

# **Cabinet**

**10 March 2014**

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

**In Attendance:** A Caldwell (Age UK North Tyneside)  
L Goodwin (North Tyneside VODA)  
R Layton (JTUC)  
A Oghene (Young Mayor)  
D Rose (Business Representative)  
D Titterton (Voluntary Sector)

## **CAB187/03/14 Apologies**

Apologies were received from M Cushlow (North Tyneside Clinical Commissioning Group).

## **CAB188/03/14 Mr D Titterton**

The Mayor informed Members that this would be the last Cabinet meeting attended by Mr D Titterton and she thanked him for his involvement in Cabinet meetings over the last two years or so. She also advised that Mr Mark Almond would attend future Cabinet meetings as the representative for the Community and Voluntary sector.

## **CAB189/03/14 Declarations of Interest**

There were no declarations of interest or dispensations reported.

## **CAB190/03/14 Minutes**

**Resolved** that the Minutes of the meeting held on 10 February 2014 be confirmed and signed by the Chair.

## **CAB191/03/14 Report of the Young Mayor**

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

- Raising the Commonwealth Flag. He was the first Young Mayor to do this.
- Get Up & Go event where many varied apprenticeship opportunities were on offer to young people.
- Female members of the Youth Council had been involved various events as part of International Women's Day.
- The Environment Group had made plans for how they could support the "Change Our Thinking" campaign. The group were also planning community clean ups with the support of Environmental Services as part of the Big Spring Cleanup campaign.
- The One to One DVD, which promoted sexual health services for young people had been finished.
- National Citizenship Service project in North Shields.

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- Some youth councillors from the Communications Reference Group and Environment Group had been working on articles for TEENZ Magazine.
- Northumberland Clubs for Young People Projects and Volunteering with Pride Awards last week.
- with Candidates for the North Tyneside Member of Youth Parliament, attendance at a question and answer session at Tyne Met College. Youth Parliament campaigning continued until 31 March 2014, when the election process would begin.

The Young Mayor was thanked for his report.

### **CAB192/03/14 Apprenticeships – Report of the Overview and Scrutiny Committee (All Wards)**

Cabinet received a report from the Overview and Scrutiny Committee in relation to a study into Apprenticeships undertaken by a Sub-Group of the Children, Education and Skills Sub-Committee.

The initial remit of the Sub-Group was to establish whether apprenticeships were fit for purpose and what outcomes they provided for young people.

Apprenticeships had to be provided through a Skills Funding Agency provider. There were around 66 providers based in the North East, but over 500 operating in the area. Collation of performance information in relation to apprenticeships was undertaken by the Skills Funding Agency and little information was shared in relation to long-term success rates.

The Sub-Group felt it would be more useful to concentrate on ensuring that the Council was delivering the best service possible to apprentices and encouraging employers to create apprentice positions.

The Sub-Group had met with relevant officers to discuss a wide range of issues including:

- current demand and provision of apprenticeships;
- the support offered by the Council to employers interested in creating apprenticeships;
- how opportunities to create apprentices were marketed; and
- case studies of young people that had completed apprenticeships

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

- (1) Cabinet ask officers to devise a North Tyneside Apprenticeship standard to award to employers within the borough that demonstrate a commitment to working with apprentices.
- (2) Cabinet ask officers to review the marketing strategy currently in place in relation to employer engagement and devise an e-flyer that could reach as many employers as possible.
- (3) Cabinet ask officers to ensure that all opportunities are maximised to illustrate the benefits and rewards that be achieved through apprenticeships, both for the apprentice and the employer.
- (4) Cabinet ask officers to ensure that mechanisms are in place to routinely capture information on the short and long term success of apprentices.

The full report which outlined the key findings, conclusions and recommendations of the study 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 Deputy Mayor 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 May 2014.

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

### **CAB193/03/14 2013/14 Financial Management Report to 31 January 2014 (All Wards)**

Cabinet considered a report detailing the budget monitoring position as at 31 January 2014, 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 31 January 2014, the forecast year-end position reflected a surplus of £1.877m, which the Cabinet Member for Finance and Resources indicated would be placed in the Strategic Reserve. This was a significant improvement since the previous report to Cabinet for the period ending 30 November 2013 (Minute CAB159/01/14 refers). Services had improved their overall position by £1.779m reflecting the successful delivery of actions such as the management of non-essential expenditure and maximising savings. Non-delegated budgets had improved by £1.374m. Of this improvement £ 0.745m related to a S31 grant received in respect of Business Rate Relief awarded, and an Airport Dividend of £0.285m.

The HRA was forecast to have year-end balances at 31 March 2014 of £2.525m, which was £0.819m 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). The forecast in year surplus was an estimated £0.241m.

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 £407.230m. Variations of £0.972m and reprogramming of £0.700m were proposed in the report.

The report also set out some of the achievements in terms of delivery of projects in the first ten 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 31 January 2014, 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 31 January 2014, be noted; and  
(4) the variations of £0.972m and reprogramming of £0.700m 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.)

### **CAB194/03/14 Our North Tyneside Performance Report (All Wards)**

Cabinet considered a report which provided an update on the progress that had been made to deliver the aims and objectives of the Our North Tyneside Plan. This was the first report to Cabinet on performance against the measures in the Our North Tyneside Plan.

There were fourteen measures within the Plan, with the majority reported on an annual basis, but at different points throughout the year. Where this was the case, information within the service reports would provide additional detail on what was taking place throughout the year.

Performance against the Our North Tyneside Plan was positive with eight measures improving, two remaining the same and one declining. The remaining three measures were new measures. Further information was detailed in the report. Appendix A of the report provided the full Our North Tyneside Performance Report

The Deputy Mayor informed Cabinet that this was a positive start to monitoring the delivery of the Plan, but further work was required particularly around closing the gap in health and education.

