

## **Cabinet**

**7 April 2014**

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

**In Attendance:** M Cushlow (North Tyneside Clinical Commissioning Group)  
C Botten (North Tyneside VODA)  
A Oghene (Young Mayor)  
D Hodgson (Business Representative)  
M Almond (Voluntary and Community Sector)

Councillor B Burdis

### **CAB212/04/14 Apologies**

Apologies were received from Councillor I Grayson, A Caldwell (Age UK North Tyneside), R Layton (JTUC) and Steve Neill (Northumbria Police).

### **CAB213/04/14 Declarations of Interest**

There were no declarations of interest or dispensations reported.

### **CAB214/04/14 Minutes**

**Resolved** that the Minutes of the Ordinary meeting held on 10 March 2014 and the Extraordinary Meeting held on 24 March 2014 be confirmed and signed by the Chair.

### **CAB215/04/14 Report of the Young Mayor**

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

- Longbenton Students Conference
- attendance at the March meeting of North Tyneside Council
- the Recycled Teenager project poster campaign, which had now concluded
- recording of voices for the talking recycling bins which were expected to be in prominent positions around the Borough soon
- meeting with North Tyneside Council's Chief Executive
- the spring issues of Tag Mag, Mag 4 U and TEENZ had been completed
- UK Member of Youth Parliament elections had taken place. There had been a good turnout, with Rebecca Moore being elected to the North Tyneside seat
- auditions for The Event had started. The best 12 acts, chosen by a panel of Youth Councillors would perform on 5 July 2014
- live recording of the BBC's Football Focus at Wallsend Memorial Hall
- official opening of Wallsend Parks following the completion of restoration and improvement works
- official opening of the new Wallsend Customer First Centre

The Young Mayor was thanked for his report. The Elected Mayor also asked the Young Mayor to pass on her congratulations to Rebecca Moore on her election as the North Tyneside Member of the UK Youth Parliament.

**CAB216/04/14 Street Lighting Review – Part Night Switch Off – Report of the Overview and Scrutiny Committee (Previous Minute CAB165/01/14/) (All Wards)**

Cabinet received a report from the Overview and Scrutiny Committee in relation to the review undertaken by the Environment and Culture Sub-Committee on street lighting and a possible part night switch off. Councillor B Burdis, Chair of the Sub-Committee, was in attendance to present the report.

A Sub-Group of the Environment and Culture Sub-Committee had been established in June 2013 to explore the different options for street lighting with a view of reducing energy consumption and to achieve efficiency savings. Cabinet had considered the report and had accepted all four recommendations. The recommendations and associated actions were detailed in Appendix A of the main report.

Given the tight timescale for the initial review, the Sub-Group had not had time to investigate in detail whether part night switch off was a viable option for selected non-residential areas of the Borough, but had agreed and recommended to Cabinet that this was something that should be considered as a longer term option. In response, Cabinet requested the Sub-Group to reconvene and work with officers to investigate the options available for part night switch off and then report back to Cabinet with their findings and recommendations.

The Sub-Group had met with officers on two occasions and had gathered evidence and discussed the options for part night switch off in order to help them formulate recommendations. The following two recommendations in support of trialling part night switch off had been identified for consideration by Cabinet:

(1) implementing a trial of part night switch off between midnight and 5.30am in the non-residential areas listed in the revised scheme attached at Appendix B of the report and that this is facilitated through extending the Mayflower Central Management System to these areas.

(2) the Senior Manager of Commercial Partnerships seeks feedback from residents and local businesses once the part night switch off trial has been in operation for three months.

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

In response to a query raised by the Business Representative, Councillor Burdis indicated that street lighting would not be switched in any residential or business areas.

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 June 2014.

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

**CAB217/04/14 Traffic Regulation Order – Whitley Road, Whitley Bay (Whitley Bay Ward)**

Cabinet considered a report detailing three objections received to the proposal to introduce a daytime loading restriction, operational from Monday to Saturday between 8am and 6pm, on the north side of Whitley Road between its junctions with Victoria Terrace and Station Road and on the south side of Whitley Road to the east of the pedestrian crossing at Victoria Terrace, Whitley Bay.

