

# **Cabinet**

**8 April 2013**

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

**In Attendance:** A Caldwell (Age UK North Tyneside)  
L Gardiner (VODA)  
S Elliot (Business Representative)  
I Sidney (Young Mayor)  
D Titterton (Voluntary Sector).

## **CAB239/04/13 Apologies**

Apologies were received from Councillor GC Westwater, M Cushlow (NHS North of Tyne) and S Neill (Northumbria Police)

## **CAB240/04/13 Declarations of Interest**

There were no declarations of interest made.

## **CAB241/04/13 Minutes**

**Resolved** that the Minutes of the meeting held on 11 March 2013 and the Extraordinary Meeting held on 18 March 2013 be confirmed.

## **CAB242/04/13 Report of the Young Mayor**

The Young Mayor presented his report, which detailed his recent activities as follows:

- The 'Do Something Different' Fund Panel had continued to meet and awarded funding to young people for various activities.
- The Young Cabinet Member for Environment, together with some Green Fingers members and Youth Councillors had taken part in the Big Spring Clean on 25 March 2013.
- Work had started on the 1 to 1 DVD. This was a joint project, being undertaken with the YMCA. The filming recorded the route from the metro to the 1 to 1 Centre and showed the type of service young people could expect to receive.
- Attendance at North Tyneside's Strategic Partnership meeting, where the focus had been around the Best Start in Life strand of the Sustainable Community Strategy.
- Attendance with 14 Youth Councillors at the Children and Young People Learning Strategic Forum at Langdale Centre. The theme of the Forum was preparing children and young people for the world of work.
- Involvement with 15 Youth Councillors in Ban Boredom promotions.
- Attendance at a Chairman's Commendation Awards meeting where the awards ceremony and the criteria for nominations had been discussed.

The Mayor thanked the Young Mayor for his report.

## **CAB243/04/13 Report from Overview and Scrutiny Committee – Core Strategy Sub Group Interim Recommendations (All Wards)**

Cabinet received a report of the Overview and Scrutiny Committee in relation to the Core Strategy and Area Action Plans.

The Core Strategy Sub-Group had been established by the Overview and Scrutiny Committee to review the Core Strategy and report findings back to the Overview and Scrutiny Committee.

The Sub-Group to date had met on two occasions and had reviewed information in relation to the themes of Housing and Population, and Employment Land.

The Sub-Group had noted that work was about to commence on a number of assessments/reviews which would provide updated evidence for the Core Strategy. These reviews included:

- Strategic Housing Market Assessment
- Strategic Housing Land Availability Assessment
- Employment Land Study
- Viability Assessment
- Infrastructure Development Plan

It was envisaged that much of this information would be available by June 2013. The Sub-Group was therefore of the view that the next stage of public consultation on the Core Strategy should be delayed by up to 3 months to allow the consultation document to be based on the most up to date information available.

The report detailed the implications for the overall Core Strategy timetable.

The Sub-Group was also of the view that the Area Action Plans needed to be considered in the context of the overall Core Strategy, and therefore that publication of the Area Action Plans should be postponed until the Core Strategy was further developed. The Sub-Group would continue its work over the coming weeks and aimed to report its full findings to the Overview and Scrutiny Committee in June 2013.

The following recommendations had been approved by Overview and Scrutiny Committee for submission to Cabinet at its meeting on 2 April 2013:

Cabinet is recommended to:

- 1) Delay the timescale for the publication and public engagement on the Consultation Draft version of the Core Strategy, which was scheduled to begin in July 2013, by up to 3 months. This will allow information from a number of imminent reviews/assessments to be available and taken into account in advance of the consultation; and
- 2) Delay the publication of the Area Action Plans until the overarching core strategy is further developed.

Cabinet was asked to consider the recommendations and was required to provide a response to the Overview and Scrutiny Committee within 2 months.

**Resolved** that the recommendations of the Overview and Scrutiny Committee be noted and a response be provided at a future Cabinet meeting, no later than June 2013.

