

Cabinet

Monday, 24 February 2020

Present: N Redfearn (Elected Mayor) (in the Chair)
Councillors G Bell, C Burdis, S Cox, P Earley, R Glindon,
C Johnson, M Hall and CB Pickard

In Attendance: A Ferris Young Mayor)
R Layton (North Tyneside Joint Trade Union Committee)
T Bridges (Business Representative)

Apologies: D McNally (Age UK)

CAB107/20 To Receive any Declarations of Interest and Notification of any Dispensations Granted

Councillor C Burdis declared a non-registerable personal interest in item 6 - Review of the North Tyneside Hackney Carriage and Private Hire Licensing Policy (CAB111/20), as her son was a private hire driver for North Tyneside.

CAB108/20 Minutes

Resolved that the Minutes of the previous meetings held on 20 January 2020 (Ordinary meeting), 3 February and 10 February 2020 (Extraordinary meetings) be confirmed and signed by the Chair.

CAB109/20 Report of the Young Mayor

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

- Youth councillors had visited Gateshead last week to see the Knife Angel and watched a drama performance at the Sage.
- Young cabinet member for Ready for Life Abigail Akinyemi and youth councillors had delivered donations of food, toiletries and children's clothes to the New to UK project in North Shields which helped asylum seekers and refugees who were living in North Tyneside and they hoped to continue to support them in the future.
- Some Youth councillors had attended the Council budget meeting last week.
- Environment Group Members had agreed with the Environment Agency that the flood video should be completed in collaboration with other young people from the region. Northumberland and Newcastle Youth Councillors had already agreed to attend the meeting tomorrow. It was hoped that South Tyneside and Sunderland would also join the project.
- Group members had met with staff from Newcastle University's Dove Laboratories to discuss World Ocean day and were keen to be involved on Sunday 7 June on Longsands Beach. The group were helping with a variety of activities in this community event and continued the work being done around the environment and climate change.
- The Young Mayor had attended the Holocaust Memorial Day event and had spoken

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about the theme of Standing Together as part of the presentations.

- Deputy Young Mayor Kody had visited the Police and Crime Commissioner to talk about his role as North Tyneside's Knife Crime Ambassador.
- This year's Regional Children in Care Council conference had been held at the Stadium of Light in Sunderland with over 100 professionals in attendance, where youth councillors had delivered workshops on mental health and post 18 support for leaving care.
- The top four candidates from the first round of online voting in the Young Mayor elections had been confirmed. The final stage of paper ballot voting would take place in March with the announcement on 13 March.

The Young Mayor reported that this was her last Cabinet meeting and thanked everyone for making her feel very welcome; She had enjoyed her role as Young Mayor and would be staying on the Youth Council.

The Elected Mayor thanked the Young Mayor for her update and congratulated her and all the young people for their tremendous work over the last year. The Elected Mayor and her Cabinet were proud of Amelie as Young Mayor and welcomed her staying on as a youth councillor.

CAB110/20 Determination of School Admission Arrangements from September 2021 including proposed catchment area changes

Cabinet considered a report detailing the proposed admission arrangements for all Community Schools in North Tyneside for the 2021/2022 academic year, coordinated admissions schemes and the proposed catchment area changes.

All Local Authorities were required to formulate and consult on a scheme for each academic year for co-ordinating admission arrangements for all maintained schools within their area. This requirement included maintained boarding schools but, excluded maintained special schools and maintained nursery schools. Co-ordinated schemes were intended to simplify the admission process for parents whilst reducing the likelihood of any child being left without a school place. Co-ordination established a mechanism that ensured that, as far as was practicable, every child living in a Local Authority (LA) area who had applied in the normal admissions round received one, and only one, offer of a school place on the same day. While it was for each LA to decide the scheme that best suited its residents and its schools, authorities must ensure that they:

- a) complied with law and regulations, including all the process requirements; and
- b) did not disadvantage applications to their schools from families resident in other local authorities.

The Scheme applied to applications received from September 2020 for entry into maintained schools in September 2021. The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 required the LA to exchange specified information on applications with neighbouring Authorities.

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

border co-ordination of admissions. The Co-ordinated Admissions Schemes were attached as Appendices 1 and 2 to the report.

