

**GATESHEAD METROPOLITAN BOROUGH COUNCIL**  
**CORPORATE RESOURCES OVERVIEW AND SCRUTINY COMMITTEE MEETING**

**Monday, 27 November 2017**

**PRESENT:** Councillor John Eagle (Chair)

Councillor(s): S Ronchetti, J Wallace, L Caffrey, M Charlton, T Graham, J Green, S Green, M Hall, M Henry, B Oliphant, M Ord and N Weatherley

**IN ATTENDANCE:** Councillor(s): M Brain

**APOLOGIES:** Councillor(s): P Foy, K Wood and J Kielty

**CR16 MINUTES**

RESOLVED - That the minutes of the meeting held on 16 October 2017 be approved as a correct record.

**CR17 DCLG CONSULTATION ON DISQUALIFICATION CRITERIA FOR MAYORS AND COUNCILLORS**

The Committee were presented with a report seeking views about what the disqualification criteria for Councillors and Mayors should be. In particular should they extend further than statute currently permits to include new criteria.

Currently under Section 80 of the Local Government Act 1972, paragraph 9 of schedule 5B to the Local Democracy, Economic Development and Construction Act 2009 and Section 21 of the Greater London Authority Act 1999, Councillors and Mayors can be disqualified if:-

- They are employed by the authority
- They are subject to bankruptcy restrictions or interim bankruptcy restrictions, or a debt relief order or interim debt relief restrictions order under the Insolvency Act 1986.
- Within five years before the day of election or since election have been convicted in the UK , Channel islands or Isle of Man any offence and have had passed on them a sentence of imprisonment ( whether or not suspended) for a period of not less than three months.
- They are disqualified under Part III of the Representation of the People Act 1983 ( this relates to offences of electoral fraud i.e a candidate bribing someone to vote for them)
- They are employed under the direction of various local authority committees, boards or the Greater London Authority
- They are a teacher in a school maintained by the local authority

The Government is seeking views about extending the reasons for disqualification to

cover two main areas – sexual offences and anti-social behaviour.

The Committee looked at each of the questions posed as part of the consultation and made the following comments in respect of each question as listed.

### **Question 1 –**

Do you agree that an individual who is subject to the notification requirements set out in the Sexual Offenders Act 2003 should be prohibited from standing for election or holding office?

It was the unanimous view of those present at the Committee that this should be the case.

### **Question 2 –**

Do you agree that an individual who is subject to a Sexual Risk order should not be prohibited from standing for election?

It was queried whether a sexual risk order was made public in the same way as a person being registered on the Sex Offenders Register. It was confirmed this was not the case, but an SRO would be disclosed in an enhanced DBS check.

It was noted that whilst the matter would be dealt with at the Magistrates Court, the person does have a right of appeal.

Concern was also expressed that potentially someone could get through the selection process and be nominated to stand as a candidate. If elected currently elected members are not subject to DBS clearing. The Committee were advised that it would be up to the individual to declare anything which would bar them standing in an election or from becoming a councillor, and it was a serious offence to fail to disclose such information.

The consensus of those present at the Committee was that an individual should be prohibited if subject to a Sexual Risk Order.

### **Question 3 and Question 4**

Do you agree that an individual who has been issued with a Civil injunction or a criminal behaviour order should be prohibited from standing for election or holding office as a member of a local authority, Mayor of a combined authority or member of the London assembly or London Mayor?

Do you agree that being subject to a civil injunction or criminal behaviour order should be the only antisocial behaviour reasons why an individual should be prohibited from standing for election?

The Committee noted that there might be a wide range of circumstances under which a person might be subject to such civil sanctions, including involvement in political demonstrations, and therefore a wider spectrum of degrees of risk to the

community should someone be elected if they had such an order place against them, given that someone would be excluded from standing in an election if they had a prison sentence of 3 months or more.

The Committee felt that using a blanket yes or no response to the above questions would not be the best way of managing risk, given that the behaviour is so broad. The Committee felt that using the offences rather than the detail around an individual is not the best way of managing the risk. It was felt that these risks were not of a level that would be associated with sexual offences where an individual could pose harm to individual members of their community.

#### **Question 5 –**

Do you consider that the proposal set out in this consultation paper will have an effect on local authorities discharging their public sector Equality Act duty?

The Committee did not feel that this would be the case as long as we look at people as individuals.

#### **Question 6 –**

Do you have any further views about the proposals set out in this consultation paper?

It was noted that the rules which apply to councillors are technically stronger than those which apply to MPs, and felt that the rules should apply equally to MPs.

RESOLVED -That the comments received should form the basis of the response to the DCLG consultation on disqualification of Mayors and Councillors.

### **CR18 THE COUNCIL PLAN - SIX MONTHLY ASSESSMENT OF PERFORMANCE AND DELIVERY 2017/18**

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)	that the Committee agreed that the activities undertaken during April 2017 to September 2017
(ii)	that the 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.

**CORPORATE ASSET MANAGEMENT - DELIVERY AND PERFORMANCE REPORT**

The Committee received an update on the progress made against the Council's Corporate Asset Strategy and Management Plan and the year on year performance of the property portfolio.

