

Cabinet

10 September 2012

Present: Mrs L Arkley (Elected Mayor) (in the Chair),
Councillors D Lilly, L Miller and Mrs JA Wallace

In Attendance: J Hope (Young Mayor)
S Neill (Northumbria Police)
C Reed (NHS North of Tyne)

CAB75/09/12 Apologies

Apologies were received from Councillors E Hodson, P Mason and GC Westwater, A Caldwell (Age UK North Tyneside) and D Titterton (Voluntary Sector).

CAB76/09/12 Declarations of Interest

The following declarations of interest were made:

Mr G Haywood declared an interest in Minute CAB83/09/12 as the report referred to his contract for services.

Mr C Reed declared an interest in Minute CAB89/09/12 as he was the Interim Local Area Team Director for the NHS National Commissioning Board.

CAB77/09//12 Minutes

Resolved that the Minutes of the meeting held on 13 August 2012 be confirmed.

CAB78/09/12 Report of the Young Mayor

The Young Mayor presented her report which included the following:

- The Young Mayor and 9 Youth Councillors had taken part in a successful youth exchange to SmØla, Norway, and she thanked everyone who had contributed to the fund raising effort. It was hoped to succeed in a bid for funding from Youth in Action to bring a group of young Norwegians to North Tyneside next year.
- In July, some youth councillors had attended the Act Now workshop about anti terrorism that had been organised by Northumbria Youth Police Authority and hosted by North Tyneside.
- The Young Mayor had unveiled the Northumberland Park notice board; given certificates to children from Forest Hall Primary School who had been involved in a clean up in their area; attended the Dance Kaleidoscope Take Off Performance at the Studio in Whitley Bay; and attended a viewing of Beacon Hill Films at their premier at Whitley Bay Playhouse.

- Over July the Select Committee on transport had continued to meet and correspond with each other about their findings for young people's use of public transport. The final report would be completed over the next couple of months. The UKYP representative, Scott Ideson was also continuing his Scrutiny Committee Meetings where he was contributing to discussions on the issues of unemployment, health (particularly mental health), the environment and the benefits system. He had also given a presentation about the Youth Council and other young people's involvement to visiting European young people and audience at the Friendship Games held at Whitley Bay Playhouse.
- The Young Mayor had held further meetings with Mangers from Connexions to develop ideas around careers aspirations and gender stereotyping.
- Some young cabinet members had been involved in giving their views to LAA grant funding for youth activities and in developing a process which would allow young people from North Tyneside to apply for funding for youth activities from a new pot of funding that had recently been made available.
- The deputy young Mayor had taken part in Dragon Den activity as part of the Summer of a Lifetime Programme.

The Mayor thanked the Young Mayor for her report and congratulated her on her excellent GCSE results.

CAB79/09/12 Reports from Scrutiny Committees

There were no reports submitted by the Overview and Scrutiny Committee or any of its Sub Committees.

CAB80/09/12 2012/13 Financial Management Report to 31 July 2012 (All Wards)

Cabinet considered a report detailing the budget monitoring position as at 31 July 2012, and included forecast outturn positions for 2012/13 for the General Fund, the Housing Revenue Account (HRA) and the Capital Plan, including a summary of schemes delivered. It also included an update on Schools' finances.

As at 31 July 2012, the forecast year-end position for the General Fund reflected in-year pressures of £2.425m. This compared with the position reported in the first monitoring report to Cabinet for 2012/13 which indicated pressures of £0.524m. The forecast reflected the challenging conditions faced by councils nationally in managing increased demand in some areas and the potential impact of the recent severe flooding across the borough. Services were developing plans and actions to ensure the budget was brought in on target.

The report also referred to a revenue grant awarded since 1 June 2012, in the sum of £0.020, for the Friendship Games.

The HRA was forecast to have year-end balances at 31 March 2013 of £2.171m, which was £0.867m 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. The report included details of those schools with deficit budgets, and an update in respect of work in progress with regard to the national school funding reform.

The Capital Plan budget for 2012/13, adjusted for revisions at the March, June and July 2012 Cabinet meetings and 26 July 2012 Council meeting was £63.023m. Variations of £0.157m were proposed in the report. The report detailed some of the achievements in terms of delivery of projects in the first four months of the financial year, as well as summarising the level of spend on projects for the year.

The report also explained that the Council's external auditors, the Audit Commission, would shortly complete their detailed audit testing on the draft 2011/12 Annual Financial Report which would be reported to Council on 27 September 2012.

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 July 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 July 2012, be noted; and (5) the variations of £0.157m 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.)

CAB81/09/12 2013-2015 Financial Planning and Budget Process Incorporating the Associated Budget Engagement Strategy (All Wards)

Cabinet considered a report which sought approval for the proposed 2013-2015 Financial Planning and Budget Process, incorporating the key decision milestones and dates; and the 2013/14 Budget Engagement Strategy as part of that process.

For 2013/14 there would be a move to a two year financial planning process, in line with the planning horizon of the current Spending Review. It was anticipated that a new 2 year Local Government Finance Settlement would be in place from 2013/14 onwards. 1 April 2013 also would see fundamental local government finance changes in relation to Business Rates and Council Tax, as a result of 3 main developments: Local Retention of Business Rates; Localisation of Council Tax Benefit; and Technical changes to Council Tax.

The scale of these changes, and the fact that a substantial amount of detail had yet to be released, made the accurate forward projection of financial resources inherently difficult at the present time. In addition, there were other major challenges which needed to be managed including Local Government Pension Scheme reforms, transfer of public health responsibilities and School Funding reforms.

The report outlined the potential scale of the future financial and service challenges facing Local Government, as indicated through the current Spending Review, the 2011

Autumn Statement and Budget 2012, and also highlighted in a Local Government Association publication “Funding outlook for Councils from 2010/11 to 2019/20: Preliminary Modelling”.

