

Cabinet

9 March 2015

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

In Attendance: A Armstrong (Young Mayor)
A Caldwell (Age UK North Tyneside)
R Layton (North Tyneside JTUC)

CAB144/03/15 Apologies

Apologies were received from M Cushlow (North Tyneside Clinical Commissioning Group) and L Goodwin (North Tyneside VODA).

CAB145/03/15 Declarations of Interest and Dispensations

Ms A Caldwell declared a personal interest in the item on the Better Care Fund (Minute CAB152/03/15) as Age UK North Tyneside had submitted a tender in relation to Home Care.

Councillor EN Darke declared a registerable personal interest in the item on Delivering Affordable Homes – Update (Minute CAB163/03/15) as he was a Director of North Tyneside Trading Company.

Councillor I Grayson declared a registerable personal interest in the item on Delivering Affordable Homes – Update (Minute CAB163/03/15) as he was a Director of North Tyneside Trading Company.

CAB146/03/15 Minutes

Resolved that the Minutes of the meeting held on 9 February 2015 be confirmed and signed by the Chair, subject to the following amendment:

Minute CAB141/02/15 – paragraph preceding the resolution – replace ‘Mayor’ with ‘Deputy Mayor’.

CAB147/03/15 Report of the Young Mayor

This was the first report to Cabinet from Abbie Armstrong, the newly elected Young Mayor. She was really looking forward to her year in office, when she would implement plans to create a programme to support children who were going through difficulties at home.

The Young Mayor’s first event had been to present an award to Wellfield Middle School for having the highest turnout of voters in the Young Mayor election, with 97% of their students participating. There was an overall increase of young people voting, with 8,012 votes cast. This was a 67% turn out and a 2% increase compared to the previous election.

She welcomed being able to continue ‘The Event’ and ‘Young Mayor’s Games’, two initiatives introduced by previous Young Mayor’s, Rebecca Leighton and Allen Oghene.

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The Young Mayor highlighted her pledge to campaign to help reduce bullying in schools. She intended to carry forward the work Allen Oghene had started and work closely with school improvement staff to develop the Quality Mark Awards in more schools.

The Young Mayor had now met the Youth Councillors and attended training where consideration had been given to how priorities would be taken forward. Priorities included campaigning for a living wage and also for better mental health education in schools and colleges.

The Young Mayor was in the process of choosing her Young Cabinet and would provide an update at the next meeting.

Earlier that day she had had the honour of raising the Commonwealth Flag and had read a poem as part of the World War 1 commemoration.

She reported that the Pop Card promotion filming had taken place during half term. Once completed the film would be shown in schools throughout Tyne and Wear.

The Young Mayor also reported that some youth councillors from the Health and Well-Being Group had helped with the short listing of the school nurses who were training at Northumbria University.

The Young Mayor was congratulated on her election and thanked for her report.

CAB148/03/15 2014/15 Financial Management Report (All Wards)

Cabinet considered a report detailing the budget monitoring position as at 31 January 2015, including forecast outturn positions for 2014/15 for the General Fund, the Housing Revenue Account (HRA) and the Investment Plan, including a summary of schemes delivered. It also included an update on Schools' finances.

As at 31 January 2015, the forecast year-end position for the General Fund Revenue Account reflected a projected in-year surplus of £3.005m.

The HRA was forecast to have year-end balances at 31 March 2015 of £3.469m, which was £0.821m 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 (£0.359m). The forecast in-year surplus was an estimated £0.462m.

The report included an update in respect of work in progress with regard to 2014/15 school funding. The current forecast position indicated that all schools in North Tyneside were broadly performing in line with or better than their original budget plans.

The Investment Plan for 2014-18, adjusted for reprogramming and variations approved by Cabinet was £216.501m. Further reprogramming of £8.628m and variations of £0.380m for 2014/15 (£0.218m for 2015/16 and £0.174m for 2016/17) were proposed in the report.

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

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

Resolved that (1) the budget monitoring position, as at 31 January 2015, be noted; (2) the receipt of new revenue grants, set out in the report, be approved; (3) the level of spend on the Investment Plan as at 31 January 2015 be noted; and

(4) the reprogramming of £8.628m and variations of £0.380m for 2014/15 (£0.218m for 2015/16 and £0.174m for 2016/17) within the Investment Plan, as detailed in the report, 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.)

CAB149/03/15 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.

There were now seventeen measures within the Our North Tyneside Plan, ten of which were reporting new or updated information in the report. Where new data was not available, information within the service reports provided additional detail on what was taking place throughout the year.

Performance against the Our North Tyneside Plan was showing that seven measures were improving and three had declined. There were seven measures that did not have updated performance information. These would be updated for the next report in October 2015.

Appendix 1 of the report provided the full Our North Tyneside Performance Report

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.)

CAB150/03/15 North Tyneside Surface Water and Drainage Partnership Quarterly Update (Previous Minute CAB106/12/14) (All Wards)

Cabinet considered a report which gave an update on progress of the North Tyneside Surface Water and Drainage Partnership.

At its meeting on 14 January 2015 the Partnership had:

- noted the progress of the Flood Risk Implementation Plan which highlighted the major and minor projects that had been completed, or were work in progress, including culvert replacement in Astley Drive and Blue Bell pit heap swale and drainage;
- noted that the Emergency Plan was to be updated, following successful completion of several key schemes, meaning some local areas no longer required the same level of priority in emergency response plans;
- received information on the £2.3billion allocation to tackling flood risk announced in the Autumn Statement.

The Cabinet Member for Housing and Environment also referred to final arrangements that were being made to undertake a procurement exercise for the acquisition of gulley cleansing vehicles, and indicated that a programme of gulley cleansing would be put in place.

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A copy of the draft minutes from the meeting of the Partnership were attached at Appendix 1 of the report.

Cabinet considered the following decision option: to receive the report and note the progress made.

Resolved that the North Tyneside Surface Water and Drainage Partnership Quarterly Update be noted.

(Reason for decision – It will enable the work of the Partnership to progress.)

CAB151/03/15 Response to Overview, Scrutiny and Policy Development Committee Report on Community Conversations (Previous Minute CAB120/1/15) (All Wards)

Cabinet considered a report which set out suggested responses to the recommendations of the Overview, Scrutiny and Policy Development Committee in its report to Cabinet on 12 January 2015 on Community Conversations.

The Authority's approach to community engagement was set out in the Our North Tyneside Communications and Engagement Strategy 2014. It confirmed the commitment of the Authority, as a 'Listening Council', to deliver a co-ordinated two-way communications and engagement approach that reached all relevant audiences and supported ward councillors in their role in the democratic process and as community leaders.