The Council's vision is to make maximum use of its land and buildings by following six key property objectives. They are:

- A strategic approach to management of our assets and involving our partners;
- Justification of holding assets based on business needs;
- Continuous improvement of the sustainability of our assets;
- Using our property assets to encourage community development;
- Using our property assets for economic development and regeneration purposes; and
- To provide properties which are fit for purpose

In terms of the national position, there is still no national benchmarking scheme, although we are looking to arrange a benchmarking framework to be set up.

Some of the key achievements include the ongoing review on the utilisation of the Civic Centre accommodation has highlighted the opportunity for the Council to develop the Civic Centre as a public sector hub whereby vacant office accommodation can be offered to other public sector/partner organisations. This has been supported by the One Public Estate. This has allowed for space to be freed up in the civic centre for the CCG and the Citizens Advice Bureau to have some space, it is also anticipated that the 0-19 service provide will move in to the civic centre and The Gateshead Housing Company moved their main office in a few years back.

During 16/17 the school estate across Gateshead saw further capital investment with a range of works implemented across a number of schools.

The Council continued its commitment to upgrading its public buildings and external environment to comply with the Equality Act 2010. 80% of buildings now meet the Equality Act standards and at remaining buildings the Council are still able to offer services even though works have not been carried out.

Gateshead Energy Centre is now complete and now supplies electricity to four major sites. The battery storage unit at Park Road is complete.

In 16/17 Emmaville and Winlaton Centre have been supported to complete Asset Transfers.

Fewer buildings in the portfolio are requiring urgent works and the Council are undertaking works in a timely manner. We have seen a reduction in gas and electricity costs, however, the water bill does appear high, it is believed that this is due to estimated bills.

The Council had previously committed to reducing its carbon emissions by 35% and as of March 2017 this target has been achieved.

There has been an increase in rental income in 2016/17, this is due to the Council's acquisition of Phase II St Mary's Green, Whickham and ongoing rent reviews across the portfolio.

Priorities for 2017/18 include,

- Continuation of playing an active role in the One Public Estate Partnership,
- Progressing the development of the Civic Centre as a public sector hub.
- Progress the development of the corporate web-based asset management database (Gp2).
- Identify development opportunities for both housing and commercial schemes to assist in driving forward the Council's housing and economic growth agenda

It was queried whether the enormous roof space on this building could be utilised to collect water for a grey water system. It was felt that this would have the potential to cut our bills. It was noted that this is something which would be looked at in the case of new builds, however, there hasn't previously been grant funding available to support the capital investment costs. Officers will look at this proposal and put something forward in terms of viability.

RESOLVED - (i) That the progress of the Corporate Asset Strategy be noted.  
(ii) That the comments of the Committee in relation to the report be noted.

## **CR20 ANNUAL HEALTH AND SAFETY PERFORMANCE REPORT**

The Committee were presented with a report which provided an end of year assessment of performance on occupational health and safety matters for 2016/17 within Gateshead Council.

The Council follows the principals of the HSE Guidance, HSG 65, Managing for Health and Safety. The key principles, Plan, Do, Check, Act underpin the Council's safety management system and operational arrangements as detailed in the Corporate Health and Safety Policy and arrangements.

The report highlighted that the Council provide advice and support to teachers and we have thousands of young people on educational visits all over the world. Our fire safety record is very good. We have an asbestos management team providing technical advice and carrying out re-inspections and we have updated the corporate asbestos management plan.

A higher level of training courses have been arranged and delivered across the Council to employees.

There were two specific negative areas which were highlighted to the Committee. The Council received a fee for intervention of £1200 for failing to consistently adhere

to Council procedures in relation to Hand Arm Vibration. 2 other councils have been fined £150,000 and £250,000 respectively for breaches. Although Gateshead had policies and procedures in place it was the lack of consistency which resulted in the fine. The second fee for intervention was in relation to a disturbance of asbestos and in this case the Council received a £3000 fine. Again the Council were able to defend because of the practices and procedures that are in place.

The first ever Local Authority has been fined £1m recently because a member of the public was injured. The stakes are very high.

The Council have introduced Task and Finish groups in order to learn from incidents and to ensure that all services and managers are operating in a consistent way.

It was queried whether when an Asset Transfer was undertaken if a check was carried out in advance of the transfer and whether there was support offered to those taking over the building. It was noted that we do offer the support of the Health and Safety team, however, this would be at a cost. We do work closely with groups who are taking over buildings. A manual is provided and gone through and there are checks carried out.

RESOLVED -that Committee agreed that they are satisfied that the appropriate and effective actions are being taken to maintain and improve the health and safety management system.

## **CR21 WORK PROGRAMME REPORT**

The work programme report was submitted to Committee to note. It was also requested that an additional item – An Approach to Corporate Social Responsibility be added to the work programme for the January meeting.

RESOLVED - (i) that an additional item – An Approach to Corporate Social Responsibility be added to the work programme.  
(ii) that the work programme be noted.

**Chair.....**