

Cabinet

12 June 2017

Present: N Redfearn (Elected Mayor) (in the Chair)
Councillors CA Burdis, EN Darke, R Glindon, IR Grayson,
M Hall, JLL Harrison, CB Pickard and JJ Stirling

In Attendance: S Anson (North Tyneside's Member of UK Youth Parliament)
D Hodgson (Business Sector)
R Layton (North Tyneside JTUC)
D Robinson (Voluntary and Community Sector)

CAB173/06/17 Apologies

Apologies were received from S Scott (Northumbria Police), O Daniel (Young Mayor) and A Caldwell (Age UK).

CAB174/06/17 Declarations of Interest and Dispensations

Councillor JLL Harrison declared a non-registerable person interest in item 7(i) Report of the Local Government Ombudsman (Minute CAB186/06/17), as the resident Mrs X referred to in the report, is a family relation.

CAB175/06/17 Minutes

Resolved that the Minutes of the meeting held on 8 May 2017 be confirmed and signed by the Chair.

CAB176/06/17 Report of the Young Mayor

Sophie Anson, North Tyneside's Member of UK Youth Parliament presented the report on behalf of the Young Mayor. She reported on the following activities in which the Young Mayor, Young Cabinet Members and/or Youth Councillors had been involved:

- Youth Councillors and the Young Mayor had met with Soundfest performers when they came to Quadrant for an information evening. Some Young Cabinet Members had promotional Soundfest hoodies which they had been wearing whilst out and about around the borough. They had also been gathering donations from businesses to use for spot prizes at the event. The Youth Council's main focus for this last month had been selling tickets for Soundfest and this would continue until the music festival took place.
- Youth Councillors had attended a film launch at The Exchange in North Shields. The Youth Councillors had been involved in the creation of the film which was about nutritional health.
- The Young Mayor and two Young Cabinet Members had attended the Mental Health and Wellbeing event at the Langdale Centre where they gave a presentation to Headteachers and lead practitioners to re launch the Mind Your Head pack.

- The Young Mayor had attended the Chair of the Council's Commendation awards to help make the final selection. There were some fantastic volunteers who would be receiving awards at the ceremony.
- The Young Mayor had attended the Love Your Street project meeting and would be taking the lead on developing an education pack for young people to be used in schools
- The Chair of the Greener North Tyneside group, Ian McKee had met with the Young People's Environment group to discuss ideas for an Environment App project. Ian McKee had noted their views and would be back in touch when the funding was in place.
- The Anti-bullying Group had begun their planning of a schools event to be held in November during Anti-bullying week.
- Young Cabinet Members had attended the Equality 4 Us Conference in London where they had helped develop a youth friendly charter for reporting Hate Crime.
- Three young people from the Children in Care Council had been invited to the Queens garden party because of their work with the Children's Commissioner. They reported they'd had a wonderful time.

The Elected Mayor thanked the Member of UK Youth Parliament for the report and commended her, the Young Mayor and Youth Councillors for their hard work.

CAB177/06/17 2016/17 Provisional Financial Outturn Report (All Wards)

Cabinet received a report which set out details in respect of the provisional outturn for the General Fund, Housing Revenue Account, School balances position, the financial and delivery aspects of the Investment Plan and the delivery of the Treasury Management Strategy for the financial year 2016/17.

The forecast outturn reported to Cabinet at 13 March 2017 for the General Fund Revenue Budget was an overspend of £2.698m arising mostly from costs due to increased demand for Social Care Services in both Adults and Childrens. Actions taken to manage this position had resulted in a much improved final outturn position of £0.426m overspend. Included in the 2016/17 budget was the planned use of the Strategic Reserve of £2.001m. The final use of the Strategic Reserve was £4.727m, this included the budgeted use of £2.001m and £2.726m to balance the outturn (this included £2.3m to meet the in-year costs of the Living Wage as reported throughout 2016/17).

As part of the 2016/17 final accounts, amounts had been set aside as provision and reserves for known liabilities and uncertainties that still remained in future years.

