

## **Cabinet**

**13 November 2017**

**Present:** N Redfearn (Elected Mayor) (in the Chair)  
Councillors G Bell, C Burdis, EN Darke, R Glindon,  
IR Grayson, JLL Harrison, CB Pickard and JJ Stirling

**In Attendance:** J Connolly (North Tyneside Clinical Commissioning  
Group)  
D Bavaird (Business Sector)  
D Robinson (Voluntary and Community Sector)  
R Layton (North Tyneside Joint Trade Union Committee)

### **CAB69/11/17 Apologies**

Apologies were received from Councillor M Hall, O Daniel (Young Mayor) and A Caldwell (Age UK).

### **CAB70/11/17 Declarations of Interest and Dispensations**

Councillors R Glindon and CB Pickard each declared a registerable personal interest in item 6(c) North Tyneside Trading Company – Strategic Business Plan 2017-2020 (CAB74/11/17), as they were both Directors of North Tyneside Trading Company and its subsidiary companies. A dispensation had been granted to both Councillors Glindon and Pickard in relation to the main Trading Company appointment.

### **CAB71/11/17 Minutes**

**Resolved** that the Minutes of the meeting held on 9 October 2017 be confirmed and signed by the Chair.

### **CAB72/11/17 2017/18 Financial Management Report to 30 September 2017 (All Wards)**

Cabinet considered a report which provided an update on the expected revenue and capital financial position of the Authority as at 31 March 2018.

The forecast overall pressure was estimated at £2.067m against an approved net budget of £152.361m. The inclusion of the Improved Better Care fund (IBCF) of £4.579m had a significant impact on the outturn position. Aside from the IBCF there had been some marginal underlying improvement in most areas of the risks associated with the delivery of the 2017/18 budget, however there was continued pressure in Health, Education, Care and Safeguarding of £8.047m (July 2017 £7.208m). Included in this projection was £2.816m of pressures in Corporate Parenting and Placements and £4.286m in Social Care package provision within Adult Social Care Services, the drivers for these pressures 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 had continued for 2017/18 in terms of the National Living Wage and at this point not all savings built into the Creating a Brighter Future Programme could be assumed as being delivered. Over the course of May, June, July and September a number of working groups had been held with senior officer 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 now included 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 mitigated the cost pressures across Adult Social Care.

The Housing Revenue Account (HRA) was forecast to have year-end balances at 31 March 2018 of £4.544m, which was £1.683m 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 £0.344m. Total overall income was currently expected to be higher than budget (£0.037m) due to an improved position of empty properties, reduced spending on contingencies and bad debt provision of £0.307m brought the forecast outturn for the year to a £0.344m 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 (CAB24/07/17) had set out a series of actions to address schools finance and specifically further deficit clinics had taken place during September to agree actions with the schools to manage and improve those deficit positions.

The 2017-2020 Investment Plan, adjusted for proposed variations, totalling £201.004m 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.

Grants which had been received during August and September 2017 were also detailed in the report.

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 the Authority's 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 £2.816m 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 our 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. The Authority was also seeing 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.

The report informed the starting point for the financial planning process which was underway for 2018/19 and following years. As such Cabinet needed to be aware of the main implications of the report for those future years' budgets. The main issues identified in 2017/18 that would need to be considered in forward planning were detailed in the report.

Mr Layton, North Tyneside Joint Trade Union Committee, sought clarification on why a child protection post was included under the Commissioning and Investment restructure, as detailed in the Annex to the report. The Deputy Chief Executive explained that it was an Independent Review Officer post and to keep it as an independent post it was located within Commissioning and Investment.

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 30 September 2017, as set out in the Annex to the report, be noted;  
(2) the receipt of £0.205m new revenue grants be approved;  
(3) the Authority's Investment Plan spend of £25.891m to 30 September 2017 and the financing of the Plan to the end of the year be noted;

(4) the variations of £0.471m credit and re-programming of £8.846m within the 2017-2020 Investment Plan, as set out in the Annex to the report, be approved;  
(5) the performance of the Treasury Management Strategy and the Collection Fund, and performance against the Prudential Indicators, as set out in the Annex to the report, be noted.

