

Overview and Scrutiny Committee

3 December 2012

Present: Councillor C B Pickard (Chair)
Councillors J Allan, A Austin, G Bell, B Burdis,
I Grayson, R Glendon, Marian Huscroft, J Harrison,
D McGarr, J McLaughlin, D Sarin, N Redfearn
and J Stirling.

Church Representative
Rev M Vine

School Governor Representatives
Mrs J Little
Mrs M Ord

OV55/12/12 Apologies

Apologies for absence was received from Councillor C Gambling and M Rankin.

OV56/12/12 Substitute Members

Pursuant to the Council's constitution the appointment of the following substitute Members was reported:-

Councillor B Burdis for Councillor C Gambling
Councillor G Bell for Cllr M Rankin

OV57/12/12 Declarations of Interest

There were no declarations of interest reported.

OV58/12/12 Introduction of new School Governor Representatives

The Chair introduced and welcomed the new school governor representatives Mrs Justine Little and Mrs Michelle Ord who had taken their positions on the Overview and Scrutiny Committee and the Children, Education and Skills Sub-Committee.

OV59/12/12 Minutes

Resolved that the minutes of the meetings held on 5 November 2012 be confirmed.

OV60/12/12 North Tyneside Area Action Plans and Core Strategy

The Committee received a presentation and report on the North Tyneside Area Action Plans and Core Strategy. Graham Sword, Planning Client Manager informed the Committee the following:

Area Action Plans

It was a requirement that the Council produce documents that set out its policies relating to the development and use of land in the borough. The most important being the Development Plan Documents (DPDs) also known as Local Plans, which include any allocations of land for development and general planning policies.

The DPDs are based on wide engagement with the public/neighbouring authorities and based on extensive evidence base, it also must provide for any need for sustainable development and are expected to be consistent with national policy.

In the future the Development Plan for North Tyneside would consist of the Core Strategy and Area Action Plans which together would replace the North Tyneside Unitary Development plan (UDP).

The Area Action Plans (AAPs) for the Coastal areas (including Whitley Bay), North Shields and Wallsend would contain detailed proposals for the coast, riverside and town centres and were appended to the report.

The Committee were informed that the development plan forms a part of the Councils Policy Framework and that the Area Action Plans Publication draft: Initial Proposals had been approved by Cabinet at its 8th October meeting.

The Committee heard that once the draft AAPs were approved by Full Council a formal six week consultation would take place in approximately May 2013. Pending the outcome of the consultation the AAPs would then be submitted to the Secretary of State with an examination by an Independent Inspector. Final adoption of the AAPs, was programmed for June 2013 providing permission from the Inspector's report.

Members commented that areas of North Tyneside should be included in the Area Action Plans and gave examples in the north west of the borough. The Planning Client Manager reassured the Committee that there was a document 'North West Strategic Framework' that would be progressed alongside the Area Action Plans and to the same timescale.

A Member asked when developing brown and green field sites if the proper investigations were undertaken with regards to hydrology and drainage. The Committee was informed that various studies are undertaken when sites are considered for development, this included strategic flood risk assessments. The Committee was also informed that there would also be consultations which both Northumbria Water and the Environment Agency.

Further, Members asked when developing sites, if open green space and blue zones were considered. The Committee was informed that there were a range of policies that officers followed when considering sites for development, these included Green Space Strategy and policies in rain water harvesting.

A Member stated that Area Action Plans were aspirational and stressed that any aspiration should be backed up with a sound evidence base. In response the Planning Client Manager stated that large amount of information was accessible on the Council Website.

Members questioned the rationale for a further six week consultation following approval of the draft Area Action Plans by Full Council and the role of the Independent Inspector. It requested that a briefing note be circulated to Members clarifying the process and the role of the Independent Inspector and Secretary of State in the final adoption of the plans.

A Member stated that there were areas of employment land in the Core Strategy in relation to Killingworth to be used for housing, however, there were not included in the Area Action Plans. The Committee was informed that major developments over 100 residential properties would be detailed in the Core Strategy and that all developers would be required to have regard and work within the strategy.