## **CAB244/04/13 Traffic Regulation Order – Proposed Parking Restrictions in North Shields Town Centre (Riverside Ward)**

Cabinet considered a report detailing one objection received to the proposal to introduce parking restrictions on Rudyerd Street, Lower Rudyerd Street, Bedford Street, Little Bedford Street, Saville Street, Saville Street West and Gardener Place, North Shields.

Following repeated complaints from residents and businesses on Lower Rudyerd Street and Lower Bedford Street and at the request of Ward Councillors for the Riverside Ward and the North Shields Chamber of Trade, officers had undertaken site surveys of the parking patterns in the streets detailed. The surveys confirmed high levels of parking, with many of the vehicles parked for long periods of the day. There were also a number of vehicles parked close to the junctions, which impeded the free flow of traffic and pedestrians. The surveys had also identified a lack of consistency with regard to the restrictions on parking provision along Saville Street, which the North Shields Chamber of Trade felt contributed to confusion for visitors to North Shields Town Centre.

The Authority's established parking strategy within residential streets adjacent to commercial centres was to implement a shared use facility, consisting of pay and display restrictions with a permit exemption for adjacent residents. This had proven to be effective in encouraging a high turnover of parking which was essential to support the vitality and viability of the town centre. In accordance with established permit policy, businesses were also eligible to purchase permits for vehicles that were essential to the operational need of the business.

Riverside Ward Councillors had been consulted and the proposals displayed in North Shields library and at the junction of Saville Street and Howard Street. Letters had been distributed to all residents and businesses in the named streets, notifying them where the plans could be viewed. The consultation exercise had generated a reasonably good response across all the streets affected, with 30 respondents in favour and 2 against. All comments received had been collated and discussed with the Ward Councillors.

In accordance with the statutory process, a Notice of Intention had been displayed on site, in the local newspaper and on the Council website outlining the proposed restrictions. One objection had been received in response to the statutory Notice of Intention. The full text of the objection and officer responses to them were included in Appendix 1 of the report.

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

**Resolved** that (1) the objection be set aside in the interests of improved parking management for the residents and businesses in the area; and (2) the proposals relating to Rudyerd Street and surrounding area, North Shields, as shown the plan attached as Appendix 3 to the report, be approved and the North Tyneside Council (Prohibition and Restriction of Waiting and Loading) (Consolidation) Order 2010 and the North Tyneside Council (On-Street Parking Places) (Consolidation) Order 2010, be varied accordingly.

(Reason for decision – to encourage a higher turnover of the parking space, which will support the vitality and viability of North Shields town centre. The proposals will also aid traffic and pedestrian movements and improve road safety.

The scheme is also consistent with practice in other town centre areas in the Borough.)

## **CAB245/04/13 Fish Quay Neighbourhood Plan Supplementary Planning Document (Riverside and Tynemouth Wards)**

Cabinet considered a report which detailed the background to the production of the Fish Quay Neighbourhood Plan Supplementary Planning Document (SPD); set out the details of a six-week public consultation exercise, the feedback received and how it had been addressed in the SPD; and gave an overview of the contents of the SPD and where it sat within the planning process. The SPD and schedules of responses arising from the consultation exercise were appended to the report.

In March 2011, the Department for Communities and Local Government had chosen the Fish Quay to be one of its 17 Neighbourhood Planning Front Runners. The Front Runner initiative was to pilot the neighbourhood planning process prior to the release of the Neighbourhood Planning Act 2012.

The Fish Quay had been put forward by the Council as a potential Front Runner because there was an impressive track record of successful, pro-active community involvement and partnership in managing and enhancing the area. The Fish Quay was also a priority regeneration area. To date, the Council with other public and private sector partners and with community engagement had spent £20 million successfully bringing forward physical regeneration projects. Although there had been much positive change, there were some sites in need of redevelopment and work to regenerate the area was still ongoing.

The SPD had been prepared by a community group that consisted of local residents, business owners and land owners. Jules Brown of the North of England Civic Trust had been overseeing the project as an independent facilitator and support had been provided by the Planning Policy team.

