

# Cabinet

9 July 2012

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

**In Attendance:** A Caldwell (Age UK North Tyneside)  
P Farrell (Northumbria Police)  
A Hodgson (Business Representative)  
J Hope (Young Mayor)  
D Titterton (Voluntary and Community Sector)

## **CAB23/07/12 Apologies**

Apologies were received from L Gardiner (VODA) and S Neill (Northumbria Police).

## **CAB24/07/12 Declarations of Interest**

The following declaration of interest was made:

### Item 6(c) – Appointment of Representatives onto the Northumbria Police and Crime Panel (All Wards)

Mrs L Arkley, Elected Mayor – disclosable pecuniary interest – Payment of expenses as a member of the Panel.

## **CAB25/07/12 Minutes**

**Resolved** that the Minutes of the meeting held on 11 June 2012 be confirmed.

## **CAB26/07/12 Report of the Young Mayor**

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

- 'The Event' music festival had taken place at Segedunum on Saturday, 7 July 2012. The festival had been very well attended. The winning band was Lisbon, who would be performing at the Mouth of Tyne Festival on 15 July. The Young Mayor thanked staff from the Events and the Participation Teams for their support in making 'The Event' such a great success
- Attendance at the Youth Select Committee on Transport, held in London. The Select Committee's report would be completed by October 2012.
- Had met with the Head of Preventative and Safeguarding to discuss the Children's Council project on raising awareness of how behaviour of some older young people impacted on younger users of parks in the Borough.
- Further meetings had been held with Careers Personal Advisers about gender stereotyping. Connexions staff aimed to make an offer to high schools with a package of careers advice which would include activities for young people to challenge stereotypes.
- Attendance at a recent Young Carers Event at West Moor Community Centre which raised awareness of the problems that young carers often encounter. There were opportunities for young carers to have their say about the main problems and look at ways of how others could support them.

- Attendance at the Our Values Showcase event at Howdon Library last month. The project with students from Churchill Community College and older volunteers showed the positive impact that the project has had on all of those involved.
- The Young Cabinet Member for Community Safety had attended a Community Safety Board.
- The Young Cabinet Member for Environment and some youth councillors had supported children from Forest Hall Primary School to conduct a litter pick and clean up of the surrounding area.
- North Tyneside's Member of Youth Parliament had attended the Youth Action Fund Workshop in London. It was intended to apply for funding to support some projects in North Tyneside.
- The Youth Parliament Member also sat on the National Scrutiny Group and had attended a residential event in London to meet others in the group.

The Mayor thanked the Young Mayor for her report.

### **CAB27/07/12      Reports from Scrutiny Committees**

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

### **CAB28/07/12      2012/13 Financial Management Report to 31 May 2012 (All Wards)**

Cabinet considered a report that detailed the Council's budget monitoring position as at 31 May 2012, and included forecast outturn positions for 2012/13 for the General Fund, the Housing Revenue Account and the Capital Plan, including a summary of schemes delivered. It also included an update on Schools' Finance.

As at 31 May 2012, the forecast year-end position reflects in-year pressures of £0.524m. This compared with the position reported in the first monitoring report to Cabinet for 2011/12 which indicated pressures of £2.187m. It also reflected the challenging conditions faced by councils nationally in managing increased demand in some areas. Services were developing plans and actions to ensure the budget is brought in on target.

The HRA was forecast to have year-end balances at 31 March 2013 of £2.151m, which was £0.848m higher than budget. The higher than forecast balances were mainly as a result of higher opening balances due to the impact of previous years' financial performance (£0.837m).

School balances had increased to £6.726m as at 31 March 2012, although these balances included a significant amount of committed funds and the permitted carry forward of grants for the remainder of the academic year. School balances continued to be monitored closely and once the "Consistent Financial Reporting" submission had been verified by the Department for Education, further details of the year-end balances would be provided.

The Capital Plan budget for 2012/13, adjusted for revisions at the March and June 2012 Cabinet meetings, was £58.195m. Variations of £0.937m and reprogramming of £0.696m in 2012/13 were proposed in the report. The report set out some of the achievements in terms of delivery of projects in the first two months of the financial year, as well as summarising the level of spend on projects for the year.

The Cabinet Member for Finance referred to the recent flooding in the Borough and explained that the Council would make full use of its insurance policies and any central government financial support.

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 May 2012 be noted; (2) the receipt of new revenue grants, be approved; (3) the work officers are conducting with the Schools Forum in respect of the National Schools Funding Reform be noted; (4) the level of spend on the Capital Plan as at 31 May 2012, be approved; and (5) the variations of £0.937m and reprogramming of £0.696m within the Capital Plan, be approved.

(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. The variations to the Capital Plan will enable the use of grants awarded for 2012/13.)