(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.)

### **CAB73/11/17 Our North Tyneside Plan Performance Report (All Wards)**

Cabinet considered a report which provided a summary of progress against the delivery of the aims and objectives, as described in the Our North Tyneside Plan.

The refreshed Our North Tyneside Plan had been agreed by Council on 17th March 2016. It refreshed the Plan which had been agreed by Council on 26 September 2013. The priorities in the Plan provided the strategic framework for the Authority.

Performance against the Our North Tyneside plan was managed on two levels, the Our North Tyneside level and the service level. The bi-annual report to Cabinet only included those measures that had been updated since the last report to Cabinet in March 2017(CAB147/03/17). The full performance report for the Our North Tyneside Plan was included in Appendix A to the report.

The Our North Tyneside Plan had set out a range of measures for ensuring that Our People are ready for school, work and life and are cared for, safeguarded and healthy if required. Key issues and progress made against each of the themes were highlighted in detail in the report.

Mr Bavaird on behalf of the business sector welcomed the report and asked if the information contained in the performance report could be summarised and shared with the business community.

Cabinet considered the following decision option: to receive the report and note the progress that has been made against the delivery of the Our North Tyneside Plan.

**Resolved** that the progress that has been made in delivering the Our North Tyneside Plan be noted.

(Reason for decision – The report is for Cabinet’s information only.)

### **CAB74/11/17 North Tyneside Trading Company – Strategic Business Plan 2017-2020 (Previous Minute CAB81/11/16) (All Wards)**

Cabinet received a report seeking approval of the Trading Company’s Strategic Business Plan 2017-20.

The Trading Company was required to have a Strategic Business Plan that provided a sense of direction for the Trading Company, and that was intended to guide

business development. The Board of Directors had reviewed and refreshed the Strategic Business Plan for 2017 – 2020. It set out the Trading Company's history; governance; mission; approach to appraising business opportunities; assets; products and services; and risks.

Part of the Strategic Business Plan set out how the Trading Company would support the delivery of the Authority's Affordable Homes Programme. This had commenced at the end of the financial year 2015/16 with the North Tyneside Trading Company (Development) Limited's use of the Reed Avenue site for the development of 13 homes for affordable rental following a Cabinet decision on 9 March 2015 (CAB163/03/15). Construction of the homes had been completed in March 2017 with the first leases commencing on 3 April 2017. All homes were occupied in line with the lettings policy which had an emphasis on applicants demonstrating a local connection.

The North Tyneside Trading Company (Development) Limited had now agreed a purchasing strategy to acquire homes on the open market to then let at an affordable rent, with the first two homes now having been purchased by the Company and a further five in the pipeline. Funding of these purchases was via a grant from the Authority of Section 106 Town and Country Planning Act 1990 commuted sums available for affordable housing. It was the intention to continue with this purchasing strategy in line with the Cabinet's priority of delivering more affordable homes. In addition this would build the asset base of the Company.

In March 2017, 2 further subsidiaries of North Tyneside Trading Company Limited had been incorporated, Aurora Properties (Sale) Limited and Aurora Properties (Rental) Limited in order to deliver Cabinet's property development objectives. The purpose of Aurora Properties (Sale) Limited was to provide homes for sale on the open market while the purpose of Aurora Properties (Rental) Limited was to provide homes to be let at a market rent. In line with Cabinet approval, work had commenced by the Company to build homes for market sale on its first three sites, Northumberland Square in North Shields, the Avenue site in Whitley Bay and Wallington Court site in Cullercoats. Funding for the construction of the homes was from the Authority in the form of both debt and equity funding. These sites would be developed by the Company through 2017/18, 2018/19 and 2019/20.

Opportunities for the development of sites and other potential trading options would be considered and presented to Cabinet for consideration, in line with their priorities, at the appropriate time.

The full Strategic Business Case was attached as an Appendix to the report.

Cabinet considered the following decision options:

Option 1: To approve the North Tyneside Trading Company's Strategic Business Plan 2017-20.

Option 2: Not approve the North Tyneside Trading Company's Strategic Business Plan 2017-20 and refer the Business Plan back to the Trading Company to examine further options/opportunities.

