

# Cabinet

**13 January 2014**

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

**In Attendance:** M Cushlow (North Tyneside Clinical Commissioning Group)  
R Layton (JTUC)  
S Neill (Northumbria Police)  
A Oghene (Young Mayor)  
K Parkin (Business Representative)  
D Titterton (Voluntary Sector)  
  
Councillor A Waggott-Fairley

## **CAB154/01/14 Apologies**

Apologies were received from Councillors JM Allan and F Lott.

## **CAB155/01/14 Declarations of Interest**

Councillor CA Burdis declared a registerable personal interest in the item on Equal Pay (Minute CAB168/01/14) as she was an employee of Unite the Union and processed equal pay forms on behalf of its Members.

## **CAB156/01/14 Minutes**

**Resolved** that the Minutes of the meeting held on 9 December 2013 and the Extraordinary meeting held on 19 December 2013, be confirmed.

## **CAB157/01/14 Report of the Young Mayor**

The Young Mayor wished everyone a Happy New Year.

He informed Cabinet that he aimed to confirm his Young Cabinet Members very soon.

The Young Mayor reported on the following activities in which he and/or Young Cabinet members had been involved:

- Youth Council Information Day on 14<sup>th</sup> December 2013. A team building residential event to be held at High Borrans was planned for late January 2014, when a Youth Council Action Plan for the coming year would be produced.
- Civic Celebration before Christmas where his own school, Churchill Community College, received an award for having the highest turn out of students who voted in the youth elections.
- Youth Council meeting Budget Consultation session where suggestions were put forward on the 'Our North Tyneside' Plan themes of 'Our People', 'Our Places' and 'Our Economy'. These would be considered as part of the wider consultation that was taking place around the Borough.
- At the same Youth Council meeting a presentation had been given by the Cabinet Member for Housing and Environment and the Head of Housing on the need for affordable homes in the Borough. The Youth Council was able to put forward its views and ideas.

The Young Mayor was thanked for his report.

### **CAB158/01/14 Child Poverty – Report of the Overview and Scrutiny Committee (All Wards)**

Cabinet received a report from the Overview and Scrutiny Committee in relation to a review of child poverty undertaken by a joint Sub-Group of the Children, Education and Skills and Adult Social Care, Health and Well-Being Sub-Committees.

Councillor A Waggott-Fairley, Chair of Adult Social Care, Health and Well-Being Sub-Committee, was in attendance to present the report.

Overview and Scrutiny Committee, as part of its 2012/13 work programme, had prioritised child poverty as an important issue and agreed to establish a joint Sub-Group between Children, Education and Skills and Adult Social Care, Health and Wellbeing Sub-Committees to carry out an in-depth review. It was recognised from the outset that the Sub-Group would not be able to make any significant contributions to the reduction of child poverty within North Tyneside, but that the review may help to raise the importance of the issue.

It was also recognised that child poverty was a vast topic area and that, for the sub-group to keep on task, it was important to clearly identify a small number of specific issues to investigate in detail. The Sub-Group therefore decided to look specifically at 'best start in life, early intervention and prevention' and 'barriers to employment'. The Sub-Group had consulted with officers of the Council, Jobcentre Plus, Work Programme providers and members of the public in completing this work.

As a result of the study the Sub-Group had recommended the following

- (1) Overview and Scrutiny Committee, in receiving the Children and Young People's Plan 2014-18, focus on ensuring that appropriate actions and measures to address the causes and effects of child poverty are included within the Plan.
- (2) Children, Education and Skills Sub-Committee receive a bi-annual performance report on the delivery of the Children and Young People's Plan 2014-18.
- (3) Wallsend Children's Centre look at the possibilities of selling produce grown on its on-site allotment to parents at low cost price and that the possibilities of extending this scheme to other centres in the borough be examined.
- (4) Cabinet ask officers to conduct an analysis of the demand for learning courses at children's centres across the borough and provide additional courses or venues if demand outweighs current capacity.
- (5) Cabinet ask officers to explore the possibilities of utilising the after school room at Riverside Children's Centre to allow parents/carers to access some informal advice in relation to health and well-being issues.
- (6) Cabinet ask officers working within children's centres to prioritise outreach and integrated working with healthcare professionals to identify the most vulnerable families so that the provision available is directed to those most in need.
- (7) Cabinet ensure that officers from Public Health and Children, Young People and Learning continue to work together and prioritise the integration of health and children's services for children under 5.
- (8) Cabinet ask officers to liaise with the relevant authorities in order to obtain live birth data that will assist in the delivery of early intervention and prevention services.
- (9) Cabinet ask officers in Adult Social Care to ensure that all frontline services are aware of the Local Welfare Provision scheme, where to signpost individuals for assistance and that regular updates are provided where necessary.

