

Cabinet

12 March 2012

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

In Attendance: L Gardiner (VODA)
J Hope (Young Mayor)
J Kuiken (Business Sector)
S Neill (Northumbria Police)
D Titterton (Voluntary Sector)

CAB159/03/12 Apologies

Apologies were received from A Caldwell (Age UK North Tyneside) and C Reed (NHS North of Tyne).

The Mayor welcomed J Kuiken to the meeting.

CAB160/03/12 Declarations of Interest

There were no declarations of interest.

CAB161/03/12 Minutes

Resolved that the Minutes of the meeting held on 13 February 2012 and the Extraordinary Meeting held on 23 February 2012 be confirmed.

CAB162/03/12 Report of the Young Mayor

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

- The 'Get Up and Go' Event had been attended by the Deputy Young Mayor. The event gave those attending details of the varied training and apprenticeship opportunities available to young people in North Tyneside. The event had been very well attended.
- On 15 and 16 February bowls taster sessions had been held for the Children's Council and Youth Councillors at The Parks Leisure Centre. The sessions had been enjoyable and participants had indicated their wish to continue playing the sport. Free bowls sessions would be held on some dates in May 2012 in Northumberland Park.
- A recent application to the Young Mayor's Community Fund had been successful, with a grant being awarded to Marden Rocks Group for drum kit equipment to supplement the music equipment already in use.
- Members of the Youth Council had recently attended a meeting of the Youth Police Authority meeting where they had been involved in short listing applications from youth groups and projects who were looking for funding for their projects. To be eligible, projects had to contribute to the reduction of crime and anti social behaviour and should be working in partnership with police to achieve their aims.

- In March, Area Youth Council meetings would be held in the Borough's four Area Forum locality areas. The first South West Area Forum and Youth Council meeting had taken place and some positive feedback had been received.
- Youth Councillors, Members of the Children in Care Council and the Young Mayor had met with Ofsted inspectors.
- Bands wanting to perform at 'The Event' were currently being auditioned. Already 7 bands had auditioned and the standard was very high.
- Youth Council representatives had attended the Youth Transport Group meeting at Nexus. The main discussion had been on the proposal to introduce a Quality Contract Scheme.
- The Young Cabinet Member for Community Safety had attended a Crime Perception meeting along with Members of the Children in Care Council and Disabled Young People's Network. The young people's views were sought in relation to crime and restorative justice, which would contribute to the development of a package around crime to be used in schools.
- The Young Mayor had met with the Council's Head of Safeguarding when the provision of safe youth facilities had been discussed.
- A Young Cabinet Meeting would be held at the new contact provision at Elm House, Riverside Centre. Consideration would be given to what could be achieved when young people were involved in a project from inception to end.
- The Young Cabinet would be meeting with the Children's Council to discuss ideas around making play sites a better environment for all age groups.

The Mayor thanked Jade for her report.

CAB163/03/12 Joint Venture Agreement - Report of the Overview and Scrutiny Committee (All Wards)

The Cabinet received a report of the Overview and Scrutiny Committee Joint Venture Working Group, which had been established by the Council's Overview and Scrutiny Committee to examine the effectiveness of the Council's joint venture agreement with Kier North Tyneside.

The Council had entered the joint venture because its housing repairs and maintenance service had been judged to be fair with uncertain prospects for improvement. Following an appraisal of the options available to the Council a joint venture company, Kier North Tyneside had been established with the aims of improving the quality of the housing repairs and construction services, delivering value for money and establishing a long term relationship with a private sector partner to facilitate the regeneration of North Tyneside and promote the employment and training of staff. During the course of 2011 the Working Group had met to examine and assess whether the joint venture company, Kier North Tyneside had achieved that which the Council intended and to report its findings to the Cabinet.

The report set out in detail the Working Group's findings on how well the joint venture agreement was delivering that which the Council intended and made 23 recommendations for the Cabinet's consideration aimed at strengthening the joint venture arrangements, improving the quality of the service provided and enhancing value for money.

The Cabinet Member for Housing thanked members of the Working Group for the report.

It was noted that Cabinet was required to consider the recommendations and provide a response within 2 months.

CAB164/03/12 Lift Failures in Sheltered Accommodation – Report of the Overview and Scrutiny Committee (All Wards)

The Cabinet received a report of the Overview and Scrutiny Committee on lift failures in sheltered accommodation.