Proposals to prevent vehicles from parking on both sides of Whitley Road during core daytime hours had been developed following representation from the bus operator Go North East. The restrictions currently in operation on this section of Whitley Road comprised free, 1 hour maximum stay parking with exemption for permit holders on the south side of the road and a no waiting (single yellow line) restriction on the north side. Both restrictions applied between 8am and 6pm, Monday to Saturday.

The no waiting restriction on the north side of the road allowed blue badge holders to park for up to 3 hours and also permitted loading and unloading. This arrangement resulted in a situation where vehicles were often parked on both sides of the road, which, owing to the limited width of the carriageway, could result in access, particularly for large vehicles, being compromised.

In order to address the situation two alternative schemes had been developed (detailed in the report) and presented to local Members, bus operators, the Town Centres Manager and Whitley Bay Chamber of Trade for consideration. As a result of feedback received during this consultation process principally from Whitley Bay Chamber of Trade, a third proposal had been developed (detailed in the report).

Three objections had been received in response to the statutory Notice of Intention. The full text of the objections and officer responses 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 objections be set aside in the interests of improving access along Whitley Road, Whitley Bay, particularly for buses; and (2) the Traffic Regulation Order – North Tyneside (Prohibition and Restriction of Waiting and Loading)(Consolidation) Order 2012 Variation Order 2014 – Whitley Road, Whitley Bay, as set out in Appendix 2 of the report, be approved.

(Reason for decision – it will help to discourage parking on both sides of this section of Whitley Road between 8am and 6pm, Monday to Saturday, thereby improving access particularly for buses along this section of Whitley Road during the day.)

**CAB218/04/14 Traffic Regulation Order – Back Marine Avenue, Whitley Bay (Whitley Bay Ward)**

Cabinet considered a report detailing one objection received to the proposal to amend the parking restrictions in the lane to the rear of Marine Avenue between Ilfracombe Gardens and Bideford Gardens in Whitley Bay.

The initial proposal, together with an amended proposal drawn up following a representation from a resident of Marine Avenue, was detailed in the report.

One objection had been received in response to the statutory Notice of Intention. A summary of the objection and the officer response were detailed in 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 maintaining the right of access for residents of Marine Avenue to their private parking area thereby freeing up on-street parking spaces at this location; and  
(2) the Traffic Regulation Orders – North Tyneside (Prohibition and Restriction of Waiting and Loading)(Consolidation) Order 2012 Variations Order 2014 – Various Roads and North Tyneside (On Street Parking Places)(Consolidation) Order 2011 variation – Un-named Road at the rear of Marine Avenue, Whitley Bay, set out in Appendix 2 to the report, be approved.

(Reason for decision – it will help to preserve the right of access to properties 50-52 Marine Avenue and by facilitating access to a private parking area, will reduce the pressure on the existing on-street parking places at this location.)

### **CAB219/04/14 Traffic Regulation Order – Southfields, Dudley (Weetslade Ward)**

Cabinet considered a report detailing one objection received to the proposal to extend the existing waiting restriction on both sides of Southfields at its junction with Weetslade Road, Dudley.

Details of and reasons for the proposals were given in the report.

One objection had been received in response to the statutory Notice of Intention. The full text of the objection and the officer response were detailed in 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 objections be set aside in the interests of discouraging inconsiderate and unsafe parking at the junction thereby improving vehicular access and road safety; and  
(2) the Traffic Regulation Order – North Tyneside (Prohibition and Restriction of Waiting and Loading)(Consolidation) Order 2012 Variation Order No. 9 2013 – Southfields Dudley, set out in Appendix 2 of the report, be approved.

(Reason for decision – it will help to discourage inconsiderate and obstructive parking at the junction of Southfields and Weetslade Road thereby improving vehicular access, visibility and road safety.)

### **CAB220/04/14 Adult Social Care Strategic Plan – A New Direction (All Wards)**

Cabinet considered a report which outlined the content of the Adult Social Care Strategic Plan, “Adult Social Care - A New Direction”, for adult social care services in North Tyneside. The Plan had been driven by a range of national and local priorities and had been influenced by a two month period of customer, partner and wider stakeholder engagement.

