following reasons:

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

CONTACT: Steph Downey

extension: 3919

Policy Context

1. The Care Act 2014, which provides a legal framework for charging for Adult Social Care:
 - Section 14 of the Care Act provides Local Authorities with the power to ask adults to make a contribution for the cost of their social care.
 - Section 17 of the Care Act allows Local Authorities to carry out a financial assessment to determine the amount a customer can afford to contribute towards the care services they receive.
2. The policy has been designed in line with Care and Support Regulation (Statutory Instruments) and Care and Support Guidance and Annexes issued under the Care Act 2014.
3. This update on the charging regime will support the Council's aspirations set out in Vision 2030 and the direction of travel set out in the Council Plan and, in particular, shared outcomes for Live Well Gateshead and the Council Pledge to make Gateshead a place where everyone thrives and tackling inequalities.

Background

4. The Council's Adult Social Care provides a range of services for vulnerable people but is reliant on income from charges to help pay for them. Without this income, service levels could not be maintained.
5. The Council has decided to charge for services as, any authority which recovers less revenue than its discretionary powers allow is placing an extra burden on its population or is foregoing resources which could be used to the benefit of the service.
6. This policy aims to produce a transparent, consistent and fair framework for charging and financial assessment for all adults that receive care and support services following an assessment of their needs, and taking account of their individual financial circumstances.
7. Charges for care services are reviewed annually and are defined in the Adult Social Care Fees and Charges Schedule.
8. This policy included some key changes to the current charging policy:
 - to calculate the adults contribution based on the cost of two carers (when the adult requires this) rather than on one carer in every case as at present;
 - to remove the maximum weekly amount an adult is required to pay towards their care, which is currently capped at £205. They would be required to pay their full assessed contribution. The maximum amount an adult will pay towards their care is the cost of their care package, and
 - to reduce the Disability Related Expenditure (DRE), which is to cover additional expenditure an adult may have due to their disability, e.g. speciality clothing, from £20.60 per week to £15.00.

9. There are currently 1787 adults paying for community based care provision who could be impacted by these changes. It should be noted however, that this analysis represents a “snap shot”, as the client base for Adult Social Care changes on a regular basis, and therefore both the costs of peoples’ care packages and the financial circumstances of these individuals fluctuate and change, as the client base changes.
10. There are currently 15 adults who will be impacted by the move to charging for 2 carers. The average increase in charge would be £40.00 per week.
11. 54 adults who are currently assessed pay the £205 capped maximum contribution. Although this is the cohort of adults who would be impacted, some adults’ capital is not significantly over the national threshold, and therefore they would have limited means to pay increased charges for a long period of time before depleting their capital to within the limits. There are approximately 50 adults who have not provided financial information who have agreed to pay the maximum contribution; these adults would be eligible for a financial assessment which may limit the increase in contribution. **Appendix 5** sets out further details of the statistical impact of the proposed changes.
12. The reduction in DRE would impact on approximately 850 adults paying for services. Whilst the proposal is to limit the set amount of DRE there remains provision in the policy for an individual assessment to be requested if there is evidence that the DRE standard amount is insufficient to cover their individual needs.
13. The amount an adult is required to contribute towards the cost of their care is based on an assessment of ability to pay and therefore any increases in contributions will be limited to their assessable amount.
14. Local benchmarking has been undertaken and highlights that there is a mixed approach to the application of a cap on the maximum contribution with 4 out of 7 councils who responded not having a cap for those with the ability to pay. All the councils that responded charge for 2 carers where this is required. There is a mixed approach to application of the DRE allowance with a number undertaking individual assessment.
15. Financial modelling suggests the changes outlined above will realise in the region of £0.350m additional income towards the cost of providing care. The actual extent of the increase in income will be determined by individual financial assessments.

Consultation

16. Consultation on the policy and the proposed changes originally took place between 20 September 2016 and 13 December 2016. This policy decision was agreed by Cabinet and Council in March 2017 and the charging policy was implemented in April 2017. As some service users had not been notified of the consultation process as intended, a decision was made to cease implementation of the policy and to undertake a further consultation exercise. The second consultation period took place between 29 June 2017 and 31 July 2017 and contained a slight amendment to one of the proposal questions (proposal 3) in order to aid clarity in light of feedback from the first consultation exercise. It was then subsequently discovered that the examples provided were based on financial information from the previous year’s (2016/17) fees and charges so a letter with additional examples was sent to those people where the rate would make a material difference to their financial assessment to explain this. People were invited to send in any additional comments via post,

email, telephone or at the consultation sessions which were held on 4 and 9 January 2018.

17. There were 93 respondents to the first online survey and 190 to the second but not all respondents provided a response to each question. A summary of responses is shown in appendices 3 a, b and 4.

Appendix 3a – reflects the on line responses to the initial consultation undertaken in December 2015 – January 2016

Appendix 3b – reflects the on line responses to the second consultation undertaken in June 2017 – July 2017

Appendix 4 – reflects the comments and suggestions received throughout the consultation. As a number of comments were similar in nature, they have been summarised and a collective response given.

18. The majority of comments received were regarding the fairness of the system with some believing contributions should be based on ability to pay and others questioning whether the amount people are left with is sufficient to meet their daily living costs. Others disputed that the charges would have little impact on Council budgets considering the small numbers affected and would be more costly to implement. Concerns were expressed about vulnerable people with the greatest needs being penalised, and potentially being put at risk by refusing care to minimise cost increases, or putting extra pressure on informal carers. Several suggestions included raising costs but at a more gradual rate to allow existing clients the opportunity to plan for these increases. A summary of responses can be found in appendix 4.
19. Whilst only 35.68% of respondents said yes to currently receiving services 60.06% responded yes to either having or living with someone who has a disability. There was a good cross section in terms of the age and employment status of those who responded. 98.67% of respondents live in Gateshead and the majority of respondents (97.42%) were white British.
20. A presentation on the proposed changes was given at the following stakeholder groups which highlighted the original online consultation:
 - Physical Disability and Sensory Impairment Board
 - Carers Partnership
 - Autism Steering Group – followed up via e-mail
 - Learning Disability Partnership Board – via e-mail
21. The Cabinet Members for Adult Social Care have been consulted

Alternative Options

22. The alternative option would be to continue with the current charging policy and not introduce any of the proposed changes but this would not result in a Care Act 2014 compliant policy and would not bring us in line with the position applied by most other councils to assist in the ability to continue to provide services to those that need them most.
23. An ongoing cap on the weekly contribution rate at a level aligned to the residential care fee rate, as it is in some other local authorities, a rate of circa £500 would apply

for Gateshead. Capping the weekly contribution rate to £500 would result in the Council foregoing resources which could be used to the benefit of the service.

Implications of Recommended Option

24. Resources:

- a) Financial Implications** - The Strategic Director, Corporate Resources confirms that on the basis of the current client information held by the Council the changes proposed in the policy will result in estimated additional income of £0.545m to contribute to the delivery of the 2017/18 trading and income generation budget saving of £1m within Adult Social Care and continue to deliver services to those who need them the most. The impact of mitigating the decision and providing a cap on the maximum weekly amount in 2018/19 of £500 is £0.185m.
- 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

25. **Risk Management Implication** – Comprehensive consultation has mitigated the risk of legal challenge and the ability to adopt the policy as proposed.

26. **Equality and Diversity Implications** – An equalities impact assessment has been undertaken following the outcome of the consultation responses and is attached at appendix 5.

27. **Crime and Disorder Implications** - None

28. **Health Implications** – contributions would be based on a person's ability to pay and are only levied following a full financial assessment. As such, charging has a limited negative effect on people's health and well-being

29. **Sustainability Implications** - None

30. **Human Rights Implications** - None

31. **Area and Ward Implications** - the report relates to a policy which has a borough wide impact.

32. Background Information

Care Act 2014
Equalities Impact Assessment



GATESHEAD COUNCIL

ADULT SOCIAL CARE

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

CONTENTS

- 1 Introduction
- 2 Legal Framework
- 3 Charges for care and support
4. Support for Carers
5. Non-payment and deprivation
6. Changes in circumstances
7. Re-assessment
8. Reviews and Appeals
9. Privacy statement

1 Introduction

- 1.1 Gateshead Council, Adult Social Care provides a range of services for vulnerable people but is reliant on income from charges to help pay for them. Without this income, service levels may not be maintained.
- 1.2. Gateshead Council has decided to charge for services as, any authority which recovers less revenue than its discretionary powers allow is placing an extra burden on its population or is foregoing resources which could be used to the benefit of the service.
- 1.3 This policy aims to produce a transparent, consistent and fair framework for charging and financial assessment for all adults that receive care and support services following an assessment of their needs, and taking account of their individual financial circumstances.
- 1.4 Charges for care services are reviewed annually and are defined in the Adult Social Care Fees and Charges Schedule.
- 1.5 For the purposes of this policy, an 'adult' in relation to a financial assessment carried out by the council means a person over 18 needing care and support or, as the case may be, a carer in respect of whom the council is carrying out the financial assessment.
- 1.6 For the purposes of this policy, a 'carer' is a person who proposes to provide necessary care and support for an adult.

2 Legal Framework

- 2.1 The Act and guidance underpinning this policy are:
 - * The Care Act 2014 (the Act) – in particular sections 14, 17 and 69-70
 - * *The Care and Support (Charging and Assessment of Resources) Regulations 2014 (the Regulations) and*
 - * *The Care and Support and Aftercare (Choice of Accommodation) Regulations 2014.*
 - * *The Care and Support (Deferred Payment) Regulations 2014*
 - * *The Care and Support (Personal Budget Exclusion of costs) regulations 2014*
 - * *The Care and Support Statutory Guidance 2014 (the Guidance)*
- 2.2 The Care Act 2014 and the regulations made under it provides a legal framework for charging for care and support and it will be applied by the council as required. It enables the Council to decide whether or not to charge an adult when it is arranging to meet an adult's care and support needs or a carer's support needs.
- 2.22 Gateshead Council will apply the following principles when calculating the contribution an adult must make towards care:
 - Promote wellbeing.

- The adult will not pay more than the cost of their care package, so for example that will include the full cost of 2:1 care in the cost of care package'
- Charging will be clear and transparent so adults will know what they will be charged.
- Our policy on charging will support carers to look after their own health and wellbeing and to care effectively and safely
- Our charging rules will apply equally so those with similar needs or services are treated the same and minimise anomalies between different care settings or adults with protected characteristics.
- The contribution does not undermine the adult's independence of living by reducing their income to unsustainable levels and the amount charged will not reduce a person's disposable income below the Minimum Income Guarantee (MIG) as defined in regulations.
- The financial assessment process will include a comprehensive benefit maximisation and uptake service to ensure that an adult is in receipt of any benefits to which they are entitled
- A disability related expenditure allowance will be given to cover additional expenditure an adult may have due to their disability e.g. specialist clothing or dietary needs. Any individual who believes that their own Disability Related Expenditure averaged over a 3 month period exceeds this weekly allowance should ask for an individual assessment in this regard and provide supporting evidence of the existence, level and necessity of the expenditure.
- All adults who are assessed as being able to make a financial contribution to their care and support costs must pay the contribution. Any unpaid contribution will give rise to a debt and lawful enforcement procedures will be taken.
- Any debt will be recovered where appropriate in line with the Councils Debt Recovery protocols.
- Where the council, under this policy, makes a charge, the contribution payable is due from the start of any service or the first date of payment of a direct payment
- All customers, clients, service users and adults will be treated in a professional manner, with dignity and respect.
- This policy and provision of services reflects, and is appropriate to, the needs of the diverse communities within the Borough and is consistent with the Public Sector Equality Duty under the Equalities Act 2010.
- Will encourage and enable those who wish to stay in or take up employment, education or training or plan for the future costs of meeting their needs to do so
- Will be sustainable for the Council in the long term

- The Council will challenge and remove discrimination to ensure that those wishing to access care and support or support from the Council will not be treated any less favourably on the grounds of gender, sexual orientation, race, nationality, ethnic origin, disability, marital status, age, religion or belief, or any other conditions or requirements which cannot be shown to be justified.

3. Charges for Care and Support

3.1 Services to be provided free of charge:

The council will provide the following services free of charge:

- Provision of community equipment (aids and minor adaptations a total of £1000 or less)
- Intermediate care and reablement support services (**but not including urgent response services**) up to the first 6 weeks (the council have the discretion to provide these services for longer when having regard to the guidance on preventative services) (see Appendix 3)
- Care and support provided to adults with variant Creutzfeldt-Jakob disease
- S117 – after-care services/support provided under s117 of the Mental Health Act 1983
- Any service or part of service which the NHS is under a duty to provide including Continuing Healthcare and the NHS contribution to Registered Nursing Care.
- More broadly, any services which the council is under a duty to provide through other legislation may not be charged for under the Care Act 2014.
- A financial assessment, a needs assessment or the preparation of a care and support plan.
- Providing advice about the availability of services or assessment of need.
- Cost of putting in place arrangements to meet needs (except as detailed below)

3.2 Services we will charge for:

- Any Care and support provided to meet a person's assessed needs unless specifically exempted by law or this Policy.
- Where an adult is able to meet the full cost of their care, the council will make a charge for putting in place arrangements to meet need, when requested to do so, however the council will only recover the actual costs incurred in accordance with section 18 of the Care Act.

- 3.3 Charges will be made after a full or light touch financial assessment has been undertaken to ensure the adult is not charged more than it is reasonably practicable for them to pay.
- 3.4 The amount charged for care and support in a non-residential setting will not reduce a person's disposable income below Minimum Income Guarantee amount (MIG)
- 3.5 For residents or temporary residents provided with accommodation in a care home, a weekly personal expenses allowance (PEA), set annually by the Government is allowed when the charge for care and support is calculated.
- 3.6 Short term residents
Means a person who is provided with accommodation in a care home for a period not exceeding 8 weeks

A standard charge will be made for a short term placement and the amount of the charge is detailed in the council's Fees and Charges Booklet. The local authority has discretion to assess and charge as if the person were having needs met other than by the provision of accommodation in a care home i.e. at the same rate as if their needs were being met in the community.

Temporary Residents

A temporary resident is defined as a person whose need to stay in a care home is *intended* to last for a limited period of time and where there is a plan to return home. The person's stay should be unlikely to exceed 52 weeks, or in exceptional circumstances, unlikely to substantially exceed 52 weeks and this should be recognised and written into their care plan. The Council will assess and charge a temporary resident in accordance with the Regulations

- 3.7 Other services
- A reasonable flat rate fee will apply for the cost of meals.
 - A flat rate fee will be charged for transport where it is not included as part of the care and support plan.
 - An administrative charge and interest will be made for a deferred payment agreement
 - A charge will be made for arranging to meet need for self-funders.
 - A charge will be made for Car badges for disabled people
 - A charge will be made for Care Call service

Where the Council makes a charge under this section the amount of the charge will be set out in the Council's Fees and Charges Booklet and the amount of any such charge will be included in any consultation carried out for that Booklet.

4. **Support for Carers**

- 4.1 Where a carer has eligible support needs of their own, the Council will carry out an assessment of those needs and identify how those needs will be met.
- 4.2 Where those needs are met by providing a service directly to the carer, the council will not charge for those services.

- 4.3 Where those needs are met by providing a service directly to the cared for adult, the Council will not charge the carer for that service, however, it may result in a charge to the cared for adult.

5. Non-Payment and Deprivation

- 5.1 Deprivation of income and/or capital is where the adult has spent or given away any of their capital or failed to claim an income in order to reduce the charges they would otherwise be liable to pay.

5.1.1 Notional Income

An adult will be treated as having income they do not have (notional income) where that income would be available on application but where the adult has not applied or deliberately deprived themselves of for the purpose of reducing the amount they are liable to pay for care and support.

5.1.2 Notional Capital

An adult will be treated as having capital they do not have (notional capital) where the adult has intentionally deprived or decreased their overall assets in order to reduce the amount they are charged towards their care

5.1.3 Diminishing notional capital

In the same way as it would be accepted that any other capital would reduce over time, the council will calculate a weekly amount by which notional capital would reduce by calculating the difference between the higher rate the adult has been assessed to pay and the rate that would have been payable had the adult not been assessed as possessing notional capital. The council will tell you when you will become eligible for funding towards your care costs

- 5.2 Where care fees remain unpaid, or deprivation has occurred, the Council will have due regard to the vulnerable nature of the client group and the Councils responsibility for meeting need when deciding on debt recovery action and the type of action to be taken.

- 5.3 The Council will take all reasonable steps and act reasonably when approaching the recovery of debts and court action will normally only be considered after all other avenues have been exhausted. The Council will take action in the County Court to recover debts due to it in accordance with section 69 of the Care Act 2014. Any interest and additional costs payable will be set by the County Court.

Where an asset or income has been transferred to a third party to avoid or reduce a charge the third party will be liable to pay the council the difference in accordance with section 70 of the Care Act 2014.

- 5.5 The Council may use the Regulation of Investigatory Powers Act 2000 to investigate allegations of deprivation.

- 5.6 The Council will always offer a Deferred Payment Agreement (DPA) as an option to repay debt where an adult is in a care home or extra care property and has sufficient equity to cover the DPA.
- 5.8 The council will seek to recover the costs incurred in recovering any amounts due to it as detailed in the council's Fees and Charges Booklet.

6. What Happens if an Adult's Financial Circumstances Change?

If an adult has any change in financial circumstances they (or their legally appointed financial representative) must notify the councils Financial Assessment team who will review and revise the financial assessment as necessary.

Items that should be reported to the council immediately will include for example any additional benefits received since the initial financial assessment such as Attendance Allowance/Personal Independence Payment, an increase or reduction in capital or other income etc.

7. Re-Assessment

- 7.1 The adult's contribution will be reassessed every year in April, to take account of the annual increases in benefits, private pensions and the cost of living and any changes in the Councils fees and charges.

If the adult is in receipt of Pension Credit / Income Support the Financial Assessment team will revise the charge automatically. If an adult does not receive these benefits the adult may be asked undergo a revised financial assessment.

8. Reviews and Appeals

- 8.1 The council have in place a process to look again at the level of the adults assessed contribution if the adult or carer believes that it is not reasonable for them to pay the contribution for which they have been assessed to pay. The adult can ask the financial assessment team to look again at their assessment – this is called a review. Any evidence, usually in the form of documents, should be submitted when requesting a review.
- 8.2.1 The financial assessment officer will carry out a more detailed financial assessment that will take into account all disability related expenditure instead of giving a fixed rate amount.
- 8.2.2 The adult must first contact the Principal Officer – Financial Assessment Team either themselves or through their representative/advocate to explain why they feel that it is not reasonably practicable for them to pay the assessed contribution or why they think the calculation is wrong. However it would be necessary for a financial assessment to have been undertaken prior to such a review being considered.
- 8.3 The review process is detailed below:

Stage 1

- The adult will write to the financial assessment team within 20 working days of the date of the outcome letter explaining why they think the financial assessment is wrong.
- The Principal Officer – Financial Assessment Team The manager will review the financial assessment within 20 working days of receipt of the request for a review. There can only be two outcomes from stage 1:
 - I The Council will change the decision of the original financial assessment

Or

- II The Council will uphold the decision of the original financial assessment

The adult will be notified of the decision in writing.

Stage 2

- If an adult is still not happy with the decision, they have the right to appeal that decision, An appeal should be submitted within 20 working days of the date of the review outcome letter.
- Appeals will be heard by the Council's appeal panel as soon as practicably possible. The adult will be notified in writing of the outcome of the appeal.
- If the adult remains unhappy with the appeal, then they can make a complaint under the Adult Social Care's complaints procedure (visit the complaints page on the Councils website www.gateshead.gov.uk)

9 Privacy

Information will be collected to enable the calculation of contributions relating to services provided and assessment of welfare benefit entitlement. In accordance with the Data Protection Act 1998 this information will only be shared with other relevant people and agencies in accordance with the data protection principles or with the written consent of the individual or their legally appointed representative. The Council will use other information available to it to facilitate an accurate financial assessment only with the express permission of the adult or their legally appointed representative.

What is enablement?

'Intermediate care and reablement support services' means care and support provided to an adult under sections 18, 19 and 20 or S2 (1) of the Care ACT 2014 which:

- a) Consists of a programme of (services, facilities or resources)
- b) Is for a specialised period of time ('the specified period'); and
- c) Has as its purpose the provision of assistance to an adult to enable the adult to maintain or regain the ability needed to live independently in their own home

Within Gateshead Council there are two types of delivery

Enablement – a home based service provided by domiciliary care to enable people to live independently, this is provided in a person's own home

Intermediate care – a bed based service for people, staying for short stay in a residential setting based at Eastwood Promoting Independence Centre. This will include

- Service users requiring a 'step down' rehabilitative approach from acute hospital wards, to encourage physical recovery, further independence, and build confidence, as a prelude to returning home
- Service user requiring a representative 'step-up' approach from community setting, receiving appropriate interventions to maximise functional ability and independence – preventing acute admission to hospital or an inappropriate long term residential care placement.
- Service users whose physical functioning; overall confidence and self-esteem can be enhanced from a multi-disciplinary approach. Consequently, reducing the level of risk posed to the individual following discharge from the centre.

Both services will assist people to accommodate their illness or condition by learning or relearning the skills necessary, this is an eligibility decision service; its purpose is to provide assistance to an adult to enable the adult to maintain or regain the ability needed to live independently in their own home. The function of the services is for a specific period of time (up to six weeks). However, both services should not have a strict time limit since the period of time for which the support is provided should depend on the needs and outcomes of the individual. In some cases for instance a period of enablement for a visual impaired person (a specific form of enablement) may be expected to last longer than six weeks.

Charging

Both 'enablement' and 'intermediate' care services are free for up to six weeks. Gateshead Council does have the authority to charge for this where it is provided beyond six weeks, but will consider continuing to provide it free of charge beyond this time when clear preventative benefits to the individual has been identified and it has been agreed by the appropriate Service / Team Manager for a further specified period.

The service users progress is monitored on a weekly basis, if identified that long term services will be required they will be referred for an assessment, this assessment will also include a financial assessment

Admission criteria

Enablement service (home based)

- This service is available to Gateshead residents and support carers
- The service is an inclusive mainstream intake model being accessible to all people form 18+ (including people in transition from children's to adults services)
- People who are in need of a new, continued or increased level of services because of either changes in their personal / domestic or social activity by experiencing a deterioration in functional abilities.
- The service user must be medically stable to participate without acute health issues and have the potential and motivation to achieve identified goals within an allocated timescale, with the predominant objective to remain independent at home

Intermediate care services (bed based)

- A service user who must possess motivation and commitment and have the potential to be rehabilitated (identified through assessment by a Therapist ie Physiotherapist or Occupational Therapist)
- A service user who must be medically stable and not require any further 'in patient care' – though may be requiring rehabilitation from trauma or acute exacerbation of existing illness / condition. Admission Is not for any service users with unstable acute medical conditions (e.g. requiring more than once a week medical support)
- The service user must be registered with a Gateshead GP
- The service user must not require further nursing needs, beyond that which can be met by the support / treatment provided by the District Nursing service or Community Matron
- The service user is usually aged 55 years and above
- The service user must only require support from one staff member for moving and handling tasks. Associated risk assessment must be completed prior to admission by the admitting professional
- The service users' needs can't be met within a domiciliary care setting

Exceptions

A person should not receive further enablement within 3 months of a previous episode unless there has been a significant change of circumstances ie hospital admission

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First Consultation Period – Dec 2015 to Jan 2016

Responses to the Consultation on proposed changes to the charging and financial assessment for adult social care and support services

Proposal 1 – The cost of care is currently calculated at a standard rate regardless of how many carers are required. It is proposed to calculate the service user's contribution towards the cost of care based on the number of carers required. However, they will not pay more than the limit set at their personal assessment.

Example A – Mrs Grey

Mrs Grey is 45 years old and receives 3 hours of homecare per week from two carers. The proposed change means the cost of care would rise from £39 to £78 per week. However, her weekly income is £260 and she has therefore been assessed to contribute a maximum of £68.68 towards her care.

Cost of care = £78

Personal assessment = £68.68

Currently pays = £39 (cost of one carer)

Proposed payment = £68.68 (two carers)

Example B – Mr White

Mr White is 69 years old and receives 6 hours of homecare per week from two carers. The proposed change means the cost of care would rise from £78 to £156. However, his weekly income is £172 and he has therefore been assessed as having no disposable income to contribute towards his care.

Cost of care = £156

Personal assessment = £0

Currently pays = £0

Proposed payment = £0

Q. Do you agree or disagree with Proposal 1?

This single response question was answered by 93 respondents.

Response	Number of Respondents	Percentage of Respondents
Agree	39	41.94%
Disagree	44	47.31%
Don't know	10	10.75%

Proposal 2 – The maximum weekly amount a service user is required to pay towards their care is currently capped at £205. It is proposed to remove this threshold. This means that the maximum a user would be required to pay is the amount identified in their personal assessment.

Example A – Mrs Wright

Mrs Wright is 75 years old and receives 21 hours of homecare per week costing £265.50. She has capital in excess of £80,000 and she has therefore been assessed as being able to pay the full cost of her care. However, the current cap means she only pays £205. The proposed change means that she would have to pay the full cost of her care.

Cost of care = £265.50

Personal assessment = £265.50

Currently pays = £205

Proposed payment = £265.50

Example B – Mr Smith

Mr Smith is 80 years old and receives 24 hours of homecare per week costing £312. The proposed change would not affect how much Mr Smith pays because he has capital below £23,250 and has been assessed to contribute a maximum of £150 towards his care.

Cost of care = £312

Personal assessment = £150

Currently pays = £150

Proposed payment = £150

Q. Do you agree or disagree with Proposal 2?

This single response question was answered by 85 respondents.

Response	Number of Respondents	Percentage of Respondents
Agree	28	32.94%
Disagree	44	51.76%
Don't know	13	15.29%

Proposal 3 – All Service users currently receive a standard allowance of £20.60 per week to cover additional disability related costs such as speciality clothing or equipment. This is known as a Disability Related Expenditure (DRE) allowance. It is proposed to reduce the standard rate of DRE allowance to £15 per week.

Example A – Mrs Green

Mrs Green is 91 years old and receives 9 hours of homecare per week costing £110.50. Her income is £168.23 and she has been assessed as having no disposable income to contribute towards her care. The proposed change will therefore not affect Mrs Green.

Cost of= £110.50

**Personal assessment = £0
(current £20.60 DRE allowance)**

**Personal assessment = £0
(proposed £15 DRE allowance)**

Currently pays = £0

Example B – Mr Brown

Mr Brown is 89 years old and receives 10 hours of homecare per week costing £168. His income is £350.00 per week and, after taking into account the standard DRE allowance of £20.60, he has been assessed to contribute a maximum of £18.63 towards his care. However, the proposed change to a standard DRE allowance of £15 means that in future he will have to pay £24.23.

Cost of care = £168

**Personal assessment = £18.63
(current £20.60 DRE allowance)**

**Personal assessment = £24.23
(proposed £15 DRE allowance)**

Currently pays = £18.63

Q. Do you agree or disagree with Proposal 3?

This single response question was answered by 86 respondents.

Response	Number of Respondents	Percentage of Respondents
Agree	45	52.33%
Disagree	28	32.56%
Don't know	13	15.12%

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Second Consultation Period – June 2017 – July 2017

Responses to the Consultation on proposed changes to the charging and financial assessment for Adult Social Care and Support Services

Proposal 1 – The cost of care is currently calculated at a standard rate regardless of how many carers are required. It is proposed to calculate the service user's contribution towards the cost of care based on the number of carers required. However, they will not pay more than the limit set at their personal assessment.

Example A – Mrs Grey

Mrs Grey is 45 years old and receives 3 hours of homecare per week from two carers. The proposed change means the cost of care would rise from £39 to £78 per week. However, her weekly income is £260 and she has therefore been assessed to contribute a maximum of £68.68 towards her care.

Cost of care = £78

Personal assessment = £68.68

Currently pays = £39 (cost of one carer)

Proposed payment = £68.68 (two carers)

Example B – Mr White

Mr White is 69 years old and receives 6 hours of homecare per week from two carers. The proposed change means the cost of care would rise from £78 to £156. However, his weekly income is £172 and he has therefore been assessed as having no disposable income to contribute towards his care.

Cost of care = £156

Personal assessment = £0

Currently pays = £0

Proposed payment = £0

Q. Do you agree or disagree with Proposal 1?

This single response question was answered by 190 respondents.

Response	Number of Respondents	Percentage of Respondents
Agree	59	31.05%
Disagree	93	48.95%
Don't know	38	20%

Proposal 2 – The maximum weekly amount a service user is required to pay towards their care is currently capped at £205. It is proposed to remove this threshold. This means that the maximum a user would be required to pay is the amount identified in their personal assessment.

Example A – Mrs Wright

Mrs Wright is 75 years old and receives 21 hours of homecare per week costing £265.50. She has capital in excess of £80,000 and she has therefore been assessed as being able to pay the full cost of her care. However, the current cap means she only pays £205. The proposed change means that she would have to pay the full cost of her care.

Cost of care = £265.50

Personal assessment = £265.50

Currently pays = £205

Proposed payment = £265.50

Example B – Mr Smith

Mr Smith is 80 years old and receives 24 hours of homecare per week costing £312. The proposed change would not affect how much Mr Smith pays because he has capital below £23,250 and has been assessed to contribute a maximum of £150 towards his care.

Cost of care = £312

Personal assessment = £150

Currently pays = £150

Proposed payment = £150

Q. Do you agree or disagree with Proposal 2?

This single response question was answered by 182 respondents.

Response	Number of Respondents	Percentage of Respondents
Agree	51	28.02%
Disagree	96	52.75%
Don't know	35	19.23%

Proposal 3 – All Service users who have capital of more than £23,250 have to pay the full cost of their care and are therefore not affected by the following proposed change. Those with capital of £23,250 or less will have a financial assessment to establish how much they should contribute towards the cost of their care. As part of the assessment a standard allowance is applied to cover additional disability related costs such as speciality clothing or equipment. This is known as a Disability Related Expenditure (DRE) allowance. In effect this reduces the amount they have to pay by £20.60 per week. It is proposed to reduce the standard rate of DRE allowance to £15 per week.

Example A – Mrs Green

Mrs Green is 91 years old and receives 9 hours of homecare per week costing £110.50. Her income is £168.23 and she has been assessed as having no disposable income to contribute towards her care. The proposed change will therefore not affect Mrs Green.

Cost of= £110.50

**Personal assessment = £0
(current £20.60 DRE allowance)**

**Personal assessment = £0
(proposed £15 DRE allowance)**

Currently pays = £0

Example B – Mr Brown

Mr Brown is 89 years old and receives 10 hours of homecare per week costing £168. His income is £350.00 per week and, after taking into account the standard DRE allowance of £20.60, he has been assessed to contribute a maximum of £18.63 towards his care. However, the proposed change to a standard DRE allowance of £15 means that in future he will have to pay £24.23.

Cost of care = £168

**Personal assessment = £18.63
(current £20.60 DRE allowance)**

**Personal assessment = £24.23
(proposed £15 DRE allowance)**

Currently pays = £18.63

Q. Do you agree or disagree with Proposal 3?

This single response question was answered by 181 respondents.

Response	Number of Respondents	Percentage of Respondents
Agree	73	40.33%
Disagree	64	35.36%
Don't know	44	24.31%

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Consultation commentary

The following provides analysis of the comments and alternative options submitted throughout the various stages of the consultation, and analysis/response from officers in terms of these comments or suggestions.