As an SPD, the document had been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. SPDs provided further detail on existing policy, in this case the Unitary Development Plan (2002). It also referenced and supported the Core Strategy Preferred Options (2010) and the North Shields Area Action Plan Preferred Options (2012). SPDs could not allocate land. The North Shields Area Action Plan Preferred Options (2012) described the area as being suitable for "mixed use" with some housing sites. The SPD supported most of the housing sites and added community preferences for the balance of mixed uses elsewhere.

The SPD set out a community-based vision for the area that focused on its potential to be a vibrant mixed-use area that thrived on its fishing industry, social and leisure facilities, businesses and residential community. To achieve the vision, the SPD set out a series of objectives under the topic areas of:

- Economy,
- Transport and Accessibility,
- Tourism and Leisure,
- Residential,
- Public Realm, and
- Biodiversity and Open Spaces

For each set of objectives, the planning policy and evidence background that justified them was given.

A chapter on Design Principles was also included and provided comprehensive guidelines on the desired form, massing, height, orientation, etc. of new development, the materials that should be used in new development, and the facilities that should be built into new development.

The 2008 Planning Act allowed for SPDs to be prepared without a full sustainability appraisal as long as they were screened to establish whether they would result in “significant effects” as defined by the SEA Directive (*European Directive 2001/42/EC*). A Screening Statement had been prepared that demonstrated that the Fish Quay Neighbourhood Plan SPD was unlikely to have significant effects on the environment. The Environment Agency, English Heritage and Natural England had been consulted on the Statement, and each had agreed that further sustainability appraisal was not required.

Mr Geoff Gunton, Chairman of the Fish Quay Neighbourhood Plan, addressed Cabinet giving a background to the SPD’s production, including his experience of the process.

The Mayor thanked Mr Gunton and everyone involved in the formulation of the final document.

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

**Resolved** that the content of the Fish Quay Neighbourhood Plan document be approved and adopted as a Supplementary Planning Document.

(Reason for decision – the production and adoption of the Fish Quay Neighbourhood Plan Supplementary Planning Document will play a fundamental part in the neighbourhood’s planning framework that can guide successful regeneration. It will give certainty to all members of the community, including landowners and developers, about how they can be involved in the management and development of the Fish Quay. This certainty and inclusivity will give added confidence in the future which will benefit the Fish Quay neighbourhood and the wider North Shields area.

Additionally, as a pilot scheme, the Supplementary Planning Document is intended to be a model for future neighbourhood planning initiatives.)

### **CAB246/04/13 New Ways Of Engaging With Residents (All Wards)**

Cabinet considered a report which requested approval to develop new ways of engaging with residents.

Since their relaunch in 2010, Area Forums had been used to bring together residents and elected members at an area level. However, monitoring of attendance had shown that the demographic of members of the public attending Area Forums was not representative of the population of North Tyneside as a whole, and attendance was low. In 2011/12 only 229 residents had attended Area Forums, being an average of only 14 residents attending each of the 16 Forums that had taken place over that year.

Area Forums were very expensive to run, and suitable venues across North Tyneside were limited, which meant that it could be difficult for some members of the public to get to them. In addition recent experience had shown that single issue events attracted a far larger audience; for instance, a recent public drop in event on the issue of flooding had attracted over 300 people, more than the number of people who had attended Area Forums in a year.

Further, this year the “Voice Your Choice” campaign, which had formed part of the 2013/14 budget consultation, had enabled over 5500 residents to have their say. This had involved getting out into the places that people used every day such as in libraries, community centres and shopping centres.

## Cabinet

The Authority wanted to reach out to more residents, and this type of approach gave more people an opportunity to find out about what the Authority was doing and to have their say.

The Elected Mayor and Cabinet's proposals in respect of the budget 2013/14 included removal of the environmental budget from the Area Forums and the replacement of Area Forums with more direct forms of engagement. For the reasons given, it was considered appropriate to review and replace Area Forums with a wider and more diverse range of community engagement activities, including activities at ward and neighbourhood levels, as well as an increase in agenda-specific events. It was also proposed to make greater use of social media and offer more opportunities for residents to have their say in a similar way to the "Voice Your Choice" campaign.