The Lifts Task Group had been established by the Council's Overview and Scrutiny Committee to examine the failures of lifts in sheltered accommodation, which had been the subject of a motion to Council in November 2011 (Minute C87/11/11 refers). The Task Group had also explored the proposed review of Warden Services for 2012/13.

The report set out in detail the Task Group's findings and five recommendations relating to:

- Keeping Members informed of progress with the refurbishment and replacement of the lifts programme;
- Members being informed of the progress with the review of the Warden Service;
- Cabinet ensuring that any risks of failure to other lifts in the Council's estate were identified and managed appropriately;
- Cabinet ensuring that adequate contingency plans were in place in the event that significant capital programmes became subject to delay in the future.

The Cabinet Member for Housing thanked members of the Task Group for the report.

It was noted that Cabinet was required to consider the recommendations and provide a response within 2 months.

CAB165/03/12 2011/12 Financial Management Report to 31 January 2012 (All Wards)

The Cabinet received a report which set out the budget monitoring position as at 31 January 2012, and included forecast outturn positions for 2011/12 for the General Fund, Housing Revenue Account (HRA) and the Capital Plan, including a summary of schemes delivered. It also included an update on Schools' Finance.

As at 31 January 2012, the forecast year-end position reflected in-year pressures of £0.989m, which was an improvement of £0.076m since the monitoring report to Cabinet on 16 January 2012. It also reflected the challenging conditions faced by councils nationally in managing increased demand in some areas and inflationary pressures, particularly in respect of energy costs. Services continued to embed plans and actions to bring the budget in on target.

The HRA had started the year with £0.239m higher than anticipated opening balances and the current expectation was that the in-year position would be on budget.

Schools were required to submit their second 2011/12 budget monitoring report to the local authority by 22 February 2012, with particular attention given to deficit schools. These had been analysed and there was no material deterioration in any school's position to report. Furthermore all schools with deficit approval in 2011-12 were forecasting to be within their agreed deficit at year end, if not in surplus.

The Capital Plan budget for 2011/12, adjusted for revisions approved by Cabinet during the year was £57.643m. Variations of £0.395m debit (accelerated spend) and reprogramming of £5.592m were contained in the report. The report set out some of the achievements in terms of delivery of projects in the first ten months of the financial year, as well as summarising the level of spend on projects for the year.

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 budget monitoring position as at 31 January 2012 be noted; (2) the level of spend on the Capital Plan as at 31 January 2012, be noted; (3) the variations of £0.395m credit and reprogramming of £5.592m within the Capital Plan be approved; and (4) the current proposed use of Reserves as at 31 January 2012 be noted.

(Reason for Decision – It is important that Cabinet continues to monitor performance against the budget, especially given the current level of financial pressures faced by the public sector.)

CAB166/03/12 Traffic Regulation Order – Proposed Parking Restrictions – Station Road, Benton (Benton Ward)

Cabinet considered a report detailing three objections received to the proposed introduction of parking restrictions on and around Station Road, Benton.

In response to complaints from residents and Benton ward Members about vehicles parking on Station Road as well as its junctions with Northumberland Avenue and Clifton Terrace, thereby causing an obstruction to other road users and pedestrians, officers had undertaken site surveys in which vehicles had been observed parking up to and around the junction of Station Road, Northumberland Avenue and Clifton Terrace as well as causing obstructions on Station Road. This parking restricted sight lines when exiting the junction and impeded the free flow of traffic and pedestrians.

In consequence, in November 2010 a statutory Notice of Intention had been issued to introduce a no waiting restriction (double yellow lines) on the east side of Station Road from the Percy Hedley Centre as far as Clifton Terrace, including its junction with Northumberland Avenue.

Parking proposals were subject to statutory legal process under the Road Traffic Regulation Act 1984 and associated regulations. Schemes had to be advertised on site and in the local press. This enabled 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.

Three objections had been received in response to the statutory Notice of Intention. Bearing in mind the issues raised in the objections, officers had decided to carry out further extensive parking surveys to determine the details of parking on site and in view of the outcomes of those surveys the original proposals were felt to be effective. The full text of the objections was included as Appendix 1 to the report.

The objectors did not wish to withdraw their objections.

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 objections to the proposed introduction of parking restrictions on and around Station Road, Benton be set aside in the interests of improved parking management for residents and businesses in the area; and
(2) the Traffic Regulation Order, as detailed at Appendix 2 to the report, be confirmed.

(Reason for Decision – The proposals are intended to aid traffic and pedestrian movements and improve road safety).