Suggestion/comment from consultation	The Cap should remain at £205 for current clients and only be raised/removed for new clients
Analysis/response	The Care and Support Statutory Guidance suggests that a Council should apply the charging rules equally so those with similar needs or services are treated the same and minimise anomalies between different care settings.
Suggestion/comment from consultation	The Cap should be raised (e.g. to £400 or £500) but there should still be a cap
Analysis/response	There are two issues with this suggestion; (1) that further discussions and changes are then required every time the cap needs to be raised (and this incurs costs for the Council), and (2) this still limits the amount being paid by those who are assessed as being most able to afford to make a contribution (whilst perversely someone with more moderate income/capital may be required to make the same contribution as someone who has more financial resources available to them).
Suggestion/comment from consultation	That as part of the consultation, everyone who is impacted should be advised of what the proposed changes would mean for them, in order to enable them to give an informed response.
Analysis/response	<p>The aim of the consultation is to seek wide views on the proposals, as to whether the intended policy is fair; not to just ask the people specifically affected whether they agree with the changes for them. The consultees should include people who are directly impacted, but also the wider population (on the basis that if the policy is not implemented, resources would need to be identified from elsewhere). Added to this, the people who will be impacted by the policy change on a regular basis, as new people start to receive Adult Social Care and current clients move out of the charging regulations.</p> <p>The Council did provide detailed examples throughout the consultation period to assist people in understanding how the proposals would operate and how these would impact upon individuals. Additionally, officers have provided telephone lines, email addresses and two public meetings so that any queries could be answered.</p>
Suggestion/comment from consultation	That the policy is complex and unclear

Analysis/response	<p>The policy is derived from the national legislation and statutory guidance relating to the Care Act 2014, and therefore is not something that the Council can directly influence. Officers have tried to make the examples as clear and illustrative as possible, but acknowledge that the charging regulations are complex.</p> <p>In order to try and assist consultees in understanding the proposed policy and implications, officers have provided telephone lines, email addresses and two public meetings (which were attended by 7 people in total).</p>
Suggestion/comment from consultation	People shouldn't have to pay towards their care
Analysis/response	<p>People are already assessed to make contributions towards their care, in line with national policy. Whilst the decision to require people to make contributions is discretionary, there is a central government expectation that Councils will generate income in this way, and as such this expectation is built into funding calculations. If discretionary income is not collected by the Council, then this would place an additional burden on the wider population and adversely impact the quality of services.</p>
Suggestion/comment from consultation	It is not fair to increase the cap as some people will have made financial plans, based upon an assumption that this was the maximum amount they would need to pay per week.
Analysis/response	<p>The cap was set some years ago, and clearly the financial situation for Local Authorities has changed significantly. There is no "guarantee" attached to the cap, and it is not unreasonable that the Council would need to raise the cap over time. The fact that there haven't been regular increases could be perceived as a benefit to those who would be assessed as being able to make a greater contribution.</p>
Suggestion/comment from consultation	The figures used within the examples were incorrect
Analysis/response	<p>Unfortunately when the second consultation was undertaken, the examples provided were based on the previous examples, and therefore used the 2016/17 rates. The difference that this made was relatively minor, however, as a result of the error, further correspondence was sent to all people where this may have had an impact. Additionally people were provided with telephone numbers and email addresses to seek further clarification, and two public meetings were held.</p> <p><i>**examples used within the letter are shown below</i></p>
Suggestion/comment from consultation	The averages presented to Cabinet in May 2016 did not fully illustrate the scale of the impact for those who would be most affected by the changes
Analysis/response	Appendix 5 sets out the further clarification and illustrations

	of the smallest and the largest impacts, as well as averages.
Suggestion/comment from consultation	That those people who have saved all their lives are being asked to contribute the most, and this is unfair and penalises people for being financially prudent.
Analysis/response	Within the current financial assessment policy those who have a greater income or savings already make greater contributions; this is in line with the current national legislation and statutory guidance (Care Act 2014) and the previous statutory framework. If the policy is not implemented, the income would need to be sourced elsewhere, but this could not be sought from those people who have been assessed as not being able to afford to make a contribution, or who have been assessed as having to make a limited contribution towards the cost of their care and support, as the national guidance is clear that people must be left with an income of at least the “minimum income guarantee” level. Therefore given the extent of the cuts to local government funding, and the budget savings the Council needs to make, the money would need to come from either closing/ceasing services or raising income elsewhere.
Suggestion/comment from consultation	That the new policy potentially will encourage people to try and avoid having to make a contribution.
Analysis/response	This is already a potential risk, given that people are assessed on their ability to pay, based on income and capital. The Care Act 2014, the Care and Support Statutory Guidance and the Care and Support (Charging and Assessment of Resources) Regulations 2014 make provision regarding people who are identified as having “deprived” themselves of capital or income for the purposes of avoiding contributions towards the cost of their care and support.
Suggestion/comment from consultation	There were some people who confused the Care Act 2014 lifetime cap on care costs with the maximum weekly cap referred to in the Council’s proposals.
Analysis/response	Unfortunately Gateshead Council already referred to the maximum weekly charge as a “cap”, and so when this terminology was used by Central Government to refer to a different financial cap, there was the potential for some confusion. Officers have explained to consultees that the second stage of Care Act implementation was expected to be enacted in April 2016, but that in 2015, the Government announced it would be delayed until 2020. Late last year the Government announced that these reforms won’t be enacted, and that in 2018 there will be a Green Paper which will consult on a new model of funding and charging for Adult Social Care.
Suggestion/comment from consultation	That the proposals are unfair as there is a limit to the amount of care a person would have to pay within a care

	home, and that the policy goes against the Council's aim of encouraging people to stay in their own home.
Analysis/response	There is no cap on the amount someone who funds their own care home may have to pay, and national analysis evidences that people who are self-funding in care homes, pay significantly higher rates than those people who are funded on a Local Authority contract (. Therefore rather than create an unfair position, the policy seeks to make the position fairer. We do not feel the policy incentivises people not to remain in their own homes.
Suggestion/comment from consultation	Some people felt that the examples given were not sufficiently illustrative. It was also noted that the majority of examples referred to the person's capital, not their income.
Analysis/response	A variety of examples have been provided, although in order to ensure that consultation responses from the various stages of the consultation were relevant, there also had to be continuity of examples. In terms of the use of capital as opposed to income in the examples, this is because the significant majority of "self-funders" would be assessed as such as a result of their capital, not their income. However Members are advised that there may be some clients who are assessed as self-funding because of their income, not their capital.
Suggestion/comment from consultation	Some people felt that the reported amount of income generation was relatively small, and that given there were some individuals for whom there would be a significant financial impact, it wasn't worth impacting those people, for the amount of income this would generate.
Analysis/response	The amount of income generation/reduction in spend by the Council associated with the proposed policy fluctuates as the adult social care client base fluctuates (both in terms of the costs of individuals' care packages, and also the contributions different individuals may be assessed as being able to make). This is demonstrated by the fact that in 2016 the greatest anticipated increase was to circa £800 per week; when the same data was calculated in 2017, the greatest anticipated increase had risen to £2700 per week. As a result, the anticipated income generation/cost saving can go up or down significantly; for example the difference between the two figures shown above would generate an additional £100k per annum in cost savings. Additionally, if the income is not generated from the ASC charging policy, then as noted previously the money would need to come from either closing/ceasing services or raising income elsewhere.
Suggestion/comment from consultation	Some people suggested the Disability Related Expenditure allowance should be raised not lowered; alternatively it was suggested that the standard amount should be removed, and individual assessments applied. There was also a suggestion that the DRE should be "scrapped" and savings

	made elsewhere.
Analysis/response	<p>The Council is not required to provide a standard DRE, but chooses to do so, in order to avoid the assessment costs associated with calculating individual allowances. However, if someone feels the standard allowance is not sufficient, then they can request an individual DRE calculation.</p> <p>The scrapping of the DRE allowance is not an option, as the Care and Support Statutory Guidance states that where disability-related benefits are taken into account, the local authority should make an assessment and allow the person to keep enough benefit to pay for necessary disability-related expenditure to meet any needs which are not being met by the local authority. However, it should be noted that to scrap the DRE (were this allowed) would create <i>greater</i> savings for the Council.</p>
Suggestion/comment from consultation	That people should not be required to pay for specialist clothing.
Analysis/response	The information regarding the DRE proposal made reference to specialty clothing being something that someone may require as a result of their disability. By continuing to allow a standard DRE the Council is recognising that disabled people are likely to have higher costs (for items such as speciality clothing), and making an allowance for this.
Suggestion/comment from consultation	Everyone should have to contribute something, and query as to why Attendance Allowance isn't taken into consideration.
Analysis/response	Attendance allowance is taken into consideration as income, and everyone is assessed to see whether they can make a contribution towards their care and support. The Care and Support Statutory Guidance stipulates that everyone must be left with a minimum level of disposable income (Minimum Income Guarantee). If someone does not have income above this minimum amount, a Council cannot charge them for their care and support.
Suggestion/comment from consultation	<p>A number of consultees said that they felt the proposals were fair. Within this group were people (or their representatives) who would be affected by the proposals, including people who would be assessed to pay the full cost of their care, if the policy is implemented. In particular people noted that</p> <ul style="list-style-type: none"> *bringing the policy in line with other LA areas was appropriate *rising current costs for everyone seemed fair *how much care is needed should determine cost

	Some people felt that whilst it was reasonable for people to pay more, it should be limited (e.g by raising, but still maintaining a cap); this is addressed previously.
Suggestion/comment from consultation	Some people suggested that the impact of the charges should be mitigated, especially in respect of those people who would have to make the greatest contributions.
Analysis/response	Officers feel this is a reasonable suggestion, and therefore Cabinet have been asked to consider this proposal in line with the recommendation to agree the policy. Details of the proposed “tapering” arrangements are set out in Appendix 6.
Suggestion/comment from consultation	Some people felt that more notice was required to notify people of the changes.
Analysis/response	Unfortunately the timescales are largely dictated by the timescales of the political process and the financial year. However, the intention is that should Cabinet agree the policy in January, then people who are likely to be significantly impacted will receive a letter advising them of the fact that the policy has been agreed. They will then receive notification of the actual changes to their contributions, in April.

**Examples used within the letter sent to all people who may be affected by the changes:

An example of how calculating the adult's contribution towards the cost of care based on the number of carers required will affect the adult (Proposal 1):

Mrs Grey is 45 years old and receives home care delivered by two carers. The actual cost of this care is £81.36 however the maximum cost Mrs Grey currently could be charged is £40.68 which is based on the cost for one carer.

Mrs Grey has been assessed as being able to contribute a maximum of £68.68 towards the cost of her care. However, she currently pays a contribution of £40.68 towards the cost of her care which is the cost of her care from one carer

If the proposal under consultation is implemented so her contribution is based on both of her carers, the maximum cost she could be charged is £81.36 (the cost of 2 carers). However, she will be required to pay a maximum of £68.68 towards the cost of her care which is the maximum amount she has been assessed as being able to contribute towards the cost of her care.

Mr Blue is 69 years old and receives home care delivered by two carers. The actual cost of his care is £162.72.

Mr Blue is assessed as having no disposable income to contribute towards the cost of his care.

If the proposal under consultation is implemented, Mr Blue will still pay no contribution towards the cost of his care due to having no disposable income to contribute.

An example of how removing the cap on the maximum weekly amount an adult is required to pay towards their care will affect the adult (Proposal 2):

Mrs Bates is 96 years old and receives home care each week costing £94.92.

Mrs Bates has capital in excess of £50,000 (over the upper threshold for local authority assistance) and is required to pay the full cost of her care subject to the current maximum weekly amount cap of £205.00 per week. She therefore pays £94.92 per week.

If the proposal under consultation is implemented, Mrs Bates will not be affected by the removal of the maximum charge because her care costs do not exceed this so she will continue to pay £94.92 per week.

Mrs Wright is 75 years old and receives care costing £406.80 per week.

Mrs Wright has capital in excess of £80,000 (over the upper threshold for local authority assistance) and is currently required to pay for the cost of her care up to the current maximum cap of £205.00 per week.

If the proposal under consultation is implemented, she will be required to pay £406.80 which is the full cost of her care with no cap in place.

An example of how calculating the adult's contribution towards the cost of care based on the number of carers and removing the cap on the maximum weekly amount will affect the adult (Proposal 1 & 2 combined):

Mrs Green is 77 years old and receives home care delivered by two carers. The cost of this care is £325.44 although would be capped to £162.72, the cost of 1 carer.

Mrs Green's capital is over the upper threshold for local authority assistance. She currently pays a contribution of £162.72 towards her care (capped at the cost of 1 carer).

If the proposal under consultation is implemented, Mrs Green would be required to pay £325.44, the full cost of her care for both her carers and without the maximum weekly cap applying.

Mr Smith is 53 years old and receives home care delivered by two carers. The cost of this care is £433.92.

Mr Smith has been assessed as being able to contribute a maximum of £31.25 towards the cost of his care.

Mr Smith is not affected by the changes and will continue to pay £31.25 per week.

If the proposal under consultation is implemented, Mr Smith will continue to contribute £31.25 towards the cost of his care.

An example of how the reduction in the standard Disability Related Expenditure allowance will affect the adult (Proposal 3):

Mrs Green is 91 years old and receives Home care each week costing £110.50.

Mrs Green has been assessed as having no disposable income to contribute towards the cost of her care.

If the proposal under consultation is implemented, even with the reduction in the DRE, Mrs Green continues to have no disposable income and therefore will have no contribution to make.

Mr Brown is 89 years old and receives home care each week costing £122.13.

Taking into account the standard DRE allowance of £20.60, Mr Brown currently has been assessed as able to contribute a maximum of £18.63 towards the cost of his care.

If the proposal under consultation is implemented, a standard DRE allowance of £15 would apply meaning that he will have to pay £24.23 towards the cost of his care (unless he can demonstrate additional DRE above this level)

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Analysis of Proposals

The following information summarises the collective impact of the proposals for the people who receive Adult Social Care Services. It should be noted however, that this analysis represents a “snap shot”, as the client base for Adult Social Care changes on a regular basis, and therefore both the costs of peoples’ care packages and the financial circumstances of these individuals fluctuate and change, as the client base changes. This is explained in more detail in Appendix 4 as this issue arose throughout the consultation period.

Proposal 1 (charging for 2 carers)

- There are currently 235 adults who have care delivered by 2 or more carers
- 142 of those adults currently contribute to the cost of their care
- 93 of these adults currently make no contribution to the cost of their care
- 15 of those adults contributing towards the cost of their care will be affected by charging for the number of carers required if Proposal 1 is implemented alone.
- Based on our current understanding of those adults’ finances, the increase would range between £1.51 and £94.92
- If Proposal 2 is also implemented, an additional 12 people will be affected

Proposal 2 (removal of the maximum charge cap)

- There are 54 adults whose contribution is limited to the maximum charge of £205.00
- Based on our current understanding of those adults’ finances, if Proposal 2 alone is implemented, the increase for adults would range between £1.25 and £886.58 per week.
- There would be an increase of over £100 per week for 9 adults; over £300 per week for 4 adults; and over £800 per week for 2 adults.
- If proposal 1 is also implemented a total of 67 adults currently receiving services will be affected.
- Based on our current understanding of those adults’ finances, the increase would range between £5.18 and £2,743.40 per week.
- 16 adults will have an increase of £100 - £200 per week; 9 adults will have an increase between £200 - £400 per week; and a further 9 adults will have an increase of over £400 per week to pay for their care.

Proposal 3 (reduction in the Disability Related Expenditure allowance)

The reduction in DRE would currently impact on approximately 858 clients who currently make some contribution towards the cost of their care. Whilst the proposal is to limit the standard amount of DRE, there remains provision in the policy for an individual assessment to be requested if there is evidence that the DRE is insufficient to cover the individual’s needs.

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Tapering proposal (mitigation for the most excessive indicative rises in charges)

Background

Given the scale of the potential rise in the maximum weekly charge for a small group of people who are impacted by the implementation of both proposals 1 and 2, and having given consideration to the comments made in this respect during the consultation, it is suggested that for a 1 year period the Council could mitigate the impact of the policy by tapering the removal of the maximum cap for those people who would be required to pay in excess of £500 per week towards the cost of their care. This gives those affected the opportunity to adjust to the changes to the charging regime more gradually than would otherwise be the case, and to make any necessary financial arrangements.

Proposal

From April 2018 until April 2019, it is proposed that there be a “Max Charge cap” of £500.

It is proposed that from April 2019 this mitigation will end, and the policy as it stands would apply.

It is proposed that all service users seeking to have their care costs capped must undergo a full financial assessment (rather than a ‘light touch’ financial assessment) so that the Council is in a position to understand their financial circumstances and properly calculate what their maximum charge would be without the taper and at the next stage of the cap removal.

In order to ensure a fair and equitable approach to charging, it is proposed that the mitigation will apply to all current clients and any new clients during the period outlined.

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TITLE OF REPORT: Establishment of post: Director of Joint Commissioning, Performance and Quality (Care, Wellbeing & Learning)

REPORT OF: Sheena Ramsey – Chief Executive

Purpose of the Report

1. To seek Cabinet approval to recommend to Council to establish this post 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.

Background

2. The Care, Wellbeing and Learning Group establishment includes a post of Service Director – Health and Social Care Commissioning & Quality Assurance. This post was created in 2015 during a Group re-structure and replaced two previous Service Director posts (one which focussed on Children's commissioning with the other focussing on the commissioning of Adults' services). The grade of the current Service Director post is Service Director Band 2 (£63,929 to £78,134).
3. The current Service Director post has never been filled permanently and has been occupied by two interim appointees. The current interim Service Director has agreed an extension to his contract until 31 March 2018 or until the recruitment of the permanent director post is completed.
4. The Strategic Director, Care, Wellbeing & Learning and other senior colleagues in the Group have been working with the Newcastle Gateshead CCG to identify opportunities for integrating services with the explicit aim of improving the health and wellbeing outcomes for the population in Gateshead.
5. The discussions between health and care senior leaders in Gateshead have resulted in three evolving pieces of work over the last year:
 - (i) The operation of the Gateshead Care Partnership since October 2016, as the interagency provider vehicle which oversees the implementation of the recently secured community health services contract for the borough.
 - (ii) The informal health and wellbeing board pre meeting of senior officers from the statutory bodies represented at the board, since April 2017.
 - (iii) The Accountable Officer Partnership across Newcastle and Gateshead (comprising the six accountable officers, their most senior directors and the two directors of public health) published a 'statement of intent' in January 2017 describing its ambition to bring together health and care services.

6. A report was presented at the Care, Health & Wellbeing Overview & Scrutiny Committee on 31 October which updated the Committee on integration opportunities and described a shared vision and areas for early integration identified by health and social care partners.
7. Part of the ongoing discussions between the Council and Newcastle Gateshead CCG has been the proposal to establish a post of Director of Joint Commissioning. The creation of a joint director post will assist both organisations to review and where possible align their strategic and operational commissioning arrangements. This will have a significant impact on the aim, as described above, of improving the health and wellbeing outcomes for the population in Gateshead. In addition both organisations have identified significant cost savings over the next two financial years associated with the commissioning of health and social care services. This is coupled with a number of current budget proposals within the Council the objective of which is to 'manage demand' in the Children's and Adults' services.
8. Outline discussions have been held on the governance arrangements connected with the joint working arrangements and the establishment of the proposed joint post. These initial discussions will need to be extended to cover key issues such as: shared vision/objectives, contracting arrangements, the scope of services to be covered and, as appropriate, the pooling of resources.

Proposal

9. It is proposed to delete the current post of Service Director – Health and Social Care Commission & Quality Assurance.
10. It is further proposed to create a post of Director of Joint Commissioning, Performance and Quality. This new post will have a broader remit and will have a particular focus on the integration agenda. This will involve leading and participating in the development and implementation of joint commissioning arrangements as appropriate between Gateshead Council, the NHS and other key partners. The new post will also lead the further development of strategic commissioning aimed at delivering improved outcomes and value for money. The social care market in the borough has shown signs of instability in recent years. Therefore, this new post will oversee the development of a sustainable market for health and social care within Gateshead.
11. Due to the expansion of this role and its impact on the delivery of efficiency savings and the plans to manage demand, it is therefore proposed that the post be established at Service Director Band 3 (£77,767 to £95,044).
12. The joint working arrangements, including the governance and associated management arrangements will be subject to a 12 month review to ensure the anticipated benefits for the Council have materialised.

Recommendations

13. It is recommended that Cabinet agrees and recommends to Council the deletion of the current post of Service Director and the creation of the post of Director of Joint Commissioning, Performance and Quality - Service Director Band 3.

14. Furthermore, that the joint working arrangements be subject to a 12 month review following implementation.

For the following reasons:

- i. 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.
- ii. 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.

CONTACT: Mike Barker

extension: 2100

Policy Context

1. The Council is operating in a challenging national policy context which has been compounded by government funding reductions and announcements that indicate further significant reductions in resources available for local government.
2. The reorganisation of the strategic management of commissioned services and integration will assist in the delivery of Vision 2030 and in the implementation of the Council's Corporate Priorities as set out in the Council Plan 2015-2020 and its policy framework, in particular: the implementation of efficiency savings and strategies for managing demand in the Children's, Adults' and Public Health services.

Consultation

3. Extensive consultation has taken place with relevant directors at the Newcastle Gateshead Clinical Commissioning Group regarding the establishment of this post and future operating arrangements. The Leader and relevant Portfolio holders have been consulted on the proposals set out in this report and are supportive of the recommendations, subject to the joint working arrangements being reviewed 12 months following implementation. The Council's recognised trade unions have also been consulted on the proposal and have not raised any objections.

Alternative Options

4. The proposals put forward are the optimum response to the demands placed on the Council, as set out in this report. While one alternative option would be to make no change to the current post, this would not make the positive contribution toward achieving the aims set out within this report or meet requirements to integrate.

Implications of Recommended Option

5. Resources:

- a) **Financial Implications** – The Strategic Director, Corporate Resources confirms that there is an increased cost of £24,230 (including Employer's on-costs) arising from the change in the establishment bringing the total cost of the post to £135,070 (including Employer's on-costs) at the top of the grade. However, as this is a joint health and social care commissioning director post this will be off-set by a contribution by Newcastle Gateshead CCG which will initially cover 30% of the cost of this post. Further discussions will be held with the CCG on whether their contribution to the cost of the post should rise to 50%.
- b) **Human Resources Implications** – there no direct Human Resource implications arising from this report as the current interim postholder has confirmed his intention to end his interim arrangement on 31 March 2018 or until the recruitment of the permanent director post is completed. To ensure

the widest field of suitable candidates are attracted this new post will be advertised externally.

c) **Property Implications** – there are no property implications arising directly from the proposals in this report.

6. **Risk Management Implication** - There are no specific risk management implications arising from this report.
7. **Equality and Diversity Implications** - There are no specific equality and diversity implications arising from this report.
8. **Crime and Disorder Implications** – There are no specific crime and disorder implications arising from this report.
9. **Health Implications** - There are no specific health implications arising from this report.
10. **Sustainability Implications** - There are no specific sustainability implications arising from this report.
11. **Human Rights Implications** - There are no specific human rights implications arising from this report.
12. **Area and Ward Implications** - There are no specific ward implications arising from this report.

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TITLE OF REPORT: Review of the Council's Constitution

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

Purpose of the Report

1. This report asks the Cabinet to recommend the Council to approve a number of amendments to the Constitution.

Background

2. The Chief Executive and Monitoring Officer are required to review the Constitution to ensure that its aims and principles are given full effect. A number of areas have been identified where some amendment is necessary.

Proposal

3. It is proposed to amend the Constitution as set out in Appendix 2.

Recommendations

4. It is recommended that the Cabinet ask the Council to agree the proposed changes to the Council's Constitution as set out in Appendix 2.

For the following reason:

To ensure that the Constitution remains fit for purpose and that its aims and principles are given effect.

CONTACT: Mike Aynsley extension 2128

Policy Context

1. The Council is required by law (Local Government Act 2000) to prepare and maintain a constitution. Article 16.01 of the Council's Constitution requires the Chief Executive and Monitoring Officer to review the Constitution to ensure that its aims and principles are given full effect.

Background

2. A number of amendments have been drafted which will maintain the effective operation of the constitution, clarify certain aspects and keep it up to date.
3. The proposed amended sections of the constitution are set out in Appendix 2.

Consultation

4. No external consultation has been carried out.

Alternative Options

5. No alternative options were considered as the Local Government Act 2000 requires the Council to keep its constitution up to date.

Implications of Recommended Option

6. Resources

- a. **Financial Implications** - The Strategic Director, Corporate Resources confirms that there are no financial implications resulting from this report.
- b. **Human Resources Implications** – There are no human resources implications arising from this report.
- c. **Property Implications** – There are no property implications arising from this report.

7. **Risk Management Implication** - There are no risk management implications arising from the recommended option.

8. **Equality and Diversity Implications** - There are no equality and diversity implications arising from the recommended option.

9. **Crime and Disorder Implications** - There are no crime and disorder implications arising from the recommended option.

10. **Health Implications** – There are no health implications arising from the recommended option.

11. **Sustainability Implications** - There are no sustainability implications arising from the recommended option.

12. **Human Rights Implications** - The Constitution already emphasises that the Council will promote equal opportunities in carrying out its functions

- 13. Area and Ward Implications** - There are no specific area and ward implications arising from the recommended option.
- 14. Background Information** - The current version of the Constitution.

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PROPOSED AMENDMENTS TO THE CONSTITUTION

Page	Previous Wording	Amended Wording	Reason
28	<p>Article 11 – Health and Wellbeing Board</p> <p>11.02 Composition and Procedure</p> <p>a) Membership</p> <p>The Health and Wellbeing Board will consist of 19 members as follows:-</p> <p>N/A</p>	<p>Article 11 – Health and Wellbeing Board</p> <p>11.02 Composition and Procedure</p> <p>a) Membership</p> <p>The Health and Wellbeing Board will consist of 21 members as follows:-</p> <p>Add the following to the list of members:</p> <ul style="list-style-type: none"> • Cabinet Member for Children and Young People • Chair of the Local Safeguarding Children Board and Adult Safeguarding Board. 	<p>To reflect the change in the remit of the Health and Wellbeing Board (see change to 11.03 below).</p>
29	<p>11.03 Role and Function</p> <p>The Health and Wellbeing Board will have the following roles and functions:-</p> <p>a) to lead on the production of the Joint Strategic Needs Assessment and Pharmaceutical Needs Assessment;</p> <p>b) to lead on the production of a Joint Health and Wellbeing Strategy;</p> <p>c) for the purpose of advancing the health and wellbeing of the residents in Gateshead, encourage integration in the provision of health or social care in its area;</p>	<p>11.03 Role and Function</p> <p>The Health and Wellbeing Board will have the following roles and functions:-</p> <p>a) to lead on the production of the Joint Strategic Needs Assessment and Pharmaceutical Needs Assessment;</p> <p>b) to lead on the production of a Joint Health and Wellbeing Strategy;</p> <p>c) for the purpose of advancing the health and wellbeing of children and adults in Gateshead, encourage integration in the provision of health, education and social</p>	<p>The review of the GSP and rationalisation of its partnerships has determined that the role of the Children’s Trust is no longer required. This amendment ensures that the Council continues to fulfil the statutory duty to cooperate to improve</p>

	<p>d) provide such advice, assistance or other support as the Health and Wellbeing Board considers appropriate for the purpose of encouraging the making of arrangements under Section 75 of the National Health Service Act 2006 in the provision of health and social care services;</p> <p>e) to encourage persons who arrange for the provision of any health-related services in its area to work closely with the Health and Wellbeing Board;</p> <p>f) to encourage persons who arrange for the provision of health and social care services in its area and persons who arrange for the provision of any health-related services in its area to work closely together;</p> <p>g) provide an opinion to the Council on whether the Council is complying with its duty to have regard to the Joint Strategic Needs Assessment and the Joint Health and Wellbeing Strategy; and</p> <p>h) to exercise any other function that the Council requires the Health and Wellbeing Board to undertake on behalf of the Council.</p>	<p>care in its area;</p> <p>d) provide such advice, assistance or other support as the Health and Wellbeing Board considers appropriate for the purpose of encouraging the making of arrangements under Section 75 of the National Health Service Act 2006 and the Children and Social Work Act 2017 in the provision of health and social care services;</p> <p>e) to encourage persons who arrange for the provision of any health-related services in its area to work closely with the Health and Wellbeing Board;</p> <p>f) to encourage persons who arrange for the provision of health, education and social care services in its area and persons who arrange for the provision of any health-related services in its area to work closely together;</p> <p>g) provide an opinion to the Council on whether the Council is complying with its duty to have regard to the Joint Strategic Needs Assessment and the Joint Health and Wellbeing Strategy;</p> <p>h) to exercise any other function that the Council requires the Health and Wellbeing Board to undertake on behalf of the Council; and</p> <p>i) to deliver better health and wellbeing outcomes for children and adults, and improve the quality of education and care as well as to ensure value for money.</p>	<p>children's wellbeing, as set out in section 10 of the Children Act 2004.</p>
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94	<p>works, goods and services subject to the Contract Procedure Rules. This power may be further delegated to the Service Director, Legal, Democratic and Property Services or the Service Director, Litigation Elections and Registrars.</p> <p>Service Director, Legal, Democratic and Property Services</p> <p>(1) To agree terms for the acquisition of land and property (for which there is budgetary provision) or for the disposal of land and property (including legal estates and interests) to secure compliance with the Council's policies up to a value of £100,000 in each case, or up to a value of £250,000 following consultation with the Strategic Director, Corporate Resources.</p> <p>(2) To deal with applications for easements and way leaves affecting Council owned premises not materially affecting the use to which they are or might be put, where the full value of the consideration does not exceed £10,000.</p> <p>(3) To agree terms for the granting or acceptance of any tenancy not exceeding twenty five years, and any occupational licence other than any housing accommodation and garages used for domestic purposes, at a rent not exceeding £75,000 per annum exclusive of rates in each case.</p>	<p>works, goods and services subject to the Contract Procedure Rules. This power may be further delegated to the Service Director, Legal and Democratic Services.</p> <p>Transfer these delegations to the Strategic Director, Corporate Services and Governance and renumber them accordingly.</p> <p>In addition, amend delegation (1) to read:</p> <p>(1) To acquire or dispose of land and/or property by sale, lease, licence or any other legal estate or interest, and to incur any necessary expenditure for those purposes [where any disposal represents best consideration] subject to prior consultation with:</p> <ul style="list-style-type: none"> • the Leader and Deputy Leader of the Council; • any relevant portfolio holder; • any affected ward councillor; and • the Strategic Director, Corporate Resources. 	<p>structure.</p> <p>To reflect the current management structure.</p> <p>To make the process more effective, efficient and responsive</p>
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| <p>(4) To settle the amount of any claim for compensation not exceeding £3,000 properly payable, arising for the laying of sewers.</p> <p>(5) To agree the leasehold disposal of sites for electricity sub-stations, gas governor kiosks, telecommunications switching facilities and all other apparatus required by public utility companies where the capital value of the site does not exceed £5,000.</p> <p>(6) To accept offers for the acquisition, lease etc., of surplus property and to authorise such measures as are considered necessary to ensure the protection of property.</p> <p>(7) To settle the amount of any claim for compensation not exceeding £10,000 property payable in respect of depreciation to the value of the property as a result of the use of public works under the provisions of Part 1 of the Land Conservation Act 1973.</p> <p>(8) To negotiate and agree, in consultation with the Strategic Director, Corporate Resources, the rating assessment and valuation of all Council owned property.</p> <p>(9) To demolish a Council asset where a surplus declaration has been approved by the Cabinet and where budgetary</p> | | |
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	<p>provision exists.</p> <p>(10) To manage the Council's non-operational property and carry out functions that do not involve a new letting, sub-letting or lease renewal; to include all decisions relating to, rent reviews, assignments, landlord's consents, lease surrenders, terminations and other interests in land.</p> <p>(11) To approve all leases granted in accordance with agreed parameters, fees and charges and external funding conditions for space within Council business centres.</p> <p>Part 2 – General Delegations to Managers</p> <p>2. Land and Buildings</p> <p>A manager in consultation with the Service Director, Facilities Management, Leisure and Transport Services:</p> <p>(a) Manage land and buildings under his/her control, provided that in the case of non-residential property, the Service Director, Legal, Democratic and Property Services must be consulted on any proposal to create a lease, licence or other interest in a property.</p>	<p>Part 2 – General Delegations to Managers</p> <p>2. Land and Buildings</p> <p>A manager in consultation with the Service Director, Trading and Facilities Management:</p> <p>(a) Manage land and buildings under his/her control, provided that in the case of non-residential property, the Strategic Director, Corporate Services and Governance must be consulted on any proposal to create a lease, licence or other interest in a property.</p>	<p>To reflect the current management structure</p>
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<p>167</p>	<p>Contract Procedure Rules</p> <p>13. Invitation and Opening of offers for the purchase of Council Land or Buildings</p> <p>13.3 All electronic tenders and all envelopes containing offers for the same property received by the appointed time will be opened together by a representative of the Service Director, Legal, Democratic and Property Services and a representative of the Chief Executive.</p>	<p>Contract Procedure Rules</p> <p>13. Invitation and Opening of offers for the purchase of Council Land or Buildings</p> <p>13.3 All electronic tenders and all envelopes containing offers for the same property received by the appointed time will be opened together by a representative of the Strategic Director, Corporate Services and Governance and a representative of the Chief Executive.</p>	<p>To reflect the current management structure.</p>
<p>167</p>	<p>14. Common Seal of the Council</p> <p>14.1 The Common Seal of the Council will be kept in a safe place in the custody of the Strategic Director, Corporate Services and Governance. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the Strategic Director, Corporate Services and Governance should be sealed. The affixing of the Common Seal will be attested by the Mayor or Deputy Mayor and by the Chief Executive, or Strategic Director, Corporate Services and Governance or Service Director, Legal, Democratic and Property Services or Service Director, Litigation, Elections and</p>	<p>14. Common Seal of the Council</p> <p>14.1 The Common Seal of the Council will be kept in a safe place in the custody of the Strategic Director, Corporate Services and Governance. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the Strategic Director, Corporate Services and Governance should be sealed. The affixing of the Common Seal will be attested by the Mayor or Deputy Mayor and by the Chief Executive, or Strategic Director, Corporate Services and Governance or Service Director, Legal and Democratic Services.</p>	<p>To reflect the current management structure.</p>

	Registrars.		
250	<p>Protocol – Parliamentary Candidates</p> <p>8. Enquiries about matters relating to the election should be directed to the Service Director, Litigation, Elections and Registrars or the Election Office. The Election Office will supply a list of candidates and election agents as soon as it is available.</p>	<p>Protocol – Parliamentary Candidates</p> <p>8. Enquiries about matters relating to the election should be directed to the Service Director, Legal and Democratic Services or the Election Office. The Election Office will supply a list of candidates and election agents as soon as it is available.</p>	To reflect the current management structure
258	<p>Part 7 – Management Structure</p> <p>N/A</p>	<p>Part 7 – Management Structure</p> <p>Amend Part 7 to reflect the current management structure.</p>	To reflect changes in the management structure since the last review of the constitution.

TITLE OF REPORT: Housing Revenue Account and Housing Capital Programme

REPORT OF: Darren Collins, Strategic Director, Corporate Resources
Paul Dowling, Strategic Director, Communities and Environment

Purpose of the Report

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

Background

2. The Local Government and Housing Act 1989 (Part VI) states that the Council has a duty to prevent a debit balance on the Housing Revenue Account.
3. Historically the Council has followed Government formula and guidelines to set the rent level. In July 2015 the Government announced that rents in social housing would be reduced by 1% a year for 4 years of which 2018/19 is the third year. This applies to both social and affordable tenancies.
4. A detailed review of fees and charges is carried out each year to ensure the HRA recovers the full costs associated with providing services to tenants.
5. The Housing Capital Programme is a rolling programme and is funded from revenue raised from rents. The detail of the proposed programme for the next five years is included in this report. Considering the HRA and the Housing Capital Programme together allows the Council to consider the choices necessary to maintain and enhance housing stock in the future.
6. Along with the changes to the rent setting guidelines, welfare reform continues to be one of the most significant risks to the HRA in terms of sustainability with Universal Credit being rolled out to anyone making a new claim in Gateshead from October 2017. The roll out is in stages and will be complete by September 2018

Proposals

7. The proposed Housing Revenue Account for 2018/19 is set out in Appendix 2 which includes;
- As prescribed by Government a decrease in the average weekly rent of 1% for all housing tenancies as at 8th July 2015.
 - Savings totalling £0.980m in 2018/19 (Appendix 3)
 - A Management Fee of £11.827m for The Gateshead Housing Company to carry out its functions on behalf of the Council, including savings of £0.1m.
 - A repairs and maintenance budget of £22.587m, including savings of £0.4m.
 - The following proposals for fees and charges (details set out in Appendix 4);
 - Efficiency savings in the Concierge Service, Furniture Service admin costs and Angel Court communal areas are all passed onto tenants.
 - The new District Energy Scheme will reduce charges in East Street Flats and minimise increases at Warwick Court
 - Utility costs for Sheltered Accommodation have been reduced or minimised where applicable.
 - The maximum increase of 3% (CPI at Sept 2017) has only been applied to a limited number of low usage service charges.
 - No increases are proposed in relation to the gardening scheme, old furniture scheme, concessionary TV licences and kitchen appliances. This is as a result of either the prices being set nationally, an increase having a detrimental increase on demand, there being a fixed charge applied or continuing full cost recovery where applicable.
 - The care call fees and charges are unchanged but it should be noted that the model for charging and the subsidy of the service is currently being reviewed as part of the Council's budget proposals for 2017/18. The changes to these charges will be included in the fees and charges report will be presented to Cabinet in February 2018.
 - This is the third year of the five year stepped changes to achieve full cost recovery in relation to multi storey flats charges, various sheltered scheme charges, communal areas charges and Angel Court salaried employees as agreed by Cabinet in February 2016.

8. Allocation of resources from the HRA to support a Capital Programme for the next five years (2018/19 to 2022/23) is set out at Appendix 5, these proposals include;
- A Housing Capital Programme totalling £90.665m over five years of which £28.280m relates to 2018/19 which would require the use of £6.3m of HRA capital receipts and £2.6m of external funding. The Capital Programme will be kept under regular review by Cabinet to ensure that investment plans remain affordable.

Recommendations

9. Cabinet is asked to recommend to Council:
- (i) The Housing Revenue Account as set out in Appendix 2, including The Gateshead Housing Company management fee, the repairs and maintenance budget and savings as detailed in Appendix 3.
 - (ii) The weekly rent reduction of 1% from 1 April 2018.
 - (iii) The fees and charges schedule as detailed in Appendix 4.
 - (iv) The Housing Capital Programme for the five years 2018/19 to 2022/23 as set out in Appendix 5.

For the following reasons:

- (i) 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).
- (ii) To realise the Council's policies and objectives in relation to Housing Strategy in order to maintain and enhance Council Housing provision in Gateshead.

THE HOUSING REVENUE ACCOUNT (HRA) AND HOUSING CAPITAL PROGRAMME

Policy Context

1. The proposals are consistent with Vision 2030 and the Council Plan, and in particular support “Sustainable Gateshead”.

Review of HRA Budget

2. In order to facilitate decision making and strategically plan for Housing in the future the Council continually updates its 30 year HRA Business plan considering the long term future of the housing stock alongside the short term plans. The plan includes all known income and expenditure information alongside a number of key assumptions in relation to the anticipated levels of voids, right to buy sales and inflation. It also includes plans for borrowing and repaying debt in the future, paying particular attention to the £70m worth of loans maturing in the next five years.
3. The variances between the estimated and expected 2017/18 figures (Appendix 2) relate to increased void rent loss, additional capital investment and reduced cost of borrowing due to loans being refinanced at lower interest rates. In addition the use of budgeted contingency expenditure was lower than anticipated.
4. The main variances in relation to the 2017/18 and 2018/19 budgets (also Appendix 2) are a reduction to the management fee paid to TGHC and the supervision and management costs delivered by the Council, a decrease to the estimated cost of borrowing, and an increase in non-dwelling income. Capital expenditure funded from the HRA is greater than the previous year as per the 5 year capital programme agreed in 2017/18.
5. A minimum balance for the HRA of £3m was approved by Council in February 2012. It is projected that the HRA reserve will stand at £28.916m as at the end of March 2018. The business plan is currently projecting that the minimum balance will be reached by 2024/25.

