

Cabinet

11 September 2017

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

In Attendance: O Daniel (Young Mayor)
K Goldfinch (Business Sector)
A Paradis (North Tyneside Clinical Commissioning
Group)
R Layton (North Tyneside Joint Trade Union Committee)
C Franchi (Voluntary and Community Sector)

CAB38/09/17 Apologies

Apologies were received from Councillor CA Burdis and A Caldwell (Age UK).

CAB39/09/17 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

CAB40/09/17 Minutes

Resolved that the Minutes of the meeting held on 14 August 2017 be confirmed and signed by the Chair.

CAB41/09/17 Report of the Young Mayor

The Young Mayor reported on the following activities in which he, Young Cabinet Members and/or Youth Councillors had been involved:

- The Member of United Kingdom Youth Parliament had attended the UK Youth Parliament's Annual Sitting in Liverpool; she had taken part in debates and supported motions that would go forward to the Make Your Mark consultation, preparations for which had already started in North Tyneside. The main business of carrying out the consultation would take place during September and the most important issues to North Tyneside young people would be shared with Cabinet.
- Youth Councillors had been in Quadrant over the summer taking part in debate training in preparation for the Annual Debate during Local Democracy Week, debate leads had been selected and they were looking forward to choosing the debate topics.
- Youth Councillors had raised £183.43 at the table top sale of books and puzzles for their chosen charity, De Pauls 'Young People's Homeless Project'.
- The Children's Council had enjoyed a day at St Mary's Lighthouse for their summer activity.
- The Children in Care Council had taken part in Passport to Parliament. This event had been held in Quadrant Chambers and was ran by Become, a national charity for looked after children and care leavers. Children in care from all over

the North East had come together to learn more about how Parliament worked and how decisions were made.

- The Regional Children in Care Council had been shortlisted for a Children and Young People Now Award, the awards event would be held in London on 22 November.
- Youth Councillors had attended the Make it Special to find out how they could get more involved this year. They would now be helping with a bag pack, wrapping Christmas presents and writing out cards.
- The Young Mayor and Youth Councillors had attended the Pearl anniversary celebrations of North Tyneside Disability Forum at Whitley Bay Playhouse.
- At the last youth council meeting there had been presentations from the National Citizens Service and Young Carers. Some young people from the Young Carers Centre had also attended.

The Young Mayor informed the meeting that some of the Youth Councillors had received their exam results over the summer and he wished them well in their college, sixth form or apprenticeships.

The Elected Mayor congratulated the Children in Care Council for being shortlisted for the Children Young People Now Award and thanked the young people and officers who were involved with this for their excellent work.

The Young Mayor was thanked for his report and commended on the excellent work and projects he, Young Cabinet Members and Youth Councillors had been involved with.

CAB42/09/17 2017/18 Financial Management Report to 31 July 2017 (All Wards)

Cabinet considered the second monitoring report outlining the 2017/18 financial position.

The report covered the forecast outturn of the Authority's General Fund and Housing Revenue Account (HRA) revenue budget including details of where the Authority had continued to manage financial pressures and what mitigations were in place where issues had been identified; the delivery of 2017/18 approved budget savings plans; an update on the 2017/18 schools budgets; an update on the Capital Investment Plan including details of variations and reprogramming that were recommended for approval; and an update and overview of current performance against the policy priorities in the 2016-2019 Our North Tyneside Council Plan as context for the financial position.

The forecast overall pressure was estimated at £7.052m against an approved net budget of £152.360m. This was driven mainly by continued pressure in Health, Education, Care and Safeguarding of £7.208m. Included in this projection was £2.168m of pressures in Corporate Parenting and Placements and £3.361m in Social Care package provision within Adult Social Care Services, the drivers for these pressures had continued from 2016/17 and were outlined in the report.

The 2017/18 budget setting process had made provision for many of the pressures identified during 2016/17, however, demand pressures had continued into 2017/18.

Negotiations with care providers were at an early stage for 2017/18 in terms of the National Living Wage and at this early point in the year it was not yet possible to be sure that all the savings built into the Creating a Brighter Future Programme could be delivered. Over the course of May, June and July a number of working groups had been held with senior officers and Cabinet members looking in detail at the financial position and progress against the action plans developed since the start of the financial year. Some progress had been made against these plans and it was expected that the out-turn forecast would improve over the course of the year as planned remedial actions began to have an impact on spend and income. The forecast outturn did not at this stage take into account the additional funding for Adult Social Care announced as part of the Spring Budget on 8 March 2017. For 2017/18 this amounted to £4.579m, and work was currently in progress to determine the appropriate application of this funding.

The HRA was forecast to have year-end balances at 31 March 2018 of £4.382m, which was £1.520m higher than budget. The higher than forecast balances were mainly as a result of higher opening balances due to the impact of the previous years' financial performance (£1.339m) but there was also an in-year estimated overall underspend of £0.181m. Total overall income was currently expected to be lower than budget (£0.046m) due to higher void levels than forecast, being offset by higher than expected income from both temporary dispersed accommodation and service charge income. Reduced spending on contingencies and bad debt provision of £0.220 brought the forecast outturn for the year to a £0.181m surplus.

With regard to school funding, there was an increase in the number of schools requesting deficit approval and ten schools had made requests compared to eight in 2016/17. The 10 July Cabinet report Education for North Tyneside (Minute CAB24/07/17) had set out a series of actions to address schools finance and specifically further deficit clinics were planned during September to agree actions with the schools to manage and improve those deficit positions.