- (10) Cabinet ask officers to regularly review the number of successful applications made to the Local Welfare Provision fund and the criteria used to assess applicants.
- (11) Jobcentre Plus incorporates / appends the Customer Charter to the Jobseekers Agreement or the Claimant Commitment (once it is in place).
- (12) Jobcentre Plus take account of the negative comments received from unemployed residents in relation to the service received, in particular about the attitude of some advisors and the intimidating environment which is created.
- (13) Jobcentre Plus hold regular reviews with advisors to ensure that they are meeting customer service standards and that this includes contracted staff such as Customer Services Officers employed by G4S.
- (14) The local Jobcentre raise claimants' concerns at a national level regarding the intimidating environment created through Customer Services Officers wearing security style uniforms.
- (15) Jobcentre Plus ensures that claimants who receive sanctions understand the reason why this has happened and that they are made aware of the appeals process.
- (16) Jobcentre Plus ensures at the outset that new claimants are aware of the sanctioning process and the reasons why their benefit will be sanctioned.
- (17) Jobcentre Plus ensures that all advisors are up to date regarding the alternative support available.
- (18) Jobcentre Plus produces an information pack outlining the alternative support available and makes this available to claimants who have been sanctioned.
- (19) Head of Adult Social Care explores the possibility of allowing external agencies to speak on behalf of their client when applying to the Local Welfare Provision.
- (20) Jobcentre Plus as part of their programme to increase computers in local jobcentre offices ensures that this is at an adequate level to meet demand and that suitably qualified support is on hand to help claimants complete forms.
- (21) Jobcentre Plus ensures that all claimants who are not digitally ready are identified and given information on where they can access computers and IT support / training.
- (22) Head of Environment and Leisure Services explores the possibility of gaining external funding or partnership working in order to provide IT support across the library service.
- (23) Head of Environment and Leisure Services explores how unemployed residents can have more access to email on library service computers.
- (24) Jobcentre Plus ensures that Work Programme providers receive all the necessary details relating to a client prior to them commencing the programme and that they keep the Work Programme providers up to date with a client's change of circumstances.
- (25) The Elected Mayor writes to the Secretary of State for Work and Pensions to highlight the issues which arose in relation to the suitability of the Work Programme in meeting the needs of clients with more severe health issues.
- (26) North Tyneside Clinical Commissioning Group considers as part of the new Talking Therapies contract to allow self-referrals or referrals from others, such as external agencies.

The full report which outlined the key findings, conclusions and recommendations of the review was attached at Appendix 1.

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

The Elected Mayor and Cabinet Member for Children, Young People and Learning thanked the Sub-Group for the report and looked forward to providing a detailed response to Cabinet.

**Resolved** that the report of the Overview and Scrutiny Committee be noted and a detailed response to the recommendations be provided at a future Cabinet meeting, no later than March 2014.

(Reason for decision – to respond to the recommendations made by the Overview and Scrutiny Committee.)

### **CAB159/01/14 2013/14 Financial Management Report to 30 November 2013 (All Wards)**

Cabinet considered a report detailing the budget monitoring position as at 30 November 2013, and included forecast outturn positions for 2013/14 for the General Fund, the Housing Revenue Account (HRA), the Capital Plan, including a summary of schemes delivered. It also included an update on Schools' finances.

As at 30 November 2013, the forecast year-end position reflected in-year pressures of £0.741m. The forecast reflected the challenging conditions that continued to be faced by councils nationally in managing increased demand in some areas and a reduction in resources from Central Government. Some of the pressure was in respect of CEI savings where activity was underway to deliver savings targets but confirmation of the savings had not yet been secured. Services were developing plans and actions to ensure the budget was brought in on target. These actions included managing non-essential expenditure to ensure all unnecessary spend was avoided, and maximising savings or additional income where possible. Included in the report was provision of £1.4m as the estimated cost of redundancies associated with the HR1 Notice.

