

# **Cabinet**

**20 May 2013**

**Present:** N Redfearn (Elected Mayor) (in the Chair),  
Councillors EN Darke, CA Gambling, R Glindon, I Grayson,  
JL Harrison, F Lott, CB Pickard, L Spillard and JJ Stirling

**In Attendance:** A Caldwell (Age UK North Tyneside)  
L Gardiner (VODA)  
P Hedley (Business Representative)  
J Dutschak Kavanagh (Deputy Young Mayor)  
M Shea (Northumbria Police)  
D Titterton (Voluntary Sector)  
R Layton (JTUC).

## **CAB1/05/13 Apologies**

Apologies were received from S Neill (Northumbria Police) and I Sidney (Young Mayor).

## **CAB2/05/13 Declarations of Interest**

Mr G Haywood, Interim Chief Executive, declared an interest in the item on Senior Management Arrangements (Minute CAB6/05/13), as it referred to a contract for services which directly affected him.

## **CAB3/05/13 Minutes**

**Resolved** that the Minutes of the meeting held on 8 April 2013, be noted.

## **CAB4/05/13 Report of the Young Mayor**

The report was presented by the Deputy Young Mayor, who congratulated the Elected Mayor on her election. The Young Mayor and his Cabinet looked forward to working with the Elected Mayor and her Cabinet in developing their priorities. Youth Councillors' top priorities were:

- Giving children and young people a voice
- Curriculum for life
- Drugs and alcohol
- Mental Health
- Bullying

The Young Mayor's pledges were related to sexual health; transport; and sports and leisure facilities

Youth Councillors, Young Cabinet members and the Young Mayor were working on a number of projects connected to those pledges and priorities.

The Young Mayor's report detailed the following:

- Award of funding to host a visit from Norwegian youth councillors from the island of Smøla. 10 North Tyneside Youth Councillors had visited Smøla last year and

had a great experience. The Norwegian young people would be visiting in the first week of August. The young person's planning group were meeting regularly to make the visit a success and showcase North Tyneside.

- The planning of 'The Event' was progressing very well with the auditioning of bands and performers complete. The best 13 bands would perform at Segedunum on 6 July 2013. The steering group aimed to make the event bigger and better than previous years before. Wristbands were on sale for young people aged 11 yrs and above in secondary school, who lived, studied or worked in North Tyneside
- The Young Cabinet Member for Health and Wellbeing had met with the Health Watch team to look at how they could work together on projects. A follow up meeting would be held on 28 May 2013.
- The 'Do Something Different' Fund panel members had continued to meet and fund groups of young people and their various activities.
- North Tyneside's Member of Youth Parliament had attended the Chairman's Commendation Awards meeting looking at the nominations that had been received. The awards evening would take place on 6 June 2013.

The Mayor thanked the Deputy Young Mayor for the report and congratulated the Young Cabinet on their work.

### **CAB5/05/13 Business and Technical Partnership Risks – All Party Monitoring Committee Proposal (All Wards)**

Cabinet considered a report which detailed a proposal relating to the Council Amendment of 24 January 2013 that Cabinet consider setting up a Monitoring Committee with all party membership to monitor all red risk issues on a six weekly basis for the Business and Technical Partnerships.

The report outlined the agreed risk management approach for the Partnership and the impact of the Council resolution.

In line with Overview and Scrutiny's original recommendations in August 2012, member briefings had been offered to each political group to explain the contracts and how they operated. It was proposed that the briefings would include an overview presentation; a summary of each of the contracts; the KPIs for each of the contracts; and the Strategic Risk Registers for each of the contracts

Members were also keen to scrutinise how the Partnerships were performing. Following the Business Strategic Partnership Board on 5 March 2013, the officer team were considering how this might be reported to Cabinet and onwards to Overview and Scrutiny. It was proposed that this was a quarterly performance report that also included the red strategic risks. This would mean that members had a more detailed pack of information, not just the risks.

It was important that the member briefings took place before any arrangements for the scrutiny of performance were considered so that members had a clear understanding of the contracts they were scrutinising.

Cabinet considered the following decision options:-

Option 1 – That the management of risk remained the responsibility of the formal governance arrangements of the Partnerships, and that a quarterly Performance and Risk Report was considered by Cabinet and subsequently Overview and Scrutiny Committee on an ongoing basis once the member contract briefings had taken place.

Option 2 – That an All Party Monitoring Committee was established to monitor all red risk issues on a six weekly basis.

It was noted that the report before Cabinet had been prepared and signed off under the previous Administration.