The North Tyneside Strategic Partnership’s Sustainable Community Strategy continued to provide the overarching policy direction, vision and delivery priorities for the Council. There was no intention to refresh the Council Strategic Plan this year and Cabinet would have due regard where appropriate for the Council Strategic Plan 2012-15 agreed at Council on 1 March 2012, which covered the 2013/14 budget.

The Council’s Performance Framework, which included a fifth theme ‘21st Century Council’, outlined progress against the Sustainable Community Strategy, the Council Strategic Plan and Budget 2012/13. The performance reporting framework included quarterly progress reports and performance summaries relating to each Council priority.

A Financial Strategy was critical in order to ensure that the Council made decisions by focussing on strategic priorities and had a clear financial vision and direction for the medium term. The financial strategy needed to link to the Sustainable Community Strategy which ultimately drove Council resources. The Budget Setting process helped the Council respond appropriately to responsibilities and duties placed upon Local Government through legislative requirements and the Government’s drive for a deliverable programme of efficiency savings.

Financial planning was of critical importance during the period of the Government’s own Spending Review and beyond, given the potential scale of future challenges. This planning was supported by the continuing need to integrate revenue, capital, asset and treasury planning, driven further by the Prudential Code requirements in relation to longer-term capital investment. In formulating the financial plan, the impact of priorities, objectives and preferred options needed to be fully evaluated.

Whilst decisions around budget-setting were approved on an annual basis, the Council had to demonstrate medium-term financial and resource planning. Annual budget decisions should be taken in the context of the overall financial plan that covered all Council services and took account of the Government’s Local Government Finance agenda.

An important element of the overall Financial Strategy was the Council’s Change Efficiency and Improvement (CEI) Programme which was now, as far as possible, protecting staff jobs and service delivery by giving services opportunities to grow and explore other means of investment and job opportunities. The only way this could be achieved was to look at how services could be delivered in a different way in the future. The structure of the CEI Programme was detailed in the report.

Best practice highlighted the need for medium-term planning horizons. The Council’s three year planning timeframe would assist in ensuring there was a clear demonstration of sustainability in its plans for the future. The key drivers for change and the improvement focus in resource planning were detailed in the report.

The approach to resource planning for 2013-2015 would continue to concentrate on ensuring that the drivers were embedded into the decision-making process for the allocation and re-direction of the Council’s finite resources, financial and otherwise. In addition, there would be the annual detailed review of the current financial plan forecasts and commitments for revenue, capital investment and housing finance. The Financial Strategy would be subject to an annual review.

Leading on from this, the key components and principles adopted for the 2013-2015 Financial Strategy had been fully reviewed as part of the current year's process. Details were given in table 1 of the report.

Recent judicial reviews had highlighted the importance of ensuring that the Council had due regard to its obligations under the Equality Act 2010. In North Tyneside this meant that the budget setting process would be monitored using impact assessments. Full impact assessments would be included in all proposals going forward by the end of December 2012.

Key aspects of the 2013/14 Financial Planning and Budget process timetable were detailed at Appendix A of the report. This was supplemented by a detailed operational timetable for 2013/14.

The Elected Mayor and Cabinet were responsible for formulating the Council's Budget. The Cabinet Member for Finance, in close consultation with the Elected Mayor, had been nominated as the lead Cabinet Member for the overarching 2013-2015 Financial Planning and Budget Process. The Strategic Director of Finance and Resources would be the project sponsor.

As part of the previous year's process, the Overview and Scrutiny Committee had considered the report of the Budget and Council Plan Study Group on Cabinet's 2012-2015 Council Strategic Plan and Budget Setting process. A report from the Elected Mayor had subsequently been sent to all Members and Co-opted Members setting out the response to the Committee's recommendations. Those recommendations had been considered as part of setting the framework for the 2013-2015 Financial Planning and Budget Process and would be considered further as part of the reporting later in the process.

The Council was committed to being a resident-focused Council. Engagement with residents took place throughout the year and information gathered during the year would be used to inform 2013/14 budget proposals.

Following the approval of the Council Strategic Plan and Budget 2012/13 on 1 March 2012 reports on specific items within the Council Strategic Plan and budget had been considered at Council or Cabinet, as appropriate. Where relevant or appropriate, these reports included details of engagement. Ensuring residents' views were gathered and considered during the annual Budget Setting process was part of this ongoing programme. The Budget Engagement Strategy set out the approach for 2013/14.

It was proposed to have a different approach this year, to broaden the approach to get more people involved and to have a clear brand and campaign to promote the opportunity. There would still be two phases of engagement. The first phase in October would use a themed approach and all events in a specific week would focus on a theme. The opportunities to engage would be publicised via social media to raise awareness of the consultation events and use a simple web based exercise to capture residents' views, and there would be opportunities in, for example libraries, customer service centres and shopping centres to get involved. The second phase in December would focus on providing information on Cabinet's proposals, using web based methods and other forms of engagement.

Details of the ways in which engagement would be carried out and feedback provided, were set out at Appendix B to the report, and information on the themes for engagement was provided in Appendix C.

Cabinet considered the following decision option: to agree the recommendations as set out in section 1.2 of the report.

The Mayor advised Cabinet that, as set out in the legal implications contained in the report, legal advice recently obtained had confirmed that functions relating to the Housing Revenue Account were the sole responsibility of the executive (Cabinet). As a result, decision making in relation to the Housing Revenue Account was the responsibility of the Cabinet, under the Cabinet's residuary powers in section 9D of the Local Government Act 2000 (as amended).

Resolved that (1) the proposed outline 2013-2015 Financial Planning and Budget Process, which incorporates the key decision milestones and dates, as set out in Appendix A to the report, be approved; and (2) the 2013/14 Budget Engagement Strategy, as part of the 2013-2015 Financial Planning and Budget Process, be approved.