Cabinet considered the following decision options:

Option 1 – Agree the recommendations set out in section 1.2 of this report

Option 2 – Not agree the recommendations set out in section 1.2 of this report

Option 3 – Refer the recommendations set out in 1.2 back for further consideration.

**Resolved** that (1) the Area Forums as a means of engagement with local residents, be discontinued; and  
(2) the Strategic Manager, Policy, Partnerships, Performance and Communications, in consultation with the Elected Mayor, be authorised to develop and implement new ways of engaging with local residents.

(Reason for decision - the numbers of residents currently attending Area Forums is small. It is proposed that the resource currently used to support Area Forums could be used to increase the range of community engagement, including running more single issues events and getting out into venues to talk to people about issues that are important to them.)

### **CAB247/04/13 Council Motions (All Wards)**

A report was submitted which requested Cabinet to consider three Motions that had been approved by full Council at its meeting held on 14 March 2013 (Minutes C164/03/13 and C165/03/13 refer) and respond to or take action as appropriate. The legal and financial implications of each Motion, as reported to Council, were detailed in the report.

#### **1. Motion signed by Councillors M J Huscroft, N J Huscroft and D Ord:**

"This Council requests the Cabinet to bring forward proposals to increase expenditure on roads and pavements over the next 10 years to eliminate the backlog of repairs, as reported to Cabinet on 12th November 2012, (as highlighted in the Asset Management Plan).

To meet this proposal Cabinet is requested to increase capital expenditure in the local Transport plan capital works by £2.5m per year, and to continue with the £1m Area Forum Road and Pavement recovery programme to the year 2022/23."

In response, the Mayor stated that the budget had already been set and an increase in spend on roads and pavements for 2013/14 and 2014/15 was reflected in the Financial Plan. Any further increases as proposed in the Motion would have implications for the Capital Plan and the costs of borrowing. The Authority needed to move forward on the basis of the agreed budget.

**2. Motion signed by Councillors J M Allan, J O Shea, C A Gambling and L Spillard:**

“In light of the result of the planning appeal on the Scaffold Hill proposals earlier this week we request Cabinet to prioritise the flood prevention work to clear the water course in a westerly direction from the culvert adjacent to Dukes pond to the culvert in the area of Bradford Av across the back of Aysgarth Av, Acomb Av and Canterbury Av in order to prevent the escalation of the flooding problems which already exist and could be exaggerated by the proposals of the scaffold hill development.”

In response, the Mayor stated that the Council had already developed a Flood Risk Management Strategy to address flooding risks in the Borough. This had prioritised 20 sites that required flooding investigation and development of improvement schemes over the next 12 months. The list of sites had already been shared with members of the Council and included the area referred to in the Motion. The Mayor assured residents that the flooding problems at Dukes Pond and surrounding area would be addressed as part of the current programme of work and accordingly did not consider it appropriate to alter the prioritisation programme that had already been approved.

**3. Motion signed by Councillors J M Allan, J O Shea, C A Gambling and L Spillard:**

“Bedroom Tax. That Cabinet be requested to urgently review the impact of the bedroom tax on council housing tenants and investigate the potential of reclassifying the size of our council houses, which could minimise some of the impact of the bedroom tax on some of our tenants. Also that Cabinet consider making representations to the relevant Housing Minister to urgently review the impact of the bedroom tax on social housing tenants and reverse the legislation to avoid unnecessary stress on a great many people.”

The Motion referred to Knowsley Housing Trust’s decision to reclassify the size of 600 homes as part of the mitigation of the impact of the bedroom tax.

