

Cabinet

8 October 2012

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

In Attendance: A Caldwell (Age UK North Tyneside)
L Gardiner (VODA)
J Hope (Young Mayor)
S Neill (Northumbria Police)
M Cushlow (NHS North of Tyne)
D Titterton (Voluntary Sector)

CAB95/10/12 Apologies

Apologies were received from S Elliott (Business Sector) and C Reed (NHS North of Tyne).

The Mayor explained that Maurya Cushlow would be attending Cabinet meetings in future in place of Chris Reed, who had moved to a new job. The Mayor welcomed Maurya and thanked Chris for his contributions to Cabinet meetings.

CAB96/10/12 Declarations of Interest

There were no declarations of interest made.

CAB97/10/12 Minutes

Resolved that the Minutes of the meeting held on 10 September 2012 be confirmed.

CAB98/10/12 Report of the Young Mayor

The Young Mayor presented her report which detailed the following:

Nominations for Young Mayor Candidates and Youth Council candidates had now closed. An information day had taken place where young people had the opportunity to find out about the election process and the opportunities provided by the positions.

Some of the Youth Councillors had attended the planning police priorities workshops which had been organised by Northumbria Youth Police Authority at Gateshead Civic Centre.

In September, the Young Mayor had attended a police cadet attestation at North Tyneside Area Command Headquarters. She had also attended the final meeting of the Youth Select Committee on transport in London when the draft report had been reviewed.

Twelve Youth Councillors had attended and contributed to the State of the Area event. This had proved very interesting.

The Young Cabinet Member for Environment had attended a Green North Tyneside Board, at which amongst other things a presentation on the sewage treatment works at Howdon had been given.

Youth Councillors from the South West Area were working with an artist to create a seat, to be situated near Wallsend High Street. The seat would have carvings representing shipbuilding and other industries associated with the area.

The Mayor thanked the Young Mayor for her report. The Young Mayor was also commended on the work she had done during her term of office.

CAB99/10/12 Reports from Scrutiny Committees

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

CAB100/10/12 Area Action Plan Publication Draft: Initial Proposals (Previous Minute CAB17/01/12) (All Wards)

Cabinet considered a report which detailed the background to, and content of, the Area Action Plan (AAP) Publication Draft: Initial Proposals document for Wallsend (including the River Tyne North Bank), North Shields, and Coastal areas, and the steps carried out so far in the production of that document including consultation on Preferred Options and sought approval to progress the Initial Proposals to Overview and Scrutiny Committee in accordance with the Policy Framework Procedure Rules.

The current Development Plan was made up of the North East Regional Spatial Strategy (RSS) adopted in 2008 and the North Tyneside Unitary Development Plan (UDP) adopted in 2002. Under the planning system introduced in 2004 that had recently been replaced, Area Action Plans (AAPs) were promoted as a tool to provide Development Plan Documents that gave a particular focus on specific areas of change, regeneration or conservation importance and therefore their focus was on previously developed land. North Tyneside's AAPs, together with the Core Strategy would, on completion, become a key part of the Development Plan for the Borough and together replace the policy and proposals of the UDP.

With the publication of the National Planning Policy Framework (NPPF) in March 2012, and the introduction of the Localism Act 2011, the planning system had changed and was in a period of transition. The Government intended to exercise its new power to abolish the RSS, and had introduced a system that enabled one Local Plan to be produced covering the whole of a local authority's area, instead of a Core Strategy and other Development Plan Documents setting out more details. The Council therefore had the option if it wished, of including the policies and proposals of the AAPs with the Core Strategy once finalised to form one Local Plan for the Borough.

The Council was continuing with preparation of Area Action Plan documents as they were at an advanced stage.

The preparation of the three AAPs and their boundaries had been agreed by Cabinet on 8 February 2010. The preparation of the AAP Publication Draft Initial Proposals had involved extensive engagement with the public and stakeholders, details of which were contained in the report.

Each of the Preferred Options had been produced taking into account responses to the Issues and Options consultation; extensive evidence relating to issues which would

affect the areas and their future planning (e.g. retail and town centre issues, housing, employment land, and waste); and responses to that evidence as it had been published.

A Report of Consultation, which outlined in full the consultation undertaken and responses received, was attached as Appendix 2 to the report.

Final consultation on Major Proposed Changes had been undertaken in September 2012. Responses to this consultation received by the morning of 26 September had been included in an initial response schedule at Appendix 3 to the report. The final results of this consultation had been circulated as an Addendum to the report.

Key additional evidence that had informed the AAPs was the substantial work carried out in the preparation of Regeneration Strategies for substantial parts of the areas of the three AAPs. All of these documents had also been subject to extensive consultation with residents and stakeholders. Those taking place in parallel with or since the consultation on the three Issues and Options documents included:

- River Tyne North Bank Strategic Framework 2009 (Consultants: GVA Grimley).
- The Coastal Strategic Development Framework 2010 (Consultants: SLR).
- The Retail Town Centres Strategy 2010 (Consultants: Arup).