Cabinet considered the following decision option: to note the progress made against the delivery of the Our North Tyneside Plan and that the measures will continue to be assessed to ensure that they are appropriate.

**Resolved** that the progress made against the delivery of the Our North Tyneside Plan, be noted.

(Reason for decision – this forms part of the agreed performance management framework for the Our North Tyneside Plan.)

### **CAB195/03/14 Residents' Survey 2013 (All Wards)**

Cabinet considered a report which provided details of the outcome of the North Tyneside Residents' Survey 2013. The postal survey had been undertaken by Ipsos MORI on behalf of the Council between October and December 2013.

The survey had been developed to measure direction of travel for key performance indicators and to set a baseline going forward to measure delivery of the Our North Tyneside Plan.

The Survey showed an improvement across the board in the performance of key measures and also highlighted some areas where residents felt that further work is needed. Further details were set out in the report.

The Deputy Mayor welcomed the support offered by L Goodwin of VODA to encourage residents to come forward as informal volunteers

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

**Resolved** that the outcome of the Residents' Survey 2013 be noted and the Deputy Mayor be asked to work with the relevant officers and partners to improve those areas that are identified in the report as needing improvement.

(Reason for decision – this will enable the areas highlighted in the Survey as needing improvement to be effectively dealt with and the required improvements made.)

### **CAB196/03/14 Cabinet Response to Overview and Scrutiny Report on Child Poverty (All Wards)**

Cabinet considered a report which responded to the recommendations of the Overview and Scrutiny Committee in its report to Cabinet on 13 January 2014, on Child Poverty (Minute CAB158/01/14 refers), following an in-depth study undertaken by a Sub-Group established by the Children, Education and Skills and the Adult Social Care, Health and Well-Being Sub-Committee.

It had been recognised at the beginning of the review 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'.

In undertaking its investigation the Sub-Group had visited several children's centres across the Borough to see the services that were on offer to families and discussed the issue of child poverty with various professionals. Members had also engaged with representatives of Jobcentre Plus to discuss some issues that had arisen during focus groups held with unemployed residents, in relation to the difficulties that individuals had experienced in accessing support when trying to find employment.

The Sub-Group had identified 26 recommendations, with 14 of these directed to Cabinet, 11 to Jobcentre Plus and 1 to the Clinical Commissioning Group.

The proposed response to the recommendations directed to Cabinet was set out as Appendix A of the report. The recommendations for Jobcentre Plus and the Clinical Commissioning Group, along with the responses received from these organisations, were included as Appendix B for information.

The Mayor thanked the Sub-Group for their work and everyone who had taken part in the Study.

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 – agree some of the recommendations set out in 1.2 and reject the remainder.

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

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

### **CAB197/03/14 Better Care Fund (All Wards)**

Cabinet considered a report which gave an update on progress that had been made locally to develop plans for use of the Better Care Fund, in line with guidance issued by the Department of Health and Department for Communities and Local Government.

In the June 2013 Spending Round, the Government had announced a national £3.8 billion pooled budget for health and social care services, the Integration Transformation Fund, now known as the Better Care Fund.

The Better Care Fund would provide the opportunity to transform local services so that people were provided with better integrated care and support. It encompassed a significant level of funding to help local areas manage pressures and improve long-term sustainability. The Fund would be an important enabler to take the integration agenda forward at scale and pace, acting as a significant catalyst for change.

The Better Care Fund would give an opportunity to improve the lives of some of the most vulnerable people in society, giving them more control, placing them at the centre of their own care and support, and in doing so, providing them with a better service and better quality of life and ensuring that they received the right care, in the right place at the right time.

The funding was not new money into the health and social care system but was comprised of a number of existing allocations including the current NHS social care allocations. In addition the Fund included some core Clinical Commissioning Group (CCG) allocations, some other Local Authority funds and grants, including the Disabled Facilities Grant, Social Care Capital Grant funding and a new allocation of £135m (nationally) to support the introduction of the Care Bill.

In terms of its contribution, the CCG was expected to make savings on existing expenditure, including services commissioned from NHS Foundation Trusts, which would require a shift in expenditure from acute health services towards community health and social care services.

2014/15 was considered the preparatory year for the Better Care Fund, however in order for each area to access their full allocation by 2015/16, local authorities and their NHS partners had to ensure that:

- They develop a joint Better Care Fund Plan, which was approved by the Health and Wellbeing Board, and was submitted to NHS England in line with a nationally prescribed timescale. This required a 'first cut' draft plan to be submitted by 14 February 2014 and a final plan by 4 April 2014;
- Meet other national conditions; and
- Achieve the required performance level /progress against a combination of nationally and locally agreed performance measures by October 2015.

The national conditions and measures covered:

- Reducing dependency on acute hospital services and residential and nursing care, in favour of providing more integrated community based support services, such as reablement, early intervention and prevention;
- Ensuring some protection for social care services (not spending);
- Promoting seven day working across health and social care; and
- Promoting the provision of care which was focussed around the individual, with improved care planning and data sharing across agencies;
- Agreeing the consequential impact of changes in the acute sector.

The content of the Plan had been based upon the principles set out in the North Tyneside Joint Health and Well-Being Strategy, informed by the Joint Strategic Needs Assessment and aligned to both the CCG and local authority commissioning intentions.

In line with national guidance, the proposals in the draft Better Care Fund submission were largely focussed on strengthening integrated services for older people and those people with multiple long-term conditions, whilst maintaining and growing mental health services, service for people with learning disabilities, and children with disabilities and additional needs.

