

GATESHEAD METROPOLITAN BOROUGH COUNCIL

CABINET MEETING

Tuesday, 22 February 2022

PRESENT: Councillor M Gannon

Councillors: C Donovan, J Adams, M Brain, L Green,
G Haley, J McElroy, M McNestry and B Oliphant

Also in attendance: Councillors: R Beadle, S Green and JC
Wallace

C135 **APOLOGIES FOR ABSENCE**

An apology for absence was submitted from Councillor A Douglas.

C136 **MINUTES**

The minutes of the last meeting held on 25 January 2022 were agreed as a correct record and signed by the Chair.

C137 **HOUSING REVENUE ACCOUNT OPTIONS APPRAISAL RECOMMENDATIONS**

Consideration has been given to progress made against the options appraisals identified in the Housing Revenue Account (HRA) Asset Management Strategy and to the proposal to decommission Redheugh, Eslington and Warwick Courts as part of the work to support a statutorily compliant business plan, able to fund a compliant, well maintained and sustainable housing stock.

The alternative options to those being recommended, but which were discounted, including retaining the blocks with vary levels of investment and in respect of Warwick Court decommissioning and demolishing the block without any further appraisal.

- RESOLVED -
- (i) That the decommissioning of Redheugh and Eslington Courts and the associated garages from April 2022, with these buildings being demolished over the following three years from 2022/23, be approved.
 - (ii) That the decommissioning of Warwick Court from April 2022 and the commencement of an appraisal of the building structure to assess whether it can be decommissioned, renovated and recommissioned to provide an alternative smaller specialist housing offer, be approved.
 - (iii) That the prioritisation of tenants of the above mentioned blocks for rehousing; the issuing of Home-loss and disturbance payments as appropriate and the removal of the existing void

properties from the Housing Revenue Account rent roll, be approved.

- (iv) That the Strategic Director, Housing, Environment and Healthy Communities be authorised to commence negotiations to acquire the two residential leasehold properties and develop a suitable compensation package and should negotiations not be successful, to compulsorily acquire the properties using compulsory purchase powers as a last resort.
- (v) That the extension of the HRA Estate Regeneration Officer post to March 2025, and changes to the residential caretaker arrangements in the blocks, to support the decommissioning process, be approved.

The above decisions have been made for the following reasons:

- (A) To set a Housing Revenue Account that is not in debit as required under the Local Government and Housing Act 1989 (Part VI) and is able to meet its short- and long-term investment requirements.
- (B) To realise the Council's policies and objectives in relation to the Housing Strategy in order to maintain and enhance Council Housing provision in Gateshead.
- (C) To assist in the delivery of the Council's vision for Gateshead as set out in Making Gateshead a Place where Everyone Thrives.

C138

ENERGY TARIFFS 2022-23 FOR GATESHEAD HEIGHTS

Consideration has been given to energy tariffs for High Rise Energy Infrastructure for Gateshead Housing Tenants (HEIGHTs) project residents for 2022/23.

The alternative options to those being recommended, but which were discounted, included setting higher or lower tariffs.

- RESOLVED -
- (i) That the proposed heat and electricity tariffs for HEIGHTs project residents for the period 1 April 2022 to 31 March 2023, as set out in the report, be approved and the revised tariffs communicated to the residents.
 - (ii) That the tariffs be reviewed in six months and any proposed necessary adjustments to the tariffs agreed be the subject of a further report to Cabinet.

The above decisions have been made for the following reasons:

- (A) To comply with heat and electricity supply agreements in place with customers.
- (B) To ensure the HEIGHTs scheme recovers its operating

and construction costs over its lifetime.

- (C) To ensure HEIGHTs customers continue to pay fair and market reflective prices for their heating and electricity.

C139

THE CLEAN AIR PLAN FOR GATESHEAD AND NEWCASTLE - JOINT COMMITTEE AND LEGAL ORDER

Consideration has been given to making the legal order for the Clean Air Zone, maintaining a local register of exempt vehicles, entering into agreements with the Joint Air Quality Unit and to establish a Joint Committee with Newcastle City Council to manage the Clean Air Zone.