All schools had to have an admission number for each 'relevant age group'. This was defined in law as 'an age group in which pupils were or would normally be admitted' to the school in question. Admission Authorities of maintained schools must set admission numbers with regard to the capacity assessment for the school under the Regulations. The Planned Admission Numbers were detailed in Appendix 3 to the report.

Pupils would be able to go to their preferred school unless there were more applications to that school than there were places available. If there were more applications than places available at a school, oversubscription criteria would be used to allocate places after any children with a Statement of Special Educational Needs or an Education, Health and Care Plan had been provided for where the Statement or the Education, Health and Care Plan named a specific school. Admissions Policies for admission to North Tyneside Community Schools and Nurseries for which the Local Authority was the Admissions Authority were set out in Appendices 4 and 5 to the report.

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

The local authority was responsible for consultation and determining the admission arrangements for community schools in the North Tyneside areas in accordance with the School Admissions Code 2014. Specific consultation had been undertaken in relation to the amendment of the catchment areas of Backworth Park Primary, Holystone Primary, New York Primary and Shiremoor Primary Schools.

The proposed changes to the catchment areas were partly due to the successful relocation of Backworth Park Primary School and partly due to the new housing developments that had been built in the area. Further details of the proposed changes were detailed in the report and set out in Appendices 6, 7 and 8. Consultation on the proposed changes to catchment areas had been undertaken in accordance with statutory requirements. 80 responses to the consultation had been received, the general opinion from those responding was that they agreed there needed to be changes to the catchment areas within this area of the Borough. However, there was a request to put in place some transitional arrangements to protect in-catchment children with an existing sibling link who would be out of catchment following the changes as outlined.

The four main issues raised by the majority of respondents as set out by the Resident Association and the Governing Body of Holystone Primary School were detailed in the report. The Authority had responded to the four main issues listed in the consultation response as set out in the report. As part of the consultation exercise, the Local Authority was recommending that transitional arrangements be put in place to protect in-catchment children with an existing sibling link who would be out of catchment following the changes as outlined in Appendix 9.

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The North Tyneside Learning Trust had been established in September 2010 and currently comprised 44 schools. The governing bodies of these schools were responsible for determining their arrangements in accordance with the School Admissions Code 2014. Five of the schools in the Learning Trust were Special Schools and these arrangements did not apply to them.

The governing bodies of Voluntary Aided Schools were responsible for consultation and determining their own admission arrangements in accordance with the School Admissions Code 2014.

The governing bodies of the four Academies were responsible for consultation and determining their own admission arrangements in accordance with the School Admissions Code 2014.

Any school which subsequently changed status would be responsible for determining their own admission arrangements in accordance with the School Admissions Code 2014 following the change.

Cabinet considered the following decision options: either to agree the recommendations as set out in section 1.2 of the report, or alternatively to disagree with the proposals and request officers undertake further work to change the proposed admission arrangements.

Resolved that (1) the 2021 proposed admission arrangements and limits for Community Schools, as outlined in Appendices 1 to 5 to the report, be approved, subject to the appropriate publication of Statutory Notices, including the proposed changes to catchment areas as outlined in Appendices 6 to 8;

(2) the specified transition arrangements, set out in Appendix 9, for those families that could be affected by the changes to catchment area in respect of those living within the current catchment area with a sibling link be agreed;

(3) the Head of Commissioning and Asset Management be authorised to proceed in administering admission arrangements for the 2021/2022 academic year, subject to the publication of Statutory Notices and compliance with obligations required by the Secretary of State in accordance with the timescales set; and

(4) the Head of Commissioning and Asset Management, in consultation with the Cabinet Member for Children, Young People and Learning, be authorised to formally seek approval, as necessary, from the Schools Adjudicator in accordance with the School Admissions Code 2014 for any necessary variations to the determined arrangements for the 2021/2022 academic year should these arise.

(Reason for decision: to secure compliance with statutory requirements as outlined in the report).

CAB111/20 Review of the North Tyneside Hackney Carriage and Private Hire Licensing Policy

A report was considered on the review of the North Tyneside Hackney Carriage and Private Hire Licensing Policy following an eight-week consultation on a draft policy.

The review of the Policy had taken into account the five principles of the North Tyneside Transport Strategy adopted by Cabinet on 8 May 2017, reflected the policies in the North

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Tyneside Local Plan and the recently adopted 'An Ambition for North Tyneside – Regeneration Strategy'.