The 2017-2020 Investment Plan, adjusted for proposed variations, totalled £201.475 and was detailed in Appendix 1 to the report. The Annex to the report also set out delivery progress to date, planned delivery for 2017/18, reprogramming and other variations identified through the Investment Programme Governance process. Following variations of £1.316m proposed as outlined in the report, the revised Investment Plan stood at 99.319m for 2017/18. To the end of July 2017 £14.295m (14.39%) of spend had been incurred which was broadly in line with the budgeted spend across the year.

The report also outlined the revenue grants which had been received during April and May 2017.

With regard to current progress of services against the Our North Tyneside Plan, in Adult Social Care the focus remained on providing support which allowed people to live independent lives by providing preventative services and keeping people living at home for as long as possible. There was an increase in short term placements to residential care and reablement in-house provision as a result of a lack of capacity in the local domiciliary care market and this was driving some of the cost pressure within Adult Social Care.

In Children's Services good progress continued to be made on engaging with children in the early years of life to ensure that they were ready for school. Safeguarding vulnerable children and maximising their educational attainment remained key priorities.

The levels of looked after children (LAC) and children who required supervision after leaving care continued to generate a significant financial pressure. In year data continued to demonstrate that LAC levels were reducing but there were a wide range of levels of care provided and current demand continued to drive financial pressure in 2017/18. The Authority was forecasting a pressure of £2.168m in corporate parenting and placements (2016/17, £2.525m). The new model for children had been designed in part to address the financial pressures. Although above the England rate, the North Tyneside LAC rate compared favourably with the rate for the North East and with statistical neighbours.

In Housing, the Authority was seeing some impact of Welfare Reform, as well as the on-going consequences of the current Right to Buy Scheme. The proportion of rent collected had fallen from 97.03% in 2015/16 to a position of 96.6% for 2016/17 which was expected to continue into 2017/18. There was also pressure on empty homes turnaround from both a housing management and repair perspective with average re-let times in 2016/17 of 38.25 days, substantially increased from 29.39 days in 2015/16. This increase in turnaround times was driven by an increased number of transfers of older people moving from properties they had lived in for many years into the PFI sheltered housing as it had become available as part of the North Tyneside Living PFI Scheme. Often these residents had chosen not to be included in planned improvements in their areas to avoid the disruption to their lives. This had resulted in many of the properties requiring more substantial works than normal to meet the void standards before they could be re-let. The Authority continued to work with Kier to reduce the void turnaround times.

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

Resolved that (1) the forecast budget monitoring position for the General Fund, Housing Revenue Account and Schools' Finance as at 31 July 2017, as set out in Annex to the report, be noted;
(2) the receipt of £0.325m new revenue grants be approved;
(3) the Authority's Investment Plan spend of £14.295m to 31 July 2017 and the financing of the Plan to the end of the year, as set out in the Annex to the report, be noted; and
(4) the variations of £1.316m within the 2017 - 2020 Investment Plan, as set out in the Annex to 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.)

CAB43/09/17 2018-2020 Financial Planning and Budget Process incorporating the Council Plan and associated Engagement Strategy (All Wards)

Cabinet considered a report seeking approval to the proposed 2018-20 Financial Planning and Budget process including information on the key decision milestones; and as part of the process, the proposed approach to adopt the Budget Engagement Strategy and to update the Council Plan.

Medium term financial planning remained difficult in the context of continuing funding cuts for local government coupled with increased demand for social care and welfare reform. The March 2017 Budget had reported a further deterioration in the public finances and the expectation that the national budget deficit would not be eradicated until the end of the next Parliament. Uncertainty remained in respect of the impact of Central Government's devolution agenda as well as the future impact of Brexit. In terms of managing the increasing demands for both Adult and Children's Social Care, there were indications that many authorities were overspending against budgets for both Adults and Children's Services in order to meet increasing demand and cost. These pressures were evident in North Tyneside and new financial and organisational initiatives needed to be explored to meet this significant challenge at a time of Central Government cuts.

The policy of introducing 100% Business Rate Retention for local government could impact significantly upon local authorities' baseline funding levels and their ability to raise funding to meet future service demands. The expectation was that 100% Business Rate Retention would be introduced in 2019/20 although following the General Election this remained uncertain and added to the risks associated with financial planning for the longer term.

The current "Our North Tyneside Plan" had been approved by Council on 18 February 2016 (Minute C95/02/16). It was proposed that the Plan would be updated as part of the financial planning and budget setting process to ensure that it reflected the latest position with regards to all relevant data and intelligence including the priorities and needs as identified by residents and other key stakeholders; the Joint Strategic Needs Assessment; and the national, regional and local policy context.

The Medium Term Financial Strategy (Strategy) was a key part of the Authority's Budget and Policy Framework which aimed to ensure that all financial resources were directed towards delivery of the Our North Tyneside Plan. The Strategy described the principles to be applied in developing and updating the annual budget and financial plan. The strategy was reviewed annually reflecting the dynamic nature of local government funding.

The Strategy was critical in order to ensure that the Authority made decisions by focussing on strategic priorities and had a clear financial vision and direction for the medium term. This Strategy must support the delivery of the Our North Tyneside Plan which was the key driver of the Authority's resources allocation. The Budget setting process helped the Authority respond appropriately to responsibilities and duties placed upon local government through legislative requirements and the Central Government's drive to deliver savings.