**Resolved** that the North Tyneside Trading Company Strategic Business Plan 2017-20 be approved.

(Reason for decision: It will allow the Trading Company to continue with the activities set out in the Strategic Business Plan, including continuing with the purchasing strategy of homes to be let at an affordable rent and the construction of new homes for market sale, in line with Cabinet approval.)

### **CAB75/11/17 Armed Forces Covenant (All Wards)**

Cabinet received a report seeking approval of an updated Armed Forces Covenant 2017-2021.

The North Tyneside Armed Forces Community Covenant was for serving and former members of the Armed Forces and their families working and residing in North Tyneside. This included members of the Armed Forces both Regular and Reserve, in the Naval Service, the Army and the Royal Air Force, together with their families.

The Covenant was a promise ensuring that those who served or had served in the Armed Forces, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. The Covenant focussed on helping to ensure members of the Armed Forces Community had the same access to government services and products as any other citizen. The Covenant was a voluntary statement of mutual support between a civilian community and its local Armed Forces Community.

The purpose of the North Tyneside Covenant was to support the Armed Forces Community working and residing in North Tyneside and to recognise and remember the sacrifices made by members of this Armed Forces Community. This included in-Service and ex-Service personnel, their families and widow(er)s.

For North Tyneside Council and the civilian community of North Tyneside the Covenant presented an opportunity to bring their knowledge, experience and expertise to bear on the provision of help and advice to members of the Armed Forces Community. It also presented an opportunity to build upon existing good work on other initiatives.

For the Armed Forces community, the Covenant encouraged the integration of Service life into civilian life and encouraged members of the Armed Forces community to help their local community.

By signing up to the Covenant the Authority was committed to producing an annual statement of how it had used this Covenant, and plans for the coming year. These reports would be produced in January each year and reviewed by the North Tyneside Armed Forces Forum.

The North Tyneside Covenant complemented the principles of the National Covenant "Our Community – Our Covenant". The Authority had already been awarded a silver level in the covenant employer recognition scheme. Over the life span of this Covenant the Authority aimed to achieve a gold level.

The Covenant aimed to encourage all parties within the community to offer support to the local Armed Forces community and make it easier for Service personnel, families and veterans to access the help and support available from the Ministry of Defence (MOD), from statutory providers and from the Community and Voluntary Sector. These organisations already worked together in partnership and the updated Covenant would ensure that the organisations actively reviewed and developed, continuing to make North Tyneside a welcoming and supportive place for individuals and their families.

The Covenant was intended to be a two-way arrangement and the Armed Forces community were encouraged to do as much as they could to support their community and promote activity which integrated the Service community into civilian life.

The Authority would actively support a local Armed Forces Forum that would bring together all stakeholders and be the focus for overseeing the Covenant. Notes from the meetings would be available to any interested party. The North Tyneside Armed Forces Forum would feed directly into the regional Armed Forces Forum.

The Authority would produce an annual report updating on any actions taken over the past year and identified action plans for the coming year. These plans would be available on the Authority's website.

A named lead Member would be appointed by Cabinet and would work alongside a named senior officer from the Authority. A single point of contact officer would be identified and their name and contact details would be made available on the Council's website.

In addition it was proposed that the Authority would offer anyone who had served in the Armed Forces an interview for a post if they met the requirements of the job specification in line with the Authority's recruitment policy in considering the essential and desirable criteria as appropriate.

Councillor Bell indicated that he was privileged to be the Authority's Armed Forces champion and he had received the silver award on behalf of the Council and thanked everyone involved for their support.

On behalf of the voluntary and community sector, Mr Robinson commended the work and stressed how important this work was.

The Elected Mayor also commended this piece of work and mentioned that it had been recognised both regionally and nationally.

Cabinet considered the following decision options:

Option 1: To approve the Armed Forces Covenant and amendments to the recruitment policy.

Option 2: To approve the Armed Forces Covenant but not the amendments to the recruitment policy.

Option 3: To approve the amendments to the recruitment policy but ask for amendments to be made to the Covenant.

Option 4: To request amendments to both the recruitment policy and the Covenant.

