

GATESHEAD METROPOLITAN BOROUGH COUNCIL

CABINET MEETING

9 FEBRUARY 2016

PRESENT: Councillor M Henry

Councillors: M Gannon, C Donovan, A Douglas, M Foy, G Haley,
J McElroy, M McNestry and L Twist

C152 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor L Green.

C153 MINUTES

The minutes of the Cabinet meeting held on 19 January 2016 were approved as a correct record and signed by the Chair.

C154 REALLOCATION OF FUNCTIONS

Consideration has been given to recommending the Council to approve a re-organisation of functions within the Council's management structure.

RESOLVED - That the Council be recommended to approve the management structure changes detailed in paragraphs 7 to 14 of the report, effective from the following dates in respect of:

- (i) Policy, Economic Growth & Transformation (paragraphs 7 to 9 of the report) – 1 April 2016; and
- (ii) Emergency Planning and Resilience, and Council Housing and Housing Support Functions, and Transport Strategy (paragraphs 10 to 14 of the report):
 - a). 29 February 2016, for those transferring to Council Housing, Design & Technical Services; and
 - b). 1 April 2016, for those transferring to the Gateshead Housing Company.

The above decisions have been made to enable continued improvement in the co-ordination of Council functions, the organisation of its staff, and to enable Council services to be delivered in a more efficient and effective way.

C155 HOUSING REVENUE ACCOUNT (HRA) AND HOUSING CAPITAL PROGRAMME

Consideration has been given to recommending the Council to approve:

- (i) the Housing Revenue Account (HRA) budget for 2016/17, including proposed savings;
- (ii) the proposed rent changes from 1 April 2016, in line with the Government's

policy on rent setting;

- (iii) the detailed proposals for fees and charges;
- (iv) the proposed phased removal of subsidy for sheltered services support;
- (v) the proposed Housing Capital Programme for the next five years (2016/17 to 2020/21);
- (vi) amendments to the council house repair policy; and
- (vii) amendments to the council house rent policy

RESOLVED - That the Council be recommended to approve:

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 - (i) The Housing Revenue Account as set out in Appendix 2 to the report, including The Gateshead Housing Company management fee, the repairs and management budget and savings detailed in Appendix 3 to the report.
 - (ii) The weekly rent reduction of 1% from 1 April 2016 in relation to non-supported housing.
 - (iii) The weekly rent increase of 0.9% in relation to all supported housing.
 - (iv) The fees and charges schedule as detailed in Appendix 4 to the report.
 - (v) The phased removal of subsidy for sheltered services support.
 - (vi) The Housing Capital Programme for the five years 2016/17 to 2020/21 as set out in Appendix 6 to the report.
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 - (vii) Amendments to the Repairs Policy to facilitate the achievement of the agreed savings to be delegated to the Strategic Director, Communities & Environment in consultation with the Leader and the Cabinet Member for Housing.
 - (viii) Amendments to the rent policy to increase rent on vacant properties to target social rent and such detailed amendments to be delegated to the Strategic Director, Communities & Environment in consultation with the Leader and the Cabinet Member for Housing.

The above decisions have been made for the following reasons:

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 - (A) To set a Housing Revenue Account for 2016/17 that is not in debit as required under the Local Government and Housing Act 1989 (Part VI).
 - (B) To realise the Council's policies and objectives in relation to Housing Strategy in order to maintain and

enhance Council Housing Provision in Gateshead.

C156 ALLOTMENT PORTFOLIO - RENT REVIEW 1 APRIL 2016

Consideration has been given to the proposed increases in allotment rents and to recommending the Council to include the increased rental levels in the schedule of fees and charges for 2016/17.

RESOLVED - That the Council be recommended to approve the proposed increases in allotment rent levels as set out in Appendix 2 to the report and that the increased rental levels be included in the schedule of fees and charges for 2016/17.

The above decision has been made for the following reasons:

- (A) To remove the current subsidy arising from the management of the allotment portfolio.
- (B) To increase rents in line with the current allotment tenancy agreements.

