

Report of the Cabinet

The CABINET reports and recommends as follows:-

1. The Smoke and Carbon Monoxide Alarm (England) Regulations 2015

That they have given consideration to a report of the Executive Director of Commercial Development (copy attached) which:-

- (a) sought approval to amend the Council's Constitution to reflect the authorisation of the Executive Director of Commercial Development to exercise the Council's full enforcement powers under the Draft "Smoke and Carbon Monoxide Alarm (England) Regulations", made under section 150(1)-(6) and (10) of the Energy Act 2013 and paragraph 3(a) of Schedule 4 to the Housing Act 2004 once those Regulations have been brought into force;
- (b) would ensure that the Council, as Local Housing Authority, was able to undertake its statutory duties in relation to the said Regulations; and
- (c) sought approval for the statement of principles which the Council would follow in determining the amount of a penalty charge related to a breach of the Smoke and Carbon Monoxide Alarm (England) Regulations.

The Cabinet approved the statement of principles which the Council would follow in determining the amount of a penalty charge related to a breach of the Smoke and Carbon Monoxide Alarm (England) Regulations and accordingly it recommended the Council to amend the Council's Delegation to Chief Officers in Part 3 of the Constitution as follows as from the date upon which the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 come into force:-

Section 2 – Executive Director of Commercial Development - Paragraph 2.46 to be amended to read as follows:- "To exercise the functions of the Council under the Building Act 1984, the Public Health Acts 1936 and 1961, Caravan Sites and Control of Development Act 1960, Environmental Protection Act 1990, Health and Safety at Work etc Act 1974, Local Government (Miscellaneous Provisions) Acts 1976 and 1982, Prevention of Damage by Pests Act 1949, and The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 in so far as they relate to housing conditions and to the management of housing."

2. Capital Programme Second Capital Review 2015/2016 (including Treasury Management)

That they have given consideration to a report of the Director of Finance on the Capital Programme Second Review 2015/2016 including Treasury Management which set out:-

- reprofiling of projects since the First Capital Review for 2015/2016 was approved in June 2015;
- the inclusion of additional schemes and revisions to costs and resourcing for 2015/2016 since the First Capital Review was reported;
- the progress in implementing the Treasury Management Strategy for 2015/2016.

In accordance with the Council's Financial Procedure Rules, Cabinet may authorise variations to the Capital Programme provided such variations are within available resources and consistent with Council policy.

The attached Appendix A sets out the relevant extracts from the Cabinet Report which outlines the variation to schemes with an estimated cost in excess of £250,000 in 2015/2016 and future years.

They referred the relevant extracts to the Scrutiny Committee to note the proposed variation to the Capital Programme for 2015/2016 to include additional schemes with an estimated cost in excess of £250,000. The Scrutiny Committee noted the report, being satisfied with the proposed variation to the Capital Programme.

Accordingly, the Cabinet recommends the Council to note the proposed variation to the Capital Programme for 2015/2016 to include additional schemes and variations with an estimated cost in excess of £250,000. In relation to the Treasury Management Strategy and Prudential Indicators, the Cabinet recommended to Council to approve the revised 2015/2016 Prudential Indicators for both the Authorised Borrowing Limit for External Debt of £516.048m and the Operational Boundary for External Debt Limit of £442.196m to reflect changes arising from the Joint Waste Disposal (PFI) arrangement with Gateshead and South Tyneside Councils.

3. Revenue Budget Second Review 2015/2016

That they have given consideration to a report of the Director of Finance on the overall Revenue position following the second review for 2015/2016 including proposed contingency transfers for the second quarter of 2015/2016.

In accordance with the Council's Budget and Policy Framework certain transfers require Council Approval. The following extract refers to those transfers of funds;

'At this stage savings are anticipated in respect of capital financing charges as a result of slippage on the capital programme, and additional income from interest on investments of approximately £6m at year end. It is proposed that these amounts and any further underspendings arising from unspent contingencies at the end of 2015/2016 are earmarked to support the overall 2015/2016 position and to meet transitional costs arising in 2015/2016 and future years.'

They also referred the above extract of the budgetary transfers to the Scrutiny Committee, for advice and consideration. The Scrutiny Committee supported the transfer of funds and any further underspendings arising from unspent contingencies at the end of 2015/2016 to support the overall position and transitional costs arising in 2015/2016 and future years and supported the Cabinet recommendation that the transfer be submitted to Council for approval.

Accordingly the Cabinet recommends the Council to approve the transfers as set out in the above extract.

4. Budget Planning Framework 2016/2017 and Medium Term Financial Strategy 2016/2017-2019/2020

That they have given consideration to a report of the Interim Head of Paid Service and Director of Finance (copy attached) outlining the key factors influencing the development of the Council's financial plans into the medium term and set out the budget planning framework for the Council for 2016/2017 and the headlines and context for the Medium Term Financial Strategy 2016/2017 to 2019/2020.

They also referred the report to the Scrutiny Committee for its comments in the context of the approved consultation arrangements for the Council's budget. The Scrutiny Committee was satisfied with the information provided and supported the Cabinet recommendation that the proposed Budget Planning Framework and Medium Term Financial Strategy are submitted to Council for approval.

Accordingly, the Cabinet recommends the Council to:-

- (i) approve the proposed Budget Planning Framework summarised at Section 11 of the report which will guide the preparation of the Revenue Budget for 2016/2017, and
- (ii) note that the full Medium Term Financial Strategy 2016/2017 to 2019/2020 will be presented to Cabinet in February.

5. Gambling Act 2005 – Approval of the Council’s Statement of Principles

That they have given consideration to a report of the Executive Director of Commercial Development (copy attached) to be considered by the Cabinet at its meeting on 25 November 2015. The report sought approval to the statement of principles to be published under the Gambling Act 2005.

They also referred the report to the Scrutiny Committee for advice and consideration. The Scrutiny Committee supported the proposal that Council be recommended to approve the statement of principles for publication under the Gambling Act 2005.

The recommendations of the Cabinet will be reported to the meeting.

6. Licensing Act 2003 – Approval of the Council’s Statement of Licensing Policy

That they have given consideration to a report of the Executive Director of Commercial Development (copy attached) to be considered by the Cabinet at its meeting on 25 November 2015. The report sought approval to the statement of licensing policy to be published under the Licensing Act 2003.

They also referred the report to the Scrutiny Committee for advice and consideration. The Scrutiny Committee supported the proposal that Council be recommended to approve the statement of licensing policy for publication under the Licensing Act 2003.

The recommendations of the Cabinet will be reported to the meeting.