(Reason for Decision – Decisions on the budget in relation to the general fund, housing revenue account, schools' funding and the Capital Plan need to be made within the overall context of the resources available to the Council and within the legal framework for setting budgets. The Council will need to examine closely the links with key funding partners and their proposed financial plans, including an assessment of the impact of any grant fall-out over the proposed three-year resource planning period.

Cabinet and Council need to have due regard to the Chief Finance Officer's advice in relation to the levels of reserves and balances proposed as part of the three-year financial plan for 2013-2015 in accordance with the Council's Reserves and Balances Policy most recently agreed by Council on 1 March 2012.

The Budget Engagement Strategy for 2013/14 will in part help to inform decisions about what will be included in the three-year Financial Plan for 2013-2015. Decisions on the budget for general fund, capital plan, housing revenue account and schools' funding will need to be made within the overall context of the resources available to the Council and within the legal framework for setting budgets.

The Local Government Finance Act 1992 requires the Council to set a balanced budget in the context of the resources available, including central government grants, business rates and council tax income.

The Local Government Act 2003 imposes duties on local authorities in relation to budget setting. The Act requires that, when an authority is deciding its annual budget and council tax level, members and officers must take into account a report from the Chief Finance Officer on the robustness of the budget and the adequacy of the authority's financial reserves. The Government has a back-up power to impose a minimum level of reserves on an authority that it considers to be making inadequate provisions.

The 2013-2015 Financial Planning and Budget process has been prepared to comply with the time-scales required within the Budget and Policy Framework Procedure Rules contained in the Council's Constitution. Those Procedure Rules set down the stages to be completed in relation to agreeing the Budget of the Council. There are no other options available in relation to this. The Budget Engagement Strategy forms part of the 2013-2015 Financial Planning and Budget Process).

CAB82/09/12 Change, Efficiency and Improvement Programme – Update (All Wards)

Cabinet considered a report which provided an overview of progress across all three themes of the Change, Efficiency and Improvement (CEI) Programme for the period 2012/13 to 2014/15.

The latest position for all of the CEI projects was attached at Appendix 1 to the report. A summary of savings plans for the current and future years was as follows:

	2012/13 £m	2013/14 £m	2014/15 £m
A1: Children Education and Skills	3.051	0.784	0.721
A2: Adult Social Care	<u>6.384</u>	<u>1.156</u>	<u>1.021</u>
Theme A sub-total	9.435	1.940	1.742
Theme B sub-total	4.719	2.965	1.803
Theme C sub-total	1.648	1.377	1.179
Total CEI plans in place	15.801	6.282	4.724

In the first year of the programme 2011/12, the savings target was £16.194 million and this target had been delivered in the main. Whilst not all of the savings had been achieved in the way the budget had planned, there were compensating savings which meant that the Council had ended the year with a small underspend on its general fund revenue budget. The key areas of progress made across each of the three themes in the CEI programme in the 2011/12 were set out in the report.

There were currently plans in place to deliver savings of £15.801m in the current financial year. The key areas of work to deliver against this target for each of the themes were as follows:

Theme A was accountable for £9.435m of the overall CEI plans for 2012/13. Projects within Children, Education and Skills would deliver £3.051m and projects within Adult Social Care would deliver £6.384m. The various projects were detailed in Appendix 1 but were largely grouped around service redesign; procurement/contract reviews; restructuring; and income generation.

Theme B was forecasting the delivery of £4.719m of savings during 2012/13. The two principal areas of delivery were the Business and Technical services packages, along with the associated Corporate Core and retained client changes that would facilitate the new model of service delivery. Savings would also be achieved in a review of Customer and Cultural Services that was being undertaken.

Theme C was due to deliver £1.648m of savings during 2012/13. Work was continuing on the large number of initiatives begun in 2011/12, and was also now focusing on new ideas and options for the coming year, all aimed at reducing waste and energy usage.

Cabinet considered the following decision option: to note the progress to date with the CEI Programme.

Resolved that the progress to date with the Change, Efficiency and Improvement Programme, be noted.

(Reason for Decision – to enable work to continue to progress with the CEI Programme.)

CAB83/09/12 Senior Management Arrangements (All Wards)

Cabinet considered a report which referred the Motion agreed by the Council at its meeting on 4 July 2012 in relation to the Authority's senior management arrangements to Cabinet (Minute C32/07/12 refers) and to advise on the respective roles of the Cabinet and the Appointments and Disciplinary Committee in relation to the recruitment and appointment of officers to the Authority's senior management.

At its meeting held on 4 July 2012, the Council had resolved: "That this Council is concerned that the decision to make a permanent appointment of Chief Executive is being further delayed to beyond May 2013 by the Elected Mayor. This Council feels that it is in the best interests of North Tyneside to make a permanent appointment as soon as possible to stabilise the Council during a significant organisational change in the provision of Council services. Council therefore requests the Cabinet to commence this recruitment process without delay."

Cabinet had previously considered reports in February and August 2011 (Minutes CAB143/02/11 and CAB48/08/11 refer) and June 2012 (Minute CAB19/06/12 refers) and approved the appointment of an Interim Chief Executive and continuation of that arrangement until 31 May 2013. This was done due to the circumstances surrounding the recruitment to the permanent Chief Executive post, the market of candidates available and recently because of the significant changes planned to take place over the forthcoming months in relation to new models of service delivery and restructuring of the Council.

Prior to the expiry of the contract for services for the Interim Chief Executive, arrangements in relation to the Authority's senior management would need to be in place to take effect on expiry of that contract to ensure continuity of service provision and strategic direction.

It was the responsibility of the Cabinet to determine the structure of the Authority's workforce, including the broad duties attributed to particular posts and to determine whether and when a post would be available to be recruited to.