(Councillor J McElroy declared a personal interest in the above matter because he is an allotment holder. The Strategic Director, Corporate Services and Governance reminded Councillors that the setting of fees and charges formed part of the budget setting process and was therefore covered by the dispensation given to all Councillors from declaring interests on such matters).

C157 MAINTAINING A SUSTAINABLE ORGANISATION - DELIVERING CHANGE

Consideration has been given to proposals for an enhanced programme of change necessary to deliver the Council Plan 2015-2020. This includes proposals to broaden the range and pace of change across the authority. This is in response to the continuing financial pressures and the need to ensure the Council provides the best possible outcomes for Gateshead residents.

The alternative options to that being recommended, but which were discounted, included use of a specialist consultancy firm to devise and deliver a programme; increasing internal capacity on a project by project basis or sharing a programme with another authority; as well as doing nothing.

- RESOLVED -
- (i) That the approach to organisation change outlined in the report be endorsed.
 - (ii) That the resourcing of the programme to be funded from the strategic change reserve that has been set aside for this purpose and from invest to save opportunities be noted.
 - (iii) That a quarterly update report that identifies programme progress be submitted to Cabinet.

The above decision has been made for the following reasons:-

- (A) To contribute to the delivery of Council priorities as identified in Vision 2030 and the Council Plan.

- (B) To assist in ensuring a sustainable financial position for the Council for the medium to long term.

C158 NORTH EAST COMBINED AUTHORITY - PROPOSED DEVOLUTION AGREEMENT AND ELECTED REGIONAL MAYOR

Consideration has been given to the information on the consultation exercises currently being undertaken in relation to the proposed Devolution Agreement (the “proposed Agreement”) and to the proposal that full Council be consulted on the proposed Agreement.

- RESOLVED -
- (i) That the current consultation undertaken in relation to the North East Combined Authority proposed Devolution Agreement including the proposal for an Elected Mayor for the NECA area be noted.
 - (ii) That a report be submitted to Council on 25 February 2016 outlining the proposals contained in the proposed Agreement at Appendix 2 to the report and detailing the consultation exercise undertaken on the proposed Agreement to date, the consultation responses and any other relevant information.
 - (iii) That the Chief Executive in consultation with the Leader and the Strategic Director, Corporate Services and Governance be authorised to provide a report to Council on 25 February 2016 setting out the matters referred to in (ii) above and inviting the views of Council to be provided.
 - (iv) That a further report be submitted to a meeting of Cabinet (extraordinary if necessary) following the Council meeting, to consider whether to consent to the creation of a Mayoral Combined Authority for the NECA.

The above decisions have been made for the following reasons:

- (A) The proposed Agreement entered into between NECA and the Chancellor was conditional upon a number of actions being taken by each party. NECA is required to undertake “further public consultation” on the proposed Agreement and this consultation is ongoing.
- (B) Whereas the formal consent to the proposal for a Mayoral Combined Authority is an executive function, to ensure that the Authority as a whole is fully appraised of the proposals including the proposal that the NECA become a Mayoral Combined Authority it is recommended that Cabinet seek the views of Council at the next ordinary meeting on 25 February 2016, prior to consideration whether to consent by Cabinet at a meeting later in March.

C159 COUNCIL PLAN – SIX MONTH ASSESSMENT OF PERFORMANCE AND DELIVERY 2015/16

Consideration has been given to the Council Plan six month assessment of performance and delivery for 2015/16.

- RESOLVED –
- (i) That the recommendations of all the Council’s Overview and Scrutiny Committees in relation to the 2015/16 six month performance report as set out in Appendix 3 to the report be approved.
 - (ii) That the Council has met its performance objectives and is addressing the outcomes in delivering the Council Plan 2015-2020.

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

C160 MENTAL CAPACITY ACT POLICY, GUIDANCE AND PROCEDURAL FRAMEWORK

Consideration has been given to the contents of the revised and streamlined draft Mental Capacity Act and Deprivation of Liberty Policy Framework.

- RESOLVED -
- (i) That the provisions within the revised Mental Capacity Act and Deprivation of Liberty Policy and the development of future practice guidance documents to strengthen this policy area and approach be endorsed.
 - (ii) That the revised policy framework document be referred to the Local Safeguarding Children’s Board.

