

GATESHEAD METROPOLITAN BOROUGH COUNCIL

CABINET MEETING

Tuesday, 20 July 2021

PRESENT: Councillor M Gannon

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

Also in attendance: Councillors R Beadle, M Ord and JC
Wallace

C26 **APOLOGIES FOR ABSENCE**

An apology for absence has been received from Councillor L Green.

C27 **MINUTES**

The minutes of the last meeting held on 22 June 2021 were agreed as a correct record and signed by the Chair.

C28 **ADULT SOCIAL CARE PROVIDER SERVICE 'ACTIVITY BASED CARE' MODEL**

Consideration has been given to the proposed implementation of the Adult Social Care (ASC) Provider 'Activity Based Care' model, facilitating the reviews of service users, the restructuring of the disability day service staffing structure and the delivery of the 'Re-design of disability day activities' £0.4m budget proposal.

RESOLVED - That the implementation of the ASC Provider 'Activity Based Care' model, facilitating the reviews of service users, the restructuring of the disability day service staffing structure and the delivery of the 'Re-design of disability day activities' budget proposal be approved.

The above decision has been made for the following reasons:

- (A) To further enable service users to achieve individual and community outcomes.
- (B) To deliver the £0.4m 'Re-design of disability day activities' budget proposal.

C29

CAPITAL PROGRAMME AND PRUDENTIAL INDICATORS 2020/21 – YEAR END OUTTURN

Consideration has been given to recommending the Council to note the 2020/21 Capital Programme outturn and approve the financing of the programme.

- RESOLVED -
- (i) That the Capital Programme outturn position for 2020/21 be noted.
 - (ii) That the Council be recommended to agree all variations to the 2020/21 Capital Programme as set out in appendix 2 to the report.
 - (iii) That the Council be recommended to agree the financing of the 2020/21 Capital Programme.
 - (iv) 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 2020/21 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 2020/21.
- (B) To monitor actual performance against the approved Prudential Indicators.

C30

PROVISIONAL REVENUE OUTTURN 2020/21

Consideration has been given to the outturn position on the 2020/21 revenue budget.

- RESOLVED -
- (i) That the Council be recommended to approve an amendment to the net budget to £221.286m.
 - (ii) That the Council's 2020/21 revenue outturn position as an underspend of £7.908m, subject to audit, be noted.
 - (iii) That budget virements as set out in the report be approved.
 - (iv) That the Council be recommended to approve the appropriations to and from reserves as set out in the report.
 - (v) That the Council be recommended to approve the proposed changes to strategic reserves following the outcome of a review of Council reserves as set out in the report and appendices.

The above decisions have been made to contribute to sound financial management and the long-term financial sustainability of the Council.

C31

CAPITAL PROGRAMME AND PRUDENTIAL INDICATORS 2021/22 - FIRST QUARTER REVIEW

Consideration has been given to the latest position on the 2021/22 Capital Programme and Prudential Indicators at the end of the first quarter to 30 June 2021.

- RESOLVED -
- (i) That the Council be recommended to agree all variations to the 2021/22 Capital Programme as detailed in appendix 2 to the report as the revised programme.
 - (ii) That the Council be recommended to agree the financing of the revised Capital Programme as set out in paragraph 8 of the report.
 - (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 2021/22 have been breached as detailed in appendix 5.

The above decisions have been made to:

- (A) To ensure the optimum use of the Council's capital resources in 2021/22.
- (B) To accommodate changes to the Council's in-year capital expenditure plans.
- (C) To ensure performance has been assessed against the approved Prudential Limits.

C32

PUBLIC HEALTH ENGLAND PREVENTION CONCORDAT FOR BETTER MENTAL HEALTH

Consideration has been given to the Council becoming a signatory to the Public Health England Mental Health Prevention Care Concordat.

- RESOLVED -
- That the Council be recommended to:
- (i) Agree to becoming a signatory to the Prevention Care Concordat through Public Health England.
 - (ii) Agree to commit to support and sign up to the approved action plan as part of the submission as set out in appendix 2 to the report.

The above decisions have been made for the following reasons:

- (A) To refresh and demonstrate the Council's continued support of its employees' Mental Health, as well as working with local partners in supporting the Mental Health and wellbeing of its residents.

- (B) To ensure that the action plan is taken forward as an integral part of the commitment.

C33 VARIATION TO PRIMARY AND SECONDARY SCHOOL ADMISSION POLICIES FROM SEPTEMBER 2021 ONWARDS

Consideration has been given to recommending the Council to approve the variation of the Primary and Secondary Schools Admission Policies from 2021/22 onwards.

RESOLVED - That the Council be recommended to agree:

- (i) the Community and Voluntary Controlled Primary and Secondary Admissions Policy set out in appendix 2 of the report is adopted for September 2021 onwards; and
- (ii) the approved admissions policies for September 2022/23 are used as a basis of consultation, if necessary, with schools and others for formulating the relevant admissions policies from September 2023/24 onwards.