The AAP Publication Draft: Initial Proposals (attached as Appendix 4 to the report) provided the initial proposals for Cabinet to consider. They had been prepared in light of the comments and representations made throughout the process of preparing the AAPs, and taking account of other changing circumstances such as evolving Government policy. The AAPs would be consulted upon and approved in accordance with the Council's Policy Framework Rules. Once the final proposals in respect of the AAPs had been approved by full Council, the Publication Draft would be subject to a statutory six week public engagement period. Following this the AAPs would be submitted to the Secretary of State for approval. The AAPs and any formal objections would be reviewed through an Examination in Public by an independent Inspector. Further review of the exact form in which the policies and proposals contained within the AAPs were progressed to Publication and Submission and adoption was possible in light of the revised planning system and publication of the National Planning Policy Framework.

The AAP Publication Draft: Initial Proposals document included three sections dealing with each of the three areas, as follows:

The Wallsend AAP Publication Draft Initial Proposals:

- a) Identified a number of housing sites across the plan area sufficient to deliver around 300 homes.
- b) Consolidated the retail area of Wallsend Town Centre with investment in the core of the town, including support for the redevelopment of The Forum Shopping Centre and pedestrian environment of High Street West with new housing particularly at the eastern end of High Street East.
- c) Identified residential streets in need of improved management and investment.
- d) Undertook a scheme to improve the value and attractiveness of Wallsend Burn as a green link around Wallsend.
- e) Supported the role of Wallsend riverside in manufacturing associated with the Low Carbon Enterprise Zone and other renewable energy, marine and off-shore manufacturing and technology.
- f) At Willington Quay, supported development that enabled the provision of new health facilities, and supported enhancement and revitalisation of the industrial uses on the riverside, including activities as set out at e), with the objective of also improving residential amenity at Willington Quay.

The North Shields AAP Preferred Options outlined proposals to:

- a) Identify a number of housing sites across the plan area sufficient to deliver around 625 homes.
- b) Identify mixed use redevelopment sites that could be redeveloped to provide both housing and a continued employment role in the plan area.
- c) Support redevelopment of The Beacon Centre shopping centre to attract and retain more visitors to the town.
- d) Support heritage led regeneration of Northumberland Square, including conversion to housing, and investment in the public realm.
- e) Support investment in North Shields Metro Station as a key entry point into the town centre.
- f) Encourage regeneration at the Fish Quay to create a vibrant mixed community and undertake a scheme to improve management of the Fish Quay banksides to reflect their biodiversity value and maintaining views across the River and historic Fish Quay, providing context for the Fish Quay Neighbourhood Plan.

The Coastal AAP Preferred Options outlined proposals to:

- a) Identify a number of housing sites across the plan area sufficient to deliver around 160 homes.
- b) Working with partners, encourage tourism and other economic development that safeguarded the natural and historic environment at the coast.
- c) Restore Spanish City with facilities for everyone to enjoy that extended the holiday season.
- d) Promote the information and guidance contained in Conservation Area Character Appraisals to improve the heritage and cultural assets at the coast.
- e) Raise the overall appearance of the coast with a co-ordinated strategy on good quality street furniture (e.g. bins and seats) and street surfacing.
- f) Promote a vibrant and lively Whitley Bay town centre that supported businesses with an appropriate proportion of shops and other town centre uses.
- g) Create improved access for all visitors at the coast with better links to cycle ways and Metro stations.
- h) Protect and enhance biodiversity, safeguarding wildlife links at Brierdene.

The document also included for the three areas, a focus on identifying brownfield land with potential for development and so address the concerns of many of those who had responded to consultations on the Core Strategy Preferred Options and Core Strategy Growth Options.

The report outlined the next steps for consideration of the proposals through the Council's decision making process prior to a formal public Examination.

Cabinet considered the following decision options:

Option 1 - Approve the recommendations contained in paragraph 1.2 of the Report.

Option 2 - Approve the recommendations contained in paragraph 1.2 of the Report but with modifications to the content.

Option 3 – Approve the Publication Draft Initial Proposals but in light of the issues highlighted in paragraph 1.5.2 consider additionally the subsequent progression of a single Local Plan uniting the Area Action Plans and Core Strategy into a single document.

Option 4 - Decline to approve the recommendations contained in paragraph 1.2 of the Report, and refer the content of the report to officers for further consideration.

Resolved that (1) the Area Action Plans (AAPs) for North Shields, the Coast and Wallsend Publication Draft: Initial Proposals document, be approved, as the initial step in progressing such proposals through the Council's Policy Framework procedure rules; and
 (2) the Head of Regeneration, Development and Regulatory Services be authorised, in consultation with the Chief Executive and the Elected Mayor, to make minor amendments to the AAPs as required as they progress through the Policy Framework process.