The consultation had included residents, local businesses, Elected Members and members of the trade. 89 responses to the consultation had been received and a summary of the responses were included in Appendix 2 to the report. Taking into account the consultation responses the conclusions to all the questions asked were summarised at Appendix 3.

The revised draft North Tyneside Hackney Carriage and Private Hire Licensing Policy was attached at Appendix 1 to the report.

The key points to note for the final proposed policy were:

- The vehicle Standards had been updated to include the use of digital advertisements in vehicles and the permission of tinted windows where factory fitted as standard.
- Driver Standards had been expanded to require drivers to sign up to the Disclosure and Barring Service Online Update Service. This would give officers immediate access to a driver's criminal record. In addition, for some offences there had been an increase in time that a driver must be free from conviction before they could be licensed.
- A new addition to the Policy was the introduction of a new licensing objective, which was to promote environmental sustainability. This was particularly important following this Authority's declaration of a Climate Emergency last year and the Authority's aim to embed environmental sustainability in everything it did. With this in mind the proposed Policy included for the first time, age standards for vehicles.

It was known from the responses received by the Authority to the consultation there were mixed views about the introduction of an age standard. There were some concerns about the potential impact on the trade versus extremely strong support within the community for taking necessary action to tackle the climate emergency.

The Cabinet Member for Community Safety and Engagement explained that following the formal consultation the Authority had received further views which were being taken into account. Recognising that there were tough decisions to be made the Authority's proposed approach sought to balance these differing views.

It was recommended that the age standard would be implemented as planned. However, it was now proposed that the commencement date for new licensed vehicles should be extended by a year from April 2021 to April 2022, and for existing licensed vehicles from April 2023 to April 2024. This would ensure that the Authority would have a North Tyneside licensed fleet that it was proud of, and one that contributed to the actions the Authority was taking to tackle the climate emergency.

Cabinet considered the following decision options: to accept the recommendations set out in paragraph 1.2 of the report, or alternatively, to not approve the recommendations and instruct officers to make amendments to the Policy and to bring a further report to Cabinet for it to consider those amendments.

Resolved that (1) the adoption of the revised North Tyneside Hackney Carriage and Private Hire Licensing Policy attached at Appendix 1 to the report be approved; and

(2) the Policy come into effect on 1 April 2020, save for the Age/Emissions standards commencement date for new licensed vehicles being extended by a year from April 2021 to April 2022, and for existing licensed vehicles from April 2023 to April 2024.

(Reason for decision: to ensure that the existing Policy is updated in accordance with the commitment in the North Tyneside Transport Strategy and wider guidance. This will also ensure that the policy remains transparent, accountable, proportionate and consistent. Extending the commencement date of the age/emissions standards referred to above reflects the views received as part of the consultation, and further views received following the end of the consultation period, and the Authority's commitment to tackling the climate emergency.)

CAB112/20 Closed Circuit Television (CCTV) Policy

Cabinet considered a report which sought approval for a new North Tyneside Council Closed-Circuit Television (CCTV) Policy.

The Authority operated a number of closed-circuit television (CCTV) systems which were used in areas such as council buildings, public spaces, and on its refuse collection vehicles. It also monitored systems deployed by other parties such as schools, Northumbria Police and Nexus under service level agreements or contract arrangements.

These CCTV system installations were operated in line with extensive statutory requirements and associated guidance to ensure that the need for public protection was balanced against the need to respect the right of privacy for individuals. Although not a statutory requirement, the Authority had developed a CCTV policy which was attached at Appendix 1 to the report.

The proposal to introduce this policy, which would govern the use of the Authority's CCTV systems was aimed at adding further rigour to the manner in which they were managed and to provide assurance of compliance with relevant legislation and the accompanying statutory codes of practice. The policy only covered the use of CCTV systems that were deployed overtly. The Authority did not routinely use CCTV systems covertly. Such use was strictly controlled by surveillance legislation 'the Regulation of Investigatory Powers Act 2000', and was subject to a specific policy which had been approved by Cabinet and was regularly reviewed. As well as preventing and detecting crime, having visible CCTV systems in public spaces also enhanced feelings of safety for residents and communities. Ensuring places were safe was a priority of the Elected Mayor. This was also a priority of the Safer North Tyneside Community Safety Partnership where promoting feelings of safety amongst communities was one of the key aims of its Community Safety Strategy 2019-2024.