### **CAB29/07/12            Traffic Regulation Order – Proposed Parking Restrictions on Marden Road, Whitley Bay (Whitley Bay Ward)**

Cabinet considered a report detailing objections received to the proposal to introduce parking restrictions on Marden Road, Whitley Bay.

Construction work had commenced on a new lay-by on the western side of Marden Road in February 2012. The proposal had been implemented following consultation with local Councillors and the Whitley Bay Chamber of Trade, and was intended to provide additional parking for visitors to Whitley Bay. The works were funded from the Local Transport Plan (LTP) Capital Budget 2011/12.

Following discussion with both the local Councillors and the Chamber of Trade, it was agreed that that a restriction on length of stay of 2 hours should be introduced to encourage a high turnover of parking. For consistency, the limited waiting restriction on the opposite side of the road was also to be amended from 1 hour maximum stay to 2 hours.

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.

In February a statutory Notice of Intention was issued to remove the double yellow lines adjacent to the new lay-by and introduce a limit on length of stay of 2 hours on both sides of the road.

Thirty initial objections were received from members of a local cycling group and two from residents in response to the statutory Notice of Intention. The objections from the cycling group and their families all related to the lay-by and the impact that this had on potential cycling in the area. Following clarification of a number of issues raised in the objections, a number of the objectors had withdrawn or chosen not to proceed with their objection.

Two objections were received from local residents, although one was subsequently withdrawn following a minor amendment to the proposed restriction i.e. no return within 4 hours instead of no return within 2 hours. There were nine outstanding objections from the Cycling Group and their families and one from a local resident, which again related to the lay-by more than the proposed restriction.

Due to the safety concerns expressed by a number of the objectors, the Council commissioned a consultant to undertake a Road Safety Assessment of the scheme in conjunction with the Police. The Assessment had not highlighted any major safety issues that would not be addressed by the resurfacing scheme.

The full text of the outstanding objections was included in Appendix 1 of the report.

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 be set aside in the interests of improved parking management for drivers visiting Whitley Bay; and (2) the Traffic Regulation Order, introducing Parking Restrictions on Marden Road, Whitley Bay, with the revised operational hours of 2 hours with no return within 4 hours between 8.00am and 6.00pm Mondays to Saturdays, shown on the plan attached as Appendix 3 to the report, be approved.

(Reason for Decision – to make efficient use of the parking space provided by encouraging a higher turnover which is consistent with the Council's Parking Strategy for town centres.)

### **CAB30/07/12      Traffic Regulation Order – Proposed Taxi Rank – Whitley Road, Whitley Bay (Whitley Bay Ward)**

Cabinet considered a report detailing an objection received to the proposal to introduce a part-time taxi rank in the bus stop on Whitley Road, Whitley Bay.

In response to a request from the North Tyneside Hackney Carriage Association, the Council had approached Nexus to confirm whether they would have any objection to removing the 24 hour bus stop clearway restriction within the bus stop on the north side of Whitley Road outside the Fire Station Public House during the evening and introduce a part-time taxi rank. Nexus confirmed that they had no objection to the proposal. In the case of Whitley Road being closed for an organised event, e.g. an open-air market, use of this taxi rank could be suspended for the duration of the road closure in line with standard procedure while other taxi ranks in the local area would remain available.

Parking proposals were subject to statutory legal process under the Road Traffic Regulation Act 1984 and associated regulations. Schemes must 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.

In November 2011 a statutory Notice of Intention was advertised to amend the bus stop clearway and introduce a Taxi Rank in the bus stop between 18.00 – 02.00 hours.

Initially two objections were received in response to the statutory Notice of Intention. The first objection requested an amendment to the hours of restriction.

The second objection was from a Taxi firm that was based in and operated within the Whitley Bay area.

In response to the first objection, Officers had written to Nexus who had confirmed that local services only operated from the bus stop between 07:00am – 07:00pm Monday to Saturday, so would have no objection to the taxi rank operating between 07:00pm – 07:00am Monday to Saturday (and all day Sunday & Bank Holidays). The objection was subsequently withdrawn.

In relating to the second objection, Officers had met a representative from the taxi firm and confirmed that the proposal did not impact on their existing arrangements for pick-up and drop-offs in the area as they could not utilise the current bus stop area. The adjacent double yellow lines restrictions in this area did not prevent a private hire vehicle from stopping on the restriction for so long as may be reasonably necessary for a passenger to board or alight and to load or unload any luggage of the passenger. The representative noted the comments but did not withdraw their objection.

The full text of the outstanding objection was included in Appendix 1 of the report.