Option 5: Not to approve the updating of the Covenant and changes to the recruitment policy.

**Resolved** that (1) the Authority signs up to the Armed Forces Covenant 2017-2021; (2) the Head of Human Resources and Organisational Development be authorised to ensure that the Authority offers anyone who has served in the Armed Forces an interview for a post if they meet the requirements of the job specification in line with the Authority's recruitment policy in considering the essential and desirable criteria as appropriate; and (3) the Head of Corporate Strategy be authorised to review the Authority's policies and practices to ensure they support the principles set out in the Covenant.

(Reason for decision: It allows for the updating of the Armed Forces Covenant and agreement that the recruitment policy changes to offer an interview for a post if they meet the requirements of the job specification in line with the Authority's recruitment policy in considering the essential and desirable criteria as appropriate.)

### **CAB76/11/17 Household Waste Recycling Centre Operational Arrangements (All Wards)**

Cabinet received a report seeking approval to change how the Authority operated its Household Waste Recycling Centre (HWRC) at Wallsend Road, North Shields.

On 1 July 2017, restrictions had been introduced on the types of vehicles that could use the HWRC. The introduction of the restrictions was designed to address concerns relating to health and safety issues, as well as to reduce the amount of trade waste being brought onto the site. Following the introduction of the restrictions, there had been a significant reduction in traffic congestion coupled with a significant reduction in waste volumes at the site.

Building upon this success, it was proposed that further measures were introduced to bring about further improvements, namely, the introduction of a permit scheme for specified types of vehicles intending to use the HWRC, as well as the introduction of charges for residents seeking to dispose of non-household waste. The proposed measures would bring the Authority into line with those adopted by neighbouring Authorities.

Over recent years, there had been an increase in the number of visitors and vehicles using the HWRC, which had led to some health and safety concerns. Earlier this year, 'Suez', the Authority's waste disposal contractor, had carried out vehicle monitoring, which showed that 40% of all vehicles using the site were vans.

Also, over the last three years, the Authority had seen a 23% increase in the amount of waste being disposed of at the HWRC. This increase had occurred at the time when neighbouring Authorities were introducing restrictions and permits at their HWRCs, which had also resulted in a corresponding reduction in the number of visits and waste disposed at their HWRCs.



As part of the Authority's 10 year plan for waste, proposals were included within the 2017/18 budget setting process to introduce restrictions at the HWRC.

Following consultation with the Cabinet Member for Environment, restrictions had been introduced to the HWRC on 1 July 2017, which meant that very large vehicles had been stopped from entering the HWRC.

As part of the approach to implementing the new restrictions, signage and a height restriction barrier had been installed at the site at the beginning of July 2017. The site operator had also provided an increased staff resource to help manage visitors using the site. These changes had been widely publicised.

Since the introduction of the restrictions, there had been a reduction of 451 tonnes of residual waste during the months of July and August this year, compared to July and August last year. This represented a waste disposal reduction of 29% and a saving of over £55,000.

Positive feedback had also been received from Suez and site users following the implementation of these restrictions.

Neighbouring Authorities had introduced vehicle restrictions similar to those outlined above. However, in their experience, this restriction alone was not effective in managing compliance at HWRCs in the long-term and they had introduced more extensive controls at their HWRCs. This included permits and charges for non-household waste, which had been beneficial in relation to site compliance.

The Authority was aware that there were traders who continued to attempt to dispose illegally of their business waste at the HWRC. Therefore, in order to reduce the extent of this non-compliance, it was proposed that a permit scheme be introduced. Conditions for the proposed permit scheme were set out in the report.

Under section 51 of the Environmental Protection Act 1990, construction and demolition waste from households was not defined as "household waste", and it was proposed that charges were introduced for the disposal of non-household waste at the HWRC.

Cabinet considered the following decision options:

Option 1: Note the improvements that have been made to the operation of the Household Waste Recycling Centre and approve the proposals to introduce the permit scheme and charges outlined in sections 1.5.4 and 1.5.5 of the report.

Option 2: Note the improvements that have been made to the operation of the Household Waste Recycling Centre and not approve the proposals to introduce the permit scheme and charges outlined in sections 1.5.4 and 1.5.5 of the report.