The HRA was forecast to have year-end balances at 31 March 2014 of £2.495m, which was £0.789m higher than budget. The higher than forecast balances were mainly as a result of higher opening balances due to the impact of previous years' financial performance (£0.578m).

In relation to schools' finance the current forecast position showed all schools in North Tyneside were broadly performing in line with their original budget plans.

The Capital Plan budget for 2013/23, adjusted for various revisions approved by Cabinet and Council, was £409.980m. Variations of £2.750m credit (£0.564 credit in 2013/14) and reprogramming of £7.171m were proposed in the report.

The report also set out some of the achievements in terms of delivery of projects in the first eight months of the financial year, as well as summarising the level of spend on projects for the year.

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

**Resolved** that (1) the budget monitoring position, including the application of the Contingency Budget as at 30 November 2013, be noted;  
(2) the receipt of new revenue grants, set out in the report, be approved;  
(3) the level of spend on the Capital Plan as at 30 November 2013 be noted; and  
(4) the variations of £2.750m credit (£0.564m credit in 2013/14) and reprogramming of £7.171m within the Capital Plan, be approved.

(Reason for Decision – It is important that Cabinet continues to monitor performance against the budget, especially given the current level of financial pressures faced by the public sector. The variations to the Capital Plan will reduce the requirement for Council Contribution to the financing of the Capital Plan.)

### **CAB160/01/14 Traffic Regulation Order – Proposed Signal Controlled Crossing on A1058 Beach Road, North Shields (Cullercoats Ward)**

Cabinet considered a report detailing an objection received to the proposal to introduce two Toucan Crossings on A1058 Beach Road. The proposal would also remove the existing signalised crossing on Beach Road, west of the Beach Road/Preston Road roundabout.

Following a fatal collision on 18 February 2013, in which a pedestrian was killed in a crash caused by a speeding motorist, a review had been carried out into the safety of pedestrians crossing A1058 Beach Road. As a result of this review, it was proposed to introduce a signal controlled crossing at a point 270 metres east of the roundabout junction with Preston Road North.

This crossing would also facilitate safe crossing movements for school children in the area as well as cyclists and other vulnerable road users.

One objection was received in response to the statutory Notice of Intention. The full text of the objection and officer response 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 and request that an alternative approach be developed.

**Resolved** that (1) the objection be set aside in the interests of road safety; and (2) the Traffic Regulation Order – Pedestrian Crossings, Beach Road, North Shields, as set out in Appendix 2 to the report, be approved.

(Reason for decision – it will provide improved crossing facilities on Beach Road, improving safety for vulnerable road users, including school pupils and improving general pedestrian connectivity.)

### **CAB161/01/14 Traffic Regulation Order – Proposed Reduction of Speed Limit A186/A192 (St Mary's Ward)**

Cabinet considered a report detailing an objection received to the proposal to reduce the speed limit from 50mph to 40mph on the A186 and A192 between the roundabout junction with Park Lane, Shiremoor and the junction with A1148 Monkseaton Drive.

Construction work had recently commenced on the development of over 300 new houses to the east of A192 Earsdon Road. This development required the introduction of a new access to Earsdon Road in the vicinity of the existing Wellfield access. This new junction would be in addition to the existing junction and both would be controlled by traffic signals.

The development of the additional housing, and the associated change to the junction arrangements, represented a significant change to the nature of Earsdon Road. As such, it was considered appropriate that the speed limit on Earsdon Road be reduced to 40mph along this section. This would aid road safety by moderating the speed of traffic approaching the new junction together with the two roundabout junctions, with Monkseaton Drive and with the A192 at Earsdon.

In lowering this speed limit, it was also appropriate to reduce the speed limit on the adjacent section of A186 Earsdon Road between Earsdon and the junction with Park Lane, Shiremoor, including the T-junction with Garden Terrace, Earsdon.

Reducing the speed limit would reduce the risk to traffic turning right into and out of Garden Terrace and provide a consistent 40mph speed limit from Shiremoor Bypass to Monkseaton Drive. The 40mph speed limit was consistent with the guidance provided by Government in Circular 1/2013 "Setting Local Speed Limits".