From December 2013 the Adult Social Care service had carried out a significant programme of consultation with its customers, provider market, staff teams and other key partners, such as the NHS. This programme was called Partners in Care and was designed to engage with all partners about the future of adult social care services in North Tyneside.

Partners in Care had suggested eight key principles for how all future commissioning decisions and service delivery should be based. There was broad agreement for these principles but many people wanted to see the specific detail or actions behind these. These actions or key deliverables were detailed in the Strategic Plan as commissioning intentions and would be published as part of the annual Service Plan for Adult Social Care.

As a result of feedback from engagement, an additional principle had been included which stated a commitment to ongoing, open and honest engagement about service design and delivery, as well as greater face to face contact when needed. This was by far the main issue raised by customers and residents who wanted to see clear and greater transparency in decision making and how their views had directly impacted commissioning decisions. Further work was required to make clear what people could expect from the time they gave in engagement and involvement activities and what opportunities there were for the co production of service design and delivery. The eight key principles were detailed in the report.

The Strategic Plan aimed to promote and protect the independence and well-being of adults living in North Tyneside. The ambition was for as many people as possible to stay healthy and actively involved in their communities and delay or avoid the need for more specialist services. The Elected Mayor congratulated staff in their efforts to date in this regards. However, those who did need such help, including many people at the end of life, should have maximum control over this, with the information, means (financial and practical) and confidence to make it a reality. Maximising safety, choice and independence would drive everything the Authority did.

The adult social care workforce would continue to be largely made up of employees of the private, voluntary and independent sector, a growing number of personal assistants, and the essential role of volunteers and informal carers also needed to be considered. The specialist skills of Social Workers would be harnessed to support those with the greatest level of need or complexity and would be better integrated with NHS staff.

The success of the Plan would depend on the strength of partnership, working across health, social care, housing and other partners, to come together to address the needs and aspirations of people living in North Tyneside to live healthy lives for longer.

Like every Council in the country, the Authority had significantly less money to spend. As a result of reduced government funding and inflationary pressures the Authority had to find £62 million of savings over the next four years, with £20 million of these having to be achieved in the next 12 months.

Any changes to services needed to take into account the need to cope with different demands resulting from a growing and increasingly ageing population, with greater demand for specialist services.

As well as the well known issues of financial pressure, an ageing population and greater demand for social care support, the Authority also faced a range of other challenges and opportunities from the local and national health and social care landscape. These challenges were detailed in the report.

Collectively these key drivers meant that there would be a significant amount of change to be managed and new ways of delivering support to be developed. The Adult Social Care Strategic Plan aimed to do this. The vision for the Strategic Plan for adult social care services in North Tyneside was driven from the 'People' theme of the Our North Tyneside Plan.

The report explained that the Authority's Change Programme had four key design principles which would drive the commissioning intentions set out in the Strategic

Plan. These were Demand Management; Tiered Approach with Gateways; Optimum Customer Access; Commissioning and Commercial Overlay. The report provided information on each of the key design principles.

The report also provided details of commissioning intentions in relation to the following:

- Housing related support - to ensure that future services were flexible and responsive to individual need and were targeted to those most in need.
- Living well at home - to review a range of services which helped people to live independently and empowered to take control of their own care and support needs.
- Assessment and support planning - finding more efficient and effective assessment and support planning solutions.
- Commissioning and planning – to enable the Authority to generate positive outcomes for local people, and to drive business improvement and value for money.
- Protection and safety – supporting vulnerable people and making sure no one slipped through the net.

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 request that further work to develop the new delivery model and commissioning intentions for Adult Social Care.

**Resolved** that (1) the arrangements and progress made to date in terms of developing the Strategic Plan for Adult Social Care – A New Direction, be noted; and (2) the Head of Adult Social Care, in consultation with the Cabinet Member for Adult Social Care, be authorised to implement the new delivery model and commissioning intentions set out in section 1.5 of the report.

(Reason for decision – The national and local drivers set out in section 1.5.1 of the report make clear the forthcoming reforms from the Care Bill and reduced government funding facing the Authority.)

As well as the well known issues of financial pressure, an ageing population and greater demand for social care support, the Authority also faces a range of other challenges and opportunities from the local and national health and social care landscape requiring the current model of adult social care delivery to be changed.)