(Reason for Decision – The content of the AAP Publication Draft: Initial Proposals document includes realistic policies and proposals that have been derived from a substantial evidence base. This evidence and the issues to which the AAPs need to respond have been the subject of consultation with the public and other stakeholders, as described at paragraphs 1.5.5 to 1.5.9 of the report. The Publication Draft would form the basis for setting out the Council's final proposals for completed Area Action Plans for North Shields, the Coast and Wallsend, pending any changes to the proposals that emerge from consideration of the proposals under the Policy Framework process.

Approval of the Initial Proposals now will permit the onward progression of the document to consideration by Overview and Scrutiny Committee. Uniting the AAPs and Core Strategy, whilst providing a viable option, would introduce delay into the progression of the AAPs to adoption.)

**CAB101/10/12 West Chirton South Industrial Development Framework
 (Previous Minute CAB29/07/11) (Chirton Ward)**

Cabinet considered a report which detailed the Development Framework for the West Chirton South Industrial Estate, attached as Appendix A to the report as interim planning guidance and requested approval for work to continue towards the implementation of the Development Framework through ongoing community engagement and master planning that would assist its implementation.

The draft Development Framework had been consulted upon between 20 August and 17 September 2012, the results of which were detailed in Appendix B to the report. The draft Framework looked at the future of the Industrial Estate and adjoining retail park. In formulating the Framework the Council had carefully considered the complex nature of the area, vacant land and buildings, and the relationship between industrial uses and housing.

The Framework recommended a mixed use scheme for West Chirton South comprising retail, commercial, housing and sports and leisure uses. The Framework reflected the aspirations of local people and had been developed in partnership with a range of key stakeholders. The co-ordinated approach that had been adopted would ensure the development of the site was undertaken in an integrated manner that would maximise the regeneration impact.

The Framework did not set out detailed layouts for development and the recommendations were not a set of final plans. Instead the document should be used as a flexible tool to encourage economically feasible sustainable development.

The Framework was intended for use by those participating in development efforts within West Chirton South. It would also assist the Council in the use of any statutory powers, including the use of Compulsory Purchase Orders, if needed, to enable a comprehensive approach to the redevelopment of the area.

The consultation on the draft Framework afforded general support to the principles of how the area should be developed, the detail of which would be developed through the production of a detailed Masterplan and/or the planning application process.

Cabinet considered the following decision options:

Option 1 - approve the recommendations set out at section 1.2 of the report;

Option 2 - not approve the recommendations set out in section 1.2 of the report and refer the report back to officers for further consideration of specific issue(s).

Resolved that (1) the Development Framework Plan for West Chirton South Industrial Estate, set out in Appendix A to the report, be approved for use as the Council's interim planning guidance to inform decisions in relation to the future development of the area, pending its integration with the emerging Core Strategy; and
(2) the continuation of work towards the implementation of the Development Framework Plan through ongoing community engagement and master planning that would assist the process of its incorporation into the statutory Development Plan Documents and support appropriate interventions to secure delivery of key proposals be approved.

(Reason for decision - To establish a Development Framework to underpin and guide on future planning decisions, and to ensure that any redevelopment schemes for the West Chirton South Industrial Estate and adjacent commercial areas are undertaken in a comprehensive manner with the requirements of existing businesses, occupants and residents being taken into account; and to ensure that the regeneration of the area is undertaken in a way that maximises the social and economic benefits for the local community.

Not to do so would mean that the delivery of the regeneration of the Site will be entirely dependent upon the individual landowners and speculative developers and would be brought forward in a piecemeal manner. This could significantly undermine the objectives of the Council's Unitary Development Plan and emerging Core Strategy and could hinder attempts to secure the maximum social and economic benefits for the local community).

CAB102/10/12 North Tyneside Local Development Scheme (Previous Minute CAB123/02/10)(All Wards)

Cabinet considered a report which detailed the requirement to produce and update a Local Development Scheme (LDS) and set out the content of the proposed North Tyneside LDS 2012, including the programme for preparation of Development Plan and other planning policy documents over the period 2012-2016.

The Council was required to produce documents which set out its policies relating to the development and use of land in its area. The most important of these were Development Plan Documents (DPDs), also known as Local Plans, which included any allocations of land for development and general planning policies. They were the starting point for the determination of planning applications. The main stages in the process required for the preparation and adoption of DPDs were detailed in the report.

The Council was also required to publish a LDS describing the DPDs it intended to prepare, and the timetable for their preparation. Once published the Council had to publish up to date information on compliance with the timetable, and in any case in its Annual Monitoring Report. The Council also had to make revisions to the scheme as appropriate.

Since the publication of the existing LDS legislative changes meant that the planning policy documents to be produced for North Tyneside and their timetables required revision. It was therefore now appropriate to publish an updated Local Development Scheme.

The Council had chosen to include in its LDS details of other formal planning policy documents in addition to Development Plan Documents, comprising the Statement of Community Involvement (SCI); supplementary Planning Documents (SPD); other informal planning guidance; and the Community Infrastructure Levy.

The current LDS had been approved by Cabinet on 8 February 2010 and had been subsequently adopted after referral to the Secretary of State, as was then required. It noted a number of documents which had been prepared by 2010, and set out a programme for the production of other planning policy documents.