Whilst decisions around Budget setting were approved on an annual basis the Authority must demonstrate medium-term financial and resource planning. Annual budget decisions should be taken in the context of the overall Strategy that looked at all Authority services and took into account the Central Government's local government finance agenda.

Financial Management best practice highlighted the need for medium-term planning horizons and therefore, in previous years, the Authority had adopted a three year planning timeframe. However, the two year planning timeframe proposed for 2018-2020 was to align with the period of the Local Government Finance Settlement and the 2017 Spring Budget. As no further strategic financial information was available beyond this date, at this point only a two year planning timeframe was meaningful to demonstrate sustainability in the Authority's plans for the future. The Strategy supported consideration of the key drivers in developing the financial plan and details of what it was expected to deliver were set out in the report.

The approach to developing the draft Financial Plan for 2018-2020 would continue to concentrate on ensuring that all of those drivers were embedded into the decision-making process for the allocation and re-direction of the Authority's finite resources, financial and otherwise.

The key components and principles adopted for the Authority's 2018-2020 Strategy had been fully reviewed as part of this year's process and were summarised in detail in the report.

On 17 December 2015, the Secretary of State for Communities and Local Government had announced a four year funding package to councils as part of the 2016-2020 Provisional Local Government Finance Settlement, with the figures for 2016/17 being confirmed on 8 February 2016. Details of the implications for North Tyneside Council of this Settlement had been set out in detail in the 2016-2019 Financial Planning and Budget Reports to Cabinet on 27 January 2016 (Minute CAB122/01/16) and Council on 18 February 2016 (Minute C93/02/16). In order to secure the funding for the final 3 years of the 2017-2020 Local Government Finance Settlement, each Local Authority had been required to submit an "Efficiency Plan" to the Department for Communities and Local Government (DCLG) by 14 October 2016. The Authority had met this requirement.

Whilst not a central government requirement it was considered appropriate that the North Tyneside Efficiency Plan was reviewed to consider that it remained an appropriate overall approach to meeting the financial challenges moving forward. This review would be completed as part of the overall approach to the refresh of the Council Plan, Budget and Financial Plan.

The Authority had specific responsibilities under the Equality Act 2010 and Public Sector Equality Duty. Part of this was to ensure that the potential effects of decisions on those protected by the Equalities legislation were considered prior to any decision being made. The effect of the Authority's budget setting process and decision-making would continually be monitored by using Equality Impact Assessments.

Full impact assessments would be included in all proposals going forward for inclusion with the initial Budget proposals in November 2017 in order to be available to Cabinet when it further considered the Financial Plan and Budget proposals on 27 November 2017. An Equality Impact Assessment would be carried out on the proposed Council Plan and Budget Engagement Strategy.

Key aspects of the 2018/19 Financial Planning and Budget process timetable were set out at Appendix A to the report. This highlighted key decision milestones in the process.

The Elected Mayor and Cabinet were responsible for formulating the Council Plan and the Authority's Budget. The Cabinet Member for Finance and Resources, in close consultation with the Elected Mayor, had been nominated as the lead Cabinet Member for the overarching 2018-2020 Financial Planning and Budget Process. The Head of Finance would be the project sponsor.

Through its overarching corporate Engagement Strategy approved by Cabinet on 14 September 2015, the Authority was committed to being a resident-focused and listening Authority and encouraged residents and other stakeholders to help to shape its decision-making. Engagement with residents took place throughout the year and the information gathered would be used to inform the Council Plan, Financial Planning and Budget process. There would also be specific engagement activities as part of the budget setting process where residents and other key stakeholders would be able to be involved.

The programme of the engagement activity would ensure that all stakeholders were informed about the Council Plan and Budget proposals, given an opportunity to be listened to and comment on the proposals, and receive feedback on outcomes from the engagement. The feedback from the engagement activities would form part of reports to Cabinet and Council to support decision-making.

Details of the Council Plan and Budget Engagement Strategy for 2018/19 were set out at Appendix B to the report.

The Cabinet Member responsible for Children, Young People and Learning expressed concern about on-going funding cuts to local authorities and the pressure put on the Authority to make cuts to public services.

Mr Layton, North Tyneside JTUC was given assurance that the Elected Mayor had written to Government to raise concern about the on-going funding cuts.

Cabinet considered the following decision option: to agree the recommendations as set out in paragraph 1.2 of the report.

Resolved that (1) the proposed outline 2018-2020 Council Plan, Financial Planning and Budget Process, which incorporates the key decision milestones and dates as set out at Appendix A to the report, be approved;
(2) the Council Plan and Budget Engagement Strategy as part of the 2018-2020 Financial Planning and Budget Process, as set out at Appendix B to the report, be approved; and

(3) it be noted that the Efficiency Plan will be refreshed as part of the overall Council Plan, Financial Planning and Budget process.

(Reason for decision – are mainly legal in nature, as stated in paragraphs 2.1 and 2.2 of the report.)

CAB44/09/17 Council Tax Support Scheme 2018-19 (All Wards)

Cabinet considered a report seeking approval to undertake consultation on the proposed changes to the Council Tax Support (CTS) Scheme. Outcomes of the consultation would be brought back to Cabinet later in the year for a decision on what proposed changes to the CTS Scheme should be presented to Council for approval.