Proposed Savings

6. In the last two years savings of £5.2m have been achieved. Savings totalling £0.980m have been identified as a result of the 2018/19 budget setting process, including a target of £0.5m allocated to TGHC. Details are provided in Appendix 3. TGHC have also minimised requests to increase the Management Fee and Repairs and Maintenance costs by meeting budget pressures and additional resource requirements from current budgets. These include funding the additional resources required to meet the demands of Universal Credit from current budget allocations (£0.276m)

Proposed Rent Changes

7. On 8 July 2015 the Chancellor announced that rents in social housing would be reduced by 1% a year for 4 years resulting in a 12% reduction in average rents by 2020, 2018/19 is the third year of this policy. The Government have recently announced that from April 2020 the policy will revert back to the original policy of CPI +1%. The 2015 policy applies to all tenancies in place prior to this date and any subsequent tenancies awarded.
8. Applying the rent setting policy decreases the rents on social tenancies by the required 1%, resulting in an average reduction of £0.82 from £79.01 to £78.19 per week over 50 weeks.
9. In 2016/17 the Council acquired 11 properties from a private landlord at St Mary's Green, Whickham, as agreed by Cabinet on 11 October 2016. At this time the rents were set as affordable rent (80% of market rent). These tenancies must also receive the 1% reduction specified by the rent setting policy. This results in an average reduction of £0.97 from £97.10 to £96.13 per week over 50 weeks
10. At present Gateshead has two rent-free weeks at Christmas to help customers meet seasonal costs whilst avoiding falling into rent arrears. This arrangement will continue until the full implementation of Universal Credit, which is planned for September 2018. Prior to this tenant consultation will be undertaken on whether 52 week or monthly charging would be beneficial to tenants. If the average rent were to be paid over 52 weeks it would be £75.18 per week rather than £78.19 or alternatively a monthly rent would be £325.77 per month rather than £329.21. Any proposed changes would be brought to a future meeting of Cabinet for approval.
11. The proposed rent reductions and changes to fees and charges result in an overall reduction in costs to 18,042 tenants, or 93% of the total number of Council House tenants. This does not take into consideration any changes to Care Call charges that are included in the Council's fees and charges review.

Fees and Charges

12. There are both mandatory and discretionary fees and charges in the HRA. Mandatory charges include energy costs and services, sheltered scheme officers, caretaking, cleaning and concierge. Discretionary include leased furniture packages, gardening and garages. Out of the 19,344 live dwellings, approximately 5,987 tenants are liable for mandatory service charges and 1,922 tenants take up discretionary services. The 5,987 tenants liable for mandatory service charges include 2,131 that are liable for Care Call charges as a condition of tenancy, this may change following the service review being undertaken by Care, Wellbeing and Learning.
13. A total of 58% of Council tenants receive Housing Benefit and a number of the Council charges for services are eligible for housing benefit; these are primarily services associated with buildings and cover charges such as cleaning, concierge, caretaking and part of the Sheltered Scheme Wardens. The majority of the proposed increases are either eligible for Housing Benefit or are a discretionary charge.
14. Guidance from Central Government is that fees and charges should be recovered in full where applicable. This is to protect other tenants from essentially contributing to

costs that they are not responsible for. Where possible the proposed inflationary increases detailed in Appendix 4 recover the full cost of charges.

15. In February 2016 Cabinet agreed to implement stepped increases for a number of charges to allow full cost recovery to be achieved over a period of five years whilst minimising impact on tenants. The third year of the stepped increases has been applied for 2018/19 where applicable. There are a number of areas where full cost recovery has been implemented in 2018/19 as a result of savings. In those areas where full cost recovery will not be implemented in 2018/19 the stepped charges have been profiled to take account of updated savings and costs to achieve full cost recovery by 1 April 2020. This is detailed in Appendix 4.
16. The council is introducing its District Energy Scheme (DES) into Warwick Court and East Street Flats from early 2018. This will relieve fuel pressure on tenants, as the proposed charging schedule is 10% lower than current commercial tariffs. East Street Flats tenants will immediately benefit from reduced charges and Warwick Court will see the gap between current charges & full cost recovery reduced.
17. The proposed fees and charges include the Care Call service which is the responsibility of Care, Wellbeing and Learning. The Council's agreed savings proposals for 2017/18 included an option to review the care call charging model and the level of subsidy for the service provided by the Councils General Fund. This review will change the charges included in Appendix 4 and will be brought to Cabinet in February 2018.

Housing Capital Programme 2018/19 to 2022/23

18. Capital investment within the HRA is funded from the Major Repairs Reserve through a combination of the depreciation charged each year to the HRA and using additional voluntary HRA revenue contributions where possible to maximise the level of planned investment in the stock. The depreciation charge is met from rental income in the HRA, meaning that investment in the Housing Capital Programme is effectively funded via the rental income that is generated.
19. The following principles continue to be applied to assist in prioritising capital investment within the HRA:
 - Health and safety, safeguarding and statutory requirements;
 - Investing in identified decent homes improvements, including window replacement; and
 - Improving the sustainability and energy efficiency of the housing stock;
20. Based on the existing HRA Business Plan, it is estimated that £81.8m of the £90.665m funding requirement will be available from within the Major Repairs Reserve to support capital investment within the HRA over the next five years which will be supplemented using external funding and HRA capital receipts.
21. Opportunities continue to be explored to attract external funding, such as ERDF or ECO funding, to undertake additional stock improvements and energy efficiency improvements with the proposed programme attracting £1.8m of ERDF funding.

22. The Council has also been awarded £0.7m of HCA funding, as part of the Care and Support Specialised Housing Fund, towards a proposed Assisted Living scheme facilitating the development of an additional 15 units.
23. The planned investment in the Housing Capital Programme is flexible and is subject to ongoing review which is informed by the outputs from detailed stock condition surveys. At this stage it is envisaged that over the next five years the investment will include:
 - Over £60m of investment in undertaking estate based major works in accordance with the Decent Homes standard, including the replacement of kitchens, bathrooms and electrical improvements in addition to a £4.5m boiler replacement programme and £3.7m to continue window replacement programme and door entry system upgrades;
 - Over £13.6m of investment in general stock improvements, including the renewal/refurbishment of lifts, communal electrics and investment in external insulation to improve thermal efficiency of existing dwellings as well as the continuing provision of major and minor adaptation works to dwellings;
 - Over £13m of investment in exceptional extensive works, including £5.3m, towards the part ERDF funded HEIGHTS energy efficiency scheme at Harlow Green and Regent Court, with a further £3.3m to replace the façade and windows at Regent Court;
 - Over £3.7m of investment in the new build programme including £2.5m for the Winlaton Assisted Living Scheme and £1.2m for the planned scheme at Seymour Street.
24. The Council continues to explore new build opportunities to develop new build dwellings within the HRA.
25. The proposed Housing Capital Programme for the period from 2018/19 to 2022/23 is set out in Appendix 5. The future allocations will continue to be reviewed regularly to reflect the progress on committed projects and the availability of resources within the HRA to support capital investment.

Next Steps

26. The 30 year business plan will continue to take into account factors mentioned in this report such as income from rents, decisions regarding repayment of debt, the Housing Capital Programme provision, a minimum HRA reserve of £3m and the impact of welfare reform on rent collection.
27. The Council will continue to monitor Government guidance and announcements to ensure that all initiatives are considered, with particular reference to the potential to increase borrowing capacity for those Authorities that have reached their debt cap.

Consultation

28. Consultation has taken place with the Leader and Deputy Leader and Cabinet Members for Housing and The Gateshead Housing Company.

Alternative Options

29. There are no alternative options proposed.

Implications of Recommended Option

30. Resources

a) **Financial Implications** – The Strategic Director, Corporate Resources, confirms that the financial implications are reflected in Appendices 1, 2, 3, 4 and 5.

b) **Human Resources Implications** – Nil.

c) **Property Implications** – Capital investment in HRA assets helps to improve the overall sustainability of the HRA and supports the delivery of Council Plan priority outcomes. The property implications of individual schemes will be considered and reported separately.

31. **Risk Management Implications** – The added risks arising from self-financing and welfare reform means that the Council must continue to manage and maintain its housing stock from the rents collected. The 30 year HRA business plan is being updated to enable this to be monitored and to ensure that decisions are made, where appropriate, to ensure the housing stock is maintained in the future.
32. **Equality and Diversity Implications** – Nil
33. **Crime and Disorder Implications** – Nil
34. **Health Implications** – Nil
35. **Sustainability Implications** – The report contains a number of measures, which will help deliver a more Sustainable Gateshead and ensure sustainable use of the Council's resources in delivering corporate priorities.
36. **Human Rights Implications** – Nil
37. **Area and Ward Implications** – All wards will be affected by the proposals in this report.

Background Information

Rent Standard Guidance April 2016

The Housing Revenue Account Self Financing Determinations February 2012.

Housing Revenue Account - Income and Expenditure Account

	Budget 2017/18 £'000	Projection 2017/18 £'000	Budget 2018/19 £'000
Income			
Dwelling rents (gross)	(74,729)	(74,329)	(72,879)
Non-dwelling rents (gross)	(1,341)	(1,354)	(1,375)
Charges for services and facilities	(3,541)	(3,456)	(3,544)
Leaseholders charges	(305)	(379)	(305)
Contribution towards expenditure	(855)	(870)	(1,000)
HRA investment income	(110)	(150)	(130)
Gain on Sales of Assets			
	<u>(80,881)</u>	<u>(80,539)</u>	<u>(79,233)</u>
Expenditure			
Supervision and Management	27,076	24,014	24,912
Repairs and Maintenance	18,647	18,633	20,633
Interest on borrowing	15,159	14,878	15,053
Capital Programme Funding	19,250	20,774	21,572
Increased provision for bad debt	600	600	720
Amortised premiums and discounts	13	13	11
Debt management expenses	70	70	70
Impairment of Fixed Assets			
	<u>80,815</u>	<u>78,982</u>	<u>82,972</u>
Net Operating Cost	(66)	(1,556)	3,738

HRA Saving Proposals 2018/19

Housing Revenue Account - Savings

	Budget 2018/19 £'000
TGHC	
Management & Supervision	100
Repairs & Maintenance	400
	<u>500</u>
Others	
Remove transitional grant for Sheltered Support services	48
External Income	145
Savings in borrowing costs	106
Central Establishment & other associated costs	180
	<u>480</u>
Total Savings	<u>980</u>

Housing Revenue Account, Fees and Charges 2018/19 Proposals					
Ref	SERVICES	VAT	3% CPI at Sept 2017		
			CURRENT CHARGE 2017/18	PROPOSED CHARGE 2018/19	Movement
			£ per Week	£ per Week	£ per Week
WARWICK COURT MULTI STOREY					
	<u>Gas Heating</u>				
1	Bed-sit	O/S	3.38	3.62	0.24
2	One Bed Flat	O/S	5.00	5.35	0.35
	<u>Repairs & Maintenance of Communal Areas</u>				
3&4	Bed-sit & One Bed Flat	O/S	3.80	4.39	0.59
EAST ST FLATS					
	<u>Gas Heating & Hot Water</u>				
5	Bed-sit	O/S	4.55	4.39	-0.16
6	One Bed Flat	O/S	6.98	6.73	-0.25
7	Two Bed Flat	O/S	8.80	8.49	-0.31
8	Three Bed Flat	O/S	10.92	10.54	-0.38
ANGEL COURT EXTRA CARE SCHEME					
9	Gas & Electric	O/S	10.94	13.90	2.96
	<u>Communal Facilities</u>				
10	Maintenance of Communal Areas - Flats	O/S	12.31	13.12	0.81
11	Maintenance of Communal Areas - Bungalows	O/S	1.94	2.07	0.13
12	Furnishings and laundry - Flats	O/S	7.54	5.66	-1.88
13	Furnishings and laundry - Bungalows	O/S	1.57	1.18	-0.39
14	Scheme manager	O/S	12.46	10.92	-1.54
15	Cleaning of corridors and windows	O/S	6.61	6.99	0.38
16	Provision of domestic home support	O/S	8.71	8.71	0.00
SHELTERED ACCOMMODATION					
	<u>Gas Heating</u>				
18	Flat	O/S	10.72	9.40	-1.32
19	Sheltered Scheme Officer Properties	O/S	12.38	11.25	-1.13
20	Communal Areas	O/S	1.56	1.56	0.00
	<u>Electricity</u>				
21	Flat	O/S	3.96	4.02	0.06
22	Sheltered Scheme Officer Properties	O/S	7.42	8.46	1.04
23	Communal Areas	O/S	3.00	3.70	0.70
24	Repairs & Maintenance of Communal Areas (contained units only)	O/S	2.28	2.48	0.20
	<u>Cleaning</u>				
25	Cleaning (communal areas for contained units only)	O/S	4.95	5.41	0.46
26	Cleaning (communal lounge for separate units only)	O/S	0.71	0.71	0.00
	<u>Sheltered Scheme Officers</u>				
27/28	Sheltered Scheme Officer	O/S	12.09	12.64	0.55
29	Mobile Sheltered Scheme Officer	O/S	1.33	2.89	1.56
30	Concessionary TV Licence (£7.50 p.a per room)	E	0.15	0.15	0.00

Housing Revenue Account, Fees and Charges 2018/19 Proposals

Ref	SERVICES	VAT	3% CPI at Sept 2017		
			CURRENT CHARGE 2017/18	PROPOSED CHARGE 2018/19	Movement
			£ per Week	£ per Week	£ per Week
31	LOW RISE BLOCKS Communal Areas - Cleaning	O/S	1.17	1.42	0.25
32	MID RISE BLOCKS Communal Areas - Cleaning	O/S	2.88	3.53	0.65
33	MULTI STOREY FLATS Concierge & cleaning	O/S	13.19	11.19	-2.00
34	Caretaking & cleaning	O/S	7.44	7.68	0.24
35	REGENT COURT Maintenance of fire safety system	O/S	0.38	0.39	0.01
36	DISPERSED HOMELESS UNITS <u>Heat & light</u> Sharing Bed-sit (each)	O/S	Charges set in-line with LHA Rates		
37	Two Bed Flat	O/S			
38	Three Bed Flat	O/S			
39	<u>Furnishings</u> Sharing Bed-sit (each)	O/S			
40	Two Bed Flat	O/S			
41	Three Bed Flat	O/S			
42	Warden	O/S			
43	Laundry	O/S			
44	Cleaning	O/S			
45	OUTSIDE USE OF COMMUNAL LOUNGES Up to 1 hour	E			
46	Up to 2 hours	E	13.13	13.52	0.39
47	1 Session (2 - 4 hours)	E	20.23	20.84	0.61
48	2 Sessions	E	37.19	38.30	1.12
49	3 Sessions	E	51.56	53.11	1.55
50	USE OF GUEST ROOMS AT SHELTERED ACCOMMODATION <u>No en-suite amenities</u> Single (charge per night)	S	7.30	7.52	0.22
51	Couple (charge per night)	S	8.31	8.56	0.25
52	<u>Partial en-suite</u> Single (charge per night)	S	9.05	9.32	0.27
53	Couple (charge per night)	S	9.57	9.86	0.29
54	<u>Full en-suite</u> Single (charge per night)	S	10.31	10.62	0.31
55	Couple (charge per night)	S	11.36	11.70	0.34

Housing Revenue Account, Fees and Charges 2018/19 Proposals

Ref	SERVICES	VAT	3% CPI at Sept 2017		
			CURRENT CHARGE 2017/18	PROPOSED CHARGE 2018/19	Movement
			£ per Week	£ per Week	£ per Week
KITCHEN APPLIANCES					
56	Portobello	S	0.41	0.41	0.00
57	Cranesville	S	2.71	2.71	0.00
58	Millbrook	S	1.70	1.70	0.00
59	Norfolk Place	S	2.71	2.71	0.00
60	Hallgarth	S	1.70	1.70	0.00
FURNITURE CHARGES					
a) Up to April 2010					
61	Bed Sit (package)	O/S	7.22	7.22	0.00
62	One Bed Flat (Package)	O/S	13.14	13.14	0.00
63	Two Bed Flat (Package)	O/S	19.57	19.57	0.00
64	Three Bed House (Package)	O/S	26.14	26.14	0.00
b) New tenants from April 2010 onwards					
65	Mini Package	E	9.94	10.14	0.20
66	Package Option 1	E	18.24	18.60	0.36
67	Package Option 2	E	25.86	26.38	0.52
68	Package Option 3	E	33.47	34.14	0.67
69	Package Option 4	E	41.05	41.87	0.82
70	Admin Charge	E	2.64	2.14	-0.50
GARAGES					
71	Brick Garages (Council)	O/S	5.32	5.40	0.08
72	Brick Garages (Private)	S	8.97	9.10	0.13
73	Commercial Use	S	11.73	11.91	0.18
74	Commercial Storage	S	19.61	19.90	0.29
75	Parking Bays	S	20.95	21.26	0.31
76	DIGITAL AERIAL PROVISION	S	0.17	0.22	0.05
CARE ALARMS, LIFELINES / DISPERSED ALARMS					
77	52 week charge	S*	4.39	Optional Charge tbc	
77 a	50 week charge	S*	4.57		
78	Mortgage questionnaire	S	78.93	81.30	2.37
79	Rent reference	S	39.49	40.68	1.18
80	GARDENING SCHEME	S	6.05	6.05	0.00
81	Communal TV Licence	S	0.07	0.07	0.00

Charges are 50 week charge unless otherwise stated

* Where installation of alarm is requested by tenant VAT is standard rated. If alarm is already built into property and part of rent or is part of care package VAT is outside the scope.

Tenants with disabilities VAT is zero-rated.

Capital Programme 2018/19 to 2022/23

Project	18/19 (£'000)	19/20 (£'000)	20/21 (£'000)	21/22 (£'000)	22/23 (£'000)	(£'000)
Improvement Works						
Lift Replacement/Refurbishment	500	500	500	500	500	2,500
Replacement of Communal Electrics	250	250	250	250	250	1,250
External Wall Insulation (Non-Traditional)	519	0	0	0	0	519
T-Fall Insulation	100	20	0	0	0	120
Warden Call Renewal	250	250	250	250	250	1,250
Timber Replacements	100	100	100	100	100	500
Aids and Adaptations	1,500	1,500	1,500	1,500	1,500	7,500
Multi Storey Improvements	36	0	0	0	0	36
Total Improvement Works	3,255	2,620	2,600	2,600	2,600	13,675
Exceptional Extensive Works						
Equality Act Works – Multi Storey Flats	485	190	190	190	195	1,250
Equality Act Works – Communal Lounges	50	50	050	50	50	250
Fire Safety Works - General	100	100	100	100	100	500
Fire Safety Works – Smoke Detection	400	0	0	0	0	400
Tower Block Energy Efficiency Improvements - HEIGHTS	5,340	0	0	0	0	5,340
Regent Court Improvement Works	3,300	0	0	0	0	3,300
Multi Storey Service	200	450	450	450	450	2,000
Total Exceptional Extensive Works	9,875	790	790	790	795	13,040
Catch Up Works and Major Future Works						
Decent Homes - Investment Programme	6,750	7,000	7,500	8,000	8,000	37,250
Stock Condition Surveys and Scheme Design	400	400	400	400	400	2,000
Back Boiler Renewal and Replacements	1,000	1,000	1,000	750	750	4,500
Programme Management	550	550	550	550	550	2,750
Strategic Maintenance	2,000	2,000	2,000	2,000	2,000	10,000
Window Replacement and Door Entry System Upgrade	700	750	750	750	750	3,700
Total Catch Up Works and Major Future Works	11,400	11,700	12,200	12,450	12,450	60,200
Estate Works						
Estate Regeneration	0	0	0	0	0	0
New Build – Winlaton Assisted Living	2,550	0	0	0	0	2,550
New Build – Seymour Street	1,200	0	0	0	0	1,200
Total Estate Works	3,750	0	0	0	0	3,750
Total Planned HRA Investment	28,280	15,110	15,590	15,840	15,845	90,665
Major Repairs Reserve Contribution	(21,572)	(15,110)	(14,790)	(14,490)	(15,845)	(81,807)
External Grant Funding	(2,550)	0	0	0	0	(2,550)
HRA Capital Receipts	(4,158)	0	0	0	0	(4,158)
Potential Future HRA Capital Receipts	0	0	(800)	(1,350)	0	(2,150)
Total Planned HRA Funding	(28,280)	(15,110)	(15,590)	(15,840)	(15,845)	(90,665)

TITLE OF REPORT: Capital Programme and Prudential Indicators 2017/18
– Third Quarter Review

REPORT OF: Darren Collins, Strategic Director, Corporate Resources

Purpose of the Report

1. This report sets out the latest position on the 2017/18 capital programme and Prudential Indicators at the end of the third quarter to 31 December 2017. The report assesses reasons for the variances from the approved programme and details the proposed financing of the capital programme. In addition the report considers the impact of CIPFA’s Prudential Code on the capital programme and the monitoring of performance against the statutory Prudential Indicators.

Background

2. The original budget for the capital programme for 2017/18, as agreed by Council on 23 February 2017, totalled £95.209m, which was revised to £96.114m at the first quarter, and revised further to £91.357m at the second quarter. The third quarter review now projects the year-end expenditure to be £89.866m.
3. The proposed decrease to the capital programme at the third quarter comprises of the following movements:

	£m
Additional capital expenditure	2.529
Reduced project cost	(0.017)
Re-profiling of capital expenditure to future years	(4.003)
Total Variance	<u>(1.491)</u>

4. The proposed £2.429m increase primarily relates to the Non-Operational Portfolio budget, and includes the acquisitions of Langford House and Kent House and the Tyne Bridge Tower Site. The strategic acquisition of these properties was approved by Cabinet in July 2017 to complement the regeneration of the urban core.
5. Planned investment of £4.003m has slipped to 2018/19 on a number of schemes. This includes:
 - Quays - £1.210m: to reflect the latest cash flow projections and the masterplan programme received from the developer.
 - Street Lighting Column Replacement and Street Lighting Phase 3 LED Lanterns Replacement - £0.642m: these schemes are to run in conjunction in 2018/19, as outstanding LEDs are on columns due to be replaced in 2018/19.
 - Housing JV Brandling - £0.350m: discussions on the purchase of the Brandling site have been suspended until 2018/19.
 - Technology Plan: Infrastructure - £0.314m: delays from external suppliers have affected the starting of a number of projects.

- School Condition Investment - £0.436m: additional requirements arising from asbestos removal and the requirement to carrying out works during school holidays.

Proposal

6. The report identifies planned capital expenditure of £89.866m for the 2017/18 financial year. The expected resources required to fund the 2017/18 capital programme are as follows:

	£m
Prudential Borrowing	35.611
Capital Grants and Contributions	23.653
Major Repairs Reserve (HRA)	21.724
Right to Buy Receipts (HRA)	6.878
Capital Receipts	<u>2.000</u>
Total Capital Programme	<u>89.866</u>

7. CIPFA's Prudential Code advises the regular monitoring of performance against the prudential indicators which regulate borrowing and investment. Targets and limits for the prudential indicators for 2017/18 were agreed at Council on 23 February 2017 and borrowing and investment levels have remained within these limits.

Recommendations

8. Cabinet is asked to:
- (i) Recommend to Council that all variations to the 2017/18 Capital Programme as detailed in Appendix 2 are agreed as the revised programme.
 - (ii) Recommend to Council the financing of the revised programme.
 - (iii) Confirm to Council 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.

For the following reasons:

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

Policy Context

1. The proposals within this report are consistent with the objectives contained within the Council's corporate Capital Strategy and will contribute to achieving the objectives and priority outcomes set out in Vision 2030 and the Council Plan.

Background

2. The original budget for the capital programme for 2017/18, as agreed by Council on 23 February 2017, totalled £95.209m. This was revised to £96.114m at the end of the first quarter, and revised further to £91.357m at the second quarter.
3. The projected year-end expenditure is £89.866m at the end of the third quarter.
4. The £1.491m variance is due to a combination of additional capital expenditure and a re-profiling of existing schemes to future years. All variations in the programme during the third quarter are detailed in Appendix 2.
5. Appendix 3 summarises the original budget and actual year end payments by Corporate Priority. The budget, projected year end payments and comments on the progress of each scheme are detailed in Appendix 4.
6. The Prudential Code sets out a range of Prudential Indicators that were agreed by the Council on 23 February 2017. Performance against the indicators for 2017/18 is set out in Appendix 5.

Consultation

7. The Leader of the Council has been consulted on this report.

Alternative Options

8. The proposed financing arrangements are the best available in order to ensure the optimum use of the Council's capital resources in 2017/18.

Implications of Recommended Option

9. **Resources:**
 - a) **Financial Implications** – The Strategic Director, Corporate Resources confirms that the financial implications are as set out in the report.
 - b) **Human Resources Implications** – There are no human resources implications arising from this report.
 - c) **Property Implications** - There are no direct property implications arising from this report. Capital investment optimises the use of property assets to support the delivery of corporate priorities. The property implications of individual schemes will be considered and reported separately.

10. **Risk Management Implication** - Risks are assessed as part of the process of monitoring the programme and in respect of treasury management. The Cabinet will continue to receive quarterly reports for recommendation of any issues to Council, together with any necessary action to ensure expenditure is managed within available resources.
11. **Equality and Diversity Implications** - There are no equality and diversity implications arising from this report.
12. **Crime and Disorder Implications** - There are no direct crime and disorder implications arising from this report.
13. **Health Implications** - There are no health implications arising from this report.
14. **Sustainability Implications** - The works will help to make the environment more attractive and reduce health and safety hazards.
15. **Human Rights Implications** - There are no direct human rights implications arising from this report.
16. **Area and Ward Implications** - Capital schemes will provide improvements in wards across the borough.
17. **Background Information**
 - i. Report for Cabinet, 21 February 2017 (Council 23 February 2017) - Capital Programme 2017/18 to 2021/22.
 - ii. Report for Cabinet, 18 July 2017 – Capital Programme and Prudential Indicators 2017/18 – First Quarter Review.
 - iii. Report for Cabinet, 21 November 2017 – Capital Programme and Prudential Indicators 2017/18 – Second Quarter Review.

Reason for Movement	Portfolio	Group	Project Title	Variance (£'000)
INCREASES				
Other Increases	Resources, Management and Reputation	CS&G	Non Operational Portfolio	2,279
	Children and Young People	CWL	Energy Network Extension - Gateshead Leisure Centre	150
	Housing	HRA	New Build - Winlaton Assisted Living	100
TOTAL INCREASES				2,529

Reason for Movement	Portfolio	Group	Project Title	Variance (£'000)
REDUCTIONS				
Other Reductions	Communities and Volunteering	CRS	Secondary Disinfection Systems in Leisure Pools	(17)
Total Other Reductions				(17)
Re-profiling to Future Years	Communities and Volunteering	CRS	Library Service Review	(170)
	Children and Young People	CWL	School Condition Investment	(436)
	Environment and Transport	CAE	Energy Network Extension - Trinity Square	(300)
	Environment and Transport	CAE	Team Valley Flood Alleviation	(15)
	Environment and Transport	CAE	Gateshead Millennium Bridge Strategic Maintenance	(43)
	Environment and Transport	CAE	Street Lighting Column Replacement	(500)
	Environment and Transport	CAE	Street Lighting LED Replacement - Phase 4	(185)
	Environment and Transport	CAE	Street Lighting Phase 3 LED Lanterns	(142)
	Housing	CAE	Housing JV - Brandling	(350)
	Resources, Management and Reputation	CAE	Civic Centre Workspace Strategy	(150)
	Resources, Management and Reputation	CAE	ADZ Investment - Gateshead Quays	(1,210)
	Resources, Management and Reputation	CAE	Metrogreen	(110)
	Resources, Management and Reputation	CAE	Coatsworth Road Regeneration - THI	(28)
	Resources, Management and Reputation	CRS	Technology Plan: Infrastructure	(314)
	Resources, Management and Reputation	CRS	Technology Plan: Transformation Through Technology	(50)
Total Re-profiling to Future Years				(4,003)
TOTAL REDUCTIONS				(4,020)
TOTAL VARIANCE				(1,491)

APPENDIX 3

Portfolio	Approved Budget 2017/18	Revised Forecast Q3 31 December 2017	Variance	Actual Spend at 31 December 2017
COMMUNITIES				
Communities and Volunteering	901	901	0	216
Culture, Sport and Leisure	864	677	(187)	612
Total Communities	1,765	1,578	(187)	828
PEOPLE				
Children and Young People	7,839	7,553	(286)	4,809
Health and Wellbeing	4,425	4,425	0	746
Total People	12,264	11,978	(286)	5,555
PLACE AND ECONOMY				
Economy	1,036	1,036	0	676
Environment and Transport	20,731	19,546	(1,185)	11,030
Housing	35,572	35,322	(250)	16,890
Total Place and Economy	57,339	55,904	(1,435)	28,596
RESOURCES, MANAGEMENT AND REPUTATION				
Resources, Management and Reputation	19,989	20,406	417	7,393
Total Resources, Management and Reputation	19,989	20,406	417	7,393
Total Capital Investment	91,357	89,866	(1,491)	42,372

Portfolio	Group	Project Title	Approved 2017/18 Allocation £'000	Revised Q3 Allocation £'000	Comments
COMMUNITIES					
Communities and Volunteering	CAE	Bereavement Services	391	391	
	CAE	Birtley Cemetery Extension	140	140	
	CAE	Public Realm Improvement	70	70	
	CAE	Replacement Bins	167	167	
	CAE	Saltwell Cemetery Extension	60	60	
	CAE	Trade Waste Service Expansion	73	73	
	Total Communities and Volunteering			901	901
Culture, Sport and Leisure	CAE	Blaydon Leisure Centre Outdoor Sports Provision	20	20	
	CAE	Gateshead Leisure Centre - Clip n Climb and Soft Play	515	515	
	CAE	Library Service Review	200	30	Re-profiling from 2017/18 to 18/19 (Borrowing)
	CAE	GRP Public Art - Birtley	14	14	
	CAE	Professional kitchen at St Mary's Heritage Centre	15	15	
	CAE	Secondary Disinfection Systems in Leisure Pools	100	83	Other Reductions (Borrowing)
	Total Culture, Sport and Leisure			864	677
PEOPLE					
Children and Young People	CWL	Additional Childcare Provision	455	455	
	CWL	Ravensworth Terrace Primary School	3,038	3,038	
	CWL	School Capacity Improvements	2,025	2,025	
	CWL	School Condition Investment	1,645	1,209	Re-profiling from 2017/18 to 18/19 (External Funding)
	CWL	Schools Devolved Formula Funding	250	400	Other Increases (External Funding)
	CWL	Schools Gateway Investment	426	426	
	Total Children and Young People			7,839	7,553
Health and Wellbeing	CAE	Falls Prevention	100	100	
	CS&G	Prince Consort Road Redevelopment	2,500	2,500	
	CWL	Disabled Facilities Grants (DFGs)	1,750	1,750	
	CWL	Telecare Equipment	75	75	
Total Health and Wellbeing			4,425	4,425	
PLACE AND ECONOMY					
Economy	CAE	Land of Oak and Iron	301	301	
	CRS	Broadband Delivery UK	235	235	
	CRS	Digital Gateshead	500	500	
	Total Economy			1,036	1,036

Portfolio	Group	Project Title	Approved 2017/18 Allocation £'000	Revised Q3 Allocation £'000	Comments
Environment and Transport	CAE	Battery Storage System	1,575	1,575	
	CAE	Bus Based Major Transport Scheme	0	0	
	CAE	Chase Park Restoration	657	657	
	CAE	Cycle City Ambition Fund - Hill Street	710	710	
	CAE	Energy Network Extension - Gateshead Leisure Centre	3,198	3,198	
	CAE	Energy Network Extension - Trinity Square	300	0	Re-profiling from 2017/18 to 18/19 (Borrowing)
	CAE	Flood Alleviation Investment	414	414	
	CAE	Gateshead Millennium Bridge Strategic Maintenance	98	55	Re-profiling from 2017/18 to 18/19 (Borrowing)
	CAE	Gateshead Town Centre District Energy Network	3,200	3,200	
	CAE	Heworth Roundabout Upgrade	1,000	1,000	
	CAE	Local Transport Plan - Integrated Transport	1,746	1,746	
	CAE	Local Transport Plan - Planned Maintenance	4,019	4,019	
	CAE	Salix Energy Efficiency Works	250	250	
	CAE	Street Lighting Column Replacement	1,750	1,250	Re-profiling from 2017/18 to 18/19 (Borrowing)
	CAE	Street Lighting LED Replacement - Phase 4	200	15	Re-profiling from 2017/18 to 18/19 (Borrowing)
	CAE	Street Lighting Phase 3 LED Lanterns	284	142	Re-profiling from 2017/18 to 18/19 (Borrowing)
	CAE	Team Valley Flood Alleviation	30	15	Re-profiling from 2017/18 to 18/19 (Borrowing)
	CAE	Traffic Signal Renewal - Borough Wide	500	500	
	CAE	Vehicle Restraint System - Felling Bypass	800	800	
		Total Environment and Transport	20,731	19,546	
Housing	CAE	Empty Property Programme 2015/18	100	100	
	CAE	Housing JV - Brandling	350	0	Re-profiling from 2017/18 to 2018/19 (Borrowing)
	CAE	Keelman Homes - Affordable Housing Development	2,800	2,800	
	CAE	Loan to Gateshead Trading Company	1,070	1,070	
	CAE	Loan to Keelman Homes - Bleach Green Affordable Housing	0	0	
	HRA	Aids and Adaptations	1,500	1,500	
	HRA	Back Boiler Renewal and Replacement	1,145	1,145	
	HRA	Decent Homes – Backlog/Ad-hoc Works	300	300	
	HRA	Decent Homes - Investment Programme	7,575	7,575	
	HRA	Door Entry System Upgrades	250	250	
	HRA	Equality Act Works	337	337	
	HRA	Estate Regeneration	1,500	1,500	
	HRA	External Wall Insulation Works to Non-Traditional Properties	210	210	
	HRA	Fire Safety Works - General	150	150	

Portfolio	Group	Project Title	Approved 2017/18 Allocation £'000	Revised Q3 Allocation £'000	Comments
Page 10	HRA	Lift Replacement / Refurbishment	770	770	
	HRA	New Build - Assisted Living	250	350	Other Increases (External Funding)
	HRA	Programme Management	1,000	1,000	
	HRA	Regent Court Improvement Works	2,000	2,000	
	HRA	Replacement of Communal Electrics	250	250	
	HRA	Risers (Services)	0	0	
	HRA	Strategic Maintenance	2,000	2,000	
	HRA	T-Fall Insulation	150	150	
	HRA	Timber Replacements	100	100	
	HRA	Tower Block Energy Efficiency Improvements	1,465	1,465	
	HRA	HEIGHTS	8,900	8,900	
	HRA	Warden Call	250	250	
	HRA	Stock Condition Surveys	400	400	
	HRA	Window Replacement	750	730	Other Reductions (External Funding)
	HRA	CCTV - Harlow Green Multis	0	20	Other Increases (External Funding)
	Total Housing		35,572	35,322	
RESOURCES, MANAGEMENT AND REPUTATION					
Resources, Management and Reputation	CAE	ADZ Investment – BBQ Emerging Technology Centre	5,452	5,452	
	CAE	ADZ Investment – BBQ Office Development	680	680	
	CAE	ADZ Investment - Gateshead Quays	1,950	740	Re-profiled from 2017/18 to 2018/19 (Borrowing/External Funding)
	CAE	Civic Centre Workspace Strategy	400	250	Re-profiled from 2017/18 to 2018/19 (Borrowing)
	CAE	Coatsworth Road Regeneration - THI	847	819	Re-profiled from 2017/18 to 2018/19 (Borrowing/External Funding)
	CAE	Development Site Preparation Works	750	750	
	CAE	Follingsby	0	0	
	CAE	Health & Safety	540	540	
	CAE	Major Projects - Project Management Costs	240	240	
	CAE	Metrogreen	350	240	Re-profiled from 2017/18 to 2018/19 (Borrowing)
	CAE	Replacement of Fleet and Horticultural Equipment	3,040	3,040	
	CAE	Strategic Maintenance	1,095	1,095	
	CAE	Urban Core - Exemplar Neighbourhood	400	400	
	CRS	Technology Plan: Infrastructure	2,790	2,476	Re-profiled from 2017/18 to 2018/19 (Borrowing)
	CRS	Technology Plan: Transformation Through Technology	905	855	Re-profiled from 2017/18 to 2018/19 (Borrowing)
	CS&G	Non Operational Portfolio - Strategic Investment Plan	300	2,579	Other Increases (Borrowing)
	CS&G	Registrars Internal and External Public Spaces	250	250	

Portfolio	Group	Project Title	Approved 2017/18 Allocation £'000	Revised Q3 Allocation £'000	Comments
		Total Resources, Management and Reputation	19,989	20,406	
		Total Capital Investment	91,357	89,866	

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PRUDENTIAL INDICATORS 2017/18

The 2017/18 Prudential Indicators were agreed by Council on 23 February 2017 (column 1). This is now compared with the 2017/18 actual position as at the end of the third quarter, 31 December 2017 (column 2).

