

# Cabinet

**13 February 2012**

**Present:** Mrs L Arkley (Elected Mayor) (in the Chair),  
Councillors E Hodson, D Lilly, Mrs P McIntyre,  
P Mason, L J Miller, Mrs JA Wallace and GC Westwater

**In Attendance:** A Caldwell (Age UK North Tyneside)  
L Gardiner (VODA)  
J Hope (Young Mayor)  
S Neill (Northumbria Police)  
C Reed (NHS North of Tyne)

## **CAB135/02/12 Apologies**

Apologies were received from Councillor Mrs G Barrie and Mr D Titterton (Voluntary Sector).

## **CAB136/02/12 Declarations of Interest**

There were no declarations of interest.

## **CAB137/02/12 Minutes**

**Resolved** that the Minutes of the meeting held on 16 January 2012 and the Extraordinary Meeting held on 18 January 2012 be confirmed.

## **CAB138/02/12 Report of the Young Mayor**

The Young Mayor informed Cabinet that she had just returned from a week's visit to Amsterdam with her school choir (Longbenton Community College), where they had performed at different venues around the city. She thanked the Deputy Young Mayor for deputising in her absence at a number of events.

The Young Mayor presented her report, which detailed the following:

- Attendance by the Deputy Young Mayor at the following events
  - i) Widening Horizons 4 All grant funding meeting, where funds were allocated to applicants.
  - ii) Get Up and Go event on Saturday 11 February at Quadrant. This event provided information on vocational courses and apprenticeships available to young people.
- The Young Cabinet had considered 3 applications to the Young Mayor's Community Fund and had awarded funding to 2 of the applications with the decision on the third being deferred until April.
- The youth room at Elm House attached to Riverside Centre had been completed and was now in use. It had been developed into a comfortable and stylish space where children and young people in care could meet with family members and enjoy quality time in pleasant surroundings. The project had been developed after the Children in Care Council received money from the Young Mayor's Community fund.

- Following an evaluation of the Young Mayor and Youth Elections of 2011, a steering group had been set up to consider how the youth election process could be improved.
- Representatives from Woodcraft Folk had offered to facilitate a workshop with the Young Cabinet to help in the development of ideas into projects and campaigns. Woodcraft Folk was a movement for children and young people which offered a place where children would grow in confidence, learn about the world and start to understand how to value the planet and each other.
- The Young Cabinet Member for Health and Well-being had attended an NHS trust stakeholders event where an update was given on the previous priorities and the forthcoming year's priorities had been discussed. Performance against targets was encouraging. He had also attended the Health and Wellbeing Board where he heard from partners about the various projects and work being carried out.
- The Young Cabinet Member for Community Safety had attended a Youth Police Authority meeting at Gateshead when funding had been discussed. The election of the Police & Crime Commissioner for Northumbria would be held in November 2012 and he was working on a message from the North Tyneside Youth Council to the new elected Police & Crime Commissioner.
- The Young Cabinet Member for Environment had a very productive meeting with the Community Engagement Officer from "ORCA Your Seas", who had agreed to meet with those youth councillors interested in the conservation project. The organisation's aim was to work with people to protect the nation's seas.
- An Extraordinary Youth Council meeting had been held in relation to the Community Based Trust proposals. The Young Mayor and Deputy would be attending the Trustees event on 17 February 2012.

In response to a query the Young Mayor undertook to obtain feedback from the Get Up and Go event, which would be shared with Cabinet.

The Elected Mayor thanked the Young Mayor for her report.

### **CAB139/02/12      Reports from Scrutiny Committees**

There were no reports submitted by the Overview and Scrutiny Committee.

### **CAB140/02/12      Traffic Regulation Orders**

It was explained that in the past any Traffic Regulation Orders which received objections had been submitted to Planning Committee for determination. It had however come to light that this role was an Executive function and should be determined by Cabinet. This change had been implemented immediately when the issue was raised. The required changes to the Constitution would be contained in the report on the Annual Review of the Constitution which would be considered by Council on 17 May 2012.

**CAB141/02/12 Traffic Regulation Order – Proposed Residential 20mph Speed Limit - Cullercoats Area (Cullercoats Ward)**

Cabinet considered a report detailing one objection received to a proposed 20mph speed limit zone on residential streets in the Cullercoats Area.

The Council was in the final year of a five-year programme to introduce 20mph zones in residential areas and outside schools in the borough. 20mph zones were an integral part of the Council's Road Safety Strategy approved by Cabinet on 11 January 2010 (Minute CAB103/01/10 refers) along with a range of road safety measures including education, enforcement and infrastructure works.

The Highways Act 1980 required that all schemes involving a change in speed limit must be advertised on site and in the local press. This would enable members of the public to object to the proposal. Any objectors were first sent a detailed response and invited to reconsider their objection. Any objections not withdrawn were referred to Cabinet for its consideration.

An objection had been received on the grounds that the blanket, area-wide speed reductions, implemented only by street signs ("signed-only" speed reduction) had been found to be of extremely limited effectiveness. They were not being introduced in response to local problems or local needs and the scheme was likely to have relatively little impact in reducing either average speeds or accidents. The full text of the objection was included as Appendix 1 to the report.