The Housing Revenue Account had year-end balances of £5.966m, which was £3.051m above budget.

School balances had decreased from £6.982m to £4.986m, these balances included a significant amount of committed funds and the permitted carry forward of grants for the remainder of the academic year.

The final capital expenditure on the Investment Plan for the year was £61.690m, with a recommendation to approve reprogramming of £12.980m into 2017/18.

In terms of Treasury Management, the Authority had acted prudently during the year, confirming that the security of the Authority's resources was of greater importance than returns on investments. The level of investments at 31 March 2017 was £5.200m. The level of borrowing (excluding PFI) was £436.897m.

The Cabinet Member for Children, Young People and Learning confirmed the challenges facing schools as a consequence of there being no real term cash increases over a number of years. He also gave assurance that schools experiencing budget difficulties would be invited to attend budget clinics.

Cabinet considered the following decision options:

Option 1: agree the recommendations as set out in Section 1.2 of this report.

Option 2: disagree with all or some of the individual recommendations set out in section 1.2 of the report.

Resolved that (1) the provisional 2016/17 outturn for the General Fund, Housing Revenue Account and Schools Finance, together with a financial overview of the year, as set out in the report be noted;

(2) the decisions made under the Reserves and Balances Policy be noted;

(3) the Authority's Investment Plan spend during 2016/17, and the financing put in place be noted;

(4) further reprogramming of £12.980m within the Investment Plan be approved;

(5) the Council's Treasury Management performance be noted; and

(6) the performance against the Capital and Treasury prudential indicators be noted.

(Reason for decision – it is important that Cabinet continues to monitor performance against the Council Plan and Budget. Reprogramming of the Investment Plan will ensure that the delivery and financing of the Plan is balanced over the medium term.)

CAB178/06/17 Presentation – Investment Programme Board Annual Report (All Wards)

Cabinet received a presentation on the Investment Programme Board end of year report for 2016/17.

The presentation outlined the terms of reference of the Programme Board and its membership, and gave details of the total investment plan spend profile of £61.690m planned for 2016/17.

Copies of the Investment Programme Board End of Year Report 2016/17 were available at the meeting. The report provided more detail of the projects that had been completed in 2016/17, those projects that were currently in progress and a number of 'off balance sheet' projects.

The Deputy Mayor thanked officers for their hard work in delivering the plan and looked forward to seeing large scale developments being completed in the borough.

Resolved that the presentation be noted.

CAB179/06/17 Cabinet Response to Scrutiny Report on Collection Fund Reporting (All Wards)

Cabinet considered a report seeking approval to the proposed response to the recommendations of the Finance Sub-committee in relation to future reporting of the Collection Fund as part of the Financial Monitoring Report to Cabinet

At its meeting on 22 February 2017, the Finance Sub-committee had considered a report on the current monitoring of the Collection Fund and made recommendations for future reporting to Cabinet. The Sub-committee had noted that the Collection Fund was the statutory name for the ring-fenced account for Council Tax and Business Rates and formed a separate statement in the statutory accounts at the year end.

The Sub-committee had been advised of the following key elements of monitoring undertaken throughout the financial year:

- Monthly Statistics completed for both Council Tax and Non-Domestic Rates (NNDR) setting out the position in terms of the debit raised and cash collected.
- The Collection Fund is also monitored as part of the Business Partnership KPIs and reported of the Partnership OPB and SLT Corporate Score Card.
- Monthly Review of NNDR position against the NNDR1.
- Annual Review of the Council Tax base.

The Sub-committee had agreed that the following recommendation be submitted to Cabinet:

“That as part of the Financial Monitoring report to Cabinet for the September position and the outturn position an update is given on the forecast outturn for Council Tax and Business Rates”.

Cabinet considered the following decision options:

Option 1: To accept the recommendation set out in paragraph 1.2 above

Option 2: Not to accept the recommendation set out in paragraph 1.2 above, and provides an alternative response to the Finance Sub-committee at the meeting.