Council had delegated its responsibilities in relation to the recruitment and appointment of senior employees to the Appointments and Disciplinary Committee. Where the Appointments and Disciplinary Committee were advised by Cabinet of the requirement to recruit and appoint a Chief Executive taking into account, as determined by Cabinet the structure of the Authority's workforce; the broad range of duties to be undertaken by such a role; and the timescale for such an appointment to take effect, the Committee was responsible for the recruitment and appointment process.

In particular, the Committee was responsible for determining whether to appoint recruitment consultants to assist in the selection of suitable candidates; approving the role description and person specification; short-listing candidates; and selecting a suitable candidate for appointment.

Cabinet considered the following decision options: to consider whether or not to take any further action in relation to the appointment of a Chief Executive at this time.

Resolved that (1) the Motion agreed by Council be noted; and (2) no further action be taken to recruit and appoint a Chief Executive at the present time, but the matter be referred back to Cabinet for consideration at the appropriate time..

(Reason for Decision – to ensure ongoing stability during significant changes planned to take place in the forthcoming months.)

CAB84/09/12 Optimising Skills Within the Client Function (All Wards)

Cabinet received a report detailing a proposed approach the Council would take to ensure the Client Team, who would fulfill the Client Function, had the right skills to deliver their roles and responsibilities within the client role.

The report was provided in response to a request from the Overview and Scrutiny Committee, at its meeting on 6 August 2012, for Cabinet to provide assurance that the retained Client Team had the necessary skills in order to ensure the delivery of the Business and Technical services in a timely way, within budget and compliant with the Key Performance Indicators set out in the contractual documentation.

Through the procurement process for securing providers for the Business and Technical packages a need for client officer roles and specifications for these roles including responsibilities, skills and abilities, had been recognised. The majority of these roles required existing professional and technical expertise and as a result key individuals had been matched to the posts. It was, however, acknowledged that the officers identified to fulfil these roles may require further development in relation to contract management skills.

To clarify where such developments needs arose a skills audit of the key individuals within the Client Team would be undertaken to assess their levels of knowledge, skills and understanding linked to 12 key contract management areas detailed in the report. These contract management skills were being scrutinised to ensure external verification through benchmark data from both public and private sector organisations and any adjustments made accordingly.

The skills audit would be completed online by the individual, in consultation with their Head of Service. The data gathered from this exercise would identify individuals' contract management skill gaps and inform their Development Plan. The Development Plan would then be implemented in preparation for the anticipated Business and Technical Package implementation date of 1 November 2012.

Cabinet considered the following decision options:

Option 1 – to approve the approach to ensuring the Client Team had the necessary skills required for the job role.

Option 2 – to reject the proposed approach to ensuring that the Client Team had the necessary skills required for the job role and refer this back to Officers for further consideration (outlining the specific issues to address).

Resolved that (1) the proposed approach, outlined in the report, to ensuring the Client Team has the necessary skills required to fulfil the role of the Client Function following the implementation of the Business and Technical Packages, be approved; and (2) a report be submitted to the Overview and Scrutiny Committee providing information on the approach approved by Cabinet.

(Reason for Decision – it will enable the smooth transition, mobilisation and subsequent management of the contract and partnership for the Council. This will also support the delivery of the overall Change, Efficiency and Improvement Programme and governance arrangement to be put in place in relation to the Business and Technical Packages)

CAB85/09/12 North Tyneside Council Network Management Plan 2012 – 2017 (All Wards)

Cabinet received a report which requested adoption of the North Tyneside Network Management Plan 2012 to 2017. The draft Plan was attached as Appendix 1 to the report and responses to a consultation exercise attached at Appendices 2 and 3.

The Traffic Management Act 2004 required all local authorities to assume a 'Network Management Duty' and to appoint a Traffic or Network Manager to ensure the duty was carried out in accordance with the Act. Each authority was required to produce a Network Management Plan which provided evidence of the policies that the Council was actively pursuing to ensure the 'most expeditious movement of traffic' on its network.

The Council's first Highway Network Management Plan had been approved by Cabinet in December 2009 (Minute CAB84/12/09 refers). The draft Network Management Plan (NMP) 2012 to 2017 was essentially an updated version of the previous plan reflecting new management procedures and systems as well as confirming future priorities for dealing with traffic growth and congestion.

The NMP would operate alongside the Council's recently adopted Highway Asset Management Plan 2012 to 2017 (HAMP). Whereas the NMP dealt with the management of activities on the network the HAMP dealt with the maintenance of the infrastructure.

The key aims of the draft plan were "to effectively manage the highway network in North Tyneside for the benefit of all road users, by addressing congestion problems, reducing accidents, responding to incidents and co-ordinating activities, events and works to minimise disruption."

The main activities relating to the NMP were detailed in the report.

A number of new sections and recent innovations which were either not in the original plan or had been amended were:

- i. Road Network Hierarchy: this had been further developed for the purpose of network management to restrict road works on the busiest parts of the network.
- ii. Congestion: the Council had prepared a hierarchy of junction improvements to indicate how key junctions which experienced substantial levels of congestion would be improved, when resources allowed.
- iii. Speed Management Plan: a full network review of existing speed limits had been carried out and a new speed management plan created as part of the Council's Road Safety Strategy.
- iv. Accident remedial schemes: Continual analysis of accident locations and implementation of accident reduction schemes using new computer software and liaising closely with Northumbria Police.
- v. Urban traffic management control: North Tyneside was now one of the lead partners in the new Tyne and Wear intelligent transport system project. This would provide driver and passenger information across the network and allow for upstream interventions into signal systems.
- vi. Managing travel demand: The Council would continue throughout the plan period to promote business travel plans which encouraged flexible working and seek to spread travel demand. Out of school provision would also be supported, to reduce peak time travel demand.

Cabinet considered the following decision options: either to agree the recommendations as set out in section 1.2 of the report and adopt the draft North Tyneside Network Plan Strategy 2012 to 2017, or alternatively to disagree with the proposals.