Officers had responded and explained that as part of North Tyneside Council's adopted Road Safety Strategy, a programme of 20mph zones in residential areas was being implemented in line with national best practice and that the policy to introduce 20mph zones in residential areas was part of a proactive approach to keep the numbers of accidents low. Officers noted that the approach involved minimal costs for the one-off installation of relevant signs and road markings. The full text of the officer response was included in Appendix 1 to the report.

The objector did not wish to withdraw the objection.

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 objection be set aside in the interests of road safety; and (2) the proposals, as shown on the plan attached as Appendix 3 to the report, be approved.

(Reason for Decision – The 20mph speed limit zone is needed in the interests of road safety recognising that the proposals are part of the Council's adopted Road Safety Strategy and form part of an approved action in the Council Strategic Plan 2011-2015.)

**CAB 142/02/12 Traffic Regulation Order – Proposed Residential 20 mph Speed Limit – Broadway South Area, Tynemouth (Tynemouth Ward)**

Cabinet considered a report detailing one objection received to a proposed 20mph speed limit zone on residential streets in the Broadway South Area of Tynemouth.

The Council was in the final year of a five-year programme to introduce 20mph zones in residential areas and outside schools in the borough.

20mph zones were an integral part of the Council's Road Safety Strategy approved by Cabinet on 11 January 2010 (Minute CAB 103/01/10 refers) along with a range of road safety measures including education, enforcement and infrastructure works.

The Highways Act 1980 required that all schemes involving a change in speed limit must be advertised on site and in the local press. This would enable members of the public to object to the proposal. Any objectors were first sent a detailed response and invited to reconsider their objection. Any objections not withdrawn were referred to Cabinet for its consideration.

An objection had been received on the grounds that the objector could not recall any occasion when there had been an accident involving a resident or motorist in the 33 years of living on Edith Street. Having lived in Tynemouth for over 50 years he could not recall there being a serious accident problem on the roads and considered this exercise to be an unnecessary expense which the Council could not afford. The full text of the objection was included in Appendix 1 to the report

Officers had responded and explained that as part of North Tyneside Council's adopted Road Safety Strategy, a programme of 20mph zones in residential areas was being implemented in line with national best practice and that the policy to introduce 20mph zones in residential areas was part of a proactive approach to keep the numbers of accidents low. Officers noted that the approach involved minimal costs for the one-off installation of relevant signs and road markings. The full text of the officer response was included in Appendix 1 to the report.

The objector did not wish to withdraw the objection.

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 objection be set aside in the interests of road safety; and (2) the proposals, as shown on the plan attached as Appendix 3 to the report, be approved.

(Reason for Decision – The 20mph speed limit zone is needed in the interests of road safety recognising that the proposals are part of the Council's adopted Road Safety Strategy and form part of an approved action in the Council Strategic Plan 2011-2015.)

### **CAB143/02/12      North Tyneside Parking Strategy 2012 to 2016 (Previous Minutes CAB47/08/07 and CAB61/09/11) (All Wards)**

Cabinet considered a report which sought the adoption of the draft North Tyneside Parking Strategy 2012 to 2016, attached as Appendix 1 to the report.

In 2007 Cabinet had adopted the Council's first Parking Strategy for the period 2007 to 2011. The main aim of the Strategy was to develop a framework and timetable for the implementation of parking schemes in the Borough including adopting Civil Parking Enforcement (taking over the role of parking enforcement from the Police).

At its meeting of 12 September 2011 Cabinet had approved a full public consultation on the draft Parking Strategy to apply from 2012 onwards. The public consultation had taken place between October 2011 and January 2012 in line with the Engagement Plan (attached as Appendix 3 to the report). Responses received were attached at Appendix 2 to the report. A briefing session for Members had also been held on 13 December 2011. The draft Parking Strategy had been revised to reflect the responses received.

The revised draft Parking Strategy 2012 to 2016 detailed how the Council as the local highway authority intended to manage parking in the Borough for the next four years for the benefit of local businesses, residents and visitors. The efficient and effective management of parking was essential as part of a co-ordinated approach to delivering the national strategic transport goals of supporting economic growth and carbon reduction.

The revised draft Parking Strategy 2012 to 2016 included the following strategic aims:

1. Support North Tyneside's economy, local businesses and town and neighbourhood centres through consistent parking arrangements which supported the vitality of the borough's commercial centres and wider regeneration aims.
2. Provide an effective and efficient parking service, which managed income and revenue to enable the service to be fully funded and parking charges to be in line with the Council's wider policy objectives.
3. Manage parking to ensure a safe environment for all customers, including appropriate parking enforcement outside schools and improved lighting and security measures for car parks.
4. Serve the requirements of the community of North Tyneside as a whole by providing an appropriate level and range of car parking arrangements and restrictions, such as residents' parking permit schemes, in areas where these were required.
5. Ensure that all new developments followed best practice with regard to parking.
6. Recognise the importance of car parking management in influencing travel choices and promoting sustainable transport.
7. Communicate regularly and effectively with all stakeholders in order to promote and improve the relevance of services and better meet the community's requirements.
8. Ensure that customers were treated efficiently, effectively and fairly.

