

Cabinet

Monday, 20 January 2020

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

In Attendance: A Ferris (Young Mayor)
M Almond (Voluntary and Community Sector)
R Layton (North Tyneside Joint Trade Union Committee)
D McNally (Age UK)

Apologies: Councillor C Burdis

CAB83/20 To Receive any Declarations of Interest and Notification of any Dispensations Granted

No declarations of interest or dispensations were reported.

CAB84/20 Minutes

Resolved that the minutes of the meeting held on 25 November 2019 be confirmed and signed by the Chair.

CAB85/20 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:

- Young cabinet member for community safety Abbie Armstrong had visited the open day at Acorns Project, in North Shields.
- Youth councillors had helped with Make Christmas Special by wrapping gifts for the participants.
- Some young councillors had taken part in tree planting at the Rising Sun Country Park.
- Youth councillors had taken part in another bag pack at Morrisons, with £304.86 of the money raised going towards to the Teenage Cancer Trust as well as £304.87 going into the fundraising pot for St John's Ambulance.
- A successful Equality and Diversity Conference had been attended by over 100 young people from a variety of schools, colleges and young peoples' training providers. Show Racism the Red Card and North Tyneside Women's Voices had supported the day with presentations and activities covering the Equality and Diversity Act.
- The youth council had discussed and contributed to the Authority's proposed budget in liaison with a Council officer from the Financial Planning and Strategy Team.
- Young cabinet member for environment Abi Tang along with Councillors Earley and Johnson had attended a Head Teachers briefing on recycling in schools.
- Youth councillors and young cabinet members had attended workshops on knife crime, mental health and the environment at the British Youth Council's North East

Convention at Tyne Met College in Battle Hill.

- 11 nominations had been received from young people wanting to become the next Young Mayor for North Tyneside. Online voting had begun and after 31 January nominated candidates would go forward to the next stage held in high schools, middle school and colleges and customer first centres.

The Elected Mayor thanked the Young Mayor for her update and congratulated her and all the young people who were involved in the recent equality and diversity conference, their involvement in tree planting, and recycling in schools alongside the Cabinet Member for Environment and Transport, and the Cabinet Member for Children, Young People and Learning.

CAB86/20 The Future of Retail and Town Centres

The Elected Mayor announced that the scrutiny report on the Future of Retail and Town Centres had been withdrawn as the recommendations of the Sub-Group were already being addressed.

CAB87/20 2019/20 Financial Management Report to 30 November 2019

Cabinet considered the fourth monitoring report outlining the Authority's 2019/20 financial position which provided an update on the potential revenue and capital financial position of the Authority as at 31 March 2020.

The report covered the forecast outturn of the Authority's General Fund and Housing Revenue Account (HRA) revenue budget including management mitigations where issues had been identified; the delivery of 2019/20 approved budget savings plans; and an update on the Capital Investment Plan, including details of variations and reprogramming, that were recommended for approval.

The forecast overall pressure on the General Fund was estimated at £3.483m against the approved net budget of £155.730m. This was driven mainly by Health, Education, Care and Safeguarding reflecting the continued pressures in Children's Services of £4.460m and Adult Services of £1.346m, partly mitigated by the contingency balances that had been created by Cabinet as part of the 2018/19 budget setting process and continued to be held centrally to reflect the on-going pressures in social care being felt locally and nationally. Included in this projection was £3.894m of pressures in Corporate Parenting and Placements and £2.206m in Wellbeing and Assessment. The drivers for these pressures continued from 2018/19, as outlined in the report.

The total planned schools' deficit for 2019/20 was £5.045m. The trend for reducing school balances continued, and some individual schools continued to face significant financial challenges. There were nine schools with approved deficits in 2018/19, five of which continued to be in deficit for 2019/20. Six schools were also new to deficit in 2019/20.

The High Needs Block had ended 2018/19 with a pressure of £0.920m. Initial forecasting of the budget position for 2019/20 indicated a similar level of pressure within the year of £0.952m. At November the anticipated pressure was now £3.733m reflecting the rise in demand for special school places within the Authority and a general increase in complexity

of children supported in special schools within mainstream schools. This increase in demand was in line with the national picture and the Authority was planning for places at the end of 2019/20 to total approximately 740. This compared to a total of 664 places at the beginning of 2018/19.

The HRA was forecast to have year-end balances at 31 March 2020 of £7.592m, which was £3.721m higher than budget which was set at £3.871m. The higher than forecast balances were mainly as a result of higher opening balances due to the impact of the previous year's financial performance (£1.101m) but there was also an in-year estimated overall underspend of £2.620m, against an in-year budget of £2.331m, due to additional income of £0.642m combined with reduction to expenditure of £1.978m, which was linked to savings identified following the end of the Kier JV from April 2019.

Universal Credit had been fully implemented across North Tyneside on 2 May 2018. As of the end of September 2019, 2,920 North Tyneside Homes tenants had moved on to Universal Credit and a team was working proactively with tenants to minimise arrears. This position would be closely monitored as the year progressed to identify any adverse impacts on the budget position.

