

GATESHEAD METROPOLITAN BOROUGH COUNCIL

CABINET MEETING

Tuesday, 20 June 2017

PRESENT: Councillor M Gannon

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

C17 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor M Foy.

C18 MINUTES

The minutes of the last meeting held on 23 May 2017 were approved as a correct record and signed by the Chair.

C19 RECOMMISSION DAY SERVICE ACTIVITY

Consideration has been given to a plan to recommission the current day service provision to people with disabilities within Wrekenton Community Base, leading to the closure of the service and also to providing alternative forms of support to existing service users who access in house disability services who do not have complex needs.

RESOLVED - That the proposal to recommission disability day service activity as set out in the report be approved.

The above decisions have been made for the following reasons:

- (A) To generate estimated savings of £0.3m for the Council by closing the Wrekenton Community Base service and providing service users without complex needs with other types of community support.
- (B) To allow the Council to deliver stage 1 of the disability day services review and proceed with stage 2 of embodying an Enablement Framework within the service provision, ensuring people's skills and confidence are developed to secure a combination of: paid employment; enterprise; volunteering or independent living outcomes to reduce their reliance on social care services.
- (C) To enable service users to benefit from the future 'pick' and 'mix' style service model allowing people to access an increased range of activities during their daily week.

C20**SUBSTANCE MISUSE STRATEGY 2017-2022**

Consideration has been given to recommending the Council to approve the Substance Misuse Strategy and Action Plans for 2017 to 2022.

RESOLVED - That the Council be recommended to approve the Substance Misuse Strategy and Action Plans for 2017 to 2022.

The above decision has been made to reduce the harms caused by substance misuse and make Gateshead a safer and healthier place, where less alcohol and fewer substances are consumed, and where:

- professionals are confident and well-equipped to challenge behaviour and support change
- recovery is visible bringing about enduring change to local communities
- substances are no longer a driver of crime and disorder
- the health inequalities between socio-economic groups are reduced
- we all work in partnership to identify gaps and work to resolve these
- an integrated and comprehensive approach to tackling harm is employed
- possibilities of pooled budgets and joint commissioning a re-explored.

C21**REVENUE BUDGET - OUTTURN POSITION 2016/17**

Consideration has been given to the revenue outturn position for the financial year 2016/17 prior to audit and to recommending to the Council appropriations to and from reserves, consistent with previous decisions, accounting policies, the principles set out in the Medium Term Financial Strategy (MTFS) and requirements of the Accounting Code of Practice.

RESOLVED - (i) That the 2016/17 revenue outturn position of the Council as an under spend of £1.305m, subject to audit, be noted.

(ii) That the Council be recommended to approve the appropriations to and from reserves as outlined in the report.

The above decisions have been made to contribute to the sound financial planning and management of the Council to ensure financial sustainability.

C22**CAPITAL PROGRAMME AND PRUDENTIAL INDICATORS 2016/17 – YEAR END OUTTURN**

Consideration has been given to:

- a) a breakdown of the 2016/17 capital programme which included capital payments of £65.061m;
- b) an assessment of reasons for the variations from the third quarter review and details of the proposed financing of the capital programme; and
- c) the impact of CIPFA's Prudential Code on the capital programme and the monitoring of performance against the statutory Prudential Indicators.

- RESOLVED -
- (i) That the Council be recommended to agree all variations to the 2016/17 capital programme as detailed in appendix 2 to the report.
 - (ii) That the Council be recommended to agree the financing of the 2016/17 capital programme.
 - (iii) That it be confirmed 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 2016/17 have been breached.

The above decisions have been made for the following reasons:

- (a) To ensure the optimum use of the Council's capital resources in 2016/17.
- (b) To accommodate changes to the Council's in-year capital expenditure plans.
- (c) To ensure performance has remained within approved Prudential Limits.

C23 TREASURY ANNUAL REPORT 2016/17

Consideration has been given to recommending the Council to approve the Treasury Annual Report for 2016/17.

- RESOLVED -
- That the Council be recommended to approve the Treasury Annual Report for 2016/17.

The above decision has been made to ensure that the Council fully complies with the requirements of Financial Regulations and good practice as recommended by CIPFA in its Code of Practice on Treasury Management.

C24 IMPLEMENTATION OF PROCUREMENT PROTOCOLS

Consideration has been given to the adoption of two new procurement protocols for Off Payroll Working (IR35) and Trade Union Commissioning and Procurement and request to recommending the Council to approve an amendment to the Constitution to reflect this change.

