

Cabinet

11 August 2014

Present: N Redfearn (Elected Mayor) (in the Chair)
Councillors EN Darke, JLL Harrison, F Lott, CB Pickard,
L Spillard and JJ Stirling

In Attendance: C Botten (North Tyneside VODA)
P Clow (North Tyneside Clinical Commissioning Group)
R Layton (JTUC)
A Oghene (Young Mayor)
D Rose (Business Sector)

CAB36/08/14 Apologies

Apologies were received from Councillors CA Burdis, R Glindon and I Grayson, M Almond (Voluntary and Community Sector) and Maurya Cushlow (North Tyneside Clinical Commissioning Group).

CAB37/08/14 Declarations of Interest

There were no declarations of interest or dispensations reported.

CAB38/08/14 Minutes

Resolved that the Minutes of the meeting held on 14 July 2014 be confirmed and signed by the Chair.

CAB39/08/14 Report of the Young Mayor

The Young Mayor reported on the following activities in which he and/or Young Cabinet members had been involved:

- Attendance at the Rising Sun Family Fun day.
- The Member of the Youth Parliament for North Tyneside, Rebecca Moore, had attended the UKYP annual sitting at Lancaster University and had debated the top ten topics for the 'Make Your Mark' ballot.
- The Young Mayor and Deputy Young Mayor had met with the Cabinet Member for Economic Development to discuss public transport issues that affected young people around the borough. The Cabinet Member had referred the issues raised to other transport decision makers and had received a prompt response.
- Following the social action training in which youth councillors had recently participated, two of the youth councillors' reference groups would be receiving funding for their projects.
- The Health and Wellbeing reference group had also received £300 for their Mind Ur Head project; they would run campaigns around young people's mental health and consulting with others.

- Funding of £300 had also been received from 'O2 think Big'. The environment group would use the funds towards developing the Grow to Eat project.
- The Young Mayor had been involved with two different National Citizens Service projects in two areas of the borough. The first, Catch 22 was to listen to presentations about community projects that young people had identified in Wallsend. The next was run by VODA and the Young Mayor was one of the guests to sample the food cooked by young people using the fresh produce grown at Rising Sun Farm and then on another occasion he was on the Dragons Den panel to advise the social action projects that young people had developed.
- The unveiling of the Boat seat to commemorate the shipbuilding industry of Wallsend had taken place in Wallsend Park last week.
- The Deputy Young Mayor had taken part in the recent World War 1 centenary commemoration in North Shields.

The Young Mayor was thanked for his report and was commended on the work he was doing. The Elected Mayor also congratulated the Deputy Young Mayor for his contribution to the World War 1 commemoration event.

CAB40/08/14 School Term and Holiday Dates 2015-16 (All Wards)

Cabinet considered a report which requested consideration of proposed school term and holiday dates for 2015/16. Proposals for consideration were attached as appendices 1 and 2 of the report.

Regulations required that 190 school term days be provided for pupils in each school year. Also, five teacher training days had to be identified in the school year, the dates to be set at the discretion of the school.

The view of most parents was that no holiday should be longer than six weeks, no period of term time be longer than seven weeks, and that school holidays should take account of bank holidays, particularly those around Christmas and Easter.

Consultation with headteacher representatives and professional associations indicated that a major consideration for schools and school staff was consistency with neighbouring authorities, particularly Newcastle and Northumberland. Where there were differences between these authorities, the preference was for the best possible match with other authorities in the region.

Not all authorities in the region had confirmed their term dates for 2015/16. However the recommended calendar was in line with proposed dates in Northumberland and matched current proposals in all other Tyne and Wear authorities except Newcastle. The calendar published by Newcastle had schools returning on 7 September 2015, which would give a seven-week summer holiday. Other authorities in the region were proposing to return on 1 September 2015.

The Draft Deregulation Bill included proposals to allow all school governing bodies to set term dates for their schools, independently of the local authority. Should the Bill become law, it was possible that the 2015-16 school year would be affected. Many schools in North Tyneside were already able to set term dates independently, e.g. due to Trust or

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Voluntary Aided status. Schools had indicated that their preference was for a consistent calendar, co-ordinated by the Local Authority.