CAB 167/03/12 Traffic Regulation Order – Proposed Residential 20 mph Speed Limit – Wiltshire Gardens/Wiltshire Drive, Wallsend (Northumberland Ward)

Cabinet considered a report detailing one objection received to a proposed 20mph speed limit zone on Wiltshire Gardens/Wiltshire Drive, Wallsend.

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 extension of this speed limit and additional speed humps could not be justified as to the objector's knowledge there had been only two accidents in over 30 years. Officers had responded and explained that there had been 7 accidents along this road over the last five years and that it was felt necessary to address this. The changes to the traffic calming would also help reduce sign clutter and reduce maintenance costs. In addition, as part of the Council's adopted Road Safety Strategy, a programme of 20mph zones in residential areas was being implemented in line with national best practice and 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 objection and officer response was included in Appendix 1.

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 to the proposed 20 mph speed limit in Wiltshire Gardens/Wiltshire Drive, Wallsend 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.)

CAB168/03/12 Local Transport Plan (LTP) 2012 to 2013 Revised Capital Expenditure Budget (Previous Minutes CAB164/03/11 and CAB165/03/11) (All Wards)

Cabinet considered a report which sought approval to proposed changes to the previously approved expenditure of Local Transport Plan (LTP) capital funding for the financial year 2012/13 and for the Council to formally support The Times' 'Cities fit for Cycling' campaign.

In December 2010 the Department for Transport (DfT) had issued the LTP3 Capital Settlement for 2011/12 and 2012/13 for Tyne and Wear along with indicative figures for 2013/14 and 2014/15, as detailed in the LTP settlement letter to the Chief Executive, (attached as Appendix 1 to the report). The Capital Settlement for 2012/13 had subsequently been confirmed in a letter to the Clerk to the ITA (attached as Appendix 2 to the report). In December 2011, DfT had announced an additional one-off allocation to the Tyne and Wear Integrated Transport block for 2011/12 (letter to the ITA, attached as Appendix 3 to the report). This allocation would be carried forward to 2012/13.

The original allocation of LTP capital for 2012/13 had been approved by Cabinet on 7 March 2011 (Minute CAB165/03/11 refers). However, following discussions with the Cabinet Member for Transport and the Green Environment, it had been decided to bring a further report to Cabinet requesting a re-allocation of LTP capital to support highway maintenance in 2012/13 for the following reasons:

- i. Increasing the capital allocation for highway maintenance would allow additional works to improve the condition of roads and pavements in the borough, which was recognised as a key concern for local residents. The recently adopted Highway Asset Management Plan (HAMP) for North Tyneside set out how the condition of the highway asset would be maintained in the long term.
- ii. To redress the adverse impact of the last two severe winters on the highway network.
- iii. To carry out essential works on the footway network identified by technical surveys.
- iv. To implement skid resistance works at sites which had experienced above average numbers of road traffic accidents.
- v. A number of strategic network improvement projects were nearing completion, such as the installation of 20 mph zones in residential areas and around schools in the borough.
- vi. The successful Tyne and Wear Local Sustainable Transport Fund (LSTF) key components bid would support the delivery of road safety education and the promotion of walking and cycling at schools in the borough.
- vii. If the Tyne and Wear large bid for £16m to the LSTF was successful, the Council would implement several sustainable transport projects such as improving cycling and walking access to employment sites and town centres; supporting the aims of national campaigns such as 'The Times' 'Cities fit for Cycling'.
- viii. Most major parking schemes across the borough had been completed.

It was proposed to increase the Highways Capital Maintenance allocation by £500,000 and reduce the Integrated Transport allocation accordingly, as detailed in section 1.5.4 of the report.

North Tyneside had seen substantial growth in cycling over recent years and in 2010 the Council had adopted its third Cycling Strategy, for 2010-14. This included 'Vision 2030', with the aim of making North Tyneside the North East's cycling borough.

In February 2012 'The Times' newspaper had launched a national campaign, 'Cities fit for Cycling'. The campaign included an eight-point 'manifesto' of measures to improve the ease and safety of cycling, particularly in urban areas, and requested local authorities to sign up to support the campaign.

The Council had already put in place several of the measures which the campaign advocated, notably the introduction of 20mph zones in residential areas, and delivered national standard 'Bikeability' cycle training to increasing numbers of young people in the Borough. The campaign was in line with the aims of the Council's adopted Cycling Strategy. It was recognised that some of the detailed points in the campaign's 'manifesto' would be taken forward at Tyne and Wear level.

The Mayor welcomed the report and conveyed her thanks to the Cabinet Member for Transport and the Green Environment and officers involved.