The strategy encompasses a variety of tailored engagement approaches, which were detailed in the report.

Further development was planned including: running on-line forums similar to those offered by the Safer Estates Team, creation of a dedicated section of the Authority's website to provide digital engagement opportunities and feedback, and linking more of the Authority's local face-to-face engagement activity, currently delivered by service areas, under the Community Conversations brand. The resulting increased range of engagement activities would widen the reach of the Authority's Community Conversation engagement programme to residents and provide more opportunities for Member involvement.

This approach was in-line with the aims of the Overview, Scrutiny and Policy Development Committee's Community Conversations Sub-Group. Its Community Conversations Review report sought to help to develop and establish successful ward based engagement and provide support to ward councillors. The Sub-Group had identified three recommendations in its report.

The proposed responses to the recommendations were detailed in the covering report.

The Mayor thanked everyone involved in the work of the Study Group.

Cabinet considered the following decision options: either to agree the proposed responses to the recommendations of the Overview, Scrutiny and Policy Development Committee, or reject the proposed response and propose an alternative.

Resolved that the proposed response to the Overview, Scrutiny and Policy Development Committee in relation to its study on Community Conversations be approved.

(Reason for decision – to enable Cabinet's response to the recommendations to be provided within the required two month period.)

CAB152/03/15 Better Care Fund (Previous Minute CAB197/03/15) (All Wards)

Cabinet considered a report which requested approval for the Authority to enter into an agreement with NHS North Tyneside Clinical Commissioning Group (CCG), (together referred to as 'the Partners') under Section 75 of the National Health Service Act 2006, in order to implement the Better Care Fund (BCF), through the creation of both a pooled budget and a non-pooled budget.

The BCF was intended to provide the opportunity to transform local services so that people were provided with better integrated care and support. It would act as an enabler to take forward the integration agenda, building upon the existing work of the North Tyneside Health and Social Care Integration Programme, of which the Authority was a partner.

The BCF would benefit the people of North Tyneside by supporting:

- extended home care services, including overnight care, to provide a rapid response to a crisis;
- the provision of halfway-to-home beds in residential care, providing an alternative to a hospital stay;
- increased use of telecare, aids to independence and adaptations;
- the extension of social work services to seven days per week, focussed on facilitating discharge from hospital;
- new services to support people at the end of life;
- more people who were liable to fall to be offered assessment and treatment; and
- increased support for people with mental health conditions.

The BCF also consolidated some previous arrangements for funds transfer from the NHS to Social Care, which included partial funding of the Cedars Intermediate Care Resource Centre, the Adaptations and Loan Equipment Service, and the Reablement Service.

In the main, the BCF funding was not new money to the health and social care system, but was comprised of a number of existing allocations including the current NHS social care allocations. It also included some core CCG allocations and some other Authority funds and grants, including the Disabled Facilities Grant and social care capital grant funding. The new element of funding contained within the BCF was North Tyneside's allocation of the £135m provided nationally to support the introduction of the Care Act 2014.

In order to make its contribution to the BCF, the CCG was expected to make savings on existing expenditure, including services commissioned from NHS Foundation Trusts.

Cabinet had considered the Better Care Fund on 10 March 2014, and the Head of Adult Social Care had been authorised, 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, to approve the final Better Care Fund Plan on behalf of the Authority for submission to the Department of Health (DoH) by the then required deadline of 4 April 2014.

However, following the submissions, none of the BCF plans which had been submitted to the DoH nationally were signed off.

Following the issue by NHS England on 25 July 2014 of a new set of guidance material and timescales and a new plan template, a revised Plan had been submitted to the DoH on 19 September 2014.

Notification had subsequently been received from NHS England that the North Tyneside BCF Plan had been "approved with conditions". The conditions on approval related principally to the following issues:

- the Plan contained an ambition to reduce emergency hospital admissions by 1.8%, compared with a national ambition of a 3.5% reduction.
- The statements of support from local NHS acute producers were felt to be too equivocal.

Subsequently, the Health and Wellbeing Board had approved a further revised Plan which addressed these two issues and other minor issues.

On 21 January 2015, the Authority's Plan had been fully approved by NHS England, who noted "your plan is strong and robust and we have every confidence that you will be able to deliver against it".

The total value of the BCF in North Tyneside, for 2015/16, remained at £16,597,000.

The previous Government guidance linked release of an element of the funds tied to the contingency budgets for the CCG to the following measures:

- avoidable emergency hospital admissions;
- delayed transfers;
- effectiveness of reablement;
- permanent admissions to residential care;
- patient / service user experience;
- a local measure; in North Tyneside's case, hospital admissions due to falls.

BCF plans were required to set ambitious trajectories against these measures, but it was not planned to delay release of funds pending evidence of meeting goals. The July 2014 Government guidance linked payments to only a single measure: emergency hospital admissions (not just avoidable admissions).

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 explore an alternative approval mechanism to ensure the Authority is able to pursue implementation of the Better Care Fund.

Resolved that (1) the arrangements and progress made by the Authority and the North Tyneside Clinical Commissioning Group to date, in terms of developing the Plan for the use of the Better Care Fund in North Tyneside be noted; and (2) the Deputy Chief Executive, in consultation with the Strategic Manager Finance and the Head of Adult Social Care, be authorised to enter into the Section 75 Agreement on terms agreed by the Head of Law and Governance.

(Reason for decision – It will ensure the Authority is able to meet Government expectations for implementation of a Better Care Fund plan throughout the borough of North Tyneside.)

CAB153/03/15 Whitley Bay Seafront Master Plan – Update (Whitley Bay Ward)

Cabinet considered a report which detailed the outcome of public engagement and sought approval of the Whitley Bay Seafront Master Plan.

The Master Plan had been prepared to provide a clear vision for regeneration of this important part of the Borough's coast. It took into account the ambition of the local community and the Authority to see a regenerated and rejuvenated coast and seaside resort that was a popular visitor destination as well as an important leisure resource for local residents. The Master Plan would therefore contribute directly towards ensuring North Tyneside was a great place to live, work and visit.

It was a partnership regeneration strategy with the private sector and also complemented proposals by Whitley Bay Big Local for the town centre. It therefore met the Council Plan objective of working with private sector developers and the community to regenerate the Whitley Bay Seafront.

The Master Plan built upon the recent successful regeneration initiatives undertaken or underway along other parts of the coast. In particular, it supported and enhanced the investment by the Authority in the refurbishment of Waves Leisure Pool, the refurbishment of the Playhouse Theatre, the improvement of Whitley Park, the Panama skate park and the creation of the new Spanish City Plaza. Including the acquisition of the Dome and other properties on Spanish City Island, The Avenue and the High Point Hotel, over £25m had been invested by the Authority in regeneration initiatives at the seafront to date.