Cabinet considered the following decision options:

Option 1 – approve the calendar detailed in Appendix 1 of the report.

Option 2 – approve the calendar detailed in Appendix 2 of the report.

Resolved that the school term and holiday dates for 2015/16, as set out in Appendix 1 of the report, be approved.

(Reason for decision – The calendar includes many of the factors that parent governors see as important. It matches the pattern in the majority of neighbouring authorities and is likely to be the most acceptable to schools and families.)

CAB41/08/14 Response to Overview and Scrutiny Report on Wallsend Customer First Centre (Previous Minute CAB5/06/14) (All Wards)

Cabinet considered a report setting out a proposed response to recommendations received from the Overview and Scrutiny Committee in relation to the finance and leasing arrangements of the new Wallsend Customer First Centre.

The Overview and Scrutiny Committee, at its meeting on 6 January 2014, had requested officers to provide information in relation to the finance and leasing arrangements of the new Wallsend Customer First Centre which would:

- a) detail the decision making process for the progression of the centre;
- b) provide a breakdown of the agreed leasing arrangements;
- c) outline the financial arrangements undertaken; and
- d) indicate the options discussed to utilise the second floor of the building.

At subsequent meetings on 4 February, 3 and 31 March 2014, officers had provided information relating to those matters and had responded to forty-four written questions submitted by Committee members in relation to the finance and leasing arrangements of the new Wallsend Customer First Centre.

The Overview and Scrutiny Committee had acknowledged the establishment of a Strategic Property Group, in October 2013, with the stated purpose of:

- overseeing the framework for the review of property assets;
- recommending sites for retention, disposal or development/re-development; and
- formulating a programme of delivery for key development/re-development projects.

This would address many of the concerns raised by the Overview and Scrutiny Committee by taking a single view of the Council's assets and making a direct connection between those assets and the Council's policy priorities.

Cabinet considered the following decision options: either to agree the recommendations as set out in section 1.2 of the report, or alternatively to disagree with the proposals.

Resolved that the following general lessons in relation to decision making on future projects of this nature be noted:

- a) any future long term leasing arrangements entered into by Cabinet should be made on the basis of comprehensive information being available and sufficient cost comparisons to ensure value for money;
- b) a more robust audit trail and evidence of decision making should be available to enable future scrutiny of decisions;
- c) all avenues to negotiate incentives are explored, such as rent free periods or other benefits, which could give more value for money to the council tax payer; and
- d) any future arrangements should only be entered into in the context of the wider review of the use of Council buildings, thus forming part of a strategic overview of accommodation use.

(Reason for decision – it will ensure that more detailed scrutiny takes place in advance of any future finance and leasing arrangements, thus ensuring value for money to the council tax payer.)

CAB42/08/14 Report of the Local Government Ombudsman (All Wards)

Cabinet considered a report of the report of the Local Government Ombudsman (LGO) dated 9 June 2014, which had found maladministration causing injustice as a result of the actions of a Social Worker and set out the recommendations made by the LGO investigator. The actions proposed by the Authority to address those recommendations were set out in a covering report.

The details of the complaint and the findings of the LGO investigator were set out in detail in Appendix 1 to the report.

The findings of the LGO were as follows:

- The Authority failed to act in accordance with the law in attempting to prevent the complainant's mother, Mrs Y from travelling abroad by air;
- The Authority failed to adhere to the Code of Practice set out in the Mental Capacity Act 2005. This caused Mrs Y unnecessary stress, distress and disruption to her travel plans.
- A social worker gave information about Mrs Y to an airline without authorisation to do so which resulted in the airline cancelling Mrs Y's flight abroad. This is fault.
- A social worker gave confidential information about Mrs Y to third parties without Mrs Y's consent. This was a breach of Mrs Y's confidentiality. This is fault.

The LGO investigator had found maladministration and injustice against the Authority and had made six recommendations, as follows, that the Authority:

- provide Mrs Y with a full written apology;
- provide the complainant, Mr X with a full apology;
- ensure its Officers are aware of the principles, and act in accordance with the Mental Capacity Act 2005;
- pay the difference between the cancelled flights and the re-booked flights;
- pay Mrs Y £500 for stress and distress; and
- pay Mr X £250 to compensate him for the time and effort in pursuing this complaint.