- RESOLVED -
- (i) That the joint making with the Newcastle City Council of the Newcastle and Gateshead Clean Air Zone Charging Order 2022 (“the Charging Order”), substantially in the form as set out in appendix 2 to the report and the delegation of authority to the Strategic Director Economy, Innovation and Growth, following consultation with the Leader and the Cabinet Member for Environment and Transport, to agree any changes to the Charging Order on behalf of Gateshead Council (and to note that such changes would also need to be agreed by Newcastle City Council), be approved.
 - (ii) That in accordance with the Council’s Constitution, the sealing and dating of the Charging Order incorporating any changes to the version provided at appendix 2 to the report, which are made as in accordance with (i) above, be approved and authorised.
 - (iii) That authority be delegated to Newcastle City Council to determine the date that charging pursuant to the Charging Order shall commence and thereafter publish notice of such date following agreement with the Strategic Director Economy, Innovation and Growth of the date.
 - (iv) That functions be delegated to Newcastle City Council to undertake enforcement of the Charging Order pursuant to The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 and all other enabling powers.
 - (v) That it be approved Newcastle City Council shall maintain and administer the local register, which will identify non-chargeable vehicles for the purposes of Part 2 of Annex 2 and of Annex 4 of the Charging Order criteria for determining applications for entry onto such local register.
 - (vi) That authority be delegated to Newcastle City Council to distribute the funding for grants for the Clean Air Zone in order to retrofit or upgrade potentially affected vehicles, in line with the Full Business Case and funding received.

- (vii) That authorisation be given for the entry into a joint working agreement with Newcastle City Council and delegated authority be given to the Strategic Director Economy, Innovation and Growth, following consultation with the Leader and Cabinet Member for Environment and Transport, to agree the terms and provisions of such agreement.
- (viii) That it be noted Newcastle City Council will enter into a Clean Air Zone Services Agreement with the Government and the entry into all necessary Data Sharing Agreements with the Government be authorised, with all such agreements to be on such terms as shall be agreed by the Strategic Director, Economy, Innovation and Growth, following consultation with the Leader and Cabinet Member for Environment and Transport.
- (ix) That the Council be recommended to agree to the establishment of an “Air Quality Joint Committee” with Newcastle City Council to exercise both executive and non-executive functions as set out in the terms of reference at appendix 3 to the report and it be noted that Full Council shall, with the agreement of Cabinet, make appointments to such Joint Committee.
- (x) That it be noted decisions are also being taken by Newcastle City Council where actions are being required to be taken jointly, in relation to the delegation of enforcement functions and in relation to the setting up of the Air Quality Joint Committee.

The above decisions have been made for the following reasons:

- (A) To put in place the legal and administrative decisions which are required to implement the Clean Air Zone.
- (B) Time is critical in delivering compliance with the legal air quality standards and therefore it is necessary to take steps relating to the introduction of the Clean Air Zone, in advance of receiving formal confirmation from the Government that the Full Business Case is approved.

C140

HOUSING REVENUE ACCOUNT (HRA) AND HOUSING CAPITAL PROGRAMME

Consideration has been given to the proposed Housing Revenue Account (HRA) budget for 2022/23, the proposed Housing Capital Programme for 2022/23 and the indicative programme for the period 2023/24 – 2026/27.

RESOLVED -

That the Council be recommended to approve:

- (i) The Housing Revenue Account (HRA) for 2022/23 as set out in appendix 2 to the report.

- (ii) The Housing Capital Programme for the five years 2022/23 to 2026/27 as set out in appendix 3 to the report.

The above decisions have been made for the following reasons:

- (A) To set a Housing Revenue Account for 2022/23 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 the Housing Strategy to maintain and enhance Council Housing provision in Gateshead.
- (C) To assist in the delivery of the Council's vision for Gateshead as set out in Making Gateshead a Place where Everyone Thrives.

C141 **CAPITAL PROGRAMME 2022/23 TO 2026/27**

Consideration has been given to the proposed Capital Programme for the next five years to continue to provide significant levels of strategic investment to help maintain and deliver financial sustainability and support the Council's strategic approach to Making Gateshead a Place Where Everyone Thrives.