Resolved that (1) the responses received to the consultation exercise, detailed in Appendices 2 and 3 of the report, be noted; and
(2) the North Tyneside Network Management Plan 2012 to 2017 be adopted.

(Reason for Decision - By adopting a revised and updated Network Management Plan the Council will have in place a clear strategy for the management of activities on the highway network and a plan for dealing with future traffic growth.)

CAB86/09/12 3 Year Review of the North Tyneside Council Statement of Licensing (Gambling) Policy (All Wards)

Cabinet considered a report outlining the initial proposals in relation to the formulation and subsequent formal approval of the Statement of Licensing (Gambling) Policy, which formed part of the Council's Policy Framework.

The Gambling Act 2005 had removed from the Magistrates' Court the responsibility for granting gaming and betting permissions and transferred this responsibility to Local Authorities, which acted as Licensing Authorities.

The Council was required to produce and publish a Statement of Licensing Policy under the Gambling Act 2005 and the initial Policy had come into force on 31 January 2007 and had been reviewed and where necessary amended every three years thereafter. The revised Statement of Licensing Policy (Gambling) had to be in force by 31 January 2013 when the existing policy expired.

Under the Act, the Council as a Licensing Authority was responsible for issuing Premises Licences and Permits. Premises Licences were specific to the type of premises offering gambling to the public and included Bingo Premises, Adult Gaming Centre Premises, Family Entertainment Centre Premises, Betting Premises.

The Council did not have the authority from the Secretary of State to issue Casino Premises Licences. Section 175 of the Act limited the overall numbers of types of casinos permitted in Great Britain. Until such time as the current limits on the number of casinos were increased, no further Casino Premises Licences would be issued. Provided that the Council did not pass a 'no casino' resolution under Section 166 of the Act, the Council would be in a position to apply to the Secretary of State to be considered as a Licensing Authority with the power to issue Casino Premises Licences, should the limits on the number of casinos ever be increased.

It was proposed that the Council reconsider the issue of whether, as a Licensing Authority, it wished to pass a 'no casino' resolution when it was reviewing its Statement of Licensing Policy. Council would be considering the final proposals for the Policy at its meeting on 29 November 2012.

The report detailed the different permits the Council, as Licensing Authority, could issue. It also set out the principles to be applied by the Council as Licensing Authority when considering an application for a Premises Licence, as set out in Section 153 of the Act.

Section 153 emphasised the importance of the Council's Statement of Licensing Policy (Gambling) in determining any application for a Premises Licence made to the Council as Licensing Authority.

The draft revised Policy statement, attached as Appendix 1 to the report, had been prepared in accordance with Regulations and taking account of the Gambling Commission's statutory guidance. The draft statement had been subject to a 12 week period of public consultation from 21 May until 10 August 2012. One response had been received from a member of the public, which was appended to the report. A list of the extensive number of consultees would appear in the policy document.

The draft revised policy statement, once approved, had to be published at least 4 weeks before it came into force and be available for inspection on the Council's website, public libraries and Town Hall/Quadrant.

Cabinet considered the following decision options: either to endorse the draft revised policy statement in its current form or alternatively not endorse the draft revised policy statement.

Resolved that (1) the draft revised Statement of Licensing Policy (Gambling) initial proposals, be approved; and
(2) it be noted that the Council is requested to determine whether or not to pass a 'no casino' resolution under section 166 of the Gambling Act 2005.

(Reason for Decision - The revised draft policy has been developed over many months by licensing officers working closely with Legal Services. The policy contains the information required by legislation and the Gambling Commission. It has been subject to extensive consultation involving, in addition to members of the public, all North Tyneside MPs, MEPs and Councillors. All consultees were given the opportunity of providing feedback and comments on the draft policy up to 10 August 2012.)

CAB87/09/12 Objections to Public Open Space Advert for Land at Banktop, Earsdon (St. Mary's Ward)

Cabinet considered a report detailing information on representations made in relation to a statutory advertisement to dispose of approximately 248 square metres of public open space at Banktop, Earsdon, in order to facilitate residential development. A plan of the site was attached at Appendix 1 of the report.

The land had already been declared surplus to requirements by the Council and terms had been approved for its disposal to the owner of the adjacent area of land for a development comprising 9 residential properties for which full planning permission had been granted.

As the land was considered to be public open space it was subject to the relevant provisions of the Local Government Act 1972. As a result, the Council had advertised its intention to dispose of the land in accordance with Section 123 of the Act.

Prior to the closing date for the receipt of objections, two objections/ representations had been received, attached at Appendices 2 and 3 to the report. The main points of concern were traffic and traffic safety, loss of verge, loss of open space in designated Greenbelt, building in Greenbelt and separation distances between properties.

Cabinet considered the following decision options: either to approve the disposal of the land in question or not to approval the disposal of the land.

Resolved that the disposal of land at Banktop, Earsdon, as shown hatched on the plan attached to the report, be not approved.

(Reason for Decision – to retain the land as public open space and ensure continued public rights of access to the land.)

CAB88/09/12 River Tyne North Bank – Learning Village (Wallsend and Riverside Wards)

Cabinet considered a report detailing proposals for the second phase of the Learning Village and requesting authority to progress to a detailed business case. This included bidding for external funding for the Learning Village.

The report referred to the development of a Learning Village to provide the essential skills required by existing and new businesses and was therefore a key part of the overall economic regeneration of the River Tyne North Bank (RTNB) area. It would also provide existing local residents and employees with access to training and create new opportunities, especially for young people, to improve their skills and employment prospects.

Phase 1 of the Learning Village on the former Shepherd Offshore Cold Storage Site on Hadrian Road was now operational and called the Energy Academy. This was a joint initiative between Newcastle College, Shepherd Offshore, ONE, the Sector Skills Council and major employers such as Duco and Wellstream, and was also supported by the Council. The Energy Academy was believed to be the first Further Education facility of its kind in the UK providing an offshore wind and wind technologies centre of innovation, training and development.