Officers were currently in communication with the complainant in relation to satisfying the recommendations and the following actions had been taken in response to those recommendations:

- The Authority had written to Mr X offering a full apology and had obtained details in

relation to the difference in cost of the cancelled flights £723.76 and the accounts the compensation amounts were to be paid into, this would be actioned as soon as practicable. In addition Officers had asked Mr X's guidance on how the apology should be delivered to his mother Mrs Y, as she had fluctuating capacity.

- The Authority would ensure social workers were aware of the principles of the Mental Capacity Act 2005 through awareness sessions. The Authority would use this particular case example and lessons learned to strengthen guidance, and process, and audit the completion of Mental Capacity Assessment documentation.

Although the Authority had accepted the findings of the LGO this was a decision that had not been made lightly. Throughout the complaint and investigation Officers had taken the position that the social worker had acted in good faith on the basis of concerns that others, including the GP and family members based locally, were sharing. The social worker's actions were proportionate to the risks that were being presented at the time, coupled with the timeframe for decisions being made, the situation developed very quickly over a matter of two weeks.

Mrs Y was at the time in receipt of support from re-ablement four times a day and was demonstrating difficulties in retaining information and understanding why she needed support, both of which it was felt would put her at risk during a long haul flight. However Officers did acknowledge that some of the documentation supporting the decisions and actions taken was not as thorough as it should have been, and this would place the Authority in a position of risk should the investigator's findings be disputed. Furthermore, whilst there was a record of the social worker's case recordings, Officers did not have access to the information provided by the travel company (the LGO did have access to this), and this was a further risk, as Officers had no way of verifying what the travel company had recorded in terms of the conversation the social worker had with them.

It was recognised that the social worker should have asked the GP to raise her concerns about Mrs Y's ability to travel with the travel company, rather than do this on the GP's behalf.

Cabinet considered the following decision option: to note the findings of the report (Appendix 1), its recommendations and agree the actions taken to address the LGO's recommendations.

Resolved that (1) the findings and recommendations of the Local Government Ombudsman (LGO), as described in the report and as set out in the LGO's report at Appendix 1, be noted; and
(2) the actions proposed to comply with the recommendations of the LGO's report be noted and agreed.

(Reason for decision: Cabinet is required to consider the findings of the LGO within 3 months. The recommended option addresses the findings and provides a resolution to this complaint.)

CAB43/08/14 North Tyneside Contaminated Land Strategy (All Wards)

The Cabinet received a report seeking adoption of the North Tyneside Contaminated Land Strategy 2014, which was appended to the report at Appendix 1.

The Environmental Protection Act 1990 required each local authority to produce a contaminated land strategy and to periodically review it. The Authority's first Strategy had

been adopted in 2001 and this reviewed Strategy took into account revised statutory guidance published in 2012.

The overarching objectives of the government's policy on contaminated land were:

- To identify and remove unacceptable risks to human health and the environment.
- To seek to ensure that contaminated land is made suitable for its current use.
- To ensure that the burdens faced by individuals, companies and society as a whole are proportionate, manageable and compatible with the principle of sustainable development.

The report outlined the duties of the local authority under Part 2A of the Environmental Protection Act 1990.

The Contaminated Land Statutory Guidance April 2012 instructed the Authority on the content of the strategy. The changes to the guidance from the 2012 publication were as follows:

- The local authority was required to adopt the Contaminated Land Strategy and aim to review every 5 years.
- The definition of Contaminated Land applied to controlled waters as well as land pollution. The Flood and Water Management Act 2010 had placed the responsibility for surface waters onto local authorities. Internal consultation would take place with the Surface Water Management Team in the event of a potential contamination incident.
- The Guidance had clarified the interpretation of contaminated land to emphasise that action should only be taken on the highest priority sites.
- The Guidance had introduced four significant harm to human health risk categories. The categories were used to assist in the determination of contaminated land. Categories 1 and 2 identified land which was capable of being determined as contaminated land on grounds of significant possibility of significant harm to human health. Categories 3 and 4 assessments indicated that the contaminants in land were not sufficient to be classed as contaminated land and did not require additional action.
- When land was investigated and found not to give a significant contaminant linkage, the local authority must produce a written statement (i.e. Categories 3 and 4). This was considered necessary to reduce the risk of blight of land.
- When land was investigated and found to be "Contaminated Land" (i.e. Categories 1 and 2), the local authority must, prior to determination of land, produce a risk summary for those parties affected by the contaminated land. The risk summary would identify the risk contaminant linkage and impact, whether the risk was caused by short or long term exposure. This communication of risk was considered important to encourage voluntary remediation.

Cabinet considered the following decision options:

Option 1- To adopt the North Tyneside Contaminated Land Strategy 2014.

Option 2 - To adopt the North Tyneside Contaminated Land Strategy 2014 but with amendments to it as Cabinet saw fit.

Option 3 - To refuse to adopt the North Tyneside Contaminated Land Strategy 2014.

Resolved that (1) the draft Contaminated Land Strategy, attached at Appendix 1 to the report, incorporating the changes requested following public consultation listed in Table 1, attached at Appendix 2 to the report, be approved;
(2) the North Tyneside Contaminated Land Strategy 2014 be adopted; and
(3) clarification be provided to Cabinet Members regarding the meaning of the final paragraph in section 3.4 of the Strategy document.

(Reason for decision – Option 1 is recommended because the draft Contaminated Land Strategy has been fully consulted upon. By adopting the policy the Authority will be in a position to publish the same and ensure that the Authority has a policy that reflects the updated guidance.

The amended Contaminated Land strategy will provide residents of North Tyneside clarification on the interpretation of land with contaminants with regard to risk and actions required. It is a statutory requirement of Local Authorities to have in place a document showing how local authorities should implement the regime, including how they should go about deciding whether land is contaminated land in the legal sense of the term. The Statutory Guidance is legally binding on enforcing authorities.

If the preferred option is not approved, the Authority will be unable to fulfill its statutory requirements and will not be in a position to ensure that land within North Tyneside will be fit for its current use. This may result in serious detrimental impacts to health for the residents of North Tyneside.)

CAB44/08/14 Provision of Beach Lifeguard Service (Cullercoats, Monkseaton North, St Mary's, Tynemouth and Whitley Bay Wards)

Cabinet considered a report seeking approval to award a contract for the beach lifeguard service to the Royal National Lifeboat Institute (RNLI). The current contract ended on 30 September 2014, and the new contract would run from May 2015 to September 2019.

The Authority currently delivered a seasonal beach lifeguard service as part of a contractual arrangement with the RNLI, a registered charity who specialised in water safety and lifeguarding services. Prior to the current contractual arrangement, the service had been delivered by the Authority.

34 full time beach lifeguard staff were employed by RNLI on the four resort beaches, from May until September every year.

Over the past four years, the RNLI had successfully provided a beach lifeguard service in line with the service specification. The RNLI had also invested charitable income into the service including the refurbishment of existing lifeguard buildings and carrying out staff development beyond anything the Authority was currently able to resource. They also delivered beach and water safety education throughout the summer, and local safety events throughout the winter season. This year, they had also increased the length of their operational season during weekends throughout April and early May, prior to the official contract start date, at no additional cost to the Authority.

At the end of every season, the RNLI produced a report outlining and summarising the performance of the service. Over the past four years, the RNLI had reported supervising hundreds of thousands of beach visitors and dealing with 1,344 incidents, ranging from missing persons to major incidents and had reported saving 17 lives.

The provision of a lifeguard service formed an essential part of the assessment criteria for the Seaside Awards and Blue Flag awards. The Authority had been awarded three Blue Flags and four Seaside Awards in 2013/14.

The proposal was to provide a complete beach lifeguarding service on a non-commercial basis and at a fixed fee.

During the last tendering exercise, the RNLI had been the only organisation to tender for the contract. It was unlikely that a new tendering exercise would identify another provider who could provide the same level of investment into the service.