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 reducing confusion for the public and support the operation of Hackney Carriages within the area; and (2) the Traffic Regulation Order, with the revised operational hours for the Taxi Rank of 07:00pm – 07:00am Monday to Saturday (and all day Sunday & Bank Holiday's) shown on the plan attached as Appendix 3 to the report, be approved.

(Reason for Decision – to reduce confusion for the public and support the operation of Hackney Carriages within the area. It also offers no change to the current drop off and pick up arrangements for Private Hire Vehicles.)

### **CAB31/07/12            Workforce Strategy and People Plan 2012 -2015 (All Wards)**

Cabinet considered a report which requested approval of the updated Workforce Strategy for the Council for the period 2012 to 2015.

The first Workforce Strategy and People Plan 2010 - 2013 was approved in 2010 (Minute CAB42/08/10 refers). This set out how the Council would maximise its human resources to look ahead and ensure the right people with the right skills were in the right place to deliver the Council's corporate priorities and objectives over the period of 2010 to 2013.

Since the initial Strategy was approved, there had been many significant changes within the local government and in which the Council was operating.

The revised version took account of these changes and the impact they would have on the workforce as the Council moved. These included:

- the economy
- public service reform agenda
- an increase in demand for services for older people due to an ageing workforce
- pressure for a more diverse workforce to respond to the needs of an increasingly diverse society

- key legislative changes: the Localism Act 2011 including the community right to challenge; the transfer of some public health functions to the Council in April 2013, and the piloting of community based budgets
- increased delivery of services through partnership arrangements.

The Strategy set out how the Council would respond to national and local changes which would affect the workforce, as well as setting out the strategic workforce priorities which would help the Council to deliver the Councils Change, Efficiency and Improvement Programme and Council priorities. The changes outlined in the Strategy would involve significant workforce challenges and its aim was to address these challenges through a planned and proactive approach.

The Strategy focussed on two main areas, in relation to the workforce, namely 'Planning for the future and maximising resources' and 'Building organisational capability and capacity'.

Further detail was contained in the draft Workforce Strategy and People Plan 2012 – 2015, which was attached as Appendix 1 to the report.

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 request further work on specific issues.

**Resolved** that (1) the Workforce Strategy and People Plan 2012 – 2015 as set out in Appendix 1 to the report, be approved; and;  
(2) the Chief Executive, in consultation with the Elected Mayor, be authorised to finalise the Workforce Strategy and people Plan 2012 – 2015, taking account of comments made from consultation undertaken with the Trades Unions.

(Reason for Decision – to enable the Council to proactively address the workforce issues associated with the challenges ahead.)

### **CAB32/07/12      Appointment of Representatives onto the Northumbria Police and Crime Panel (All Wards)**

(Mrs L Arkley, Elected Mayor withdrew from the meeting for the duration of the discussion and vote on this item.)

(Councillor Mrs JA Wallace, Deputy Mayor, in the chair for this item only.).

Cabinet considered a report which requested appointment to the two seats allocated to North Tyneside Council on the Northumbria Police and Crime Panel.

The Police Reform and Social Responsibility Act 2011 ("the Act") required each police area in England, outside London, to have a Police & Crime Panel. These panels would publicly scrutinise the Police & Crime Commissioners, who themselves would hold the Chief Constable of their force to account for the full range of their responsibilities. Panels could only exercise functions conferred to it by the Act.

A Police & Crime Panel would be either a committee of the relevant local authority, if it is the Panel for a single authority police area, or, a joint committee of the relevant local authorities, if it is a Panel for a multi-authority police area.

In police areas covering 10 or fewer local authorities, such as Northumbria, membership of the Panel would comprise 10 local councillor representatives, and a minimum of two lay members co-opted by the Panel. It was for local authorities to determine which councillors they appointed to sit on the Panel.

However, in exercising their nomination, local authorities must secure that the panels should, as far as is reasonably practicable, meet the 'balanced appointment objective' i.e. reflect the political and geographical make-up of all the local authorities in the force area with the skills, knowledge and experience necessary for the Panel to discharge its functions effectively.

The Panel may resolve to have additional co-opted members up to a total Panel membership of twenty. If the Panel considered this appropriate and made a resolution to increase the number of co-opted members, this resolution was subject to the agreement of the Home Secretary. If a Police & Crime Panel had three or more co-opted members, a member of a local authority within the police area may be a co-opted member as long as at least two of the other co-optees are not members of a local authority. Again, in exercising its power to co-opt additional members of the local authorities, the Panel must try to secure the balanced appointment objective.

The Police & Crime Panel would provide an important set of checks and balances to the Police & Crime Commissioner. The report gave details of the Panel's powers which would include scrutinising the activities of the Commissioner, offering advice to them (which they were obliged to consider), handling any complaints against the Commissioner and, in certain circumstances, requiring them to resign.