The Master Plan covered the Whitley Bay coastal zone from the Southern Lower promenade to St Mary's Lighthouse and comprised a number of public sector and private sector led projects, detailed in Appendix 1 of the report, that would rejuvenate this part of the coast helping to increase the number of tourist visits to the Borough, with important benefits to the local economy through creating new business opportunities and jobs.

At the heart of the Master Plan was the Spanish City Island site, with the restoration of the Dome creating a new hub for leisure activities alongside a new hotel, restaurant and public car park. The enhancement of Northern Promenade, including a significant improvement in access for users to this existing leisure resource, made possible by demolition of the Boardwalk, was also central to the objectives of the Master Plan.

Investment in the Lighthouse at St. Mary's Island would be vital to balance the visitor offer, stretching from the Dome along The Links and Northern Promenade. Discussions were underway with the Heritage Lottery Fund to bid for funds to address the conservation issues and extend the existing capacity of the site. Visitor numbers and resident engagement suggested that the Lighthouse continued to be one of the most popular attractions at the Coast.

Other projects across the Master Plan area included works to rationalise the footpaths on The Links, particularly outside the original front entrance of the Dome. The Master Plan also included the demolition of the Central Lower Promenade structure, which was at the end of its life and would be replaced by a new grassed bank and sea wall.

Private sector led proposals included overnight beach huts on Northern Promenade, the new visitor centre at St Mary's headland, new housing on the site of the former High Point Hotel and a new hotel and restaurant at Spanish City Island.

The Master Plan had been informed by the many responses and comments that had been presented to the Authority during numerous consultation exercises undertaken over several years in relation to Spanish City Island and the Dome. Details of the various means of consultation undertaken were set out in the report

Around 250 responses had been received on the consultation. Bearing in mind the Master Plan had been informed by responses from previous engagement events, the majority of comments received in response to the engagement had been in favour of the proposals.

The report provided details of positive and negative comments received on the proposals and also suggestions for new projects or improvements to projects already in the Master Plan.

It was considered that most of the suggestions could be accommodated at the more detailed stage of the individual projects in the Master Plan.

Given the location and the most logical sequence in which to undertake each project, funding had been allocated from the existing 2015-2019 Investment Plan budgets for Coastal Regeneration and Whitley Bay Regeneration to cover the indicative cost estimates. Other projects would be separately funded from the 2015-2019 Investment Plan.

A number of projects would also be jointly funded from the Asset Planned Maintenance budget as they related to repairs and maintenance obligations. This gave a clear indication of which priority projects the Authority would undertake during 2015/16, which projects were planned for 2016/17 or later, those to be funded by the private sector and which projects would require funding to be identified or confirmed. Progress of projects against budgets would be monitored through the Whitley Bay Seafront Regeneration Seafront Board and the Investment Programme Board and reported to Cabinet.

A small number of projects, although priorities for the Authority were identified as unfunded because they were still the subject of bidding or where private sector investment had not been confirmed. These would be redefined as funded as investment was confirmed. Opportunities to bid for additional funding would be considered for unfunded projects.

Where suggestions had been made to improve upon the Master Plan proposals that could be accommodated these would be considered during the detailed design stage as set out above. In relation to the responses received, it was not considered any of the negative comments raised issues of concern or required amendments to the Master Plan. It was therefore not intended to amend the Master Plan as displayed during the public engagement.

Once approved it was intended to commence work on 2015/16 projects as quickly as possible in the new financial year.

Cabinet considered the following decision options: either to agree the recommendations as set out in section 1.2 of the report to formally adopt the Master Plan and to authorise works to begin on the individual projects identified in Appendix 1, subject to the costs being contained within the existing Coastal Regeneration, Whitley Bay Regeneration, Central Lower Promenade and Planned Maintenance budgets; or alternatively to disagree with the proposals.

Resolved (1) that the support for the Master Plan received from the public, be welcomed; (2) the Master Plan, as defined by the list of projects set out in the Appendix to the report, be adopted as the basis for the regeneration of Whitley Bay Seafront; and (3) the Head of Business and Economic Development be authorised to identify sources of external funding to implement projects in the Master Plan that are unfunded.

(Reasons for decision – It will demonstrate the Authority's clear commitment to delivering the Whitley Bay Seafront Master Plan and to secure an improved quality of life for local residents; an improved environment for local business; and an enhancement of the visitor offer for tourists to the Borough. It helps provide certainty that the regeneration of the Whitley Bay seafront can proceed in a timely manner which is essential to ensure continued support for the overall scheme. The Authority will deliver the Council Plan objective to work with the private sector developers and residents to regenerate the Whitley Bay Seafront.)

CAB154/03/15 Local Transport Plan 2015/16 Capital Expenditure Settlement (All Wards)

Cabinet considered a report which provided details of the settlement for Local Transport Plan (LTP) Capital Expenditure and sought approval for the proposed implementation programme for the financial year 2015/16.

The third Tyne and Wear Local Transport Plan (LTP3) for Tyne and Wear had been produced jointly by the former Tyne and Wear Integrated Transport Authority (ITA), the five local authorities and Nexus (Tyne and Wear Passenger Transport Executive) and had been approved by Council in March 2011 (Minute C147/03/11 refers) and submitted to the Secretary of State by the former ITA. On 15 April 2014 the ITA had been dissolved and its responsibilities as local transport authority had transferred to the newly formed North East Combined Authority (NECA).

The funding for the LTP comprised two blocks: Highway Maintenance and Integrated Transport.

The Highway Maintenance block funding was allocated directly to individual authorities by the Department for Transport (DfT) and North Tyneside's Highway Maintenance block allocation for 2015/16 was £2,258,000.

The Integrated Transport block grant had been awarded by DfT to NECA in three separate blocks allocated to Durham, Northumberland and Tyne and Wear. The 2015/16 allocation for Tyne and Wear was £9.465m. This compared with £17.426m in 2014/15, and reflected the reduction in the total amount available at national level to partly fund increased allocations for Growth Deals, and a change to the national distribution formula.

The North East Leadership Board, at its meeting on 20 January 2015, had agreed the distribution of the Integrated Transport block funding for the Tyne and Wear allocation to be shared between the districts and Nexus. This was based on the previous locally agreed formula with adjustment for updated data sets. On this basis, North Tyneside's Integrated Transport block allocation for 2015/16 was £1,088,437.