### **CAB221/04/14 Youth Employment Initiative (All Wards)**

Cabinet considered a report which sought approval to accept funding from the Cabinet Office to support businesses to create opportunities; jobs and work experience for unemployed young people aged 18-25.

In the summer of 2013 the Cabinet office had invited City Deals across England to bid for funding available to support unemployed young people. Newcastle City Council, as recipients of City Deal funding, had been invited to bid for a share of Government's £50m national Youth Contract under spend, competing against the other seven core cities and 20 Wave Two City Deal areas. Newcastle City Council therefore led on the application and submitted it on behalf of the five local authorities of Northumberland, North Tyneside, Gateshead, Newcastle, Durham and the North East Local Enterprise Partnership NELEP.

The value of the funding offered via Newcastle's City Deal was £4.5m for a period of three years beginning 1 April 2014. Sunderland and South Tyneside were pursuing a separate City Deal.

The project would provide intensive help for up to 11,500 young people, and create 6,000 job opportunities across the five local authority areas.

This funding was made available by the Cabinet Office as a direct result of under spend from DWP of wage incentives for the unemployed. The applications for funding had been invited to support this national programme of wage incentives to create more opportunities. Applications had been requested to consider more flexible methods of supporting businesses to create and therefore access these wage incentives.

This application centred on upfront payment of the wage incentive and providing direct support to businesses to create the opportunities. These two elements were not currently available via the national programme.

This application had been successful and would provide a share of the £4.5m of funding offered to North Tyneside. Allocations would be in relation to demand from businesses and young people. Any expectation of direct local authority delivery would be on a full cost recovery basis. A project steering group had been set up and included the relevant local authorities, the NELEP, the Skills Funding Agency and Jobcentre Plus.

Initially to support a quick start to the project the project steering group had agreed to allocate funding to local authorities for the business and employment advisors. Each local authority would receive the full cost of employing these officers and they would be located in their respective Business and Employment teams. Once these new posts were created the posts would be made available for officers in the redeployment process. The posts would provide additional resource to the respective host teams. It was a condition of the funding that the officers demonstrated the time spent on the project as a full time equivalent post, therefore it would not be possible to add this task onto existing officers workloads. The initial funding would also include the full cost of any wage incentives offered to businesses.

Additional elements of the project would be a marketing campaign to businesses to raise awareness of the breadth of support available to them to create opportunities for young people and how to easily access the support. This would be launched in the autumn of 2014.

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 instruct Officers to look at other options.

**Resolved** that (1) the offer of the funding, be approved; 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 access increased resources to support businesses and young unemployed people to both create new opportunities and enable greater access to those created.)

The lack of available opportunities for young people is considered a barrier to raising employment levels at the present time. This project will help identify more opportunities specifically for young people.

The programme will simplify the process for both businesses and young people to enable increased access to a range of support.

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

## **CAB222/04/14 Relocation and Expansion of Backworth Park Primary School (Valley and Killingworth Wards)**

Cabinet considered a report which detailed the outcomes of the pre-publication stage of the agreed consultation and outlined the next steps of the consultation process in relation to the proposed relocation and expansion of Backworth Park Primary School. (Minute CAB124/11/13 refers).

Following Cabinet's approval at its meeting on 11 November 2013 to proceed to pre-publication consultation stage. (Minute CAB124/11/13 refers), the Authority had entered a period of consultation with the following:

- Ward Councillors of Both Valley and Killingworth Wards;
- Governing Body, Staff and Parents of Backworth Park Primary School;
- Governing Body of Holystone Primary School and Shiremoor Primary School, being the immediate neighbours of Backworth Park Primary School;
- Primary schools within two miles of Backworth Park Primary School, including those within the County of Northumberland; (Shown at Annexe A) and
- Valley Ward Community Conversation.

A summary of the responses was attached at Annexe B of the report.

Many of the events had been well attended and the proposals well received. There had been no formal objections, however some concern had been expressed by the Governing Bodies and Head Teachers of Holystone Primary School and Shiremoor Primary School. These concerns were detailed in the report, together with the Authority's response to them.