**Resolved** that (1) the Council Amendment of 24 January 2013, be noted;  
(2) the Overview and Scrutiny Committee be requested to set up an All Party Sub Group to monitor red risks on a two monthly basis;  
(3) that the risks be managed by the existing Partnership governance arrangements as set out in paragraphs 1.5.4 to 1.5.9 of the report; and  
(4) that a quarterly Performance and Risk Report be considered by Cabinet and subsequently Overview and Scrutiny Committee on an ongoing basis once Elected Member contract briefings have taken place.

(Reason for decision – as detailed in paragraphs 1.5.10 to 1.5.15 of the report, and also to provide assurance that Members' concerns around risks were being taken into account.)

### **CAB6/05/13 Senior Management Arrangements (Previous Minute CAB CAB19/06/12) (All Wards)**

Cabinet considered a report which sought approval to extend the contract of the Interim Chief Executive pending the permanent appointment of a Chief Executive and to advise and seek appropriate authority for the associated appointment processes.

Cabinet had considered a report on 11 June 2012 and agreed the extension of the appointment of the current Interim Chief Executive to 31 May 2013 to provide stability during a period of significant change for the authority particularly arising from the procurement of the Authority's Business and Technical Partners.

The report recommended a further extension to the contract for services for the Interim Chief Executive for a period of 6 months to 30 November 2013 on the same terms pending the recruitment of a permanent appointment to the role of Chief Executive. The extension of the contract would enable the external advertisement and recruitment processes to be carried out and would accommodate a period of notice the successful candidate may need to provide to current employers. In the event that the successful candidate was available within that timeframe the contract for services may be terminated with appropriate notice.

From 1 June 2013, the proposal would be that the Interim Chief Executive would continue to work 4 days per week as was current practice. This would enable the Authority to continue with appropriate senior management capacity and oversight of the recruitment process for the role of Chief Executive. The extension of the contract would also enable a review and restructure of the Authority's remaining senior management arrangements to be carried out with the support of the Interim Chief Executive.

Consultation with Group Leaders had been undertaken on the proposals contained in the report. A response had been received from the Leader of the Conservative Group, a copy of which was circulated at the meeting for Cabinet's consideration in determining this matter.

Cabinet considered the following decision options:-

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Option 1 – approve the revised arrangements and extend the contract of the Interim Chief Executive as described in the report pending the appointment of a permanent Chief Executive.

Option 2 – To allow the current contract in respect of the Interim Chief Executive to terminate on conclusion of its current term (on 31 May 2013), and to make alternative arrangements for the fulfilling of the responsibilities of the Interim Chief Executive pending the recruitment of a permanent Chief Executive to the role.

Option 3 – To end the current arrangements, upon expiry of the contract, and not fill the post of Chief Executive.

**Resolved** that (1) the extension of the current contract for services in respect of the Interim Chief Executive from 1 June 2013 to 30 November 2013, for the reasons outlined in the report, be approved;

(2) the commencement of a recruitment process to appoint a Chief Executive be approved; and

(3) the Deputy Mayor, in consultation with the Interim Chief Executive, the Head of Law and Governance, and the Strategic Human Resources Manager, be authorised to prepare a Person Specification and Job Specification and refer the matter to the Appointments and Disciplinary Committee to progress the necessary recruitment process.

(Reason for decision - to enable the Authority to continue with appropriate senior management capacity as well as independent oversight and support for the recruitment process for the permanent Chief Executive.)

### **CAB7/05/13 Appointments to Outside Bodies Exercising Executive Functions (All Wards)**

Cabinet received a report regarding proposed arrangements for the appointment of representatives to serve on outside bodies that had executive decision-making powers for the 2013/14 municipal year.

Appendix A to the report set out those outside bodies which had executive functions and required appointments to be made by Cabinet for 2013/14.

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 Elected Mayor be authorised to determine (1) the appointment of representatives to serve on those executive outside bodies set out in Appendix A to the report for the 2013/14 Municipal Year;

(2) any changes to the appointment of representatives to serve on those executive bodies which might arise during 2013/14; and

(3) the appointment of representatives to serve on any new executive outside bodies that may arise during the 2013/14 Municipal Year.

(Reason for Decision – to ensure that the Council is properly represented on external bodies that exercise executive functions.)

### **CAB8/05/13 Review of North Tyneside's Crematoria (All Wards)**

A report was submitted which requested approval to commission the design for the refurbishment of Tynemouth Crematorium, including the provision of replacement cremators.

In recognising the importance of the service to the residents of North Tyneside and in order to enable a more detailed consideration of the issues contained in the report prior to determination by Cabinet, the Cabinet Member for Housing and Environment proposed that the report be withdrawn from consideration at this meeting.