The current CTS was a means tested support which, to promote simplicity, generally followed the Housing Benefit rules around entitlement. From April 2017 maximum support for working age claimants had been reduced from 90% to 87.5% of the claimant's liability for Council Tax. Pensionable age claimants received support based on 100% of their Council Tax liability as prescribed under national rules.

Any changes proposed to the Scheme must be subject to consultation, although the level and period of consultation would depend on the proposed level of change to the Scheme. As part of that consultation the Authority should, before revising its Scheme:

- a) consult any major precepting authority which had power to issue a precept to it,
- b) publish a draft Scheme in such manner as it thought fit, and
- c) consult such other persons as it considered were likely to have an interest in the operation of the Scheme.

The final decision on the implementation of any revised CTS Scheme was a matter for Council. Any revision to the CTS Scheme that Cabinet recommended would be considered by Council on 18 January 2018.

As at 31 July 2017 there were 19,129 claimants receiving CTS. This was split between pensioner claims totalling 8,761 (46%) and working age claims 10,368 (54%). The majority of CTS claimants lived in a band A property. At around the same time last year the case load was 19,981 split between 9,254 (46%) pensionable age and 10,727(54%) working age. The caseload had reduced each year since the Scheme had first been introduced in 2013/14 as more people moved into employment, as claimants' incomes increased, or they no longer qualified for support.

Due to the reduction in the number of claimants, the forecast cost of the Scheme for 2017/18 was currently around £14.7m.

There had been minimal reaction to the Scheme since it had been introduced in April 2013.

In-year collection of Council Tax for year 1 of the Scheme (2013/2014) had fallen by 0.4% from 96.9% to 96.5%. In 2014/15 the in-year collection rate had again fallen, to 96.4% but in 2015/16 the in-year collection rate had improved to 96.6%. In 2016/17 the in year collection rate stood at 96.5%. Throughout these years there had been reductions to support and additional charges raised for empty property discount changes. In addition the general effects of a difficult economic climate caused by the impacts of welfare reforms had also impacted on many residents on CTS.

As Council Tax Support was a local Scheme, all Billing Authorities were able to make a Scheme they considered best supported their residents taking into consideration the finances available to the Authority. Table 1 of the report showed the current Schemes that were in place in the North East region's Billing Authorities and the in-year collection rate for 2015/16 and 2016/17.

The Authority could recover any unpaid Council Tax by an attachment of £3.75 per week to certain Benefits once a liability order was in place. The Authority would then have around 37 weeks to recover the debt (including the court costs) in year if a claimant had no other debts being recovered. Based on the current CTS level the minimum contribution of Council Tax for a couple in receipt of CTS living in a band A property could be recovered in year. However if the amount of Council Tax increased it would not be recovered in year and the debt would run into multiple years for collection.

The three options for the CTS Scheme that were being considered for 2018/19 financial year were outlined in the report. All the options reduced the maximum amount of CTS available to working age claimants and thereby passed on a greater amount of Council Tax liability to the claimant which would have the effect of reducing the cost of the Scheme and, as such, providing savings to the Authority.

The report invited Cabinet to consider the Schemes below and to determine which of the options, if any, should be consulted on:

Scheme 1 - Reduce the maximum level of Council Tax Support available from 87.5% to 85% for working age claimants.

Scheme 2 – Reduce the maximum level of Council Tax Support available from 87.5% to 82.5% for working age claimants.

Scheme 3 – Reduce the maximum level of Council Tax Support available from 87.5% to 80% for working age claimants

The financial effect on both the claimant and savings to the Authority for each of those options was set out in the report.

Cabinet considered the following decision options:

Option1: To agree the recommendations as set out in paragraph 1.2 of the report and to consult on the Scheme, or Schemes set out in paragraph 1.6 of the report as considered appropriate by Cabinet.

Option 2: Refer the matter back to officers for the consideration of an alternative CTS Scheme.

Resolved that (1) the Head of Finance be authorised to undertake consultation between September 2017 and November 2017 on all of the options for a revision of the Council Tax Support Scheme, as set out at paragraphs 1.6.2 to 1.6.4 of the report; and

(2) Cabinet consider the consultation responses at its meeting on 11 December 2017 and determine what revision of the Council Tax Support Scheme it wishes to propose to Council on 18 January 2018 for approval.

(Reason for decision - it provides an opportunity to gain feedback from residents and partner organisations on the Scheme or Schemes being considered. This will allow Cabinet to determine what revision to the Scheme it wishes to propose to Council on 18 January 2018.)

CAB45/09/17 North Tyneside Highway Asset Management Plan 2017 to 2032 (All Wards)

Cabinet considered a report seeking approval of the North Tyneside Highway Asset Management Plan (HAMP) 2017-2032.

The Authority's Transport Strategy 2017 to 2032 set out the overall vision for transport in North Tyneside and contained a commitment to have a HAMP in order to ensure a well-managed highway network. The Authority was responsible for an extensive highway network and feedback from residents had consistently emphasised that the maintenance of roads and footpaths was a high priority. It was therefore important that the Authority managed its highway assets in the most effective way.

North Tyneside's original 5-year HAMP had been implemented on 1 April 2012. Good progress had been made over the life of the plan and it was now in need of being refreshed. The proposed new HAMP was intended to build on the progress made to date and had been prepared following the adoption of the Transport Strategy and Local Plan, consisting of:

Part 1 – Policy. This described the Authority's commitment to highway asset management and set out the principles and objectives of the HAMP.