In February 2011, Cabinet had authorised officers to continue to work up detailed procurement options for a further phase of the Learning Village, including consideration of funding opportunities and requested that officers submit a further report back to Cabinet within 6 months with a preferred option and the financial implications of delivering this next phase of the Learning Village. However, in December 2011 Cabinet had been informed that changes in the funding of education providers meant that training requirements had to be responsive to demand from the businesses. The potential for a second phase of the Learning Village development was therefore dependent upon the needs of business and the Higher Education/Further Education providers' response to this demand.

In March 2012 a study had been commissioned to review the position and make recommendations as to what Phase 2 could include. The study had concluded that a key priority for the Learning Village should be to increase the number of local young people who could access a career in engineering related employment. This was based on evidence that there was a growing concern regarding the potential rapid growth of this sector and the ageing workforce in the North East with a need to increase numbers of young people achieving qualifications in Science, Technology, Engineering and maths subjects. The Learning Village would support the improvements already being delivered within North Tyneside with the Council's 14-19 Strategy that was based on developing skills pathways that would allow progression into related industries. The Learning Village would provide further progression pathways from school to Further and Higher Education and increase access to new employment prospects.

The Learning Village would provide the central hub for a hub and spoke model in North Tyneside that provided clear educational and vocational routeways into employment opportunities, particularly those created on the RTNB. This would focus on supporting the development of engineering and other advanced manufacturing businesses but could also support other growth sectors (such as creative industries, particularly film and television) which had made significant use of the former Swan Hunter buildings since they had been acquired by the Council.

The development would provide facilities that were focussed on young people, support their achievement of vocational learning linked directly to jobs in Engineering and Manufacturing.

The study had concluded that the Learning Village phase 2 should include 3 key elements:

- A Studio school that provided education facilities for 14-19 year olds in vocational areas linked to the RTNB.
- A Research and Development facility to support business led project work, innovation and entrepreneurial skills, including an internationally recognised “Fab Lab”.
- A facility that provided Business Incubation space for businesses to start up, supported them to grow and progress into larger managed work space.

The report gave a detailed background and explanation including funding options for the three key elements.

Cabinet considered the following decision options:

Option 1 - approve the recommendations as set out in section 1.2 of the report.

Option 2 - authorise some, but not all, of the recommendations as set out in section 1.2.

Option 3 - not approve the recommendations as set out in section 1.2.

Resolved that (1) approval in principle be given to explore the opportunities to establish a Studio School, research and development space including a Fabrication Laboratory, incubator space for micro businesses and move-on accommodation for small and medium sized businesses within Phase 2 of the Learning Village within the former Swan Hunter office buildings;

(2) the Strategic Director of Children, Young People and Learning, in consultation with the Strategic Director of Finance and Resources, the Head of Legal, Governance and Commercial Services and the Elected Mayor, be authorised to undertake appropriate consultation, prepare detailed proposals and submit bids for external funding to deliver phase 2 of the Learning Village as set out in the report; and

(3) a further report be submitted to Cabinet for the purpose of approval of a detailed business case for the delivery of the business development element of the Swan Hunter site and also setting out progress made on the Studio School proposals.

(Reason for decision – this will provide a clear commitment from the Council to take the necessary steps to implement the Learning Village as a new facility for residents, communities, young people and businesses that would create the platform for sustainable business and provide a locally available and skilled workforce. It will stimulate and accelerate business growth and wealth creation for the borough during this period of austerity.)

CAB89/09/12 Local Health Watch (All Wards)

Cabinet received a report detailing the progress made in relation to developing a local Healthwatch in North Tyneside and seeking approval to carry out a tendering exercise for the procurement of a suitable organisation to provide this service.

The Health and Social Care Act 2012 established Healthwatch England which would be a statutory committee of the Care Quality Commission (CQC), the independent regulator of health and adult social care services in England and which also protected the interests of people whose rights were restricted under the Mental Health Act. Healthwatch England would work within CQC's corporate governance framework, but would have operational independence, speak with an unedited voice and set its own strategic priorities.

Local Healthwatch would replace Local Involvement Networks (LINK's) from April 2013. The vision was that local Healthwatch would be "the local consumer champion for patients, service users and the public" and would champion the needs of both children and adults.

The Act imposed a duty on local authorities to contract with a local Healthwatch organisation for the involvement of local people in the commissioning, provision and scrutiny of health and social services. These arrangements would include reporting arrangements to Healthwatch England. As an independent body Healthwatch would be funded by local authorities, and in accordance with procurement rules the Healthwatch body had to be procured to ensure value for money and quality of services.

Healthwatch England would be part of a new Healthwatch network from April 2013, giving people who used health and social care services a powerful voice locally and nationally. Healthwatch England would gather and analyse information from local services, and take its findings to the national bodies which planned and ran care services. It would advise them of people's concerns, pass on and analyse information, and offer advice. Through the Healthwatch network, Healthwatch England would make sure the voices of people who used health and social care services were heard by the Secretary of State, CQC, the NHS Commissioning Board, Monitor, and every local authority, who were required to listen to Healthwatch and respond to its concerns.

The Act stipulated that each local authority area must make arrangements for a local Healthwatch to be in place by 1 April 2013. The role of the Local Healthwatch was detailed in the report.

It was intended that service-providers, such as local authorities and NHS bodies, would be under a duty to respond to Local Healthwatch recommendations. Commissioners and providers would also have to have regard to the reports and recommendations and would have to be able to justify their decision if they did not intend to follow through on them.

Local Healthwatch organisations would be required to produce an annual report and provide an independent complaints advocacy service or signpost people to the provider of the service. They would have a seat on Health and Wellbeing Boards, ensuring that the views and experiences of patients, carers and other service users were taken into account when local needs assessments and strategies were prepared.