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 Head of Regeneration, Development and Regulatory Services be authorised:

- (i) to progress the implementation of the revised Local Transport Plan programme covering the financial year 2012/13 in accordance with the existing joint arrangement with all appropriate partners;
- (ii) in consultation with the Cabinet Member for Transport and the Green Environment and the Elected Mayor, to review the programme to reflect the Council's Highway Asset Management Plan, public engagement and any value for money issues; and
- (iii) to express formal support for The Times' 'Cities fit for Cycling' campaign on behalf of the Council.

(Reason for Decision – the revised Local Transport Plan implementation programme has been developed to address issues identified by the Council's Highways Asset Management Plan and the impact on the Borough's highway network of the severe winter weather of 2009/10 and 2010/11, and as The Times' 'Cities fit for Cycling' campaign is in line with the aims of the Council's adopted Cycling Strategy.)

CAB169/03/12 Public Health Transition Plan for North Tyneside (All Wards)

Cabinet considered a report regarding the proposed transfer of Public Health responsibilities to the Council from April 2013.

The Public Health White Paper: Healthy Lives, Healthy People: Our Strategy for Public Health in England (Nov. 2010) set out the Government's long-term vision for the future of public health in England, which was designed to be more effective and give clear accountability for the improvement and protection of the public's health. 'Healthy Lives, Healthy People: Update and Way Forward' in July 2011 provided further clarity on the role of local authorities and the Director of Public Health in health improvement, health protection and population healthcare.

Local authorities would take the lead for improving health and coordinating local efforts to protect the public's health and wellbeing, and ensure that health services promoted the health of the population. The Council would therefore have responsibilities across all three public health domains:

- leading investment for improving and protecting the health of the population and reduce health inequalities using the ring-fenced grant;
- ensuring plans were in place to protect the health of the population and ensuring an appropriate public health response to local incidents, outbreaks and emergencies; and
- providing public health expertise, advice and analysis to Clinical Commissioning Groups, Health and Wellbeing Board and the NHS Commissioning Board (through a "core public health offer").

Local political leadership would be critical in ensuring that public health received the focus it required. Local authorities would be required to deliver their new public health functions to tackle the causes of ill-health and reduce health inequalities, promote and protect health, and promote social justice and safer communities. Some of the functions were regarded as mandatory to ensure that some service areas had greater uniformity of provision especially where they were legally required.

Each local area was required to have a detailed Public Health Transition Plan in place which detailed the process of transferring PCT public health responsibilities to the Council during 2012-13. The draft Public Health Transition Plan for North Tyneside was attached as Appendix 1 to the report.

A North Tyneside Public Health Transition Group, comprising senior officers and managers, was overseeing the transition of public health from North Tyneside PCT to North Tyneside Council. The Group would provide leadership and accountability for transition and would manage risks to the successful delivery of the Public Health Transition Plan.

Subject to the passage of the Health and Social Care Bill the Council would assume statutory responsibilities for commissioning and/or providing public health services from April 2013, following the abolition of the PCT. The recent publication of public health baseline spending allocations for 2012/13 indicated the likely level of resources available locally to support the transition to the new system in each local authority. The public health baseline spend for North Tyneside for 2012-13 (attached as Appendix 2 to the report) had been calculated as £8.513m. The spend per head of population for North Tyneside was £41 and was one of the lowest allocations in the North East and did not reflect levels of deprivation in parts of the Borough. The Government had invited feedback in relation to the allocations and had also provided an opportunity for further local scrutiny of allocations. Ring fenced public health budgets would be allocated directly to the local authority in April 2013.

The Mayor expressed concern at the relatively low level of funding per head, especially as the Borough did have a number of areas of deprivation. She had written to NHS North of Tyne regarding this. The amount was one of the lowest in the North East and nationally it was mid range in the amounts allocated.

Cabinet considered the following decision options:

Option 1

Endorse and sign off the Public Health Transition Plan

Option 2

Postpone sign off of the Public Health Transition Plan pending further clarifications or assurances

Resolved that (1) the Public Health Transition Plan be signed off, for submission to the Department of Health and the planned actions for 2012-13, be noted; and (2) the Mayor make representations to Government regarding the baseline spending allocations for public health in North Tyneside referred to in the report.

(Reason for Decision – Cabinet is required to sign off the Public Health Transition Plan prior to submission to the Regional Director of Public Health and Department of Health on the 26th March 2012.)