Of those documents proposed to be produced in the LDS 2010, a number were completed, ie Statement of Community Involvement 2010 (first review); Design Quality SPD 2010; and Transport and Highways SPD 2010.

Other documents proposed to be completed in the LDS 2010 remained under preparation; ie Core Strategy DPD; Wallsend Area Action Plan DPD; Coastal Area Action Plan DPD; and North Shields Area Action Plan DPD.

A further document proposed in the LDS 2010 was a Waste Management DPD. Changes in legislation and Government planning policies now encouraged the production of as few Development Plan Documents as possible. In addition work carried out and the consultations undertaken to date in relation to the emerging Core Strategy and the supporting evidence base indicated that any necessary policies and proposals relating to waste management could be included within the Core Strategy. The Waste Management DPD was therefore not included in the LDS 2012.

The report detailed the planning policy documents proposed to be prepared over the period 2012 to 2016, including their purpose, extent, work carried out to date, and their individual programmes. Maps of the extent of those documents relating to only part of the Borough were attached as Appendix 1 of the report. The Development Plan Documents (the Core Strategy and Area Action Plans for Wallsend, the Coast and North Shields) would form part of the Council's Policy Framework and would therefore be taken forward in compliance with the Policy Framework rules.

Cabinet considered the following decision options:

- Option 1 - approve the recommendations contained in paragraph 1.2 of the Report;
- Option 2 - approve the LDS 2012 work programme but with modifications to the documents to be produced or the timetable for their production;
- Option 3 - decline to approve the recommendations in paragraph 1.2 of the Report.

Resolved that (1) the Local Development Scheme 2012 (LDS 2012) is approved to take effect from 1 November 2012;

(2) the Local Development Scheme 2012 work programme, detailed at Appendix 2 to the report, be approved; and

(3) the Head of Regeneration, Development and Regulatory Services be authorised to publish the LDS 2012 incorporating the work programme, and issue updates on the adherence to the programme, as set out in the report.

(Reason for Decision - the LDS 2010 needs to be revised for the reasons set out in paragraphs 1.5.3 and 1.5.4 of the Report. The documents contained in the programme

are either required by statute or, where discretionary, reflect the priorities of the Council relating to town centres, coastal development, and sustainability and transport issues.)

CAB103/10/12 North Tyneside Strategic Partnership Verbal Update (All Wards)

Steve Neill gave a presentation on the North Tyneside Strategic Partnership Executive's Annual Business Meeting held in September 2012.

At the meeting consideration had been given to the Workshop Programme for the coming year. Future Workshops would deal with issues related to Sustainable Community Strategy Themes, particularly job growth and skills shortage and troubled families and better pathways to employment. Another Workshop, to be delivered by VODA, would deal with the Neighbourhood Conversations Project.

The presentation detailed key achievements for 2010-2012, which included:

- 58% reduction of first time entrants into the Youth Justice System
- 5 consecutive years without any permanent exclusions from schools
- Carbon emissions reducing
- Recorded crime and anti-social behaviour reduced
- Reduced cardio Vascular Disease

Future priorities were noted as follows:

- Job creation and filling the skills gap
- Change culture around working and change perception of the local job market
- Making North Tyneside attractive to businesses
- Improve education in STEM subjects/engineering
- Improve careers advice to young people
- Focus on whole communities and their access to jobs/healthcare

These issues would be fed into the State of the Area Event, Sustainable Community Strategy refresh and partners' plans and strategies

The Mayor thanked Steve for his presentation.

CAB104/10/12 Development of a Youth Strategy in North Tyneside (All Wards)

Cabinet considered a report which requested approval of the development of a child and young adult/people strategy, as set out in the document 'Creating a Young Person's Borough', which would transform the provision of youth and play services across the Borough.

The Strategy set out a partnership approach to delivering a vibrant offer aimed at improving the wellbeing of those living in the borough aged 8 to 19 years of age. It set out how the Council and partners would establish a vibrant entitlement of activities, opportunities and spaces for all children and young people. Universal provision of parks, open spaces, sport, leisure and art developments, libraries, events and festivals would be combined with targeted and early help and support interventions to improve opportunities and outcomes for all, including those who were disabled and disadvantaged and vulnerable groups. Combined efforts would encourage children, young adults and young people to become more active within their community and ensure their contributions were recognised. Children, young adults and young people would promote a positive image of themselves within localities and play a key role,

through their active involvement in developing services, in ensuring that places met the needs of children and young people living in the area. It would ensure children, young adults and young people were the ones who 'brand' the programmes and extended use of social media would ensure the programme and offer remained vibrant and welcomed by those using it.

The programme would be taken forward through a strong partnership between the Council, schools and colleges, the community and voluntary sector and partners in the Police service and health economy. Universal services provided by a range of agencies and services enjoyed huge support from young adults and young people in the borough. The potential to build upon this was recognised and would be a strong component of the refreshed service. Schools and colleges also played a major role through the extended curriculum offer and strong join up of all services would be ensured.