The report also detailed the work already undertaken and currently underway in developing the Local Healthwatch. This had included extensive consultation with

service users. All of the work undertaken had helped the development of a specification for local Healthwatch which would meet local needs. Adult Social Care would be carrying out a procurement exercise in September, to identify a provider who would deliver the functions of local Healthwatch. It was anticipated that the contract would be awarded in December, allowing for a 3 month transition period for the new provider to work with LINK to establish Healthwatch North Tyneside by 1 April 2013.

Further detail on the key steps of the procurement was set out 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 information about Healthwatch and progress made to deliver this in North Tyneside be noted; and
(2) the Head of Adult Social Care, in consultation with the Elected Mayor, Cabinet Member for Public Health and Adult Social Care, the Head of Legal, Governance and Commercial Services, the Strategic Director of Finance and Resources, Director of Public Health and the Head of Preventative and Safeguarding Service and the Principal Procurement and Commissioning Officer, be authorised to undertake a competitive procurement exercise and establish a local Healthwatch in North Tyneside and award a contract to the successful tenderer on terms approved by the Head of Legal, Governance and Commercial Services.

(Reason for Decision – to ensure that a Local Healthwatch is in place by April 2013 in line with statutory requirements.)

CAB90/09/12 Strengthening Crisis Response Services – Care Call (All Wards)

Cabinet received a report which requested approval to re-model the Council's Crisis Response Service – Care Call in line with the current modernisation proposals for Adult Social Care, the Corporate Efficiency and Improvement Programme and forecasted demands for the service moving forward.

The core business of Care Call offered a 24-hour, 7 days per week, 365 days per year, response to people living in the community who had a range of community alarms and assistive technology, with the overall objective to support people to live at home.

The report gave details of the current service, current demand and future demand.

In response to the demographic changes to the population, the prevention agenda and the need to ensure people were not at risk of isolation, Care Call had to ensure that the service would deliver value for money, while increasing efficiency and improving the Crisis Response Service provided to vulnerable adults across the Borough. Issues of equity and safety were paramount to any changes that needed to be made. Moving forward, in line with the wider personalisation of social care services the re-modelled service needed to provide customers with more choice and control. This would allow them to select the level of support they wished to receive and also to ensure that those services were tailored to meet their individual needs, rather than the current one-size-fits-all approach.

Taking account of the issues identified with the existing model and the changes needed to address the personalisation agenda, any future service delivery model must aim to:

- Ensure that positive outcomes in relation to well-being were the focus of the service
- Provide individuals with confidence in the services they were purchasing
- Offer service users choice and control
- Provide good quality support
- Ensure value for money was achieved with a Fair Charging Policy.

The report detailed a proposed 3 'Tier' model, with the level of charge increasing as the level of service provided increased. Costs were £3.83 per week (Tier 1), £6.00 per week (Tier 2) and £9.00 per week (Tier 3). The costs had been benchmarked with other Local Authorities and were similar or equal to the levels charged by neighbouring authorities.

The current charging policy was not fit for purpose as it had evolved historically, related to benefit, rent, service and Adult Social Care charges. It was proposed to change the policy to line up with the wider policy of access to Social Care Services and the agreed contributions policy.

In addition to its core business, Care Call provided an "out of hours" call handling service to supplement and enhance other services such as the Sheltered Housing Wardens; reporting of housing repairs to Kier and repairs to Highways; acting as the contact for emergency services during Emergency Planning for major incidents; re-ablement standby; and out of hours calls to Adult Social Care and Children's Services.

The service user was not charged for any of these services, therefore they were unaffected by this proposal.

Care Call would be a universal service available to all and was considered to be an excellent example of a preventative level service that enabled people to remain living at home. The new model of service delivery would be dynamically marketed across a wide range of partners to actively promote the prevention agenda.

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 plans to re-model the Council's Care Call Crisis Response Service in accordance with the model described in section 1.5.6 of the report, be approved; and
(2) the Head of Adult Social Care, in consultation with the Cabinet Member for Public Health and Adult Social Care, be authorised to introduce a new charging policy as set out in section 1.5.7 of the report.

(Reason for Decision – to enable Adult Social Care to streamline existing service provision, deliver value for money and offer service users choice and control.)

CAB91/09/12 North Tyneside Tenant and Leaseholder Strategy (All Wards)

Cabinet considered a report which requested approval of the North Tyneside Tenant and Leaseholder Involvement Strategy 2012-15, attached as Appendix 1 of the report.

In 2009 North Tyneside Homes (NTH) and its tenants had agreed a tenant and leaseholder strategy and tenant and leaseholder participation compact which set out NTH's commitment to put tenants at the heart of everything it did and support tenants to get involved in a wide range of ways. The strategy and compact were supported by a 3 year action plan setting out the key steps that would be taken to improve tenant and leaseholder involvement in North Tyneside. Progress had been monitored by tenants on a three monthly basis with officers from NTH. The action plan had now been completed and had resulted in a significant improvement in tenant and leaseholder involvement.

Progress had been made with a wide variety of involvement/engagement activities. Tenants' views and suggestions for improving services were collected on a regular basis through a wide range of well attended events and activities. These views and ideas were fed into tenant led service development groups that met regularly to monitor the different parts of the housing service, discuss with managers areas of under-performance and identify improvements. Improvement ideas were then fed back to all tenants so that they could see the difference they were making.

This involvement had resulted in new services, improved policies and challenging service standards and targets, examples of which were detailed in the report.