CAB170/03/12 Localism Act 2011 (All Wards)

Cabinet considered a report which detailed the preparatory work being undertaken across the Council for the implementation of the provisions in the Localism Act 2011.

The Localism Act 2011 had received Royal Assent on 15th November 2011. The Act was a key part of the Government's agenda to devolve power out to local government and beyond, into neighbourhoods and communities and the organisations that represented them. There were links between the provisions in the Localism Act and the Government's proposals for the reform of welfare and health and social care. The proposals for the transfer of the responsibility for public health to local authorities and for localising council tax support were other examples of the Government devolving power to local authorities.

The provisions in the Localism Act were wide ranging. They covered governance, new rights for communities, social housing and planning. They came into force at different times. Work was underway to prepare for the implementation of specific provisions. Appendix 1 to the report provided an overview. The key measures detailed in the report were:

- General power of competence
- Housing
- Rights for Communities
- Community right to bid (Assets of Community Value)
- Community right to challenge (the provision of Council Services)
- Neighbourhood planning

It was explained that since the publication of the report, the deadline for the production of a Tenancy Strategy under the housing provisions of the Act had been brought forward from April to January 2013.

It was noted that further reports would be submitted when necessary for Cabinet's consideration.

It was noted that VODA would be providing briefings for the Voluntary and Community Sector to ensure they were aware of the implications of the Act.

There were no decision options to consider, as the report had been submitted for information.

Resolved that the progress outlined in the report be noted.

CAB171/03/12 Determination of School Admission Arrangements 2013 (All Wards)

Cabinet received a report which outlined the proposed admission arrangements for all Community Schools in North Tyneside for the 2013/2014 academic year including the co-ordinated admissions schemes, following consultation with schools, other local authorities, the Diocesan Authorities and the North Tyneside Trust Schools. There were no changes to the admissions arrangements for community schools since those approved last year.

The co-ordinated admissions schemes were set out in Appendices 1 and 2 (Primary and Secondary). The Planned Admission Numbers (including those for admission to Year 12 – sixth form) were shown at Appendix 3. The Admissions Policies for admission to North Tyneside Community Schools and Nurseries for which the Local Authority was the Admissions Authority were set out in Appendices 4 - 6 of the report. The oversubscription criteria used by the Local Authority where there were more applications than places available were also set out in Appendices 4- 6 of the report.

The Local Authority had consulted on behalf of the Learning Trust schools, the Voluntary Aided schools and the Trust High School within North Tyneside with regards to their admission arrangements. The governing bodies of those schools were responsible for determining their arrangements in accordance with the School Admissions Code.

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 proposed admission arrangements and limits for Community Schools, as outlined in Appendices 1 to 6 to the report, subject to the appropriate publication of Statutory Notices, be approved; and
(2) the Head of Access and Inclusion be authorised to proceed in administering admission arrangements for the September 2013/2014 academic year subject to the publication of statutory notices and compliance with obligations required by the Secretary of State in accordance with the timescales set.

(Reason for Decision – to secure compliance with statutory requirements as outlined in Section 2.2 of the report.)

CAB172/03/12 Education Capital Investment (All Wards)

Cabinet considered a report that provided information on the 2012/2013 formulaic capital funding allocations awarded to North Tyneside Council and sought authority to finalise the capital investment priorities to ensure a comprehensive investment strategy for the education school estate.

As part of the Local Government Finance Settlement published on 13 December 2010, the Government had provided all Local Authorities with information detailing the spending decisions made as part of the Government's Spending Review with specific reference to capital allocations for 2011/12. A total of £15.8 billion of capital had been identified to be invested into the school estate over the Spending Review Period 2011/12 to 2014/15. Specifically for North Tyneside the 2011/2012 settlement had been £7.792m (including £822,000 Voluntary Aided funding). Future years funding allocations to 2014/2015 were expected to stay in line with the total amounts allocated for 2011/12. The mechanisms for allocation and management would however depend on the ongoing national capital review.

The Secretary of State for Education had announced on 13 December 2011 details of over £2 billion of capital funding for 2012/2013 to schools and local authorities. The announcement provided all Local Authorities with a further one-year allocation and confirmed that this would allow the Secretary of State to further reflect, for subsequent allocations, the changing situation in local areas on both demographic growth and numbers of schools converting to Academy status. The report included details on specific allocations.