A statutory proposal of this nature required being posted for a period of 6 weeks and publicly available for comment. The period should avoid, as far as is possible, school holiday periods. It was anticipated therefore that should Cabinet approve the recommendations a formal public notice would be posted during week commencing Tuesday 22 April 2014 and sit for a period of 6 weeks, ending Tuesday 3 June 2014 (27 – 30 May 2014 being half term holiday week).

The statutory notice was required to consult upon the significant enlargement of Backworth Park Primary school from 1 form entry with up to 210 pupils to 1.5 form entry with up to 315 pupils. The notice would also make reference to the relocation of the school; however, given that the proposed site was within 2 miles of the existing school site, and that site was incapable of supporting the significant enlargement, there was no obligation to formally consult upon this element of the proposals.

Following the formal statutory consultation period, a further report would be submitted to Cabinet in July 2014 detailing the outcomes of the exercise.

In addition, given the agreed Section 106 planning obligation contributions for the development of the Scaffold Hill and West Shiremoor (now known as Backworth Park), it was now anticipated that the development of the new school building would be timely to an occupation commencing September 2017.

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 (1) the outcome of the pre-publication consultation exercise undertaken with interested parties in the locality of Backworth Park Primary School, be noted; and (2) the proposal to enter a period of formal statutory consultation, as described within Schedule 2 of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, be approved.



(Reason for decision – it allows the Authority to plan to address the likely capacity issues within the vicinity of Backworth Park Primary School as a consequence of the establishment of new housing developments.)

### **CAB223/04/14 Collective Energy Switching (All Wards)**

Cabinet considered a report which requested approval to register the Authority as a participant in the Local Government Association (LGA) procured Collective Energy Switching Scheme (the Scheme) and to promote the Scheme to households in the Borough.

The Framework for Collective Energy Switching Schemes had been issued by the North East Procurement Organisation (NEPO), acting on behalf of the LGA. NEPO had established the framework with iChoosr to provide collective energy switching schemes for public sector organisations on behalf of their residents. An open tender process had been conducted and the framework commenced on 16 December 2013 for a period of two years, with an option for a two year extension.

The contractor, iChoosr, had already helped 450,000 households to switch energy suppliers in three different countries. The aim of the scheme was to “sign up” households within Local Authority areas in order to present a large number of potential customers to energy suppliers. The principle was that through presenting a large customer base collectively, the suppliers would offer unit rates that were cheaper than those available to households on the open market. The suppliers took part in an auction to determine the best deal available to households who opted in to the scheme.

Average energy price increases of 9% in the Autumn of 2013 had once again highlighted concerns over not only the cost of energy but the competitiveness of the market and in particular the “big six” suppliers.

Government estimates showed that around 10,000 households in North Tyneside suffered fuel poverty. The Excess Winter Death statistics for England and Wales for the winter of 2012-13 had been published in November 2013 and highlighted a 29% increase from the previous year: up from 24,100 to 31,100. The increase had been much more dramatic in the North East, with a 98% increase from 860 in 2011-12 to 1,700 in 2012-13.

The Prime Minister, the Energy Secretary and the Leader of the Opposition had all cited the switching of energy companies as a means for householders to secure better tariffs and ultimately cheaper bills. However, 60% of UK households (57,000 homes if applied to North Tyneside) had never switched supplier (Ofgem Consumer Engagement Survey, Jan 2011) and had potentially missed out on hundreds of pounds of savings as a result.

Although the Government aimed to make it easier for individual households to switch energy suppliers in as little as 24 hours, a recent trend had emerged for collective energy switching, both within and across Local Authority boundaries. The project should be considered as part of a package of measures to help North Tyneside households out of fuel poverty, including the physical installation of energy efficiency measures through the North Tyneside Warm Zone scheme and work being carried out by the Authority to consider the creation of an energy services company.

Previous schemes had produced an average saving per household of £122 a year, although no guarantees were given. There could also be additional health and well being benefits to households that could not currently afford to adequately heat their home.

Details of a switching payment which iChoosr would pay to the Authority were given in the report.

iChoosr stated that on average one third of registered households would actually switch energy supplier. Using a neighbouring authority's switching project as a benchmark, it was expected that 5% of households (nearly 5,000) would register and an estimated 1,600 would eventually switch energy suppliers.