Early help and support services were increasingly recognising that some young adults and young people had needs that were not met by immediate family and neighbourhood which could have serious implications for future success in employment and secure relationships. The strategy would ensure a full range of leisure, sport, art, cultural and volunteering opportunities were targeted at such vulnerable groups to promote success and wellbeing.

Establishing hubs for young adults and young people to meet and enjoy their time together was a major feature of the strategy and action plan. Consultation with young adults and young people had confirmed their wish to have such centres; the action planning for the next 3 years included such developments. This would be a feature of the contribution made to young adults and young people in developing the social and emotional skills that ensured they made a successful transition into adulthood. Some young adults and young people required targeted and specialist help to divert them away from activities with the potential to harm or cause distress. Such services would be available, quickly and readily, to respond to those needing additional help and support to move constructively into the full range of activities and services available.

Opportunities would be explored to engage with national and local initiatives arising as a result of the Olympic and Para Olympic heritage.

Consolidating the position that the borough was positive about children and young people would require a collaborative approach across Council services and partner agencies. The strategy set out 7 shared objectives that would drive partnership work in the borough. These were:

1. Increasing the level of age-appropriate facilities to support youth and play provision in town centres and neighbourhoods.
2. Increasing participation in the universal youth play, sport and cultural activities available for children and young people across the borough.
3. The introduction of a targeted activity-based programme to reduce risk taking and anti social behaviour amongst young people.
4. Establishing a joined up approach to personal, social and independent living, by developing social and emotional capabilities in young adults and young people to enable them to manage the transition into adulthood.
5. Increasing and celebrating the engagement of children and young adults and young people in making a positive contribution to their community.
6. Improving the capacity of the voluntary, community and statutory workforce sector to support personal, social and emotional development of children and young people.
7. Organising ourselves to deliver a 21st century youth and play offer.

These priorities were based on an analysis of existing provision and taking into account the views of children, young adults and young people and the wider community.

A copy of the full strategy was attached as Appendix 1 of the report.

The further development of North Tyneside's positive view about children, young adults and young people would make a significant contribution to the Children, Young People and Learning Partnership's vision of a borough where:

- Children and young people were respected, valued and listened to;
- Childhood was nurtured;
- Children and young people were happy, healthy, confident and safe, and could develop as enthusiastic learners and tolerant, compassionate individuals who were challenged and supported to be the best they could be; and
- The power of learning was harnessed to transform the lives of individuals and regenerate communities.

The key policy drivers that influenced the strategy were outlined in the report.

Establishing North Tyneside as a young person's borough was consistent with the Borough's wider strategic framework. It would directly contribute to strategic objectives within the Borough's Sustainable Community Strategy and Children and Young People's Plan.

Cabinet considered the following decision options: either to agree the recommendations as set out in section 1.2 of the report and approve the Youth Strategy, or alternatively to disagree with the proposals.

Resolved that (1) the Creating a Young Person's Borough Strategy, attached at Appendix 1 to the report, be approved; and (2) the Strategic Director of Children, Young People and Learning be authorised, in consultation with the Cabinet Member for Children, Young People and Learning, to work with partners in the voluntary, community, public and private sectors and with children and young people to formally launch and implement the Creating a Young Person's Borough Strategy.

(Reason for Decision - Youth and play continues to be an important and valuable part of the borough's offer to young people. By approving the Strategy, the aims of Priority 2 as outlined within the Council's Strategic Plan 2012-15 will be fulfilled; this will allow young people to contribute to their community and also help improve the life chances of vulnerable young people.)

CAB105/10/12 Outcome of the Learning Disability Health Self Assessment Framework 2011 (All Wards)

Cabinet considered a report which detailed the outcome of the 2011 Learning Disability Self Assessment Framework.

Each year over the last four years, the Strategic Health Authority (SHA) had required Primary Care Trusts (PCTs) to lead on the submission of the annual health self assessment framework document setting out what it had done over the previous year in relation to the government's Valuing People Now strategy. The Valuing People Now strategy also included details of plans for the forthcoming year. Whilst this was led by the PCT there was a multi agency approach to its completion and submission.

The report gave details of outcomes of the assessment process, including areas identified for improvement, for the five themes in the 2011 assessment, which were:

- Theme 1 – Campus closure programme.
- Theme 2 – Addressing health inequalities
- Theme 3 – Keeping people safe
- Theme 4 – Valuing people
- Theme 5 – Commissioning for quality

The SHA were pleased with the ‘significant progress’ made in North Tyneside from the 2012 assessment. A copy of the SHA letter was appended to the report.

Within the overall outcome of the self assessment, there were two areas that were RAG rated as red. These were in relation to the following:

- The PCT had agreed with local partner agencies a long term “across the system” strategy to address services to meet the needs of people with a learning disability from ethnic minority groups and their carers.

The red rating was given as North Tyneside was not in a position to evidence with data from GP Practices that people with a learning disability from an ethnic minority group had equality of access to health care services as did the wider population of North Tyneside. The key issue related to data recording and the access to that data by the PCT from individual GP practices.