At a national level, overall capital funding remained the same as 2011/2012. However, the methodology for allocating funding for pupil places had been changed to better reflect local need. In addition, the funding available for capital maintenance awarded to all local authorities had now been determined by school and weighted pupil numbers from the most recent data held. The voluntary-aided sector had also been allocated a 'fair share' of the overall allocations based on pupil numbers, and also reflecting the governors' 10 per cent required contribution and eligibility for VAT. In addition, allocations to Local Authorities had been abated where schools had been, or were about to be modernised through the Building Schools for the Future programme, or through other privately financed projects.

The only outstanding funding for the Department to allocate was in relation to the £600m for basic need announced as part of the autumn statement. It was expected that this funding would be allocated to allow allocations for the remainder of the spending review period to be better targeted towards need.

Following the work originally undertaken as part of the Mayoral Task Group on school Capital investment, further work had been undertaken with a sub group of headteachers to assist in the formulation of a comprehensive programme of investment, with a view to all of the processes and actions necessary for approval of a plan for the school estate being agreed with all responsible bodies. Officers had reviewed asset management condition data to ensure that all information held centrally was up to date. This had allowed the Group to draft a new 5 year Capital Maintenance Investment Programme (attached as Appendix 1 to the report) that ensured all urgent works were initially addressed during 2012/13 with a programme of investment that would continue up to and including 2016/17 (subject to receiving confirmation of future years funding allocations). The investment would ensure that the school estate was made fit for purpose with specific reference to condition.

The Group had also looked at how best to deliver an investment programme across the school estate with specific reference to basic need and suitability (attached as Appendix 2 to the report). Local criteria to support investment had also been agreed and were detailed in the report. The criteria would be used in the prioritisation of works.

The DfE had launched a new priority school rebuilding programme in July 2011 that would initially cover the equivalent of building or rebuilding approximately 100 secondary schools nationally but would, once finalised, include a mix of Primary, Special and Secondary schools and alternative provision taking the total anywhere between 100 – 300. Local Authorities had been requested to formally register interest to the programme and submit bids for this new funding initiative by 14 October 2011.

An initial assessment of the school estate across North Tyneside had identified John Spence Community High School, Longbenton Community College, Marden High School, Norham Community Technology College and Whitehouse Primary School as meeting the initial criteria and had therefore been included within a formal bid to the DfE.

To date, the Department had not formally announced which local authorities/individual schools would benefit from this funding initiative. However, should North Tyneside Council receive a favorable announcement, officers would be required to revisit the investment priorities identified in paragraphs 1.5.3 and 1.5.4 of the report, to ensure that the identified priorities reflected new build solutions on one or more school sites.

Cabinet considered the following decision options:

Option 1

Formally receive the report and agree to all of the recommendations.

Option 2

Formally receive the report and agree some of the recommendations.

Option 3

Formally receive the report but reject the recommendations.

Resolved that (1) the Strategic Director of Children, Young People and Learning be authorised, in consultation with the Elected Mayor and the Cabinet Member for Children, Young People and Learning, to proceed with a School Investment Strategy based on the current asset management data and priorities which will be reviewed on an annual basis;

(2) the proposed five year Capital Maintenance Investment Plan, attached as Appendix 1 to the report, be approved; and

(3) a report be submitted to a future meeting of Cabinet detailing the outcomes of the Priority School Building Programme bid and future years funding allocations.

(Reason for decision – to allow the Council the opportunity to continue with the investment priorities identified for the school estate and to deliver the 2012/13 investment programme. It would allow the opportunities to complete works during the summer period 2012 to be maximised.)

CAB173/03/12 Development of Youth and Play Provision in North Tyneside (All Wards)

Cabinet received a report which sought approval for a Youth and Play Capital Investment Programme that would deliver a Borough-wide network of youth and play facilities for children aged 8 – 19 in partnership with voluntary and community sector providers, key Council services, businesses, schools, the police and NHS services.

North Tyneside Council and its partners were committed to making North Tyneside a place where children and young people could grow and develop as happy, healthy, confident and safe individuals, with a sense of responsibility and respect for others and real aspiration and pride for themselves.

The Government had recently launched a ‘National Youth Strategy: Positive for Youth’ and in North Tyneside new approaches, outlined in the report, were already being spearheaded, which offered children and young people high quality opportunities to learn, develop socially and emotionally, acquire vocational skills and make positive choices for themselves:

It was recognised that there were many challenges faced by young people and there were priorities to address to tackle disruptive anti-social behaviour and drug and alcohol misuse in key locations if young people were to reach their potential.