Members stated and recommended that consultations on the Area Action Plans should be undertaken with Ward Councillors, stating that Ward Councillors had greater insight and local knowledge that could enhance the plans.

Members asked that consideration be given to the wording of the Introduction of the Action Plans, highlighting the necessity that the infrastructure and resources need to be in place and available to enable the aspirational aspects of the Area Action Plan's to occur.

Core Strategy

The Committee received information to the Core Strategy and was reminded of the Council motion at the meeting of the 27 September 2012 where a request was made for the Overview & Scrutiny Committee to have consideration as per the Council's policy framework.

The Core Strategy's purpose was to set out a vision and spatial strategy for North Tyneside for the next 15 years and covered housing, the economy, the riverside and town centres, the green belt, infrastructure, the natural & built environment, the coast and climate change.

The Committee was informed of the steps in the preparation of the Core Strategy that included consultations undertaken in Summer 2010 and autumn 2011 to issue & options, preferred and growth options.

The next stage was to undertake widespread public involvement and debate given by the Consultation Draft that would be the preliminary draft of the whole plan.

The report detailed the content and public responses to the preferred and growth options and other issues. With regards to housing growth, work was underway to revise the number of additional homes required for the inclusion in the Consultation document with identified suggested key sites.

With regards to employment land the preferred options document suggested a limited reduction from around 950 to 900 hectares.

It was stated that on the basis of the information and responses to consultations carried out to date the issues that had been resolved were:

- Protection of the Green Belt;
- Regeneration and development of town centres;
- Protection and regeneration of the riverside for economic development
- Regeneration of the coast and the north west of the Borough

Members considered that further scrutiny was required with regards to the Core Strategy and it was proposed that a small task and finish group be set up to carry out the scrutiny. It was agreed the group meet with officers and report their findings to a future Overview and Scrutiny Committee. The Chair requested for volunteers to be part of the group. Councillors Bruce Pickard, Dave McGarr, Jim Allan, Ray Glindon and Marian Huscroft indicated their wish to be involved.

Agreed that (1) briefing note be circulated to Members detailing and clarifying the rationale and process of the six week consultation, the roles of the Independent Inspector and Secretary of State in the final adoption of the Area Action Plans;
(2) the document 'North West Strategic Framework' be progressed alongside the Area Action Plans and to the same timescale;
(3) recommend consultations be undertaken with Ward Councillors with regards to their Wards to enhance the Area Action Plans;
(4) consideration be taken to the wording of the Introduction of the Action Plans, highlight the infrastructure and resources needed to be in place to enable the aspirational aspects of the Area Action Plan's to occur;
(5) a task and finish group comprising of Cllrs Pickard, McGarr, Allan, Glindon and Marian Huscroft meeting with officers to consider the Core Strategy and submit a report of their findings to a future meeting of the Overview & Scrutiny Committee.

OV61/12/12 NT Corporate Performance report 2012/13 – Q2

The Committee received the Senior Leadership Team Progress report quarter 2, 2012/13 that had been considered by Cabinet at its meeting on the 12 November 2012.

The report detailed the achievements against the Councils ambitions and summary against the priorities set out in the Sustainable Community Strategy. The report stated that further detailed information relating to each priority was accessible through the Councils data store.

In Quarter 2 of 2012/13 key achievements under each of the Strategic Partnership themes included:

- Local Development Order (LDO) for Swan Hunter confirmed. Preliminary work underway for Port of Tyne North Estate and procurement underway for the appointment of preferred developer partner for Swan Hunter site.
- Adult Social Care providers had surpassed the target of 13% of customers setting up and managing their Direct Payments.
- 70% of schools were judged as Good or Outstanding by OFSTED, none had a notice to improve.
- North Tyneside Council was the overall National Award Winner in the Clean Britain Awards and retained its 5 star award (the highest grade rating), along with a Gold Award for the best medium sized local authority.
- A comprehensive report based on empirical evidence, was produced for North Tyneside's State of the Area event, setting out the position of the Council in terms of education, health, housing and the environment.