A proportion of LTP funding was top-sliced for services delivered at Tyne and Wear level associated with the Local Transport Plan. This was currently set at 4%. An element of the Tyne and Wear Integrated Transport block was also allocated for Nexus and Public Transport Schemes and was primarily used to meet the match funding requirements of the Metro Asset Renewal Programme, while the remaining balance was distributed amongst the five Tyne and Wear districts and Nexus to fund small public transport schemes. Of this, North Tyneside had been allocated £22,058.

In total North Tyneside's allocation for 2015/2016 was £1,110,495 in respect of the Integrated Transport block funding. The Authority was able to move funding between Integrated Transport and Highway Maintenance blocks.

The proposed distribution of the Capital Programme by theme, under the general headings including Highway Maintenance and Integrated Transport, was detailed in the report.

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 and 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 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 the Head of Environment and Leisure be authorised to:

- (a) progress the implementation of the Local Transport Plan programme which will cover the financial year 2015/16 in accordance with the existing joint arrangements of all appropriate partners; and
- (b) in consultation with the Cabinet Member for Economic Development and Cabinet Member for Housing and Environment, review the programme to ensure it reflects and supports overall strategic direction, public engagement and any value for money issues.

(Reason for decision – The LTP 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 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.)

CAB155/03/15 Road Safety Strategy 2015-2018 (Previous Minute CAB14/06/14) (All Wards)

Cabinet considered a report which requested approval of the North Tyneside Road Safety Strategy 2015-2018.

North Tyneside's current Road Safety Strategy, approved by Cabinet on 11 January 2010, covered the period 2010-2013 (Minute CAB103/01/10 refers).

New targets for reducing road casualties at Tyne and Wear level had been set in July 2013 by the former Tyne and Wear Integrated Transport Authority (ITA). The proposed North Tyneside Road Safety Strategy for 2015-2018, set the framework for meeting these targets.

North Tyneside's first Road Safety Strategy, introduced in 2004, set out the Authority's commitment to improving safety for all road users and minimising casualties arising from road traffic accidents. Over the last decade the Authority had continued to promote road safety, and to make safety improvements on the road network. Measures to encourage road safety continued to be implemented, in particular through the introduction of 20mph zones in residential areas and around schools throughout the Borough.

Relative to the size of the population, the number of road casualties in North Tyneside was lower than the English average: out of the 151 local authorities in England, North Tyneside was 54th on this measure (with 1st being the lowest number of casualties relative to population). Out of the seven local authorities in the Combined Authority area, the number of road casualties relative to population in North Tyneside was third lowest, after South Tyneside and Sunderland.

The long-term average number of casualties in road traffic accidents had shown a decreasing trend over the ten years since the adoption of the Authority's first Road Safety Strategy.

It was intended that the new strategy would reinforce the Authority's commitment to having a Road Safety Strategy in place which provided a framework to meet the challenging targets set at Tyne and Wear level and further improve the approach to supporting safety for all road users.

A process of public consultation on the draft strategy had been carried out from July 2014 until 31 October 2014. A summary of responses to the consultation were detailed at Appendix 1 of the report.

All feedback received as part of the public consultation process had been carefully considered and used to inform the preparation of the final draft Strategy.

The proposed North Tyneside Road Safety Strategy detailed the Authority's priorities for road safety for the period 2015-2018. It was based around the following five objectives:

1. To help people to keep themselves safe and promote road safety, this would be done through road safety education;
2. To engage with local residents, communities and partners to help develop and implement road safety solutions that meet the needs of all road users;
3. To reduce road traffic casualties in line with the challenging targets in the Tyne and Wear Local Transport Plan;
4. To provide an Annual Information Report to Cabinet on road safety which would consider performance, road safety engineering and education issues for the financial year and reviews of works carried out; this would ensure funding was targeted in areas where road safety was a real concern, and
5. To support initiatives that improved healthy and active travel.

These objectives would be supported by the following actions:

1. Continuing to monitor and assess the success of 20mph zones in residential areas and amend their design if required;
2. Continuing to improve safety for children and other vulnerable road users, by identifying potential issues in the Annual Information Report and addressing these through engineering measures, education and publicity as appropriate;
3. Continuing to deliver road safety education and training to schools and key focus groups, working with delivery partners;
4. Continuing to take into account the safety needs of all road users;
5. Continuing to work in partnership with other organisations such as the Northumbria Safer Roads Initiative, the Police, the Highways Agency, neighbouring authorities, Sustrans and Living Streets to improve the borough's network and maintain consistency with other authorities; and
6. through the Network Management Plan and the Highway Asset Management Plan, ensuring the road network is managed so that motorised traffic remains on the most appropriate routes and that the network is maintained to an acceptable and safe level.

Following a request, officers undertook to provide data in relation to accidents involving motorised scooters being used on pavements.

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 responses received to the consultation process, as detailed in Appendix 1 to the report, be noted;
(2) the North Tyneside Road Safety Strategy 2015 to 2018, attached at Appendix 2 to the report, be approved; and
(3) the North Tyneside Annual Information Report on Road Safety for 2014 be submitted to a future meeting of Cabinet.

(Reason for decision - It will enable an up-to-date strategy to be put in place which demonstrates compliance with the Authority's duty to promote road safety.)

CAB156/03/15 North Tyneside Council Test of Assurance (All Wards)

Cabinet considered a report detailing the findings of a test of assurance carried out on the Authority's arrangements for fulfilling the statutory Director of Children's Services functions. The report also detailed proposals for reviewing and updating the test of assurance in the future.

Section 18 of the Children Act 2004 required every top tier local authority to appoint a Director of Children's Services. The Director of Children's Services had professional responsibility for:

- the leadership, strategy and effectiveness of local authority children's services;
- securing services which address the needs of all children and young people;
- the performance of the local authority functions relating to the education and social care of children and young people; and
- ensuring systems are in place to discharge these functions.

Statutory Guidance advised local authorities to carry out a test of assurance when the Director of Children's Services functions were combined with additional functions or reporting arrangements differed to those set out in the guidance. The test should ensure the new arrangements did not weaken the focus on children and young people's outcomes.

The various elements of the Statutory Guidance, which were considered to be essential in assuring that effective arrangements were in place, were set out in the report. The statutory guidance enabled local authorities to devise their own test of assurance arrangements.

The Authority had introduced new senior leadership arrangements in October 2013. A new post of Deputy Chief Executive had been established with responsibility for all services relating to people and places, including children's services. The post had replaced the existing positions of Strategic Director of Community Services and Strategic Director of Children, Young People and Learning. Under the new arrangements, the statutory Director of Children's Services function was assigned to the Head of Children, Young People and Learning.