Resolved that the recommendation from the Finance Sub-committee as set out in paragraph 1.5.5 of the report be approved.

(Reason for decision – in order to improve transparency of the in-year position with regard to the Collection Fund which provides the Resources (funding) used to fund the General Fund net budget.)

CAB180/06/17 Review of Childcare (Previous Minute CAB143/03/16) (All Wards)

Cabinet received a report on the outcomes of the Authority’s review of Childcare Riverside and Childcare Oaktrees, including the results of the public consultation exercise.

The Authority had a duty to ensure there were sufficient childcare places for working families and to meet statutory entitlements. As a result of effective partnership working

between the Authority and childcare providers, the Borough had developed a vibrant, diverse and high quality childcare offer. There were sufficient places and a sustainable mix of childcare across North Tyneside as a whole.

The Authority's analysis of childcare in the south east of the Borough has identified a specific childcare need amongst disadvantaged and vulnerable families within the Riverside and Chirton wards, who required Government funded childcare places, particularly the 2 year old offer. The Authority believed that the wider childcare sector was unlikely to meet this demand in the short term if the Authority were to withdraw its entire provision at Childcare Riverside and Childcare Oaktrees.

In the current financial climate the Authority's existing childcare model was financially unsustainable and operates at a significant cost to the Authority. A new model that would secure sufficient childcare for vulnerable families in the Riverside and Chirton wards was required. A public consultation exercise had taken place between 17th January 2017 and 16th February 2017, to allow members of the public to give their views on the proposed remodelling of the Authority's childcare offer in the South East of the Borough. The key messages arising from the consultation were set out in the report. The Authority had sought to address the issues raised during the consultation and would continue to do so in the future.

The Authority proposed to deliver a Ready for School Centre that would focus resources on meeting the needs of the most deprived 2, 3 and 4 year old children in the targeted localities. This would secure sufficient Government funded childcare places in the locality, particularly for the 2 year old offer. This would support the school readiness of some of the most vulnerable children in North Tyneside, through a package of integrated family support.

The Authority's success in growing and diversifying the Borough's childcare sector meant that families currently using the Authority's childcare, whose needs would not be met under the proposed model, would be able to access a commensurate offer at an alternative provider. The Authority would offer support to families to ensure children secure appropriate childcare, and would continue to work with providers to ensure there was a diversity of childcare options available to families in the Borough.

Riverside Out of School Club would cease operations on 20 October 2017. Families using the club would be offered support, guidance and advice to find alternative provision. Additional support would be made available to families with additional needs.

The Authority would consult with families and stakeholders regarding the opportunity to improve the accessibility of the Wallsend Children's Centre offer, while maintaining the existing range and quality of the offer.

The Deputy Mayor welcomed the 'Ready for School Model', and was pleased at the number of schools willing to participate. He was also pleased that the new model would be phased in over a period of time and would still be able to provide quality childcare and support to families.

Cabinet considered the following decision options:

Option1: Agree to implement the Childcare Review recommendations as set out in the recommendations at paragraph 1.2.

Option2: Not approve the recommended model and ask Officers to undertake further work.

Resolved that (1) the findings of the consultation process on the childcare review be noted;
(2) approval be given to the implementation of the proposals set out in paragraphs 1.5.13 – 1.5.20 of the report;
(3) the Head of Education, Care and Safeguarding be authorised to inform the relevant parties of Cabinet’s decision in respect of the Childcare Review;
(4) the Head of Education, Care and Safeguarding, in consultation with the Head of Law and Governance and the Head of Human Resources and Organisational Development, be authorised to take all necessary steps arising from the consultation with the Trade Unions and staff to implement the proposals set out in paragraphs 1.5.13 - 15.20 of the report; and
(5) the Head of Education, Care and Safeguarding, in consultation with the Head of Law and Governance and the Head of Human Resources and Organisational Development, be authorised to take all necessary steps to implement the Childcare Review and Wallsend Children’s Centre review proposals as agreed.