Part 2 – Investment and Delivery Strategy. This detailed how the Authority would manage its highway infrastructure assets and how the objectives in Part 1 would be achieved.

Part 3 – The Annual Information Report. This was a commitment to provide an annual report to Cabinet setting out progress over the last 12 months and plans for the coming 12 months. It would assist in informing any decisions around future highway maintenance spending and priorities. This would be reported to Cabinet separately on an annual basis.

Part 4 – The HAMP would be supported by a Highway Asset Management Framework. This would set out the operational detail for the management and planning of maintenance work on highway infrastructure assets.

The Policy and Investment and Delivery Strategy were attached at Appendix 1 to the report.

Since the Authority had implemented the first HAMP, new funding opportunities had emerged, including the Department for Transport's (DfT) incentive funding. In order to receive the maximum available allocation from DfT, local authorities were required to demonstrate that good asset management practices had been implemented to manage their highway infrastructure assets. In order to receive the maximum allocation, authorities were required to have a HAMP in place.

The HAMP was designed to be sufficiently flexible in order to accommodate changes in resources or priorities. In addition to the Transport Strategy, the HAMP supported and complemented a range of other local and regional transport strategies and plans.

One of the key objectives of the HAMP was to increase the commitment to the improvement of footways across the borough.

Cabinet considered the following decision options:

Option1: To agree the recommendations as set out in paragraph 1.2 of the report.

Option 2: Not agree the recommendations as set out in paragraph 1.2 of the report.

Resolved that (1) the Highway Asset Management Plan, attached as Appendix 1 to the report, which sets out the policy and strategy for maintaining the borough's pavements, roads and infrastructure assets, be approved; and (2) the Head of Environment, Housing and Leisure be authorised, in consultation with the Cabinet Member for Housing and Transport, to approve ancillary framework and guidance documents.

(Reason for decision - in order to have a HAMP in place to enable the effective management of the Authority's highway and infrastructure assets. Additionally, it will support the Authority's ability to demonstrate best practice in order to seek to secure maximum funding from Department for Transport's incentive fund.)

CAB46/09/17 North Tyneside Parking Strategy (All Wards)

Cabinet considered a report seeking approval to adopt the North Tyneside Parking Strategy.

The North Tyneside Transport Strategy, adopted by Cabinet on 8 May 2017 (Minute CAB166/05/17), had set out the Authority's vision for transport in the borough. It sought to ensure that "North Tyneside would have a safe, easy to use, healthy, affordable, accessible and integrated travel and transport infrastructure that worked for residents, businesses and visitors effectively and efficiently." The five principles key to achieving this were outlined in the report.

The design and provision of new car parking relating to new developments brought forward through the planning process had been agreed by Cabinet, as part of

Supplementary Planning Document LDD12 – Transport and Highways (approved on 8 May 2017).

In relation to existing car parking, the economy of North Tyneside was growing and the borough continued to be an attractive place to live, work and visit. The borough was served by cycling and walking routes of improving quality and a comprehensive public transport network. The number of vehicles on the road network continued to grow and the use of the private car remained a frequent choice. Many historic areas of North Tyneside had been constructed before the era of widespread car ownership, resulting in an ever-increasing demand for car parking provision. It was difficult to balance the parking needs of residents, local businesses and visitors against this backdrop. Therefore it was important that the approach to meeting those needs should be consistent, coherent and based on a set of agreed priorities for parking investment.

The Authority had first been designated a Permitted Parking Area and a Special Parking Area on 24 June 2007 which meant that from that date the enforcement of parking restrictions in the borough had been dealt with by way of civil enforcement using Civil Enforcement Officers rather than through the criminal justice system. In March 2008 the borough had become a Civil Enforcement Area under the Traffic Management Act 2004.

The current North Tyneside Parking Strategy had been adopted by Cabinet in 2012 (Minute CAB143/02/12). It sought to “provide a consistent framework which reflected the needs of all stakeholders, residents, businesses and visitors whilst seeking to provide a safe and uncongested network for all modes of transport”, however it was now in need of being refreshed.

The proposed Strategy had been developed with reference to a wide evidence base. The following were examples of what information had been taken into account:

- The priorities set out in the Our North Tyneside Council Plan developed following extensive public consultation including the Big Community Conversations.
- Data on usage of car parking facilities.
- Specific feedback received from the community through enquiries from Ward Members and the public.
- Specific consultation undertaken by the Parking Permit Study Group of Overview, Scrutiny and Policy Development Committee.

In October 2015 the Overview, Scrutiny and Policy Development Committee had set up a sub group to carry out a study into permit parking in North Tyneside. This was in response to a request from the Cabinet Member for Housing and Transport to review the current permit system and explore opportunities to improve and simplify the permit system across the borough. Members had held a series of evidence gathering sessions with officers of the Authority, its technical services delivery partner, Capita, and local residents and business representatives.

Cabinet’s response to the Overview, Scrutiny and Policy Development Committee’s recommendations had been agreed on 12 September 2016 (Minute CAB53/09/16). In its response, Cabinet had accepted the Committee’s recommendation that a

virtual permit system for the administration of parking permits should be introduced, subject to an appropriate business case. It was noted that capital funding had to be identified to implement this. The Authority's Technical Partner, Capita, had provided this funding to replace the existing Notice Processing system.