Temporary management arrangements had been put in place during the first 6 months of the revised structure to ensure an effective transition of key safeguarding responsibilities to the new Head of Children, Young People and Learning. The Corporate Assurance Group (whose membership included the Deputy Chief Executive, the Head of Children, Young People and Learning, the Head of Adult Social Care and the Manager of Safeguarding and Placements for CYPL and was supported by a member of the Research and Intelligence team) also provided ongoing oversight of the interim arrangements.

The Corporate Assurance Group had agreed to carry out a test of assurance on the new arrangements in the autumn of 2014. The test had sought to provide assurance that the Authority's structure and organisational arrangements enabled it to:

- fulfil the statutory duties around children and young people effectively;
- provide transparency about accountabilities and responsibilities; and
- support inter-agency and partnership working.

The test of assurance had considered the six critical elements for delivering the statutory Director of Children's Services functions, as outlined in the Government's statutory guidance. For each element, the test considered the appropriateness of the actions put in place, the risks arising and whether appropriate mitigation was in place. The test also identified any additional action that might be required.

The Authority's test had a particular focus on whether assigning the statutory Director of Children's Services function to the Head of Children, Young People and Learning had weakened or diluted the focus on children and young people's outcomes. It had also considered whether the new arrangements provided a clear line of accountability for safeguarding children and young people.

The test of assurance found that the Authority's arrangements fulfilled the statutory duties around children and young people. The revised structure provided clear accountabilities and responsibilities and systems were in place to provide political, professional, legal and corporate accountability. The new arrangements were also found to support the Authority's track record of effective partnership working. The test of assurance concluded that the assignment of the statutory Director of Children's Services functions to the Head of Children, Young People and Learning had not detracted from the strong focus on children and young people's outcomes.

The Corporate Assurance Group would review the test of assurance annually as part of the wider assurance framework. The test of assurance would be updated following changes to the senior management arrangements or to the corporate assurance arrangements.

In response to a Member's query about providing regular updates to full Council on child safeguarding issues, Cabinet was informed that such arrangements would be discussed at the newly formed Safeguarding Education Board.

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 refer the test of assurance back to officers for further consideration of any relevant issue(s) identified by Cabinet

Resolved that (1) the findings of the Test of Assurance be noted; and
(2) the proposals for reviewing and updating the test of assurance be approved.

(Reason for decision – The test is a critical part of the Authority's arrangements for ensuring a robust focus on the outcomes for children and young people. It assures the Authority that appropriate structures and organisational arrangements are in place to fulfil its statutory duties.

Reviewing the test of assurance when new senior leadership and / or corporate assurance arrangements are put in place will ensure that a strong focus on children and young people's outcomes is maintained.)

CAB157/03/15 Determination of School Admission Arrangements (All Wards)

Cabinet considered a report detailing the proposed admission arrangements for all Community Schools in North Tyneside for the 2016/2017 academic year including the co-ordinated admissions schemes. There are no changes to the admissions arrangements for community schools since those approved in 2014.

All Local Authorities were required to formulate and consult on a scheme for each academic year for co-ordinating admission arrangements for all maintained schools within their area. This requirement included maintained boarding schools, but excluded maintained special schools and maintained nursery schools. Co-ordinated schemes were intended to simplify the admission process for parents whilst reducing the likelihood of any child being left without a school place.

Co-ordination established a mechanism that ensured that, as far as was practical, every child living in a Local Authority area who had applied in the normal admissions round received one, and only one, offer of a school place on the same day. While it was for each Local Authority to decide the scheme that best suited its residents and its schools, authorities had to:

- a. comply with law and regulations, including all the process requirements (for example, the common application form allowing at least 3 preferences, information sharing with other Local Authorities, sending out not more than one offer to all seeking places at its maintained schools or academies on the same day); and
- b. not disadvantage applications to their schools from families resident in other Local Authorities.

The Scheme applied to applications received from September 2015 for entry into maintained schools in September 2016. The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 required the Local Authority to exchange specified information on applications with neighbouring Authorities.

The purpose of the Scheme was to co-ordinate admissions into all mainstream maintained first and primary, middle and high schools in North Tyneside. The Regulations also placed a duty on all Local Authorities to make arrangements within their Scheme for cross-Authority border co-ordination of admissions.

All schools had to have an admission number for each 'relevant age group'. This was defined in law as 'an age group in which pupils were or would normally be admitted' to the school in question. Admission Authorities of maintained schools had to set admission numbers with regard to the capacity assessment for the school under The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012. Pupils would be able to go to their preferred school unless there were more applications to that school than there were places available.

If there were more applications than places available at a school, oversubscription criteria would be used to allocate places after any children with a Statement of Special Educational Needs or an Education, Health and Care Plan had been provided for where the Statement or the Education, Health and Care Plan named a specific school.

Where a secondary school operated a sixth form and admitted pupils from other schools at age 16, for instance, an admission number would be required for Year 12 as well as for the main year or years. Admission numbers must refer to pupils being admitted to the school for the first time and not transferring from earlier age groups. The entry requirements for 6th form were largely dependent on the course of study that a student wished to access. Details of specific requirements and courses available may be obtained for individual schools. All schools published information about their post 16 provision.

The North Tyneside Learning Trust currently comprised of 39 schools, and the governing bodies of these schools were responsible for determining their arrangements in accordance with the School Admissions Code. No formal consultation had been undertaken by the respective governing bodies for the 2016/17 academic year as there were no changes to the previously published arrangements. Five of the schools in the Learning Trust were Special Schools and these arrangements did not apply to them.

The governing bodies of voluntary aided schools were responsible for consultation and determining their own admission arrangements in accordance with the School Admissions Code. No formal consultation had been undertaken by the respective governing bodies for the 2016/17 academic year as there were no changes to the previously published arrangements.

The governing bodies of the three academies were responsible for consultation and determining their own admission arrangements in accordance with the School Admissions Code.

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 undertake further work on the proposed admission arrangements.

Resolved that (1) the 2016 proposed admission arrangements and limits for Community Schools, as outlined in Appendices 1 to 5 to the report, be approved, subject to the appropriate publication of Statutory Notices;

(2) the Head of Commissioning and Investment be authorised to proceed in administering admission arrangements for the 2016/2017 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

(3) the Head of Commissioning and Investment, 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 2016/17 academic year should these arise.

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

CAB158/03/15 Non-Maintained and Independent Special Schools and Colleges Regional Procurement Proposal (All Wards)

Cabinet considered a report which sought approval for the Authority to participate in a collaborative procurement exercise that would establish a regional framework for letting contracts with non-maintained and independent special schools and colleges, both residential and day placements for children and young people aged 0-25.