Further achievements were outlined in the main Senior Leadership's Team Quarter 2 Progress Report, attached at Appendix 1.

The following areas had been identified as challenges by the Director of Public Health:

- Alcohol: Increasing hospital admissions were being tackled in the short term (1 year) by commissioning a community based service to provide intensive support to dependent drinkers who were frequently admitted to hospital. In the longer term (2-3 years) there would be a range of alcohol intervention and treatment services commissioned for different levels of need.
- Childhood Obesity: A review of the current service/interventions for children who were overweight or obese was underway. This would most likely result in

remodelling of current service provision. In addition measurement of children in year 4 at primary school was being considered (in addition to current mandatory measurement in reception and year 6).

A Member indicated that the report did not highlight area of performance that had not reached the level expected. The Chief Executive highlighted that the report detailed the key challenges and it would be the expectation that the scrutiny sub-committees would investigate these further.

A Member questioned the 5th priority 21st Century Council and what 'Demographics and future proofing' item was. The Chief Executive informed the Committee that the Council held a lot of data, the item was to develop ways to use the data available to look at trends and ways to improve the presentation of the information.

A Member queried the reason the challenge under the Sense of Place priority, it was requested that further information to the reasons for the street cleansing and litter management were off target and how wet weather had affected this.

Agreed that (1) Senior Leadership Team Progress report 2012/13 quarter 2 be noted; and (2) further information be provided to Members to the reasons for the street cleansing and litter management being off target due to wet weather.

OV62/12/12 Council Strategic Plan and 2012/13 Budget Implementation Plan (Previous Minute OV51/11/12)

The Committee received the most recent version of the Implementation Plan considered at the Cabinet meeting 12 November 2012.

It was reported that Cabinet had considered that the majority of the items in the Implementation Plan that were its responsibility. Cabinet therefore decided that it would not receive the Implementation Plan at future meetings but would receive reports on Items 58, 62 – 64, 69, 73 and 76 and other matters as appropriate.

A Member asked when the expectation that scrutiny would start with respect to the outsourced services to Balfour Beatty and Capita Symonds. The Chief Executive stated that workshops were to be arranged to inform all Members of the details of the contracts. He asked the Committee how and when the Committee would like the workshops to be delivered. The Committee decided that workshops be delivered in January and be with individual political groups. It also stated that the scrutiny sub-committees would start monitoring the contracts from February/March 2013.

A Member requested further information relating to Item 23 the creation of a Trading Company. The Chief Executive stated that two companies had been created and that the relevant information would be circulated to the political group leaders.

Members requested financial information on Item 35/36 – Additional income from advertising and marketing. The Chief Executive stated this would be made available but stressed the confidential nature of the information.

Members requested that the paragraph 2.2 Legal - Compliance with Principle of Decision Making of the Cabinet report be reviewed. It was stated that the paragraph did not reflect the current position of Councils responsibility to the Council Plan and to ensure the budget remained balanced. This was following recent legal advice the Council had received on Regulation 5(1) and paragraph 1 of schedule 4 of the Function and Responsibilities Regulations.

The Chief Executive asked the Committee how it would like to receive future updates to the implementation plan. He indicated that the Cabinet had decided not to receive the plan in the future. The Committee decided that it would require an updated plan showing the changes to its future meetings.

Agreed that (1) arrangements be made to deliver workshops to Members on the outsourced contracts in January 2013 and workshops be held for each political group; (2) the relevant information regarding the creation of Trading Companies be circulated to political group leaders; (3) the financial information in relation to additional income from advertising and marketing be made available to Members; (4) the paragraph 2.2 Legal - Compliance with Principle of Decision Making of the Cabinet report be reviewed to reflect the current position of Council's responsibility to the Council Plan and budget; and (5) updated implementation plan be submitted to future meeting.

OV63/12/12 North Tyneside Strategic Partnership (NTSP) Performance report 2012/13 – Q2

The Committee received the North Tyneside Strategic Partnership – Exception report Q2 that was considered by the Cabinet on 12 November 2012. The report indentified performance issues in relation to the delivery of objectives outlined in the North Tyneside Sustainable Community Strategy (SCS) 2010-13.