Cabinet considered the following decision options:

Option 1- approve the recommendations as detailed in paragraph 1.2 of the report;
Option 2 - not approve the recommendations at paragraph 1.2 of the report;
Option 3 – the Authority deliver the service directly, however an estimated additional £70,000 per annum would be required to deliver the appropriate level of lifeguard service.

Resolved that (1) the waiver of Contract Standing Orders requiring a procurement exercise to be undertaken in respect of the supply of beach lifeguarding services for the reasons set out in paragraph 1.5.8 of the report, be endorsed;
(2) subject to the waiver referred to in Resolution (1) above, the Head of Environment and Leisure and the Strategic Manager for Finance, in consultation with the Cabinet Member for Housing and Environment, be authorised to award the beach lifeguarding services contract to the RNLI for the period from May 2015 to September 2019 inclusive, on terms and conditions agreed with the Head of Law and Governance; and
(3) Cabinet receive future annual performance reports produced by the RNLI.

(Reason for decision - the Authority will be in a position to award a new contract ready for the beach life guarding service commencing in May 2015. This would continue on a seasonal basis until September 2019 and would ensure continuity of service provision.)

CAB45/08/14 Business Factory European Regional Development Fund Grant Acceptance (All Wards)

Cabinet received a report seeking approval to accept grant funding of £228,503 from the European Regional Development Fund (ERDF) towards the extension of the business start-up service delivered by the Business Factory project.

North Tyneside Council's business start-up service, which was delivered under the Business Factory project name, was based in the North Tyneside Business Centre (Howard House) in North Shields and delivered various services set out in the report including start-up advice and guidance, business planning, business ideas generation and grants and funding support.

In 2013/14 the Business Factory project had supported over 2,000 residents with enterprise advice and support and helped to establish 423 new businesses. The project had been nationally recognised by the Department for Business Innovation and Skills (BIS) for its work in supporting local entrepreneurs and had received a 'Highly Commended' award in the Enterprising Britain Awards 2014.

The project had been in receipt of ERDF funding since April 2009. The current ERDF funding, which covered 50% of the project costs, was due to end on 31 December 2014.

The Authority had been approached by DCLG in February 2014 to submit an expression of interest to extend the project for a further 9 months utilising unallocated ERDF resources. Following consideration of the Expression of Interest by DCLG, an offer of £228,503 ERDF funding had then been received to extend the project to 30 September 2015 with the same pro-rata budget and output commitments as the existing project.

The project was on target to significantly exceed all of the ERDF outcomes and the extended project would enable the continued delivery of this valuable service to North Tyneside residents. The project helped to create over 500 new jobs per annum and supported a stronger, more diverse economy in North Tyneside with a significant number of new businesses created. The 423 business start-ups created in 2013/14 was the highest rate of enterprise support on record in North Tyneside..

The Authority would be required to provide £228,504 match funding for the project. Acceptance of this grant would ensure there would be no break in service delivery and the extended project would commence on 1 January 2015 and end on 31 September 2015. This would give sufficient time to consider the future delivery of the project in line with the Creating a Brighter Future Programme.

Cabinet considered the following decision options

Option 1 - approve the recommendations set out in paragraph 1.2 of the report to accept the offer of ERDF funding and delegate authority to deliver the project.

Option 2 - reject the grant offer and continue to invest in a reduced business start-up service.

Option 3 - reject the grant offer and cease delivery of the business start-up service.

Resolved that (1) the Chief Executive, as Section 151 Officer, be authorised to accept the offer of the grant of £228,503 from the Department for Communities and Local Government (DCLG) on terms to be approved by the Head of Law and Governance; and (2) the Head of Business and Economic Development, in consultation with the Cabinet Member for Economic Development, the Chief Executive (as Section 151 Officer) and the Head of Law and Governance, be authorised to take all necessary steps to deliver the extended business start-up programme.

(Reasons for decision: Accepting the ERDF grant offer will provide the resources needed to deliver a comprehensive business start-up programme. Significant progress has been made since the commencement of the project in 2009 to close the gap between North Tyneside and the national average but there is still some way to go.)