The Leaders and Elected Mayor of the local authorities within the Northumbria Police area had met on 11 June 2012 to agree the political balance on the Panel. North Tyneside Council had been allocated 2 seats. The Elected Mayor was appointed as of right, which filled the one Conservative place on the Panel and the remaining seat required a Labour Councillor appointment. Councillor Norma Redfearn had been nominated by the Labour Group, for this appointment.

It was noted that if it was decided not to appoint a Labour Councillor to the remaining seat, this would trigger default action by the Home Office. A letter from the Home Office dated 15 June 2012 was attached as Appendix B to the report.

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 in part and not appoint a Labour Councillor to the remaining seat.

**Resolved** that (1) the Elected Mayor's undertaking to exercise her right to a seat on the Panel, be noted; and  
(2) Councillor Norma Redfearn, nominated by the Labour Group, be appointed to the other North Tyneside Council seat on the Panel.

(Reason for Decision – to ensure North Tyneside Council is fully and appropriately represented on the new Panel.)

### **CAB33/07/12      North Tyneside Strategic Partnership Update (All Wards)**

The Mayor informed Cabinet that this item had been deferred to the next Ordinary meeting on 13 August 2012.

### **CAB34/07/12      Ofsted Announced Inspection of Safeguarding and Looked After Children Services (All Wards)**

Cabinet considered a report which detailed the outcome of the announced Ofsted inspection of Safeguarding and Looked After Children Services within North Tyneside and requested approval to take forward actions to address the areas for improvement highlighted in the inspection.

In 2009 the Government had introduced a programme of announced inspections of safeguarding and looked after children services, a programme that would be concluded in 2012 to be replaced by a reviewed inspection regime. North Tyneside was one of the last areas to be inspected under this system.

The inspection team consisted of four of Her Majesty's Inspectors (HMI) and one inspector from the Care Quality Commission. The purpose of the inspection was to 'evaluate the contribution made by relevant services in the local area towards ensuring children and young people are properly safeguarded and determine the quality of service provision for looked after children'.

The inspection took place from the 5 - 16 March 2012. The resulting report was placed on the Ofsted website on the 8 May 2012.

The evidence evaluated by inspectors had included:

- Discussions with 44 children, 39 parents and carers, 10 foster carers and adopters, front line staff and managers, commissioned providers, elected members and a range of community representatives.
- A review of 60 case files.
- Analysing and evaluating reports from a variety of sources including a review of the Children and Young People's Plan, performance data and information from the inspection of local settings such as schools and day care provision.

The inspection examined 22 areas and provided an outcome grade for each one: inadequate, adequate, good or outstanding. North Tyneside had had 20 (91%) of the separate areas rated as either good or outstanding. Two were rated as adequate. This outcome placed North Tyneside as one of the top 10 councils inspected to date.

The report gave details of areas which had specifically been identified as performing well.

Following publication of the report a letter was received from Tim Loughton MP and Parliamentary Under-secretary of State for Children and Families, praising the Council and partners for the very strong outcome to the inspection and encouraging a sharing of the good practice with other councils. The region had strong arrangements in place to do so and plans were already being made to take up peer review opportunities within the region.

The report which had been widely circulated around the Council and to partners, was tabled. The outcome reflected the Council and partners' commitment to children, young people and their families and the drive to continually improve services that would make a real difference to those in our community who were vulnerable and in need.

The inspection report highlighted areas in which the Council and partners could improve its service to children and young people. An Action Plan attached as Appendix 1 to the report had been drawn up. It provided full detail of the recommendations and the actions proposed to remedy the matters raised.

The areas for attention fell into four categories:-

1. Infrastructure.
2. Practice issues.
3. Early help and prevention services.
4. Training and development.

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 outcome of the announced Ofsted inspection of Safeguarding and Looked After Children Services within North Tyneside, be noted;  
 (2) the Head of Preventative and Safeguarding, in consultation with the Cabinet Member for Children, Young People and Learning and the Strategic Director for Children, Young People and Learning, be authorised to put in place and take forward, the Action Plan (attached as Appendix 1 of the report), to address the areas identified for improvement.;  
 (3) an update report be submitted to Cabinet in 6 months time, detailing progress made against the Action Plan.

(Reason for Decision – the effectiveness of services to meet safeguarding and looked after children’s needs will be improved through the implementation of the action plan and ensure continued high levels of service.)

### **CAB35/07/12 Trust Schools Admittance to the Tyne and Wear Local Government Pension Scheme (All Wards)**

Cabinet considered a report detailing the arrangements for managing the protection of pensions for school-based support staff in schools that decided to change their category from Community School to Trust School (Foundation School with a Foundation) and, in doing so, acquire the North Tyneside Learning Trust as their Foundation.