Assuming that each household was on a dual fuel contract, this would bring an income to the Authority of £17,600.

If approved, the Authority would participate in the planned auction in late Autumn (anticipated to be October).

The Authority would be responsible for promoting the scheme to households in the Borough. iChoosr recommended at least 4-6 weeks of marketing and promotion prior to a registration window opening. Details of the communications and marketing plan, based around no cost initiatives, were given in the report.

The only fees to be paid directly to iChoosr for the implementation and running of the scheme would be to cover postage and administration costs when dealing with residents without internet access. This would be deducted from the Switching Contribution income. To support offline residents, local authorities were asked to have a telephone support function in place (EnviroLink) and iChoosr would train staff in answering relevant questions. The one off cost to the Authority for this service request from the Authority's partner Cofely was less than £1,300.

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 (1) approval be given for the Authority to register as a participant in the LGA procured Collective Energy Switching Scheme and the scheme be promoted to households in the Borough to help reduce fuel bills and associated levels of fuel poverty; and

(2) authority be delegated to the Head of Environment and Leisure, in consultation with the Cabinet Member for Housing and Environment and the Cabinet Member for Sustainable Development, to manage the Authority's participation in the Scheme, review the outcomes of the Scheme and agree a frequency of participation in future schemes.

(Reason for decision – the project will support households in reducing their energy bills and has the potential to generate income for the Authority.)

### **CAB224/04/14 Draft Tynemouth Village Conservation Area Management Strategy Supplementary Planning Document (Tynemouth Ward)**

Cabinet considered a report on the production of the Tynemouth Village Conservation Area Management Strategy Supplementary Planning Document (SPD). It explained how the SPD had been produced; set out the details of the associated public consultation exercise, the feedback yielded and how it was proposed to address the comments received within the SPD; gave an overview of the contents of the SPD and where it sat within the planning process; and requested the approval and adoption of the SPD as a material planning consideration.

Local authorities had a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of their conservation areas and from time to time to formulate and publish proposals for the preservation and enhancement of those areas. English Heritage recommended that this could be through the preparation of character appraisals/statements and management strategies. Character Statements and Appraisals generally described the significance of conservation areas and acted as evidence in planning policy and development management decisions.

Management strategies built on the information set out in character appraisals/strategies, and set out how the described significance could be positively managed into the future.

It was standard practice to adopt management strategies as SPDs, as defined in the relevant planning regulations. A SPD was one that provided further detail and guidance on how to apply existing planning policies, specific to a particular topic or geographical area, and had considerable weight in planning processes.

The review and the resulting draft SPD had been initiated by the Elected Mayor in August 2013 following a request from the Tynemouth Village Association to create a community-led Conservation Area Management Strategy.

Tynemouth Village had been designated as a conservation area in 1971, with boundary amendments in 2009. A community-led Character Statement had been adopted in 2003 and a Character Appraisal produced by the Authority had been adopted in 2010. Whilst these documents were descriptive in nature and were used in guiding planning decisions, it was considered that a “stronger” document was required to positively guide the future of Tynemouth Village.

The production of the SPD had been a community-led project. Members of the Tynemouth Village Association had been involved in the early discussions with the Authority. Many other interest groups and individual residents had also been involved in the project. Professional support had been provided from the North of England Civic Trust and Officers from the Authority’s Planning Team, with input from the Community Engagement Team and other Authority service areas.

As an SPD, the document had been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. SPDs provided further detail on existing policy, in this case the Unitary Development Plan (2002), primarily those relating to the management of conservation areas. It also supported emerging policy as set out in the Local Plan: Consultation Draft (November 2013). Given that it had been prepared in accord with these regulations, the SPD would be regarded as a material planning consideration in the determination of relevant planning applications and would be afforded significant weight. However, the SPD could not override or replace the relevant saved policy contained within the adopted UDP. Production of this SPD was in line with national planning policy, contained in the National Planning Policy Framework (2012).

The SPD set out potential projects and objectives for the area that would guide planning, regeneration and other development and management decisions in the conservation area. It would form a basis for applications for funding. A similar SPD for the Fish Quay and New Quay Conservation Areas adopted in 2007 had proved a key document in guiding the continued successful investment and regeneration in that area.