**Resolved** that (1) the improvements that have already been made to the Household Waste Recycling Centre at Wallsend Road, North Shields, be noted; (2) the proposals to introduce the permit scheme and charges outlined in paragraphs 1.5.4. and 1.5.5 of the report be approved; and

(3) the Head of Environment, Housing and Leisure be authorised to introduce and manage the above changes and to determine the level of charges following consultation with the Cabinet Member for Environment, Head of Finance and the Head of Law and Governance and to undertake all ancillary matters associated with this resolution.

(Reason for decision: Restrictions relating to specified vehicles have improved the health and safety at the HWRC and reduced the amount of trade waste being brought into the site.

The decision to approve the introduction of a permit scheme and charges will build upon the improvements made at the HWRC and bring the Authority in line with neighbouring authorities.)

### **CAB77/11/17 Highway Asset Management Plan Annual Information Report (All Wards)**

Cabinet considered the Authority's Highway Asset Management Plan (HAMP) Annual Information Report 2017.

The Authority's HAMP 2017 - 2032, approved by Cabinet in September (CAB45/09/17), included a commitment to provide Cabinet with an annual information report outlining progress and key issues associated with the maintenance of the Authority's public highway network. The report had a particular emphasis around the condition of the network, the resources required to maintain it effectively and a commitment to increase future spending for the footways of the Borough.

Currently the highway maintenance activities delivered through the HAMP were funded through a number of funding streams. Capital work was funded by the annual Local Transport Plan Maintenance Block and in recent years additional funding had been invested through the Authority's Investment Plan.

The report would be used as the basis for ongoing consideration around the challenges of maintaining the highway network. The report was aimed at supporting those considerations through the interrogation of objective data so that any decisions about potential changes in highway maintenance priorities and resources could be made in an informed manner.

All ward members would be provided with a personal copy of the HAMP Annual Information Report attached as an Appendix to the report. The report would also be published on the Authority's website.

Key highlights of the HAMP Annual Information Report 2017 were outlined in the report.

Cabinet considered the following decision option: to note the content of the HAMP Annual Information Report 2017.

**Resolved** that the content of the Highways Asset Management Plan Annual Information Report 2017, attached as an Appendix to the report, be noted.

(Reason for decision: No alternative options have been outlined as no further direct decisions by Cabinet are sought in relation to the HAMP Annual Information Report 2017.)

**CAB78/11/17 Draft Register of Buildings and Parks of Local Historic and Architectural Interest (Local Register) Supplementary Planning Document (All Wards)**

Cabinet received a report seeking approval of the publication of the Draft Local Register of Buildings and Parks of Local Architecture and Historic Interest Supplementary Planning Document for public consultation.

The Draft Local Register SPD continued to celebrate our rich historic environment and was designed to identify the buildings, parks and gardens of local architectural and historic interest and enable their notable features to be identified and considered during the course of the design process when development was proposed. The Draft Local Register SPD consisted of two parts: the Register of buildings and parks, and the SPD that provided relevant information on the implications of being included on the Local Register.

The Local Register had originally been prepared to fulfil Unitary Development Plan 2002 (UDP) policies E17/5 (relating to buildings) and E18 (relating to parks and gardens). It had been adopted on 13 February 2007, when it had been agreed that 146 buildings and parks within the Local Register were worthy of recognition through their local architectural and historic interest.

An accompanying Local Register SPD had been prepared and adopted by the Authority's Cabinet on 10th November 2008. The SPD had supplemented UDP policies E17/5 and 18, providing stakeholders with an explanation of policies and objectives with regard to the Local Register, outlining the process of establishing and maintaining the Local Register, providing information on the implications of property being included on the Local Register, and giving guidance on works to property on the Local Register.

The 2008 SPD had indicated that there would be future revisions. A revised version had now been prepared. A revision was required now for two main reasons:

1. Since the Local Register had been developed in 2007, information had been compiled relating to other buildings and parks that could be added to the register. In addition, some changes had occurred that meant some buildings and parks should be removed.
2. National and local planning policy had changed since the adoption of the 2008 SPD. A revised SPD was required to supplement the most up-to-date planning policy position.