One objection was received in response to the statutory Notice of Intention. The full text of the objection and officer response 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 and request that an alternative approach be developed.

**Resolved** that (1) the objection be set aside in the interests of road safety; and (2) the Traffic Regulation Order relating to a proposed reduction in the speed limit on the A186/A192, as set out in Appendix 2 to the report, be approved.

(Reason for decision – it will aid road safety by moderating the approach speed of traffic at the new signal controlled junction with Wellfield and the new housing development. It will also provide consistency with the existing 40mph speed limit on Shiremoor Bypass.)

### **CAB162/01/14 Consultation on A19/A1058 Coast Road Interchange Detailed Scheme Proposals (All Wards)**

Cabinet considered a report which sought approval for the submission of a response from the Authority to the consultation "A19/A1058 Coast Road detailed scheme proposals", which was being undertaken by the Highways Agency. This was a separate scheme from the A1058 Coast Road local major scheme promoted by North Tyneside Council, which was being brought forward through the devolved local major schemes process.

The A19-A1058 Coast Road junction (Silverlink interchange) was ranked Number 1 in the hierarchy of junctions set out in the North Tyneside Network Management Plan 2012-17.

The reconfiguration of the junction was identified as a desired outcome in the "Investing in our networks" section of the Tyne and Wear Local Transport Plan (LTP) Strategy, in the context of Policy 39; "We will pursue major scheme investment to improve our transport networks".

The junction formed part of the national Strategic Road Network managed by the Highways Agency. An interim scheme for minor capacity enhancements to the junction had been carried out by the Highways Agency in 2011.

The Highways Agency was proposing a major project to convert the A19-A1058 Coast Road junction (Silverlink interchange) into a full grade separated interchange.

The stated objectives of the project were to increase capacity, improve journey reliability and improve safety for both road users and local residents.

The Highways Agency had held a consultation exercise between November 2009 and March 2010 on three recommended options and three non-recommended options for the route of the scheme. Funding to carry out design work on the project was announced in May 2012 and the Secretary of State for Transport had made the preferred route announcement in July 2012.

The Highways Agency's proposed design for the junction had now been outlined in greater detail and was currently the subject of a public consultation which would close on 17 January 2014.

The report gave details of the consultation process and of the detailed proposals contained in the consultation document.

The Government publication "Investing in Britain's Future" (June 2013) identified the project as one whose construction the Government would fund, "subject to the usual tests of value for money and deliverability".

Following the public consultation, the Highways Agency would consider the responses and may refine the proposals where appropriate. In line with the process for nationally significant infrastructure projects, the Highways Agency then expected in Autumn 2014 to make an application for a development consent order to the Planning Inspectorate who, following their examination of the application, would make a recommendation to the Secretary of State for Transport, who would determine whether the project should proceed.

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 Authority submit a response to the consultation and the draft response (attached as Appendix 2 of the report) be approved in principle; and (2) the Head of Environment and Leisure, in consultation with the Cabinet Member for Economic Development and Transport, be authorised to make any final amendments to the draft response and submit the final response to the consultation.

(Reason for Decision – it will allow the Authority's views to be taken into account as the Highways Agency proceeds with design work on the project.)

### **CAB163/01/14 Northumberland Square Conservation Area Character Appraisal (Riverside and Tynemouth Wards)**

Cabinet considered a report which detailed feedback following the public consultation exercise into the draft Character Appraisal for Northumberland Square Conservation Area. The report also requested the adoption of the Character Appraisal, attached at Appendix 1, as part of the planning evidence base.

The current Character Appraisal had been adopted by Cabinet in 2006, and this new appraisal had been prepared in accordance with English Heritage guidance that suggested an update approximately every five years.

The draft Character Appraisal, attached as Appendix 1 of the report, had been made available for public comment between 4 November and 6 December 2013. Four comments, which were detailed in the report had been formally received through the consultation exercise. Proposed responses to each comment were also provided in the report.

In moving the report the Deputy Mayor referred to the objection relating to the suggested re-greening of front gardens lost to hardstanding at the front of buildings, many of which were now commercial offices, and he suggested that they should remain as parking areas.