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) North Tyneside Parking Strategy for 2012-2016 be approved and adopted;

(2) the responses received to the consultation exercise be noted;

(3) officers continue to monitor the effectiveness of the North Tyneside Parking Strategy and advise the Cabinet Member for Transport and the Green Environment accordingly; and

(4) Cabinet receive annual reports on the operation of the Parking Strategy and in addition further reports as appropriate in the event of any significant change affecting the operation of parking arrangements in North Tyneside.

(Reason for Decision – By adopting a revised Parking Strategy the Council will be able to develop and implement parking policies and practices which support local businesses, residents and visitors.)

#### **CAB144/02/12      Engagement Strategy for North Tyneside (All Wards)**

Cabinet considered a report which requested approval of an Engagement Strategy for North Tyneside Council. The proposed Strategy was attached as Appendix 1 to the report.

The draft Strategy set out the national and local policy context which had influenced its development and the Council vision for ensuring the active engagement of all across the whole of North Tyneside. Its purpose was to:

- ensure local people and organisations influenced and helped to shape the decisions that affected their lives;
- meet the need for effective, efficient and co-ordinated engagement;
- help the Council and its partners to understand the needs and issues of local communities.

In response to both national and local agenda and based upon the officer consultation and engagement through the Area Forums as well as a review of previous strategies, it was proposed that the following principles underpin the drive for improvement:

- Improved co-ordination – the Council would improve the co-ordination of engagement activity within the organisation and with key partners delivering services in North Tyneside.
- A targeted consistent approach – matching approach to the audience, subject and time with positive outcomes for everyone.
- Supporting active involvement – supporting residents, businesses, and community and voluntary groups to be actively involved in improving their communities.

Well run engagement was important as it brought extensive benefits to the citizens and agencies involved. The main benefits and examples of meaningful, coordinated and timely engagement were outlined in the report.

The Strategy identified the scope of current engagement activity and outlined priority areas for action under the three key principles of:

- improving coordination and intelligence;
- a targeted and consistent approach to engagement;
- supporting active involvement and capacity building.

The next steps in the development of the Engagement Strategy would be:

- Development of a draft action plan to accompany the strategy.
- Consultation with officers who undertook engagement within the Council.
- Consideration by Senior Management Team.
- Consultation with partners and with other stakeholders (including residents) via VODA, the Council website, Area Forums, Residents Panel, etc.

Cabinet considered the following decision options:

Option One:

Endorse the Strategy and request that an action plan be developed with stakeholders which would set out the main engagement activity to be undertaken by the Council.

Option Two:

Further work be carried out on the Strategy.

Option Three:

Not endorse the Engagement Strategy.

**Resolved** that (1) the North Tyneside Council Engagement Strategy 2012-2015, be endorsed;

(2) an action plan be developed with stakeholders setting out how the Council plans to further develop the ways it engages with people who live, work or visit North Tyneside; and

(3) the Strategic Manager Policy and Partnerships be authorised to review and update the Engagement Strategy as required.

(Reason for decision - This Strategy sets out the national policy direction and what this means for North Tyneside.)

### **CAB145/02/12 Council Motion on the Core Strategy (All Wards)**

Cabinet considered a report which explained the terms of the resolution made by Council at its meeting on 24 November 2011, pursuant to its discussion on a petition received in relation to the Core Strategy Preferred Options and provided officers' commentary on the issues contained in the Council resolution. The report also set out the principal steps taken to date and the remaining procedure to be followed in the production of the Core Strategy.

At its meetings of 8 September and 24 November 2011 Council had considered a report on a petition relating to proposals set out in the Core Strategy Preferred Option documents used for consultation in the summer of 2010 (Minute C85/11/11 refers). The petition had asked that specified potential development sites referred to in the Preferred Options documents be designated as Green Belt or Green Wedge rather than be developed. Following initial deferral of the Council's discussion on the petition on 8th September, pursuant to its discussion on the petition on 24<sup>th</sup> November Council had resolved to:

- "Refer the petition to Cabinet for consideration in the context of the ongoing development of the Core Strategy;
- Welcome the views expressed by local residents in their petition, and therefore to ask the Cabinet to withdraw the Core Strategy to await the outcome of the National Planning Policy Framework and to understand how this will work with the new Localism Act; with the help of the local community to ask the Cabinet to protect the Greenbelt where possible and to start the work forthwith to prepare a local plan based on neighbourhood projections; to further request Cabinet to start early and meaningful engagement with the local community to help the Council shape the future of the Borough."

The implication of the resolution was that work on the content of the emerging Core Strategy should include a reappraisal of the suggested policies and proposals as set out in the Preferred Options 2010 in the light of the factors and further work set out in the resolution, including the content of the petition received.

The report provided officer commentary on the key issues/elements raised in the resolution which, in summary, indicated that:

- the preparation of the Core Strategy need not be suspended until the publication of the final NPPF;
- the Localism Act did not have any substantive effect on the content of the Core Strategy;
- the extent of the Green Belt would remain unaffected by the Core Strategy;
- the housing provision of the Core Strategy should not be based on population projections at neighbourhood level; and
- the past and proposed consultation and engagement arrangements had and would provide ample opportunity to influence the content of the Core Strategy.