- The PCT and their partners were working with local and regional Offender Health Teams to ensure that offenders with learning disabilities had access to a full range of healthcare, in keeping with legislation, policy and best practice.

This also related to equality of access to health care systems from people linked into offender services and the data / evidence not being available to support the statement that there were local and regional links in place.

Actions to date to address these two areas included:

- Data Access – An action plan had been developed by the PCT and submitted to the SHA on collaborative working and improvement of information sharing.
- Links with Offender Teams – Working links had been established with Offender teams and the Probation Service to ensure the health needs of offenders with a learning disability with a forensic background were linked into the health system and had equality of access to health care services and provision. This work was identified in the Learning Disability Commissioning Board’s work plan for 2012/13.

Work would be ongoing in relation to both of these items and the Learning Disability Commissioning Board would have oversight of progress. Updates would be reported to the Health and Wellbeing Board quarterly.

Cabinet considered the following decision option: to note the report and actions taken.

Resolved that the report and actions being progressed be noted.

(Reason for Decision – there is a requirement under the Self Assessment Framework that the outcome of the assessment is published and that the Local Authority Cabinet receives a report including details of the actions that are being taken locally to address the issues identified.)

**CAB106/10/12 Council Housing Green Fund (Previous Minute CAB29/07/11)
(All Wards)**

Cabinet considered a report which sought approval on the application of the “Green Fund” arising from the installation of solar PV panels in a proportion of the Council’s housing stock.

Following the successful completion of the Solar PV project which had seen the installation of solar PV arrays on 1,503 Council homes, there was now the opportunity to install further energy efficiency measures to the Council’s housing stock using the newly established Housing “Green Fund”. The fund had been created from the contractual payments to the Council under the Solar PV project.

Cabinet had previously agreed that the “Green Fund” be targeted towards delivering further energy efficiency measures in the first instance, to those homes not directly benefiting from solar PV installations.

Over recent years the Council had invested significant monies in bringing homes up to the Decent Homes Standard and in increasing the energy efficiency of the Council’s homes. A range of initiatives and projects had been delivered as set out in the report. These measures had improved the energy efficiency of the Council’s homes.

The “Green Fund” would enable the Council to continue to invest in further energy efficiency and renewable technologies within its homes that would result in energy savings for tenants, reduce fuel poverty and promote financial inclusion.

The market in the area of renewable technologies was developing at a significant pace and changes in Government policy was opening up new opportunities to expand their use. Despite this the cost of installing many new technologies was still uneconomical across large numbers of homes.

In conjunction with its partners E.ON Energy and North Tyneside Warmzone a review had been undertaken of products suitable for installation within Council homes which were both cost effective and provide energy savings for tenants. Two potential options for consideration, Voltage Optimisers and Gas Savers had been identified. Details of both options, including implications were given in the report.

The renewable technology and energy saving market was developing rapidly with the cost of technologies becoming more cost effective. It was therefore likely that additional options and solutions would become available in the future. Officers would continue to review suitable products in the market place and identify and progress other alternative solutions as appropriate.

It was proposed to proceed with the Voltage Optimisers option as they could be provided to more homes and produce a higher level of potential saving than Gas Savers. Those homes with the highest concentrations of fuel poverty would be targeted first, subject to any technical considerations relating to the installations.

Cabinet considered the following decision options:

Option 1 - approve the proposals and recommendations as set out in section 1.2 of the report;

Option 2 - not approve the proposals and recommendations as set out in section 1.2 of this report;

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

Resolved that (1) the installation of Voltage Optimisers in Council homes that have not directly benefited from the provision of solar panels, as described in the report, within the resources available from the Council Housing “Green Fund”, be approved; (2) the Head of North Tyneside Homes, in consultation with the Cabinet Member for Housing, the Cabinet Member for Transport and the Environment, the Elected Mayor, the Strategic Director of Community Services, the Strategic Director of Finance and Resources and the Head of Legal, Governance and Commercial Services, be authorised to consider and agree appropriate programmes of work utilising renewable technologies or to improve the energy efficiency of the Council housing stock, within the resources available from the “Green Fund”; and (3) in order to increase awareness of all residents and businesses of the Borough of this energy saving technology, information be shared via appropriate means of communication i.e. Widening Horizons, Press Release etc.

(Reason for Decision - The installation of Voltage Optimisers provides the most cost effective solution at this time. Voltage Optimisers can be provided at a lower cost than a “Gas Saver” and produce greater projected savings for the householder.)

CAB107/10/12 2012/15 Council Strategic Plan and 2012/13 Budget - Implementation Plan (Previous Minute CAB92/09/12) (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 the October Cabinet meeting and there were separate reports on the agenda that dealt with those items. The Implementation Plan, if approved, would need to be amended after Cabinet had reached decisions on those reports.

The Implementation Plan was being submitted to Overview and Scrutiny Committee for comments after every Cabinet Meeting. It had been last submitted to Overview and Scrutiny Committee on 1 October 2012.