Certain Treasury Management indicators must be monitored throughout the year on a regular basis in order to avoid breaching agreed limits. The capital expenditure and capital financing requirement indicators have been revised in line with the revised budget and none of the other approved Prudential Indicators set for 2017/18 have been breached.

Capital Expenditure		
	2017/18 £000 Reported Indicator	2017/18 £000 Projection for the Year at Q3
Non-HRA	65,869	58,514
HRA	29,340	31,352
Total	95,209	89,866
To reflect the reported capital monitoring agreed by Council during the year		

Ratio of Financing Costs to Net Revenue Stream		
	2017/18 Reported Indicator	2017/18 Projection for the Year at Q3
Non-HRA	14.89%	N/A
HRA	42.53%	N/A

Capital Financing Requirement		
	2017/18 £000 Reported Indicator	2017/18 £000 Projection for the Year at Q3
Non-HRA	340,885	328,642
HRA	345,505	345,505

Authorised Limit for External Debt	
	2017/18 £000 Reported Indicator
Borrowing	825,000
Other Long Term Liabilities	0
Total	825,000
Maximum YTD 31/12/2017 £655.189m	

Operational Boundary for External Debt	
	2017/18 £000 Reported Indicator
Borrowing	800,000
Other Long Term Liabilities	0
Total	800,000
Maximum YTD 31/12/2017 £655.189m.	

The Council's actual external debt at 31 December 2017 was £645.723m. It should be noted that actual external debt is not directly comparable to the Authorised Limit and Operational Boundary, since the actual external debt reflects the position at one point in time.

Estimated Incremental Impact on Council Tax and Housing Rents

This indicator is set at the time the Council's budget is set. Therefore, there is no requirement for this Indicator to be monitored on a quarterly or annual basis.

Adherence to CIPFA code on Treasury Management

The Council has adopted the CIPFA Code of Practice for Treasury Management in the Public Services.

UPPER LIMIT ON FIXED AND VARIABLE INTEREST RATES EXPOSURES		
Range	2017/18 £000 Reported Indicator	2017/18 £000 YTD Position
Fixed Rate	652,940 424,015	Act 513,910 max 521,925 min 499,731
Variable	160,751 (15,000)	Act 31,000 max 44,000 min 19,000
All within agreed limits. (Max and Min YTD.)		

Upper / Lower Limits for Maturity Structure of Fixed Rate Borrowing				
	2017/18 £000 Reported Indicator		2017/18 £000 Actual Position	
	Upper Limit	Lower Limit	Actual Percentage	Maximum YTD
Under 12 months	25%	0%	3.69%	9.17%
12 months to 24 months	25%	0%	3.24%	5.48%
24 months to 5 years	50%	0%	18.59%	20.84%
5 years to 10 years	50%	0%	7.97%	8.61%
10 years to 20 years	50%	0%	12.35%	14.71%
20 years to 30 years	50%	0%	1.21%	1.25%
30 years to 40 years	50%	0%	17.02%	17.30%
40 years to 50 years	60%	0%	29.44%	28.17%
50 years and above	30%	0%	0.00%	3.55%
All within agreed limits.				

On 8 March 2007, Council agreed to the placing of investments for periods of longer than 364 days in order to maximise investment income before forecasted cuts in interest rates. An upper limit was set and agreed as a new Prudential Indicator.

Upper Limit on amounts invested beyond 364 days			
	2017/18 £000 Reported Indicator	2017/18 £000 Actual Position	2017/18 £000 Maximum YTD
Investments	15,000	5,000	5,000

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TITLE OF REPORT: Revenue Budget - Third Quarter Review 2017/18

REPORT OF: Darren Collins, Strategic Director, Corporate Resources

Purpose of the Report

1. This report sets out the latest monitoring position on the 2017/18 revenue budget at the end of the third quarter to 31 December 2017. Cabinet is asked to note the contents of the report.

Background

2. Cabinet receives quarterly reports on the agreed revenue budget so that any variances can be identified and addressed. This report sets out the revenue monitoring position at 31 December 2017.
3. Council agreed the original revenue budget for 2017/18 on 23 February 2017. This was set at £197.486m. Council approved an amendment to the net revenue budget of £5.163m in relation to the Improved Better Care Fund on 20 July 2017, resulting in a revised revenue budget for 2017/18 of £202.649m.

Proposal

4. Without any further action the projected outturn for 2017/18 at 31 December 2017 is £203.282m compared to the estimate of £202.649m which results in a projected over spend of £0.633m.
5. Continued monitoring within services, regular reports to Strategy Group and the delivery of action plans to address budget variances and shortfall on savings targets will aim to ensure that spending for the year remains contained within the current estimate. No change in the total revenue budget is therefore recommended in this report.
6. Key budget variances have been identified in the third quarter review in respect of Social Care. These areas of budget pressure are currently partially offset by under spends in Capital Financing Costs, one-off dividends and rebates, and an overachievement of income in other areas. Specific action plans have been prepared to address the areas of over spend and these areas will remain under review. The agreed savings for 2017/18 will continue to be actively monitored to facilitate delivery of the agreed budget.
7. It is important that effective budget monitoring and action planning is in place to ensure that spending in 2017/18 is contained within approved budgets as this will contribute to a sustainable financial position for the Council. Any over spend at the end of the financial year will result in the 2018/19 funding gap being increased and reserve levels being reduced which will impact on the financial plans of the Council.

Recommendations

8. It is requested that Cabinet:

- Notes the Council's revenue expenditure position at 31 December 2017, as set out in Appendix 1.

For the following reason:

- To contribute to sound financial management and the long term financial sustainability of the Council.

Policy Context

1. This report meets the standards required to comply with the Accounts and Audit Regulations 2015. It is also consistent with Vision 2030 and the Council Plan of ensuring a sustainable financial position for the long term.

Background

2. The Accounts and Audit Regulations 2015, which represent financial management good practice, recommend that councillors should receive regular reports on performance against revenue and capital budgets. The frequency of the reports is determined following a risk assessment of the budget, and Cabinet currently receives a report on a quarterly basis.
3. This report sets out the latest position on the 2017/18 revenue budget as at 31 December 2017 and projects spending and income to the end of the financial year.
4. Council agrees the revenue budget and it also approves variations and revisions to this budget.
5. Council agreed the original revenue budget for 2017/18 on 23 February 2017. This was set at £197.486m. Council approved an amendment to the net revenue budget of £5.163m in relation to the Improved Better Care Fund on 20 July 2017, resulting in a revised revenue budget for 2017/18 of £202.649m.
6. Appendix 2 details the revised budget for 2017/18 compared to an assessment of the projected outturn for the year. Without any further action the projected outturn for 2017/18 at 31 December 2017 is £203.282m compared to the estimate of £202.649m which results in a projected over spend of £0.633m.

Variations

7. The main variances on a group basis are set out below.

Care, Wellbeing and Learning

8. The projected over spend of £2.744m on Social Work - Children and Families relates mainly to placement expenditure and higher than expected staffing costs. Action planning is continuing in this area.
9. The projected over spend of £1.289m on Early Help and Education relates to Home to School/College transport costs and unachieved savings. Specific action planning is continuing to address the over spend.
10. The projected over spend of £0.256m on Commissioning and Quality Assurance relates to higher than expected agency costs and over spends on supporting people.
11. The projected under spend of £0.612m on Learning and Schools relates to employee costs and PFI.

12. The projected over spend of £2.039m on Adult Social Care relates to service pressures and savings yet to be delivered.
13. The expectation remains that expenditure on Public Health will be managed to ensure that the outturn will be consistent with the ring-fenced allocation, and any over spends will be funded from the ring fenced Public Health reserve.

Communities and Environment

14. The projected under spend of £0.233m on Development, Transport and Public Protection relates to lower than expected employee costs.
15. The projected over spend of £0.289m on Commissioning and Neighbourhoods relates to an over spend on the waste disposal contract and lower than anticipated income in relation to energy.
16. The projected under spend of £0.228m on Street Scene relates to under spends on waste services and fleet.
17. The projected under spend of £0.314m on Economic Development relates mainly to an overachievement of income and some under spends on employee costs.

Corporate Services and Governance

18. The projected under spend of £0.491m on Human Resources and Litigation relates mainly to an underutilisation of Invest to Save funding and the receipt of more income than expected for parliamentary elections and service level agreements.

Corporate Resources

19. The projected under spend of £0.338m on ICT Services relates mainly to the reprofiling of resources to support the roll out of technology improvements.

Other Services and Contingencies

20. The projected under spend of £1.107m on Other Services and Contingencies relates to an over spend on the Pension Equalisation Account which is offset by the receipt of a one-off NNDR refund for the Civic Centre for which consideration will be given to transfer to reserves. There is also an expectation that the Contingency funding will not be fully utilised.

Capital Financing Costs

21. The projected under spend of £1.523m on Capital Financing Costs is mainly due to the continuance of the current Treasury Management policy of internal borrowing and a lower than expected revenue requirement for the Capital Programme financing.

Traded and Investment Income

22. The projected under spend of £1.500m on Traded and Investment Income relates to an overachievement of Trinity Square, SCAPE and Investment Income, and the receipt of a one-off dividend from Newcastle Airport.

Reserves

23. It was planned that £9.485m would be required to support the revenue budget in 2017/18 and projections currently show that actual use will be contained within this amount.

Balance Sheet Management

24. Balance Sheet control accounts, which cover the Council's assets and liabilities, are reconciled on a quarterly basis. In addition, a number of key Balance Sheet control accounts are now reconciled on a monthly basis as part of the revenue monitoring process. This is part of a proactive approach to Balance Sheet management which, when carried out on a timely basis, ensures the early identification of problems which could impact on the Council's financial position.
25. Key control accounts are assessed based on experience from previous years, materiality and reliance on third party data. Those key control accounts reconciled as at 31 December 2017 are operating satisfactorily.

Consultation

26. The Leader of the Council has been consulted on this report.

Alternative Options

27. There are no alternative options proposed.

Implications of Recommended Option

28. Resources

- a. Financial Implications** – The Strategic Director, Corporate Resources confirms these are as set out in the report and Appendix 2.
- b. Human Resource Implications** – There are no direct Human Resource implications as a consequence of this report.
- c. Property Implications** – There are no direct property implications as a consequence of this report.

29. Risk Management Implication

Regular budget monitoring and the associated action planning that arise from this activity assists in reducing the risk of the Council overspending its agreed budget. This enables effective financial planning which allows the Council to deploy resources in line with priorities.

30. Equality and Diversity Implications - Nil.

31. Crime and Disorder Implications - Nil.

32. Health Implications - Nil

33. **Sustainability Implications** – Regular budget monitoring and allocated actions contributes to the financial sustainability of the Council.
34. **Human Rights Implications** - Nil.
35. **Area and Ward Implications** - Revenue spending supports the delivery of services across the whole of Gateshead.

Appendix 2 - Revenue Monitoring Summary 2017/18

Service	Revised Budget £'000	Projected Outturn £'000	Variance £'000
<u>Care, Wellbeing & Learning</u>			
Social Work - Children & Families	22,688	25,432	2,744
Early Help & Education	5,582	6,871	1,289
Commissioning & Quality Assurance	7,558	7,814	256
Learning & Schools	1,940	1,328	(612)
Adult Social Care	61,059	63,098	2,039
Public Health	16,952	16,952	0
<u>Communities & Environment</u>			
Housing General Fund	397	433	36
Development, Transport & Public Protection	4,207	3,974	(233)
Council Housing, Design & Technical Services	(915)	(985)	(70)
Commissioning & Neighbourhoods	4,533	4,822	289
Street Scene	13,625	13,397	(228)
Economic Development	992	678	(314)
<u>Office of the Chief Executive</u>			
Policy, Performance & Communications	1,461	1,407	(54)
<u>Corporate Services & Governance</u>			
Legal, Democratic & Property Services	573	528	(45)
Human Resources & Litigation	3,902	3,411	(491)
Corporate Commissioning & Procurement	405	596	191
<u>Corporate Resources</u>			
Corporate Finance	1,461	1,460	(1)
Customer & Financial Services	3,130	3,174	44
Housing Benefits	0	186	186
ICT Services	3,066	2,728	(338)
Trading and Commercialisation	8,863	8,938	75
<u>Other Services & Contingencies</u>	5,535	4,428	(1,107)
<u>Capital Financing Costs</u>	29,000	27,477	(1,523)
<u>Traded and Investment Income</u>	(2,773)	(4,273)	(1,500)
<u>Expenditure Passed outside the General Fund</u>	(2,069)	(2,069)	0
<u>Levies</u>	11,477	11,477	0
NET BUDGET	202,649	203,282	633
<u>Financed By</u>			
Settlement Funding Assessment (SFA)	(82,813)	(82,813)	0
Other Grants	(18,427)	(18,427)	0
Public Health	(16,952)	(16,952)	0
Council Tax	(81,819)	(81,819)	0
Collection Fund (Council Tax)	(2,638)	(2,638)	0
TOTAL FUNDING	(202,649)	(202,649)	0
PROJECTED (UNDER) / OVER SPEND	0	633	633

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TITLE OF REPORT: Council Tax Base and Business Rates Forecast 2018/19

REPORT OF: Darren Collins, Strategic Director, Corporate Resources

Purpose of the Report

1. This report asks Cabinet to agree the council tax base for 2018/19 for the Parish of Lamesley and the whole of the Borough of Gateshead. Cabinet is also requested to agree a Business Rate forecast for 2018/19.

Background

2. The Council is required to calculate and set a new council tax base each year. This council tax base must be forwarded to the Police and Crime Commissioner for Northumbria and the Tyne and Wear Fire and Rescue Authority by 31 January 2018. It is also used for the Council's own purposes in the calculation of the 2018/19 council tax level.
3. The council tax base reflects the amendments contained within the Local Authorities (Calculation of Council Tax Base) (Amendment) (England) Regulations 2012. These amendments require the tax base to reflect any changes introduced from the Council's Local Council Tax Support Scheme.
4. The Business Rates retention scheme was implemented 1 April 2013 and this allows local authorities to retain 49% of the actual business rates receipts. For Enterprise Zones & New Development Deals, authorities retain 100% of growth in business rates receipts.
5. The Business Rates base for 2018/19 is required to be notified to the Department for Communities and Local Government using form NNDR1 and responsibility for certification of this form is delegated to the Strategic Director, Corporate Resources under the constitution of the Council (Part 3 Schedule 5) as follows:

"to manage the Gateshead Collection Fund in accordance with statutory requirements, including annual approval and certification of the NNDR1 form, prior to its submission to the Department of Communities and Local Government, setting out the local tax base for business properties for each forthcoming year".
6. Based upon the information provided by central government the business rates forecast for 2018/19 is £41.267 million. This figure will be reviewed as part of the completion of the NNDR1 form, which is due by 31 January 2018. This estimate will then be varied by the Strategic Director, Corporate Resources under the delegation contained within the Council's constitution.

Proposal

7. The factors that need to be taken into account in fixing the council tax base are set out in Appendix 1. The proposed council tax base for Gateshead is 51,462.4 an increase of 529 on the current base. This increase is due to an increase in the number of Band D equivalents after taking account of forecast numbers of newly built properties, demolitions, the estimated number of exemptions and discounts, the impact of reviewing entitlements to discounts, reflecting the impacts of the Local Council Tax Support Scheme. The proposed council tax base for Lamesley is 1,212.1 an increase of 25 on the current base.
8. The provisional business rates forecast for 2018/19 is £41.267 million which is the government estimate.

Recommendations

9. It is recommended that Cabinet agree:
 - (i) pursuant to this 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) pursuant to this 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

For the following reason:

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

CONTACT: Graeme Moffitt extension 4700

Policy Context

1. The proposals 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 the best use of its resources.

Background

2. The council tax base is the total number of Band D equivalent households in the Borough which will be liable to pay council tax in the forthcoming year.
3. The formal decision to fix the council tax base has to be taken by 31 January each year.

Consultation

The Leader of the Council has been consulted in the preparation of this report

Alternative Options

4. There are no alternative options proposed.

Implications of Recommended Options

Calculation of Relevant Amount

5. There are 93,442 domestic properties in Gateshead, which have been placed in one of eight bands (from A to H, see Appendix 2) according to the price at which the property might reasonably have been sold on the open market on 1 April 1991, assuming vacant possession and in a state of reasonable repair.
6. For setting the level of council tax for 2018/19, the total number of properties has to be recalculated into a common base of Band D equivalents, and assumes that there are two or more liable adults living in each property. This recalculation and the adjustments set out in paragraph 7 below are then applied in accordance with the requirements of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as amended by Local Authorities (Calculation of Council Tax Base)(Amendment)(England) Regulations 2012 and the resultant figure is known as the 'relevant amount'.
7. The adjustments that need to be taken into account for each band of property are:-
 - i) the anticipated number of new dwellings which will be completed during 2018/19;
 - ii) the anticipated number of dwellings to be demolished during 2018/19;
 - iii) the anticipated number of exempt dwellings during 2018/19;
 - iv) the anticipated number of dwellings where the liable person qualifies for a disabled reduction;
 - v) the anticipated number of dwellings where the liable person qualifies for a discount or exemption;

- vi) reviewing entitlement to discounts and exemptions;
 - vii) the adjustment required in respect of the impact for the Council Tax Support Scheme.
8. Applying the adjustments in paragraph 7 has the effect of reducing the total number of properties to a common base for each band, in terms of full year equivalents.
9. In order to arrive at a common base of Band D equivalents, i.e. the 'relevant amount', the appropriate fraction prescribed by Regulation 4 of the Local Authorities (Calculation of Council Tax Base)(Amendment)(England) Regulations 2012 is applied to each band, resulting in a Band D equivalent of 52,647 for the whole of Gateshead as set out in Appendix 3.
10. The Band D equivalent calculations for Lamesley are 1,240 and are set out in Appendix 4. The figures are relevant to the additional expenditure in this area by the Parish Council.

Calculation of Council Tax Collection Rate

11. In order to set the council tax at a level which will realise enough income to meet the Authority's budget requirements, an appropriate percentage collection rate has to be applied to the 'relevant amount' for Band D equivalent properties, in Gateshead and Lamesley respectively.
12. Despite the economic context, the Council has during 2017/18 been able to maintain positive collection rates. The projected collection to the end March 2018 therefore indicates that the in year collection rate of 97.75%, which was applied last year, is being sustained. For the year 2018/19 it is proposed to retain this collection rate.

Calculation of Council Tax Base

13. In order to calculate the Authority's council tax base for both precepting purposes and council tax setting purposes, the relevant amounts as shown in Appendices 3 and 4 have to be multiplied by the Authority's estimated collection rate (97.75%) which in terms of Band D equivalents equates to 51,462.4 for Gateshead and 1,212.1 for Lamesley.

Business Rates Forecast

14. Gateshead receives 50% of business rates income and pays 1% of the total amount to the Tyne and Wear Fire and Rescue Authority. The Gateshead element of the estimated business rates base for 2018/19 is £41.267 million, based on central government estimates. The final business rates figure will be assessed as part of the NNDR1 form which is required by 31 January 2018.

15. **Resources:**

- a) **Financial Implications** – These are set out in this Appendix. The Strategic Director, Corporate Resources confirms that the agreed council tax base will be used when calculating the amount to be raised from council tax in

2018/19, and the business rates forecast submitted to government will be used for setting the Council's budget for 2018/19

b) Human Resource Implications – Nil

c) Property Implications – Nil

16. **Risk Management Implications** – There is a risk that the tax base is set at a level which results in a shortfall of income when council tax rates are set, particularly in the current economic climate. However, this has been minimised through the work that has been carried out in estimating the adjustments described in paragraph 7 and the application of the collection rate described in paragraph 12, which is based on actual experience during the first three quarters of 2017/18.
17. **Equality and Diversity Implications** – Nil
18. **Crime and Disorder Implications** – Nil
19. **Sustainability Implications** – Nil
20. **Human Rights Implications** – Nil
21. **Area and Ward Implications** – The tax base covers the whole area of Gateshead. The tax base for Lamesley covers the area of the parish of Lamesley.

STATEMENT OF NUMBERS AND BANDS OF ALL DOMESTIC PROPERTIES
SHOWN IN THE VALUATION LIST FOR GATESHEAD COUNCIL AS AT
18 DECEMBER 2017

Band	Value	Numbers
A	Up to £40,000	56,433
B	£40,001 to £52,000	12,733
C	£52,001 to £68,000	15,095
D	£68,001 to £88,000	5,625
E	£88,001 to £120,000	2,308
F	£120,001 to £160,000	824
G	£160,001 to £320,000	375
H	Over £320,000	49
		<hr/>
		93,442

APPENDIX 3

CALCULATION OF RELEVANT AMOUNT (FULL YEAR BAND D PROPERTIES)

FOR GATESHEAD COUNCIL

Band	No. of Properties	Adjustments (Para. 7)	No. of Properties	Appropriate Fraction	Band D Equivalent Properties
A (disabled reductions)	0	95	95	5/9	53
A	56,433	-21,528	34,905	6/9	23,270
B	12,733	-2,472	10,261	7/9	7,981
C	15,095	-1,758	13,337	8/9	11,855
D	5,625	-477	5,148	9/9	5,148
E	2,308	-178	2,130	11/9	2,603
F	824	-53	771	13/9	1,114
G	375	-19	356	15/9	593
H	49	-34	15	18/9	30
	<hr/> 93,442	<hr/> -26,424	<hr/> 67,018		<hr/> 52,647

Relevant Amount (Band D Equivalentents) = 52,647

APPENDIX 4

CALCULATION OF RELEVANT AMOUNT (FULL YEAR BAND D PROPERTIES)

FOR LAMESLEY

Band	No. of Properties	Adjustments (Para. 7)	No. of Properties	Appropriate Fraction	Band D Equivalent Properties
A (disabled reductions)	0	2	2	5/9	1
A	831	-339	492	6/9	328
B	337	-73	264	7/9	205
C	430	-61	369	8/9	328
D	203	-11	192	9/9	192
E	84	-8	76	11/9	93
F	46	-4	42	13/9	61
G	19	-1	18	15/9	30
H	2	-1	1	18/9	2
	<hr/> 1,952	<hr/> -496	<hr/> 1,456		<hr/> 1,240

Relevant Amount (Band D Equivalents) = 1,240

TITLE OF REPORT: Council Plan – Six Month Assessment of Performance and Delivery 2017/18

REPORT OF: Sheena Ramsey, Chief Executive

Purpose of the Report

1. Cabinet is requested to approve the Council Plan – Six Month Assessment of Performance and Delivery report for 2017/18.

Background

2. The Council's performance in relation to the delivery of the Council Plan is reported on a six monthly basis, and is an integral part of the Council's Performance Management Framework.
3. Previously, Cabinet at their meeting on 19 April 2016 agreed to a revised strategic indicator set, including a change to the identification of tracker and target indicators with a single fixed 2020 target. Subsequently, at their meeting on 12 July 2016, Cabinet approved the proposed 2020 targets for the strategic indicators, following consideration by the Overview and Scrutiny Committees.

Performance Reporting

4. This composite report provides an overview of progress made in delivering the Council Plan for the period 1 April 2017 to 30 September 2017. The six month performance reports for this period were reported to Overview and Scrutiny Committees (OSCs) between October and December 2017.
5. Each OSC has considered the performance and the progress made in relation to the strategic indicators where performance information is available. The reports include the following:
 - i. An overview of the analysis of performance identifying key achievements and areas for improvement;
 - ii. An outline of the six month performance and direction of travel for the strategic indicators;
 - iii. An assessment of the Council's contribution to delivery of the Council Plan.
6. Appendices 2 and 3 provide Cabinet with a summary of performance reported to the OSCs and the extracts from the respective minutes. Full versions of the reports considered by the OSCs can be found [here](#).
7. Appendix 4 provides up to date figures in relation to five strategic indicators to those previously reported to the relevant OSC meeting.

Recommendations

8. It is recommended that Cabinet:

- (i) Approves the recommendations of all the Council's Overview and Scrutiny Committees in relation to the 2017/18 six month performance report (Appendix 3); and
- (ii) Considers whether the Council has met its performance objectives and is addressing the outcomes in delivering the Council Plan 2015-2020.

For the following reason:

- To ensure performance supports the delivery and achievements of the Council Plan 2015-2020.

Policy Context

1. The Council Plan – Six Month Assessment of Delivery and Performance 2017/2018 report illustrates how the Council is achieving against the Council Plan 2015-2020 for the period 1 April 2017 to 30 September 2017.

Background

2. The Council's performance in relation to the delivery of the Council Plan is reported on a six monthly basis, and is an integral part of the Council's Performance Management Framework.

Consultation

3. Each six month report has been considered by the appropriate OSC during the period October to December 2017 and minute extracts and comments made by the committees are included at Appendix 3.
4. In line with Protocol 28, the relevant Cabinet Member was consulted in the preparation of the individual performance reports prior to OSC so that an update on their portfolio area could be given to the committee.
5. The Deputy Leader has been consulted in the preparation of this report.

Alternative Options

6. There are no alternative options with regard to the report as the recommendation supports the Council's general duty to secure continuous improvement in the way functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

Implications of Recommended Option

7. Resources

- a) **Financial Implications** – There are no financial implications arising directly from this report.
 - b) **Human Resource Implications** – There are no human resource implications arising directly from this report.
 - c) **Property Implications** – There are no property implications arising directly from this report.
8. **Risk Management Implications** – There are no risk management implications arising directly from this report.
 9. **Equality and Diversity Implications** – There are no direct equality and diversity implications arising from this report. .
 10. **Crime and Disorder Implications** – There are no direct crime and disorder implications arising directly as a result of this report.
 11. **Health Implications** – There are no direct health implications arising directly as a result of this report.

12. **Sustainability Implications** - There are no direct sustainability implications arising directly as a result of this report.
13. **Human Rights Implications** - There are no direct human rights implications arising directly as a result of this report.
14. **Area and Ward implications** – There are no direct area and ward implications arising directly as a result of this report.

Background Information

15. There is no background information.

COUNCIL PLAN – SIX MONTH ASSESSMENT OF PERFORMANCE AND DELIVERY 2016/17

Composite Report

Introduction

1. The composite report reflects the key issues in relation to the six month assessment of delivery and performance for the period 1 April 2017 to 30 September 2017, which has been considered by the Overview and Scrutiny Committees at their meetings during October to December 2017.

Delivery of Council Plan 2015-2020

2. The Council is committed to deliver against the outcomes set out in the Council Plan 2015-2020 and has made further progress in the last six months.

Summary of Achievements and Areas for Improvement

3. Each performance report from the five OSCs provides an overview of performance for the six month period and highlight achievements and areas for improvement. Some areas to note for each OSC include:

Corporate Resources OSC

4. Six of the ten indicators could be measured at the six month stage and most are showing improvement at this point.
5. Achievements to note include:
 - In preparation for the change in statutory deadline, the [Statement of Accounts](#) was finalised by 31 July 2017 which is two months earlier than it has historically been completed.
 - The Council has implemented new arrangements to promote and advance a strengthened strategic approach to trading and commercialisation across the Council.
 - Throughout June 2017, 106,189 hours were recorded on the volunteer totaliser which equates to £1,380,457 economic value.
6. Key areas of focus over the next period include:
 - The speed of processing housing benefit claims which has been largely impacted by the preparations for the rollout of Universal Credit full service in Gateshead.
 - Analyse the employee health needs assessment to understand and provide support to employees to reduce the rate of sickness absence.
 - Preparing to deliver a balanced budget with the challenge of an estimated funding gap of £41.9 million over the next two years.
 - To deliver a new version of www.gateshead.gov.uk by April 2018 as well as a new improved way to report fly tipping online and an appointment booking system for the Registrars Service.
 - Developing a new approach to employee recognition both formally and informally.
 - Lead on a joint procurement exercise with Newcastle City Council to secure an infrastructure support service for the VCS across both authorities.

Families OSC

7. Of the 22 indicators with updated performance for this report, 15 have positive performance trends whilst 7 are declining compared to the same point last year.

8. Achievements to note include:
- Gateshead continues to build on the Department for Work and Pensions (DWP) Local Family Offer which is a funded pilot of new approaches to addressing interparental conflict in families. This follows emerging research from the Early Intervention Foundation that poorly resolved conflict between parents has a significant adverse impact on outcomes for children. The LFO has funded workforce development, resources for intervention work, and a new referral pathway for couple counselling and new performance indicators for measurement of relationship quality. Gateshead is proposing to act as the lead Local Authority for a regional cluster of areas interested in using up to £1M worth of new relationship provision across the North East.
 - The proportion of children achieving a good level of development at age 5 has risen year on year from 34.2% in 2013 to 70% in 2017, which is within 1% of the national average.
 - For Key Stage 1, the proportion of children at the expected standard in each of Reading and Writing and Maths is slightly higher than the national average.
 - Outcomes at Key Stage 2 have been strong for several years, and remain so. Provisional 2017 data show Gateshead ranked 15th out of 152 Local Authorities nationally for the % children who reach the expected standard in Reading, Writing and Maths.
 - GCSE and equivalent outcomes at Key Stage 4 have been relatively strong and above the national average for several years.
9. Some of the key areas the Council will focus on in the next 6 months include:
- The shortfall in places for free childcare following the statutory increase from 15 to 30 hours, especially for the Summer Term, poses a challenge. It is very difficult to measure at the moment, as this is a parental demand led market.
 - Value-added and progress scores from KS2 to KS4 have not been strong across Gateshead as a whole. There is a wide variation in outcomes of students at different secondary schools with some performing at a high level in terms of outcomes and progress compared to the national average, and some performing much less well.
 - Continue to develop and implement the learning and actions emerging from the Behaviour conference earlier this year linked to permanent exclusions
 - Allow for the new early help model to settle and ensure that families will not experience delays in receiving the service in the transition period.
 - Implement the new Rapid Response and Child with Complex Needs teams within Children and Families Social Care.
 - Continue to develop and implement the learning and actions from the SEND Joint Commissioning arrangement action plan.

Care, Health and Wellbeing OSC

10. Of the 20 strategic indicators reported to this OSC, 11 have an updated position since the last report. Of the 11 updated indicators, performance trends are positive with 6 indicators showing an improvement, including a reduction in excess weight for 4 to 5 year olds, improved rates of hospital admissions for alcohol related harm, an improved average number of days for delayed transfers of care from hospital, an increase in the number of older people remaining at home 91 days after a hospital discharge to a reablement service and a reduction in the number of repeat safeguarding enquiries.

11. Four indicators have not improved. The proportion of people who are dissatisfied with life, when asked as part of the annual population survey (ONS), has decreased since the last survey, however still remains better than the North East average. Excess weight levels amongst Year 6 children (10 to 11) have increased, as has the mortality rate from causes considered preventable. Mothers smoking status at time of delivery has increased on the previous year.
12. One indicator has remained the same - the proportion of BME carers assessed or reviewed by social services which has remained similar to the previous report (0.8%).
13. There have been many achievements and some to note include:
 - Developed a Bridging Service to support safe discharge from hospital for people who require long term packages of care. This has enabled the Council to achieve better Delayed Transfer of Care levels and enabled people to return home rather than remaining in hospital or to go to other settings such as Residential Care.
 - Developed supported living accommodation for 3 young men using the Individual Service Funds model in Blaydon and are looking at a mix needs development to support the 'Building the Right Support plan'.
 - Established a new day service with Age UK with an increased capacity for service users suffering with dementia. There was no impact on the service users following the closure of previous services and a saving of £56k per annum has been achieved..
 - Secured, through the GATES employment service, paid work for 10 people with learning disabilities, with employers such as Sage Gateshead, The Ark Children's play centre and INTU Metrocentre.
 - Received a very positive commissioner visit to Eastwood Promoting Independence Centre, which in particular commended the integrated working across health and social care.
 - Completed 1379 Home Safety checks in partnership with Tyne and Wear Fire Rescue Service.
 - Endorsed a 'Year of Action' on Tobacco and Smoking. The purpose of the Year of Action is to maintain and raise the profile of the impact of tobacco in Gateshead and to galvanise action at all levels to combat the harms from tobacco.
 - Three Making Every Contact Count leads have been employed to develop the MECC approach in Gateshead including delivery of sessions on using the MECC approach in a range of community settings.
 - Increased provision of NHS Health Checks from 3 pharmacies to 15 pharmacies and explored the addition of a diabetes risk tool to the Gateshead Health Checks programme to align with the National Diabetes prevention programme.
14. Some of the key areas the Council will focus on in the next 6 months include:
 - The Adult Social Care Provider domiciliary care team will work with newly appointed Healthcare Locality Managers to provide wrap around services to individual general practices within 5 locality wards.
 - Launch the Market Position Statement on 9th November at the inaugural Health and Social Care Conference "Working Together to Increase Choice and Improve Quality Conference"
 - Facilitate transition of Direct Payment support service into Gateshead Council and support individuals to resolve any issues from previous provider.

- Work with our NHS colleagues in Gateshead, to develop the Gateshead Care Partnership.
- In November 2017, GATES employment service will commence an internship programme within IKEA, Gateshead.
- Improve our Deprivation of Liberty Safeguarding process, by utilising digital technology.
- We will provide 'train the trainer' training 'Have a Word' and Drugs Awareness via the Making Every Contact Count post to statutory and 3rd sector organisations to equip staff to 'start the conversation' with patients and clients.
- Explore the opportunities to further develop the work with veterans focusing on prevention, alcohol use and abuse and referral pathways into services.
- Work with Public Health England to take forward regional plans for an outdoor initiative agreed by Directors of Public Health as a follow on from the 'Everybody Active North East' work. The work will be focused on developing an 'outdoor app' aimed at children and families.

Communities and Place OSC

15. Where data was not available to report at year end 2016/17, updates are included in this report along with 6-month data for 9 of the strategic indicators.

16. There have been many achievements and some to note include:

- The Council is in the process of renewing the East Gateshead Bus Partnership, with a view to then setting up a similar arrangement in west Gateshead.
- Plans were announced to redevelop the 10 acre site at Gateshead Quays between Sage Gateshead and BALTIC to create a new 12,500 seat entertainment arena, 10,000 sqm regional conference centre, with associated hotels and food and beverage units. Construction is due to commence summer 2019 and be completed summer 2021.
- PROTO: The Emerging Technology Centre was selected to host one of Digital Catapults four Immersive Labs, the only one North of London. The Lab will provide businesses with access to state of the art equipment that would not otherwise be available to tech firms.
- The HEIGHTs (High Rise Energy Infrastructure for Gateshead Housing Tenants) scheme, to retrofit district heating to over 600 high rise homes, received planning approval in May 2017, and started on site mid September 2017.
- The £1.5m Land of Oak & Iron Heritage Centre has started on site at Winlaton Mill. The story of the fascinating industrial heritage will be told with largest iron works in Europe once based on the banks of the river Derwent.
- The Council has completed the construction of a 3MW Battery storage facility at Park Road depot, and associated 1.5km extension to the private wire network, which now also supplies both Park Road and Shearlegs Road depots. The battery will provide services to National Grid, as well as peak power supplies to the private wire network.
- The Leisure service is developing new activities and attractions to appeal to customers, increase leisure use and generate income. A new children's soft play area and Clip n Climb facility has been installed at Gateshead Leisure Centre and opened on 15 July 2017. This is expected to increase income not only from use of the facility but from the catering offer. Gateshead Leisure Centre expects 30,000 visits per year generating circa £300,000. Since opening in July there has been circa £80,000 generated, with over 10,000 visits.