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

C34 REVENUE BUDGET - FIRST QUARTER REVIEW 2021/22

Consideration has been given to the latest monitoring position on the 2021/22 revenue budget at the end of the first quarter to 30 June 2021, including impacts of the global pandemic.

- RESOLVED -
- (i) That the Council's revenue expenditure position at the end of the first quarter to 30 June 2021, as set out in appendices 1 and 2 to the report be noted.
 - (ii) That the budget virements as set out in the report be approved.

The above decisions have been made to contribute to sound financial management and the long-term financial sustainability of the Council.

C35 CONSULTATION ON 2023 PARLIAMENTARY BOUNDARY REVIEW

Consideration has been given to the 2023 Parliamentary Boundary Review and its implications for Gateshead.

- RESOLVED -
- That the proposed changes to the Blaydon constituency and Gateshead constituency as described in paragraphs 17 to 20 of the report be supported and the Strategic Director, Corporate Services and Governance be authorised to submit a response to the current Boundary Commission for England (BCE) consultation.

The above decision has been made to enable Cabinet to confirm its support to the initial proposals for Gateshead and to ensure that the views are recorded and considered by the BCE.

C36 APPOINTMENTS TO THE LOCAL BUS BOARD FOR GATESHEAD

Consideration has been given to the appointment of members to the Local Bus Board for Gateshead.

RESOLVED - That the following Councillors be appointed to the Local Bus Board for Gateshead:

- Councillor L Caffrey
- Councillor T Graham
- Councillor J Green
- Councillor R Waugh

The above decision has been made to ensure that the Council has full representation on the Board.

C37 RESPONSE TO CONSULTATION - PROTECT DUTY

Consideration has been given to the Council's response to the Home Office consultation on the proposed Protect Duty.

RESOLVED - That the response to the Home Office consultation on the proposed Protect Duty as set out in appendix 2 to the report be noted and endorsed.

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

C38 BREATHE: THE CLEAN AIR PLAN FOR NEWCASTLE AND GATESHEAD, UPDATE REPORT

Consideration has been given to on the proposed preferred option for a Clean Air Zone Class C for Newcastle and Gateshead and timeline for implementation.

The alternative options to the preferred option, but which have been discounted, included a Class D and Low Emission and Toll options.

- RESOLVED -
- (i) That the proposed updated package for the proposed Clean Air Zone, including mitigation measures, as set out in the report be noted.
 - (ii) That the updated timeline for the delivery of the scheme as set out in the report be noted.

The above decisions have been made to improve air quality in Gateshead and

Newcastle.

C39

HOUSING DELIVERY TEST ACTION PAN

Consideration has been given to the new housing delivery test action plan.

- RESOLVED -
- (i) That the content of the new housing delivery test action plan be approved.
 - (ii) That the Strategic Director, Economy, Innovation and Growth be authorised to make any minor changes to the action plan, publish the action plan and submit it to the Ministry of Housing Communities and Local Government (MHCLG) if necessary.

The above decisions have been made for the following reasons:

- (A) To increase the amount of new housing delivered in the borough to meet local housing need and in line with the Core Strategy.
- (B) The need to publish an action plan in accordance with paragraph 75 of the National Planning Policy Framework (NPPF).

C40

APPROVAL OF SCHEMES, ESTIMATES AND TENDERS DURING THE SUMMER RECESS

Consideration has been given to the Strategic Director, Economy, Innovation and Growth and Service Director, Major Projects and Corporate Property, following consultation with the Strategic Directors, Corporate Resources and Digital and Corporate Services and Governance, being authorised to jointly approve schemes and estimates, and to invite and accept tenders over certain thresholds, during the summer recess following the Cabinet meeting on 20 July 2021 up to the date when Cabinet next meets.

RESOLVED - That the Strategic Director, Economy, Innovation and Growth and the Service Director, Council Housing, Major Projects and Corporate Property, following consultation with the Strategic Directors, Corporate Resources and Digital and Corporate Services and Governance, be authorised to jointly approve the letting of any contracts relating to the Cabinet approved 2021/2022 Capital Works Programme which exceed £250,000 in value. Such approval to be in the form of either:

- (i) an authorisation to invite or negotiate tenders in accordance with Rule 6 of the Contract Procedure Rules (“the Rules”) or to conduct some other procurement process in accordance with the Rules and to award the contract to the economic operator submitting the most economically advantageous tender as determined by the Service Director, Corporate Commissioning and Procurement in

accordance with the stated terms of the tender or other process and, where applicable, the Regulations; or

- (ii) an authorisation subsequent to the conduct of a tendering process or other procurement process in accordance with the Rules to award the contract.

The above decision has been made to enable projects to progress and to avoid delay in delivery of the capital programme and its related expenditure.

C41

SCHOOLS CAPITAL PROGRAMME 2021/22

Consideration has been given to the schemes included within the Schools Capital Programme for 2021/22.