Cabinet’s attention was drawn to item 32 of the Plan - Delete Widening Horizons (Capital Plan). It was explained that, similar to items 30 and 31, this was an Executive function and therefore a matter for Cabinet. Item 32 in the Implementation Plan would therefore need to be amended by deleting the reference to Council and the Constitution Task Group.

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, subject to the alteration to item 32 referred to above; 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.)

CAB108/10/12 Creating A Trading Company for North Tyneside (Previous Minute CAB11/06/12) (All Wards)

Cabinet considered a report which detailed the purpose, type and governance structure of a trading company, the process for appraising trading opportunities which were potentially to be undertaken by the trading company and requested approval to establish a company limited by shares and to commence trading subject to suitable business cases being developed and approved.

Whilst current legislation allowed local authorities to provide services to other local authorities (under the Local Government (Goods and Services) Act 1970), the opportunities for trading in Council services were limited. In order to enable the Council's services to be traded more widely it was recommended that a trading company be established for this purpose.

The report outlined the powers of the Council to trade and referred to the three types of trading companies that could be established under the legislation: a Community Interest Company, a Company limited by Guarantee and a Company limited by Shares.

A Company Limited by Shares was the model which best fit the current and foreseeable needs of the Council. As the sole shareholder, the Council would own the company, and have the power to trade and retain any profit. Once established the company (proposed to be known as North Tyneside Trading Company – NTTC) could be used to create subsidiary company structures as and when appropriate.

As a limited company, NTTC would be incorporated and designed with a series of checks and balances built in to ensure it was properly operated with the highest levels of integrity, transparency and accountability. NTTC would have a distinct identity and business plan which would ensure the values and activities of the company were consistently and clearly communicated.

It was intended that NTTC would be used to create a series of Special Purpose Vehicles which would be subsidiary limited companies, managed via NTTC as the parent company. Like NTTC, these companies would operate at arms length from the Council and would help to achieve a mixed economy to create a stronger, more diverse and sustainable marketplace for public services.

The report gave details of three types of governance structures which the trading company could potentially adopt. These were:

- (1) A board of directors comprising officer membership only.
- (2) A board of directors comprising officers and elected members.
- (3) A board of directors comprising officer membership only; and a shareholder committee comprising elected members only.

Option (2) was the recommended option as it was the model which best fit the current and foreseeable needs of the Council. Elected Members would have a role at the heart of the company, while Cabinet would retain responsibilities for key decisions.

There were a number of advantages in Cabinet fulfilling the role outlined by this option and in having elected members and Council officers as directors of NTTC. These included giving reassurance on leadership and oversight of NTTC's operation, enabling the company to benefit from a wider range of skills and experiences, and demonstrating its key importance to the Council.

The representative role of members on behalf of North Tyneside residents would be integral to the development of NTTC and would demonstrate the link between local

democracy and public sector outcomes. The success of NTTC in generating profit would allow investment in improving local services.

Further details as to the proposed preferred governance structure were detailed in the report. Further details were set out in relation to the Board of Directors (composition, duties and expectations), Articles of Association, Shareholders Agreement, potential opportunities for trading and the approach towards appraising business opportunities.

Cabinet considered the following decision options:

Option 1 – approve all of the recommendations in paragraph 1.2 of the report.

Option 2 – approve part of the recommendations in paragraph 1.2 of the report.

Option 3 – reject all of the recommendations in paragraph 1.2 of the report.

Resolved that (1) the purpose of a trading company as outlined in paragraph 1.5.2 of the report, be approved;
 (2) the creation of a Company Limited by Shares as described in paragraphs 1.5.3 and 1.5.4 of the report, be approved;
 (3) the governance structure of the proposed trading company as outlined in paragraphs 1.5.5 to 1.5.7 of the report, be approved;
 (4) authority be delegated to the Head of Legal, Governance and Commercial Services, in consultation with the Strategic Director of Finance and Resources, the Elected Mayor and the Cabinet Member for Finance to take all relevant steps to establish a trading company limited by shares, and to approve and finalise all associated documentation, including articles of association and shareholders agreement; and
 (5) the process for appraising business opportunities described in paragraph 1.5.12 of the report be approved and delegated authority be given to the Strategic Director of Finance and Resources, in consultation with the Cabinet Member for Finance, and in addition the relevant Head(s) of Service and Cabinet Member(s) in relation to the business opportunity in question, to approve business cases on behalf of the Council in line with the Council's existing Officer Delegation Scheme and Contract Standing Orders.

(Reason for decision – to enable the Council to establish a trading company which could begin trading for profit in new markets and places. This could provide the Council with opportunities to expand its service delivery into the public and private sector.)

CAB109/10/12 Introducing a Local Procurement Policy to Reduce the Council's Carbon Footprint and Create/Support Local Employment (Previous Minute CAB224/05/12) (All Wards)

Cabinet considered a report which detailed the work undertaken in relation to the Council's approach to local procurement and reducing the Council's Carbon Footprint and creating and supporting local employment as required in the Council Strategic Plan and 2012/13 Budget – Implementation Plan.