(Reason for decision – All children will have access to high quality childcare as part of the Authority’s commitment to ensuring they are ready for school; the Authority’s resources will be focussed on the most vulnerable children; there will continue to be sufficient Government funded childcare places to meet the needs of the most vulnerable 2, 3 and 4 year olds; maximum value for money will be achieved for taxpayers; the Authority will continue to meet its sufficiency duties; and the Authority will ensure the Wallsend Children’s Centre Offer meets the needs of local families.)

CAB181/06/17 Regionalising Adoption Proposals (All Wards)

Cabinet received a report on the development work that had been undertaken to date on the preferred model for the delivery of a regional adoption agency (RAA) by 2020, as required by the Department for Education (DfE).

The development of RAA proposals was part of the national adoption agenda set out in the DfE paper ‘Regionalising Adoption’ in June 2015. These proposals had been further developed in the paper ‘Adoption; A Vision for Change’ published in March 2016.

At this stage the DfE had not been prescriptive about what the proposals for Adopt NE should look like, other than that they must involve the voluntary sector in all aspects of the planning stage and the final delivery model, and should be more than simple consortium arrangements.

In November 2015, Newcastle City Council had submitted an expression of interest on behalf of Newcastle City Council, Northumberland County Council, North Tyneside Council, South Tyneside Council and Gateshead Council, and 4 Voluntary Adoption Agencies (VAAs), and the proposal had been approved by DfE as a “Scope and Define” project.

The Scope and Define phase would be split into 3 stages – mobilisation (February-June 2017), service design (June 2016-April 2017) and options appraisal (April-September 2017). Further details were given in the report.

Funding and practical support from the DfE was being provided, initially until the end of March/April 2018, with the clear possibility of further funding.

A Project Board, comprising representatives from all five local authorities and the four VAAs, had been established to carry out an options appraisal on a number of potential

delivery models for regional adoption services. The Project Board has agreed a vision and high level objectives as set out in the report.

The report also outlined the potential delivery models as follows:

- Model 1: a single local authority hosting on behalf of a number of local authorities
- Model 2: Joint Venture Company between local authorities
- Model 3: Joint Venture between Voluntary Adoption Agencies and Local Authorities
- Model 4: Commissioning Regional Adoption Agency
- Model 5: Outsourcing to existing Voluntary Adoption Agencies

In October 2016, two consultation sessions for staff likely to be affected by the RAA proposals had taken place. Further staff engagement days had taken place in February 2017. Consultation with children and young people had also taken place in December 2016 and in February 2017. Feedback from the consultation process was outlined in the report.

On 15 November 2016, the Project Board had identified, subject to formal partner agreement, a preferred option involving the formation of a local authority owned joint venture company (Model 2). The main strength of this option was that it was felt to provide the necessary degree of control and management of risk for participating local authorities whilst maintaining the flexibility to innovate and commission activity from VAAs. With regard to the latter the procurement position was more favourable as certain exemptions were afforded if the RAA was local authority controlled and the essential part of the RAA activity was with the controlling local authorities.

It was intended that the Adopt NE proposals would meet the requirements placed upon the Authority to develop a new form of service to deliver statutory adoption functions.

Further detailed work would be undertaken to develop the project and a full business case would be provided to Cabinet in due course. The business case would set out in particular the potential impact on the Authority in relation to budget allocation, staffing issues including pension's treatment and asset allocations.

Whilst the Project Board had identified a preferred model of delivery, a full detailed analysis of all the available options was still required to ensure that the model chosen was the best fit and most economically viable. The Authority had requested that when the Project Board submitted the business case in Autumn 2017 for consideration by each Council a full analysis of all the available options was provided.

Details of how the project would be measured and evaluated were set out in the report.

The project was on track to deliver the RAA as a trading entity by April 2018, assuming approval by the main stakeholders.

The Deputy Mayor stressed the importance of not losing sight of the service provided to the child during the process and to ensure the right safeguarding measures were in place.