RESOLVED - That the Service Director, Property, Assets and Traded Services, be authorised to accept tenders and place orders for works with Gateshead Construction Services, for the schemes detailed in the Schools Capital Programme for 2021/22 as set out in appendix 1 to the report, subject to the Strategic Director, Corporate Services and Governance approving the form of contract in accordance with the Constitution.

The above decision has been made to enable projects to progress and to avoid delay in delivery of the Schools Capital Programme and its related expenditure.

C42

SURPLUS DECLARATIONS

Consideration has been given to several properties being declared surplus to the Council's requirements.

- RESOLVED -
- (i) That in respect of the former Pavilion and Public Convenience, at Cheshire Avenue, Barley Mow and Garages at East Lea, Winlaton, the properties be declared surplus to the Council's requirements and the Strategic Director, Housing, Environment and Healthy Communities be authorised to obtain tenders for demolition of the properties.
 - (ii) That in respect of the Pavilions and Bowling Green, Chase Park, Whickham, the property be declared surplus to the Council's requirements and the Strategic Director, Corporate Services and Governance be authorised to grant a 35-year lease of the property at a nil rent, pursuant to the Council's Community Asset Transfer policy, to the Friends of Chase Park Foundation.

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.

C43 **NOMINATION OF A LOCAL AUTHORITY SCHOOL GOVERNOR**

Consideration has been given to the nomination of a local authority school governor.

RESOLVED - That Mr David Hodgson be nominated as a local authority school governor for Front Street Primary School, for a period of four years, in accordance with the School's Instrument of Government, with effect from November 2021.

The above decision has been made to ensure the School Governing Body has full membership

C44 **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED - That the press and public be excluded from the meeting during consideration of the remaining items in accordance with the paragraphs 1,3 and 4 of Schedule 12A to the Local Government Act 1972.

C45 **SALE OF THE FORMER DEPOT, CHASE PARK, WHICKHAM**

Consideration has been given to the grant of a lease of the former Council Depot site in Chase Park, Whickham.

- RESOLVED -
- (i) That the grant of an Agreement to Lease and Licence to Access the former depot within Chase Park to Linnel Homes Limited to carry out surveys in connection with the planning application, which will be in the form of a Technical Detail Consent Application be approved.
 - (ii) That the grant of a leasehold interest of the former depot within Chase Park to Linnel Homes Limited, on the terms set out in the report, subject to receipt of planning permission for four residential dwelling houses, be approved.
 - (iii) That the Strategic Director, Economy, Innovation and Growth, following consultation with Strategic Director, Corporate Services and Governance, be authorised to agree the detailed lease terms.
 - (iv) That in the event that Linnel Homes Limited withdraw from the purchase, the Strategic Director, Economy, Innovation and Growth, following consultation with Strategic Director, Corporate Services and Governance, be authorised to accept the next best offer following consultation with the relevant Cabinet member, and to agree the detailed lease terms.

The above decisions have been made for the following reasons:

- (A) To dispose of a surplus asset and realise a capital receipt.
- (B) To provide much needed housing in accordance with the Housing Delivery Test Action Plan.
- (C) To manage resources and rationalise the Council's assets in line with the Corporate Asset Strategy and Management Plan 2016 – 2020.

C46

ANALYSIS AND RESPONSE TO THE CONSULTATION REGARDING THE RESTRUCTURE OF THE MUSIC SERVICE

Consideration has been given to a summary analysis of the results from the consultation regarding the restructure and refocussing of the Gateshead Music Service.

- RESOLVED -
- (i) That the proposals as set out in the report be approved as a considered response to the consultation.
 - (ii) That a further report be submitted to Cabinet in due course, to assess the impact of an increase in individual and small group tuition fees and the progress Gateshead Music Service has made in reaching more children across the borough.
 - (iii) That the contribution of the respondents to the consultation in helping to shape the agreed proposals, be acknowledged.

The above decisions have been made to ensure that the music service offer is designed to be inclusive and offers fair access to all communities in the borough so making Gateshead a place where everyone can Thrive.

C47

WORKING TIME REGULATIONS - HOLIDAY PAY

Consideration has been given to the proposed terms and financial implications of a settlement agreement with the Trade Unions and employees in respect of compensation payments to employees for backdated holiday pay.

- RESOLVED -
- (i) That the terms of the settlement as set out in the report be approved.
 - (ii) That that former employees who have earned less than £2,500 in additional allowances (less than £100 in compensation) be excluded from the settlement proposal.
 - (iii) That the approach to former employees as set out in the report be approved.
 - (iv) That the Strategic Director, Corporate Services and Governance, be authorised to implement the settlement and to settle any further matters arising, including from claims and requests for a compensation made from former employees.

The above decisions have been made for the following reasons:

- (A) To enable Cabinet to confirm the principle of the settlement of individual claims, including those outside the litigation, represents an appropriate use of public funds, and is consistent with interests of the Council as a good employer.
- (B) To enable officers to conclude individual settlements with specific employees within the delegated limits proposed.

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 July 2021

Chair.....