Appendices 1 and 2 of the report detailed the draft Plan, which had been submitted to NHS England, Local Area Team in line with the required deadline of 14 February 2014. This had been modified following initial consideration by the Health and Wellbeing Board on 14 January 2014 and would require further modification prior to the final plan being signed off in time for the submission deadline of 4 April 2014, to incorporate the ongoing work with local partners to ensure that the final submission would meet national expectations.

Cabinet considered the following decision options: either to agree the recommendation as set out in section 1.2 of the report, or alternatively to disagree with the proposals and suggest an alternative approval mechanism to ensure that North Tyneside is able to meet the externally prescribed timescales for submission of the final Plan to NHS England.

**Resolved** that (1) the arrangements and progress made to date in terms of developing the draft Better Care Fund Plan in North Tyneside, be noted; and (2) the Head of Adult Social Care, in conjunction with the Chair of the Health and Wellbeing Board, the Cabinet Member for Adult Social Care, and the Cabinet Member for Finance and Resources, be authorised to approve the final Better Care Fund Plan on behalf of the Authority for submission to the Department of Health by the required deadline of 4 April 2014.

(Reason for decision – to ensure North Tyneside is able to meet the nationally prescribed deadline of 4 April 2014, for submission of the final Better Care Plan to NHS England.)

### **CAB198/03/14 Determination of School Admission Arrangements 2015 (All Wards)**

Cabinet considered a report that requested an amendment to the 2014 Determined Admission Arrangements and determination of the proposed admission arrangements for all Community Schools in North Tyneside for the 2015/2016 academic year including the co-ordinated admissions schemes, following consultation with schools, other local authorities, the Diocesan Authorities and the North Tyneside Trust Schools.

As a Local Authority (LA), the Authority had a statutory duty to offer a place of education to every child resident in the Borough. This included places in maintained schools, including community and foundation schools, but not Free Schools and Academies. As a consequence of the Priory Primary School's move to Academy status as part of its merger with King's School, in September 2013, it had been necessary to amend the catchment areas of neighbouring schools to include addresses within the former Priory Primary School catchment area.

The formal round of consultation on admission arrangements for the academic year 2014/2015 had concluded prior to the Secretary of State's formal approval of the Kings Priory Funding agreement.

Following approval by Cabinet at its meeting on 11 March 2013 of the 2014 Admission Arrangements (minute CAB225/03/13 refers), the LA had been working with the Office of the Schools Adjudicator (OSA) to request a variation to the 2014 Determined Admission Arrangements linked to the establishment of Kings Priory Academy. As part of the process it had been necessary to notify those previously consulted on the 2014 Admission Arrangements regarding the proposed request for variation to catchment areas, and seek the approval of the OSA to permit the variation to the determined Admissions Arrangements September 2014.

As a result of this exercise, and based on advice from the OSA, it was also necessary for the following amendments/additions to be made:

- Tie-breaker – the arrangements to reflect how the LA would allocate places where two or more home to school distances were the same measurement, as identified by the Geographical Information System (GIS), as part of the allocations process for school places;
- Deferred entry (First and Primary Schools) – it was a requirement of the schools admissions code to clearly identify deferred entry arrangements.

The recommended changes to the 2014 Determined Admission Arrangements had now been incorporated within the proposed 2015 Admission Arrangements.

The co-ordinated admissions schemes were set out in Appendices 1 and 2 (Primary, Middle and High Schools). The Planned Admission Numbers for Community Schools were shown at Appendix 3. The Admissions Policies for admission to North Tyneside Community Schools and Nurseries for which the Local Authority was the Admissions Authority were set out in Appendices 4 - 6 of the report. The oversubscription criteria used by the Local Authority where there were more applications than places available were also set out in Appendices 4- 6 of the report.

The Local Authority had consulted on behalf of the Learning Trust schools, with regard to their admission arrangements. The governing bodies of those schools were responsible for determining their arrangements in accordance with the School Admissions Code. Five of the schools in the Learning Trust were Special Schools and these arrangements did not apply to them. In terms of academies, the LA had been asked to consult on the arrangements for Grasmere Academy linked to the North Tyneside consultation process. No formal consultation had been undertaken by the governing bodies of the voluntary aided schools for 2015/16 as there were no changes to the previously published arrangements. The governing bodies of both St Thomas More Roman Catholic Academy and Kings Priory Academy had not requested the LA to consult on their behalf.

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 amendment to the 2014 Determined Admission Arrangements following consultation with the Office of the Schools Adjudicator (OSA), be approved; (2) the 2015 proposed admission arrangements and limits for Community Schools, as outlined in Appendices 1 to 6, subject to the appropriate publication of Statutory Notices, be approved; (3) the Head of Commissioning and Fair Access be authorised to proceed in administering admission arrangements for the September 2015/2016 academic year, subject to the publication of statutory notices and compliance with obligations required by the Secretary of State in accordance with the timescales set; and (4) Head of Commissioning and Fair Access, in consultation with the Cabinet Member for Children, Young People and Learning, be authorised to formally seek approval, as necessary, from the Schools Adjudicator in accordance with the School Admissions Code 2012 for any necessary variations to the determined arrangements for the 2015/16 academic year should these arise.

(Reason for decision – to secure compliance with statutory requirements as detailed in the report.)



(Note: In accordance with the 'Urgency Provisions' contained within the Constitution, the Deputy Chair of Council, in the Chair's absence, had agreed to the decision not being subject to Call-In as any delay in implementing the determination of admission arrangements may result in the statutory deadline of 15 April not being met and consequently the admission authority being in breach of the The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012

### **CAB199/03/14 External Funding - Not in Education, Training and Employment (NEET) (All Wards)**

A report was considered which sought approval to accept funding from the European Social Fund (ESF) to support young people Not in Education, Training and Employment (NEET). The value of the funding offered to North Tyneside was £320,000 for delivery within the period January 2014 to July 2015.