- RESOLVED -
- (i) That the Protocols be adopted and implemented across the Council.
 - (ii) That the Council be recommended to approve an amendment to the Constitution to provide for the Protocols.
 - (iii) That training, which will be linked to the Workforce plan, be developed and be mandatory for all officers involved in procurement.
 - (iv) That the Service Director, Corporate Commissioning and Procurement be authorised to make minor amendments to the

protocols and also dual badge them with the name of the Council and also the name of the Gateshead Housing Company if appropriate.

The above decisions have been made for the following reasons:

- (A) To ensure the Council remains compliant with HMRC regulations and guidance in relation to employment/IR35 status.
- (B) To clarify the trade union role within commissioning and procurement activity.

C25

REVIEW OF ELECTORAL ARRANGEMENTS

Consideration has been given to a recommendation to Council following a review of the Council's electoral arrangements.

RESOLVED - That the Council be recommended that it does not pursue a change to a whole council scheme of elections nor promote via a request to the Boundary Commission for England for an electoral review, or reduction in the number of councillors.

The above decision has been made for the following reasons:

- (A) The proposals would not result in a significant budget saving and could have an adverse impact on local democracy.
- (B) The current process of elections by thirds maintains continuity and stability of the Council.

C26

CONSULTATION RESPONSE ON PROPOSED APPROACH TO COMMISSIONING A NEW MODEL OF PRIMARY ADDITIONALLY RESOURCED MAINSTREAM SCHOOL (ARMS) PROVISION 2017-18

Consideration has been given to the response to the consultation exercise on the proposed approach to commissioning a new model of Additionally Resourced Mainstream School (ARMS) provision in the primary sector in Gateshead for 2017-18 onwards and to developing the new model in partnership with schools.

RESOLVED - (i) That the response to the consultation exercise be noted.
(ii) That the implementation of the proposed pilot process during 2017-18 as set out in the report be approved.

The above decisions have been made because the pilot process will inform a new ARMS model being developed in partnership with schools and implemented from September 2018, which will be delivered to the highest quality, enable the needs of children with SEND to be met and deliver positive outcomes for them and will reduce the strain on places required in special schools.

CARE, WELLBEING AND LEARNING: ANNUAL REPORTS AND PLANS FOR 2016/17

Consideration has been given to the annual reports and strategic documents for services for children, young people and families. Cabinet has been appraised of key messages contained within the reports, to give assurance with regard to the Council's corporate parenting and safeguarding role as follows:

Independent Reviewing Officers (IROs) Annual Report – this quality assurance role ensures the views and feelings of the child are considered and that any drift or delays are challenged. The Council has 376 Looked After Children which is higher than last year and is above both the regional and national average. Not only has there been an increase in child protection activity, there has also been an increase in complexity of families coming into the child protection process. However, the number of children looked after for more than 12 months or more has decreased for the second year in a row. Placement stability remains good with 103 children in placements for at least two years. The Council is performing well in meeting review requirements. Following a review of this service the Council will be recruiting two additional IROs to address the increased workload.

Gateshead Child Protection Conference Chairs' Annual Report – 67% of cases relate to neglect and there has been a 23% increase in case conferences held in the reporting year. Work is being done with partners to improve the timeliness of reports which is critical to good decision making. Service user feedback will also be strengthened.

Annual Report on Children and Families Services Complaints, Compliments and Representations 2016/17 – the number of complaints has reduced from 37 in 2015/16 to 32 in 2016/17 and there has been an increase in compliments. Children are positively encouraged to feedback about the services they receive and more are doing so with the introduction of the 'Mind of My Own' app.

Annual Report on Adults Services Complaints, Compliments and Representations 2016/17 – complaints decreased by 15% on the previous year, however, the number of appeals after assessment or review has increased. This is due to robust application of eligibility criteria to ensure that those most in need receive appropriate support. Monitoring is stringent to make sure people are receiving the right service to the right level of quality, in the right place at the right time.

Adoption Service and Fostering Annual Reports 2016/17 – performance of permanent adoption placements is improving with 23 children placed into adoptive families, a further 18 children in placements with their adoptive families and the service actively family finding for 11 children. A further 28 foster carers have been approved and there has been an exceptionally high level of long service awards. The majority of Looked After Children are placed with the Council's in-house foster carers, which make up 200 approved foster households. The payment for skills programme has been very successful in increasing the knowledge, skills and competence of foster carers, particularly for the complex cases that are more frequently presented.

Education Gateshead Annual Report 2016/17 – the number of pupils showing a good level of development at the end of the Key Stage has increased from 64% to 68% which is 1% below the national average and in line with the regional average. Primary schools continue to perform above the national and regional averages and GCSE performance remains strong. Post 16 education is also performing above the regional and national averages. Ofsted judgements are more positive for primary and special schools by some margin, however, 38% of all schools in Gateshead are judged to be outstanding compared with

20% nationally.