At its meeting on 9 November 2009, Cabinet approved Council membership of the school-led North Tyneside Learning Trust (Minute CAB 72/11/09 refers). The Trust provided a sustainable framework for long-term partnership between schools, employers, universities, further education providers and North Tyneside Council.

Cabinet at its meeting on 12 July 2010 approved support staff membership of the Tyne and Wear Local Government Pension Scheme (TW LGPS) for those schools acquiring the North Tyneside Learning Trust and changing their category from community school to Foundation School with a Foundation (the Learning Trust) (Minute CAB27/07/10 refers).

And at its meeting on 11 July 2011 had approved arrangements for 3 further schools (Benton Dene Primary School, Benton Dene Special School and Hadrian Park Primary School) (Minute CAB31/07/11 refers).

Currently, there were 26 first, primary, special and secondary community schools now Foundation Schools aligned with the North Tyneside Learning Trust. A further two primary schools, Forest Hall Primary School and Fordley Primary School now wished to join the Trust. Subject to the final consultation, both schools had an implementation date of September 1 2012.

There were an additional six schools currently engaged in the consultation process and pending the outcomes of these a further report would be brought to Cabinet in August 2012.

If the governors of a school decided to change category to become a Trust school, the school, through its governing body, became the legal employer of all the school’s teaching and support staff. Those staff were therefore no longer employees of the Council and would transfer to the employment of the governing body of the Trust school. This transfer was effected through a TUPE-like (Transfer of Undertakings – Protection of Employment) transfer. Whilst this form of transfer did not have the same requirements as a TUPE transfer, the Council and its community schools had consulted, including with unions and professional associations, as if it did have.

One of the consequences of a governing body decision to become a Trust school is in relation to support staff membership of the Local Government Pension Scheme (“the Scheme”).

A person may still be eligible, after transfer of their employment to a new employer, to be an active member of the Scheme if she/he is an employee of the governing body of a Voluntary School; a Foundation School; a Foundation Special School; any Technical School or other similar institute which was being assisted by a Local Education Authority. As these bodies were not Scheme Employers (previously referred to as a Scheduled Body), any membership had to be by virtue of Regulation 8 of the Local Government Pension Scheme (Administration) Regulations 2008.

The first step in the process was to confirm to the Pension Fund that the body was a Foundation School. This could be done by way of simply referring to the relevant legislation. For a person to be eligible for the Scheme, the Local Education Authority must designate him/her, or the class of employees to which he/she belongs, as being eligible for membership to the Scheme.

The Local Education Authority must also have the consent of the Employer to allow them to designate. It was proposed that this be effected by individual governing bodies of the affected schools writing to the LEA to confirm this. Eligibility under Regulation 8 did not therefore require an Admission Agreement.

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 in respect of Forest Hall Primary School and Fordley Primary School, the Strategic Director of Children, Young People and Learning be authorised, pursuant to Regulation 8 of the Local Government Pension Scheme (Administration) Regulations 2008, to designate those schools-based support employees whose employment will transfer to the governing bodies of the schools participating in the North Tyneside Learning Trust, as being eligible for membership of the Tyne and Wear Local Government Pension Scheme, upon the receipt by the Authority of a letter agreeing to such a designation from any such school governing body changing its status to a Trust School and acquiring the North Tyneside Learning Trust as their Foundation.

(Reason for Decision – to ensure school support staff of the named schools retain their right to be members of the Tyne and Wear Local Government Pension Scheme.)

### **CAB36/07/12      Council Tenants Repair Matrix (All Wards)**

Cabinet received a report requesting the implementation of a repair matrix that clearly set out the Council’s repairing obligations as Landlord and the responsibilities of the tenant.

The respective responsibilities and obligations of the Council and the tenant in relation to repairs and maintenance were set down within the Council’s tenancy agreement. The tenancy agreement set out the legislative and contractual position of the respective parties in broad terms. Additional information on the repairs service was available on the Council’s website, service information leaflets and the repairs and maintenance local offer.

Current information did not provide clear and detailed guidance in relation to the responsibilities for individual components, fixtures and fittings within the property and the circumstances under which the repair and replacement of certain items may become the responsibility of the tenant.

In particular the tenant had a responsibility to take care of their home and make good any wilful or negligent damage caused by them, their family, their visitors or pets.

In the absence of clear guidance staff had in some circumstances applied their own interpretation on where responsibility lay and as a consequence some inconsistency in service provision had occurred resulting in the Council incurring expenditure on items which were the responsibility of the individual tenant.