17. Some of the key areas in which the Council will focus on over the next period include:
- The Homeless Reduction Act 2017 received Royal Assent and will come into force in April 2018. It is important that the changes required in Gateshead to implement the act need to align to the recent recommendations in the Homeless Health Needs Assessment carried out by the Public Health Team. In addition to this they will also need to be considered and reflected in the review of the Housing Strategy and the Homelessness Prevention Strategy which is due for review in 2018.
 - Successful implementation of the civil bus lane enforcement in late November. Contract discussions are ongoing with the successful bidder who will provide the service and the statutory process for making the required Traffic Regulation Order.
 - An outline application to secure ERDF monies has been approved to deliver a £1.4m Business Energy Efficiency Support Programme over three years. This will be a collaborative project working with the six local authorities in the NELEP area.
 - The Government's national air quality plan identifies Gateshead areas within Gateshead where action is needed to reduce emissions from traffic. The Council is working with Newcastle and North Tyneside Councils on preparing the necessary proposal as to how this will be addressed.
 - The HEIGHTs (High Rise Energy Infrastructure for Gateshead Housing Tenants) is expected to provide heat supply to some of the early blocks in the project, including Regent Court, this will commence by Spring 2018.
 - £75,000 fund has been secured from North East Local Enterprise Partnership to meet the costs of feasibility work including highways design, ecology studies and state aid advice to support the development of the Enterprise Zone at Follingsby. It is anticipated that development of the Enterprise Zone will lead to the creation of over 1500 new jobs in Gateshead. Development is expected to begin in 2018.

Community Safety Overview and Scrutiny Sub Committee

18. Only three indicators had six-month data available at the six month stage. Performance has improved for the number of ASB incidents being reported with a 20% reduction compare to the same period in 2016/17. However, performance has declined compared to the same period in 2016/17 for the number of referrals to ARCH and the number of crimes recorded.
19. There have been many achievements and some to note include:
- Drafted a Domestic Abuse Strategy and Action Plan for Gateshead.
 - Completed the Domestic Homicide Review in relation to Adult C – which has identified a number of recommendations to improve current practice.
 - Secured funding from the Office for the Police and Crime Commissioner to establish a pilot in Accident and Emergency designed to improve support for victims of domestic abuse – and have worked closely with the CCG to look at ways to more effectively engage with General Practitioners.
 - Established an ASB Volunteer Service to support vulnerable victims of ASB and hate crime within the Borough.
 - Created a Complex Offender Group to identify individuals causing significant crime and disorder problems and put in place a range of multi-agency support and enforcement actions designed to curb their offending behaviour.
 - Co-ordinated a range of multi-agency enforcement operations designed to tackle issues within neighbourhoods (e.g. Operation Axel and Kestrel).

20. Some of the key areas in which the Council will focus on over the next period include:
- Continue to review the Multi-Agency Safeguarding Hub and Domestic Abuse functions and identify a new operating/delivery model for Gateshead.
 - Undertake a systems-thinking review of how we tackle ASB to ensure we have the right approach for supporting victims.
 - Further develop our communications/engagement approaches to ensure we continue to proactively tackle perceptions of crime and disorder and feelings of safety with local residents.

OVERVIEW AND SCRUTINY COMMITTEE MINUTES

During October to December 2017, the Overview and Scrutiny Committees discussed their review of performance appropriate to the remit of their committees. The extracts of the minutes of those discussions are provided below :

Families Overview and Scrutiny Committee: 30 November 2017

Committee received the six monthly performance report which provided an overview of performance and highlighted trends that have improved and declined since the last report.

It was reported that there are seven indicators highlighted as exceptions as they have not improved. Overall performance trends are positive with 15 out of the 22 indicators showing improvement since the last report.

It was noted that 7 out of 12 indicators under the Live Well Gateshead outcome have improved. This includes; an increase in the number of families engaged by the Troubled Families Gateshead programme; a reduction in the use of custody for 10-17 year olds; a reduction in the number of mothers smoking at the time of delivery; a reduction in 4-5 year olds with excess weight issues; a reduction in the number of children subject to a child protection plan and an increase in the proportion of care leavers in suitable accommodation and education, training and employment.

Committee was advised that eight out of 10 indicators under the Prosperous Gateshead outcome have shown improvement. It was reported that there has been an increase in the percentage of schools rated outstanding and the percentage of children offered their preferred primary school place. There has also been an increase in the percentage of children achieving a good level of development at age 5, and those achieving the expected standard at Key Stage 1 and Key Stage 2.

In terms of those indicators that have declined these were outlined by service area. In relation to Learning and Schools there has been a reduction in the number of children offered a place at their preferred secondary school, although performance is 88% and is above the national average this is still a decline from last year. It is expected that this figure will continue to decrease in future years as capacity within the current secondary school system remains as it is. In the Early Help service, performance has declined in relation to the number of eligible two year olds accessing free places, however it is likely that this will improve as information is still being collated. Also, there has been an increase in the number of first time entrants into the youth justice system aged 10-17 years, this is currently being investigated by the YOT Board and prevention staff have moved into Early Help to provide an early intervening co-ordinated service. There has also been a decline in performance in relation to the support for young carers.

In the Public Health service performance has declined in terms of the reduction of excess weight in 10-11 year olds, a Members Seminar has been arranged for January 2018 to look at this issue further. In addition, hospital admissions for self-harm rates have increased, a further report will be brought back to the Committee to look at local level data and analysis. It was reported that there has also been an increase in the percentage of children in low income families, children in poverty, work is ongoing around financial inclusion to mitigate the impact of welfare reforms.

Following actions identified in the last performance report it was noted that work is ongoing to look at the increase in permanent exclusions and focusing on individual pupils to identify issues, a behaviour conference was held in July 2017 with Head teachers to address issues. Work is also underway on developing the Early Help Strategy to empower families and professionals from all sectors. In addition, the statutory duty to provide 30 hours free childcare for eligible 3 and 4 year olds commenced on 1 September. It was noted that a Complex Child in Need Team and Rapid Response Team has been established to improve the planning framework and to address the increase in Child Protection Plans. In the last performance report it was identified that more work was needed to improve outcomes for care leavers, since then a report has been to Corporate Parenting OSC detailing the provision of support to care leavers, including programmes such as Wise Steps, Choices, Pathways 2 Work. Also Service Directors have pledged to offer apprenticeships to care leavers. An action plan is now in place to oversee the SEND Joint Commissioning arrangements.

Key actions over the next six months were noted;

- Continue to develop and implement the learning and actions emerging from the Behaviour conference linked to permanent exclusions
- Allow for the new early help model to settle and ensure that families will not experience delays in receiving the service in the transition period
- Implement the new Rapid Response and Child with Complex Needs teams within Children and Families Social Care
- Continue to develop and implement the learning and actions from the SEND Joint Commissioning arrangement action plan

It was questioned why decreasing the number of children living in poverty was not included in the key actions. It was noted that the key actions were broad objectives with a number of actions ongoing around each key action, and there was an understanding that this was continually looked at over a longer than 6 month period. Committee was reassured that child poverty prevention is a priority even if not listed as a key action. The point was made that there was a limited ability to do anything to solve child poverty due to the financial pressures on all and that the Council did not have the tools to resolve, in particular in the short term. It was agreed that this issue could be considered as a potential review topic in the Committee's work programme next year.

It was questioned whether the decline in the number of people receiving their first choice secondary school was to do with the majority of schools becoming academies. It was noted that there are inequalities across schools in Gateshead in relation to GCSE results and there continues to be extremely popular schools.

It was queried what the care leavers programmes entailed. It was confirmed that these are pre-training preparation for young people, providing an opportunity for them to get a taster of work. There are links with further and higher education establishments through designated staff who can help tailor bespoke work for looked after children.

- RESOLVED -
- (i) Committee agreed that the activities undertaken during April to September 2017 are achieving the desired outcomes in the Council Plan 2015-2020.
 - (ii) That the comments of the Committee be noted in relation to areas it feels require more detail.

Communities and Place Overview and Scrutiny Committee: 4 December 2017

The Committee were presented with a summary of the Six Monthly 2017/18 Performance Report. The presentation updated members on the performance and delivery for the period April to September 2017 in relation to the Council Plan 2015-2020.

From the presentation the Committee were advised that performance is measured using trend analysis against the data reported last year as opposed to annual targets due to strategic outcome indicators having a 5 year target set. It was also noted that the presentation will highlight key actions delivered within the last six months against the three shared outcomes within the new Council Plan 2015-2020.

A summary of performance was presented as follows:

- The OSC Communities and Place performance portfolio is made up of 35 Strategic Outcome Indicators
- 26 of which, data is unavailable at this reporting interval due to the collection frequency of the indicators and will be reported at the Year End interval 2017/18
- 4 of 9 indicators - performance has not improved from last year
- 5 of 9 indicators - performance has improved from last year

It was noted that the areas of performance not improved were: Employment, Economic Activity, Residents Employed in Occupations Requiring High Skill Levels and Households prevented from becoming homeless.

It was also noted that the areas where performance had improved were: Working age people on main out of work benefits, Number of households accepted as homeless, Recycling rates, Homes in the Highest Energy Efficiency Bands and Percentage of renewable/low carbon/energy generated locally.

It was presented to Committee that there have been many key achievements which were:

- £75,000 fund has been secured from North East Local Enterprise Partnership to support the development of the Enterprise zone at Follingsby.
- Plans to redevelop the 10 acre site at Gateshead Quays between Sage Gateshead and BALTIC to create a new 12,500 seat entertainment area and regional conference centre.
- Works have started on the £1.5m Land of Oak and Iron Heritage centre at Winlaton Mill.
- The Heights Scheme received planning approval in May and works have started on site in September 17.
- The Leisure service review has been successfully implemented.
- A new children's soft play area and Clip and Climb facility has been installed at Gateshead Leisure Centre.

In identifying areas for improvement and key future actions, these were:

- £75k secured through funding bids to increase education around Waste Electrical and Electronic Equipment (WEEE).
- The Homeless Reduction Act 2017 will come into force in April 2018.
- Three civil bus lane cameras will come into force in late April – May 2018.
- Work will start on the major maintenance work at Heworth in early 2018.

Cabinet members Cllr Linda Green and Cllr Angela Douglas attended and provided verbal updates on their respective areas of work to compliment the contents of the report and presentation.

Cllr Douglas advised Committee that one of the challenges have been falling numbers of people visiting libraries which follows a national trend but in spite of this three volunteer libraries at Whickham, Felling and Rowlands Gill are progressing well. It was noted that several new initiatives have been implemented to encourage children and young people to visit libraries.

It was noted that there have been a number of positive improvements to leisure services as previously mentioned in the performance report – this was including the new clip and climb facility and new soft play area at Gateshead Leisure Centre. The Committee were also advised that business plans are in place for each leisure centre and a new app has been developed for customers to download.

Committee were further advised of the new Go Gateshead branding launch to give the service a clear identity in addition to the service working towards achieving Customer Service Excellence accreditation. It was noted that visitors to leisure facilities is increasing and that 25,000 visits are made per year by looked after children and children with a disability. Cllr Douglas also highlighted to Committee the forthcoming Great Exhibition of the North which will open on 22 June 2018 and run through until September.

Cllr Green also provided a verbal update to Committee making note of volunteering successes and challenges in addition to an update on the Tyne and Wear Waste Management Partnership. Committee were advised that continued garden waste charging, falling newspaper usage along with national levels for recycling stagnating mean it is unlikely that the recycling target of 45% will be met in 2017/18. The South of Tyne and Wear Waste Management Partnership, on behalf of the 3 Councils, has written to DEFRA to request the inclusion of Incinerator Bottom Ash (IBA) in the recycling performance figure. Other partnerships and national associations have also made this request but to date there is no change and IBA cannot be included in the recycling figure.

Several questions were asked regarding the developments in employment and economic growth. It was asked whether a breakdown could be provided of Gateshead's non-working population, an officer from the relevant service advised they would source an answer to this for feedback to Committee. It was also asked how the Council class someone as being self-employed – it was noted that this information is provided from the ONS annual population report.

Clarity on how the Council determine what a 'skill' is was requested noting the demand for skilled workers is increasing. Again, an officer from the relevant service offered to provide an answer to Committee in due course.

It was noted that the move towards trends as opposed to targets was welcomed when measuring performance. A question was asked around road safety figures which weren't presented, it was stated that these figures come out annually so will come to Committee at the appropriate time.

It was asked what work is being done to ensure there is quality housing being provided in the private rented sector – it was noted that quality standards in private rented property

are regularly assessed and that a sample of properties have been identified for future inspection. Advice and guidance is also provided to private landlords from the Private Sector Housing Team.

A comment was made that in order to remain competitive with private gyms the Council should look into providing 24 hr accesses. It was stated that expending opening hours is being looked into but that it would be preferred to have all hours of opening to be staffed. It was also noted that there would be greater health and safety considerations if gyms were open when no staff were present.

An update was provided to Committee from Cllr McElroy, it was advised that there are a number of upcoming transport developments such as the Felling Bypass improvements and the bus lane enforcements to improve public confidence. It was noted that air quality work is ongoing in partnership with North Tyneside and Newcastle Councils. Cllr McElroy also updated Committee on the recent theft of cabling on the Metro line which caused a lot of disruption for commuters.

A question was asked on the improvements to the A1 and the delays related to this. It was noted that a letter has been sent to the Highways Agency but there has been no response yet.

It was asked about planned works to the Tyne Bridge to be costing in the region of £10million – it was noted that there will be a meeting of the Tyne Bridge Joint Committee on 15th December to discuss this however the day-to-day maintenance of the Bridge is the responsibility of Newcastle Council.

RESOLVED:

- That the information from the report and presentation be noted and agreed.

Care, Health and Wellbeing Overview and Scrutiny Committee: 5 December 2017

The OSC noted that of the 20 indicators monitored in this report 11 had an updated position since the last report with 6 indicators showing an improvement. However, 4 of the indicators had not improved and these related to the proportion of people who were dissatisfied with life, when asked as part of the annual population survey (ONS), although this still remained better than the North East average. In addition, excess weight levels amongst year 6 children (10 to 11) have increased, as has the mortality rate from causes considered preventable. Mothers smoking status at the time of delivery has also increased on the previous year. One indicator has stayed the same since the last report and this is the proportion of BME carers assessed or reviewed by social services and this remains at 0.8 %.

The OSC received an update from the Portfolio Holder for Adult Social Care and was advised that key pieces of work over the last twelve months had been the creation of a social care business plan and work to promote independence, including the use of personal budgets to enable people to remain in their own homes as well as work to develop a centre of excellence. The OSC was also advised that the aim was to have a new Director of Commissioning post in place by early spring.

The OSC congratulated the Portfolio Holder for Adult Social Care on the work being done in relation to some of the Council's Care Homes and the care provided via the Domiciliary Care Service.

The OSC queried whether the work around the Domiciliary Care Service would require some initial outlay at the start and was advised by the Portfolio Holder for Adult Social Care that this would be the case. The OSC also queried whether unannounced visits to Care Homes still took place and it was confirmed that this was the case to ensure compliance with Care Home standards. The Portfolio Holder for Adult Social Care informed the OSC that there were significant challenges in relation to the stability of the market for care home providers and domiciliary care and this is why the Council has retained its in house Domiciliary Care Team.

The OSC queried whether there would be any value in the OSC visiting some of the Care Homes and was informed that it would be useful for the OSC to visit Care Homes such as Shadon House which is nationally recognised for its Dementia Care but this would need to be done in small groups.

The OSC noted that information had been highlighted about care homes in other localities having to go into liquidation and the OSC queried whether there any Gateshead residents likely to be affected by some of these closures. The OSC was advised that Gateshead residents should not be affected as the organisations involved were not big providers in Gateshead.

The Portfolio Holder for Adult Social Care advised that one of the reasons for retaining the in house team was to ensure that where there are issues in Gateshead Care Homes the in house team can provide appropriate support.

The OSC thanked the Portfolio Holder for Adult Social Care for the update and indicated support for the approach to support independence and keeping people in their homes as long as possible and the retention and development of the in house domiciliary care team.

The OSC also received an update from the Portfolio Holder for Health and Wellbeing on the work being done as part of the Year of action on Tobacco, homelessness and complex needs, healthy weight across the life course and inequalities.

The OSC raised concerns that the NHS locally was not driving forward the issue of tackling smoking in hospitals forcefully enough as they were aware of examples where this was continuing on hospital premises. The OSC considered that smoking is an addiction and should be tackled in the same way as other areas such as alcohol misuse etc. where action is targeted at addressing an addiction.

The OSC was advised that work is ongoing across the region amongst Directors of Public Health and via the STP Prevention Board to ask the NHS to step up and treat nicotine dependence in the same way as other addictions and they are asking the NHS to fund nicotine replacement therapy when people are in hospital.

The OSC queried who was involved in the Tobacco Alliance and was advised that there was involvement from the Council, Housing Company, voluntary sector and CCG. However, it was acknowledged that the membership needed to be expanded much more widely in order to drive forward the agenda.

The OSC considered that a letter should be sent to the Chief Executive of Gateshead Health NHS Foundation Trust raising the OSC concerns in relation to NHS involvement in tackling smoking in hospitals and a response requested.

The OSC thanked the Portfolio Holder for Health and Wellbeing for the update.

- RESOLVED -
- (i) That the activities undertaken during April to September 2017 are considered to be achieving the desired outcomes in the Council Plan 2015-20.
 - (ii) That a letter is sent to the Chief Executive of Gateshead Health NHS Foundation Trust raising the OSC concerns in relation to NHS involvement in tackling smoking in hospitals and a response requested.

Corporate Resources Overview and Scrutiny Committee: 27 November 2017

The Committee received a report which provided the six month assessment of performance and delivery for the period April to September 2017.

Of the 10 indicators measured by this committee, 6 can be monitored at the six monthly stage. Four are should improvement at this point whilst two are worse than at the same point last year.

Council Tax and Business Rate Collection is improved, this is due to improved processes and billing and collection procedures.

Processing of benefit claims has is slightly worse than at this stage last year, however, this is due to the impact of preparations for the rollout of Universal Credit full service in Gateshead. It has also been affected by the introduction of a new fraud and error scheme from April, together with the changing benefit caseload and regular reform of welfare eligibility measures.

Sickness absence has slightly increased, however, there has been a roll out of a refreshed training of sickness absence procedures. This is mandatory training for 800 managers and 70% of managers have attended so far. Employees have also been invited to take part in a Health Needs Assessment, 1400 employees have responded. The responses are currently being analysed and details will be included in a future report to this Committee.

Deborah Hill is also bringing a full report to the next Committee on all of the work being undertaken around Health of the Workforce/Sickness Absence.

There have been improvements made to Digital Services. The new version of the website is expected by April 2018. There has been a 14% increase in page views on the website and 52% of people access the website via their mobile phones.

There will be a new improved way to report fly tipping and there is to be the introduction of an appointment booking service for Registrars.

Volunteers month took place in June and the committee have had an update at its October meeting on the work of the Voluntary Sector in Gateshead.

Equality Impact Assessments are completed for each budget proposal presented for consideration by Cabinet. Following implementation of agreed proposals, those that are identified as potentially having a significant impact on a particular protected characteristic are closely monitored by the Council and the mitigating actions taken to reduce or remove any adverse impact of budget decisions.

Currently the Council continues to monitor 16 proposals, however, it is proposed subject to Committee agreement that 5 proposals are no longer monitored given that there has been no disproportionate impact on those with protected characteristics.

The proposals which it is suggested that are no longer monitored are:

- Community Centre Review
- Library Network
- Highways Repair & Maintenance
- Drug and Alcohol Treatment
- Review of Support for People to Live Independently

The Council also prepared its Statement of Accounts by 31 July which is two months ahead of the deadline. This is going to change for all Councils so it was a good dry run for Gateshead.

- RESOLVED -
- (i) Committee agreed that the activities undertaken during April to September 2017 are achieving the desired outcomes in the Council Plan 2015-2020.
 - (ii) Committee agreed that the Council should cease monitoring the impact of the five budget proposals listed above.
 - (iii) that the performance report be referred to Cabinet on 24 January 2017 with the recommendations from this Committee.

Community Safety Overview and Scrutiny Sub-Committee: 17 October 2017

The Committee received an additional update on the progress made in the last six months against the outcomes set out in the Council Plan 2015-2020. Of the 6 indicators reported to this committee, 3 have 6-month data available. The number of reported incidents of ASB has improved compared to last year whilst the number of referrals to ARCH has declined. The number of recorded crimes has increased and this has been discussed in depth earlier on the agenda

- RESOLVED -
- (i) Committee agreed that the activities undertaken during April to September 2017 are achieving the desired outcomes in the Council Plan 2015-2020.

**CHANGES IN PERFORMANCE DATA
PREVIOUSLY REPORTED TO OVERVIEW AND SCRUTINY COMMITTEES**

Indicator	Figure Reported	Change
Families OSC		
LW6: Numbers of children subject to a child protection plan	70.4 per 10k	70.3 per 10k <ul style="list-style-type: none"> Notable reduction in the latest period, with numbers of children subject to a Child Protection Plan reducing from 312 to 281 (not 285 as previously reported)
Care, Health and Wellbeing OSC		
LW10: NEW Definition Delayed Transfers of care from hospital, average days per day, per 100,000 population (aged 18+)	7.13 per 100,000 (Apr to Aug 17)	6.89 per day per 100,000 <ul style="list-style-type: none"> This is lower than the target of 8.2 per 100,000 Lower than the England average of 12.90 Higher than the North East average of 5.35
Community Safety OSC		
LW33: % of people who agree police and council are dealing with the ASB and crime issues that matter	Data was not available	65% of people agree the police and council work together to address crime and ASB issues that matter. <ul style="list-style-type: none"> This is a slight decline compared to the six month period in 2016/17
LW34: % of people who feel very or fairly safe living in their neighbourhood	Data was not available	97% of respondents feel very or fairly safe living in their neighbourhood. <ul style="list-style-type: none"> This is the same as the six month period in 2016/17
Corporate Resources OSC		
CP4: Speed of housing benefits claims (processing) - average time to process new claims and changes in circumstances	10.2 days (2016/17)	11.05 days <ul style="list-style-type: none"> Performance has slightly declined compared to the six month period in 2016/17

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TITLE OF REPORT: Responses to Consultation

REPORT OF: Sheena Ramsey, Chief Executive

Purpose of the Report

1. To endorse the responses to the following consultations:
 - Homelessness Reduction Act – Code of Guidance – Department for Communities and Local Government (DCLG) – appendix 1
 - Improving Access to Social Housing for Victims of Domestic Abuse – DCLG - appendix 2
 - Working Together to Safeguard Children – Department for Education – Appendix 3
 - Proposals for changes to gaming Machines and Social Responsibility Measures – Department for Digital, Culture, Media and Sport – appendix 4
 - Provisional Local Government Funding Settlement – appendix 5

Background

2. The background to the consultations and responses are set out in appendices 1 to 5.

Proposal

3. To endorse the responses set out in appendices 1 to 5.

Recommendation

4. It is recommended that Cabinet endorses the consultation responses set out in appendices 1 to 5.

For the following reason:

To enable the Council to contribute responses to the consultation.

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**“Homelessness Reduction act – Code of Guidance”
Response of Gateshead Council to Government (DCLG) Consultation**

Policy Context

1. The Government has issued a consultation document seeking comments on a draft Code of Guidance that has been developed to support the implementation of the Homelessness Reduction Act. The act comes in force on 1st April 2018.

Background

2. The Government supported the Homelessness Reduction Bill which was introduced to the House of Commons in summer 2016 by Bob Blackman MP, and progressed through Parliament with cross party support. The Act received Royal Assent on Thursday 27th April 2017.
3. The Act is designed to significantly reform England’s homelessness legislation by placing duties on local authorities to intervene at earlier stages to prevent homelessness, irrespective of whether or not an applicant has ‘priority need’ or may be ‘intentionally homeless’. There are 12 new clauses within the act, but the key additional duties include:
 - i) Providing free information and advice on preventing and relieving homelessness and the rights of homeless people, to all residents, to include information tailored to the needs of particularly vulnerable groups;
 - ii) An enhanced prevention duty extends the period a household is threatened with homelessness from 28 days to 56 days, meaning that local authorities will intervene to prevent homelessness at an earlier stage;
 - iii) A new duty for those who are already homeless will mean that local authorities will work with them for 56 days to help secure accommodation to relieve their homelessness; and
 - iv) A duty to work collaboratively with applicants to develop personalised housing plans, with clear actions for both parties to prevent and relieve their homeless situation.
4. Following Royal Assent the Government is reviewing the statutory Homelessness Code of Guidance for Local Authorities, last updated in 2006, and associated supplementary guidance. The Homelessness Code of Guidance provides direction on how housing authorities and others should exercise their homelessness functions and apply the law in practice. It also applies to social services authorities, who are required to have regard to the guidance in exercising their functions in relation to homelessness.

5. The Government worked with a guidance review group made up of local authority and charity representatives, as well as specialists relevant to particular issues, to inform the review of the Code of Guidance. The new draft Code brings together and updates existing guidance, as well as providing new guidance to cover the duties brought in by the Act. In doing so, it focuses more tightly on the legislation itself with less attention to general practice guidance and the wider policy context.
6. This consultation seeks views on the reform to the Code of Guidance ahead of it being finalised for publication in spring 2018

Implications

7. The Code of Guidance itself does not have specific implications for Gateshead, although the additional duties arising from the Act will. There is currently a Homelessness Reduction Implementation plan, which identifies actions that will need to be taken to ready the authority for the act coming into force.
8. The extent of the consultation is limited to specific questions around the code of guidance, however, the opportunity has been taken to provide comments that relate to Gateshead's Homelessness and Complex Needs Health Assessment research paper, as there are clear synergies between this research and the prevention principles the Homelessness Reduction Act seeks to establish
9. Additionally where there has been an opportunity within the scope of the consultation to highlight the associated impact of increased duties; this has been fed into the response.

Gateshead response

10. The consultation period ran from 16th October until 11th December 2017. The response set out in the attached annex, has been compiled in consultation with officers from Housing Services, Housing Growth, The Gateshead Housing Company (who deliver the Homelessness advice and support service on behalf of Gateshead Council and officers from Care, Wellbeing and Learning.
11. Housing & Economy Portfolio Holders have been consulted on the officer response that has been submitted in relation to the above consultation.

Implications of Recommended Option

12. **Resources:**
 - a) **Financial Implications** – There are not considered to be any specific financial implications arising from this consultation.

- b) **Human Resources Implications** – No human resources implications.
- c) **Property Implications** – No property implications.
- 13. **Risk Management Implication** – No risks associated with the consultation.
- 14. **Equality and Diversity Implications** – No equality and diversity implications
- 15. **Crime and Disorder Implications** – No crime implications.
- 16. **Health Implications** – No health implications.
- 17. **Sustainability Implications** – No sustainability implications directly arise from this report
- 18. **Human Rights Implications** - No human rights implications.
- 19. **Area and Ward Implications** – The detail of this consultation would impact on all Ward Areas.

Annex

Gateshead response to:

“Homelessness Reduction act – Code of Guidance” Response of Gateshead Council to Government (DCLG) Consultation

Format of the Homelessness Code of Guidance

The following questions are specific questions on the format of the Homelessness Code of Guidance.

Q5: Do you agree that annexes should be removed from the guidance? If not, is there any specific information that you would suggest keeping in an annex and why?

Yes.

Comment:

- This will make the document more user-friendly. We do not feel it is necessary to keep information in annexes and would rather have this detailed in the correct section.

Q6: Do you agree with the recommendations for withdrawal of existing supplementary guidance documents? Are there specific, essential elements of current guidance material that should in your view be retained and considered for inclusion in the revised guidance?

Comment:

- We are satisfied with the overall content of the guidance and therefore support the withdrawal of any supplementary documents, in favour of having one detailed code of guidance, with everything in the one place. Introduction of Hyperlinks where further clarification is needed has improved the accessibility of the guidance.

Q7: Do you agree that the revised Homelessness Code of Guidance should incorporate the additional supplementary guidance documents? If not, what other method or format would you suggest and why?

Yes

Comment:

- As above, having everything in the one place would be preferable.

Q8: Are there any other relevant caselaw updates that you think should be considered for inclusion in the revised guidance? If so, detail the case and which chapter of the Homelessness Code of Guidance the update should be included within.

Comment:

- We would request that the case of Hotak, Kanu and Johnson is considered within the guidance in greater detail, particularly around the definition of 'more vulnerable than ordinarily vulnerable'.

Q9: Do you have any comments on the drafting style and tone in the revised guidance, and are there some chapters that you find easier to understand than others?

Comment:

Comment:

- Chapters 14 and 15 are particularly difficult to digest in relation to ending the relief duty and ending the S188 interim duty, but this is more to do with the complexity of the law in these areas than the format of the guidance.

Content of the Homelessness Code of Guidance

The following questions are specific questions on the content of the Homelessness Code of Guidance.

Q10: To inform our public sector equality analysis further we are interested in your views on the likely impacts of the Homelessness Code of Guidance on groups with protected characteristics? Please let us have any examples, case studies, research or other types of evidence to support your views.

Comment:

- We support the detailed guidance set out in chapter 7 regarding eligibility for assistance, having reference to the Equalities Act 2010.
- Gateshead Council undertook a Homelessness and Multiple and Complex Needs Health Needs Assessment this year which found that:
"Homeless adults are not a homogenous group and some subgroups among homeless people may experience specific risks and needs profiles. The HNA highlighted some groups that have been identified within the literature who may have specific needs.... These groups included; women, ex service personnel, care leavers, those offending and leaving prison, lesbian, gay, bisexual and transgender homeless and migrant and immigrant homeless." Chapter 10 of the health needs assessment (attached) provides references to support these findings.

Q11: Taking chapters 1-5 of the Homelessness Code of Guidance which describe strategic functions consider the following questions:

a) Having read these chapters are you clear what local authorities responsibilities are?

Yes

If no please provide further information: N/A

b) Would you suggest any additions, deletions or changes to these chapters?

Yes

If yes please use the form below to detail the chapter and paragraph number of the Homelessness Code of Guidance where relevant. Please expand this table as required.

Chapter	Page and Paragraph number	Change/add/remove	Comment
3	Page 30, 3.4	Change	Extend 'Care Leavers' to cover 'Vulnerable Young People, aged 16-18 years' as an extension of care leavers.
4	4.3 Page 33	Change	Given that Housing Options work requires a coordinated effort across multiple agencies it is disappointing that the early proposal of a 'duty to cooperate' as a means of implementing effective and meaningful partnership work was rejected from the Bill in favour of a 'duty to refer'. It is hoped that any review of the implementation of the Act will strengthen the duty and include a "duty to cooperate". Resourcing for support services linked to homelessness including health, mental health, substance use and prison discharge would benefit from an enhanced duty to cooperate.
4	Page 33, 4.8	Add	A standardised basic referral form would be beneficial in order to keep processes simple for referring professionals who may refer to multiple boroughs.

Q12: Taking chapters 6-10 of the Homelessness Code of Guidance which provide guidance on definitions to help inform decisions on the areas of statutory duty.

a) Having read these chapters are you clear what local authorities responsibilities are?

Yes

If no please provide further information: N/A

b) Would you suggest any additions, deletions or changes to these chapters?

Yes

If yes please use the form below to detail the chapter and paragraph number of the Homelessness Code of Guidance where relevant. Please expand this table as required.

Chapter	Page and Paragraph number	Change/add/remove	Comment
8	8.3 b, 8.6 – 8.10, Page 55	Add	Recommendation to provide specific guidance on how to define whether or not a household should be considered to be in priority need due to dependent children if there is shared custody. Could state that which parent the child benefit is paid to would be considered to be the child's principal home.
8	8.14 Page 58	Add	Recommendation to add more clarity to the meaning of 'more vulnerable than an ordinary person would be if they became homeless. It would be helpful to have specific examples included.
8	8.37, Page 62	Add	Further guidance on conditions which would be considered to give an applicant a priority need due to mental or physical health conditions would be welcomed. Having listed health conditions with guidance on how to allocate priority need would be helpful i.e. schizophrenia and depression.
9	9.5 Page 64	Add	We would request further guidance regarding what material could be used to indicate the contrary.
9	9.7 and 9.8 Page 65	Remove	We believe this is not in the spirit of the legislation which aims to prevent the cycle of homelessness. We do not wish to find these chaotic, vulnerable people intentionally homeless under such broad criteria and only exasperate the problem further.
10	10.13 Page 72	Add	Guidance provided to give clarity on what is meant by the applicant having a local connection "in real terms".
10	10.5 Page 71	Add	Currently it may be very difficult for an authority to make the necessary enquiries within a reasonable period of time due to difficulties getting the required information (i.e. getting HB details from applicants current authority) additional guidance on information sharing would be welcomed. Including a timescale for responses i.e. 14 days would be beneficial.

c) When considering 'Chapter 6: Homelessness and Threatened with Homelessness' is the guidance on whether it is 'reasonable to occupy' helpful? We are particularly interested in your views on how the guidance should help housing authorities assess

when it is no longer reasonable for a tenant to occupy following expiry of a valid section 21 notice

- Yes we find the guidance regarding ‘reasonable to occupy’ helpful.
- The guidance should outline that the housing authority should firstly determine whether or not the landlord intends to provide another s21 notice and whether any agreement has been reached with the tenant. Whilst notices are still being issued the prevention duty should remain for the maximum of 70 days. This would allow an additional 14 days a landlord to respond to additional information, which we feel is reasonable.

d) When considering ‘*Chapter 10: Local Connection*’ does the guidance provide sufficient clarity about when and how a referral can be made? Please note if there is anything more you think could be provided to help housing authorities interpret the legislation

- We have no further comments regarding this and are happy with the clarity provided, other than our responses outlined in the table above.

Q13: Taking chapters 11-14 of the Homelessness Code of Guidance which focus on the prevention and relief duties consider the following questions:

a) Having read these chapters are you clear what local authorities responsibilities are?

Yes

If no please provide further information: N/A

b) Would you suggest any additions, deletions or changes to these chapters?

No – only those outlined in (c) regarding Chapter 11 below.

If yes please use the form below to detail the chapter and paragraph number of the Homelessness Code of Guidance where relevant. Please expand this table as required.

Chapter	Page and Paragraph number	Change/add/remove	Comment
N/A	N/A	N/A	N/A

c) When considering ‘*Chapter 11: Assessments and Personalised Plans*’ do you consider the guidance on ‘reasonable steps’ is sufficient, and is helpful?

No

Comment:

- Further guidance on what can and cannot be considered to be “reasonable steps” regarding the actions which the applicant is required to take to prevent their homelessness would be welcomed.
- There is no guidance on how often the reasonableness of steps contained in the personalised housing plan should be reviewed and if there is a duty to provide a copy of the updated plan to the applicant if there is a change in circumstances resulting in the review of the plan. We would recommend that as standard a review takes place a week before the prevention duty is due to end.
- Clarification on what the difference is between steps that the applicant can choose not to take (recommended steps) and steps the applicant has a duty to take (reasonable steps) and the effect on the homeless duty owed (11.31) is required.
- Guidance is required on right to request a review of ending of duty and for carrying out reviews (either light touch or full review)

d) When considering ‘Chapter 14:’ *Ending the Prevention and Relief duty*’ would any additional information on applicants who deliberately and unreasonable refuse to cooperate be helpful?

Yes

Comment:

- Agree that a warning notice should be issued before duty is brought to an end due to refusal to cooperate. Guidance on what would constitute a reasonable period to allow the applicant to rectify their behaviour would be welcomed.
- Further clarity on the definition of non-co-operation would be welcomed.