**Resolved** that consideration of the report be deferred until the June Cabinet meeting.

(Reason for decision – to enable further consideration of the report prior to submission to Cabinet.)

### **CAB9/05/13 Joint Archives and Museums Service : New Joint Agreement (All Wards)**

Cabinet considered a report which detailed changes within the Tyne and Wear Archives and Museums Service (TWAM) and sought authority to approve a new Joint Agreement for the Joint Archives and Museums Service, following the withdrawal of Sunderland City Council from the Joint Museums Service.

Sunderland City Council had confirmed its decision to withdraw from the Museums element of TWAM, with effect from 1 April 2013, thus terminating the existing Joint Agreement involving the five local authorities in Tyne and Wear.

Sunderland would continue to buy into the Archives Service, and on a transitional basis would benefit from some specialist museum services provided by TWAM and funded by Arts Council England but would no longer be a full partner.

For that reason a new Joint Agreement was required (attached as a draft at Appendix 1 of the report) and needed to be agreed by the four remaining constituent authorities so that a new Joint Committee could be created and convened as soon as possible. The new agreement did not contain any substantive changes to the previous agreement but was necessary to facilitate the creation of a Joint Committee in order to have clear governance arrangements for TWAM.

Colleagues across the Joint Service and the Lead Authority were working to manage the resulting organisational changes, which also had to be managed alongside the budget reductions required by individual authorities.

The Director of Archives and Museums had kept other partners, such as Arts Council England, fully informed about the service and organisational changes.

Prior to Sunderland's confirmation of its decision, officers had been working together to review the Joint Service. This work would continue, and may require further changes to the Joint Agreement based upon the outcomes of the TWAM Review and Options Appraisal undertaken by Black Radley.

It was proposed therefore that a new Agreement be approved for the municipal year 2013/14, pending the ongoing review of the whole Joint Service.

During the course of 2013-14 the Joint Committee would work with officers from the Joint Service, the Lead Authority, officers from the other three authorities and Arts Council England (a principal funding partner) to ensure that key performance indicator

targets were met, efficiencies proposed within the 2012 TWAM Review were achieved, and that a new long term agreement for the Joint Archive and Museum Service could be signed before March 2014. This work would include discussions about the potential for linking archive and museum services across the seven local authorities in the region.

Cabinet considered the following decision options:-

Option 1 – To agree the report and proceed with a new Joint Agreement for 2013/14.

Option 2 - Not to agree the report which would require negotiation with the other three local authorities to find agreement.

**Resolved** that the Head of Cultural Services, in consultation with the Head of Law and Governance and the Cabinet Member for Leisure, Culture and Tourism, be authorised to negotiate and complete the adoption of a revised Joint Agreement for the Tyne and Wear Museums Service for the 2013/14 municipal year.

(Reason for decision – to facilitate an interim agreement while the full implications for TWAM’s governance, raised in the Black Radley report, are explored.)

### **CAB10/05/13 Exclusion Resolution**

**Resolved** that under Section 100A (4) of the Local Government Act 1972 (as amended) and having applied a public interest test as defined in Part 2 of Schedule 12A of the Act, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act.

### **CAB11/05/13 Corporate Risk Management Summary Report**

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

In relation to a Member’s query on the risk identified under Information Governance, the Head of Law and Governance undertook to provide information to Cabinet members about whether a clear desk policy was in place and how such a policy could be implemented.

The Deputy Mayor urged each Cabinet member to ensure they became familiar with any risks identified within their portfolio areas. The Chief Executive confirmed that arrangements could be put in place to facilitate this.

Cabinet considered the following decision options:

Option 1 – To consider the information provided for each of the corporate risks and endorse the outcome of the latest review by SLT.

Option 2 – After consideration of the detailed information provided for the corporate risks, suggest changes to the corporate risks and their controls.

**Resolved** that (1) the report on the latest review of key corporate risks undertaken by the Senior Leadership Team be noted; and  
(2) a report be submitted to the next Cabinet meeting giving details of how risks are managed at different levels throughout the Council.

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(Reason for Decision – to enable Cabinet to gain a greater understanding of the Council's risk management process.)

**CAB12/05/13 Date and Time of Next Meeting**

6.00pm on Monday 10 June 2013.

**Minutes published on Thursday 23 May 2013.**

**Decisions contained within these Minutes may be implemented (unless called in by 3 Non-Executive Members for consideration by the Overview and Scrutiny Committee) immediately following the expiry of the call-in period; ie 5.00pm on 31 May 2013.**