Nominations for additions to the Local Register had been invited from local residents during summer 2017. The public consultation had provided a small number of

nominations that were considered for inclusion on the Local Register as part of 70 potential new entries that had been gathered since 2007, many of which had arisen from ad hoc public nomination. Additionally, the 146 existing Local Register entries, all of which had been nominated by the public, had been reviewed. Entries had been considered by a panel of three local historic environment experts, using the criteria (based on national criteria) included in the Draft SPD, which was attached to the report as Appendix 1.

The recommendation from the expert review panel was that 47 nominated buildings and parks should be added to the Local Register, three new nominations should be combined with existing entries, and 16 existing entries should be removed from the Local Register. 23 nominated buildings had not been recommended for inclusion. This resulted in a recommended revised Local Register with 177 entries.

Cabinet considered the following options:

Option 1: To approve the publication of the Draft Local Register DPD for public consultation.

Option 2: To request changes to the publication of the Draft Local Register SPD before public consultation.

**Resolved** that publication of the Draft Local Register Supplementary Planning Document be approved for public consultation.

(Reason for decision: It is a statutory requirement that SPDs are subject to consultation with relevant stakeholders. It is important that the relevant owners and occupiers have the opportunity to consider the potential for their assets to be included on the Local Register and the subsequent implications, and given the opportunity to input accordingly.)

The consultation would be a step towards adopting a revised Local Register SPD. A revised Local Register SPD will allow the Authority to fulfil the requirements of local and national planning policy, ensuring that buildings, structures, parks and gardens locally identified as having architectural and historic interest are given an appropriate degree of recognition.)

### **CAB 79/11/17 Motor Neuron Disease Charter (All Wards)**

Cabinet received a report seeking approval to adopt the Motor Neuron Disease (MND) Charter in accordance with a Motion that had been unanimously approved by full Council at its meeting held on (C37/09/17).

Cabinet was also requested to promote the Charter within the borough and make it available to all councillors, council staff, partner organisations and health and social care professionals who delivered services for the Authority. This would serve to raise awareness of MND and demonstrate what good care looked like for those living with this devastating disease. It would also assist the Authority, working closely with Northumbria Health Care Trust, to positively influence the quality of life for local people with MND and their carers living in the community.

It was acknowledged that many of the aspects of this charter related to an individual's health needs; however there were social care aspects of an individual's life that could require involvement from the Authority.

In determining the level of involvement the Authority would assess need and exercise its duties in accordance with the requirements of the Care Act 2014. That could mean providing advice, information, signposting or support (which would be financially assessed regarding an individual's contributions).

The plan for promoting the charter would include sharing with all relevant Authority staff; publicising the charter through various publications for example TeamWork (for staff), the Our North Tyneside Magazine (for residents); and through the Authority's website and the use of social media.

Cabinet considered the following decision options:

Option 1: To adopt the Charter and to ensure it is promoted across the borough of North Tyneside.

Option 2: Not to adopt the Charter.

**Resolved** that (1) the Motor Neuron Disease Charter be adopted; and (2) the plan for promoting the Charter within the Borough, as set out in section 1.5.9 of the report, be approved.

(Reason for decision: It will support increased awareness of Motor Neuron Disease across North Tyneside and will demonstrate a commitment by the Authority to support people with this disease.)

### **CAB80/11/17 Exclusion Resolution**

**Resolved** that under Section 100A (4) of the Local Government Act 1972 (as amended) and having applied a public interest test as defined in Part 2 of Schedule 12A of the Act, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act.

### **CAB81/11/17 Corporate Risk Management Summary (All Wards)**

Cabinet considered a report which detailed the corporate risks that had been identified for monitoring and management by the Authority's Senior Leadership Team and relevant Cabinet members. The report also provided detailed information on each risk and how it was being managed.

The following decision options were available for consideration by Cabinet:

Option 1: To consider the information provided for each of the corporate risks and endorse the outcome of the latest review by the Authority's Senior Leadership Team.

Option 2: After consideration of the detailed information provided for the corporate risks, suggest changes to the corporate risks and their controls.