Q14: Taking chapters 15-17 of the Homelessness Code of Guidance which focus on accommodation duties and powers consider the following questions:

a) Having read these chapters are you clear what local authorities responsibilities are?

Yes

If no please provide further information: N/A

b) Would you suggest any additions, deletions or changes to these chapters?

Yes

If yes please use the form below to detail the chapter and paragraph number of the Homelessness Code of Guidance where relevant. Please expand this table as required.

Chapter	Page and Paragraph number	Change/add/remove	Comment
15	15.41 E Page 110	Delete	We do not believe that refusal of an offer of temporary accommodation should always discharge the homeless duty. Accommodation is not always the right fit in terms of suitability but more what is available at that time.
16	16.28 Page 116	Add	Further clarity is required on the definition of affordability.

c) When considering *Chapter 16: Helping to secure and securing accommodation* are you clear what local authorities responsibilities are in helping to secure or securing accommodation?

Yes

Comment: N/A

Q15: Taking chapters 18-20 of the Homelessness Code of Guidance which focus on casework administration consider the following questions:

a) Having read these chapters are you clear what local authorities responsibilities are?

Yes

If no please provide further information: N/A

b) Would you suggest any additions, deletions or changes to these chapters?

Yes

If yes please use the form below to detail the chapter and paragraph number of the Homelessness Code of Guidance where relevant. Please expand this table as required.

Chapter	Page and Paragraph number	Change/add/remove	Comment
19	19.16	Change	The period for completing a review should be increased from 8 to 12 weeks for all reviews as s202 reviews can be as complex (if not more complex) as reviews regarding referrals to other

			authorities. The additional time would cut down chance of county court appeals when reviews aren't completed within 8 weeks due to delays caused by third parties.
19	19.17	Add	Further guidance for cases where applicants refuse to agree an extension to the timescale for completing a review would be welcomed.

c) When considering *Chapter 18: Applications, inquiries, decisions and notifications* would any additional information on issuing notifications and decisions be helpful?

No.

Comment: We are satisfied with the guidance provided in this section.

Q16: Taking chapters 21-25 of the Homelessness Code of Guidance which focus on particular client groups consider the following questions:

a) Having read these chapters are you clear what local authorities responsibilities are?

Yes

If no please provide further information: N/A

b) Would you suggest any additions, deletions or changes to these chapters?

Yes

If yes please use the form below to detail the chapter and paragraph number of the Homelessness Code of Guidance where relevant. Please expand this table as required.

Chapter	Page and Paragraph number	Change/add/remove	Comment
21	21.14 Page 150	Add	Guidance on disclosing/storing information regarding perpetrators would be beneficial to promote information sharing to keep victims safe.
21	21.21	Change	It is welcome that advice is given in the guidance regarding officers seeking additional information, however it should be made clear that evidence is not required' rather than just stating that it may not be available.
21	21.22	Add	The addition of officers discussing safe means of follow up contact with the victim, considering if there are particular times it will not be safe to call, a plan of what to say if someone else

			answers the phone and/or having a safe/code sentence that alerts the officer it is not a good time to talk, would be appreciated.
21	21.25	Remove	Remove the last sentence; it is not just single people who may access these options.
22	All	Add	Including further guidance on vulnerable young people who may not be care leavers would be welcomed, as the same issues may apply i.e. the unsuitability of bed and breakfast accommodation.
22	22.9 Page 158	Add	It would be beneficial to have the specified public bodies named. We would also request that it is made clear how non-public agencies that are major players be expected to take forward their duty to refer – for example RSLs - Given that they are not classed as public bodies yet receive public grant to support affordable housing market.
23	23.15	Change	Remove the assumption that ‘there will usually be enough time’ and set clear referral timescales especially for long term custody stays that contact is made by the prison service with the relevant housing authority prior to the 56 days prevention timescale to allow an appropriate housing plan to be put in place.

Q17: Are there any other comments that you would like to make on the Homelessness Code of Guidance?

Comment:

- We support the duty to intervene earlier and increase in timescale for being threatened with homelessness to 56 days.
- We particularly welcome the support for the good practice around AST.
- We also support the duty to provide increased assistance to applicants who do not meet the criteria to qualify to be in priority need.
- We support people no longer being advised to remain in property until eviction notice is served but this will cause increase in demand for TA which will be a strain on authorities housing stock and budget.
- Assessment and Personalised Housing Plans (Chapter 11). While this is a good idea and makes it clear to the applicant what the authority will do and that that there is an onus on them to also help themselves the duty to provide plans for everyone who requests homeless assistance will be very labour intensive and will put pressure on resources which funding provided by DCLG will not be enough to address.
- The Code of Guidance makes insufficient reference to homelessness and those with multiple and complex needs. A recent health needs assessment for those experiencing homelessness and multiple and complex needs in Gateshead suggested that the numbers of people facing the three problems of homelessness, substance misuse and crime in Gateshead equates to an annual cost of £5,578,895 for 245 people (see attached documentation for evidence). This alone provides a compelling argument for the Code to recognise the needs of this group more explicitly and for local homelessness prevention strategies to

adopt a more holistic approach to prevention using a primary, secondary and tertiary prevention model, as set out in the model proposed for Gateshead (page 119 of the health needs assessment, attached). This assessment makes it clear that a) Homelessness is not inevitable or just a housing issue and

- b) Homelessness is evidence of health inequalities and is a late marker of exclusion and disadvantage.
- While the reference to Housing First in the draft Code (Para 16.42, p.118), an evidence-based response to tackling homelessness amongst those with multiple and complex needs, the paragraph is a stand-alone statement. The draft Code does not suggest any actions for local authorities to undertake regarding this model (ie. “consider as part of the preparation of your local homelessness reduction strategy” etc.) in the same way that preceding and subsequent paragraphs in the same section do (“Accommodation arrangements to meet particular needs”).

Contact: Phil Gallagher ext 2735

Improving Access to Social Housing for Victims of Domestic Abuse Response of Gateshead Council to Government (DCLG) Consultation

Policy Context

1. The Government has issued a consultation document seeking comments on proposals to issue statutory guidance to local authorities to assist victims of domestic abuse in refuges to access social housing.

Background

2. The consultation document states that “ensuring the safety of our citizens is the most basic task of government, and the Government believes that victims fleeing domestic abuse should be given as much assistance as possible to ensure they are able to re-build their lives away from abuse and harm”.
3. The consultation aims to support a Government manifesto commitment to help victims of domestic violence to leave abusive partners.
4. A joint review by the Home Office and DCLG of domestic violence provision in 2015 highlighted the need for government to ensure that victims of domestic abuse get help earlier, before they reach a crisis, and that housing provision such as refuges are a key element of this support.
5. The Government’s concern is that when victims of domestic abuse are ready to move on from a refuge into settled accommodation, they may experience difficulty. People living in refuges may have insufficient priority under the local authority’s allocation scheme; while those who have fled to a refuge in another local authority area may be unable to apply for social housing because the local authority’s qualification criteria include a residency or local connection test
6. The Localism Act 2011 gives local authorities the power to set their own rules to determine which applicants do or do not qualify for an allocation of social housing, enabling them to tailor allocation priorities to meet local needs and local circumstances.
7. Statutory guidance encourages local authorities to use the qualification flexibilities provided by the Localism Act 2011 to apply a residency test for social housing of at least two years. Members of the Armed Forces and transferring tenants who need to move for work related reasons are exempt from any residency test. The Guidance recognises the importance for local authorities to consider the need to provide for other appropriate exceptions from their residency requirements, in order to take account of special circumstances, including providing protection to people who are moving into the area to escape violence or harm.

8. The Government now wishes to ensure that those who have successfully fled from such situations and are currently living in refuges should also benefit from this provision.
9. The Government is also considering whether to extend “priority” status to applications for social housing from victims of domestic abuse in refuges, so that they can move into more suitable accommodation as soon as practicable and free up valuable refuge spaces for others. The consultation asks for comments on whether appropriate priority can be justified under “medical and Welfare grounds” (i.e. recovering from the effects of domestic abuse, and need to move on from a refuge in order to build a stable life), or “Homelessness” (i.e. those who have fled domestic abuse and are currently living in refuges should also usually be classified as homeless, as it would not be reasonable to expect them to continue to occupy that accommodation on a long term basis).
10. The Consultation also covers the Government’s wish to encourage Local Authorities to use powers to support victims of domestic abuse to stay in their own home; including use of powers to evict perpetrators of domestic abuse.

Implications

11. Gateshead’s current Lettings Policy already awards Urgent Housing Need status to those suffering Domestic Violence, where remaining in the current home is likely to result in ongoing or escalating abuse.
12. Gateshead’s existing Lettings Policy also includes provision to remove a perpetrator of domestic violence (usually a joint tenant) from a family home, into alternative accommodation, through Direct Let, to enable a victim to remain.
13. The implications for Gateshead would be, therefore:
 - a) Given the provisions currently within the Council’s Lettings Policy, it is considered that the extension of the Urgent Housing Need status to include those that have moved into a refuge or other short-term/emergency accommodation, will not require a significant review of the existing lettings policy of the Council, or the Tyne & Wear Homes, choice based lettings scheme, however, a review of internal procedures and protocols may be needed, together with staff training.
 - b) It is not anticipated that the proposed changes will increase the number of people presenting as homeless, however, changes to priority status may impact on waiting times for accommodation for some clients, and this would need to be monitored.
 - c) Through the 2018 review of the Gateshead Housing Strategy, which includes the Homelessness Prevention Strategy, as well as the ongoing review of the Council’s approach to domestic abuse, there are opportunities to consider:
 - i. how the Council provides accommodation with or without support, from within its own housing stock; to minimise the need for refuges, or other

- emergency, temporary accommodation; potentially leading to better outcomes.
- ii. how the Council and its partners engage with perpetrators of domestic abuse, and whether appropriate treatment/support is available.

Gateshead response

14. There were 6 questions in the Consultation Paper; the response submitted on behalf of Gateshead is set out in the attached annex.
15. The response to the Consultation was compiled in consultation with officers from Development, Transport and Public Protection; Council Housing Design and Technical; The Gateshead Housing Company; Care Wellbeing & Learning
16. The consultation period ran from 30th Oct 2017 until 5th Jan 2018. This necessitated a response to the consultation being submitted in advance of Cabinet, however, Housing and Economy, and Communities and Culture Portfolios were consulted on the draft response.

Implications of Recommended Option

17. **Resources:**
- a) **Financial Implications** – The Strategic Director, Corporate Resources confirms that there are no specific financial implications arising from this consultation response.
 - b) **Human Resources Implications** – No human resources implications.
 - c) **Property Implications** – No property implications.
18. **Risk Management Implication** – No risks associated with the consultation.
19. **Equality and Diversity Implications** – No equality and diversity implications
20. **Crime and Disorder Implications** – No crime implications.
21. **Health Implications** – No health implications.
22. **Sustainability Implications** – No sustainability implications directly arise from this report
23. **Human Rights Implications** - No human rights implications.

24. **Area and Ward Implications** – The detail of this consultation would impact on all Ward Areas.

Gateshead response to:

Improving Access to Social Housing for Victims of Domestic Abuse
DCLG Consultation 30 Oct 2017 – 05 Jan 2018

Chapter 2

Qualification for social Housing

We propose that the guidance strongly encourages local authorities to exempt from their residency requirements victims of domestic abuse who have escaped violence from another area and are currently living in refuges in their area.

Question 1: Do you agree with the proposal to use statutory guidance to recommend the exemption of victims of domestic abuse housed in refuges, and other forms of safe temporary accommodation, from any residency requirement?

- Yes. We should be applying a person centred approach when dealing with victims of domestic abuse, and therefore no residency requirements should be applied for this situation. We would support this exemption being enforced through legislation to ensure fairness and consistency in approach from area to area.
- All Local Authorities could be required to take a victims word that it is unsafe for them to return to the previous home and/or area – therefore a local authority should not, whilst conducting reasonable enquiries (necessary background checks/information gathering), make any decision on whether it is reasonable for a victim to return to their home/area they are fleeing if that decision is contrary to the victims wishes.
- It is vital that effective, cross authority liaison and information sharing takes place, to ensure that families who are known to child protection services in the area they are fleeing from, swiftly continue to receive support and/or closer monitoring in the area providing safe accommodation, to prevent at risk children 'falling through the net'.
- We would also request some clarity on how/if local authorities are to take into account additional factors such as: where a victim of domestic abuse has a history of offending, anti-social behaviour, substance misuse and/or significant tenancy related debt – all of which may have led to exclusions and/or demotions in the area they are fleeing to.
- It should be clear in any statutory guidance that Local Authorities should all apply the current government definition of Domestic Abuse in its entirety when looking at exemptions from residency requirements to avoid it being narrowly applied.

Question 2: We would also like to find out how local authorities who currently apply a residency test, or local connection test, as part of their qualification criteria take account of the needs of victims of domestic abuse who are housed in refuges

- Currently victims of domestic violence are assisted under homeless legislation which does have local connection criteria but there is discretion in whether or not this is applied.
- Gateshead Council Lettings Policy does not have a local connection criteria, but does not award priority (other than to homeless applicants & applicants with a medical need to move into the borough) for rehousing to out of borough applicants.

Priority for social housing

We propose that the guidance makes clear the circumstances in which we would expect local authorities to apply the ‘medical and welfare’ and the ‘homelessness’ reasonable preference categories to victims of domestic abuse who are living in refuges to ensure that they are given appropriate priority for social housing.

Question 3: Views are sought on the advantages and disadvantages of this proposal to apply the ‘medical and welfare’ and the homelessness reasonable preference categories to victims of domestic abuse who are living in refuges.

The term ‘refuge’ may be too restrictive as not all victims may be able to access a refuge. This could be revised to a victim of domestic abuse residing in temporary or supported accommodation.

Advantages:

- Providing a dual award of ‘homelessness’ and ‘medical and welfare’ would provide victims of domestic abuse with additional priority and provide a quicker turnover within emergency refuge space/temporary accommodation.

Disadvantages:

- Currently in our authority we have a specific team which undertakes ‘medical’ priority assessments. Officers within this team may need additional training and support if they were to assess victims of domestic abuse on a more regular basis. It would be better if the ‘medical and welfare’ priority was automatically added to a homeless priority for all victims of domestic abuse residing in refuges or other safe, temporary accommodation, without the need of any further assessments. We would also need to ensure, in allocating this award to victims of domestic abuse, that victims of domestic abuse cannot bid for or be allocated a medically adapted property.
- The term ‘refuge’ may be too restrictive as not all victims may be able to access a refuge. This could be revised to a victim of domestic abuse residing in temporary or supported accommodation.

MARAC risk assessments could provide a useful tool for assessing levels of priority based on a victim’s level of risk. While we do not wish to minimise the effects of emotional or financial abuse, Local Authorities should have mechanisms for fairly prioritising victims at high risk of murder or serious assault with an even higher priority status.

Question 4: Local authorities are invited to provide details of how their current allocation policies ensure that those who are living in refuges are given appropriate priority

- Applicants who are victims of domestic violence are currently assessed and assisted as homeless applicants, irrespective of whether they are residing in a refuge/temporary accommodation or their own home.
- Critical Housing Priority includes the following provision for domestic abuse – ‘Applicants who are experiencing severe harassment, and have been assessed as being at risk unless rehoused’, ‘Applicants who must be rehoused to prevent a child being taken into care or to ensure the safety of children under the terms of current legislation’ and ‘Urgent homeless cases, where Gateshead Council needs to discharge its statutory duty as a matter of urgency’. Urgent Housing Priority includes the following provision for domestic abuse – ‘Domestic Violence’. Therefore victims of domestic abuse would fall into the Critical or Urgent categories as opposed to ‘Substantial’ or ‘General’.

Supporting victims in their existing homes

We are aware that some local authorities are proactive in assisting tenants affected by domestic abuse to stay in their homes. We would like all local authorities to adopt a similar approach and propose that the guidance should strongly encourage local authorities to use their existing powers to support their tenants who are the victim of abuse to stay in their homes if they wish to.

Question 5: Do you agree that the guidance should encourage local authorities to use their existing powers to support their tenants who are the victim of abuse to stay in their homes if they wish to do so?

- Yes, where it is a victim’s choice to remain in their home we should support that decision and use any powers at our disposal to make it happen. Local Authorities should take a victim centred approach with this.
- Some of the difficulties that victims may face in choosing to leave the abusive relationship and remain in their home could be financial. For example as universal credit rolls out more widely, the government must monitor the impact the single payment policy has on domestic abuse cases. Paying all monthly household finances to one individual has inherent risks for people in abusive relationships, allowing perpetrators to take complete control of finances. Whilst an exemption is available, it relies on both the claimant proactively applying and the exemption being granted, as such this may not prove enough of a safeguard for victims.
- It is vital that the needs of victims are fully taken into account and considered if local authorities are to be encouraged to use existing powers to support tenants to remain in their home. Using this approach could also have financial implications for local authorities as additional security measures are often required in order to make victims feel safe enough to remain in their own home.
- We agree that the upheaval of moving home can be too much for some victims – changing schools, leaving employment, leaving family/support networks and leaving pets are all factors to consider. In addition, sometimes it is not possible for people to leave immediately i.e. where victim or someone in

the household has a disability and their home is specially adapted to meet their needs.

- Sometimes, it is very likely that despite the best intentions an abuser will still find out where a victim has moved onto – this often occurs where it is agreed that an abuser is able to have contact with their children, which provides the opportunity to question them around their location. This can mean a move has been detrimental, especially if the victim has moved away from family and support networks.
- It is however important to consider the choices available to victims, who may choose to remain only as an alternative to moving to a refuge, or other safe, temporary accommodation out of borough. It is important that we do not rely on victims remaining at home due to a lack of alternative options. Refuge spaces and temporary accommodation are still essential options for victims, but often have a lack of available space. Often, victims may not meet the criteria for a refuge – i.e. where victims have a substance misuse issue, mental health issues or for male victims. It is vital that we have supported housing solutions to meet the needs of these victims. A victims safety and the safety of their children is paramount, therefore Local Authorities should also take into consideration the safety of the children, particularly where a child is 'at risk' and there is involvement from Social Services, who may have information regarding whether a child will be at further risk if they are to remain.
- We'd need to ensure that both parties are provided with the right support; we need to try to change the behaviour of the perpetrator, regardless of whether they remain or are evicted.

We are also interested in finding out how local authorities are currently using existing powers to help tenants who are victims of domestic abuse stay in their homes.

Question 6: Please provide details of how your authority take advantage of the existing powers to enable victims can stay in their homes

- Gateshead's existing Lettings Policy includes provision to remove a perpetrator of domestic violence (usually a joint tenant) from a family home, into alternative accommodation to enable a victim to remain. We are therefore using our powers to enforce the removal of perpetrators from accommodation, where appropriate. It would be beneficial to have additional powers/clarity regarding abusers who are sole tenants and the right of a victim who has resided in that property for a sustained period of time to succeed that tenancy where it is their choice to do so.
- Support services are in place in Gateshead to specifically assist victims of domestic abuse residing in their own home – The Gateshead Housing Company recently received DCLG funding to create a post for a 'Domestic Abuse Housing Outreach Worker to specifically support victims in their own homes.
- Other options and advice provided by the Local Authority and its partners include funding/installing home security measures to assist victims of abuse to remain in their own home. Discussions would also take place with victims on the legal options available to assist them to remain in their own home i.e. restraining orders and occupation orders.

Policy Context

1. This document summaries the LSCB response to Working Together Consultation, which reflects the shared outcomes of the current Council Plan and supports the desired outcomes of the emerging strategic approach of Making Gateshead a Place where Everyone Thrives.

Background

2. The Department for Education asked for views on changes to the statutory guidance 'Working Together to Safeguard Children', new 'child death review' guidance, and new regulations. These revisions are being made largely to reflect the legislative changes introduced through the Children and Social Work Act 2017 and new 'child death review' guidance.
3. Following this consultation, the government proposes to update and replace the current statutory guidance, Working Together to Safeguard Children 2015.

Consultation

5. All LSCB members and the LSCB Independent Chair were given the opportunity to submit comments. These were combined and submitted as a response on behalf of the LSCB. Some LSCB partners have also submitted response on behalf of their single agencies, which are not included within this document.

Alternative Options

6. The Council/LSCB was not obliged to respond but wanted to have the chance to influence the future statutory guidance.

Implications of Recommended Option

7. **Resources:**
 - a) **Financial Implications** – The Strategic Director, Corporate Resources confirms there are no financial implications. National guidance regarding how new safeguarding arrangements will be funded by partner agencies will be issued.
 - b) **Human Resources Implications** – None
 - c) **Property Implications** - None
8. **Risk Management Implication** - None
9. **Equality and Diversity Implications** - None
10. **Crime and Disorder Implications** – None

11. **Health Implications** - None
12. **Sustainability Implications** - None
13. **Human Rights Implications** - None
14. **Area and Ward Implications** - None

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Number	Questions	Response	Issues
Chapter 3 Multi-agency safeguarding arrangements; and new regulations on relevant agencies			
1	Proposed not to set out who representatives of safeguarding partners should be	Do not agree - must stipulate that three partners are represented at chief officer level - with specific delegation allowed from that office holder to a named representative who carries that level of authorisation.	Chief police officer is named in Act; should be COO officer level from CCG- not delegated to designated team; presumes DCS as lead - but what to do with twin hatters, and what role does the CE have? The issues of how decisions are reached and how disputes resolved are unclear.
2	Indicative list of relevant agencies	There is a potential confusion between agencies and functions- increasingly as more services are commissioned or provided at arm's length and by third partners- not all in public sector. The list already covers both organisations and activities. It should explicitly include housing and accommodation providers; primary care (incl GPs) and Public Health	The list is a compromise between organisations and functions- it would be simpler to say that all local arrangements must include all commissioners and providers of services that apply to 0-25 age range? Or all to whom Section 11 duties apply? The text (paras 11-52) is more inclusive and helpful in setting out duties and involvement from a wider range of organisations- but these are not reflected in the proposed list of relevant partners- no sports or faith organisations for example.
3	Explicit reference to how partners plan to involve schools	Yes - essential	We have consistently agreed that all schools should be included with equal status with the other three Safeguarding partners
4	Scrutiny by independent person	Yes - but current description as being outside area or no prior involvement could exclude existing LSCB chairs and other candidates. Independency is established by performance and challenge, not by location or previous CV. Criteria should be made more inclusive.	Recruitment against a set of competencies and a description of the job role would be more relevant and provide a means of assessing performance and genuine independent and ability to provide effective challenge and scrutiny
5	Decisions of funding	This leaves open the possibility of significant withdrawal of resources from partnership arrangements - agree that should be equitable and proportionate - but needs to be agreed against a clear set of functions to be discharged- and independent scrutiny that this capacity is reasonable and sufficient. would be helpful if there was an agreed formula to determine financial contribution.	Historic funding arrangements are inconsistent, inequitable and variable in terms of what is covered above and below the line, or through resource commitment from within agencies. In practice this clause will expect police and health to significantly raise their contributions as LA have traditionally covered the bulk of costs. Contributions from schools are not covered here but must be included
6	Annual Report	Agree that this is a vital part of public accountability. Guidance needs to stipulate what the 'What Works Centre' actions will be following all MASA's sending their Annual Reports to them (as per para 31).	The parameters are a starting point - and should include an annual assessment of the effectiveness of local safeguarding arrangements and actions required to address any shortfalls.
7	Thresholds and criteria for action	This seems to be a confused question and conflates threshold arrangements as articulations of how good joint working should proceed, with criteria for specific statutory responses. Thresholds are not just about access to social care (gatekeeping), but should be means of identifying with families the appropriate help for their needs. MASAs should be required to publish their threshold criteria (as LSCBs do now) so that the public can be informed/comment. And there needs to be some national baseline criteria to enable benchmarking, learning and a minimum safety net.	There is a lot of good evidence of LSCBs pioneering a move away from gatekeeping towards vantage points - essential if the shift away from too much statutory intervention in favour of more effective early help is to be sustained. If there is a total lack of consistency across the country this will result in significant difficulties in comparative analysis and learning by MASAs. And how can the public, including children and families, and independent scrutiny people, together with any key researchers, know what the threshold criteria for services should look like/include, and how it relates to other areas threshold areas - if not specified and clear? (currently LSCBs are required to publish their threshold document)
Chapter 4 Learning from serious cases; and new regulations on local and national reviews			

8	Arrangements for notification of safeguarding incidents	These arrangements are not adequate. 5 working days is unlikely to be sufficient to complete enquiries based on the experience of SCR Panels. Does not indicate how discussion between agencies and final decisions will be made. The current role of independent chairs is often critical in pursuing disclosure from agencies and in resolving and making decisions.	This provision does not recognise the considerable reluctance agencies often have to share information and the genuine differences of professional and agency views about whether a case raises issues of importance or it is likely to provide learning if further investigated. There is no provision for the arbitration and resolution of these issues. How is professional and particularly legal advice to be provided on behalf of the partnership rather than on behalf of each individual agency? There is no guidance about how local issues of importance are identified and how a case or incident may be viewed in relation to these issues or local criteria.
9	Criteria for local reviews	para 20 should apply to more than one organisation not just to LAs where families have moved	These criteria are OK but limited
10	Factors for selecting reviewers		These criteria are OK but limited. Experience or knowledge of implementing change and improvement as well as research knowledge are needed.
11	Procedures for local and national reviews	Too much emphasis on actions for improvement rather than practice development and learning - and on report rather than embedding learning. Little explicit reference to the multi-agency nature of learning	The explicit provision that LSCBS and chairs can agree an appropriate methodology is lost here - this could result in the reversion to a more prescriptive model which would not be appropriate or proportionate. We can describe in some detail the different elements that need to be weighed in agreeing a given approach
12	Expectations of final report	Again too much centered on report rather than learning	2-6 months is likely to be unrealistic for any complex case - particularly with parallel proceedings. It does not acknowledge the difficulty that agencies have in resourcing, releasing and analysing their contributions which are fundamental to any independent review work. There is not provision- if we are moving further away from IMRs and agency reports- for the reviewer to have compulsory access to all relevant material- duty to provide any requested information, case details and other information, including management and HR records needs to be in here.
13	National list of reviewers	Agree that there should be flexibility here- but perhaps also provision for training and development of both local and national reviewers.	
14	Regulations	There is no guidance on how, when and in what sort of detail local MASAs should identify issues of importance- should these be set out in the Annual Report - be subject to independent challenge and scrutiny?	
Chapter 5 Child Death Reviews			
15-24			The main issue here is that there is practically no read across between the CDR processes and the rest of the safeguarding arrangements- especially the notification and practice review provisions. This essentially sets up two separate systems where there is currently at least a connection- in many areas a very good one- between the SCR and the CDOP process.
15	child death review process should consider and identify “modifiable factors”	Agree	

16	new approach - changing the initial stages of the process	Do not think that the plans for an initial information sharing and planning meeting before the family leave the emergency department are practical. Includes a visit to the scene which is not something which can be routinely offered and does not fit with current practice.	Unclear as to what a non-forensically trained paediatrician doing a visit to the scene at this point would add (distinct from a bereavement visit to meet with the family and discuss the events of the death /resus etc) There is no local out of hours health rota for a Joint Area response and whilst initially out of hours a consultant paediatrician could take on that role currently this would then be taken over by the Designated Doc Child Death once they were back in work.
17	Area covered by child death reviews - geographical 'footprints'	We support the view that CDOPs need to operate over a sufficiently large footprint to be able to identify trends and patterns. However, in some parts of the country, such as here in the North East, there are geographical constraints to working in this way. It is also important to balance the need for local learning with numbers large enough to see trends. We agree to the principal that CDOPs should review 80 - 120 deaths per year and will look at how we move towards this model, but it needs to be recognised that this will be a substantial change to current practice and is likely to require increased workforce capacity.	
18	families should be assigned a "key worker"	Establishing a keyworker role for each CDOP would potentially be a more practical way of moving forwards locally.	The role of the keyworker may already be best practice but is not established in that way in our region. It would call for flexibility for partners in allowing practitioners to work outside of their usual remit and would have a cost burden associated with it. As set out in the proposals it would also mean various agencies working with various keyworkers.
19	child death review meeting for all child deaths	agree - but there should be flexibility to this approach to avoid the potential for duplication of work in meetings/meetings which function only to ensure that a meeting has been held.	
20	Practitioners involved in CDR meetings	agree	
21	change Form C domains	agree	
22	CDR report to CDOP to inform its independent review of the case	agree	
23	expectations re specific circumstances	agree	
24	Themed' reviews at CDOP meetings	Agree - this would be particularly helpful for neonatal deaths. Otherwise locally numbers for each potential themed panel would be too small to be helpful.	
Chapter 6 Transitional Arrangements			
25	CDOP 'grace period' - 2mths to complete CDRs	Disagree - Far too short given the length of time it takes for Post Mortem reports etc	
26	LSCB grace period of 12mths to compete and poublish O/S SCRs	agree	
27	info emerging from SCRs	agree	

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Proposed Council Response to Consultation on Proposals for changes to gaming Machines and Social Responsibility Measures

Policy Context

1. The proposed consultation response is consistent with the Council's vision and goals set out in Vision 2030 and the Council Plan, and in particular, those relating to ensuring that children, young people and vulnerable adults are safe and supported.

Background

2. The Government announced a review of gaming machines and social responsibility measures in October 2016 and following a call for evidence seeking evidence-based proposals a 12 week consultation was launched on 31 October 2017.

The main proposals put forward in the consultation are:

- proposed regulatory changes to the maximum stake for B2 gaming machines, looking at options between £50 and £2, in order to reduce the potential for large session losses and therefore to potentially harmful impacts on players and their wider communities;
- While the industry proposes increases to the remaining stakes and prizes, permitted numbers and allocations across other categories of machine (B1, B3, B3A, B4, C and D gaming machines), the Government believes retention of the current regulatory environment will better protect players from potential harm than industry's proposed increases;
- corresponding social responsibility measures across gaming machines that enable high rates of loss, on player protections in the online sector, on a package of measures on gambling advertising and on current arrangements for the delivery of research, education and treatment (RET).

Respondents are invited to answer 16 questions as detailed below.

3. B2 gaming machines (Fixed-Odds Betting Terminals)

The call for evidence generated a substantive proportion of submissions regarding B2 machines, more commonly referred to as Fixed-Odd Betting Terminals (FOBTs). There was widespread support for a reduction in stake limits for B2 machines to £2.

The main arguments focused on the disparity between the maximum stakes on B2 machines of £100 and the maximum stake on other gaming machines in accessible locations of only £2. Respondents argued that the £100 maximum stake was linked to gambling-related harm, wider harm to communities, and in some instances, anti-social behaviour. The high-staking nature of B2 machines can lead to significant losses in a short space of time.

The betting sector, argued for the need to maintain the status quo, specifically on B2 machines. The betting sector argued that income from B2 machines has

become increasingly important to maintaining the viability of many high street betting shops. and that there is no correlation between the increased number of B2 machines over time and levels of at-risk and problem gambling during the same period, and that B2 machines do not cause increased harm to problem gamblers

The Government acknowledges that B2 machines are important to the economic viability of many betting shops but cannot ignore the evidence put forward as part of the call for evidence to support action and remain concerned about the current regulation of this sub-category of machine in terms of the impact on players and their wider communities.

The Government feels that the weight of evidence justifies action on B2 machines, but acknowledges that there is limited evidence to inform exactly at what level the revised maximum stake should be.

A number of illustrative options are set out in the consultation and Question 1 asks

Do you agree that the maximum stake of £100 on B2 machines (FOBTs) should be reduced?

If yes, what alternative maximum stake for B2 machines (FOBTs) do you support?

4. Stakes and prizes on other gaming machines

As part of the call for evidence, the Government requested evidence-based proposals on maximum stakes and prizes for all categories of gaming machines permitted under the Gambling Act 2005.

The industry proposals for increases are set out in the table below:

Machine Category	Speed of play	Current Max Stake	Current Max Prize	Industry Proposed stake	Industry Proposed prize
B1	2.5 seconds	£5	£10,000	No change	No change
B1 progressive Jackpot	2.5 seconds	£5	£20,000	No change	£100,000
B3	2.5 seconds	£2	£500	£2.50	No change
B3A	2.5 seconds	£2	£500	No change	No change
B4	2.5 seconds	£2	£400	No change	No change
C	2.5 seconds	£1	£100	£2	£150
D non-money Prize (other than crane grab machine)	n/a	30p	£8	50p	£10
D non-money prize (crane grab machine)	n/a	£1	£50	£2	£75
D money prize	n/a	10p	£5	20p	£8

D combined money and non-money prize	n/a	10p	£8 (of which no more than £5 may be a money prize)	20p	£10 (of which no more than £8 may be money prize)
D combined money and non-money prize (coin pusher or penny falls)	n/a	20p	£20 (of which no more than £10 may be a money prize)	25p	£22 (of which no more than £12 may be a money prize)

The Government's preferred proposals on stakes and prizes are to maintain the status quo across all categories, with the exception of prize gaming in which case it is content that industry proposals to increase stake from £1 to £2 and prizes from £70 to £100 (£1,000 aggregate) on prize gaming are in keeping with the objective of the review and that these activities are low risk. It therefore proposes to take these changes forward.

Questions 2 to 7 therefore asks:

Do you agree with the government's proposals to maintain the status quo on category B1/B3/B3A/B4/C and D gaming machines?

and Question 8 asks:

Do you agree with the government's proposals to increase the stake and prize for prize gaming, in line with industry proposals?

5. Gaming machine allocations

The Government also requested evidence-based proposals on allocations of gaming machines permitted in all licensed premises under the Gambling Act 2005.

The casino industry sector argued that current machine entitlements are restrictive by international standards. The Greene King pub chain submitted a proposal to raise the automatic entitlement to category C or D gaming machines from two to four in pubs. The arcade sector proposed the introduction of a new sub-category of gaming machine (B5) with a maximum stake of £10 and maximum prize of £125 with a proposed spin cycle of 30 seconds to allow operators to offer a more varied selection of products.

In all cases the Government is minded to maintain the status quo and Question 9 asks:

Do you agree with the government's proposals to maintain the status quo on allocations for casinos, arcades and pubs?

6. Contactless payments on gaming machines

Industry respondents from across all sectors, with the exception of bookmakers, submitted proposals for the introduction of contactless payments on gaming machines. The Government's view is that legislation prevents the use of credit or debit cards as a means of direct payment for gaming machines and so the introduction of contactless payments would be a significant shift from the current

regulatory framework and that the use of credit or debit cards as a direct form of payment to gaming machines would be a backward step in the protection of vulnerable players.

The Government proposes that the use of contactless payments is barred and Question 10 asks :

Do you agree with the government's proposals to bar contactless payments as a direct form of payment to gaming machines?

7. Social responsibility (SR) measures

As part of the call for evidence, Government requested responses on the effectiveness of social responsibility measures implemented by industry since 2013 and on the effects of gambling advertising.

Player protection measures on gaming machines

A number of respondents to the call for evidence highlighted the perceived inadequacies of industry codes on social responsibility, specifically on gaming machines, primarily citing the lack of evidence of impact and effect of the measures.

The Government would like to see industry trial and evaluate additional measures on B1, B2 and B3 gaming machines to improve player protections and to create parity across category B gaming machines, the majority of which are in highly accessible locations and in particular:

- work done to encourage take up on voluntary time and spend limit setting on B2 gaming machines and introduction of these measures on B1 and B3 gaming machines.
- trial and evaluation of mandatory alerts when certain time and spend benchmarks are reached.
- prohibiting mixed play between B2 and B3 which only applies in practice to gaming machines in betting shops
- The utilisation of algorithms to identify problematic play on gaming machines.

The Government have also asked the Gambling Commission to advise on the costs and benefits of introducing a form of tracked play on B1, B2 and B3 gaming machines and want to see industry establish a process with the RGSB, GambleAware and the Gambling Commission in which data on how gaming machines are played is routinely shared, for the purposes of monitoring, evaluation and research.

The consultation sets out these measures in detail and Question 11 asks:

Do you support this package of measures to improve player protection measures on gaming machines?