This had been identified through consultation with children, young people and parents and had been considered by the Overview and Scrutiny Committee. In response to this, a strong partnership had been formed across Council services, voluntary and community sector providers, the Police and NHS services to enable a collaborative approach to a new Youth and Play Strategy for North Tyneside.

A strategy document and implementation plan was currently being drawn up. However initial analysis had identified 'hot spot' localities where children and young people were engaged in disruptive and anti-social behaviour, alongside gaps in provision. There was also a recognised need for improved facilities and spaces which children and young people had a sense of ownership and value.

The Council had identified in its Capital Plan for 2011/12 £1.5m and £1m in future years to enhance facilities for children and young people. £2.765m had been allocated to support the delivery of a number of projects which were detailed in the report. Uncommitted balances of £0.735m would be available to support the youth and play facility investment programme across North Tyneside.

In order to progress the development of the partnership approach, it was proposed to launch a Play and Youth Capital Investment Programme which would act as leverage to attract additional funds from the charitable sector, businesses, partner agencies, and from national government through the Positive for Youth Programme.

Delivery agents would be invited to bring forward proposals to develop new youth and play facilities or revitalise existing provision. The Council would work in partnership with voluntary and community sector partners to deliver a capital investment programme that would deliver a borough-wide network of youth and play facilities.

The investment programme would be phased, with priority given to those areas demonstrating the greatest need for youth and play provision. The initial phase would target those communities identified as 'hotspots' for anti-social and/or risk taking behaviour by young people. Much of the work had already been completed in gathering data on youth and play provision across the borough. This would be refreshed and used as a baseline for service delivery that supported both town centre and local communities as part of the development of the North Tyneside Youth and Play Strategy.

If approved it was proposed to seek initial expressions of interest by the end of May 2012. Following this the Youth and Play Strategy and detailed implementation plan would be presented to Cabinet.

Concerns were raised about the impact of deferring expenditure of £1m for youth facilities in the Capital Plan following the approval of the Council's alternative budget proposals.

It was stressed however, that the Council was still committed to the provision of facilities for Youth and Play in the Borough.

It was explained that the implications of the decision to delay the 2 year investment programme were currently being considered. There had been some slippage and it was anticipated that this would be carried forward. This may also allow additional funding to be obtained, but not at the level originally anticipated.

The need to have facilities provided for young people in the Borough was stressed. The young people had indicated this themselves in a recent survey undertaken.

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 and that the Strategic Director for Children, Young People and Learning consult further and formulate alternative delivery arrangements.

Resolved that (1) the establishment of a Borough-wide Capital Investment Programme for youth and play to enhance positive activities for young people, be approved; and (2) Council be requested to reconsider its decision in relation to the deferment of £1m funding for Youth and Play Provision.

(Reason for Decision - Young people have requested the services on offer. Youth and play is an important and valuable part of the borough's offer to young people. It provides fun and enjoyment and supports them to contribute to their community as they develop into responsible citizens. The impact of diversionary activity is established. It improves the life chances of vulnerable young people, provides them with new skills and positive experiences and many, because of it, are not engaging in risk taking and disruptive activity. Young people can be proud of their achievements, adults in the community will have a positive view of young people in the borough and engagement in schemes like the National Citizenship Award and the Duke of Edinburgh Scheme are positive and rewarding activities.)

CAB174/03/12 Review of the Health of the Ex-Service Community (Previous Minute CAB34/07/11) (All Wards)

Cabinet received a report which gave an update on the Action Plan drawn up in response to the Regional Overview and Scrutiny Committee recommendations in relation to the health and well-being of the Ex-Services Community (considered by Cabinet at its meeting on 11 July 2012 Minute No. CAB34/07/11 refers), together with the development and introduction of an Armed Forces Covenant for North Tyneside. It also requested the appointment of a Cabinet Member as the lead Member for the Ex-Services Community.

The Action Plan covered various areas of activity across Council Services as well as the Health and Well Being Board. Within the Health and Well Being structure in North Tyneside, the direct work in relation to the Ex Services Community lay with the Mental Health Commissioning Board. An updated version of the Action Plan was appended to the report and detailed progress in a number of key areas.

The Council had reviewed some of its service areas and was already providing better access and inclusion for serving members of HM Armed Forces and the Ex-Services Community as part of its normal day to day business. Examples of this were detailed in the report, including better access to housing for the Ex-Services Community through the choice based lettings policy and free use of a range of sport and leisure and library facilities through the EASE card.