**Resolved** that the latest review of key corporate risks undertaken by the Senior Leadership Team be endorsed.

(Reason for decision – Each of the corporate risks has undergone substantial review and challenge as part of the corporate risk management process. This is designed to provide assurance that corporate risks and opportunities are being identified and appropriately managed.)

### **CAB82/11/17 Land at Sandy Lane, Wideopen (Weetslade Ward)**

Cabinet received a report which provided information on a proposal for the Authority to enter into a private treaty option agreement with a developer in respect of the proposed disposal and development of 0.86 of a hectare of land at Sandy Lane, Wideopen, as shown by dark outline on the plan attached as an Appendix to the report.

This land was owned by the Authority and was considered to be surplus to its requirements. The intention was for the developer to bring the land forward for development for employment uses as detailed in Section 1.5 of the report.

The main terms of the arrangement that had been provisionally agreed between the Authority and the developer were set out in the report.

Cabinet considered the following decision options:

Option 1: To agree to the Authority entering into the arrangement with the developer to secure the development of the subject land with the Authority benefitting from an agreed base value if the Option is exercised, the potential of an additional capital receipt if the allowable costs are less than £150,000, together with an equal share of any development profit from the development scheme.

Option 2: Not to agree to enter into the arrangement with the developer, in which case the land will remain within the Authority's control and ownership.

**Resolved** that (1) the land at Sandy Lane identified in the report be declared surplus to the Authority's requirements and available as a development site which will be the subject of a private treaty arrangement with the developer specified in the report; (2) the main terms of the arrangement with the developer, as detailed in Section 1.5 of the report, be approved; (3) the Head of Law and Governance be authorised to complete the arrangement in accordance with all relevant legal requirements, the Authority's Constitution and Financial Regulations; (4) the Head of Commissioning and Investment be authorised, in consultation with the Chief Executive, the Head of Law and Governance, the Head of Finance (as Section 151 Officer) and the Elected Mayor to agree the final detailed terms of the freehold transfer of the land at Sandy Lane; (5) the Head of Law and Governance be authorised to complete the freehold transfer of the land at Sandy Lane in accordance with all relevant legal requirements, the Authority's Constitution and Financial Regulations and; (6) the Head of Commissioning and Investment be authorised to deal with all ancillary matters arising that are consistent with the preceding resolutions.

(Reason for decision: It is considered the best way to achieve a satisfactory form of development on the subject land whilst securing an agreed base level of capital receipt for the Authority, the potential of an additional capital receipt if the allowable costs are less than £150,000, together with the opportunity to benefit from an equal share of the resultant development profit from the completed development.)

### **CAB83/11/17 Better Care Fund (All Wards)**

Cabinet received a report advising of progress in agreeing the Better Care Fund Plan for 2017-18 and 2018-19.

Cabinet considered the following decision options:

Option 1: Approve the recommendations as set out in paragraph 1.2 of the report.

Option 2: Not approve the final Better Care Fund Plan and to instruct officers to carry out further work on the Plan to enable approval by Cabinet within a timescale which will enable the Authority to meet the externally prescribed timetable for submission of the plan to the BCF assurance process.

**Resolved** that (1) the arrangements and progress made to date in terms of developing the Better Care Fund Plan in North Tyneside be noted; and (2) the Head of Health, Education, Care and Safeguarding be authorised, in consultation with the Cabinet Member for Adult Social Care, the Cabinet Member for Finance, the Head of Law and Governance and the Head of Finance to (a) approve the Better Care Fund Plan for submission to the Department of Health; and (b) incorporate any amendments to the BCF Plan proposed by the Health and Wellbeing Board prior to the Board's sign off of the Plan, and the Plan's submission to the Department of Health.

(Reason for decision: To ensure North Tyneside is able to continue to provide the health and care services funded through the Better Care Fund Plan.)

### **CAB84/11/17 Date and Time of Next Meetings**

Monday 27 November 2017 at 6.00pm (Extraordinary Meeting)

Monday 11 December 2017 at 6.00pm (Ordinary Meeting)

**Minutes published on 16 November 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 23 November 2017.**