In May 2012 Cabinet had received a report concerning the Council's approach to sustainable procurement and local procurement. The report had outlined the requirements of the Council's Sustainable Procurement Strategy and the impact that this had had on the procurement activity in the Council, for example through the construction joint venture, the current recycling contract and the solar PV contract. It was noted that the Council's Strategic Procurement Strategy 2008-12 was due to be refreshed.

The report had also detailed the legislative context for procurement of goods, works and services by the Council by outlining the requirements of the EU Procurement regime and the Public Contract Regulations 2006.

In due course the Council would also be required to take into account the Public Services (Social Value) Act 2012 when it came into force. This legislation would impose a duty on Authorities to consider social value of procurement prior to a procurement process being undertaken. The Act applied to all contracts for services and framework agreements to which the Regulations applied.

In the future where procurement for a service covered by the Regulations was to be undertaken, then local authorities must consider:

- how the service being procured might improve the economic, social and environmental wellbeing of the authority's area.
- how, in conducting the procurement process the authority might act with a view to securing that improvement (within the EU Regulations).
- whether the authority needed to undertake any consultation in relation to the two points above.

Prior to implementation of this legislation further guidance was expected from the Government on how authorities should carry out their duties to comply with this new duty.

Since the previous report to Cabinet, the procurement of the Business Services Partner had progressed with Balfour Beatty being identified as the preferred bidder for these services.

The Procurement Service was one of the areas included in the new arrangements with the Business Services Partner. The Council's requirements in this area obliged the partner to seek opportunities to improve environmental sustainability and to develop the local economy. In order to secure assurance that such a requirement would be complied with it would be necessary for a strategy encompassing details of the approach for procurement on behalf of the Council to be agreed with Cabinet. This strategy would enable the partner to describe not only how the Council could support local businesses and improve sustainability through procurement activity for the Council but would also acknowledge the role of the business partner when procuring in relation to the partner's own needs and those of bodies other than the Council.

The new business partner was able to provide greater flexibility when engaging with local suppliers in both the supply chain opportunities and when procuring goods and services (other than when procuring on behalf of the Council) as the business partner would not be bound by the EU Treaty principles or the Public Contract Regulations in such circumstances.

In addition the business partner would adopt a category approach to procurement which maximised buying power to deliver savings and encouraging local suppliers. This would build on the work which had already been undertaken as part of the Change, Efficiency and Improvement (CEI) Programme.

The legal requirements surrounding public sector procurement were such that it tended to be complex, expensive and time consuming for potential suppliers to bid for contract opportunities. By necessity there had to be a formal tendering process that was not only open and fair, but robust enough to successfully defend any legal challenge that might be brought against the Authority.

The procurement machinery of local authorities was often seen by local suppliers to disadvantage smaller businesses in the local community and be more suited to the resources of larger national and international operators.

The Council currently took a number of steps to encourage local businesses to bid for contracts. These specifically related to the pre-tender/quotation process, so that there was no discrimination shown against any tenderer when evaluating and awarding contracts. Details of these steps were given in the report.

The report also detailed a number of new initiatives to inform and encourage local suppliers to bid for contract opportunities. Some initiatives were already progressing, and others planned for the future would be matters addressed with the new Business Service Partner.

The significant benefits of procuring from small local business when tendering for goods and services was recognised by the Council and had been a focus of activity for the Procurement Service.

A number of new initiatives were planned to be introduced in conjunction with the Council's Business Partner, to underpin those already in place to support local procurement; whilst continuing to be legally compliant and non-discriminatory, but still delivering value for money for the Council. Further work would enable the Business Partner in conjunction with the Council to support the production of a new Procurement Strategy as the new arrangements for the Procurement Service commenced. Consultation with the business community would be carried out in respect of the Procurement Strategy following initial consideration by Cabinet in December 2012.

Cabinet considered the following decision option: to note and endorse the contents of this report and agree to receive a further report in December 2012 providing a draft Procurement Policy addressing environmental sustainability and development of the local economy for consideration by Cabinet prior to consultation with the local business community and others.

Resolved that (1) the contents of the report be noted and endorsed; and (2) a further report be received in December 2012 in relation to the introduction of a Local Procurement Policy to reduce the Council's Carbon Footprint and create/support Local Employment as part of the Council's wider work to refresh its procurement strategy, which will be presented to Cabinet early in the new year.

(Reason for decision – to enable a draft Procurement Policy to be prepared in conjunction with the Council's Business Services Partner, reflecting on the new arrangements for procurement services and the ability of the Partner to procure outwith the constraints of the EU procurement regime reflecting how this work will be developed with a new partner for business services particularly in relation to the development of the local economy as well as providing the opportunity to produce the local Procurement Policy as appropriate).

CAB110/10/12 Date and Time of Next Meeting

10.00am on Wednesday 24 October 2012 (Extraordinary Meeting)
6.00pm on Monday 12 November 2012 (Ordinary Meeting).

Minutes published on Thursday 11 October 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 19 October 2012.