- RESOLVED -
- (i) That the Council be recommended to approve the Capital Programme for 2022/23 and the provisional programmes for 2023/24 to 2026/27, as set out in appendix 2 to the report.
 - (ii) That the provisional capital financing required for the programme as set out in appendix 3 to the report be noted and the Strategic Director, Resources & Digital be given delegated authority to enter into prudential borrowing which is consistent with the requirements of the Capital Programme and Council's Treasury Management Strategy.

The above decisions have been made for the following reasons:

- (A) To continue to provide investment within the borough to delivery Council priorities.
- (B) To assist with the medium and long-term financial sustainability of the Council.

C142 **FEES AND CHARGES 2022/23**

Consideration has been given to fees and charges for 2022/23.

- RESOLVED -
- That the Council be recommended to approve:
 - (i) The fees and charges for 2022/23 as set out in appendix 2 to the report.

- (ii) Authorising the Strategic Director, Resources and Digital to make any necessary adjustments to correct any errors in the schedule of fees and charges.

The above decisions have been made for the following reasons:

- (A) To ensure that Fees and Charges are set in accordance with Council priorities.
- (B) To support the delivery of the Council's budget and the strategic approach to making Gateshead a place where everyone thrives.

C143

BUDGET AND COUNCIL TAX LEVEL 2022/23

Consideration has been given to recommending to Council the proposed Budget and Council Tax Level for 2022/23 and the prudential indicators and Minimum Revenue Provision (MRP) Statement as set out in the report.

RESOLVED - That the following recommendations be made to the Council:

- (1) That Gateshead's Band D council tax for 2022/23 is increased by 2.99% (including a 1% adult social care Government charge) to £1,972.17.
- (2) The revenue estimates of £254.304 million for 2022/23 are approved.
- (3) To extend the council tax hardship scheme into 2022/23 using existing funds to reduce all working age Local Council Tax Support recipients bills by £50 in 2022/23.
- (4) The budgeted use of £29.239 million Earmarked Reserves in 2022/23 be approved (comprising of £1.750 million budgeted use of strategic, £8.996 million budgeted use of pandemic, £12.675 million ringfenced covid support to retained business rates and £5.818 million budget sustainability).
- (5) That the proposed budgets including the indicative schools funding presented in appendix 2 be agreed.
- (6) That the outcome of initial budget consultation outlined in appendix 4 be noted.
- (7) To note the conclusions of the Strategic Director, Resources and Digital in respect of the robustness of budget estimates and adequacy of reserves outlined in appendix 5.
- (8) That the prudential and treasury indicators set out in appendix 7 to this report be agreed.
- (9) That the method of calculating the Minimum Revenue Provision (MRP) for 2022/23 as set out in appendix 8 be approved.

- (10) That it be noted that at its meeting on 25 January 2022, Cabinet agreed the following amounts for the year 2022/23 in accordance with regulations made under Section 31B (3) of the Local Government Finance Act 1992 as amended by the Localism Act 2011:
- (a) **52,660.9** being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, as its Council Tax base for the year;
 - (b) **1,214.1** for Lamesley Parish being the amount calculated by the Council, in accordance with regulation 6 of the Regulations, as the amount of its Council Tax base for the year for dwellings in those parts of its area to which special items relate.
- (11) That the following amounts be now calculated by the Council for the year 2022/23 in accordance with Sections 31A, 31B and 34 to 36 of the Local Government Finance Act 1992, as amended by the Localism Act 2011 ('the Act'):
- (a) **£614,685,003** being the aggregate total of the expenditure amounts, which the Council estimates for the items, set out in Section 31A (2) of the Act taking into account the precept issued by Lamesley Parish Council;
 - (b) **(£510,816,169)** being the aggregate total of the income amounts, which the Council estimate for the items, set out in Section 31A (3) of the Act;
 - (c) **£103,868,834** being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in accordance with Section 31A (4) of the Act, as its Council Tax requirement for the year including Lamesley Parish Council;
 - (d) **£1,972.4090** being the amount at (c) above, all divided by the amount at (10)(a) above, calculated by the Council, in accordance with Section 31B (l) of the Act, as the basic amount of its Council Tax for the year including Lamesley Parish Council;
 - (e) **£12,467.00** being the aggregate amount of all special items (Lamesley Parish Council) referred to in Section 34(1) of the Act;
 - (f) **£1,972.1723** being the amount at (d) less the result given by dividing the amount at (e) above by the amount at (10)(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in

those parts of its area to which no special item (Lamesley Parish Council) relates;