**Resolved** that the Northumberland Square Conservation Area Character Appraisal, set out in Appendix 1 to the report, incorporating the amendments following consultation as detailed in Appendix 2 to the report, be approved, subject to the objection relating to the suggested reinstatement of garden areas at the front of buildings being accepted.

(Reason for decision - National Planning Policy, contained in the National Planning Policy Framework (2012), stresses that local planning authorities should have up-to-date evidence about the historic environment in their area. It also requires local planning authorities to ensure that information relating to the significance of the historic environment, gathered for plan-making or development management purposes, is publically accessible.

Character appraisals define why an area is considered special and worthy of preservation and enhancement. They prove a useful tool, therefore, in the development management process, for assessing planning proposals in the area and preparing a robust policy framework for the future management of that area. They are also a key indicator should it prove necessary to obtain external funding from heritage funders. In addition it will also be an excellent educational and promotional resource.)

### **CAB164/01/14 Jupiter PaRC@Swans Business Incubation Centre – Variation to Proposed Scheme and Funding Agreement (Wallsend Ward)**

(See also Minute CAB169/01/14 relating to a supplementary report on this matter).

Cabinet considered a report which following a further review of the project proposals, requested that the scheme for a Business Incubation Centre and Research and Development facility at the Swans site be revised to a refurbishment of the existing buildings only, rather than a refurbishment with a new build element. The level of ERDF funding would be varied to reflect the new project proposals.

At its meeting of 8 July 2013 Cabinet had approved the submission of the finalised business case for the Stage 2 bid to the European Regional Development Fund (ERDF) for a Business Incubation Centre (BIC) and Research and Development (R and D) facility at the former Swan Hunter site (now known as Jupiter PaRC@Swans), and gave authority to accept any subsequent offers of ERDF funding (Minute CAB43/07/13 refers).

The report provided a background to the revised proposals which would better align with the 'Our North Tyneside' Plan priorities.

The reduction of the proposed scheme to a refurbishment only development, if agreed, would not require the same level of ERDF grant approval and match funding from the Capital Plan. A variation to the ERDF funding agreement will be required to encapsulate those changes.

**Resolved** that the report be noted.

### **CAB165/01/14 Street Lighting – Response to Overview and Scrutiny Committee Report (All Wards)**

Cabinet considered a report which responded to the recommendations received from the Overview and Scrutiny Committee from its meeting held on 11 November 2013 in relation to its review of Street Lighting.

At its meeting on the 12 June 2013, the Environment and Culture Sub-Committee of the Overview and Scrutiny Committee had prioritised a review of street lighting.



It was intended that the findings of the review would be reported back in the autumn and its purpose was to contribute towards the new lighting strategy for the Borough.

The main aim was to explore the different options for street lighting with a view of reducing energy consumption and to achieve efficiency savings.

A sub-group had been established to carry out the review. The sub-group had met a number of times with the Senior Manager for Commercial Partnerships and the Head of Environment and Leisure and they had also attended an on-site demonstration of street lighting and initiated a trial of dimming and trimming in the Weetslade area.

The sub-group had identified a total of 4 recommendations throughout the review which were aimed at delivering efficiencies from reduced energy consumption while maintaining a high quality street lighting service to the residents of North Tyneside.

The Cabinet's proposed response to the Overview and Scrutiny recommendations were set out in Appendix 1 to the report.

Cabinet considered the following decision options:

Option 1 - agree the recommendations set out in section 1.2 of the report

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

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

**Resolved** that the proposed response to the recommendations from the Overview and Scrutiny Committee on Street Lighting, as set out in Appendix One of the report, be approved.

(Reason for decision – Cabinet is required to respond to the recommendations made by the Overview and Scrutiny Committee.)

### **CAB166/01/14 Family Wise Sub-Contract Opportunity (All Wards)**

Cabinet considered a report which sought approval to accept an offer of subcontracting by The Wise Group to deliver the FamilyWise contract within North Tyneside.

The Department for Work and Pensions (DWP) "Support for Families with Multiple Problems" provision was funded by the European Social Fund (ESF) and aimed to tackle entrenched worklessness in England by progressing people in families with multiple problems closer to employment.

The provision was aimed at families with multiple problems and complex needs where:

- At least one member of the family received a DWP working age benefit; and
- Either no one in the family was working, or there was a history of worklessness across generations.