Online gambling

A number of respondents to the call for evidence raised online gambling, questioning in particular whether the controls in place to protect young and vulnerable people are effective.

The Government welcomes the various positive industry led initiatives currently in place, but also notes concerns expressed by the Gambling Commission that the pace of change by the industry to enhance the measures currently in place to protect consumers and promote responsible gambling has not been fast enough.

The Government expects the industry to accelerate its work wherever possible and in the consultation document sets out a number of detailed measures that it expects of the industry and the Gambling Commission as regulator and Question 12 asks:

Do you support this package of measures to improve player protection measures for the online sector?

Gambling Advertising

The call for evidence raised concerns about the volume and scheduling of advertising and the tone and content of advertising. The Government acknowledges that the increase in both broadcast and online gambling advertising in the years following the 2005 Act has clearly been a noticeable social change and caused concern.

The Government is clear that on gambling advertising, as with other aspects of social responsibility, more should be done by operators and others who benefit from gambling to minimise the risks to vulnerable people. In the consultation it sets out a package of measures and initiatives for regulators, broadcasters, the gambling industry and gambling charities to address concerns about gambling advertising and Question 13 asks:

Do you support this package of measures to address concerns about gambling advertising?

Research, Education and Treatment (RET)

In order to ensure appropriate and effective player protection systems and to minimise the risk of harm from gambling the Government wants to see industry support for relevant research to build the evidence base, action to raise awareness of the risks and where to find help and support, and support services to those at risk of or experiencing harm.

If this voluntary system fails to deliver on these issues, the Government will consider alternative options, including the introduction of a mandatory levy and Question 14 asks:

Do you agree that the Government should consider alternative options, including a mandatory levy, if industry does not provide adequate funding for RET?

8. Local Authorities

A number of respondents to the call for evidence proposed the introduction of cumulative impact assessments (CIAs) to give more powers to manage gambling at the local level.

The Government states that it is keen to support LAs in their management of gambling at a local level, but believe that their objectives can be achieved using existing powers and encourage LAs to continue to work closely with the Gambling Commission to ensure the effective deployment of the existing tools at their disposal.

It also points out that where an increase in the number of betting shops is considered to be a local issue, having an up-to-date, relevant local plan policy in place will support the local planning authority in the determination of any applications for planning permission.

The National Planning Policy Framework provides the framework within which local planning authorities and their communities can produce their own distinctive local plan which reflects the specific needs and priorities of their area.

Question 15 asks :

Do you agree with our assessment of the current powers available to local authorities?

The final Question 16 asks:

Are there any other relevant issues, supported by evidence, that you would like to raise as part of this consultation but that has not been covered by questions 1-15?

Consultation

9. The Cabinet Members for Communities & Volunteering and Health & Wellbeing and the Chair, Vice Chair and Members of the Licensing Committee have been consulted on the proposed response set out in the attached annex.

Alternative Options

10. The Council is not obliged to make a response; however it would not then be able to influence the outcome of the consultation which will impact on local residents.

Implications of Recommended Option

11. **Resources:**

- (a) **Financial Implications** – The Strategic Director, Corporate Resources confirms that there are no specific financial implications arising from this consultation response
- (b) **Human Resources Implications** – None
- (c) **Property Implications** – None

12. **Risk Management Implications** - None
13. **Equality and Diversity Implications** – None
14. **Crime and Disorder Implications** - None
15. **Health Implications** – The consultations relates to measures to reduce the harm from gambling and the protection of children and vulnerable people.
16. **Sustainability Implications** - None
17. **Human Rights Implications** - None
18. **Area and Ward Implications** - The proposed response relates to all wards.

Proposed Council Response to Consultation on Proposals for changes to gaming Machines and Social Responsibility Measures

Q1. Do you agree that the maximum stake of £100 on B2 machines (FOBTs) should be reduced?

If yes, what alternative maximum stake for B2 machines (FOBTs) do you support?

Proposed response: yes, £2

Q2-7. Do you agree with the government's proposals to maintain the status quo on category B1/B3/B3A/B4/C and D gaming machines?

Proposed response: yes

Q8. Do you agree with the government's proposals to increase the stake and prize for prize gaming, in line with industry proposals?

Proposed response: yes

Q9. Do you agree with the government's proposals to maintain the status quo on allocations for casinos, arcades and pubs?

Proposed response: yes

Q10. Do you agree with the government's proposals to bar contactless payments as a direct form of payment to gaming machines?

Proposed response: yes

Q11. Do you support this package of measures to improve player protection measures on gaming machines?

Proposed response: yes

Q12. Do you support this package of measures to improve player protection measures for the online sector?

Proposed response: while online gambling does not come within the remit of local authority licensing functions, the Council is acutely aware of the harms that can be caused through online gambling addiction both to those who become addicted and those who may inadvertently become victims of the addiction. By way of example, the following news article reports a number of vulnerable Gateshead residents having had their money stolen by a fraudster in order to fund online gambling - <http://www.dailymail.co.uk/news/article-2884814/Care-home-worker-stole-20-000-mentally-ill-residents-bankroll-addiction-gambling-mobile-phone.html>. The Council's Homelessness and Multiple and Complex Needs Health Assessment dated May 2017 also recognises the potential consequences for those who suffer from gambling addiction - <http://www.gateshead.gov.uk/DocumentLibrary/JSNA/FINAL-Gateshead->

[Homelessness-Health-Needs-Assessment-May-2017.pdf](#). For these reasons, this package of measures is supported

Q13. Do you support this package of measures to address concerns about gambling advertising?

Proposed response: while gambling advertising does not come within the remit of local authority licensing functions, for the reasons set out above in response to Q12 this package of measures is supported

Q14. Do you agree that the Government should consider alternative options, including a mandatory levy, if industry does not provide adequate funding for RET?

Proposed response: yes

Q15. Do you agree with our assessment of the current powers available to local authorities?

Proposed response: While it is acknowledged that having an up-to-date, relevant local plan policy in place will support the local planning authority in the determination of any applications for planning permission it is felt that the introduction of cumulative impact assessments (CIAs) would give more powers to manage gambling at the local level.

Are there any other relevant issues, supported by evidence, that you would like to raise as part of this consultation but that has not been covered by questions 1-15?

No

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Policy Context

1. The Government is consulting on the provisional Local Government Finance Settlement 2018 to 2019, the third of a four-year settlement offer which commenced in 2016/17 based on figures arising from the Spending Review.
2. The Government announced the detailed figures behind these reductions in its September 2017 technical consultation, which incorporated additional funding announced in the 2017 Spring Budget for the improved Better Care Fund.
3. Following this, the Department for Communities and Local Government (now the Ministry of Housing, Communities & Local Government) issued its statutory consultation on the provisional settlement on 19 December, seeking the views of local government on its proposals for 2018/19 funding. The Council responded to this consultation on 16 January 2018 (attached).

Background

4. The Government's consultation on the Provisional Local Government Finance Settlement 2018 to 2019 sets out the national funding proposals for local authorities for 2018/19 and provides indicative information for 2019/20.
5. The settlement is largely in line with expectations, with the primary differences being additional funding for the improved Better Care Fund and reduced council tax income for Gateshead compared with expectations in 2016/17.

Issues arising within the consultation

6. The main issues discussed within the consultation are summarised below, with the Council's full responses to the consultation questions attached in the Council's full response:
 - The settlement notes that local areas should be accountable for local decision-making and that inflation justifies some flexibility in the Government's pledge to minimise council tax rises, yet the settlement then goes on to assume that all councils will implement the maximum allowable council tax rises. As such, the Government is passing tax burdens from central to local government taxpayers without addressing the fundamental issue of unfair funding and the impact on council tax levels.
 - The Government has again failed to acknowledge and adequately tackle the rapidly escalating funding problems in the health and social care sector. The failure to sufficiently fund both local authorities and the NHS is resulting in major problems that will not be alleviated by allowing local authorities to levy a small additional amount of council tax, and disparities in council tax bases mean that the additional funding achievable will dramatically differ from area to area and creates an unfair burden on taxpayers.
 - RSG is being cut by almost £5bn between 2016/17 and 2019/20 (ignoring negative RSG), cuts that are creating huge systemic problems.
 - The settlement includes some questionable assumptions about future increases in other income streams available to local authorities. Settlement estimates are based upon the highest possible increases in council tax (without triggering referenda) and significant increases in the net number of homes, plus potentially optimistic forecasts around inflation and business rate increases. These

calculations mask the true cuts being made to the funding of local authorities as they will in many cases be unachievable at a local level.

- Public Health cuts are not constructive in the longer term, as proactive preventative action now results in lower future cost pressures; reducing funding is simply creating future problems.
- It is unclear as to the need for the extreme variances evident in the funding reductions for individual councils. The Government is set on continuing with a system that has embedded unfairness and inequity, and this will continue for the foreseeable future unless the Fair Funding Review addresses this. For example, the Council's Core Spending Power cut between 2015/16 and 2019/20 is £4.25m higher than the average cut and areas such as the north east are impacted detrimentally for no obvious reason.
- New Homes Bonus baseline: the Council has long argued against the scheme due to its disproportionate negative impact on the North East and other deprived areas. The scheme itself is a major driver in embedding inequality and unfairness within the RSG methodology given the trade-off between the two systems introduced by the Government.

Consultation

7. Consultation has taken place with SIGOMA.

Alternative Options

8. No alternative options have been considered.

Implications of Recommended Option

9. Resources:

- a) **Financial Implications** – Any financial implications are subject to the outcome of the consultation.
- b) **Human Resources Implications** - None.
- c) **Property Implications** - None.

10. **Risk Management Implication** - None.

11. **Equality and Diversity Implications** - None.

12. **Crime and Disorder Implications** - None.

13. **Health Implications** - None.

14. **Sustainability Implications** - None.

15. **Human Rights Implications** - None.

16. **Area and Ward Implications** - None.

Gateshead Council response to the Department for Communities and Local Government consultation on the Provisional Local Government Finance Settlement for 2018 to 2019

Roger Palmer
Department for Communities and Local Government
2nd Floor, Fry Building
2 Marsham Street
London
SW1P 4DF

Date: 16 January 2018

Dear Mr Palmer

Provisional Local Government Finance Settlement 2018/19 December 2017 Consultation

Gateshead Council welcomes the opportunity to respond to the Department's consultation on the provisional Local Government Finance Settlement for 2018/19.

The Council remains deeply concerned about the Government's commitment to a fair and adequate approach to local government funding, with the key issues identified as follows:

- The settlement notes that local areas should be accountable for local decision-making and that inflation justifies some flexibility in the Government's pledge to minimise council tax rises, yet the settlement then goes on to assume that all councils will implement the maximum allowable council tax rises. As such, the Government is expecting this gap to be filled by local authorities increasing local taxes to households and local businesses and it is simply passing tax burdens from central to local government taxpayers without addressing the fundamental issue of unfair funding and the impact on council tax levels. Ability to increase council tax disproportionately benefits councils with high tax bases, who can generate significantly more funding from any given percentage increase.
- In the 2018/19 settlement, the Government has again failed to acknowledge and adequately tackle the rapidly escalating funding problems in the health and social care sector. The failure to sufficiently fund both local authorities and the NHS is resulting in major problems that will not be alleviated by allowing local authorities to levy a small additional amount of council tax, and disparities in council tax bases mean that the additional funding achievable will dramatically differ from area to area and also create an unfair burden on taxpayers. The way the Government has chosen to accelerate the limited increase to council tax levy will also negatively impact on sustainability of budgets in the medium term.
- Despite being subject to the 4-year settlement, the Council would like to re-iterate its objections to the ongoing, severe cuts to RSG that are preventing councils from providing critical services and supporting and growing local areas. A further £1.4bn (or 28%) is being removed from the system in 2018/19, funding that could have been used to offset the impact of demographic pressures across England. RSG is being cut by almost £5bn between 2016/17 and 2019/20 (ignoring negative RSG), cuts that are creating huge systemic problems.
- The settlement includes some questionable assumptions about future increases in other income streams available to local authorities. Settlement estimates are based upon the

highest possible increases in council tax (without triggering referenda) and significant increases in the net number of homes, plus potentially optimistic forecasts around inflation and business rate increases. These calculations mask the true cuts being made to the funding of local authorities as they will in many cases be unachievable at a local level.

- Public Health: it should be stressed that cuts to public health are not constructive in the longer term, as proactive preventative action now results in lower future cost pressures; reducing funding is simply creating future problems.
- At a general level, it is unclear as to the need for the extreme variances evident in the funding reductions for individual councils. The Government is set on continuing with a system that has embedded unfairness and inequity, and this will continue for the foreseeable future unless the Fair Funding Review addresses this. For example, the Council's Core Spending Power cut between 2015/16 and 2019/20 is £4.25m higher than the average cut and areas such as the north east are impacted detrimentally for no obvious reason. The settlement now shows no logic in its approach, with an apparent scattergun to funding increases or decreases. It is unclear why such disparities in funding changes should exist, or what the drivers are behind the changes and the implications for local services. It is clear that housebuilding and commercial growth assumptions are influencing overall funding settlements with an obvious eventual outcome of widening inequality between areas.
- New Homes Bonus baseline – the Council has long argued against the scheme due to its disproportionate negative impact on the North East and other deprived areas. The scheme itself is a major driver in embedding inequality and unfairness within the RSG methodology given the trade-off between the two systems introduced by the Government. The Council is disappointed that the Government has chosen to ignore representations asking for the scheme to be scaled back due to its inherent unfairness and almost exclusive focus on the south-east. The issue highlights the problems of a system that is not based on a wide range of indicators, and this should necessitate that the Government considers very carefully the approach to implementing the new business rates system.
- Significant changes in Government policy at a national level can have a major impact on Council finances: for example, the impact of the minimum wage, the apprenticeship levy, national pay offers, and national insurance changes. Given that councils have a limited and variable ability to raise funds, it is this Council's view that the Government should provide new burdens funding in relation to the changes it has instigated.

The following sections discuss your Department's specific consultation questions:

Question 1: Do you agree with the methodology for allocating Revenue Support Grant in 2018-19?

No, there is no obvious evidence within the consultation to justify the RSG methodology. The Council agrees with the general principle that RSG should focus on individual local authority needs; however, the system continues on an annual basis to remove money from the most deprived areas but with diminishing transparency and apparent logic as time passes.

The Council acknowledges that this consultation forms part of a four-year Settlement and as such no significant changes to methodologies are possible, but the Council's concerns remain that funding reductions continue to fall on the most deprived areas of the country. The Government's Fair Funding Review may go some way to addressing the Council's concerns around fairness and equity, but this is not going to be implemented until 2020/21 at the earliest and as a result, this Council like many others may be forced into making short-term decisions that will impact detrimentally on future sustainability.

Although the Government has committed to the review of negative RSG next year, it must be stressed that the position in 2018/19 is resulting in the most affluent areas (i.e. those with very low levels of grant support) yet again being protected at the expense of those with higher grant

dependency (i.e. poorer areas) and the Government's use of transition grant and damping has been completely inconsistent and lacks credibility.

Question 2: Do you agree with the Government's proposal to fund the New Homes Bonus in 2018-19 with £900 million from Revenue Support Grant and any additional funding being secured from departmental budgets?

No, the Council agrees that housing is a key priority, but it has never agreed with the approach adopted within the New Homes Bonus scheme due to its negative impact on other critical services, and on the North East and other less affluent areas in general. The scheme has been designed to benefit prospering parts of the country and promote house-building in areas of high demand, but this has a significant detrimental impact on deprived areas or those with limited ability to build new homes. The Council urges the Government to ensure that funding is returned to those councils most in need due to social care and other demographic pressures.

The Government should limit the initial impact of policy changes on individual local authorities, and given that NHB is a significant income stream the impact of any changes should be mitigated. However, given that the initial impact of NHB was to top-slice funding from those local authorities least able to afford such cuts, the impact of any transitional arrangements should not be to further punish these same councils in any way through additional cuts or foregone income. The Government should consult on any proposals and the impacts on individual authorities.

The imposition of a 0.4% "across the board" baseline is not deemed fair or appropriate by the Council, as it takes no account of historic activity in an area or an individual local authority's realistic ability to either increase supply or demand. In addition, the change will disproportionately affect local authorities with lower council tax bases, as they generally receive less income per new dwelling due to lower numbers of higher council tax banded properties. The outcome being yet another stealth cut to poorer areas.

Question 3: Do you agree with the Government's proposed approach of paying £65 million in 2018-19 to the upper quartile of local authorities based on the supersparsity indicator?

No. As a borough with many rural areas, Gateshead acknowledges the costs associated with sparsity. However, there does not appear to be any logic to, or evidence for, this very specific adjustment and no such adjustments are being made for other far more important indicators such as social care. The Council has repeatedly asked for an analysis of the costs of delivering all services for all authorities to demonstrate the impact of this proposal, but to date no information has been forthcoming from the Government.

Question 4: Do you agree with the Government's proposal to hold back £35 million to fund the business rates safety net in 2018-19, on the basis of the methodology described in paragraph 2.6.2?

While the Council disagrees with the system as a whole due to its risks and lack of links to the drivers of cost, it agrees that the safety net should be set at a level that protects those councils in need of it. However, it is unclear how the system will cope in the event of a major economic shock. As a general approach, this Council is opposed to removing monies from RSG; instead, funding should be taken from those councils benefitting from the largest increases in business rates income or through the top up / tariff system.

Question 5: What are your views on the council tax referendum principles proposed by the Government for 2018-19?

The Council agrees that decisions on council tax rises should be taken locally; however, the fact that the Government has assumed in the settlement that all councils will increase council tax by the maximum appears to support an attempt to shift the blame for funding reductions and council tax rises from the Government to local authorities. In addition, the Government approach fails to address the critical issue around variation in council tax bases, as any given increase in council tax will have a dramatically different impact on funding depending on the strength of the council tax base.

Question 6: Do you agree with the methodology for calculating the revaluation adjustment to business rates tariff and top-up payments as outlined in paragraphs 3.5.1 to 3.5.6

Given the complexity of the issue, it is suggested that the Department gives serious consideration to representations from affected authorities by this factor and considers modifying the formula or funding those affected by significant detriment.

Question 7: Do you have any comments on the impact of the 2018-19 local government finance settlement on those who share a protected characteristic, and on the draft equality statement published alongside this consultation document? Please provide supporting evidence.

As the Council has stated previously, the impact of the Settlement on protected groups is not specific and will depend on councils' spending priorities. While the Council will fulfil its responsibilities with regard to the Equality Act, it is concerned that protected groups may not be protected at a national level due to the disproportionate cuts being imposed on areas with high levels of deprivation. The consultation acknowledges that there is some correlation between those authorities that are more grant-dependent and the prevalence of persons who share protected characteristics.

The Settlement cut for Gateshead is far higher than in other, more affluent areas with fewer individuals with protected characteristics. In addition, new funding is largely ring-fenced, and as such the Council has no discretion on using this additional funding to protect vulnerable groups.

The consultation also refers to protections built into the 2013/14 baseline. However, the system has been eroded significantly since 2010/11. For example, the impact of relative needs adjustments has been a significant reduction in funding to the most deprived areas. In addition, the locking-down of the funding system in 2013/14 means that any more recent demographic changes will not be reflected in council funding.

If you have any queries about the contents of this letter, please contact me by phone on 0191 433 3582 or by e-mail at darrencollins@gateshead.gov.uk.

Yours sincerely

Darren Collins
Strategic Director, Corporate Resources

TITLE OF REPORT: Primary Additionally Resourced Mainstream School (ARMS) Provision

REPORT OF: Caroline O'Neill, Strategic Director, Care Wellbeing and Learning

Purpose of the Report

1. To update Cabinet on progress in relation to the development of the proposed pilot of Primary Additionally Resourced Mainstream School (ARMS) provision, and on proposed changes to existing ARMS provision. Also, to seek approval for the further development and implementation of ARMS attached to Gateshead Primary Schools. Secondary school ARMS provision will be reviewed during the spring term 2018 and an update report will be provided to Cabinet afterwards.

Background

2. In June 2017 Cabinet endorsed the development of a new model of primary ARMS provision in response to pressures on special school places within the primary sector. It was accepted, at that time, that a review was required because Gateshead's existing additionally resourced mainstream school (ARMS) provision was no longer meeting the needs of all children with SEND. Additionally the High Needs funding is overspending by £1.6 million.

3. Pilot model – Autism/Social Communication Difficulties special/mainstream host school provision (SMHS)

Two primary schools have expressed an interest in becoming the pilot model host school. There will be further discussion during January 2018 on the benefits and logistics of the provision. The Governing Bodies will also be consulted and the host primary school will be decided by a panel made up of representatives from the Council and Gateshead primary and special schools. The host primary school will then work collaboratively in partnership with Gibside School to develop and implement the pilot Autism/Social Communication Difficulties Provision SMHS.

4. Changes to existing ARMS provision

All schools with existing ARMS provision have been consulted and the views of those schools will be incorporated into a further update report which will be submitted to Cabinet in relation to these proposals at a future date.

5. Eslington ARMS

It is proposed that Eslington ARMS provision which currently provides 8 places for children with Social, Emotional and Mental Health (SEMH) needs at Key Stage 2 will close but that the existing 8 places will become designated special school places at

Eslington. This will mean that Eslington School will have a total of 68 specialist SEMH places for children aged 4-11 years across the two school sites.

6. High Spen ARMS

Having considered the current and predicted Hearing Impairment (HI) population in Gateshead, the need for specialist provision for HI children in a specialist ARMS setting is negligible and the needs of these children can be better met by the Low Incidence Needs Team in their local neighbourhood school. High Spen ARMS will continue to deliver specialist provision for the current HI children placed there in partnership with the Council's Low Incidence Needs Team (LINT) but the Governing Body has requested that the provision is gradually phased out. Therefore, when the current children in the ARMS finish their education, it is proposed that High Spen ARMS will close. There are currently 4 children at High Spen, Y6(1), Y4(2), Y2(1).

7. During the discussions with Head Teachers of schools with existing ARMS provision it was recognised that the pilot model should not be a 'one size fits all' model and that a number of the ARMS were already working well. In recognition of this, it is recommended that the following is agreed:

8. Bede ARMS

Bede ARMS will continue to deliver specialist provision for children with Social, Emotional and Mental Health (SEMH) needs at Key Stage 1 (age 5-7 years) and will work informally with Eslington Primary School to share best practice around assessment and intervention.

9. Brandling/Cedars ARMS

Brandling ARMS will work formally in partnership with Cedars Academy to deliver specialist provision for children with Speech, Language and Communication Needs (SLCN) at Key Stages 1 and 2 (age 5-11 years).

10. Rowlands Gill ARMS

Rowlands Gill ARMS Interim Head Teacher and Governing Body have expressed a desire to continue to deliver the ARMS provision working in partnership with Gibside School.

11. Swalwell ARMS

Swalwell ARMS will continue to deliver specialist provision for children with Physical Difficulties (PD) at Key Stages 1 and 2 (age 5-11 years). The Head Teacher and Governing Body of Swalwell Primary School have expressed an interest in working in partnership with a Cedars Academy to share expertise and knowledge and to secure the best outcomes for the children in the Swalwell ARMS provision.

12. Consultation will be arranged with parents/carers of children in the existing ARMS and with staff and Trade Unions to discuss the new arrangements and formal Service Level Agreements will be drawn up between relevant parties involved in the procurement and delivery of ARMS provision, which will be monitored by the Council's SEND Service.

13. Secondary ARMS

A further report will be provided to Cabinet to review the current secondary ARMS provision at Thorpe and Whickham Academies.

Recommendations

14. It is recommended that Cabinet:

- (i) Approves 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. An update report will be submitted to Cabinet during the spring term 2018.
- (ii) Agrees the developments in relation to the existing primary ARMS provision intentions. An update report will be submitted to Cabinet during the spring term 2018.
- (iii) Agrees consultation to commence in relation to the phasing out/closure of High Spen and Eslington ARMS.
- (iv) Notes that a review of the Secondary ARMS provision will be undertaken with a further report in early Summer 2018.

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.

CONTACT: Val Hall extension: 2782

Policy Context

1. The Council has statutory duties to promote high educational standards; ensure fair access; promote diversity and ensure education is appropriate to meet the different age aptitudes and abilities of pupils in its area and make efficient use of its resources.
2. The proposals in this report are consistent with statutory duties set out in Part 3 of the Children and Families Act 2014, the SEND Code of Practice, the vision for children and young people as set out in Vision 2030 and the outcomes set out in the Council Plan 2015-2020.

Background

3. There are current pressures on our special school places within the primary sector at both Gibside and Cedars Schools with very limited availability of places for the next academic year. ARMS provision forms part of the Council's continuum of SEND support and provides a valuable opportunity for pupils with SEND who would ordinarily be taught in a special school, to be included and integrated in a mainstream education setting. This can be particularly beneficial for pupils who struggle with their social communication skills. ARMS provide specialist educational intervention for this cohort of pupils which in some cases can result in them returning full time to a mainstream setting.
4. A number of primary ARMS have closed in recent years, due mainly to the impact of SATs results on the mainstream primary school and in addition many potential ARMS places are currently vacant due to the future uncertainty of some of the ARMS. This represents a significant amount of planned specialist provision not being delivered to address the needs of individual children which is clearly an inefficient use of resources at a time when there is huge pressure on High Needs Block funding which is currently predicted to be overspending by £1.6 million this financial year.
5. Although technically ARMS provision is 'commissioned' by the Council, in reality the model of provision was implemented without employing a recognisable commissioning approach. For some time, commissioners and providers have experienced a number of difficulties in relation to the implementation of ARMS provision. These have resulted, principally, from the absence of formal Service Level Agreements, and the fact that there have been significant issues to resolve about the nature of the provision. The process has suffered from a lack of transparency and clarity. Key issues include:
 - Inconsistency of approach in relation to ARMS provision including the true level of inclusion of children in mainstream settings
 - Lack of consistency in funding arrangements
 - Clarity of responsibility in terms of governance arrangements
 - Lack of formal commissioning arrangements
6. In order to ensure the future success of the ARMS model, to support providers in their efforts to deliver high quality inclusive provision, and to provide for an appropriate level of stability, these issues must be addressed for future years.

7. In recognition of this, in June 2017, Cabinet endorsed the development of a new model of primary ARMS provision being developed during September-December 2017 leading to this being piloted thereafter and rolled out on a wider basis from September 2018.
8. Proposals endorsed included:
 - The current ARMS and Gateshead special schools working together to form collaborative partnerships to share expertise and skills. It is proposed that pupils in ARMS provision could be registered with special schools, with the special schools providing expert staffing and assistance on an outreach basis. We propose that this type of provision is known as a Special/Mainstream Host School (SMHS).
 - All Gateshead mainstream primary schools being invited to express an interest in working in partnership with a special school to host provision initially for children with autism/social communication difficulties. This is in recognition of increasing numbers of children being identified with these needs in the primary sector and a gap in provision.
 - The governing bodies of Rowlands Gill and Eslington Schools being invited to trial the new proposed model which would involve Rowlands Gill working with staff from Gibside School to offer provision for children with learning difficulties and Eslington working with a mainstream school for Key Stage 2 children with social emotional and mental health difficulties.
 - All existing ARMS schools being offered the opportunity to comment on a proposed new model which would be based on an outreach basis from Gateshead special schools. This could also enable greater movement of children between mainstream and special schools if it is considered that needs are changing or to provide additional support if needed for a temporary period. As part of this process, we would formally require all existing ARMS host schools to indicate their continued willingness to host a provision or to formally withdraw.

Consultation

9. Between September and October 2017, formal discussions took place with the Head Teachers of existing primary ARMS provision regarding the new pilot model and the potential of it being rolled out across existing ARMS from September 2018. They were requested to consult with their Governing Bodies and inform the Council by 30 November 2017 as to whether they wish to continue to host their ARMS provision or formally withdraw it. All but two (Eslington and High Spen) of the Governing Bodies of the existing ARMS have requested to continue to host their ARMS provision. It is proposed that the Eslington and High Spen ARMS will be phased out and/or closed as outlined below which will be the subject of further consultation and a separate Cabinet report during the Spring term 2018.
10. The Cabinet Members for Children and Young People have been consulted.
11. Pilot model – Autism/Social Communication Difficulties (ASCD) special/mainstream host school provision (SMHS)
13. Two schools have expressed an interest in becoming the pilot model host school. Further discussion will happen during January 2018 to discuss the benefits and

logistics of the provision. The Governing Bodies will be also consulted and the host primary school will be decided by a panel made up of representatives from the Council and Gateshead primary and special schools. The host primary school will then work collaboratively in partnership with Gibside School to develop and implement the pilot Autism/Social Communication Difficulties Provision SMHS.

14. It is anticipated that pupils taught in the pilot Autism/Social Communication Difficulties SMHS would be registered with Gibside School and Gibside would provide the staffing resources and management on an outreach basis. Following agreement from parents/carers, pupils attending the SMHS provision would be registered with Gibside School and will have the benefit of experiencing inclusion within a mainstream setting along with the specialist skills, expertise and support provided by staff that will be recruited by Gibside School. Pupils registered at Gibside SMHS would also benefit from having access to the facilities at Gibside School so that they can access therapy such as use of the hydro therapy pool and therapy equipment. Staff at the SMHS would also be able to spend time at Gibside School to enable them to have high quality training and mentoring.
15. The provision will be commissioned from Gibside School by the Local Authority (LA) and a formal Service Level Agreement will be drawn up between the LA, Gibside School and the host primary mainstream school and provision will be monitored by the LA's SEND Service.

16. Existing ARMS

The current number on roll and costs of the provision are shown below:

School	Cost	Y1	Y2	Y3	Y4	Y5	Y6	Total	Places	Vacancy
Bede	£123,093	1	4	0	1	0	0	6	8	2
Brandling	£160,000	0	1	3	1	1	3	9	16	7
Eslington	£80,000	0	0	0	1	2	1	4	8	4
High Spen	£100,000	0	1	0	2	0	1	4	8	4
Rowlands Gill	£77,000	0	0	1	0	1	1	3	8	5
Swalwell	£131,974	1	0	4	4	1	0	10	10	0

17. Eslington ARMS

It is proposed that Eslington ARMS provision (which currently provides 8 places for children with Social, Emotional and Mental Health (SEMH) needs at Key Stage 2) will close. Due to increasing numbers of primary aged children with SEMH needs requiring specialist intervention, it is recommended that Eslington School increases its specialist provision to offer 8 additional places, meaning the school would have a total of 68 specialist SEMH places for children aged 4-11 years across the two school sites. Eslington School will work informally with Bede ARMS to share best practice around assessment and intervention of Key Stage 1 (and potentially Key Stage 2 in future) pupils with SEMH which will also create greater flexibility between the two provisions.

18. High Spen ARMS

High Spen ARMS will continue to deliver specialist provision for the current children with a Hearing Impairment being taught there in partnership with the Council's Low Incidence Needs Team (LINT) but the governing body has requested that the provision is phased out. Having considered the current and predicted HI population in Gateshead, the need for specific provision for HI children in an ARMS setting is negligible as the children can be supported by the LINT in their local neighbourhood school. This will avoid the need for lengthy school travel time for often very young children. Therefore, when the current children in the ARMS finish their education, it is proposed that High Spen ARMS will close.

19. During the discussions with existing ARMS Head Teachers it was recognised that the pilot model is not a 'one size fits all' model and that a number of the existing ARMS were already working well. In recognition of this, it is recommended that the following is agreed:

20. Bede ARMS

Bede ARMS will continue to deliver specialist provision for children with Social, Emotional and Mental Health (SEMH) needs at Key Stage 1 (age 5-7 years) and will work informally with Eslington Primary School to share best practice around assessment and intervention. The Head Teacher and Governing Body have also expressed an interest in delivering provision for children with SEMH at Key Stage 2 at Bede in future but this will be investigated at a future date.

21. Brandling/Cedars ARMS

Brandling ARMS will work formally in partnership with Cedars Academy to deliver specialist provision for children with Speech, Language and Communication Needs (SLCN) at Key Stages 1 and 2 (age 5-11 years).

22. Rowlands Gill ARMS

Rowlands Gill ARMS interim Head Teacher and Governing Body have expressed a desire to continue to deliver the ARMS provision working in partnership with Gibside School.

23. Swalwell ARMS

Swalwell ARMS will continue to deliver specialist provision for children with Physical Difficulties (PD) at Key Stages 1 and 2 (age 5-11 years). The Head Teacher and governing body of Swalwell Primary School have expressed an interest in working in partnership with a Cedars Academy to share expertise and knowledge and to secure the best outcomes for the children in the Swalwell ARMS provision.

Consultation will be arranged with parents/carers of children in the existing ARMS and with staff and Trade Unions to discuss the new arrangements and formal Service Level Agreements will be drawn up between relevant parties involved in the procurement and delivery of ARMS provision, which will be monitored by the LA's SEND Service.

Alternative Options

24. The Council could:

- (i) Decide to not approve the proposals and continue with the current level of ARMS provision however, this would not provide the opportunity for existing ARMS to work collaboratively in partnership with special schools in order to improve provision and this would leave a gap in provision for pupils with Autism/Social Communication Difficulties.
- (ii) Decide to increase the number of specialist places for pupils with Autism/Social Communication Difficulties however there currently is not sufficient capital funding available to expand existing primary special schools or create a new special school in Gateshead.
- (iii) Decide to close all ARMS provision and increase the funding provided to the Council's High Incidence Needs Team (HINT) to deliver specialist outreach teaching and intervention for pupils in mainstream primary schools. However, this would result in current ARMS children needing to be placed in other educational provision, some of which could be specialist. There is a lack of specialist places in Gateshead so this could result in an increase of children being placed in out of authority provision, which is a more costly option due to higher placement and transport costs and results in children being educated outside of their community.

This could also potentially result in challenge from parents through statutory objections, as well as potentially being a more expensive option due to intervention requiring to be delivered across all primary mainstream schools in Gateshead on a peripatetic basis, which could be more challenging to manage and co-ordinate effectively.

Implications of Recommended Option

25. **Resources:**

- a) **Financial Implications** – The Strategic Director, Corporate Resources confirms that it is anticipated that by creating additional provision in mainstream settings this will reduce demand on special school and out of borough places. Until the individual commissioning arrangements and service level agreements are in place, and the impact on special school and out of borough places is known an estimate of the possible savings cannot be quantified.
- b) **Human Resources Implications** – Specialist teaching staff will be employed to teach pupils in the new Autism/Social Communication Difficulties SMHS. Levels of staffing required will be based on the needs of the children registered at the SMHS and this will be agreed between Gibside School and the new primary mainstream host school.
- c) **Property Implications** – There are no implications from this report.

26. **Risk Management Implication** – There are no implications from this report.

27. **Equality and Diversity Implications** - There are some Equality and Diversity Implications arising from this report as the children attending the ARMS have a disability. A stage 1 Equality Impact Needs Assessment has been completed which highlights that the proposals will have a positive impact for primary school aged children with a disability.
28. **Crime and Disorder Implications** – no implications from this report.
29. **Health Implications** - There are no implications from this report.
30. **Sustainability Implications** - There are no implications from this report.
31. **Human Rights Implications** - There are no implications from this report.
32. **Area and Ward Implications** - no specific implications. Children attending the ARMS provision are resident across Gateshead.

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TITLE OF REPORT: Nomination of Local Authority School Governors

REPORT OF: Caroline O'Neill, Strategic Director Care, Wellbeing and Learning

Purpose of the Report

1. Cabinet is asked to nominate Local Authority Governors to schools seeking to retain their Local Authority governor in accordance with The School Governance (Constitution) (England) Regulations.

Background

2. Schools - The School Governance (Constitution) (England) Regulations require all governing bodies to adopt a model for their size and membership. The regulations prescribe which categories of governor must be represented and what the level of representation is for each. The Local Authority's nomination is subject to the approval of the governing body. If approved, the nominee is appointed by the governing body.