- (g) Part of the Council's area: Lamesley Parish **£1,982.4408** being the amounts given by adding to the amount at (f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at (10)(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items (Lamesley Parish Council) relate;

(h)

Valuation Band	Lamesley Parish £	All other parts of the Council's area £
A	6.85	1,314.79
B	7.99	1,533.91
C	9.13	1,753.04
D	10.27	1,972.17
E	12.55	2,410.44
F	14.83	2,848.70
G	17.12	3,286.96
H	20.54	3,944.34

being the amounts given by multiplying the amounts at (f) and (g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

- (12) That it be noted that for the year 2022/23, the Police and Crime Commissioner for Northumbria, and Tyne and Wear Fire and Rescue Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Valuation Band	Police and Crime Commissioner for Northumbria £	Tyne and Wear Fire and Rescue Authority £
A	102.56	58.23
B	119.65	67.94
C	136.75	77.64
D	153.84	87.35
E	188.03	106.76
F	222.21	126.17

G	256.40	145.58
H	307.68	174.70

- (13) That, having calculated the aggregate in each case of the amounts at (11) (h) and (12) above, the Council in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2022/23 for each of the categories of dwellings shown below:

Valuation Band	Lamesley Parish £	All other parts of the Council's area £
A	1,482.43	1,475.58
B	1,729.49	1,721.50
C	1,976.56	1,967.43
D	2,223.63	2,213.36
E	2,717.78	2,705.23
F	3,211.91	3,197.08
G	3,706.06	3,688.94
H	4,447.26	4,426.72

- (14) That under section 52ZB of the Local Government Finance Act 1992 (as amended by the Localism Act 2011), the Council's relevant basic amount of council tax for 2022/23 is not excessive in accordance with the principles determined under section 52ZC of the Act.

The above decisions have been made to fulfil the Council's statutory duty to set the Budget and Council Tax for 2022/23.

C144

EXTERNAL AUDITOR APPOINTMENTS BEYOND 1 APRIL 2023

Consideration has been given to recommending the Council to opt into the national sector-led arrangement for the appointment of external auditors with effect from 1 April 2023.

The alternative options to that being recommended, but which were discounted, included the Council appointing its own external Auditor or in a joint arrangement with other local authorities.

RESOLVED - That the Council be recommended to approve the proposal to opt-in to the sector-led option for the appointment of external auditors for five financial years commencing 1 April 2023.

The above decision has been made for the following reasons:

- (A) To ensure the Council can make the necessary arrangements for the appointment of external auditors for the financial year beginning 1 April 2023 in compliance with the requirements of the Local Audit and Accountability Act 2014
- (B) This is the optimum arrangement for the achievement of value

for money and deliverability.

C145

PRIMARY COMMUNITY CONTROLLED SCHOOL ADMISSIONS ARRANGEMENTS AND CO-ORDINATED ADMISSION SCHEMES FOR PRIMARY AND SECONDARY SCHOOLS FOR 2023/24

Consideration has been given to the proposed Community and Voluntary Controlled Primary Schools Admission Policy 2023; the proposed Co-ordinated admission schemes for Infant, Junior, Primary schools and Secondary Schools 2023; and the proposed Planned Admission Numbers (PANs) for Community schools for 2023/24.

- RESOLVED -
- (i) That the Community and Voluntary Controlled Primary Admissions Policy as set out in appendix 2 to the report be approved and adopted for September 2023.
 - (ii) That the approved admissions policies for September 2022 are used, as a basis of consultation, if necessary, with schools and others for formulating the relevant admissions policies from September 2023/24 onwards.
 - (iii) That the approved two co-ordinated admission schemes for Secondary, Infant Junior and Primary schools, as set out in appendix 3 to the report, be adopted for September 2023.
 - (iv) That it be noted the Planned Admissions Numbers (PANs) for all community Primary schools, as set out in appendix 3 to the report, are to be adopted by the governing bodies of each school.
 - (v) That the change in PAN for both Brighton Avenue and South Street Primary Schools be approved.