This provision was voluntary and focused on providing a whole family approach, making support available to individual family members across the generations.

The Wise Group had been selected to deliver the ESF Support for Families with Multiple Problems contract for DWP within the North East Contract Package Area. Sub-contracting was allowed by one tier, therefore allowing providers and local authorities to deliver within their area.

The Wise Group had decided to deliver this support themselves in North Tyneside.

Whilst The Wise Group had had some issues in delivering the service, the Authority was in a much better position to be able to identify and work with families with multiple problems where it already had contact and had built a rapport and trust through existing programmes of work, including the existing Troubled Families programme, whilst integrating the programme with other Council teams.

An approach had now been made to the Authority to enquire about its willingness to take over direct delivery of this contract within North Tyneside on behalf of The Wise Group through a subcontracting arrangement.

This delivery would commence in February 2014 with referrals onto the programme being accepted until December 2014 with the possibility of this being extended.

The provision was suitable for either those who were job ready or those furthest from the labour market but able to achieve progress measures within 52 weeks. The provision would focus on any support for benefit claimants to move towards work. This could include achievement of a series of 'progress measures', as well as direct entry into work.

The value of the contract would be in the region of £70,000 to £90,000, to be confirmed in negotiation with The Wise Group and subject to performance. The Cabinet Member for Finance and Resources expressed the view that options for the use of the income generated by the Authority providing the FamilyWise contract be considered at a later date, when the final amount was known

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 proposed offer by the Wise Group for the Authority to take up delivery of the FamilyWise contract within North Tyneside, be approved; (2) the Head of Children, Young People and Learning in consultation with the Head of Finance and Commercial Services, be authorised to accept the proposal; and (3) authority be delegated to the Head of Law and Governance in consultation with the Head of Children, Young People and Learning and the Head of Finance and Commercial Services to approve the terms and conditions of contract which shall apply to the sub-contracting arrangement.

(Reason for decision – it will allow the Authority to accept the subcontracting opportunity and allow eligible North Tyneside residents to take up support. The acceptance of the contract will also bring a management fee into the Authority. Wise Group subcontracting will provide an important service to eligible North Tyneside residents that will help individuals and their families gain new skills in life and move forward to a positive future and making a positive contribution to the Borough.)

### **CAB167/01/14 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 3 of Schedule 12A of the Act, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 3, 4 and 5 (CAB168/01/14) and Paragraph 3 (CAB169/01/14 and CAB170/01/14) of Part 1 of Schedule 12A to the Act.

### **CAB168/01/14 Equal Pay (All Wards)**

Cabinet considered a report which gave an update on the resolution of equal pay claims and sought authority for future management of these matters.

Cabinet considered the following decision options:

Option 1 – agree the recommendations as set out in section 1.2 of the report;

Option 2 – agree the recommendations as set out in section 1.2 of the report but vary the delegation;

Option 3 – reject the recommendations and request further work be undertaken to identify alternative options for addressing equal pay claims.

**Resolved** that (1) the current position on the resolution of equal pay issues, as set out in the report, be noted; and

(2) authority be delegated to the Head of Finance and Commercial Services, in consultation with the Deputy Mayor and Cabinet Member for Finance and Resources, the Head of Law and Governance and the Strategic Human Resource Manager, to settle the equal pay claims and grievances submitted against the Authority.

(Reason for decision – it is consistent with the agreed strategy for the management of equal pay claims and has the potential not only to further safeguard the Authority but also to secure a financial saving. The Authority is vulnerable to the outstanding equal pay claims, protection claims and the male contingent claims that have been submitted against it in the Employment Tribunal.)

The settlement of these types of claims in advance of any formal legal hearing has proved a successful strategy for the Authority. This strategy is still the best option for the Authority as it provides certainty for the Authority at a level of settlement significantly less than the amount that would likely be awarded against the Authority following a formal hearing. It also avoids the substantial legal costs that would be associated with a formal hearing.)

(N.B. Councillor CA Burdis left the meeting during discussion and voting on the item.)

### **CAB169/01/14 Swans Procurement of Quay Works and Dredging (Wallsend Ward)**

Cabinet considered a report which sought approval to commence a European Union compliant procurement process to appoint a contractor to carry out quay edge and dredging works at the Swans site.