Gateshead Council, as the lead Authority for the skills agenda for the planned Combined Authority, had led a joint application for European Social Fund funding made available from the Skills Funding Agency. The joint bid was on behalf of the Seven Authorities Council's in the North East Local Enterprise Partnership area as this was the minimum geography that a bid could be submitted.

This was the latest round of European Social Fund contracts to support NEET young people and followed the completion of the previous programme that ended in December 2013. The Authority was independently delivering the previous programme as that was the requirement from the funding agent at that time.

The application had been successful and would provide £320,000 of European funding to North Tyneside to support young people aged 16-24 back into work or training. The NEET programme would be commissioned, in compliance with the EU procurement regime where appropriate, on behalf of the Authority by Gateshead Council as the responsible authority for the joint funding application.

The Local Authorities, including North Tyneside were working closely with Gateshead via formal project management arrangements to determine the local delivery required and would be included in any procurement decision making processes.

In 2013/14 the budget from the previous project was £128,000. This new funding would provide an annual budget of £202,000. Acceptance of this funding would enable continuation and expansion of support to the unemployed and disengaged young people in North Tyneside. It would provide information, advice and guidance; mentoring support and progression tracking of young people to access a range of partner provision that would support them into work or further learning. In addition the funding would provide formal training to young people linked to employment opportunities.

It was anticipated that the funding would support 200 young people, including 170 receiving formal training. The support service would be directly delivered by Connexions officers and the training element would initially be delivered by local training providers.

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 instruct officers to look at other options.

**Resolved** that (1) the offer of the funding be accepted; and

(2) the Head of Children, Young People and Learning, in consultation with the Cabinet Member for Children, Young People and Learning and the Head of Finance and Commercial Services, be authorised to take all necessary steps to deliver the revised NEET programme.

(Reason for decision - the Authority will continue to access resources to support young people who are not in education, employment or training (NEET)).

An integrated programme of intensive support will be offered which includes training, advice and guidance, work experience and personal development to address young people's barriers and accelerate their move back into mainstream education, training, work or apprenticeships.

The programme will provide critical engagement activities and appropriate pathways to enable NEET young people to progress into mainstream Further Education and Training.

Acceptance of this funding will ensure young people in North Tyneside are not disadvantaged in terms of the levels of support available in neighbouring authorities.)

### **CAB200/03/14 Emotional, Social, Behavioural Difficulties (ESBD) Provision (Previous Minute CAB145/12/13 refers) (All Wards)**

A report was considered which detailed the outcomes of the Key Stage 1 and Key Stage 2 Emotional, Social, Behavioural Difficulties (ESBD) review across the school estate following consultation with local schools. The report also identified a new preferred model of delivery which had been identified and led by a strategic group of headteachers.

The Local Authority (LA) commissioned a range of place led education provision from North Tyneside schools to support the inclusive education of children with complex needs. This included support for those pupils with ESBD.

Officers from within Children, Young People and Learning had been working for a number of months with headteachers to evaluate the current arrangements for children who required additional support with particular focus on ESBD. Referral systems and procedures had been a particular focus to establish if the LA had the right type of provision across all Key Stages and to identify if a gap in provision existed for pupils aged between 3 and 11 with ESBD. In addition to this, the Governing Bodies of two of the established mainstream Primary Additional Resourced Provisions (ARPs) had notified the LA that as part of the review they would be looking to de-commission the existing arrangements from the end of the summer term 2014. The LA therefore needed to evaluate the current arrangements and consider the options in moving forward to ensure that it could continue to provide an ESBD pathway.

The ESBD pathway had been discussed further at the Headteacher Briefing session held on 22 November 2013 and had been subject to a detailed review with a Task and Finish ESBD Strategic Group involving officers and a number of headteacher colleagues representing all sectors of education.

The report provided details of key principles which had emerged from the Headteacher Briefing. These would guide the Task and Finish group in moving forward with a new arrangements.

Linked to those key principles, the LA aimed to work collaboratively with schools to further develop an effective partnership approach.

Consultation linked to the wider review of the provision had been led by the ESBD Strategic Group who had identified a preferred model of delivery.

The report gave details of the proposed new model, including the principles and aims of this new provision. It was proposed that the new model would be directly commissioned through an existing school and that a Borough wide Primary Behaviour ARP and outreach provision support for all first and primary schools would be established. The proposed model had received favourable responses from the locality headteacher groups and the Schools Forum. It was proposed that the new operating model would be implemented from September 2014.

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 arrangements outlined within the report following consultation with all schools, in respect of the review of the Key Stage 1 and Key Stage 2 ESD provision with effect from September 2014, be approved;  
(2) the Head of Children, Young People and Learning, in consultation with the Head of Law and Governance, be requested to formally consult and publish statutory notices on the closure of the existing ESD Additional Resourced Provisions currently established within mainstream schools; and  
(3) the Head of Children, Young People and Learning, in consultation with the Cabinet Member for Children, Young People and Learning, be requested to work with all schools to fully implement and commission the new delivery arrangements.

(Reason for decision - it will allow the LA to progress with the establishment of the new delivery arrangements from September 2014 and support Key Stage 1 and Key Stage 2 ESD provision across the school estate that is fully supported by all headteacher colleagues.)

### **CAB201/03/14 Local Transport Plan (LTP) 2014/15 Capital Expenditure Settlement (All Wards)**

Cabinet considered a report which detailed the settlement for Local Transport Plan Capital (LTP) Expenditure and requested approval for the proposed implementation programme for the financial year 2014/15.

The third Tyne and Wear Local Transport Plan (LTP3) had been approved by Council in March 2011 and submitted to the Secretary of State by the ITA.