The above decisions have been made to enable the Council to comply with statutory legislation as it relates to school admissions policies, admission arrangements and co-ordinated admission arrangements.

C146

COMMUNITY RENEWAL FUND PROJECT - SUNDERLAND CITY COUNCIL

Consideration has been given to the action taken by officers in accepting funding of £504,280 awarded to Gateshead Council learningSkills from Sunderland City Council for a Community Renewal Fund project, following a successful bid. The project will fund third sector organisations in Sunderland to provide wrap around support to Sunderland residents with multiple barriers and difficulties to access statutory services, the community, training, and employment opportunities.

- RESOLVED -
- That the action taken by the Service Director, Education, Schools and Inclusion in submitting the bid and accepting the funding award contract with Sunderland City Council, following consultation with the Strategic Director, Resources and Digital, in accordance with Schedule 5, Part 2 General Delegations to Managers, Paragraph (4)(e) of the Council's Constitution be noted and endorsed.

The above decisions have been made for the following reasons:

- (A) To comply with the requirements of the Council's Constitution.
- (B) To ensure openness and transparency with the decisions made by officers.

C147

COMMUNITY ASSET TRANSFER - HEWORTH WELFARE PARK BOWLING GREEN AND PAVILION

Consideration has been given to the community asset transfer by the grant of a 25-year lease in relation to Heworth Welfare Park Bowling Green and Pavilion, Smithburn Road, Felling.

RESOLVED - That as Trustee and subject to the necessary consents being obtained, the grant of a 25-year lease of Heworth Welfare Park Bowling Green and Pavilion to Active Future FP Community Interest Company, in accordance with the Community Asset Transfer Policy be approved.

The above decisions have been made for the following reasons:

- (A) To manage the Trust's assets in line with the objects of the Trust and in line with the Council's Corporate Asset Strategy and Management Plan.
- (B) To realise savings for the Trust.

C148

SURPLUS DECLARATION - OLIVER HENDERSON PARK BOWLING GREEN AND PAVILION

Consideration has been given to the surplus declaration to the Council's requirements of Oliver Henderson Park Bowling Green and Pavilion, Meresyde, Leam Lane.

RESOLVED - That subject to the proposed disposal being advertised as required by Section 123(2A) of the Local Government Act 1972:

- (i) Oliver Henderson Park Bowling Green and Pavilion be declared surplus to the Council's requirements.
- (ii) the Strategic Director, Housing, Environment and Healthy Communities be authorised to grant a 35-year lease, at a nil rent, in accordance with the Council's Community Asset Transfer Policy, to the Leam Lane Community Bowling Club Community Interest Organisation.

The above decisions have been made for the following reasons:

- (A) To manage resources and rationalise the Council's assets in line with the Corporate Asset Strategy and Management Plan.

- (B) To realise savings identified through rationalisation of the bowling green portfolio as previously agreed by Cabinet (Minute No. C62).

C149 **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.

C150 **NEST HOUSE/OLD FOLD ESTATES - HEAT NETWORK EXTENSION**

Consideration has been given to the proposed heat network extension to Old Fold and Nest House Council estates and to accepting grant funding under the Heat Network Investment Programme, to allow project feasibility to continue.

RESOLVED - That the acceptance of the grant for the amount and on the terms set out in the report, for the proposed heat network extension to Old Fold and Nest House Council estates, be approved.

The above decision has been made for the following reasons:

- (A) To allow project feasibility to continue.
- (B) To support the Council's Zero Carbon Heat Strategy.
- (C) To continue to reduce cost and carbon emissions of energy supply for Gateshead residents.

C151 **TRANSFORMING CITIES FUND T2 HILLS STREET / GATESHEAD QUAYS SUSTAINABLE ACCESS - FULL BUSINESS CASE**

Consideration has been given to the development and submission of a full business case for the Hills Street/Gateshead Quays scheme (GA08) in order to access an allocation of funding from the Transforming Cities Fund to enable the implementation of the scheme.

RESOLVED - That the submission of the full business case for the Hills Street/Gateshead Quays Transforming Cities Scheme to Transport North East and the Joint Transport Committee be approved.

The above decision has been made to enable the implementation of the scheme using funding from the Transforming Cities Fund.

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: 23 February 2022

Chair.....