The above decisions have been made for the following reasons:

- (A) To support Council employees and partnership agencies across Gateshead in complying with the provisions of the Mental Capacity Act and the Deprivation of Liberty Safeguards.
- (B) To respond to the recommendations made by the Care Quality Commission’s sixth annual report; *Monitoring the use of the Mental Capacity Act Deprivation of Liberty Safeguards in 2014/15*

C161 EIGHTON LODGE (NEWCASTLE BANK, BIRTLEY) PARK AND RIDE PROPOSAL

Consideration has been given to the submission of the outline business case for the Eighton Lodge park and ride site, as shown edged black on the plan attached to the report, to the North East Combined Authority (NECA).

- RESOLVED -
- That the Strategic Director, Communities and Environment be authorised to submit the outline business case for the Eighton Lodge park and ride site to the North East Combined Authority.

The above decision has been made to enable progress in developing the scheme and accessing allocated funding.

C162 RESPONSES TO CONSULTATION

Consideration has been given to responses to recent consultations.

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

- Changes to the National Planning Policy Framework – Department for Communities and Local Government
- Green Belt and Site Selection Options for a proposed International Advanced Manufacturing Park - South Tyneside and Sunderland City Councils

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

C163 SURPLUS DECLARATION AND GRANT OF LEASES OF LAND AND BUILDING AT WARDLEY WELFARE PARK

Consideration has been given to:

- (i) the land and property at Wardley Park being declared surplus to the Council's requirements;
- (ii) the grant of a lease of the pavilion pursuant to the Council's Community Asset Transfer Policy; and
- (iii) the grant of a lease of the football pitches to Felling Magpies Football Club.

- RESOLVED -
- (i) That the land and property at Wardley Park be declared surplus to the Council's requirements.
 - (ii) That the Strategic Director Corporate Services and Governance be authorised to grant two co-terminous 35 year leases of Wardley Park to Felling Magpies Football Club (a) relating to the pavilion for a term of 35 years at a peppercorn rent pursuant to the Council's Community Asset Transfer Policy and (b) relating to the football pitches at an annual rent of £1,400 subject to a phased payment over the first four years of the lease.

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

C164 PROPOSED GROUND LEASE OF LAND AT DERWENTHAUGH MARINA

Consideration has been given to the grant of a ground lease of land at Derwenthaugh Marina to the Gateshead Community Rowing Club.

RESOLVED - That the Strategic Director, Corporate Services and Governance be authorised to grant a 99 year ground lease to the Gateshead Community Rowing Club at a peppercorn rent subject to the Club's fulfilment of the Council's Armed Forces Community Covenant .

The above decision has been made for the following reasons:

- (A) To manage the Council's assets in line with the

Corporate Asset Strategy and Management Plan.

- (B) To contribute to the Council's Armed Forces Community Covenant.

C165 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.

C166 PROPOSED SALE OF THE FORMER MARLEY HILL PRIMARY SCHOOL, MARLEY HILL (PARAGRAPH 3)

Consideration has been given to the proposed sale of the Council's freehold interest in the former Marley Hill Primary School, Marley Hill to Buckley Burnett Limited, which is subject to the company obtaining a detailed planning permission for residential redevelopment.

- RESOLVED -
- (i) That the sale of the former Marley Hill Primary School to Buckley Burnett Limited for the initial purchase price as set out in the report be approved.
 - (ii) That the Service Director, Legal, Democratic & Property Services be authorised to:
 - (a) negotiate any deductions from the initial purchase price for abnormal development costs and planning obligations, up to a maximum value of £250,000; and
 - (b) proceed with the second highest offer as set out in the report (less deductions) from Gus Robinson Developments Limited, or the unconditional offer as set out in the report from Fordinghall Limited, whichever is the highest, in the event Buckley Burnett fail to provide proof of funds confirming their ability to acquire and develop the site.

The above decision has been made to dispose of a surplus asset, realise a capital receipt and provide housing growth.

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: 10 February 2016

Chair.....