In December 2013 the Department for Transport (DfT) issued the LTP3 capital settlement letter for 2014/15 to the Clerk to the ITA, attached to the report as Appendix 1. The total Tyne and Wear capital settlement for 2014/15 had also been confirmed on the Department for Transport's website.

In the Autumn Statement in December 2012, it had been announced that the Government had allocated additional highway maintenance funding directly to local highway authorities for both 2013/14 and 2014/15. The total block allocations for the Tyne and Wear ITA area in 2014/15 were £9.988m for highway maintenance and £17.426m for integrated transport, a total of 27.414m.

The Highway Maintenance block capital allocations were allocated between districts in accordance with the DfT formula. At its meeting on 23 January 2014 the ITA had agreed to distribute the 2014/15 Tyne and Wear Integrated Transport allocation to partners in accordance with the established method. A proportion, currently 4%, of LTP funding was top-sliced for services delivered at Tyne and Wear level associated with the Local Transport Plan. An element of the Integrated Transport block was allocated for Public Transport schemes and part of this was allocated to Nexus as the local contribution to the ongoing renewal of the Metro system while the remainder was allocated between districts.

Of the additional highway maintenance funding allocated directly to local highway authorities, announced in the Autumn Statement in December 2012, North Tyneside's allocation was £326,000 for financial year 2013/14 and £176,000 for 2014/15. The latter figure formed part of the Additional Highways Maintenance line in the Authority's 2014-18 Investment Plan Summary.

The base capital allocations for North Tyneside for 2014/15 were £1.174m for highway maintenance and 1.928m for integrated transport:

The total for these two blocks was therefore £3,642,000, which was £12,000 higher than the figure, based on indicative allocations, of £3,630,000 shown in the Authority's 2014-18 Investment Plan Summary. In addition to this total the ITA had also confirmed a Public Transport schemes funding allocation for North Tyneside of £288,000. In view of these items of funding, Cabinet authorisation was sought to increase the 2014/15 figure in the Local Transport Plan line of the 2014-18 Investment Plan by £300,000.

The Local Transport Plan line in the Investment Plan Summary also included the figure of £365,000 (committed contribution to Pinch Point from ITA levy reduction). This formed part of the local contribution for a specific project (Four Lane Ends - A188 corridor) funded through the Department for Transport's Local Pinch Point Fund.

The report explained that the Authority was able if it wished to move funding between Integrated Transport and Highway Maintenance blocks. The report listed the proposed distribution of the capital programme by theme, under the general headings including Highway Maintenance and Integrated Transport.

Individual scheme identification would be in accordance with Council Plan priorities and would take into account the Authority's Highway Asset Management Plan and other critical technical data; requests for service received, e.g. from Members on behalf of residents and at relevant events and forums attended by officers; and the Authority's regeneration priorities. The programme required approval from the Cabinet Member for Economic Development and the Cabinet Member for Housing and the Environment, as appropriate, prior to implementation. The programme may be reviewed, in consultation with the relevant Cabinet Member(s), to reflect public engagement and any value for money issues.

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) an increase of £300,000 in the 2014/15 figure in the Local Transport Plan line of the 2014-18 Investment Plan to reflect the level of Local Transport Plan funding available to North Tyneside, be approved; and (2) the Head of Environment and Leisure be authorised to:

- i. progress the implementation of the Local Transport Plan programme covering the financial year 2014/15 in accordance with the existing joint arrangements with all appropriate partners; and
- ii. in consultation with the Cabinet Member for Economic Development and Cabinet Member for Housing and the Environment, review the programme to reflect supporting overall strategic direction, public engagement and any value for money issues.

(Reason for decision – the Local Transport Plan implementation programme has been developed to secure compliance with Department for Transport guidance on the preparation of Local Transport Plans and therefore to secure maximum capital investment for transport in North Tyneside.

The LTP programme is developed with regard to locally agreed priorities for transport, which include maintaining the asset as well as supporting economic development, carbon reduction and safer and sustainable communities.)

### **CAB202/03/14 Delivering Affordable Homes Update (All Wards)**

Cabinet considered a report which provided an update on the progress made during 2013/14 on delivering more affordable homes within North Tyneside and requested approval for the next steps required to progress the Affordable Homes Programme.

The Mayor and Cabinet had clearly stated their policy intention in the Our North Tyneside Plan that the Authority would deliver “more quality affordable homes.”

On 14 October 2013, Cabinet had agreed an ambitious target to increase the pace and scale of the affordable homes programme within North Tyneside (Minute CAB110/10/13 refers). Over the last 10 years the Authority had delivered 789 new affordable homes and now planned to deliver 3,000 over the next 10 years.

This would include new Council housing as well as delivery through the Authority’s strategic and enabling role, working with the Homes and Communities Agency, Registered Providers (RPs) and developers to meet a range of housing needs including the needs of vulnerable groups. The Authority would also seek to bring empty properties back into use as affordable housing, where appropriate using its statutory powers.

There were currently three phases to the Delivery Programme:

- Phase 1 – New build Council housing funded primarily via the Housing Revenue Account (HRA) Business Plan;
- Phase 2 – Conversion of HRA assets funded via the HRA Business Plan;
- Phase 3 – Medium and long term new build / conversion / bringing empty property back into use, which would be a mixture of a range of tenures and ownership, funded by a range of appropriate mechanisms.

A draft Local Plan had been developed which set out the Authority’s approach to delivering sufficient additional homes within North Tyneside to meet the anticipated needs arising from demographic changes including a projected increase in the Borough’s population by 2030.

The Local Plan set out to make provision for between 10,500 to 12,000 additional homes in the period between 2015 and 2030. The first round of consultation had recently been completed and the results were being collated.