The changes in the revised Parking Strategy had been developed with due regard to Cabinet's response to the Overview, Scrutiny and Policy Development Committee's recommendations. The proposed Parking Strategy highlights were detailed in the report and were categorised under the following headings:

- Parking management in North Tyneside
- Parking permits and proposed changes
- Parking solution tool
- Parking investment priorities tool

Subject to adoption of the North Tyneside Parking Strategy, the proposed changes to permit parking would be advertised in accordance with statutory process. All existing requests for parking measures would then be reviewed in accordance with the associated new processes, using the proposed new parking solutions tool, and, as appropriate, the parking investment priorities tool.

Fees and charges would be reviewed by the Head of Environment, Housing and Leisure in consultation with the Cabinet Member for Housing and Transport.

The Local Transport Plan (LTP) programme of works would be approved on an annual basis. All new highways investment priorities, including car parking, would be considered as part of the Authority's Investment Plan through the normal governance processes.

The Elected Mayor and Cabinet Member for Children, Young People and Learning welcomed the refreshed strategy and believed it would provide a consistent, fair and transparent approach to managing parking across the Borough.

Cabinet considered the following decision options:

Option 1 - To agree the recommendations as set out in paragraph 1.2 of the report.

Option 2 - Not agree the recommendations as set out in paragraph 1.2 of the report.

Resolved that (1) the North Tyneside Parking Strategy, attached at Appendix 1 to the report, be approved;
(2) the parking solutions tool and parking investment priorities tool set out in the North Tyneside Parking Strategy be endorsed;
(3) changes to the parking permit scheme, as set out in the North Tyneside Parking Strategy, be approved;
(4) the application of the new procedures and associated outcomes be delegated to the Head of Environment, Housing and Leisure, in consultation with the Cabinet Member for Housing and Transport; and
(5) the setting of parking fees and charges be delegated to the Head of Environment, Housing and Leisure, in consultation with the Cabinet Member for Housing and

Transport, the Cabinet Member for Finance and Resources and the Head of Finance, in accordance with the Authority's fees and charges policy framework.

(Reason for decision - to support the effective management of parking in North Tyneside.)

CAB 47/09/17 Healthwatch North Tyneside Procurement Exercise (All Wards)

Cabinet considered a report seeking approval to carry out a procurement exercise for the procurement of a suitable organisation to deliver Healthwatch North Tyneside.

The Health and Social Care Act 2012 had introduced a statutory requirement for local authorities to establish a local Healthwatch in its area. As a 'consumer champion', the core business of local Healthwatch would be to be an independent consumer voice ensuring that the views of children, young people and adults influenced improvements in health and social care.

The vision for a local Healthwatch was that it could only deliver on its statutory requirements if the organisation was seen as credible and professional, able to build highly effective and constructive relationships with commissioners, providers, service users, patients and wider partners including Healthwatch England.

Local Healthwatch organisations were not themselves statutory bodies. There was a requirement however that the organisation which delivered the local Healthwatch functions must be a 'body corporate' (it had a legal personality distinct from that of its members) and was a social enterprise.

The current contract for the delivery of Healthwatch in North Tyneside was due to expire on 31 March 2018. Healthwatch North Tyneside (HWNT) had been operating successfully since the contract had been novated to it in April 2015 and had built up strong relationships with the health and social care, community and voluntary sector in North Tyneside.

Whilst funded by the Authority, HWNT was required to be an independent organisation. As such, the Authority could not prescribe the work to be undertaken by HWNT or how it would deliver that work, outside of compliance with legal requirements.

There were a number of statutory activities that HWNT were expected to deliver under its contractual arrangement with the Authority. These were outlined in detail in the report along with the additional responsibilities of a local Healthwatch service.

Local authorities were given a number of duties in relation to monitoring and reporting on the work of its local Healthwatch. The Secretary of State had powers to regulate the contractual relationships between local authorities, local Healthwatch organisations and local Healthwatch contractors, and these were outlined in the report.

It was anticipated that a procurement exercise would commence in October 2017 and the new contract for the delivery of Healthwatch North Tyneside would be

awarded in early January 2018. This would allow for a 3 month transition period to the new provider for the delivery of the functions of Healthwatch North Tyneside from 1 April 2018.

The proposed contract would be for a period of two years with the option to extend for up to three further years. The reasons for the requirement for this length of contract included:

- It was an ongoing statutory requirement that the Authority commissioned a local Healthwatch; legislation was unlikely to change within the next two years;
- Should the contract be awarded to an organisation new to North Tyneside, it could take up to a year to establish itself; and
- Yearly contract extensions provided the opportunity for the successful organisation to offer some security and stability to the staff team, and a stable presence within the borough; however the Authority would retain control to end the contract should legislation change significantly.

As the Authority continued its work to find more efficient, cost effective and flexible ways of delivering services, one of the main aims of the procurement process would be to seek bids detailing more innovative ways to deliver the local Healthwatch which, whilst meeting the statutory outcomes and driving up standards of delivery, would see savings on costs such as overheads.

The contract would be awarded on a price/quality ratio of 70/30. The Cabinet Member for Adult Social Care, Public Health and Wellbeing informed the meeting that the Authority's finances were under pressure and as such there needed to be a stronger emphasis on price, however quality would be considered throughout the process.