There was a need to update the strategy to ensure tenant and leaseholder involvement continued to improve and met legal requirements. Housing regulation had changed since the last compact and strategy and this strategy was influenced by these changes. The Regulatory Framework for Social Housing in England 2012 set out the standards that all social landlords were expected to meet. There was a specific Tenant Involvement and Empowerment standard that required landlords to make sure tenants were given a wide range of opportunities to both shape and scrutinise service delivery and hold their landlord to account for meeting the standards. The framework no longer required social landlords to have a separate tenant compact. Feedback from tenants had indicated that they would like one clear document that set a framework for the further development of tenant and leaseholder involvement.

The proposed Strategy had been developed with tenants on the involvement service development group and was based on the views and priorities of the tenants and residents who had been involved in events and activities over the last 3 years. There had been wide consultation on the draft with tenants and leaseholders, councillors and other stakeholders. Section 2.3 of the report detailed the consultation that had taken place. All the views expressed had been taken into account when updating the Strategy.

Good progress had been made and the report gave details of a number of areas where further work was required. These issues had been incorporated into the Strategy which included key milestones that would be used to measure progress over the next three years. A detailed action plan to deliver against these milestones would be agreed with tenants and monitored by them every three months. Written reports on progress would also be produced for the Cabinet Member for Housing who had asked for an early review of the effectiveness of the Area Housing Forums and their fit within the Council's wider engagement framework.

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 Tenant and Leaseholder Involvement Strategy 2012-15, as set out in Appendix 1 to the report, be approved; and
(2) the proposed review of Area Housing Forums by the Head of North Tyneside Homes, in consultation with the Cabinet Member for Housing, with a report being submitted to a future Cabinet meeting, be noted.

(Reason for Decision – The Regulatory Framework for Social Housing in England 2012 requires social landlords to support tenants both to shape and scrutinise service delivery and to hold councillors to account. The Involvement and Empowerment standard, which is part of the Framework, sets out required outcomes in relation to this. The original strategy predates these requirements and does not meet the revised standards. The Strategy will bring the vision and outcomes North Tyneside Homes are trying to achieve and key milestones in line with the new Regulatory Framework for Social Housing in England 2012.

The Strategy has been developed with involved tenants and leaseholders and has also been the subject of wider consultation with tenants, leaseholders and community and voluntary organisations).

CAB92/09/12 2012/15 Council Strategic Plan and 2012/13 Budget - Implementation Plan (Previous Minute CAB69/08/12) (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 was a separate report on the agenda that dealt with one of those items. The Implementation Plan, if approved would need to be amended after Cabinet had reached decisions on that report.

Cabinet considered the following decision options: either to agree the revised Implementation Plan and to it being further updated in the light of decisions taken at this meeting, or alternatively to disagree with the revised actions in the Implementation Plan.

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.)

CAB93/09/12 Council Strategic Plan and Budget Proposals – Pool Car (Previous Minute CAB220/05/12) (All Wards)

Cabinet considered a report which detailed options in relation to the Budget proposal to delete the remaining Pool Car, in order to save £0.005m, in accordance with the Implementation Plan agreed by Cabinet on 28 March 2012 in relation to the Council Strategic Plan 2012/2015 and the 2012/13 Budget.

A report had been considered by Cabinet on 14 May 2012 on the proposed deletion of the remaining Pool Car, in order to save £0.005m. Cabinet had approved that the Pool Car be retained for a further 3 months, and that a further report be submitted to Cabinet

on the usage during a 3 month period. This allowed for an opportunity to determine whether the introduction of parking charges at Quadrant had led to increased use of the Pool Car.

The Council had set a target of 30% vehicle utilisation rate for its core fleet of vehicles. This was regarded as local authority best practice. Officers were currently challenging any vehicle utilisation below 20% in terms of transport needs and the overall vehicle fleet was being reduced where appropriate.

The annual Pool Car average utilisation rate 2011/12 was 11.25% which was well below the target 30% utilisation rate for the Council's core vehicles. However, there had been a steady increase in Pool Car usage during the months of January, February, March and April 2012 as detailed in the report.

The increase had coincided with the proposed introduction of car parking charges, agreed by Council in March 2012 as part of the 2012/13 budget setting process. During this period staff had reviewed their personal travel plans in determining whether or not to pay to park and/or use other transport methods such as the Pool Car.

The increased usage of the Pool Car had continued through the 3 month review period as detailed in the report. The average vehicle utilisation rate of 33% for the 3 month period exceeded the 30% target.

The annual hire charge of the vehicle was £4,943. The total cost in 2011/12 was £5,379.14 including fuel costs. The vehicle had done 1,344 business miles in 3 months which had resulted in the equivalent reduction of employee car mileage claims. If this level of usage was sustained for the full year the net cost to the Council of the Pool Car would be in the region of £2,950 per annum. If business miles increased this would further offset the costs of the Pool Car and if 13,360 business miles were done in a year, then the business mileage saving would pay for all of the hire costs.

The report detailed potential issues and feedback from consultation undertaken with the trades unions.

Cabinet considered the following decision options:

Option 1 – take no action to delete the Pool Car - Any decision to take no action to delete the Pool Car would need to be taken within the context of the Council Strategic Plan and 2012/13 Budget Implementation Plan and overall budget envelope.

Option 2 – implement Council's proposals and delete the Pool Car - There were no financial implications arising from this option as the saving was built into the 2012/13 approved budget.

Resolved that no action be taken to delete the Pool Car.

(Reason for decision - Demand for the pool car has increased during the period referred to in the report. The pool car's utilisation figures have increased substantially to an average of 33%, and car mileage claims have reduced in line with increased usage. Consultation with Trade Unions and employees find that the pool car is seen as an excellent facility which supports the Council's objectives in terms of sustainability. It is likely that, with the anticipated increase in usage the pool car will actually prove to be of financial value as the reduction in mileage claims will be greater than the actual cost of providing the car).

CAB94/09/12 Date and Time of Next Meeting

6.00 pm on Monday 8 October 2012.

Minutes published on Thursday 13 September 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 21 September 2012.