In 2018, the Residents' Survey had indicated that 89% of people in North Tyneside felt safe in their local area during the day but fewer residents, 55%, reported feeling safe after dark. The Authority had since upgraded its static public space CCTV and had opened a new control room. Also, a new mobile CCTV vehicle had been introduced along with more CCTV cameras which were capable of being redeployed to tackle identified hotspots for antisocial behaviour and environmental crime. This improved CCTV capability was playing a vital role in assisting the additional officer capacity which included new community protection wardens and an environmental rapid response team.

CCTV systems were surveillance systems and their use was subject to a range of legislative controls which enabled organisations to use them lawfully. The Protection of Freedoms Act 2012 introduced the provision to appoint a Surveillance Camera Commissioner (SCC) with the power to develop and introduce a Code of Practice focussing on the use of surveillance camera systems. The role of the SCC was to encourage compliance with the Code of Practice, review how the Code was working on the ground and provide advice to Ministers on whether or not future amendments to the Code were required. At present the SCC had no enforcement or inspection powers and worked with 'relevant authorities' to make them aware of their duty to have regard to the Code. North Tyneside Council was classed as a relevant authority.

The SCC had published the Surveillance Camera Code of Practice in June 2013 which set out new guidelines for CCTV systems and automatic number plate recognition (ANPR) in the form of '12 Guiding Principles'. Following publication of the Surveillance Camera Code of Practice in 2016, the SCC had launched a self-assessment toolkit to encourage relevant authorities and organisations to consider how well they were complying with it and the 12 Guiding Principles. Both completion of the self-assessment tool and submission of the outcome to the SCC was entirely voluntary but relevant authorities were encouraged to participate, and the Authority had done so. The key areas had been identified within the self-assessment as set out in the report.

The introduction of a CCTV policy provided a framework to centrally co-ordinate the use of the Authority's CCTV systems therefore giving additional assurance that the relevant compliance standards were being met. The SCC had requested that each relevant authority nominated a Senior Responsible Officer (SRO). The role of SRO was undertaken by the Authority's Data Protection Officer. The SRO was responsible for maintaining an Asset Register of CCTV equipment and where these assets were deployed. Each Head of Service was responsible for ensuring effective and legally compliant systems and procedures were in place within their service areas. Each service area would have a nominated Responsible Officer for each CCTV system. An 'Employee: Code Assessment Pack', had been prepared which provided key information for Officers and directed them towards key sources of detailed guidance. It would be kept under review and revised as necessary to ensure it reflected current procedures and best practice.

The CCTV policy would be reviewed annually and brought back to Cabinet for approval.

The Authority would also consider internal reports on the use of CCTV to ensure that it was being used consistently in compliance with the policy and that it remained fit for purpose.

On approval by Cabinet the CCTV policy would be promoted across the Authority under the direction of the SRO. Responsible Officers who had been designated as having responsibility for CCTV systems they operated would have a key role to play in making the necessary adjustments to ensure compliance with it. The policy would be published on the Authority's website and internally on the intranet. A new programme of training for relevant managers and officers who used CCTV systems would also be undertaken.

The opportunity to apply to the SCC's third-party certification process would also be explored. This was a scheme that enabled relevant authorities to certify their CCTV systems against the Surveillance Camera Code of Practice. This would enable the Authority to use the SCC's certification mark and provide further assurance of the Authority's

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compliance standards.

Cabinet considered the following decision options: to accept the recommendations set out in paragraph 1.2 of the report, or alternatively, to not approve the recommendations and request officers to revise the draft policy and/or provide additional information regarding any matters contained in the report.

Resolved that (1) the Authority's Closed-Circuit Television Policy attached at Appendix 1 to the report be approved;
(2) the Head of Law and Governance, in consultation with the Elected Mayor as appropriate, be authorised to implement the policy and all ancillary matters relating to it; and
(3) Cabinet receive an update report every 12 months to ensure proper oversight of the policy.

(Reason for decision: although not a statutory requirement, the introduction of this policy will provide a framework to centrally co-ordinate the use of the Authority's CCTV systems therefore giving additional assurance that the relevant compliance standards are being met.)

CAB113/20 Date and Time of Next Meeting

6.00pm on Monday 30 March 2020.

Minutes published on Thursday 27 February 2020.