The Elected Mayor supported this sentiment and stressed that it should be about what was best for the child.

Cabinet considered the following decision options:

Option 1: To support in principle the outline proposals for the continued development of the Adopt NE Regional Adoption Agency and use of a local authority owned Joint Venture Company (JVCo) as the preferred business model option for Adopt NE (Model 2), subject to a full business case providing an analysis of all the available options being presented to Cabinet in late Summer/Autumn 2017 from which a final decision of the model to adopt can be made; To authorise the Head of Health, Education, Care and Safeguarding in consultation with the Cabinet Member for Children, Young People and Learning, the Head of Law and Governance and the Head of Finance to participate in and contribute to the development of the proposals associated with the RAA.

Option 2: Not to pursue the proposed Regional Adoption Model as outlined in the report and request officers to consider alternative arrangements and to report back accordingly.

Resolved that (1) in principle support be given to the outline proposals for the continued development of the Adopt NE Regional Adoption Agency and use of a local authority owned Joint Venture Company as the preferred business model option for Adopt NE, subject to a full business case providing an analysis of all the available options being presented to Cabinet in late Summer/Autumn 2017 from which a final decision of the model to adopt can be made; and

(2) the Head of Health, Education, Care and Safeguarding, in consultation with the Cabinet Member for Children, Young People and Learning, the Head of Law and Governance and the Head of Finance, be authorised to participate in and contribute to the development of the proposals associated with the RAA.

(Reason for decision – The recommendation proposed supports the work and initial conclusions of the Project Group whilst requiring a full and detailed explanation and analysis of the available options to be provided the Cabinet when it is requested to make a final decision of the model to adopt.)

CAB182/06/17 Cabinet Response to Scrutiny Report on Elective Home Education (All Wards)

Cabinet received a report seeking approval to the proposed response to the recommendations included in the Overview, Scrutiny and Policy Development Report into Elective Home Education.

At a meeting in July 2016, the Children, Education and Skills Sub Committee had received a report which set out background information in relation to Elective Home Education.

Members of the Sub Committee had expressed some concerns as to the Authority's ability to check the quality of education being received by those outside of the formal school process. As the Attendance and Placement Team was due to review North Tyneside's policy on Elective Home Education, it was agreed that a review be undertaken to look at the current practices and Local Authority role in relation to home educating.

Following consideration of background information in relation to Elective Home Education, the Sub Group had agreed the following remit at the beginning of the study:

- What are the key motivations for parents wanting to home educate their children?
- Is the increased demand on school places impacting on the number of parents that choose to home school?
- Do parents feel supported by the local authority in their choice? Do they require additional assistance?

- Should the government be lobbied to change the law to permit local authority's access to elective home educated children?
- To advise the officer team on the Authority's policy statement on home education and what networks could be established to reassure Members that all children being home educated were known about.

The Sub Group had met with officers in the Attendance and Placement Team to gather information on the role that the Authority had in relation to Elective Home Education and the powers available to the Authority in ensuring an appropriate education was provided. The Sub Group had also obtained information relating to why parents chose home education and the latest figures.

The Cabinet Member for Children, Young People and Learning thanked the sub-group for the report.

Cabinet considered the following decision options:

Option 1: To accept the recommendations set out in paragraph 1.2

Option 2: To not accept the recommendations set out in paragraph 1.2, and provide an alternative response to the report at the meeting.

Resolved that the proposed responses to the recommendations from the Overview, Scrutiny and Policy Development Sub Group in relation to its study into Elective Home Education Report, as shown in Appendix 1 to the report, be approved.

(Reason for decision – in order to improve and develop support for those families who are currently or are considering home educating their children.)

CAB183/06/17 Cabinet Response to Scrutiny Report on Business Support (All Wards)

Cabinet received a report seeking approval to the proposed response to the recommendations of the Economic Prosperity Sub-Committee's study, on behalf of the Overview, Scrutiny and Policy Development Committee into the support for young businesses in North Tyneside.