The Cabinet Member for Housing and the Operational Partnering Board for the Kier Joint Venture partnership had initiated the development of a Repair Matrix to set out clearly where the responsibility for various repairs and maintenance elements lay. This was included within the recommendations from the Overview and Scrutiny Task Group study into the Council's Joint Venture Agreement which were accepted by Cabinet at its meeting on 14 May 2012 (Minute No. CAB212/05/12 refers). The development and implementation of the Repair Matrix would ensure that the following recommendations from the Overview and Scrutiny Task Group would be met:

- in the light of increased demands on the housing repairs service, the Cabinet review the Council's repairs policy to ensure there is clarity and understanding among tenants and customers on
- those repairs that will be completed as part of the North Tyneside Homes repairing obligations;
- those repairs that will be undertaken only as part of a programme of works; and
- repairs which are considered to be the tenants responsibility and those which are considered to be rechargeable.

The Repair Matrix, attached as Appendix 1 to the report, had been developed over the last 12 months working closely with the Cabinet Member, Kier North Tyneside, staff and tenants who had been involved throughout the process. The Repair Matrix in conjunction with the 'Repairs Handbook' would provide more clarity for tenants and staff within the Council and at Kier North Tyneside to ensure consistency and effective deployment of financial resources. The report detailed the work undertaken in establishing the Repairs Matrix.

The Repair Matrix had been developed to comply with the Council's repairing obligations which were set out in three key areas, i.e Legislation primarily section 11 of the Landlord and Tenant Act 1985; the Council's Tenancy Agreement; and the Regulatory Framework developed by the Homes and Communities Agency which set out the requirements that registered providers must comply with.

The adoption of the Repair Matrix would assist in targeting resources to those repairs that were the Council's responsibility and assist in managing demand within the repairs service.

Cabinet considered the following decision options:

Option 1 – agree the proposals of this report and recommendation as set out in section 1.2 of the report.

Option 2 – Not agree the proposals as set out in section 1.2 of the report.

Option 3 - refer the matter back to officers for further consideration of any specific issues(s),

**Resolved** that that the Repair Matrix as set out in Appendix 1 of the report, be approved.

(Reason for Decision – to provide the Council and tenants with a clear understanding of their repairing obligations and responsibilities. It will ensure that resources are targeted towards those areas that are the Council’s responsibility to complete and help manage demand on the repairs and maintenance service.)

### **CAB37/07/12            Implementation of Quick Quotes (All Wards)**

Cabinet received a report which requested approval to implement “Quick Quotes” as a way of supporting local suppliers, by ensuring that a minimum number of local suppliers (where they were available) were randomly selected each time the Council sought a quotation for the procurement of goods and services up to a value of £50,000.

The Council was required by its Contract Standing Orders to seek multiple quotations when procuring goods and services between £10,000 and £50,000. A minimum of five quotations had to be invited, and a minimum of three written quotations received. Above £50,000 a full tendering exercise was undertaken, with the opportunity being advertised on the North East Procurement Organisation (NEPO) electronic portal.

The NEPO e-portal had been used by the Council to issue and receive electronic quotations and tenders for a number of years. This was a fully secure electronic system which provided efficiencies for the Council, as well as being easy to access and use by suppliers. A full audit trail was retained of all procurement activity, to demonstrate probity, fairness and compliance with the Council’s Contract Standing Orders.

NEPO had recently developed an enhancement to the e-portal, known as “Quick Quotes”. Most local authorities in the North East were introducing Quick Quotes as part of their commitment to support local suppliers (which included small business, voluntary/community groups and charities) who wanted to do business with their local council. The system was demonstrated to elected members at the NEPO Joint Committee held on 3 February 2012.

There was a commitment to support local suppliers, however the Council had to be mindful that although procurements valued at below the EU procurement thresholds (currently set as – goods and services £173,934 and works £4,348,350) were not covered by the Public Contracts Regulations 2006, the EU Treaty principles of transparency, equal treatment and proportionality did apply, and the Council could not give preference to local suppliers when making an award. The purpose behind these proposals was to address the frequently aired concerns from the business community that the procurement machinery of councils disadvantaged smaller businesses in the local community and was more suited to the resources of larger national and international operators.

The introduction of Quick Quotes allowed for the random selection of local and non-local suppliers from those suppliers already registered within the appropriate category on the NEPO e-portal. “Local” referred to those suppliers based within the Borough, using their postcode to determine the location of the supplier. There were over 700 suppliers located in North Tyneside who are already registered on the NEPO e-portal.

Local suppliers would benefit by being given an opportunity to increase business in the local area, for the lower value contracts that were not openly advertised. Random selection would give fair and equal access to opportunities. Automatic e-mails would advise suppliers when they have been selected to quote.

Local launch events would be held, with the support of NEPO, to raise awareness of the introduction of Quick Quotes. The Quick Quote system was supported by the NEPO Stakeholder Board, with representatives from Chamber of Commerce, Federation of Small Businesses, and the NE Social Enterprise Partnership.