Therefore the production of the Core Strategy need not be delayed, or its content revised, for the above reasons. Any delay to the preparation of the Core Strategy would result in the following risks and should be avoided as far as practicable:

- Lack of up to date and approved policy guidance to developers, which may result in permission being granted by the Government for development in locations not preferred by the Council and developers choosing to delay development or develop outside the Borough due to lack of certainty as to policy guidance, which for example would have consequent impacts on the provision of affordable housing and jobs;
- Delay to development, or loss of development to the Borough, which would in turn reduce income to the Council through Council Tax, Business Rates, New Homes Bonus, and Planning Obligations, and damage the local economy through loss of spending on, or resulting from, new development, including salaries for new jobs;
- The prevention of the establishment and collection of Community Infrastructure Levy by the Council, required by 2014 to compensate for restrictions on the collection of funding from developers through S106 agreements, as this required that the Core Strategy was first adopted;
- Delay in the Council undertaking its statutory duty to maintain an up to date Development Plan; and
- Delay in implementation of aspects of the Council Plan.

The next steps for the Core Strategy were:

- Core Strategy Publication Draft initial proposals submitted to Cabinet, together with a draft response to representations received and other supporting documents;
- Consideration of initial proposals by Overview and Scrutiny Committee;
- The Elected Mayor considered any recommendations of Overview and Scrutiny Committee and formulated final proposals;
- Consideration of final proposals by Overview and Scrutiny Committee;
- Consideration of final proposals, together with any recommendations of Overview and Scrutiny Committee, by Cabinet;
- Consideration of final proposals, with details of any Overview and Scrutiny Committee recommendations and the Cabinet's response to these, by Full Council, prior to Publication of the Draft Core Strategy.

Once the draft Core Strategy was approved by Full Council there would follow a formal six week consultation. Pending the outcome of the consultation the Core Strategy would be submitted to the Secretary of State with an examination by an Independent Inspector. Final adoption of the Core Strategy would then follow.

The Mayor stressed that the Core Strategy was a statutory document which all local authorities had to have in place. It was detrimental to the Council's planning process not to have such a document in place. She also highlighted that the responsibility for approving the Core Strategy lay with full Council and was not a matter that Cabinet could determine.

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 steps taken to date in the production of the Core Strategy and the remaining procedure to be followed, including arrangements for consultation, as outlined in the report, be noted;

(2) the commentary in relation to the issues raised by the Council's resolution from its meeting held on 24 November 2011, as set out in sections 1.5.15 to 1.5.21 of the report, be endorsed as the Cabinet's response to the resolution; and

(3) officers proceed with the production of the Core Strategy in accordance with the steps set out in paragraph 1.5.22 of the report as soon as practicable.

(Reason for Decision – To enable the Core Strategy process to continue and the Core Strategy document adopted as soon as possible.)

### **CAB146/02/12      Future Use of The Buddle, Station Road, Wallsend (Wallsend Ward)**

Cabinet considered a report that detailed proposals to transfer the building known as The Buddle, Wallsend, to the control of the Tyne and Wear Building Preservation Trust in order to bring the Buddle back into use. For this to progress, the report requested approval for the Council to enter into a lease agreement with the Tyne and Wear Building Preservation Trust (TWBPT), and to act as a guarantor for a repair loan to the Architectural Heritage Fund (AHF). The guarantee would be required for 3 years.

The Buddle had been vacant since 2009. The property had been declared surplus to Council requirements and marketed for sale in July 2010. No suitable bids had been received and the property had been retained by the Council pending suitable interest. The Council had a current ongoing repair and maintenance liability and a property budget of £0.008m (2011/12) for the property.

The Council had therefore been working with the TWBPT to secure funding to carry out repairs to bring the building back into use.

The Building Preservation Trust (BPT) structure had a number of advantages and had experience of delivering similar projects:

- it was a recognised form of charity, so it was easier to set up than an ad hoc charity.
- they specialised in historic building regeneration, and the AHF gave preference to BPT applications if its resources were under pressure.
- they qualified for additional grants from the Architectural Heritage Fund.
- they qualified for membership of the Association of Preservation Trusts.
- they were in a position to harness resources for the purpose of rescuing historic buildings.
- they were established as limited companies, reducing risk to their trustees.

In 2011 the Council had provided £0.015m of grant support to the BPT to explore the feasibility of the Buddle being brought back into use and to carry out minor repairs to the property at their own risk. The BPT had subsequently held discussions with a range of potential users for the Buddle and had identified a deliverable option for the building's future on the basis of a long leasehold interest. Groups currently interested in occupying the Buddle included a department of a college, a social enterprise and a private commercial business.

As part of this feasibility work, the BPT had assessed the condition of the building and produced a schedule of repair work essential to their proposals.

To fund this work the BPT proposed to submit an application to the AHF for a loan of £0.200m which included upgrades and improvements to the heating and electrical system as well as other internal and external works and decoration.

Loans from the AHF were only available to BPTs and, in relation to the proposed loan to TWBPT, the AHF required that the Council act as a guarantor for the loan for a period of 3 years. The loan would be repaid by the rental income from the tenants occupying the building.

Cabinet considered the following decision options:

#### Option One

The Council agree to act as a guarantor for the repair loan from the AHF and grant the TWBPT a leasehold interest. The Council grant delegated authority to the Senior Manager Strategic Property, in consultation with the Strategic Director of Finance and Resources and the Elected Mayor, to agree appropriate lease terms with the Tyne and Wear Building Preservation Trust and to deal with all ancillary property matters arising. The Council also grant delegated authority to the Head of Legal, Governance and Commercial Services to agree and enter into the formal agreement to give effect to the Guarantee.