In September 2016 the Economic Prosperity Sub-Committee had approved the appointment of the Business Support Sub Group to:

- a) examine the range of support available to start up businesses;
- b) examine the sustainability of new businesses in their 3rd and 4th years;
- c) consider whether providing extended and enhanced support for businesses in their 3rd and 4th years would reduce the likelihood of businesses failing and consequently have a positive impact on the local economy; and
- d) formulate recommendations as to how existing support might be enhanced or how additional services might be developed to improve the success rate of start up businesses. Any recommendations to be supported with an assessment of the financial implications.

Having completed its investigation, the sub group had prepared a report and a series of recommendations. These had been considered by the Economic Prosperity Sub-Committee at its meeting on 15 March 2017 when it had agreed the final report.

The Overview, Scrutiny and Policy Development Committee had received the report on 3 April 2017 and had approved the recommendations for submission to Cabinet.

The Deputy Mayor thanked the Economic Prosperity Sub-committee and consultees for the report.

Cabinet considered the following decision options:

Option 1: To accept the recommendations set out in paragraph 1.2

Option 2: To not accept the recommendations set out in paragraph 1.2, and provide an alternative response to the report at the meeting.

Resolved that the proposed responses to the recommendations from the Business Support Sub Group in relation to its study into support for young businesses in North Tyneside, as shown in Appendix 1 to the report, be approved.

(Reason for decision – to improve and develop the support to business in North Tyneside.)

CAB184/06/17 The Apprenticeship Levy (All Wards)

The Cabinet received a report which sought approval for delegated authority arrangements to sign the Skills Funding Agency's funding agreement and to deal with all aspects of the apprenticeship levy on behalf of the Authority.

The report outlined the background to and set out the key issues that arose from the implementation of the Levy.

The Senior Leadership Team had considered how best to meet the target and maximise the Levy within the current challenges of service redesign and reductions in the Authority's workforce by considering:

- in relation to the current workforce, to "up skill" to either a higher level standard or a significantly different area of expertise in order to support succession planning; and/or
- new apprenticeship posts coming into teams.

For 2017/18 in the region of 89 new apprenticeship opportunities had been identified. The Authority had therefore met the target of 66 for 2017/18.

The Authority was now progressing towards recruiting new apprentices for a September 2017 start and making arrangements with approved training providers for existing staff moving on to an apprenticeship.

A number of community schools were in the process of considering how to move forward with the appointment of apprentices and were exploring enhancing the skills and/or experience of existing staff, whilst others were exploring the option of engaging new apprentices as employees.

Some community schools were also looking at working with other school employers (Foundation Trust, Voluntary Aided Faith and Academy Schools who were not affected by the Apprenticeship Levy) by supporting with receiving an apprentice on 'placement' and re-funding the community school for the associated costs. Discussions were also ongoing

with the North Tyneside Learning Trust regarding their apprenticeship programme and consideration of coordinated approaches regarding recruitment and placement.

The Authority's liability to pay the Levy this year equated to approximately £500,000. These funds were paid into an online digital account for the Authority to use to pay for the training and assessment costs for its apprentices. In order to access the digital account the Authority was required to sign the Skills Funding Agency Agreement that set out the terms for use of the Digital Apprenticeship Service by the Authority and the obligations by which the Authority agreed to be bound.

In addition, in order to comply with Authority's policy and procedures (e.g. procurement guidelines) the report also sought approval for the Head of Human Resources and Organisation Development to deal with all aspects of the apprenticeship levy, including the engagement of training providers, on behalf of the Authority moving forward. This would ensure the Authority was able to progress the programme within a timely and efficient manner.

Cabinet considered the following decision options:

Option 1: to approve the implementation of the apprenticeship levy and programme in accordance with paragraph 1.2.

Option 2: to not approve the implementation of the actions as requested in accordance with paragraph 1.2 and request officers to examine other options.