It was important Cabinet note the document was part of the Authority’s Planning Policy. It did not guarantee that the Authority would provide funding for the issues identified. Commitment to specific investment projects would be considered separately by Cabinet and Council as appropriate, alongside all other potential investments.

The Elected Mayor and Cabinet member for Housing And Environment thanked the residents and officers who had worked together to produce the SPD document. The Elected Mayor particularly thanked Mr Graham Sword and congratulated him on his appointment to a new role with Capita.

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 request that Officers consider alternatives.

**Resolved** that the Tynemouth Village Conservation Area Management Strategy Supplementary Planning Document, including the proposed amendments contained in Appendix 1 of the report, be adopted.

(Reason for decision - production of a Management Strategy SPD is in line with the aims of local and national planning policy and guidance, and will assist the Authority in pursuing its statutory duty of preserving and enhancing the character and appearance of the conservation area.

The project represents pro-active community involvement and a positive long-standing partnership between the Authority and the Tynemouth Village community in managing and enhancing the area.

The SPD will guide planning, regeneration and other development and management decisions in the conservation area. It will form a basis for applications for funding to, for example, the Heritage Lottery Fund and Coastal Communities Fund.)

### **CAB225/04/14 Council Properties With Bedrooms Less Than 50 Sq Ft In Size (All Wards)**

A report was considered which requested the re-designation of 55 homes within the housing stock to ensure the Authority was accurately describing the properties within its ownership. The properties had either a bedroom that was less than 50 square feet in size; or adaptations carried out which prevented a bedroom being used for the purpose it was originally intended.

As a result of the removal of the spare room subsidy tenants who were deemed to be under occupying their home were subject to a reduction in housing benefit entitlement. Prior to the removal of the spare room subsidy the designation of the number of bedrooms within an Authority property had no bearing on the housing benefit entitlement of the tenant; and had a minimal impact upon the level of rent charged through the application of the national rent formula.

Given the impact of the removal of the spare room subsidy upon individual tenants who may be in receipt of housing benefit, and may therefore be subject to a reduction in their housing benefit entitlement, it was important that the Authority ensured that its homes were accurately designated.

Officers had identified two situations which could appropriately give rise to the need for re-designation of homes in the Authority's ownership. These were:

- (i) the accuracy of the original designation of the property in relation to the number of bedrooms; and
- (ii) where significant adaptations had been carried out within a property which affected the facilities and bedrooms within it.

Government guidance in Housing Benefit / Council Tax Benefit Circular A4/2012, in relation to the definition of a bedroom, explained "We will not be defining what we mean by a bedroom in legislation and there is no definition of a minimum bedroom size set out in regulations. It will be up to the landlord to accurately describe the property in line with the actual rent charged."

Part X of the Housing Act 1985 set out the statutory overcrowding standard. Within this Part, Section 326 provided that when assessing whether or not a household was statutorily overcrowded, using the space standard provided by the Act, rooms of less than 50 square feet should be disregarded. The space standard was only relevant to the assessment of statutory overcrowding.

The Authority was required under Section 332 of the Housing Act 1985 to provide details of statutory designations relating to overcrowding and the permitted number of persons allowed to live within a dwelling based upon the number of bedrooms within it.

In a recent review of the designations made by the Authority 21 of the Authority's homes had been identified as having a room which had been designated as a bedroom but which was less than 50 sq ft. There were currently only 5 of the properties affected by the removal of the spare room subsidy. The re-designation of these properties, in relation to the number of bedrooms that the properties had to prevent statutory overcrowding, would ensure that those tenants living in these properties who were under-occupying their homes by just one bedroom, would no longer suffer a loss of housing benefit by the withdrawal of the spare room subsidy. In addition by the re-designation of these properties, it would mean that the rent charged and any future housing benefit claims would be calculated based on the correct information.

34 Authority properties had been identified for redesignation where internal alterations to a property had been carried out as a result of adaptations for a person with a disability which either removed a bedroom, or reduced the size of a bedroom to less than 50 sq ft.