The Authority required the services of non-maintained and independent special schools and colleges when 'in-house' education provision could not meet a particular need or the specific needs of a child or young person. There were currently 33 children and young people placed with non-maintained and independent special schools and colleges. This was significantly lower than other collaborating local authorities.

Following on from the success of the NE7 collaborative procurement exercise to develop a framework for letting contracts to Independent Fostering Agencies, a Consortium of twelve authorities, known as the 'NE12+ Consortium' (comprising the following local authorities: Sunderland, Newcastle, Durham, Northumberland, Gateshead, North Tyneside, South Tyneside, Hartlepool, Redcar Cleveland, Middlesbrough, Stockton, Darlington.) had agreed to work collaboratively to carry out a similar exercise with non-maintained and independent special school providers.

It was anticipated that by adopting the same approach as the NE7 with non-maintained and independent special schools and colleges that similar benefits could be achieved.

In the current climate of financial austerity, positive relationships were of particular importance when it came to negotiating terms, conditions and costs for existing and new commissioning arrangements. Negotiations would ensure positive and improving outcomes for children and young people, value for money for purchasing authorities and sustainability of provision. Commissioning and contract officers believed that the recommended option offered the best opportunity to achieve in all three areas.

The Authority currently spot purchased from a number of non-maintained and independent special schools and colleges who were not on a framework, where there was insufficient or unsuitable local authority provision to meet the assessed needs of a child or young person. Placements were always sought in the first instance from local providers, but, if they were unable to offer a placement that met the needs of a child, a placement would then be sought from a non-maintained or independent special school or college.

Newcastle City Council would lead this procurement process in conjunction with the North East Procurement Organisation (NEPO). It was proposed that Newcastle City Council would publish an Invitation to Tender via advertisement naming each of the participating authorities. Evaluations of submissions would be carried out by commissioning professionals from all twelve local authorities, facilitated by a senior procurement professional within Newcastle City Council. As part of the evaluation process, there would be participation from a Young Peoples' Group and the NE12+ consortium would adhere to the regional collaborative procurement protocols and assurance Gateways throughout the procurement process. The Authority, as one of the participating authorities, would award framework agreements to all successful tenderers and had the ability to award call off contracts with the successful tenderers as necessary.

The aim was to have new arrangements in place for new placements in the 2016/17 academic year. Where a placement was already in existence and the supplier became part of the new framework, the existing contract would be transferred to the new framework terms and conditions within six months in order to ensure best value for money. Where the Authority was already utilising the services of an independent special school or college which chose not to participate in the tendering process, then the existing contract for that individual agreement would remain intact for the duration of the placement to ensure child placement stability. Following the procurement exercise a contract would only be awarded to a provider who was not appointed to the framework in the event that a suitable placement could not be made with a provider who was on the framework. It was anticipated that there would be approximately 40 providers on the framework. A mini competition exercise would be carried out to award contracts for any new placements.

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 Head of Children, Young People and Learning, in consultation with the Elected Mayor, Cabinet Member for Children, Young People and Learning, Cabinet Member for Finance and Resources, the Strategic Manager Finance and the Head of Law and Governance, be authorised to proceed with the procurement exercise being led by Newcastle City Council that will establish a regional framework for letting contracts with non-maintained and independent special schools and colleges, for a period of three years, with an option to extend for a further year; and (2) the Head of Children, Young People and Learning, in consultation with the Strategic Manager Finance, the Head of Law and Governance and Cabinet Member for Finance and Resources, be authorised to award any framework agreements and subsequent call off contracts under the framework arrangements.

(Reason for decision – This joint collaborative agreement is in keeping with regional priorities leading to more efficient service delivery. The need to purchase services from non-maintained and independent special schools and colleges will continue and the Authority will benefit from a standardised pricing structure which represents greater value for money and aids forecasting as well as standardised contracts that support monitoring and evaluation.)

CAB159/03/15 Schools Forum Constitution (Previous Minute CAB226/03/13) (All Wards)

Cabinet considered a report seeking approval to proposed updates to the Schools Forum Constitution, following a regular review by an appropriate sub group of the Forum.

The Schools Forum in North Tyneside operated under a Constitution, as required by the Schools Forums (England) Regulations, which was last considered by Cabinet on 11 March 2013. Whilst there had not been any significant changes to the Regulations since that time, it was good practice to review the Constitution regularly to ensure it remained up to date.

The Schools Forum had created a sub-group of Head Teachers and Governors to review the Constitution, to take account of any changes to the Regulations as well as the distribution of pupils between schools since its last approval. This sub-group had taken their recommendations to the Schools Forum meeting on 10 December 2014, which had agreed the changes to the Constitution.

The main change discussed by the sub-group related to the composition of the membership. The guidance for membership of the Schools Forum was that schools should be represented on a basis that was broadly representative of the distribution of pupils between phase (eg Primary and Secondary Schools) and school type (eg Special Educational Needs, Nurseries and Academies).

The total number of pupils had remained broadly consistent since the previous review of membership, but there had been a shift in pupil numbers towards the Primary and First School phase, as well as the creation of new Academies. The proposed membership increased the number of schools representatives by two members and ensured a distribution between school types that was broadly equal to current pupil numbers.

The Schools Forum had also agreed to increase the number of non-school members. This included a specific place for a Trades Union representative and two representatives from each of the Trusts in the Borough.

The revised Constitution was detailed at 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 further work is undertaken by officers and Schools Forum.

Resolved that (1) the proposed change in North Tyneside's Schools Forum Constitution as detailed in the report, be approved; and
(2) the Head of Commissioning and Investment be authorised to undertake necessary arrangements to elect representatives to the Schools Forum.

(Reason for decision - It will ensure that the Regulations governing the Schools Forum are adhered to.)

CAB160/03/15 Risk Based Verification (All Wards)

Cabinet considered a report which requested approval to make changes to the verification of Housing Benefit and Council Tax Support claims and adopt a Risk Based Verification Policy for the assessment of entitlement to Housing Benefit and Council Tax Support.

Over £85 million had been paid to claimants in North Tyneside by way of Housing Benefit (HB) and Council Tax Support (CTS) in the financial year 2013/14.

The Benefit Service had to assess entitlement in line with HB legislation and the Local Council Tax Support Scheme. Evidence checking was a key aspect of the assessment process to ensure that this entitlement was paid accurately, provided quality assurance and robust detection of fraud and error.