Resolved that the Head of Human Resources and Organisation Development be authorised:

- (1) in consultation with the Head of Law and Governance, to sign the Skills Funding Agency (SFA) agreement in order to access the Authority's digital account held by the Digital Apprenticeship Service;
- (2) in consultation with the Head of Finance, Head of Law and Governance and the Deputy Mayor to deal with all aspects of the apprenticeship levy, including the appointment of training providers in accordance with the Authority's Constitution and Standing Orders in relation to Contracts; and
- (3) in consultation with the Head of Finance and Head of Law and Governance to deal with access to the Authority's digital account held by the Digital Apprenticeship Service on behalf of the Authority.

(Reason for decision – the Authority will be able to progress with the apprenticeship programme and will commence immediately to ensure the Authority meets the duty place upon it by the Government. If the preferred option is not approved, the Authority will be unable to meet its new duty.)

CAB185/06/17 Adoption of the North Tyneside Local Plan (All Wards)

Cabinet received a report which sought its approval to recommend full Council to adopt the North Tyneside Local Plan and North Tyneside Local Plan Policies Map, following submission of the Local Plan to the Secretary of State in June 2016 and completion of an Examination in Public by an independent Planning Inspector.

The report outlined the background to the preparation of the Local Plan and the examination in public of the Local Plan held by the independent Planning Inspector.

The Inspector's report had been published on 15 May 2017. The Report recognised that the Local Plan sought to secure sustainable development through a combination of growth, investment and regeneration to meet the identified development needs of the Borough whilst simultaneously protecting Green Belt and significant areas of identified green infrastructure.

The Inspector confirmed that the Authority had complied with its Duty to Co-operate with neighbouring authorities in preparing the plan. Additionally he concluded that the preparation of the Plan met the legal requirements having been prepared in accordance with the Authority's Local Development Scheme and Statement of Community Involvement; and adequate Sustainability Appraisal and a Habitat Regulations Assessment had been carried out on the policies and proposals of the Plan.

The recommended Main Modifications were summarised in the report.

The Inspector's report concluded that with the recommended Main Modifications set out in the Appendix to the Report the North Tyneside Local Plan satisfied the requirements of Section 20(5) of the 2004 Planning and Compulsory Purchase Act and met the requirements for soundness in the National Planning Policy Framework. In addition to the schedule of Main Modifications recommended by the Planning Inspector, further Minor Modifications had also been made to the Pre-submission draft. Minor Modifications had been agreed, prior to submission of the Local Plan to the Secretary of State in June 2016, in accordance with the authorisation provided by full Council to the Head of Environment, Leisure and Housing to make such changes.

If the Council Meeting agreed to adopt the Local Plan at its meeting on 20 July 2017 and the North Tyneside Local Plan Policies Map, it would replace in full the Unitary Development Plan 2002. The Local Plan would provide a strategy, detailed policies and specific sites for delivering objectively assessed development needs over the plan period to 2032. As such the North Tyneside Local Plan would provide a comprehensive planning framework without the need for additional Development Plan Documents.

However, further supporting Supplementary Development Plan documents and preparation of a Community Infrastructure Levy would provide supporting guidance to the consideration of policy and in meeting the priorities of the Authority. The preparation of these additional documents was programmed in the Authority's Local Development Scheme, which had last been updated by Cabinet in October 2016.

Subject to adoption of the Local Plan the Authority would progress with ensuring the effective implementation and delivery of policies within the Local Plan.

Cabinet received a presentation on the North Tyneside Local Plan Adoption 2017. The presentation outlined the reasons why a local plan was required, the Local Plan key proposals, details relating to the preparation of the Local Plan, the main modification to the Local Plan, the revised housing requirements and the 5 year land supply and delivery tests.

The Cabinet Member for Housing and Transport thanked everyone who had been involved in the preparation of the draft Local Plan. He explained that the adoption of the Local Plan would be essential to ensuring successful and sustainable growth in the borough and once it was in place it would ensure that the local authority was not at risk of speculative applications for development.