#### Option two

The Council do not agree to act as a guarantor for the repair loan from the AHF and the TWBPT seek a commercial loan facility.

#### Option Three

The Council provide 100% grant towards the cost of the works.

**Resolved** that (1) the Council act as a guarantor for a repair loan from the Architectural Heritage Fund to the Tyne and Wear Building Preservation Trust for the purposes and upon the basis described in the report, in exercise of its powers of well being under Section 2 of the Local Government Act 2000;

(2) delegated authority be granted to the Senior Manager Strategic Property, in consultation with the Strategic Director of Finance and Resources and the Elected Mayor, to agree appropriate lease terms with the Trust, conclude the lease and deal with all ancillary property matters arising; and

(3) delegated authority be granted to the Head of Legal, Governance and Commercial Services to agree and enter into the formal agreement to give effect to the Guarantee.

(Reason for decision – it is considered to be the only viable way of securing the future of the building in the current climate and removing the maintenance and repair liability to the Council.

Without support from the Council the AHF application can not be made by the BPT to undertake the repair work to the Buddle. A commercial loan facility is not considered viable and without support the project would then have to rely 100% on grant funding including significant grant funding from the Council.)

### **CAB147/02/12 North Tyneside Strategic Partnership – Exception Performance Report – Quarter 3 (2011/2012 – October to December 2011)(All Wards)**

Cabinet received a report which identified any performance issues in relation to the delivery of the objectives outlined in the North Tyneside Sustainable Community Strategy (SCS) 2010-13.

The refreshed SCS 2010-13, agreed by Cabinet on 14 June 2010 (Minute CAB08/06/10 refers) and subsequently approved by Council, set out a long-term vision for the Borough to 2030 and a strategy for the period 2010-13. Four priorities, all with equal weighting had been identified as the focus of this Sustainable Community Strategy and would move the Council closer to achieving this vision. These were Regeneration; Quality of life; Best start in life; and Sense of place.

For the year 2011/12 there was a total of 79 performance measures being used to assess the progress of the SCS. The majority of these were previously prescribed national indicators and were reported annually.

Of the total performance measures, 22 could be reported at the end of Quarter 3. Of these:

- 12 were quarterly reported performance measures. 11 were on track to achieve the 2011/12 target.
- 10 were annual performance measures reporting final outturn data at the end of Quarter 3. Of these 8 had achieved the 2011/12 target.

The following three performance measures were not on track at the end of Quarter 3 or had not achieved their end of year 2011/12 target:

- NI135: Carers receiving needs assessment or review and a specific carer's service, or advice and information. Quarter 3 target was 22.5% and 20.7% had been achieved.
- NI092: Narrowing the gap between the lowest achieving 30% in Early Years Foundation Stage Profile and the rest. The 2011/12 target was 28% and 29.5% had been achieved.
- NI101: Children in care achieving 5 A\*-C GCSEs (or equivalent) at Key Stage 4 (including English and Maths). The 2011/12 target was 19% and 8% had been achieved.

In each case comments and proposed actions were set out in the report.

Reference was made to the circumstances regarding Indicator NI101 not achieving its target, as when the target had been set, there were 16 children in this cohort. Based on previous progress, 3 of this cohort were expected to achieve 5+A\*-C GCSEs including English and Maths. However, at the time the exams were sat there were 13 children in the cohort and 1 had achieved 5+A\*-C GCSEs including English and Maths.

It was suggested that this performance measure be reviewed in the light of the circumstances outlined above.

The full list of performance measures was contained within Annex 1 of the report.

Cabinet considered the following decision option: to note progress as at the end of quarter three 2011/12 on delivery of the Sustainable Community Strategy 2010-13.

**Resolved** that (1) the North Tyneside Strategic Partnership Exception Report, Quarter 3 (October - December 2011), attached as Annex 1 to the report, be noted; and (2) the proposed actions to bring back on track those targets which are the Council's direct responsibility, outlined in the report, be approved and officers be authorised to work with partners to jointly deliver partnership targets.

(Reason for Decision - As the Accountable Body for the Sustainable Community Strategy 2010-13 the Council has a responsibility to ensure adequate governance arrangements are in place to manage performance and resources to deliver the agreed targets. Cabinet must therefore receive monitoring information on a regular basis and be assured that progress is being made to achieve the required outturn within available resources.)

### **CAB148/02/12 Council Strategic Plan 2011-2015 – Performance Report – Quarter 3 (2011/2012) (All Wards)**

Cabinet received a report detailing the progress made during the third quarter of 2011/12 towards achieving the outcomes of the Council Strategic Plan 2011-2015, including information on projects where milestones or targets had not been achieved.

Four projects had not achieved their planned milestones for Quarter 3, i.e. Youth Offer – Development of Youth Facilities in North East; Children and Young People with Acute Needs – Monitor the Level of Out of Borough Provision; Housing Standards – (i) Begin Engagement Process to develop and Implement an Empty Homes Plan and (ii) Reoccupation of Empty Dwelling Management Order property; and Community Engagement - 200 people attending an Area Forum and 3000 hits on the Area Forum Website. Details of proposed actions were set out in the report.