It was anticipated that the Local Plan with agreed changes would be adopted in 2015. The draft Strategic Housing Market Assessment 2013 had recently been completed, providing a clear evidence base on the level of housing need within the Borough and had identified an annual shortfall of 495 affordable homes.

The Joint Strategic Needs Assessment (JSNA) as well as further detailed work with Children Young People and Learning and Adult Social Care would ensure the long term housing needs of vulnerable groups were captured and catered for.

An Affordable Housing Needs Assessment tool had been developed which utilised the intelligence to establish the type and size of affordable housing needed on individual sites.

The report detailed the progress on affordable housing delivery in 2013/14, providing information on new affordable homes, land availability assessment, designing new affordable homes for North Tyneside and Section 106 Agreements.

It also provided details of the next steps in the development of Phase 3 of the Affordable Homes Programme. These were bringing back empty properties into use as affordable housing, developments in Wallsend Town Centre, working with registered providers (RPs) to identify opportunities and funding to creatively meet housing need in the Borough, particularly in relation to the Homes and Communities Agency Affordable Homes Programme 2015-2018 and a Gentoo proposal regarding Avon Avenue, North Shields and Local Growth Fund Bids.

In accordance with the report considered by Cabinet in October 2014 further work was being undertaken by officers and Cabinet would receive further reports relating to Housing Revenue Account (HRA) assets which were not currently being used as housing i.e. community lets and recreation rooms and the appraisal of the range of delivery models available to deliver Phase 3.

The Cabinet Member for Housing and Environment referred to the requirement to seek full Council's authorisation to approve the acceptance of financial support offered by the Local Growth Fund, specifically in relation the approval of any match funding if required as currently there was no earmarked budget provision for this.

In relation to paragraph 1.5.2(b)(iv) regarding Section 106 Agreements, the Cabinet Member informed Cabinet that the proposals to change such agreements to an affordable rent model rather than on first let was a matter for the Planning Committee to undertake on behalf of full Council. He also pointed out in relation to paragraph 2.2 of the report current conversion works did fall within the scope of works Kier North Tyneside carried out under the terms of the Joint Venture Agreement.

Cabinet considered the following decision options:

Option 1 – note the report and approve the recommendations detailed in section 1.2 of the report;

Option 2 – note the report, but reject the recommendations detailed in section 1.2 of the report;

Option 3 – note the report and request further work is undertaken and a further report submitted to Cabinet before any decisions are made.

**Resolved** that (1) the following be noted:

- (i) the progress made in delivering more affordable homes during 2013/14;
- (ii) the development of the Affordable Housing Needs Assessment Tool outlined at section 1.5.2 (b)ii and Appendix 4 of the report; and
- (iii) the application of the Design Standard principles outlined at section 1.5.2 (b)iii and Appendix 5 of the report;

(2) the Client Manager (Property), in consultation with the Head of Housing, the Elected Mayor, Cabinet Member for Housing and Environment, the Head of Finance and Commercial Services and the Head of Law and Governance, be authorised to agree terms and enter into the leases or other legal arrangements to enable the empty properties, as detailed in the report, to be bought back into use.

(3) the Client Manager (Property), in consultation with the Head of Housing, the Elected Mayor, the Cabinet Member for Housing and Environment, the Head of Finance and Commercial Services and the Head of Law and Governance, be authorised to:

- (i) declare sites, deemed surplus to the Authority's requirements and deemed suitable for development by a registered provider available for sale by private treaty to the agreed Registered Providers;
- (ii) agree the final terms of disposal of sites declared surplus by private treaty to secure best consideration;

- (iii) complete negotiations for the sale of surplus sites to agreed Registered Providers in accordance with all relevant legal requirements, the Authority's Constitution and Financial Regulations;
- (iv) deal with all ancillary matters arising that are consistent with the preceding resolutions;
- (v) agree to support bids by Registered Providers to the Homes and Community Agency for Affordable Housing Grant in line with the approach set out in the report;
- (5) the Client Manager (Property), in consultation with the Head of Housing, the Elected Mayor, the Cabinet Member for Housing and Environment, the Head of Finance and Commercial Services and the Head of Law and Governance, be authorised to include additional sites into the programme to deliver new affordable housing.
- (6) the Authority enters into a leasing arrangement for 31 Avon Avenue, and an option to purchase in respect of 33 and 35 Avon Avenue in accordance with the principles set out at paragraph 1.5.3 c(ii) of the report, and:
  - (i) the Client Manager (Property) in consultation with the Head of Housing, the Elected Mayor, the Cabinet Member for Housing and Environment, the Head of Finance and Commercial Services and the Head of Law and Governance, be authorised to agree final terms of the leasing arrangement and option to purchase and complete matters in accordance with all relevant legal requirements, the Authority's Constitution and Financial Regulations; and
  - (ii) to deal with all ancillary matters arising that are consistent with the preceding resolution;
- (7) authorisation be sought from full Council to approve the acceptance of financial support offered by the Local Growth Fund, should the bid be successful along with details of any match funding required by the Authority; and
- (8) further reports be submitted to Cabinet as necessary in relation to the Affordable Homes Project.

(Reason for decision – it will support progress on delivering the Elected Mayor and Cabinet's commitment to deliver more quality affordable homes.

### **CAB203/03/14 Apprenticeships (All Wards)**

Cabinet considered a report which requested approval for the Authority to create opportunities for 50 apprentices by the Spring of 2015.

An Apprenticeship Framework had been developed in September 2013 by Strategic Human Resources and approved by the Senior Leadership Team on 1 October 2013 which set out the Authority's commitment and approach towards apprenticeship opportunities within the Authority.