The North East traditionally falls behind the rest of the UK in business creation rates and the project has already proven its value in closing the gap and creating record breaking numbers of new businesses and job opportunities, achieving national recognition from the Department of Business, Innovation and Skills Enterprise Britain competition.)

CAB46/08/14 Northumberland Square Townscape Heritage Initiative Project (Preston, Riverside and Tynemouth Wards)

Cabinet considered a report which sought approval to authorise the submission of a Stage 1 bid to the Heritage Lottery Fund for the Northumberland Square Townscape Heritage Initiative (THI).

An opportunity had arisen to bid for a Heritage Lottery Fund THI grant to provide a 'Common Fund' that could be used to support projects that would enhance the character

and appearance of Northumberland Square and part of Camp Terrace conservation areas. The Authority had had pre-application approval for over 18 months and the decision had been taken to progress with the preparation of a Stage 1 bid earlier this year following consultation with the Elected Mayor. The Heritage Lottery Fund had already expressed in principle support to take an application forward to a Stage 1 bid based on site visits to the area.

The report outlined the projects which would enhance the character and appearance of the two conservation areas.

It was anticipated that the project would also create a catalyst for further investment and work in conjunction with the Authority's Local Plan: Consultation Draft (November 2013), which specifically referenced the importance of Northumberland Square's public realm and the preserving and enhancement of historic assets and would provide a welcome boost to local businesses.

The Authority was not committed to continue the bid if successful at Stage 1. The bid would be subject to a project plan and exit strategy outlining preparation, implementation and ongoing monitoring. This would be drawn up as part of the Heritage Lottery submission due for submission at the end of August 2014. The expected project duration was over five years once approval had been received from Heritage Lottery Fund. The total project Common Fund would be £1 million, which would include public realm improvements, conservation grants and drawing up potential gap site scheme. The Authority would be required to provide 10% of the Common Fund and the Heritage Lottery Fund would provide the remaining 90%. The Council's contribution would therefore be £100,000 spread over a five year period.

The Authority proposed to work with Friends of Northumberland Square to promote the area, encourage visitors and inform people of the unique heritage of the area. A number of the Authority's properties, including the Stag Line building, the former offices in Northumberland Square, the Business Centre, Saville Exchange and 105 Howard Street, could directly benefit from the Common Fund. It was therefore likely that the Authority's contribution to the Common Fund would be recovered.

£15,000 of funding from the feasibility fund had already been approved allowing further consultation with local businesses and residents, the appointment of an accredited architect and for professional fees for the Authority's technical partners to progress with investigating the improvement and enhancement works to property and the public realm within the project's boundary in order to inform the Stage 1 bid to Heritage Lottery Fund. Plans and documents required for the Stage 1 bid had already been started.

If the Stage 1 bid was successful a further year would be given to submit the Stage 2 bid. It was expected that plans, surveys and costs would be received from the appointed architect and Kier by the beginning of August 2014 to allow time for the completion of the stage 1 submission to the Heritage Lottery Fund by the end of August 2014. Cabinet considered the following decision options: either to agree the recommendations as set out in section 1.2 of the report, or alternatively to disagree with the proposals.

The Cabinet Member for Economic Development indicated that consultation on projects going forward under this initiative would be undertaken with ward councillors as well as local residents.

Resolved that (1) the submission of the Stage 1 Townscape Heritage Initiative bid be approved;

- (2) if the stage 1 bid is approved, the Head of Business and Economic Development be authorised to prepare for a Stage 2 bid; and
- (3) a further report be submitted to Cabinet prior to a Stage 2 bid being submitted setting out the full legal and financial implications.

(Reason for decision - it will allow the Authority to move forward to the stage 2 process if successful. The project will provide the considerable resources needed to deliver significant restoration improvements to enhance and preserve Northumberland Square and Camp Terrace conservation areas. It will help preserve the unique Georgian square and surrounding heritage buildings; ensure the Authority meets its obligations as owners of listed buildings and public spaces within the borough; and will provide a significant economic boost to the town centre and enable businesses and the Authority to invest in its future.)