In response, the Mayor acknowledged that North Tyneside was in a different situation to the Knowsley Housing Trust in that the Council did not have large numbers of properties that were difficult to let. She also referred to the potential significant financial implications of pursuing re-classification which would have a detrimental impact on the Housing Revenue Account Business Plan and also legal implications. She indicated that the Cabinet Member for Housing would be submitting a briefing paper to the next meeting of the Welfare Reform Task and Finish Group on the full implications of reclassification of the housing stock in North Tyneside and following this a report would be submitted to a future meeting of Cabinet for consideration.

**Resolved** that the responses of the Elected Mayor to the three Council Motions, as set out above, be endorsed.

(Reason for decision – as set out in the above Minute).

**CAB248/04/13 Review of Governance Arrangements – Combined Authority (All Wards)**

Cabinet considered a report which detailed a region wide review of governance arrangements which was underway by the Authority, together with Newcastle City Council, Sunderland City Council, Gateshead Council, South Tyneside Council, Northumberland County Council and Durham County Council in relation to economic development, regeneration and transport functions.

The review was to assess if the existing governance arrangements could be improved upon with the formation of a combined authority made up of the 7 constituent authorities.

The Local Democracy, Economic Development and Construction Act 2009 created the legal framework for the formation of a combined authority. A combined authority could have delegated to it by its constituent local authorities functions that related to economic development, regeneration and if considered appropriate, transport. These functions could be operated concurrently with the combined authority or delegated to the combined authority.

Any combined authority would have its own legal identity, be able to employ its own staff and control its own assets. Any combined authority had to have a constitution and the policy of any such authority would be determined by elected members appointed by each constituent authority to be a member of the combined authority. It was possible for non-local authority members to be appointed to a combined authority but such members must be in the minority.

The three stages to the creation of a combined authority were:

- a review of the existing governance arrangements referred to above;
- if the review demonstrated that a combined authority would improve the delivery of economic development, regeneration and transport in the region then a scheme would be drawn up showing the operational arrangements and constitutional makeup of the proposed combined authority;
- the agreed scheme was submitted to the Secretary of State who after consultation with each of the authorities (and the Integrated Transport Authority) and any other persons considered appropriate, would submit an Order to Parliament.

The Secretary of State would only place an Order before Parliament if it was likely to improve the exercise of statutory functions relating to economic development and regeneration in the area or areas to which the Order related, or the economic conditions in the area or those areas.

The leadership board of the 7 local authorities comprising the Elected Mayor and each Council Leader had tasked the Chief Executives with establishing a governance review project team to look in depth at the scope of the governance review and to identify stakeholders across the region who would be consulted in relation to the possibility of establishing a combined authority. It had been identified that the review would include consideration of the transport functions currently undertaken by the Tyne and Wear Integrated Transport Authority and the similar functions currently undertaken by Northumberland County Council and Durham County Council as authority functions. The project team currently met each week and was responsible for taking the project forward.

The timetable for the governance review process was set out in the report.

The scheme and any subsequent Order would set out the functions that were to be delegated to the combined authority. It was up to the 7 local authorities to determine what functions they collectively agreed to delegate to any combined authority. Any scheme and any Order would deal with constitutional arrangements including voting rights and executive arrangements, including scrutiny, and the functions of any executive body.



## Cabinet

The funding arrangements for any combined authority would be set out in the scheme and the formula for calculating any contributions by the constituent authorities made clear. The scheme would also set out how any combined authority would interact with other organisations in the region.

Cabinet was requested to note that the governance review was underway with a view to assessing whether a combined authority under the Local Democracy, Economic Development and Construction Act 2009 was appropriate

**Resolved** that it be noted that the governance review is underway and that a further report will be submitted to Cabinet and subsequently Council in July 2013 to enable any scheme developed through the governance review process to be considered.

(Reason for decision – A further report will be submitted in July 2013 for Cabinet to consider the outcome of the Review and any proposed Scheme required for the setting up of the new authority. If a combined authority is recommended this will require the agreement of Council and for the Councils of the constituent authorities to submit a proposed scheme to the Secretary of State.)

### **CAB249/03/13 Date and Time of Next Meetings**

6.00pm on Monday 13 May 2013.

### **Minutes published on Thursday 11 April 2013.**

**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 April 2013.**