The framework proposed that training was the primary purpose of apprenticeship opportunities and proposed the duration of apprenticeships be eighteen months, in line with best practice. Apprentices would be on equitable terms and conditions to those of the Authority's employees and that pay would be in line with the National Apprenticeship Wage.

Since its approval by the Senior Leadership Team, further work had been undertaken on the Framework to consider how the Authority could provide more opportunities for apprenticeships going forward, creating varied opportunities for people to work for the Authority.

It was proposed that the Authority would have a target of creating fifty apprenticeship opportunities by Spring 2015 and going forward the consideration of opportunities for apprenticeships linked to workforce planning was to be a key feature each financial year.

In the lead up to National Apprenticeship Week in March of each year, in line with the Authority's financial and strategic planning process, consideration would be given to the various opportunities for apprentices for the coming year by Heads of Service. Job roles would be developed in order that the opportunities that were identified could be made available during the month of March for expressions of interest from prospective candidates.

Careful consideration would be given as to the most appropriate route for apprenticeship opportunities and the linkage with any possible employment opportunities going forward. The apprentices would be fully supported with appropriate induction, training, mentoring and support in order that they were work ready at the end of the apprenticeship. The Authority would also work with partners and local businesses to consolidate and publicise the North Tyneside Apprenticeship Offer.

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 officers to look at other proposals in relation to apprenticeships within the Authority.

**Resolved** that the proposal to create apprenticeship opportunities and the suggested longer term approach to apprenticeships as outlined in the report, be approved.

(Reason for decision – this will enable the Authority to provide varied apprenticeship opportunities for people, enabling them to gain the necessary skills and qualifications required for work in the future.)

### **CAB204/03/14 Combined Authority Appointment of Members and Secondment of Officer (All Wards)**

The Elected Mayor had agreed to an urgent report on the appointment of Members and the secondment of an officer to the Combined Authority. In addition, in accordance with the Urgency Provisions contained in the Constitution, the Chair of the Overview and Scrutiny Committee had agreed to the report being considered at less than five clear days notice and the Chair of Council had agreed to the decisions not being subject to Call-In.

The reason for urgency was as follows:

The Combined Authority was expected to come into being on or around 1 April 2014 or very shortly after that date. It was required to have its members in place in readiness for when it was created so that immediately on its inception there were members who could make decisions on behalf of the Combined Authority. On the first day of its creation, the members of the Combined Authority would need to formally appoint its Chair and Deputy-Chair, adopt its Constitution and appoint its Statutory Officers, including the appointment of its Monitoring Officer. This meant that the Combined Authority would be fully operational immediately upon its establishment.

As there was a need to have Statutory Officers in place on the Combined Authority's establishment, the delegation to authorise and agree the secondment proposed in the report needed to be in place to allow the Combined Authority to designate its Monitoring Officer immediately on its establishment.'

The report requested approval of the appointment of the Elected Mayor as the North Tyneside Council representative on the Durham, Gateshead, Newcastle Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority (the Combined Authority) and the appointment of a Member from the Cabinet to act as a substitute Member in the absence of the Elected Mayor.



The report also requested authority to second an employee of the Authority on a part-time basis to the proposed Combined Authority.

Work was progressing to undertake all the necessary steps in relation to the establishment of the Combined Authority on the basis that the Combined Authority would come into existence on 1 April 2014.

The Order that created the Combined Authority specified what must be contained in the Combined Authority's Constitution including membership of the Combined Authority. The Order stated that each Constituent Authority (the LA7 Authorities) should appoint one of its elected members to be a member of the Combined Authority and to appoint another member to act as a member of the Combined Authority in the absence of the first appointed member. The second appointed member was referred to as a 'substitute member' in the Order. The Leadership Board had determined that the members, and substitute members, from the Constituent Authorities were to be Executive members from each Constituent Authority and that the first appointed member of each Constituent Authority should be the Leader or Elected Mayor.

It was anticipated that the Order would be laid before Parliament imminently, meaning that the Secretary of State, having regard to the consultation responses was satisfied that, subject to what each House of Parliament had to say, he was likely to make and sign the Order establishing the Combined Authority.

The Combined Authority was for many aspects of local government legislation classed as a local authority and therefore had to have, in accordance with the relevant statutory requirements, Officers designated into the statutory roles of Head of Paid Service, Chief Finance Officer and Monitoring Officer.

It had been proposed that these statutory roles would, in the first instance in relation to the Combined Authority, be filled by Officers seconded from one or more of the Constituent Authorities.

The secondments needed to be in place immediately before the Combined Authority came into being so that the Combined Authority could make the necessary designations to comply with statutory provisions.

It was proposed that the Head of Law and Governance who was also the Authority's Monitoring Officer be seconded by the Authority to the Combined Authority for up to 2 days per week to undertake the role of Monitoring Officer of the Combined Authority. It was also proposed that this secondment be initially until the end of March 2015, subject to a review during the financial year.

The Combined Authority would, through an appropriate agreement, reimburse the Authority for the time spent by the Head of Law and Governance in this new role.

The Head of Law and Governance had played a key role in the development of the proposals for the Combined Authority and her designation as the Monitoring Officer was appropriate to provide continuity through the transition process of the Combined Authority coming into existence.

It was currently envisaged that the secondment could be accommodated within available resources although this would be kept under review.

The Head of Law and Governance had been consulted with respect to this secondment proposal and had indicated her willingness to undertake the role.

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 officers to look at alternative solutions.

**Resolved** that (1) the Elected Mayor be appointed as a member of the Combined Authority and Councillor CB Pickard, Deputy Mayor be appointed to act as a substitute member of the Combined Authority in the absence of the Elected Mayor; and (2) the secondment of the Head of Law and Governance to the Combined Authority, when it is established, for up to 2 days per week, be approved and authority be delegated to the Chief Executive, in consultation with the Elected Mayor and the Strategic Manager – Human Resources to complete all formal arrangements including entering into a secondment agreement on behalf of the Authority.