There was a total of 61 performance measures which could be reported for Quarter 3. At the end of Quarter 3 (October – December), overall 36 targets had been achieved and eight targets had not been achieved. These were:

- CP003: % of young people from low income backgrounds progressing to higher education.
- CP008: Children in care achieving 5 A\*-C GCSEs (or equivalent) at Key Stage 4 (including English and Maths).
- CP042: Proportion of people using social care who receive self-directed support, and those receiving direct payments.
- CP061: Ethnicity of service users in Adult Social Care.
- CP110 & CP104: Boost tourism - Impact evaluated using the Scarborough Tourism Economic Assessment Model (STEAM).
- CP105: Number of surf friendly hotels.
- CP113: The number of people attending Area Forums.

In each case a comment on performance and proposed action was included in the report.

There were 17 performance measures which did not have targets, therefore at this stage there was no data available to assess if they were on track.

**Resolved** that the report, together with the circumstances that have caused the lack of progress in the 4 projects that have not reached their planned Quarter 3 milestones, be noted.

### **CAB149/02/12 Troubled Families Programme – North Tyneside Council’s Response (All Wards)**

Cabinet considered a report which sought approval of proposals that re-designed the Council’s early help and support services for troubled families.

The Council's Change, Efficiency and Improvement Programme (Theme A) highlighted the moral and financial imperatives for working at an early stage with vulnerable and troubled families. When appropriate and possible, the Council should act safely to prevent children and young people coming into care or being the subjects of a protection plan.

A multi-agency 'shaping group' had been established under the North Tyneside Community Budget initiative. The group would ensure a better join up between the Council's early help and support services and that provided particularly by health visitors and the police. The recent re-design of the Police Public Protection Unit and the increase in health visitors in the borough offered significant opportunities for service and system re-design that would impact upon vulnerable families. Agencies would share information more effectively, work in stronger partnership and ensure that there was early notification and identification of families that required early help and support in order to make a long term difference to the outcomes for the children.

The re-designed service would engage 'hard to reach' families with universal, direct access services and also targeted services that would address their needs; particularly in the area of attachment and care of children. Outcomes and impact would be monitored and the families tracked to ensure their journey through the support services was as effective as possible. The Council's Children Centres would provide an early life offer to ensure children were prepared for learning in school and had their physical, social and emotional wellbeing accounted for.

The Troubled Families Programme was a major new initiative which aimed to turn around the lives of 120,000 troubled families by the end of the current Parliament. It supported the Council and partner agencies to work in a new and collaborative way to 'break through' to families who were resistant to change from lifestyles that caused poor outcomes for their children.

These families could require extensive and costly intervention from social care, health, enforcement and judicial agencies, particularly if not engaged with early. Multi agency actions that created the new environment to intervene which such families would bring about positive outcomes and cashable savings to all agencies as well as improved outcomes.

Additional resources had been made available to councils to help to identify vulnerable and troubled families. This was to ensure the necessary service re-designs, taking the fullest opportunity to make a difference to families with complex needs. Government figures showed North Tyneside to have approximately 460 troubled families. This figure was extrapolated from the families involved with the Family Intervention Team and links to socio-economic conditions in the area.

The Troubled Families programme would advance Community Budget Plans and Early Help and Support re-design and was in line with the Council's commitment to an early help offer to vulnerable families.

In the next 3 months the following actions would be taken:

- Undertake further analysis of the identified cohort to identify those who required intensive and prolonged work to turn their lives around.
- Develop a multi-agency business plan that would re-design services to work successfully with troubled families in a manner that promoted success.
- Track the progress of the programme and use the lessons learnt to enhance the effectiveness of other work streams.

- Appoint a 'Troubled Family Co-ordinator' who would be the key link to the Government's Troubled Families Team.

The coming together of a number of programmes and initiatives offered a unique opportunity to make a difference to families who were often trapped in an inter-generational cycle of disadvantage. The resultant poor outcomes for children and young people were a matter of grave concern. The multi-agency service redesign proposed was a system response across a range of agencies that stood a real chance of making lasting improvements for those needing help and assistance to take advantage of the real opportunities that schools, health services and community based provision offered.

Progress with this programme as of January 2012 was:

- Agreement to the establishment of a multi agency panel for the appointment of a Troubled Families Coordinator.
- The meeting of the multi-agency shaping group had agreed a theme of 'early intervention' and 'crisis support' to families in need.
- The development in partner agencies of a Community Budget/Troubled Families key senior manager who would ensure his/her agency was fully briefed on all aspects of the service re-design and would act as a broker to overcome any obstacles to the full development of the programme.

It was queried whether any Voluntary Sector organisations had been asked to be part of the multi-agency working group as they had much to offer and would have a key role to play. This was acknowledged by the Cabinet Member for Children, Young People and Learning, who indicated that the role of the Voluntary Sector in the initiative would be considered.

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 proposed actions, set out in the report, to develop Council services in collaboration with partner agencies, to identify and work with troubled families in the Borough, be approved.

(Reason for decision –The moral and financial imperative to work with such families is clear. The timescale for doing so is an urgent one and Cabinet's endorsement will ensure we keep to timetable.)