Cabinet considered the following decision options: either to agree the recommendations as set out in section 1.2 of the report, or alternatively to disagree with the proposals and request that an alternative approach be developed.

**Resolved** that (1) the Head of Business and Economic Development, in consultation with the Head of Finance and Commercial Services, the Head of Law and Governance and the Elected Mayor, be authorised to carry out a European procurement exercise to appoint a contractor to carry out quay edge and dredging works at the Swans site ; and (2) the Head of Business and Economic Development, in consultation with the Head of Finance and Commercial Services and the Head of Law and Governance, be authorised to appoint the tenderer who represents the most economically advantageous tender to the Authority on terms and conditions approved by the Head of Law and Governance.

(Reasons for decision – this will lead to an early appointment of a contractor to carry out works to the quay edge and dredging. An early appointment will ensure the works are carried out within the appropriate timescales for the grant funding which needs to be defrayed by June 2015. This procurement route ensures the Authority complies with EU procurement legislation and will minimise the risk of claw back of grant funding from the Authority.

**CAB170/01/14 Jupiter PaRC @ Swans Business Incubation Centre – Variation to Proposed Scheme and Funding Agreement - Supplementary Report (Wallsend Ward)**

(See also Minute CAB164/01/14)

Cabinet considered a supplementary report in relation to the previously issued report “Jupiter PaRC @ Swans Business Incubation Centre – Variation to Proposed Scheme and Funding Agreement” , which sought approval to submit variations to the European Regional Development Fund (ERDF) Funding Agreements for both the Business Incubation Centre grant and Infrastructure grant for Swans.

The supplementary report also sought approval to submit a bid for funding approval to the North East Local Enterprise Partnership (NELEP) in order to retain sufficient Business Rate Growth Income (BRGI) to deliver the Swans Enterprise Zone (EZ) site together with a bid to the NELEP Investment Fund for funding in advance of the BRGI being generated.

Cabinet considered the following decision options:

Option 1 – approve both recommendations as set out in paragraph 1.2 of the report.

Option 2 - not approve either of the recommendations set out in paragraph 1.2 of the report.

Option 3 – approve the recommendation to authorise officers to submit the variations to DCLG for the ERDF Funding Agreements but not authorise officers to prepare a bid to the NELEP for business rates growth income to be ring-fenced to the Swans site and for upfront funding in advance of the BRGI being generated by the new advanced manufacturing units being built on Swans.

Option 4 - not authorise officers to submit the variations to the ERDF Funding Agreements but authorise officers to prepare a bid to the NELEP for business rates growth income to be ring-fenced to the Swans site and for some upfront funding in advance of the BRGI being generated by the new advanced manufacturing units being built on Swans.

Option 5 – decide to match all grant funding through the Public Works Loan Board and not to use the BRGI.

**Resolved** that (1) the Head of Business and Economic Development, in consultation with the Elected Mayor, the Head of Finance and Commercial Services and the Head of Law and Governance, be authorised to submit a variation to current funding agreements for both European Regional Development Fund funded projects for the Swans site and the Head of Law and Governance be authorised to enter into such appropriate documentation to formalise the variation; and

(2) the Head of Business and Economic Development, in consultation with the Head of Finance and Commercial Services and the Head of Law and Governance, be authorised to submit a bid to the North East Local Enterprise Partnership to secure business rate growth income ring-fenced to the Swans site, and to accept any offer of funding in advance of the Business Rates Growth Income being generated by the site.

(Reason for decision - this will lead to a swift intervention in relation to preparing the land for construction of new advanced manufacturing units at a rental value that is acceptable to the market and thereby unlocking this strategic employment site for development. Immediate action will ensure that the current interests are not lost and the Developer Partner can commence construction immediately, leading to the creation of substantial new local jobs.)

**CAB171/01/14 Date and Time of Next Meetings**

6.00pm on Wednesday 15 January 2014 (Extraordinary Meeting).

4.00pm on Thursday 30 January 2014 (Extraordinary Meeting).

6.00pm on Monday 10 February 2014 (Ordinary Meeting)

**Minutes published on Thursday 16 January 2014.**

**The 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 23 January 2014.**