Proposal

3. It is proposed that Cabinet approves the nominations to schools as shown in appendix 1.

Recommendations

4. It is recommended that Cabinet:
 - (i) approves the two nominations of Local Authority Governors to ensure the School Governing Bodies have full membership; and
 - (ii) notes the term of office as determined by the school's Instrument of Government.
-

CONTACT: Leone Buchanan

extension: 8534

Policy Context

Schools

1. In accordance with The School Governance (Constitution) (England) Regulations, local authorities can nominate any eligible person as a Local Authority governor. Statutory guidance encourages local authorities to appoint high calibre governors with skills appropriate to the school's governance needs, who will uphold the school's ethos, and to nominate candidates irrespective of political affiliation or preferences. A person is disqualified as a Local Authority governor if they are eligible to be a Staff governor at the same school.

Consultation

2. The Cabinet Member for Children and Young People has been consulted.

Alternative Options

3. The alternative option would be to make no nomination/appointment to the vacancies, leaving governing bodies under strength and less likely to demonstrate the correct configuration.

Implications of Recommended Option

4. **Resources:**
 - a) **Financial Implications** - The Strategic Director, Corporate Resources confirms there are no financial implications arising from this report.
 - b) **Human Resources Implications** - None
 - c) **Property Implications** - None
5. **Risk Management Implication** - None
6. **Equality and Diversity Implications** - None
7. **Crime and Disorder Implications** - None
8. **Health Implications** - None
9. **Sustainability Implications** - None
10. **Human Rights Implications** - None
11. **Area and Ward Implications** - None
12. **Background Information**

The School Governance (Constitution) (England) Regulations.

13. Local Authority Governor Nominations

Schools

In accordance with the School Governance (Constitution) (England) Regulations 2012, the following Local Authority governors are nominated for a period of four years (as stipulated in the individual Instrument of Government) with effect from the date stated below:

School	Nomination	Date from
Front St Primary	Mrs Sandra McCall	19 December 2017
White Mere Primary	Cllr Stuart Green	01 January 2018

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REPORT TO CABINET
23 January 2018

TITLE OF REPORT: Gateshead Council Pandemic Influenza Plan

REPORT OF: Paul Dowling, Strategic Director, Communities & Environment
Alice Wiseman, Director of Public Health

Purpose of the Report

1. The purpose of this report is to seek Cabinet's endorsement of the Council's Pandemic Influenza Plan.

Background

2. The Council Constitution specifies that the Director of Public Health is responsible for 'exercising the Council's functions in planning for, and responding to, emergencies that present a risk to public health (page 228)'.
3. In October 2016 the Council's Director of Public Health, Alice Wiseman, represented the Council at regional pandemic influenza 'Exercise Swan'. The objectives of the exercise were to:
 - a. Validate the Regional Pandemic Influenza Plan
 - b. Explore the potential impacts on business continuity for partaking organisations
 - c. Exercise multi-agency strategic decision making processes and identify roles and responsibilities in pandemic influenza response.
4. The recommendations from the exercise were that all organisations should review and update their own internal response and business continuity planning arrangements in relation to pandemic influenza incidents.
5. A new Gateshead Council Pandemic Influenza Plan has been developed to meet these recommendations, which reflects the content of the Regional Pandemic Influenza Plan.
6. The purpose of the plan is to:
 - Mitigate the impacts of an influenza pandemic by protecting the Council's internal and commissioned critical services
 - Provide clarity of roles and responsibilities in relation to command, control and coordination
 - Pre-plan communication mechanisms and templates
 - Manage the worst case scenarios that could ultimately affect Gateshead residents, including excess deaths.

7. The Council's business continuity plans have also been reviewed using criteria adopted by all neighbouring local authorities in Tyne and Wear and Northumberland. The rationale behind this is to pre-identify the Council's 'critical' services, which will be prioritised during a pandemic outbreak
8. The plan will be reviewed on an annual basis or as soon as notification is received that an outbreak of pandemic Influenza has been located anywhere in the world.
9. The plan is attached as appendix 2.

Proposal

10. It is proposed that Cabinet endorses the Gateshead Council Pandemic Influenza Plan.

Recommendations

11. Cabinet is asked to endorse the Gateshead Council Pandemic Influenza Plan as set out in appendix 1 to the report.

For the following reasons:

- (i) To ensure compliance with our statutory duties under the Civil Contingencies Act 2004.
- (ii) 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.

Policy Context

1. The reviewed plan is in line with Vision 2030, in particular to the 'City of Gateshead' outcome relating to ensuring that Gateshead remains a safe place to live and visit via the continuation of critical services to those most reliant upon them.
2. The plan supports the delivery of all policy objectives within the Council Plan 2015-2020.

Background

3. Resilience is the ability to anticipate risk, limit impact and recover quickly and effectively from emergencies and disruptive events affecting organisations, businesses, individuals, families, neighbourhoods and communities.
4. The Civil Contingencies Act 2004 places a statutory duty on local authorities and other agencies to work together to develop emergency and business continuity plans and arrangements to mitigate, prepare for, respond to and recover from emergencies.
5. All local authorities are classed as 'Category 1' Responders in the event of an emergency/major incident under the Civil Contingencies Act (2004). The Act requires all Category 1 Responders to undertake these wide ranging statutory duties to help to protect the population within their boundaries. These duties include:
 - assess the risk of emergencies occurring and use this to inform contingency planning
 - put in place emergency plans
 - put in place business continuity management arrangements
 - put in place arrangements to make information available to the public about civil protection matters and maintain arrangements to warn, inform and advise the public in the event of an emergency
 - share information with other local responders to enhance co-ordination
 - co-operate with other local responders to enhance co-ordination and efficiency
 - provide advice and assistance to businesses and voluntary organisations about business continuity management (local authorities only)
6. The Council's Pandemic Influenza Plan was originally developed in 2009. This was in adherence with national planning arrangements in response to an outbreak of H1N1 Pandemic Influenza, which was known as 'Swine Flu'. Due to the ever changing priorities of the national resilience landscape, particularly in relation to terrorism, this area of work has not been revisited until 2016.
7. There have been significant changes in health structures and local authority resources and capabilities since the original national plan was produced. As

a result North East Public Health England and NHS England for Cumbria and the North East produced a draft 'North East Pandemic Influenza Framework', which was validated in October 2016 as part of Regional Exercise Swan.

8. Exercise Swan participants included all health bodies, emergency services and local authorities from the Northumbria, Cleveland and Durham and Darlington areas. One of the objectives of the exercise was to 'explore the potential impacts on business continuity for partaking organisations'. The debrief of this exercise highlighted that all organisations' arrangements for dealing with an outbreak of pandemic Influenza required strengthening, to bring arrangements in line with current regional and national guidance.
9. The Council's new Pandemic Influenza Plan has been developed over a 12 month period, which has included:
 - Wide ranging consultations with partner organisations and council services
 - The validation of planning arrangements via a table top exercise
 - Cross referencing with national and regional documents to ensure our internal arrangements adhere to and dovetail with wider arrangements.
10. The overall purpose of the plan includes:
11. **Mitigating the impacts of an Influenza pandemic by protecting the Council's internal and commissioned critical services** – The development process has incorporated a full review of services using regionally consistent criteria, which was undertaken by the Council's Audit and Risk Team. The new list of rated services enables the quick identification of critical services, including those providing care services. This has simplified the coordination arrangements to ensure that business continuity efforts are diverted and prioritised to these critical areas in the event of a pandemic.
12. The plan addresses which employees should be prioritised to receive personal protective equipment (PPE) that will allow them to continue to deliver close, personal care during a pandemic. Work is ongoing with partner organisations across the region to ensure sufficient stock of items such as facemasks, gloves and eye protection is available to allow employees to safely carry out their roles for the duration of an outbreak.
13. **Providing clarity of roles and responsibilities in relation to command, control and coordination** – The plan aims to overcome many of the practicalities involved in coordinating our response to an incident of this magnitude and nature. The development of pre-documented and tested coordination mechanisms and command and control structures ensures that we can hit the ground running when an incident occurs.
14. Having the right people in the right places at the right times, knowing what needs to be discussed with a knowledge of what other organisations will also be doing at the same time, removes guess work and saves valuable time in making what can be difficult decisions under highly emotive circumstances.

15. The Council's Corporate Risk and Resilience Group, which meets quarterly to discuss and strengthen internal business continuity arrangements, has been identified as the mechanism to coordinate the operational response to a pandemic influenza outbreak.
16. The Group consists of representation from a wide range of Council services and, with the additional support of pre-identified specialists specific to a pandemic, would effectively become the Pandemic Influenza Coordination Group. The Chair(s) of this Group would then liaise with Strategy Group to ensure that informed strategic decisions can be made in relation to service provision.
17. **Providing pre-planned communication mechanisms and templates** – The content of information and the method of delivery will differ depending on the audience receiving it.
18. Pre-planned templates and mechanisms for delivering information updates have been included in the plan to ensure that coordinators know who should be providing the information and via which routes (i.e. email, literature, website/social media, templates, etc.).
19. **Managing the worst case scenarios that could ultimately affect Gateshead residents, including excess deaths** – Unfortunately an outbreak of pandemic Influenza could result in many deaths, which no amount of planning can prevent. The plan provides guidance on managing the demands on Cemeteries and Crematoria Services, the possible changes to service provision and how this will be communicated to those affected. A protocol is being developed for Strategy Group to accompany the plan to ensure all options are documented to allow difficult decisions to be made and communicated appropriately.

Consultation

20. The Council's Corporate Risk and Resilience Group membership and additional supporting officers specific to a pandemic influenza outbreak have been consulted throughout the development of the Plan. The Plan has been circulated to multi-agency partner organisations of the Gateshead Multi-Agency Resilience and Emergency Planning Group as part of the formal consultation in November 2017. The Leader of the Council has also been formally consulted on the contents of the Plan.

Implications of Recommended Options

21. **Resources:**

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

b) Human Resources Implications – There are no human resources implications from the recommended options.

c) Property Implications - There are no property implications directly arising from the recommended options

22. **Risk Management Implications** - The effective implementation of this framework will mitigate the risk to the achievement of the Council's objectives and legal obligations in the event of an emergency. Failure to implement this plan effectively could lead to a failure to meet statutory responsibilities and Council objectives and also delay mitigation arrangements that could prevent deaths and limit damage to local infrastructure, economy and the Council's reputation.

23. **Equality and Diversity Implications** - There are no equality and diversity implications directly arising from this report.

24. **Crime and Disorder Implications** – There are no crime and disorder implications from the recommended options.

25. **Health Implications** - This framework will provide everyone in Gateshead with the information they need for their health, safety and wellbeing before, during and after a pandemic outbreak.

26. **Sustainability Implications** - There are no sustainability implications from the recommended options

27. **Human Rights Implications** - The framework is compliant with Article 8 the Human Rights Act.

28. **Area and Ward Implications** - This report affects all wards.

29. **Background Information**

- Civil Contingencies Act (2004)
- Vision 2030
- Council Plan 2015-2020

TITLE OF REPORT: Clean Bus Technology Fund 2017

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

Purpose of the Report

1. Cabinet is asked to endorse 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.

Background

2. The Council has been mandated to develop a feasibility plan that will address how to reduce Nitrogen Dioxide (NO₂) exceedances at locations indicated by the Department for Environment Food and Rural Affairs (DEFRA). Newcastle City and North Tyneside Councils are in the same position and officers from the three authorities have been working together on this activity. In Gateshead the Tyne Bridge and links on the A1 at Lobley Hill and Swalwell/Blaydon have been modelled with exceedances.
3. In September, the Government's Joint Air Quality Unit (JAQU) launched this new round of the Clean Bus Technology Fund; looking to award up to £30 million of grant to Local Authorities in England and Wales for the delivery of projects in 2017/18 and 2018/19 to support bus modifications that would bring the exhaust emissions of older vehicles up to Euro VI engine standards. While open to all authorities, JAQU noted that funding would be targeted on Authorities where NO₂ exceedances have been identified.
4. While treating bus emissions will not, on its own, address NO₂ exceedances, it is a tangible quick win that will contribute to a wider solution. With that in mind, officers from the NECA authorities felt the best way forward was for Gateshead, Newcastle and North Tyneside to each make separate, but related, bids to the fund in an attempt to maximize the funding for the area as a whole.

Proposal

5. The bid for Gateshead project involves the fitting of improved exhaust technology to 79 vehicles operating 9 routes in Gateshead. This technology will reduce the exhaust emissions of older buses down to meet Euro VI standards, the levels of the newest diesel buses.
6. Five of the bus routes (X12, X34, 28/28A, 56 & 58), comprising a total of 49 buses, use the Tyne Bridge and also travel through both the Gateshead Town Centre and Newcastle City Centre Air Quality Management Areas.
7. The remaining four routes (Q1/Q2, 67/69, 47 and 10/10A/10B), comprising a further 30 buses, contribute to the wider air quality of the area, variously crossing areas of exceedance on the A1 and travelling through AQMAs in Gateshead and Newcastle.

8. The total value of the Gateshead bid is £1,502,180 spread across 2017/18 and 2018/19. Should the bid be successful, the funding will be passed on to the bus operators to allow them to purchase and fit the technology. There is no capital expenditure for the Council, although there will be some staff resource involved in managing the project.
9. The bid was complex to develop, involving three bus operators (Go North East, Stagecoach and Arriva) and two technology manufacturers, and requiring specific detailed information on the vehicles involved. This information was only finalised shortly before the bid deadline of 17 November 2017. As it was necessary to submit by this time, a delegated decision was made in relation to the bid, as detailed in Appendix 2.

Recommendations

10. It is recommended that Cabinet endorses 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.

For the following reason:

To support a sustainable transport system capable of supporting the borough's environmental, social and economic objectives.

Policy Context

1. On a local Level, the proposals will contribute to delivery of many targets within Vision 2030 and Strategic interventions within the Council Plan and specifically including:
 - Live Well Gateshead – A healthy, inclusive and nurturing place for all, where people lead healthy lifestyles, with more people living longer.

Background

2. The Council has been mandated to develop a feasibility plan that will address how to reduce Nitrogen Dioxide (NO₂) exceedances at locations indicated by the Department for Environment Food and Rural Affairs (DEFRA). Newcastle City and North Tyneside Councils are in the same position and officers from the three authorities have been working together on this activity. In Gateshead the Tyne Bridge and links on the A1 at Lobley Hill and Swalwell/Blaydon have been modelled with exceedances.
3. This autumn, the Government's Joint Air Quality Unit (JAQU) launched this new round of the Clean Bus Technology Fund; looking to award up to £30 million of grant to Local Authorities in England and Wales for the delivery of projects in 2017/18 and 2018/19 to support bus modifications that would bring the exhaust emissions of older vehicles up to Euro VI engine standards. While open to all authorities, JAQU noted that funding would be targeted on Authorities where NO₂ exceedances have been identified.
4. While treating bus emissions will not, on its own, address NO₂ exceedances, it is a tangible quick win that will contribute to a wider solution. With that in mind, officers from the NECA authorities felt the best way forward was for Gateshead, Newcastle and North Tyneside to each make separate, but related, bids to the fund in an attempt to maximize the funding for the area as a whole

Proposal

4. The bid for Gateshead project involves the fitting of improved exhaust technology to 79 vehicles operating 9 routes in Gateshead. This technology will reduce the exhaust emissions of older buses down to meet Euro VI standards, the levels of the newest diesel buses.
5. The technology is known as SCRT. The acronym is a combination of the two separate parts of the treatment:
 - Selective Catalytic Reduction (SCR) which uses a catalyst to convert harmful Nitrogen Oxides into Nitrogen and water
 - Continuously Regenerating Trap (CRT) which filters out and burns off harmful particulate matter.
6. Five of the bus routes (X12, X34, 28/28A, 56 & 58), comprising a total of 49 buses, use the Tyne Bridge and also travel through both the Gateshead Town Centre and Newcastle City Centre Air Quality Management Areas.

7. The remaining four routes (Q1/Q2, 67/69, 47 and 10/10A/10B), comprising a further 30 buses, contribute to the wider air quality of the area, variously crossing areas of exceedance on the A1 and travelling through AQMAs in Gateshead and Newcastle.
8. The total value of the Gateshead bid is £1,502,180.

	Funding Requested
2017/18	£828,000
2018/19	£674,180
Total	£1,502,180

Should the bid be successful, the funding will be passed on to the bus operators to allow them to purchase and fit the technology. There is no capital expenditure for the Council, although there will be some staff resource involved in managing the project. The maintenance and additional operational costs of the systems will be met by the bus operators.

9. The bid was complex to develop, involving three bus operators (Go North East, Stagecoach and Arriva) and two technology manufacturers, and requiring specific detailed information on the vehicles involved. This information was only finalised shortly before the bid deadline of 17 November 2017. As it was necessary to submit by this time, a delegated decision was made in relation to the bid, as detailed in Appendix 2.

Consultation

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

Alternative Options

11. Alternative options were considered in relation to the exhaust technology included in the bid, but SCRT systems have a proven record of effectiveness from previous rounds of Clean Bus Technology Funding, which is felt to be important in submitting a cost effective bid.
12. An alternative option would also have been to not submit an application, but this would have been a lost opportunity in starting to address the NO₂ exceedances identified by DEFRA.

Implications of Recommended Option

13. Resources:

- a) **Financial Implications** – The Strategic Director, Corporate Resources confirms that there are no direct financial implications arising from this report. Should the application be successful, the funding would be passed to bus operators to procure the necessary equipment.
- b) **Human Resources Implications** – The delivery of this project will require project management input which will be met from the existing resource within Communities and Environment.

- c) **Property Implications** – There are no property implications.
14. **Risk Management Implication** - There are no risk management implications.
15. **Equality and Diversity Implications** - There are no equality and diversity implications arising directly from this report.
16. **Crime and Disorder Implications** – There are no crime and disorder implications arising directly from this report.
17. **Health Implications** – The reduction in vehicle emissions brought about by a successful bid will provide health benefits along the routes involved. The bid was supported by the Director of Public Health.
18. **Sustainability Implications** - The proposal will assist in providing the basis for a transport system capable of supporting the Borough's environmental, social and economic objectives in a sustainable fashion.
19. **Human Rights Implications** - There are no human rights implications.
20. **Area and Ward Implications** - The proposals will have implications for all wards, with the exception of Whickham South and Sunnyside.

APPENDIX 2

Service: Development Transport & Public Protection



RECORD OF EXECUTIVE DECISION

TITLE: Clean Bus Technology Fund 2017

DELEGATED: Urgent action to submit a bid to Government for the above funding stream.

POWER: Gateshead Council Constitution (13th Edition – July 2016)
Part 2 General Delegations to Managers – Paragraphs 4c & 4e

DECISION: The Clean Bus Technology Fund was announced by Government in September 2017, targeting the delivery of projects in 2017/18 and 2018/19 to support bus modifications that would bring the exhaust emissions of older vehicles up to Euro VI engine standards. While open to all authorities, funding would be targeted on Authorities where NO₂ exceedances have been identified.

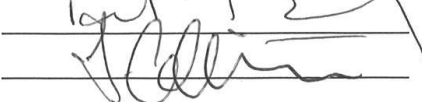
This is the case for Gateshead, Newcastle and North Tyneside and officers from the three authorities have been working together on this activity. While treating bus emissions will not, on its own, address NO₂ exceedances, it is a tangible quick win that will contribute to a wider solution. With that in mind, officers from the NECA authorities felt the best way forward was for Gateshead, Newcastle and North Tyneside to each make separate, but related, bids to the fund in an attempt to maximise the funding for the area as a whole.

The bid was complex to pull together as it involved three bus operators (Go North East, Stagecoach and Arriva) and two technology manufacturers. The list of vehicles involved, their engine type, the cost of the technology for each vehicle, and hence the overall scope and value of the bid, was only finalised in the week before the submission deadline of 17th November 2017.

Therefore, in accordance with the above delegations, an urgent action was taken in submitting the bid application to DEFRA.

Total bid value: £1,502,180

Paul Dowling – Strategic Director, Communities & Environment

Signed  14/12/17
Dated  14/12/17

DARREN COLLINS – STRATEGIC DIRECTOR, CORPORATE RESOURCES



REPORT TO CABINET
23 January 2018

TITLE OF REPORT: **Property Transaction – Surrender and New Lease of Craymer Dykes Durham Road, Gateshead**

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

Purpose of the Report

1. To seek approval to (i) accept the surrender of the current lease of Cramer Dykes from Springfield Cars Limited (“the Tenant”) and (ii) the grant of a new 125 year lease to the Tenant.

Background

2. Terms have been provisionally agreed in relation to the property transaction as set out in appendix 1.

Proposal

3. It is proposed to proceed with the property transaction outlined in appendix 1.

Recommendations

4. It is recommended that Cabinet:
 - (i) approves the property transaction outlined in appendix 1; and
 - (ii) authorises the Strategic Director, Corporate Services and Governance to agree the detailed terms.

For the following reasons:

To manage resources in accordance with the provisions of the Corporate Asset Strategy and Management Plan.

CONTACT: Steve Hayles extension 3466

Policy Context

1. The proposed new letting is consistent with the overall vision for Gateshead as set out in Vision 2030 and the Council Plan. In particular, creating the conditions for economic growth.
2. The proposed letting accords with the provisions of the Corporate Asset Strategy and Management Plan 2015-20 in particular supporting business growth and maximising income.

Background

3. The subject site is currently occupied by Springfield Cars Limited (“the Tenant”). The site is shown edged red on the attached plan.
4. The Tenant wishes to surrender their lease with the proposal that a new 125 year lease is to be granted. All the relevant checks have been made and passed.
5. The existing lease is for a term of 99 years from 01 May 1989, the current rent is £21,350 per annum with a 5 year rent review pattern.

Proposal

6. It is proposed to grant a 125 year lease to Springfield Cars Limited from a date to be agreed at a rent of £23,716 per annum with a 5 year rent review pattern.

Consultation

7. In preparing this report, consultations have taken place with the Leader and Deputy Leader. Ward Councillors have also been consulted and are supportive of the proposal.

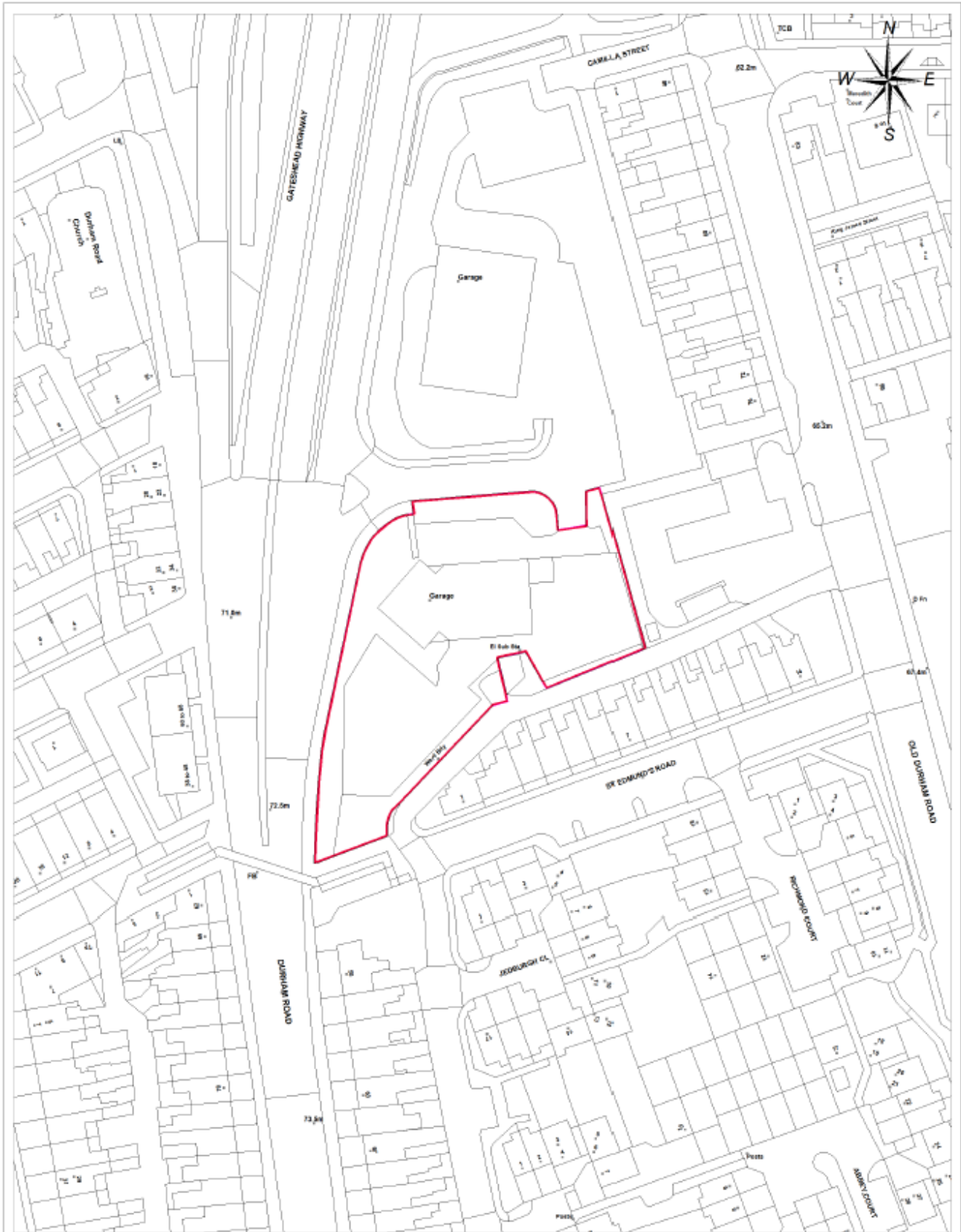
Alternative Options


8. The only alternative to surrendering the existing lease and granting a new one on the terms set out above would be to allow the current lease to continue. This would result in a loss of rental income to the Council. In addition, if the lease is not surrendered and a new one granted, the length of the lease term will continue to decrease which will create problems for a tenant in respect of obtaining finance secured against the subject site which would not be in the interest of the tenant or the Council.

Implications of Recommended Option

9. **Resources:**
 - a. **Financial Implications** – The Strategic Director, Corporate Resources confirms that additional income of £2,366 per annum would be generated as a result of this report.

- b. Human Resources Implications** - There are no human resource implications arising from this report.
 - c. Property Implications** – In securing this letting the Council is ensuring that it continues to maintain the best rental stream from its non-operational portfolio whilst mitigating its liabilities as to outgoings.
- 10. Risk Management Implication** – There are no additional risk management implications arising from this report.
- 11. Equality and Diversity Implications** – There are no equality & diversity implications arising from this report.
- 12. Crime and Disorder Implications** – There are no crime & disorder implications arising from this report.
- 13. Health Implications** – There are no health implications arising from this report.
- 14. Sustainability Implications** – There are no sustainability implications arising from this report.
- 15. Human Rights Implications** – There are no human rights implications arising from this report.
- 16. Area and Ward Implications** – Bridges in the Central area.



Title Cramer Dykes, Durham Road Springfield Cars Limited			<small>© Crown Copyright and Database rights 2015, Ordnance Survey (license number 100019132)</small>		 <small>Legal, Benefits and Property Services Corporate Services and Governance Gateshead Council</small>
Scale 1:1250	Date Created 13th December 2017	Drawn By Chris Aslam	Drawing Number EM20/02/128/001	Rev	
			Date Printed	O/S NUMBER NZ2562SE	



REPORT TO CABINET
23 January 2018

TITLE OF REPORT: Property Transaction – Surrender and New Lease of Land at Elysium Lane, Bensham Trading Estate, Gateshead

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

Purpose of the Report

1. To seek approval to (i) accept the surrender of the current lease of Land at Elysium Lane from Alan Vincent Sales (“the Tenant”) and (ii) the grant of a new 125 year lease to the Tenant.

Background

2. Terms have been provisionally agreed in relation to the property transaction as set out in appendix 1.

Proposal

3. It is proposed to proceed with the property transaction outlined in appendix 1.

Recommendations

4. It is recommended that Cabinet:
 - (i) approves the property transaction outlined in appendix 1; and
 - (ii) authorises the Strategic Director, Corporate Services and Governance to agree the detailed terms.

For the following reasons:

To manage resources in accordance with the provisions of the Corporate Asset Strategy and Management Plan.

CONTACT: Steve Hayles extension 3466

Policy Context

1. The proposed new letting is consistent with the overall vision for Gateshead as set out in Vision 2030 and the Council Plan. In particular creating the conditions for economic growth.
2. The proposed letting accords with the provisions of the Corporate Asset Strategy and Management Plan 2015-20 in particular supporting business growth and maximising income.

Background

3. The subject site is currently occupied by Alan Vincent Sales ("the Tenant"). The site is shown edged red on the attached plan.
4. The Tenant wishes to surrender their lease with the proposal that a new 125 year lease is to be granted. All the relevant checks have been made and passed.
5. The existing lease is for a term of 99 years from 01 December 1972, the current rent is £1,725 per annum with a 21 year rent review pattern.

Proposal

6. It is proposed to grant a 125 year lease to Alan Vincent Sales from a date to be agreed at a rent of £1,725 per annum with a 5 year rent review pattern.

Consultation

7. In preparing this report, consultations have taken place with the Leader and Deputy Leader. Ward Councillors have also been consulted and are supportive of the proposal.

Alternative Options

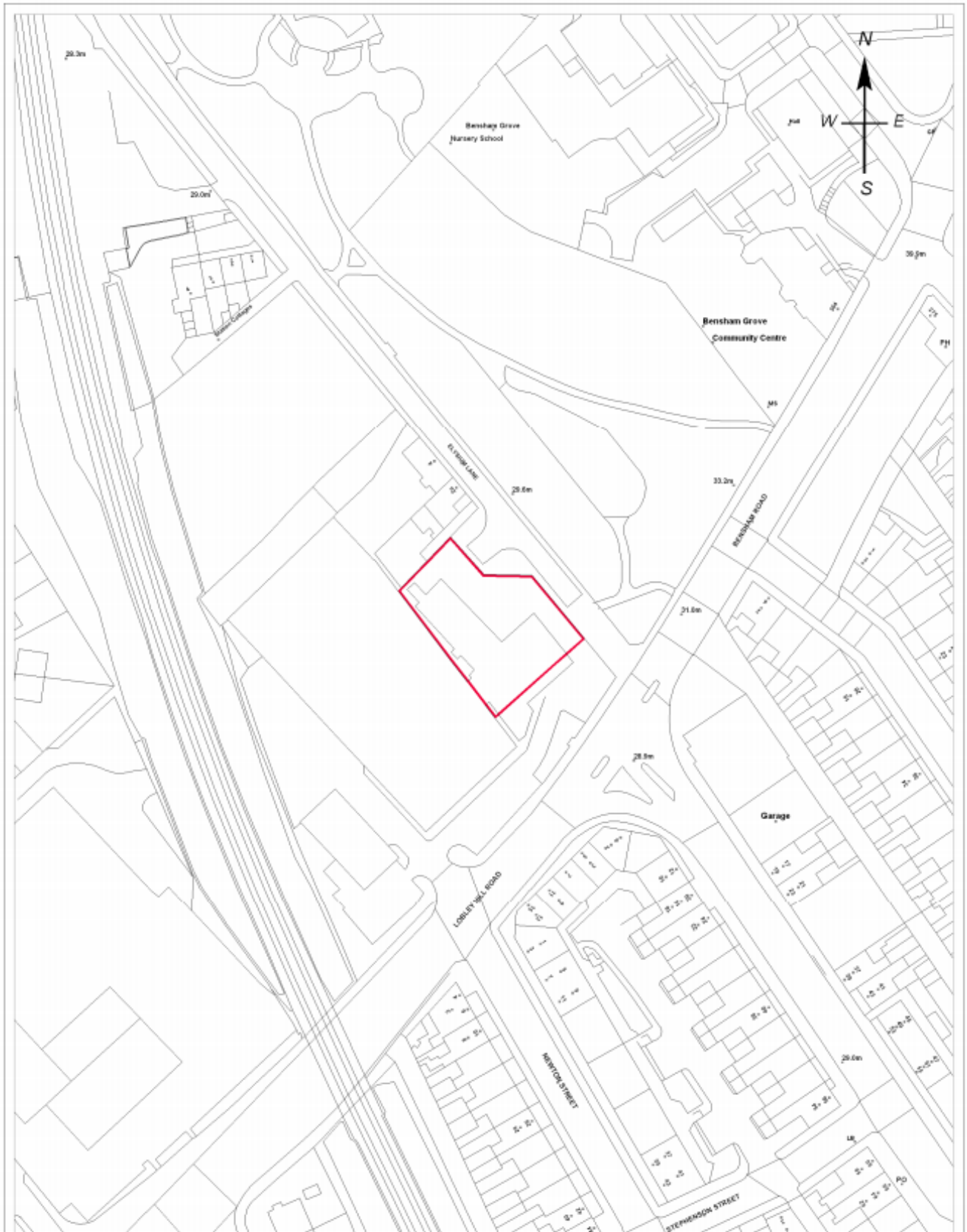
8. The only alternative to surrendering the existing lease and granting a new one on the terms set out above would be to allow the current lease to continue. This would result in a loss of rental income to the Council. In addition, if the lease is not surrendered and a new one granted, the length of the lease term will continue to decrease which will create problems for a tenant in respect of obtaining finance secured against the subject site which would not be in the interest of the tenant or the Council. The lease would remain on a twenty one year review pattern and not five as proposed.

Implications of Recommended Option

9. Resources:

- a. **Financial Implications** – The Strategic Director, Corporate Resources confirms 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** – In securing this letting the Council is ensuring that it continues to maintain the best rental stream from its non-operational portfolio whilst mitigating its liabilities as to outgoings.
- 10. Risk Management Implication** – There are no additional risk management implications arising from this report.
- 11. Equality and Diversity Implications** – There are no equality & diversity implications arising from this report.
- 12. Crime and Disorder Implications** – There are no crime & disorder implications arising from this report.
- 13. Health Implications** – There are no health implications arising from this report.
- 14. Sustainability Implications** – There are no sustainability implications arising from this report.
- 15. Human Rights Implications** – There are no human rights implications arising from this report.
- 16. Area and Ward Implications** – Lobley Hill and Bensham in the Central Area.



Title Lease Elysium Lane Gateshead		<small>© Crown Copyright and Database rights 2011. Ordnance Survey Base number: 999 9132.</small>		 Gateshead Council
Drawing Number Asset ID 000711		Rev 00		
Scale 1:1250	Date Created 13th September 2011	Drawn By Gillian Hall	Date Printed 13th September 2011	OIS NUMBER NZ2461NE
Corporate Asset Strategy Legal and Corporate Services Gateshead Council				



REPORT TO CABINET
23 January 2018

TITLE OF REPORT: Petitions Schedule

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

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. Cabinet is asked to note the petitions received and actions taken on them.

Recommendations

4. It is recommended that Cabinet note the petitions received and action taken on them.

For the following reason:

To inform the Cabinet of the progress of the petitions.

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

DATE RECEIVED	REF	FROM	ISSUE	FORWARDED TO	ACTION TO DATE
22.06.17 Submitted to the Deputy Leader of the Council	07/17	Petition from Keser Girls School	Petition requesting a crossing on Whitehall Road	Strategic Director, Communities and Environment	Crossing surveys were ordered in week commencing 08/01/18. A review of wider issues is currently ongoing.
23.11.17 Submitted to Councillor Twist Page 28	10/17	Petition from residents of Whickham	Petition requesting the installation of 2 pedestrian crossings at Parkway, Whickham	Strategic Director, Communities and Environment	A traffic and pedestrian survey was ordered in week commencing 08/01/18. A review is currently ongoing comprising: <ul style="list-style-type: none"> • accident history; • existing pedestrian movements; and • site investigation and public utility implications.
23.11.17 Submitted to Democratic Services by Councillors K McCartney and J Graham	11/17	Petition from residents of Dale View Gardens, Crawcrook	Petition requesting roof replacements at Dale View Gardens, Crawcrook	The Gateshead Housing Company	The ward councillors, Liz Twist MP and the lead petitioner have been advised that the roofs are not currently included in a future investment programme. However, the Housing Company and Council are arranging for the properties to be surveyed to establish the extent of any works required. This will take place on a date that is mutually convenient for all interested parties

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