The Department for Work and Pensions (DWP) did not specify in the Housing Benefit 2006 Regulations and Housing Benefit (State Pension Credit) 2006 Regulations what evidence was required to award Housing Benefit, however, regulations did require claimants to provide such documentation in connection with the claim or the award, as may be reasonably required by the relevant authority in order to determine that person's entitlement. A statement to this effect was included in North Tyneside's Local Council Tax Support Scheme 2014-15.

The Authority awarded Housing Benefit on behalf of DWP and was reimbursed through the subsidy payments process. The claim for subsidy was audited on an annual basis and any failings by the Authority to follow legislation could result in an adverse audit comment and a potential loss in subsidy.

Currently the Authority used a standard approach to gather evidence and all claims were treated the same regardless of circumstance. There was no profiling carried out with regard to potential risk of fraud and error and all claims had to have the same level of evidence provided to allow entitlement to be calculated.

The requirement for supporting evidence could be excessive in many cases and placed a burden on some individuals to provide the evidence and could delay claims. Resource was currently being used to verify all claims to the same standard when it could be better utilised to target cases of higher risk of fraud and error.

In 2011 the DWP had provided guidance around Risk Based Verification (RBV) and highlighted that RBV was already practised in Job Centre Plus (JCP) and the Pensions, Disability and Carers Service (PDCCS). It was the intention that RBV would be applied to all Universal Credit (UC) claims. DWP had allowed a number of local authorities to pilot RBV to reduce fraud and error. The risk models used in the DWP research had been built up over a two year period to accurately and consistently differentiate claims across three categories of low, medium and high risk and had been subject to rigorous statistical evaluation.

A risk based approach to verifying evidence allowed for verification activity to be targeted towards checking claims that were of higher risk of fraud and error, so streamlining resource more appropriately and speeding up claims that posed less risk of fraud and error.

DWP advised that results of the local authority pilot were impressive and the identification of fraud and error against baselines taken from previous data had increased. Additionally efficiencies had been found and more effective processing times had been delivered improving customer experience. DWP had provided guidance to allow local authorities to adopt RBV from April 2011 on a voluntary basis.

Circular S11/2011 attached as Appendix 1 of the report stated that RBV was voluntary and any policy must be submitted for Members approval and sign off along with a covering report confirming the Section 151 Officer's agreement/recommendation. It was also seen as good practice for the policy to be examined by the Authority's Audit and Risk Committee or similar appropriate body.

Many local authorities had already adopted a RBV Policy and used an IT system to help them deliver this. Coactiva was the market lead product and used by 70 Authorities.

It was an established product approved by DWP, it delivered all the DWP requirements of RBV as well as being compatible with electronic claim forms. If the RBV Policy was approved it was intended to implement Coactiva, which would be applied to all new claims for Housing Benefit and Council Tax Support cases.

Having a RBV approach would complement the current proactive work that was ongoing within the service to deliver assurance as the Authority already actively checked claims where life changes were likely to bring with it financial changes.

The DWP had also recently introduced a programme called Real Time Information (RTI) which provided each local authority with notifications of changes which had been identified through matching data from government databases, thus ensuring current claims were kept as accurate as possible. Regular ongoing data checks using the Housing Benefit Matching Service (HBMS) were also in place.

Feedback provided from other Authorities who were using a RBV approach showed that identification of fraud and error had increased and processing times had reduced.

RBV was seen as an important part of the Benefits Service plan to improve claim processing times. It would reduce the number of times claimants had to visit the Authority buildings to provide evidence, deliver efficiencies and was an integral part of the business improvement of electronic claiming. Electronic claiming had improved access to claiming by allowing residents to make claims on-line 7 days a week 24 hours a day.

There would be three risk groups - Low, Medium and High and each new claim would be assigned a risk group depending on its circumstances at the time of claiming. The draft Policy, attached as Appendix 2 included a table outlining the evidence requirement for each risk group.

There was an expectation that more fraud and error would be detected in the high risk claims when compared with medium risk claims and a greater risk in medium than in low risk. Those falling into the lower risk group would have to provide less evidence than they currently did, those falling within the medium risk group would continue to provide the similar levels of evidence as they currently did and the high risk group would be subject to more robust evidence provision and more stringent additional checks than those in a lower risk group.

In line with DWP guidance performance would be monitored monthly to include the percentage of cases falling into the different risk groups and the amount of fraud and error identified to ensure the profiling was effective against the policy. This would be made available to the Section 151 Officer for scrutiny.

Any annual subsidy audits carried out after the adoption of a RBV policy would be audited in line with that policy. Provided that auditors found that verification of claims was in line with that policy, subsidy would be claimed at the normal rate.

Cabinet considered the following decision options:

Option 1 - agree to adopt the RBV Policy as detailed at Appendix 2 of the report.

Option 2 – not agree to adopt the RBV Policy and continue with the current practice that all claims are evidenced to the same level regardless of risk.

Option 3 – reject all of the recommendations in paragraph 1.2 of the report.

Resolved that the Risk Based Verification Policy, as detailed in Appendix 2 to the report, be approved.

(Reason for decision – The Policy supports the implementation of on-line claiming; it reduces the level of evidence required by some claimants, so reducing the number of contacts and improves customer experience; it delivers a more effective way of working by reducing the time to gather evidence and thus improve processing times; it identifies a greater number of cases that are likely to be of higher risk of fraud and error, allowing resources to target these cases and identify more fraud and error in the system, delivering a more robust assessment and providing confidence; and it provides efficiencies through less chasing of evidence and improved administration.)

CAB161/03/15 Youth Offending Team – Junior Attendance Centre (All Wards)

Cabinet considered a report which sought approval for the transfer of the provision and supervision of Junior Attendance Centre Orders (JACs) from the Youth Justice Board (YJB) to the Authority with effect from 1 April 2015.

A JAC was a community sentence option available to the Courts when sentencing a young person between the ages of 10 and 17 years who had been convicted of a criminal offence and required that young person's attendance at an Attendance Centre in the Borough as part of the Order.

JACs aimed to prevent reoffending by encouraging the individual to look at the causes of their criminal behaviour and the effect their criminal behaviour had on both the victim and the young person's family. The activities undertaken at the Attendance Centres were intended to help prevent the escalation of more serious offending by providing rehabilitative and reparative programmes, cognitive and life skills courses.

JACs delivered both the punishment and rehabilitation aspects of sentencing, including the provision of social education and life skills training and reparative activity where possible to increase employability and re-engagement into education; maintain physical and mental health (including being aware of the effects of alcohol and drug misuse); promote successful relationships; and enable participants to deal effectively with high risk situations (including first aid, risks of carrying weapons and gang culture).