A total of 84 high level measures had initially been identified to monitor progress against the priorities and aims within the SCS. These included a mix of national and local measures, as well as the measures which were contained within the Local Area Agreement 2008-11.

After the Government announced the abolition of the National Indicator Set in October 2010, a review of the original 84 measures was carried out to ascertain which ones were still available for reporting. Of the original set of measures, 63 were still being collected however, of these, 16 had either had a change of definition or a change in their methodology.

Of the total performance measures, 13 could be reported at the end of Quarter Two, 6 of which had not achieved their target, as follows:

- NI016: Serious acquisitive crime rate (%). Quarter 2 target was 2.18% and 2.48% had been achieved.
- NI 039 (PHOF 2.18): Hospital admissions for alcohol related harm (rate per 100,000). Quarter 4 2011/12 target was 660 and 810 had been achieved.
- NI065: Children becoming the subject of a Child Protection Plan for a second or subsequent time (%). Quarter 2 target was 10% and 15.4% had been achieved.
- NI195a: Improved street and environmental cleanliness – the percentage of relevant land and highways assessed as having deposits of litter (%). Quarter 2 target was 3% and 4% had been achieved.

- NI195c: Improved street and environmental cleanliness – the percentage of relevant land and highways assessed as having deposits of graffiti (%). Quarter 2 target was 0% and 1% had been achieved.
- NI195d: Improved street and environmental cleanliness – the percentage of relevant land and highways assessed as having deposits of fly-posting (%). Quarter 2 target was 0% and 1% had been achieved.

In each case comments and proposed actions were set out in the report.

The full list of performance measures were contained in Annex 1 of the report.

The Chair stated that at its meeting on 5 November the Committee requested that quarterly performance reports be presented to the Committee by a Member of the NTSP Executive and was disappointed that no-one was present to do so. The Committee agreed to defer the item until the next normal meeting of the Committee 4 February 2013 and requested again that this be presented by a Member of the NTSP Executive.

Agreed that (1) the North Tyneside Strategic Partnership (NTSP) Performance report 2012/13 – Q2 be deferred until the 4 February 2013 meeting; and (2) a Executive Member of the NTSP be in attendance to present the report.

OV64/12/12 Change Efficiency and Improvement Programme - update

The Chief Executive updated the Committee to the position of the projects to each theme, with a focus on the project plans for years 2-4 of the programme.

Key progress for the themes was detailed in and appended to the report for the Committees information.

A Member asked that future reports and appendices not include acronyms.

A Member asked with regards to the street lighting trial using the new LED lighting and adjustable 'Mayflower' units, stating that some residents had expressed their concerns and to how the Council would demonstrate the trial was successful.

The Chief Executive stated that it would be seen as a success if the trial showed a financial saving. However he stated that if residents did have concerns these should forward to the Council and would be considered.

Agreed that (1) the Change, Efficiency and Improvement Plan be noted; and (2) officers be requested not to use acronyms in future plans.

OV65/12/12 Appointment of Consultants update report

Following the Committee's request from its meeting on 5 November 2012, where it requested, 'a report to be submitted that detailed all information relating to the appointment of consultants made in the current year and status of all consultant posts to date'

The Chair informed the Committee of his disappointment that the Committee's request had not been carried out. However, he read information that had been submitted to Democratic Services that informed that the only position on the basis specified was the post of the Interim Chief Executive.

The Committee requested information to the level of underlying consultancy used within the Council.

Agreed that (1) the Appointment of Consultants update be noted; and
(2) a report detailing the underlying use of consultancy used within the Council be submitted to a future meeting.

OV66/12/12 Forward Plan

The Committee was presented with the Forward Plan covering the period 29 November 2012 – 11 March 2013 to identify any issues for inclusion in the committee's work programme.

Agreed that the 29 November 2012 – 11 March 2013 Forward Plan be noted;