Ms Franchi, on behalf of the community and voluntary sector, expressed concern relating to the price/quality ratio of 70/30 and mentioned that this concern had been put in writing. The Cabinet Member for Adult Social Care, Public Health and Wellbeing said that she was aware of this and it would be given consideration.

Cabinet considered the following decision options:

Option 1 - To agree the recommendations as set out in paragraph 1.2 of the report.

Option 2 - Not agree the recommendations as set out in paragraph 1.2 of the report, and ask officers to explore other options for the delivery of the Borough's local Healthwatch.

Resolved that (1) the information contained within the report regarding the Authority's responsibility to commission an organisation to deliver the functions of Healthwatch North Tyneside be noted;

(2) the Head of Health, Education, Care and Safeguarding be authorised, in consultation with the Cabinet Member for Adult Social Care, Public Health and Wellbeing, the Head of Law and Governance and the Head of Finance to (i) undertake a competitive procurement exercise and appoint a provider to deliver a

local Healthwatch in North Tyneside; and (ii) award a contract to the successful tenderer on contractual terms approved by the Head of Law and Governance.

(Reason for decision - A local Healthwatch is a statutory requirement. The current contract for the delivery of Healthwatch North Tyneside will terminate on 31 March 2018. If approved, the Authority will be in a position to commence a procurement exercise to appoint a replacement provider when the current contract comes to an end, and allow for a transition period.

If the preferred option is not approved, the Authority will be unable to undertake the proposed procurement exercise and will be unable to meet its statutory obligations to ensure the provision of a local Healthwatch service in North Tyneside.)

CAB48/09/17 Action Plan resulting from the Ofsted Inspection of Children's Services (All Wards)

Cabinet considered a report seeking approval of the proposed action plan to address the recommendations of the Ofsted Inspection of North Tyneside's services for children in need of help and protection, children looked after and care leavers.

Alongside the very positive findings arising from the Inspection, which had been reported to Cabinet in July 2017 (Minute CAB26/07/17), Ofsted had formally identified the following seven recommended areas for development.

- Ensure that assessments are regularly updated to reflect the changing needs of children and that they fully consider children's identities, contingencies and research.
- Ensure that support to children who are privately fostered is timely, managed well and effectively meets the needs of children.
- Improve the timeliness with which designated officers complete investigations.
- Improve the oversight of IROs (Independent Review Officers) of the progress of plans between child protection conferences and between children looked after reviews, and evidence this on the child's records.
- Ensure that life story work and later life letters are of consistently good quality and completed in a timely way to ensure that children and their adopters have a clear understanding of a child's history in preparation for placement and for later life understanding.
- Ensure that supervision for all staff is consistently of good quality because it is reflective, directive, regular and well recorded.
- Ensure that actions identified as a result of audits are specific and measurable and have timescales.

All areas were known to Officers and improvement work was on-going at the point of inspection.

The Authority was required to submit copies of the Authority's Action Plan to address these recommendations to the Secretary of State and Her Majesty's Chief Inspector no later than 20 September 2017. The Action Plan was attached to the report.

Cabinet considered the following decision options:

Option 1 - To agree the recommendation as set out in paragraph 1.2 of the report.

Option 2 - Not agree the recommendations as set out in paragraph 1.2 of the report, and request that officers revise and amend the proposed Action Plan.

Resolved that the proposed Action Plan to address the recommendations of the Ofsted Inspection of North Tyneside's services for children in need of help and protection, children looked after and care leavers be approved.

(Reason for decision – the Action Plan will enable the delivery of the seven formal recommendations by Ofsted following their inspection of the Authority's services for children. The Action Plan is specific, measurable, attainable, realistic and time-limited and will improve services for vulnerable children and young people within the Borough.)

CAB49/09/17 Calculating Financial Support for Special Guardians (All Wards)

Cabinet considered a report relating to the implementation of a new policy, revising the calculation used to determine the amount that eligible Special Guardians were entitled to receive as an allowance from the Authority to support permanent care of a child or young person.

Legislation, guidance and case law required that the maximum amount to which an eligible Special Guardian was entitled should equate to the maximum amount a Foster Carer was entitled to by way of Fostering Allowance. The Authority's current method of calculation was not consistent with this principle and required amendment.

The Authority's current policy *Financial Support & Initial Information for Special Guardians 2016-17* (December 2015) utilised a percentage-based methodology to calculate the maximum amount that eligible Special Guardians were entitled to. The Authority's approach to such allowances was at odds with the approach used in a majority of Authorities across the region. A review had revealed that although all twelve regional Authorities used the applicable Foster Carer Allowance as the maximum payment available only this Authority and one other calculated the actual Special Guardianship Allowance payments as a percentage of the maximum amount. Accordingly, only the Authority and one other used a different methodology to the remaining Authorities in the area.

It was proposed that the Authority's current policy be revised to end the use of the percentage-based method of calculation. In common with a majority of Local Authorities within the Region, the Authority would adopt a method of calculation based upon equivalence between the maximum Fostering Allowance that would be paid to a foster carer to care for the child and maximum amount that eligible Special Guardians could receive, subject to means-tested deductions.

It was proposed that the policy be amended as follows:

The Local Authority maximum payment would be equivalent to the Fostering Allowance based on the child's age, plus any additional enhancement that would be

payable to meet any special needs of the child or exceptional circumstances which required such an enhancement which was at the discretion of the Service Manager.