A JAC was not designed to replicate but rather add value to Youth Offending Team (YOT) provision.

The Attendance Centres in the Borough currently operated each Saturday morning from 10:00a.m to 12 noon. However, this arrangement could be amended and increased based upon local need. This would enable the wider Attendance Centres to provide a service to the Troubled Families (TF) programme where those at risk of offending or anti social behaviour could attend to undertake a standard prevention programme. Given that the JAC arrangements could be altered, a rolling programme could be delivered in different localities. The core statutory programme would operate from the YOT premises in North Shields and this would also meet the needs for those young people who were required to 'sign on' as part of their Bail conditions.

In November 2012 the Government had decided to review responsibility for the provision and supervision of JACs and a decision was taken to move them into the Youth Justice Sector. This position had been supported by recommendations made by the Triennial Review of the YJB, published in November 2013. This had called for the provision and supervision of JACs to become the responsibility of Local Authorities and for the YJB to measure the effectiveness of JACs so that an informed assessment could be made about the long term future of JACs.

A review of the provision and supervision of JACs in the Borough had been undertaken and the review had identified that the responsibility for the provision and supervision of JACs would be best achieved by the YOT. It also identified the need for the circa. £30,000 of associated funding (ring-fenced for two years) that would be attached to the provision of such services to also be transferred to the Authority. The review also identified that TUPE arrangements for the existing member of staff who was primarily responsible for supervising the JACs would apply. The current delivery of the JACs also included six sessional workers who were not part of the proposed transfer arrangements.

Following a request, the Cabinet Member for Children, Young People and Learning undertook to provide information relating to the TUPE transfer of the member of staff concerned.

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

Resolved that the transfer of the provision and supervision of Junior Attendance Centre Orders from the Youth Justice Board to the Authority with effect from 1 April 2015 be approved, subject to confirmation of the grant referred to in paragraph 2.1 of the report being made available to the Authority.

(Reason for decision - the transfer of responsibility enables the YOT to ensure that the provision and supervision of JACs continues and that the Attendance Centres remain able to deliver their statutory function by accommodating the young persons who are required to attend at the Centres. As a JAC can be used in whichever way it is deemed appropriate, this brings an opportunity to expand the remit of the provision to take on a preventative role in conjunction with the statutory one and to contribute to the focus on reducing re-offending.)

CAB162/03/15 Exclusion Resolution

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

CAB163/03/15 Delivering Affordable Homes - Update (All Wards)

(N.B. Councillors EN Darke and IR Grayson left the meeting during discussion and voting on this item.)

Cabinet considered a report which requested approval for the North Tyneside Trading Company to deliver affordable homes on behalf of the Authority. This would be done by establishing a further subsidiary company of the existing North Tyneside Trading Company with the specific purpose of delivering affordable homes on behalf of the Authority.

The report set out the various affordable homes delivery vehicle models that had been considered, an evaluation of the short listed options and the governance, resource and delivery issues associated with the preferred model.

A letter from the Affordable Homes Sub-Group who, as part of its remit had examined the various options available to the Authority for delivering affordable homes was circulated for consideration by Cabinet.

Cabinet considered the following decision options:

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

Option 2 – not approve the recommendations as set out at paragraph 1.2 of the report and choose to borrow to accelerate the number of affordable homes delivered. If this option was chosen, a further report would need to be brought back to Cabinet and / or Council for approval as appropriate, setting out the full financial implications for the Authority. There is no provision for prudential borrowing for this project included in the 2015-2019 Investment Plan.

Option 3 – decide not to set up a delivery vehicle and continue with existing delivery mechanisms.

Resolved that (1) the North Tyneside Trading Company be approved as the Authority's preferred delivery model for new homes as detailed in the report;

(2) the Trading Company delivers new affordable homes within the Authority's existing resources;

(3) the Head of Law and Governance, in consultation with the Chief Executive, Deputy Chief Executive and Elected Mayor, be authorised to set up a new subsidiary to the Trading Company to deliver new homes;

(4) authority be delegated to the Elected Mayor to appoint directors to the Board of the Company;

(5) the Head of Environment and Leisure in consultation with the Elected Mayor, the Chief Executive (as Section 151 Officer) and the Head of Law and Governance, be authorised to:

(a) declare the site as identified at Appendix 3 surplus to requirements and deemed suitable for development by the Company;

(b) agree the terms of the disposal of the site declared surplus by private treaty;

(c) complete negotiations for the sale of the surplus site to the Company in accordance with all relevant legal requirements, the Authority's Constitution and financial regulations; and

(d) deal with all ancillary matters arising that are consistent with the preceding resolutions;

(6) authority be delegated to the Chief Executive (as Section 151 Officer), in consultation with the Elected Mayor and relevant Ward Councillors, Head of Environment and Leisure and Head of Law and Governance, providing there are no further financial or legal implications arising to:

(a) allow additional sites for disposal to the Company in accordance with the Business Plan subject to a maximum market value of £250,000;

(b) declare such sites as identified surplus to requirements;

(c) agree the terms of such disposals;

in accordance with the all relevant legal requirements, the Authority's Constitution and Financial regulations;

(7) the Authority provide all necessary support to the Company in the most efficient manner as is permissible complying at all times with State Aid legislation;

(8) the use of the Section 106 Town and Country Planning Act 1990 commuted sums available for affordable housing as funding for the Company, be approved;

(9) authority be delegated to the Chief Executive to make available to the Company such funding as is required to support the Company's business plan (Section 106 funding and capital receipts) as set out in Appendix 1, in so far that there are no additional financial implications for the Authority which cannot be contained within existing budgets, on such appropriate terms as approved by the Head of Law and Governance;

(10) further reports are submitted as necessary in relation to the Trading Company and the Subsidiary Company; and

Cabinet

(11) the comments submitted by the Affordable Homes Sub Group be noted and a response to the issues raised by the Sub Group be submitted back to Cabinet for consideration.

(Reason for decision – it meets the objectives and ambition of the Authority and contributes to building 3,000 affordable homes in 10 years, it provides the Authority with a model that is funded within existing resources and offers flexibility for future years development).

CAB164/03/15 Date and Time of Next Meeting

6.00pm on Monday 13 April 2015.

Minutes published on Thursday 12 March 2015.

With the exception of Minute CAB161/03/15, the decisions contained within these Minutes may be implemented (unless called in by 3 Non-Executive Members for consideration by the Overview, Scrutiny and Policy Development Committee) immediately following the expiry of the call-in period; i.e. 5.00pm on 19 March 2015.

The decisions contained within Minute CAB161/03/15 are not subject to Call-In and may be implemented immediately.