Recommendation 20 of the action plan suggested the identification of a senior figure (Member and Officer) in the Local Authority to take a leadership role and support the progress against the action plan in each Local Authority area. It was now felt appropriate that the Council's Member lead for the Armed Forces should be at Cabinet level. The Officer Lead remained with the Head of Cultural and Customer Services. The Armed Forces Covenant Scheme had been launched in May 2011 and outlined the moral obligation between the Nation, the Government and the Armed Forces and aimed to improve support to the Armed Forces Community. One of the key measures was the launch of a Community Covenant Scheme.

£30m of Government funding had been allocated over the next four years to support the scheme, which aimed to provide financial support to projects at a local level which strengthened the ties or the mutual understanding between members of the Armed Forces community and the wider community in which they lived. Applications for sums between £100 and £250,000 could be made and applications were likely to be more successful if the non-Service element of the partnership could also commit to incurring expenditure. Organisations in the North Tyneside area could only apply for a grant under the Community Covenant Scheme if a local Covenant was in place. A Community Services Partnership would be required to oversee and support access to the grant funding and also work to progress actions from the strategic review.

Guidance from the Ministry of Defence gave a number of examples of projects that could be funded from the grant, which were detailed in the report.

Cabinet considered the following decision options:

Option 1

Cabinet may accept the recommendations set out in paragraph 1.2 of the report.

Option 2

Cabinet may not accept the recommendations set out in paragraph 1.2 of the report.

Option 3

Cabinet may refer the matter back to Officers for further consideration of particular issue(s).

Resolved that (1) the actions and the progress that has been made in North Tyneside against the recommendations / action plan, be noted;
 (2) work be undertaken and completed on the development of an Armed Forces Covenant in North Tyneside and authority be delegated to the Elected Mayor to agree the final terms of the Covenant and sign it on behalf of the Council; and
 (3) authority be delegated to the Elected Mayor to appoint a Cabinet Member to have lead member responsibility in relation to the Armed Forces and the Ex-Services Community.

(Reason for decision – to enable updated actions to be fed back to the North East Regional Overview and Scrutiny Committee and progress the development of an Armed Forces Covenant in North Tyneside.)

CAB175/03/12 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 two items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 3; and 3, 4 & 5 respectively of Part 1 of Schedule 12A to the Act.

CAB176/03/12 Corporate Risk Management Summary Report (All Wards)

Cabinet considered a report which detailed the corporate risks that had been identified for monitoring and management by the Council's Senior Leadership Team (SLT). The report provided detailed information on each risk and how this was being managed.

Cabinet considered the following decision options:

Option 1

To consider the information provided for each of the corporate risks and endorse the outcome of the latest review by SLT.

Option 2

After consideration of the detailed information provided for the corporate risks, suggest changes to the corporate risks and their controls.

Resolved that the latest review of key corporate risks undertaken by the Senior Leadership Team, be endorsed.

(Reason for Decision – Each of the corporate risks has undergone substantial review and challenge as part of the corporate risk management process. This is designed to provide assurance that corporate risks and opportunities are being identified and appropriately managed.)

CAB177/03/12 Equal Pay (Previous Minute CAB74/11/09) (All Wards)

Cabinet considered a report which updated Cabinet on the resolution of equal pay claims and sought authority for future management of those matters.

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 current position on the resolution of equal pay issues, as set out in the report, be noted;
 (2) authority be delegated to the Head of Paid Service, in consultation with the Elected Mayor and Cabinet Member for Finance, the Strategic Director of Finance and Resources, the Head of Legal, Governance and Commercial Services, the Head of Finance and the Strategic Human Resource Manager to resolve/settle the equal pay claims submitted against the Council; and
 (3) Council be recommended to approve expenditure to enable the resolution of equal pay claims in accordance with capitalisation and the Council Strategic Plan and Budget.

(Reason for Decision – the proposals are consistent with the agreed strategy for the management of equal pay claims and have the potential not only to further safeguard the Council but also to secure a financial saving. The Council is vulnerable to the outstanding equal pay claims, protection claims and the male contingent claims that have been submitted against it in the Employment Tribunal.

The settlement of these types of claims in advance of any formal legal hearing has proved a successful strategy for the Council. This strategy is still the best option for the Council as it provides certainty for the Council at a level of settlement significantly less than the amount that would likely be awarded against the Council following a formal hearing. It also avoids the substantial legal costs that would be associated with a formal hearing.)

CAB178/03/12 Date and Time of Next Meeting

6.00 pm on Monday 16 April 2012.

Minutes published on Thursday 15 March 2012.

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 23 March 2012.