Families Gateshead Annual Report 2016/17 – the service is performing well on ‘turning around’ families under the Families Gateshead work, which will increasingly be aligned with the Early Help offer.

- RESOLVED -
- (i) That the following reports be endorsed:
 - a) Independent Reviewing Officers annual report for 2016/17
 - b) Child Protection Conference Chairs Annual report for 2016/17
 - (ii) That the following reports be approved:
 - a) Children's and Adult Services Annual Complaints, Compliments and Representations Reports 2016/17
 - b) Adoption Annual Report 2016/17
 - c) Fostering Annual Report 2016/17
 - d) EducationGateshead Annual Report 2016/17
 - e) FamiliesGateshead Annual Report 2016/17

The above decisions have been made for the following reasons:

- (A) To continue to ensure that the needs of children, young people and families continue to be met.
- (B) To ensure most effective use of resources and alignment of programmes to achieve the priorities in the Council Plan.
- (C) To ensure the Council fulfils its statutory duties.

C28

COMMUNITY INFRASTRUCTURE LEVY (CIL) NEIGHBOURHOOD PORTION

Consideration has been given to the process for the governance for the collection and spending of the neighbourhood portion of the Community Infrastructure Levy (CIL) in Gateshead but excluding Lamesley Parish which has separate arrangements required under the CIL regulations.

- RESOLVED -
- (i) That 15% (neighbourhood portion) of all the CIL receipts resulting from chargeable development outside Lamesley Parish to be administered by the Community Foundation for Tyne and Wear and Northumberland with the transfer of monies including an administration fee of approximately 5% at the start of every financial year be approved.
 - (ii) That the entering into a legal agreement with the Community Foundation for Tyne and Wear and Northumberland for the above be approved.
 - (iii) That governance arrangements for the apportionment of funds to be through the CIL Neighbourhood Advisory Panel which will meet annually to exercise oversight of the Foundation's administration of the funds, to review the Foundation's ranking of applications and make recommendations to Cabinet on applications (subject to additional due diligence being done by

the Foundation) and comprise:

- a) Chair – Cabinet Member for Communities and Volunteering.
 - b) All ward councillors in which the chargeable development would take place.
 - c) Representative(s) of the Community Foundation for Tyne and Wear and Northumberland.
 - d) The Council's CIL officer.
- (iv) That the sequential criteria against which applications would be considered be approved as follows:

Priority criteria:

- a) Applications submitted by constituted community groups and organisations within the ward in which the chargeable development will take place and then;
- b) Applications submitted by constituted community groups and organisations in the nearest neighbouring ward to the chargeable development.

Threshold criteria:

- c) Applications for capital investment of between £5000 and £25,000 submitted by constituted community groups and organisations.
- d) There are no on-going revenue costs to the Council.

Quality criteria:

- e) The extent to which the application and funding would address the significant impact of a particular development through either the provision, improvement, replacement, operation or maintenance of infrastructure or anything else that is concerned with addressing the demands that development places on an area.
- (v) That the neighbourhood portion be allocated and defrayed within the financial year and any unspent funds from the neighbourhood portion to roll over to the next financial year, to form a Borough-wide neighbourhood fund available to all wards, assessed against the criteria above, allocated and defrayed within the financial year.
- (vi) That if there are still unspent funds after the above, these are transferred to the CIL central pot which is used to fund strategic infrastructure on the Council's CIL Regulation 123 list.
- (vii) That a review of the approach to the CIL neighbourhood portion (outside Lamesley Parish) to be carried out after April 2019 and a report be submitted to Cabinet.

The above decisions have been made for the following reasons:

- (A) To ensure that regulatory requirements regarding the neighbourhood portion are met.
- (B) To ensure that decisions relating to the allocation and expenditure of the neighbourhood portion are subject to appropriate oversight.
- (C) To review how well the process is working.

C29 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.

C30 GRANT OF LONG LEASE AT CHAD HOUSE, TYNEGATE PRECINCT TO FACILITATE NEW RESIDENTIAL ACCOMMODATION

Consideration has been given to the surrender and grant of a new 125 year lease of Chad House and Change of Use to M20 Property Limited (“M20P”), the Head Lessee of Chad House, to facilitate the redevelopment of the building to create 80 new one and two bedroom apartments, close to Gateshead Town Centre.

- RESOLVED -
- (i) That the surrender of the current head lease from M20P be approved.
 - (ii) That the grant of a new 125 year head lease and change of use to Residential, at a peppercorn rent, subject to securing agreement on the external appearance of the Building and consultation with the Cabinet Member for Housing and ward councillors in this regard, be approved.

The above decisions have been made for the following reasons:

- (A) To ensure a vacant building is brought back into economic use.
- (B) To provide new residential homes adjacent to the Town Centre.

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: 22 June 2017

Chair.....