The tenants of 28 of these 34 properties were currently affected by the removal of the spare room subsidy.

As these properties were considered to be significantly adapted these tenants were currently in receipt of Discretionary Housing Payments to cover the shortfall in housing benefit payments. If the re-designation was agreed then tenants who were living in these properties and were under-occupying their homes by just one bedroom, would no longer suffer a loss of housing benefit and it was likely that the payment of Discretionary Housing Payments would no longer be required.

The rent charged for Authority properties was calculated using a rent formula that took account of a number of elements which were detailed in the report. The calculation was undertaken for each property and gave a formula or target rent for that property. At the present time most Authority properties had rent levels which were below the target rent for the property type.

It was also considered appropriate that the Authority should set the rent level for the re-designated properties at the current rent level or the target rent level for a smaller property, whichever was the lowest. Whilst this would have a financial impact for the Authority it would be minimal.

If a property was re-designated as set out above, the applicable date of the change was considered most appropriately to be 1 April 2013. Using this date would mean the rent would be set to the appropriate level from the time the new regulations for housing benefit came into effect.

The Cabinet Member for Finance and Resources expressed thanks to Mr Andy Scott and his team in Revenues and Benefits and wished Andy a speedy recovery following his recent admission to hospital.

Cabinet considered the following decision options:

Option 1 – Not re-designate the properties

Option 2 – re-designate the properties and charge the lower of actual or target rent for the revised property for 2013/14.

Option 2a – re-designate the properties and charge the lower of actual or target rent for the revised property for 2013/14 and backdate the change 6 years.

Option 3 – re-designate the properties and charge an adjusted rent based upon the revised property type and the Authority’s relative position with regard to restructuring its rents for 2013/14.

Option 3a – re-designate the properties and charge an adjusted rent based upon the revised property type and the Authority’s relative position with regard to restructuring its rents for 2013/14 and backdate the change 6 years.

**Resolved** that (1) the Head of Housing, in consultation with the Cabinet Member for Housing and Environment, be authorised to re-designate the properties outlined in the report to accurately describe the number of bedrooms in the property; and (2) the Head of Housing, in consultation with the Cabinet Member for Housing and Environment, be authorised to re-set the rent for the re-designated properties at the current rent or the target rent for a smaller property, whichever is the lowest backdated to 1 April 2013 when the new housing benefit regulations regarding the removal of the spare room subsidy came into effect.

(Reason for decision – It will ensure that the Authority is accurately describing the properties within the stock portfolio; ensure that tenants incorrectly affected by the removal of the spare room subsidy, and any potential future claimants, will no longer be affected; more rents will be set at the required target rent level; and minimise the financial and resource implications for both the Authority and the affected tenants.)

#### **CAB226/04/14 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.

#### **CAB227/04/14 Delivering Affordable Homes at Blandford Road, North Shields (Collingwood Ward)**

Cabinet considered a report which requested approval to enter into a legal agreement with a Developer to enable the construction of 32 new affordable homes at a site at Blandford Road, North Shields and for those homes to subsequently be purchased by the Authority and becoming part of the Council Housing stock under the ownership of the Housing Revenue Account (the “HRA”).

Approval was also requested to adopt a footpath currently running across the site so the Authority could commence the ‘Stopping Up’ process to enable development to be progressed.

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 – request further work be undertaken and a further report presented to Cabinet, when completed.

**Resolved** that (1) the Authority enters into a legal arrangement to transfer the HRA land at Blandford Road (as identified at Appendix 1 of the report) to the Developer, with the option to purchase the developed site once completed;

(2) 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). agree final terms of the transfer and option to purchase and to complete matters in accordance with all relevant legal requirements, the Authority's Constitution and Financial Regulations; and
- (ii). deal with all ancillary matters arising that are consistent with the preceding resolution; and

(3) approval be given to the adoption of the footpath (as identified at Appendix 1 of the report), pursuant to the powers delegated to the Head of Environment and Leisure and to the footpath being placed on the definitive map.

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

### **CAB228/04/14 Date and Time of Next Meetings**

6.00pm on Monday 12 May 2014.

### **Minutes published on Thursday 10 April 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; i.e. 5.00pm on 17 April 2014.**