(Reason for decision – this will allow for the Combined Authority to operate with properly appointed members from the Authority’s Executive and to enable the Combined Authority to designate a suitably qualified officer as its Monitoring Officer.)

### **CAB205/03/14 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 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.

### **CAB206/03/14 Whitley Bay Seafront (All Wards)**

Cabinet considered a report which provided an update on matters relating to the regeneration of Spanish City Island and requested consideration of the making of a compulsory purchase order (“CPO”) to acquire interests within the Spanish City Dome as shown by the red outline on the plans displayed at the meeting (the “Order Land”).

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 instruct officers to continue to negotiate the acquisition with the current owner.

**Resolved** that (1) the making of a Compulsory Purchase Order under section 226 (1) (a) of the Town and Country Planning Act 1990 for the acquisition of all interests in the Order Land not within the ownership of the Authority (and under S13 Local Government (Miscellaneous Provisions) Act 1976 for the creation of new rights) within the area described in the report and edged red on the plans displayed at the meeting to facilitate the development and improvement of the Order Land, more specifically the renovation and re-use of the Dome, and thereby to achieve the promotion and/or improvement of the economic, social and environmental well-being of the Borough, be approved; (2) the draft Statement of Reasons attached as Appendix 2, setting out the justification for making the Compulsory Purchase Order, be approved; (3) the CPO be named the Council of the Borough of North Tyneside (The Dome, Spanish City, Whitley Bay) Compulsory Purchase Order 2014;

(4) the Client Manager – (Property), in consultation with the Elected Mayor, the Head of Business and Economic Development, the Head of Finance and Commercial Services and the Head of Law and Governance, be authorised to:-

- a. take all necessary steps, whether expressly required by statute or otherwise, to secure the making, confirmation and implementation of the Compulsory Purchase Order, including the publication and service of all necessary notices consequent on the making of the CPO, submission of the CPO to the Secretary of State for Communities and Local Government and conduct of a Public Inquiry if necessary to obtain confirmation of the Order by the Secretary of State;
- b. in the event that the Council is authorised to act as confirming authority, to confirm the CPO ;
- c. acquire all necessary interests in the properties within the land shown by red outline on the plans displayed at the meeting, and detailed within the Statement of Reasons whether by agreement or compulsorily and, if such interests are to be acquired compulsorily, to acquire interests in and/or possession of the Order Land (or any part thereof) whether by means of General Vesting Declaration or Notices to Treat and/or Notices of Entry;
- d. complete agreements with landowners having an interest in the Order Land;
- e. to pay such compensation and statutory interest entitlement to which property owners may be entitled ;
- f. instigate and defend any Upper Tribunal (Lands Chamber) proceedings (as appropriate) which may be necessary as a consequence of the Authority's exercise of its Compulsory Purchase Order powers,

(5) the Head of Law and Governance, in consultation with the Elected Mayor, the Head of Business and Economic Development, the Head of Finance and Commercial Services and the Client Manager – Property be authorised to instigate and/or defend any legal proceedings which may be necessary as a consequence of the Authority's exercise of its Compulsory Purchase Order powers;

(6) the Client Manager (Property), in consultation with the Head of Business and Economic Development and the Head of Law and Governance, be authorised to make any necessary amendments, modifications or deletions to the Statement of Reasons at Appendix 2 consistent with achieving the purposes of the CPO and to finalise and make the CPO including preparation and completion of the Order Map;

(7) 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 external consultants as necessary to progress the stage 2 Heritage Lottery Fund bid;

(8) the Head of Finance and Commercial Services, in consultation with the Head of Law and Governance, be authorised to accept the offer of development funding grant from the Heritage Lottery Fund of £0.183m in order to develop the stage 2 proposal;

(9) the Head of Finance and Commercial Services, in consultation with the Head of Law and Governance, be authorised to accept the offer of grant from the Coastal Communities Fund, providing there are no adverse financial implications that cannot be met within existing budgets and no onerous terms and conditions attached to the grant funding;

(10) it be noted that a further report will be brought to Cabinet and/or Council, as appropriate, ahead of submission of the stage 2 bid to the Heritage Lottery Fund which will set out the full financial implications for the Authority if the bid is successful;

(11) pursuant to s122 of the Local Government Act 1972, the appropriation of all land required for the renovation and re-use of the Dome that is currently held by the Authority for non-planning purposes to be held for planning purposes under Part IX of the Town and Country Planning Act 1990; and

(12) it be noted that a bid has been submitted to the Single Local Growth Fund for 2015/16, for funding to match the Heritage Lottery Fund award.

(Reason for decision – this will demonstrate the Authority’s clear commitment to delivering the renovation and re-use of the Dome and thereafter the Spanish City Island Regeneration scheme and will contribute to an improved quality of life for local residents and improved environment for local businesses. It will help provide certainty that the site assembly required to enable the delivery of the scheme for renovation and re-use of the Dome will occur and thereby ensure, so far as practicable, that the prospects of obtaining Heritage Lottery Fund grant are not put at risk.)

**CAB207/03/14 Date and Time of Next Meetings**

6.00pm on Monday 7 April 2014 (Ordinary Meeting)

**Minutes published on Thursday 13 March 2014.**

**With the exception of the decisions set out in Minutes CAB198/03/14 and CAB204/03/14, 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; i.e. 5.00pm on 20 March 2014.**

**The decisions contained in Minutes CAB198/03/14 and CAB204/03/14 are not subject to call-in and may be implemented immediately.**