The Cabinet Member for Children, Young People and Learning welcomed the draft Local Plan and was pleased that the Independent Planning Inspector had confirmed that the plan was sound and believed that the medium growth strategy was right for the borough.

Cabinet considered the following decision options:

Option 1: Agree with the recommendations as set out at paragraph 1.2 of the report.

Option 2: Decline to approve the recommendations in paragraph 1.2 of the report and request the Head of Environment, Housing and Leisure, in consultation with the Cabinet Member for Housing and Transport and the Head of Law and Governance, to review the proposed adoption version Local Plan.

Resolved that (1) the recommendations of the independent Inspector in his Report to the Authority to make Main Modifications to the Local Plan be noted;
(2) the Local Plan with Main Modifications and Minor Modifications be referred to the meeting of the Council on 20 July 2017;
(3) Council be recommended to authorise publication of the Local Plan Adoption Statement;
(4) Council be recommended to adopt the Local Plan and the Local Plan Policies Map including the Main and Minor Modifications; and
(5) it be noted, subject to the adoption of the Local Plan by Council, that Cabinet will receive the Authority Monitoring Report of the Local Plan annually commencing in January 2018.

(Reason for decision - It will enable the Local Plan to proceed to a Council Meeting for adoption and provide the Authority with an up to date Local Plan that has been considered as sound, with recommended Main Modifications, by an independent Planning Inspector appointed by the Secretary of State. All Main Modifications are necessary for the Plan to be considered sound and therefore capable of adoption.

The Local Plan is based on relevant and up to date evidence and addresses the strategic priorities for planning in North Tyneside in accordance with the National Planning Policy Framework (NPPF) and national planning guidance.

The level of growth proposed is considered to be realistic and best matches the Authority's growth aspirations and meets the requirements of NPPF in delivering the Borough's Objectively Assessed Needs for Housing.

Establishing an agreed plan for adequate housing delivery to meet identified needs provides the Authority with greater control over which sites are released for development.

Failure to proceed with the adoption version Local Plan could lead to significant delay in the introduction of the Local Plan for North Tyneside. Delay in introduction of the Local Plan would severely impact the Authority's ability to effectively manage future speculative planning applications. This would make it harder to protect the sites that the Council value and make adequate delivery of appropriate infrastructure including for transport, education, health, open space and affordable homes harder. Any significant delay would require revised evidence of housing needs that is likely to result in a need for further consultation and examination.)

CAB186/06/17 Report of the Local Government Ombudsman – Planning Matter (All Wards)

(Councillor JLL Harrison withdrew from the meeting during consideration of this item.)

Cabinet received a report of the Local Government Ombudsman (LGO) dated 20 March 2017 finding maladministration causing injustice as a result of the Authority's delay in deciding planning applications for a development and below acceptable administrative standards in communicating with residents about that development. However the LGO did acknowledge that the Authority and the Developer had acted reasonably and proportionately in trying to mitigate further the impact of the redevelopment. Despite doing a great deal of work to listen to and respond to residents, it was in communicating its position in writing that the Authority did not meet satisfactory administrative standards.

As recommended by the LGO the Authority had acknowledged this injustice and written to apologise to all of the residents affected, and had paid £100 compensation to those 8 residents and an additional payment of £100 to Ms X, the lead complainant, for the time and trouble spent pursuing the complaint.

Cabinet was requested to note the findings of the report attached as Appendix 1, its recommendation and actions taken to address the LGO's recommendation.

Resolved that (1) the findings and recommendation of the Local Government Ombudsman as described in the report and set out in Appendix 1 to the report be noted; and
(2) the actions taken by the Authority to comply with the recommendations of the LGO's report, as set out in 1.5.3 and 1.5.4 of the report be noted.

(Reason for decision – To comply with the recommendations of the Local Government Ombudsman).

CAB187/06/17 Date and Time of Next Meeting

4.00pm on Monday 10 July 2017.

Minutes published on 15 June 2017.

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 22 June 2017.