#### **CAB150/02/12      Newcastle and North Tyneside Joint Bio-Diversity Action Plan (All Wards)**

Cabinet considered a report which requested approval for and adoption of the Newcastle and North Tyneside Joint Biodiversity Action Plan (BAP).

The Government had produced 'Biodiversity: the UK Action Plan' in 1994 with the aim of conserving and enhancing biological diversity in the UK. To achieve these aims it had been recommended by the UK Biodiversity Steering Group, that Local Biodiversity Action Plans (LBAPs) were produced to translate national wildlife targets in the UK Action Plan, into local action.

The Newcastle Biodiversity Action Plan (BAP) had been published in 2001 and the North Tyneside Plan published in 2005. These documents had taken the objectives and targets of the 'UK Biodiversity Action Plan' and translated and amplified them into a local context.

Both BAPs had a joint steering group partnership and in 2008 the Newcastle and North Tyneside BAP Steering Group had agreed to merge the two BAPs into a more strategic joint Action Plan covering both local authority areas. The steering group comprised of individuals from the main organisations contributing towards the delivery of targets and actions in the BAP. The Partnership oversaw the ongoing development and implementation of the BAP. Priority habitats and species had been chosen by the steering group to reflect the current concerns of wildlife organisations and the community.

The aim of the BAP was to ensure that the natural environment was managed more effectively to protect natural resources and to leave a legacy that would benefit present and future generations. The BAP would inform relevant decision making but without obligation on either authority to deliver on the targets.

The BAP would be referred to when considering relevant planning proposals and many BAP targets would be met through the planning process. External organisations were also achieving targets. Community groups and local schools also contributed to the achievement of targets through work in their local area.

The Cabinet Member for Transport and the Green Environment welcomed the document, and suggested that Cabinet should receive information on progress being made against the BAP on an annual basis.

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 Newcastle and North Tyneside Joint Biodiversity Action Plan (BAP) be adopted; and  
(2) a yearly update on progress in meeting the targets set out in the BAP be submitted to Cabinet.

(Reason for decision –to enable the Council to manage its natural environment more effectively, to protect these natural resources and to leave a legacy that will benefit present and future generations. Adoption of a Biodiversity Action Plan is seen a good practice.)

**CAB151/02/12                      Shared Internal Audit and Risk Management Service  
Between North Tyneside Council and Northumberland County Council (Previous  
Minute CAB162/03/11) (All Wards)**

Cabinet considered a report which requested approval to progress with the implementation of a shared Internal Audit and Risk Management Service between North Tyneside Council (NTC) and Northumberland County Council (NCC). The report included details of the due diligence analysis undertaken and the outcomes of a Business Case regarding the potential for implementing the proposed shared service.

The report outlined progress made to date regarding the proposed shared service. North Tyneside Council's Chief Internal Auditor had been appointed on behalf of both councils to:

- (a) Project manage initial due diligence analysis and prepare an Outline Business Case in respect of the proposed shared Internal Audit and Risk Management Service;
- (b) If a decision to go ahead with the shared service was made:
  - (i) project manage its implementation; and

- (ii) move into the role of shared head of internal audit (delivering for both councils) with effect from April 2012.

Initial due diligence work had been completed within planned timeframes and an Outline Business Case had been prepared and shared with the Shared Services Management Board (comprising the Section 151 Officers of both Councils) in April 2011.

A detailed options paper had then been prepared and shared with the Shared Services Management Board in July 2011. This had been followed in August and September 2011 by an extended period of additional analysis, requested by the Shared Services Management Board, to verify current productivity of operations at both organisations, costs, assumptions and projected savings on a number of possible models.

The due diligence, initial Business Case and costed options work had indicated that the Internal Audit and Risk Management service was likely to be viable to proceed to full implementation as a shared service between North Tyneside Council and Northumberland County Council.

A Detailed Implementation Plan in relation to the proposed shared service model for Internal Audit and Risk Management had been compiled and regularly maintained. It set out a comprehensive series of actions and timescales, supplemented with a suite of project work briefs, which facilitated a structured approach to project management and which allowed for more integration between the teams of the two councils from April 2012.

The Plan had been careful to fully involve both teams at each organisation, with two nominated lead officers for each task (one from NTC and one from NCC) commencing from October 2011.

Discussions regarding customer experience and expectations of Internal Audit and Risk Management had taken place with NTC's Senior Leadership Team and also with NCC's Strategic Management Team. This was the first stage in establishing the aspirations of both senior teams, which would be essential in determining the audit needs of both organisations. In turn, required resourcing could then be more accurately established and a corresponding structure prepared for formal decision making.

The next key stage was to gain formal agreement to the principle of the shared service as a constitutionally shared model in the first instance. NTC's Chief Internal Auditor had been appointed to act as the Manager of the new shared service, with responsibility for delivery of Internal Audit and Risk Management services across the two organisations.

Once fundamental governance arrangements (including benefit sharing and legal considerations) between the two councils had been agreed to the satisfaction of the Shared Services Management Board overseeing the project implementation, further reports would be brought before Cabinet containing details of the proposed shared arrangements for consideration and agreement.

The Mayor acknowledged the work undertaken by officers of both councils on the shared service.