This would ensure that there was equivalence between the maximum Fostering Allowance payable by the Authority – based upon the core allowance paid for the child (dependent on age) and ‘enhancements’ (amounts additional to the core allowance based upon attributes of the specific child or young person to be cared for) – and the maximum Special Guardianship Order Allowance.

The required change in the Policy would result in a higher level of Special Guardianship Allowance being payable to affected carers. Work was currently underway to assess the financial implications for the allowance. However current estimates indicated that the pressure on the relevant budget would be approximately £500,000.

Cabinet considered the following decision option: the Authority must revise the method used to calculate eligibility for a Special Guardianship Allowance to ensure that the Authority complies with current legislative requirements.

Resolved that the Head of Health, Education, Care and Safeguarding be authorised to implement a new policy, as set out in the report, revising the calculation used to determine the amount that eligible Special Guardians are entitled to receive as an allowance from the Authority to support permanent care of a child or young person.

(Reason for decision - the revised method of calculating eligibility for a Special Guardianship Allowance, as set out in the report, will ensure that the Authority complies with the current legal position.)

The necessary change in the policy will ensure that children and young people within the Borough who require permanent care by Special Guardianship are supported to do so by carers who are not financially disadvantaged and/or prevented from caring.)

CAB50/09/17 Complaints Service Report 2016-17 (All Wards)

Cabinet considered a report which detailed complaint related activity during 2016-17 and which complied with the requirement to publish a report on complaints under the relevant statutory complaint legislation.

Customer satisfaction with the complaints process remained relatively high and the Authority continued to resolve the vast majority of complaints at Stage 1. The Authority welcomed complaints as valuable feedback from its customers, and complaint outcomes provided valuable lessons learned to further improve and enhance the Authority’s services and procedures.

The Authority operated statutory complaint procedures for Adult Social Care and Children and Young People’s Services and Public Health. It also provided a Corporate Complaints Procedure for all other services.

In 2016 the Authority had responded to Local Government Ombudsman (LGO) enquiries in a timely fashion and was well within the required timescale for response

of 28 days. The LGO's Annual review of complaints for 2016-17 was detailed in the report. Complaints referred to the Housing Ombudsman were also referred to in the report.

The Authority's Complaints Service Report for 2016-17 was appended to the report. The overall number of formal complaints had increased by 19% from 933 in 2015-16 to 1,107 to 2016-17 as the Authority continued to take a proactive approach to encouraging residents and service users to provide feedback. The number of complaints received remained consistently very low given the huge volume of transactions the Authority undertook every year with its customers.

There were 836 Corporate Complaints received during 2015-16, this had increased by 19% to 992 in 2016-17. The increase in complaints related to several service areas, with the biggest increases being as follows:

- Environment – complaint numbers were 255 in 2015-16 and increased to 326 in 2016-17.
- Housing - complaint numbers were 155 in 2015-16 and increased to 206 in 2016-17.

The number of Social Care complaints (relating to both Adult Social Care and Children and Young People's Services) had increased slightly from 97 in 2015-16 to 115 in 2016-17. This equated to 54 cases in Children's Social Services and 61 cases in Adult Social Care.

A breakdown of the numbers and categories of complaints was provided in the report.

A survey of complainants' experiences of, and satisfaction with, the complaints service undertaken in respect of complaints handled during 2016-17 had resulted in 16% of forms being returned. The majority of those who responded had found it easy to find information about the service and said that staff were helpful, that they were happy with the length of time taken to respond to their complaint, and that the content of the response letter had been easy to understand. Overall 66% of customers thought the complaints process was good.

One key aim of the complaint process was 'learning' from complaints and this was a core driver in all future developments. A number of changes had been made to procedures and practice in services as a result of complaints resolved during 2016-17. Examples were detailed in the report.

A continuing area of development was partnership working, where services were provided on behalf of the Authority in conjunction with other public, voluntary and private sector organisations. Such change had potential for complaint processes to become complex, so arrangements were in place to ensure the customer's experience was as straightforward as possible.

Securing the efficient handling of complaints was a vital component of ongoing arrangements with current and any potential future partners.

Complaints were now widely recognised as integral to the provision of quality services at both individual and strategic levels. The Authority's successful history and current good practice in effective complaint handling would be an integral service improvement driver in the current rapidly changing culture. The demands of maintaining, and increasing levels of customer satisfaction, coupled with organisational changes across public and partner sectors, would be well supported by the current robust complaint handling procedures and electronic system in place.

Cabinet considered the following decision options:

Option 1 – Agree the recommendations at paragraph 1.2 of the report.

Option 2 - Refer the report back to officers and request that further analysis and information is provided.

Resolved that (1) the complaint related activity during 2016-17, as set out in the Complaints Service Report, at Appendix 1, be noted; (2) the Report be approved for publication by the Head of Law and Governance; and (3) the Local Government Ombudsman's Annual Review of complaints concerning North Tyneside Council for 2016-17, as set out in Appendix 2 to the report, be noted.

(Reason for decision - All local authorities providing 'social service functions' including North Tyneside Council are required to publish an annual report on complaints received. Publication of a Report also supports community engagement, and promotes transparency and opportunities for organisational improvement.)

CAB51/09/17 Date and Time of Next Meetings

Wednesday 27 September 2017 at 4.00pm (Extraordinary Meeting)
Monday 9 October 2017 at 6.00pm (Ordinary Meeting)

Minutes published on 14 September 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 21 September 2017.