It was proposed that the Quick Quotes system was introduced initially for the purchase of goods between £10,000 and £50,000; and where appropriate below £10,000. (Contract Standing Orders currently provided that for spend below £10,000 one written quote was to be obtained, therefore Officers would have the opportunity to use the Quick Quotes system for spend under £10,000 where they considered this appropriate.) Once the system was established for the purchase of goods, the intention would then be to extend the scope to include the purchase of services and works below £50,000.

It was also proposed that the Quick Quotes system was initially set to randomly select two local suppliers (where they were available), and two non-local suppliers from the list of suppliers already registered within the appropriate category on the NEPO e-portal. Up to a further five suppliers could then be selected by the service area. This would ensure that any existing suppliers were given an opportunity to quote. This approach was in line with neighbouring authorities' use of the Quick Quotes system. The operation of the system would be subject to review and adjustment by the Principal Procurement and Commissioning Officer on a regular basis to ensure the system was operating effectively.

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 implementation of Quick Quotes, for expenditure below the tender threshold of £50,000, be approved.

(2) an update report be submitted to Cabinet in 6 months time on Quick Quotes.

(Reason for Decision – to support local suppliers, by ensuring that a minimum number of local suppliers (where they are available) are randomly selected each time the Council seeks a quotation for the procurement of goods or services up to a value of £50,000.)

### **CAB38/07/12      2012/15 Council Strategic Plan and 2012/13 Budget - Implementation Plan (Previous Minute CAB13/06/12) (All Wards)**

Cabinet received a progress report on the delivery of items in the Budget 2012/13 and Council Strategic Plan 2012/15 - Implementation Plan. The Implementation Plan, attached at Appendix 1 to the report, listed (in summary) a number of proposals contained within the agreed Budget 2012/13 and Council Strategic Plan 2012/15.

The report identified where decisions were to be taken at this and subsequent Cabinet meetings and there were separate reports on the agenda that dealt with some of those items. The Implementation Plan, if approved would need to be amended after Cabinet had reached decisions on those reports.

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 revised Implementation Plan be approved; and

(2) the Chief Executive, in consultation with the Elected Mayor, be authorised to update the Implementation Plan to reflect the decisions in relation to the Plan taken at this meeting.

(Reason for decision - to enable relevant work on the Implementation Plan to be taken forward in accordance with the timescales identified in the Plan.)

### **CAB39/07/12 Killingworth Lake Area Improvements – Revenue Budget Proposal (Camperdown and Killingworth Wards)**

In accordance with the Implementation Plan approved by Cabinet in relation to the Council Strategic Plan 2012-15 and Budget 2012-13, Cabinet considered a report which detailed the options available in relation to the budget proposal for Killingworth Lake area improvements.

The 2012/13 Budget proposed the deletion of the £50,000 of revenue funding allocated for improvements to the Killingworth Lake area. The Implementation Plan proposed that a report be brought to Cabinet in relation to consultation on Killingworth Lake area improvements.

Killingworth Lakeside Park was identified in the Parks Strategy (Healthy Parks, Healthy People, Healthy Communities) agreed by Cabinet on 14 November 2011 (Minute No. CAB94/11/11 refers) as a Park to be developed to “Green Flag” standard. The Park, which formed part of the Killingworth Township development of the mid 60’s, was predominantly a large green space with a network of footpaths surrounding the large lake. The lake was intersected by a causeway. The large lake to the west supported large numbers of swans and was the side where recreational activities took place. The small pond to the east, which was connected to the large lake, was relatively undisturbed and therefore provided a smaller but less disturbed area for wildlife. The Park provided for many recreational activities including: bird watching, angling, canoeing, model boating, walking, picnicking and play.

Consultation had been ongoing since 2008 to determine residents’, users’ and Members’ views on future development of the Park. The consultation had provided a wealth of proposals for future development of the Park. An important milestone in the Park’s development was the recent formation of a “Friends of Killingworth Lakeside Park” Group which had resulted in the group significantly increasing community interest and involvement in the Park’s development and maintenance.

As a direct result of consultation with residents and park users, future developments for the Park had been identified including:

- Improving slipway facilities, improving the lake edges, and installing a jetty for boat launches; and
- Upgrading the boat house building to include toilet, small concession and community room.

The work would be carried out when funding became available. However, there were improvements which were regarded by residents and park users as a priority, which would greatly enhance the quality of the Park. These included: completing the refurbishment of the lakeside edge, restoring the floating island reed bed and upgrading the grassed surfaces surrounding the car park. The estimated cost of these works was £50,000. A Plan identifying the location of the proposed priority works was attached at Appendix 1 to the report.