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 progress made to date in undertaking a due diligence assessment, preparation of an Outline Business Case and costed options, and project management of the potential for implementation of a shared Internal Audit and Risk Management service, in accordance with the decision of Cabinet on 7 March 2011, be noted;

(2) the decision taken in March 2011, agreeing to the principle of the shared service as a constitutionally shared model in the first instance, with one manager of the new shared service leading delivery of Internal Audit and Risk Management services to North Tyneside Council and Northumberland County Council, be reaffirmed; and  
 (3) further reports be submitted to Cabinet as detailed plans for full implementation are agreed by the Shared Services Management Board.

(Reason for decision – This will enable the Shared Services Management Board to continue their examination of the opportunities which the shared service may realise on behalf of both councils, and to prepare further detailed reports for consideration and agreement by Cabinet if full implementation of the shared service would be advantageous to both organisations. This would also enable the Shared Services Management Board to implement comprehensive governance arrangements, which otherwise would be substantial work done ‘at risk’ pending Cabinet’s agreement in principle to proceeding.)

**CAB152/02/12                      Council Resolution : Community Based Trust (All Wards)**

The Mayor had agreed to this item being considered at this meeting as a matter of urgency and the Chair of the Council had agreed to the matter not being subject to call-in under the “urgency” provisions of the Constitution.

The Chair of Council, in the absence of the Chair of the Overview and Scrutiny Committee, had also given his approval to this item being considered at this meeting under the “urgency” provisions contained in the Constitution.

The reasons for urgency were as follows:

During the Extraordinary Council meeting held on 9 February 2012, a resolution had been agreed to recommend to Cabinet to cease all work on the Community Based Trust project until after the Council meeting to be held on 1 March 2012. This was the first Cabinet meeting held since the Council meeting and the Mayor had announced that she would agree to consider this recommendation at tonight’s Cabinet meeting.

Cabinet considered a report regarding the resolution of Council made at the Extraordinary Council meeting held on 9 February 2012 following a requisition received for a meeting to discuss the Community Based Trust proposals. Following debate on the matter Council had resolved:

‘That this Council recommends strongly to Cabinet that it ceases all work on this project until after the Council Meeting to be held on 1 March 2012.’

The report of the Head of Cultural and Customer Services submitted for consideration by Council at that meeting was attached at Appendix 1.

The work to date was consistent with the Budget and Council Plan agreed for 2011/12 and continued to explore the option of a Community Based Trust. The decisions associated with going ahead with such an approach were part of the Budget and Council Plan decision-making process for 2012/13 and consequent Cabinet decisions. The current costs of the exploratory work were within existing budgets.

The financial impact of a delay to the procurement process could not easily be quantified as it would not necessarily be a pro rota reduction in the £0.250m part year saving for 2012/13.

The need to rearrange activities such as the trustee interviews may prevent work being re-engaged immediately if Council approved the budget proposals on 1 March 2012. As the part year effect was based on an October 2012 implementation date, it was likely that a delay of 1 month could lead to a £0.040m reduction in the saving for 2012/13.

The Mayor reiterated her support for the proposal to establish a Community Based Trust. In particular, she believed that the Trust offered the best solution to safeguard cultural and leisure services in the future; protect jobs; achieve savings for the Council; and retain buildings and assets under Council ownership.

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 Council's recommendation to cease all work on the Community Based Trust project until after the Council meeting to be held on 1st March 2012, be rejected.

(Reason for Decision – as outlined by the Mayor above.).

### **CAB153/02/12 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 2 of Schedule 12A of the Act, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act.

### **CAB154/02/12 Disposal of 0.21 Hectares of Land at Park Road and Coronation Street, Wallsend (Wallsend Ward)**

Cabinet considered a report requesting approval to proceed with the disposal of land at Park Road and Coronation Street in Wallsend to a Registered Provider, in order to facilitate the development of 33 residential properties for rent.

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

**Resolved** that (1) the site of the former retail property at 75 High Street East, Wallsend, as shown cross hatched on the plan attached to the report, be declared surplus to requirements and available for disposal as part of a larger assembled site at Park Road and Coronation Street in Wallsend;

(2) the terms of disposal of the assembled land at Park Road and Coronation Street, as detailed in the report, be approved and the Senior Manager, Strategic Property be authorised to conclude the sale;

(3) the Senior Manager, Strategic Property, in consultation with the Strategic Director of Finance and Resources, the Head of Legal, Governance and Commercial Services and the Elected Mayor, be authorised to agree any amendments to the terms of sale that may be required before completion; and

(4) the Senior Manager, Strategic Property be authorised to deal with all ancillary matters consistent with the aforementioned resolutions.

(Reason for Decision – Approval of recommendations will demonstrate a clear commitment from the Council to the tenants of Hedley Place to achieve the development of replacement housing for rent within the central area of Wallsend.)

**CAB155/02/12      Dates and Times of Next Meetings**

6.00 pm on Thursday, 23 February 2012 (Extraordinary Meeting)

6.00 pm on Monday 12 March 2012 (Ordinary Meeting)

**Minutes published on Thursday 16 February 2012.**

**With the exception of Minute CAB152/02/12, the effective date for implementation of decisions contained within these Minutes (unless called in by 3 Non-Executive Members for consideration by the Overview and Scrutiny Committee) is 24 February 2012.**

**The decisions contained in Minute CAB152/02/12 are not subject to call-in and may be implemented immediately.**