CAB47/08/14 Exclusion Resolution

Resolved that under Section 100A (4) of the Local Government Act 1972 (as amended) and having applied a public interest test as defined in Part 3 of Schedule 12A of the Act, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 3 respectively of Part 1 of Schedule 12A to the Act.

CAB48/08/14 Creating A Brighter Future (Great Place to Live, Work and Visit Project) (All Wards)

The Chair of the Overview, Scrutiny and Policy Development Committee had agreed to this report being considered in private at less than twenty eight days notice and the Chair of Council had agreed to the decisions on this matter not being subject to call-In; the reason for urgency being in view of the ongoing restructure of the Senior Leadership Team agreed by Cabinet at its meeting held on 14 July 2014.

Cabinet considered a report detailing proposals relating to the deletion of one Head of Service post linked to the Creating a Brighter Future Programme and in particular the service redesign project which related to a "Great Place to Live, Work and Visit."

Cabinet considered the following decision options:

- Option 1 - note the proposal and agree to the deletion of the post;
- Option 2 - note the proposal and defer a decision pending the provision of further information specified by Cabinet to support the further change to the structure of the Senior Leadership Team;
- Option 3 – reject the proposal.

Resolved that (1) the proposal to further adjust the structure of the Senior Leadership Team and the financial implications arising from the proposed change be noted;

- (2) the deletion of the Head of Service post referred to in the report, for the reasons set out within the report, be approved with effect from 30 September 2014; and
- (3) the Chief Executive, in consultation with the Elected Mayor, Deputy Mayor, Head of Law and Governance and Head of Human Resources and Organisational Development, be authorised to take all steps necessary to implement this further change to the Senior Leadership Team.

(Reason for decision – To bring forward efficiencies in the next phase of the restructuring of the Senior Leadership Team.)

CAB49/08/14 Former Dudley and Weetslade Social Club, Dudley (Weetslade Ward)

The Chair of the Overview, Scrutiny and Policy Development Committee had agreed to this report being considered in private at less than twenty eight days notice as the opportunity to acquire the property detailed in the report had only recently arisen and the owner required the sale to be completed by the end of August 2014.

Cabinet considered a report which sought approval to the acquisition of the former Dudley and Weetslade Social Club in Dudley to provide a site for the future development of affordable homes within the village.

The building was currently vacant and the condition of the property was currently a concern for local residents and Ward Members and had a negative visual impact because it was a prominent building central to the village.

Cabinet considered the following decision options: either to agree the recommendations as set out in section 1.2 of the report, or alternatively to disagree with the proposals.

Resolved that (1) the Head of Environment and Leisure, in consultation with the Chief Executive (as Section 151 Officer), the Head of Law and Governance and the Elected Mayor, be authorised to complete the acquisition of the Dudley and Weetslade Social Club as detailed in the report and in accordance with all relevant legal requirements, the Authority's Constitution and Financial Regulations;

(2) the Head of Environment and Leisure, in consultation with the Chief Executive (as Section 151 Officer), the Head of Law and Governance and the Elected Mayor, be authorised to agree amendments to the final terms and conditions of acquisition, as considered appropriate and in accordance with all relevant legal requirements, the Authority's Constitution and Financial Regulations and including any unexpected increase in the purchase price prior to completion that can be contained within the contingency fund detailed in the report;

(3) a further report be submitted detailing the preferred option for development of the site; if the acquisition is approved; and

(4) the Strategic Property Manager be authorised to deal with all ancillary matters arising that are consistent with the preceding resolutions.

(Reason for decision – The acquisition of the Club will add significant value to the Authority's Affordable Homes Delivery Programme.)

CAB50/08/14 Date and Time of Next Meeting

6.00pm on Monday 8 September 2014.

Minutes published on Thursday 14 August 2014.

With the exception of Minute CAB48/08/14, the decisions contained within these Minutes may be implemented (unless called in by 3 Non-Executive Members for consideration by the Overview, Scrutiny and Policy Development Committee) immediately following the expiry of the call-in period; i.e. 5.00pm on 21 August 2014.

The decisions contained within Minute CAB48/08/14 are not subject to Call-In and may be implemented immediately.