Cabinet’s original budget proposals incorporated additional revenue expenditure of £50,000 to support improvements at Killingworth Lake Area. This had been excluded from the Budget agreed by Council on 1 March 2012.

There was no provision within the 2012/13 Budget for improvements to Killingworth Lake Area. If no action was taken to amend Cabinet's original proposals, and the £50,000 was allocated to this programme, the 2012/13 budget would no longer be in balance as insufficient funds would be available.

In line with legal advice provided to the Council, it was possible for Cabinet to proceed with their original proposal in respect of Killingworth Lake improvements provided the overall budget envelope remained in balance. Any decisions to proceed with this particular project would therefore need to be taken within the context of the Council Strategic Plan and 2012/13 Budget Implementation Plan as some of the proposals contained in that document generated additional resources. Any surplus budget would be added to the Strategic Reserve and its use would be determined in accordance with the Reserves and Balances Policy.

Cabinet considered the following decision options:

Option 1 – implement the original Cabinet proposals to provide £50,000 for Killingworth Lake Area improvements enabling the proposed priority works to be completed in order to improve the quality of the Park and apply to achieve the 'Green Flag' standard.  
Option 2 - not proceed with improvements to the Killingworth Lake Area.

**Resolved** that the original Cabinet proposals to provide £50,000 for Killingworth Lake Area improvements enabling the proposed priority works to be completed in order to improve the quality of the Park and apply to achieve the 'Green Flag' standard, be approved.

(Reason for Decision – As part of the Implementation Plan for the Council Strategic Plan 2012/15 and the 2012/13 Budget it was agreed that public consultation relating to the Killingworth Lake area be considered at a future meeting of Cabinet. The decision takes account of the public consultation and will enable the previously proposed works to proceed.)

#### **CAB40/07/12 Advertising and Sponsorship Opportunities for North Tyneside Council (All Wards)**

Cabinet considered a report which requested the adoption an Advertising and Sponsorship Protocol for North Tyneside Council.

The Council currently had no corporate approach to advertising and sponsorship, or does a protocol to provide guidance when letting advertising space or obtaining sponsorship. Although some income from advertising was generated by different Directorates, this is predominantly on an ad-hoc basis, resulting in potentially missed opportunities to offer co-ordinated packages for potential advertisers and/or sponsors.

The Technical package for Theme B of the Change, Efficiency and Improvement (CEI) programme envisaged the appointment of a partner to deliver Engineering, Property, Consumer Protection and Planning services for the Council. The bulk of opportunities for advertising within North Tyneside Council lay within these services as they mainly incorporated property related transactions in particular from property rentals for roundabouts and billboards from which the Council generated income. The Council was however legally constrained from deriving profit from any other advertising activity and in relation to other advertising activity (such as advertising in publications) was only entitled to recover its costs. The Technical package preferred provider would not be subject to such constraints and could enter into commercial agreements with advertisers and sponsors. It was proposed that the contract with the preferred provider will guarantee an income to the Council in this regard.

A protocol regarding the Council's approach to advertising and sponsorship had therefore been drawn up. The protocol would require the preferred bidder to ensure all advertising and sponsorship achieved was in line with the Council's protocol to ensure that the advertising and sponsorship activity complied with applicable legislation and standards set by the Council.

The report gave details of current income generated through property related advertising, advertising undertaken on a cost recovery basis, and sponsorship activity in North Tyneside. It also provided examples of what was being done at other local authorities and details of potential advertising opportunities.

In anticipation of appointment of a preferred bidder for the Technical package of Theme B of the CEI programme, a protocol setting out the Council's proposed approach to advertising and sponsorship had been produced for consideration by Cabinet.

The Technical package partner would source the advertising and sponsorship income. Specific proposals for developing advertising and sponsorship opportunities would need to be approved by the Council in accordance with the contractual arrangements, and a protocol would provide guidance in this respect.

The protocol would oblige Council partners to ensure all advertising and sponsorship achieved was in line with the protocol. Advertising and sponsorship would be required to be in line with the Advertising Standards Authority guidelines. The proposed advertising and sponsorship protocol was attached as Appendix 1 to the report.

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 advertising and sponsorship protocol attached as Appendix 1 of the report, be approved.

(Reason for Decision – to introduce a corporate approach to advertising and sponsorship and to demonstrate the Council's consistency and transparency in its approach to advertising and sponsorship.)

#### **CAB41/07/12      Date and Time of Next Meeting**

6.00 pm on Tuesday 31 July 2012 (Extraordinary Meeting)

6.00 pm on Monday 13 August 2012 (Ordinary Meeting)

**Minutes published on Thursday 12 July 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 20 July 2012.**