The 2019-2023 Investment Plan, adjusted for proposed reprogramming, totalling £209.093m (£65.402m 2019/20) was detailed in the Annex to the report. The Annex also set out delivery progress to date, planned delivery for 2019/20, reprogramming and other variations identified through the Investment Programme governance process.

The new revenue grants received during the period October and November 2019 were set out in the report.

The Authority had plans in place to deliver all elements of the Council Plan and performance against those plans was carefully monitored. In common with most local authorities, and in line with the national picture, the Authority had seen costs within adult social care continue to rise. The number of adults supported in placements within Residential and Nursing Care and Homecare and Extra Care had risen during 2019/20. 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 suggested that the Authority's LAC levels had risen steadily from 283 in November 2018 to 298 in November 2019. There was a wide range of levels of care provided, with more complex cases now being faced. Increasing demand and complexity continued to drive financial pressure in 2019/20 and the Authority was forecasting a pressure of £3.894m in Corporate Parenting and Placements.

An officer led review of the Investment Plan had resulted in proposals for variations of £1.440m and reprogramming of £7.758m, more details of which were set out in Section 7 of the Annex to the report. The revised Investment Plan stood at £65.402m for 2019/20 and to the end of November 2019 spend of £30.546m had been incurred which represented 46.70% of the revised plan.

The Elected Mayor thanked officers and the Cabinet Member for Finance and Resources for

their work in dealing with ongoing budget pressures.

Cabinet considered the following decision options: either to approve the recommendations as set out in paragraph 1.2 of the report, or alternatively, to not approve the recommendations.

Resolved that (1) the forecast budget monitoring position for the General Fund, Schools' Finance and Housing Revenue Account as at 30 November 2019 be noted;
(2) the Authority's Investment Plan spend of £30.546m to 30 November 2019 and the financing of the Plan to the end of the year be noted;
(3) the variations of £0.940m and reprogramming of £7.758m within the 2019-2023 Investment Plan be approved;
(4) the receipt of £3.860m of new revenue grants (£0.140m relating to the General Fund) and £0.095m of capital grants 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.)

CAB88/20 Calculation of the 2020/21 Council Tax Base for North Tyneside Council

Cabinet considered a report which provided an explanation of how the proposed North Tyneside Council Tax Base for 2020/21 had been calculated and requested approval of the calculation for 2020/21.

The 2020/21 Council Tax Base was based on the North Tyneside Council Local Council Tax Support Scheme remaining at the same level as had been set in 2019/20.

The detailed Council Tax Base calculation for North Tyneside for 2020/21 was attached as Appendix A to the report, together with an explanation of the specific elements that formed part of the calculation. Within the calculation, adjustments had been made to reflect the effect of exempt properties, disabled relief and discounts. Applying the adjustments had the effect of reducing the total number of properties to a common base for each band, in terms of full year equivalents.

The Council Tax Base Regulations ensured that the Council Tax Base for an area took into account the effect of disability reductions in respect of dwellings which fell within Band A. They had introduced an additional 'alternative valuation band' to allow Band A properties to qualify for a disabled reduction. Previously, properties adapted to meet the needs of a disabled person were charged at a rate equal to the next lowest valuation band, so for example a qualifying B and D property would be charged at a Band C rate, but this had not applied to Band A properties. Instead of paying the normal Band A charge (six-ninths of the Band D) a qualifying Band A property was now charged five-ninths of the Band D charge. For the purpose of the Council Tax Base calculation it was now necessary to show Band A properties which qualified for a disabled reduction as if it were an additional valuation band. Deductions were then made for exempt dwellings and the estimated impact of the Council Tax Support scheme for 2020/21.

In order to arrive at the Council Tax Base calculation for 2020/21, the number of dwellings within each of the Council Tax Bands A–H had been converted to their Band D equivalents,

using the appropriate proportions. The result of this calculation for 2020/21 was to produce a total number of properties prior to an allowance for non-collection and contributions in lieu of 62,761.

The next stage of the Council Tax Base calculation involved making a deduction for the non-collection of Council Tax. This non-collection element of the calculation was made in respect of the amounts that were legally due, but which, for varying reasons, may not be collected. The assumed Council Tax collection rates for North Tyneside had improved significantly since 1993/94, when the assumed collection rate was 95%. The assumed North Tyneside Council Tax collection rates for each year from when Council Tax had been introduced in 1993/94 were detailed in the report.

A fundamental issue for the Council Tax Base calculation was the assumed percentage Council Tax collection rate to apply. The Authority's performance on Council Tax collection had been improving for many years, reaching a peak of 99.20% in setting the Council Tax Base for 2012/13. However, since 2013/14, a lower collection rate of 98.50% had been proposed and agreed. This lower rate of 98.50% was set to reflect the estimated impact of the Council Tax Support Scheme, the estimated impact of other Welfare Reform changes and changes to Exemptions and Discounts applied from 2013/14.

Council Tax in-year collection remained steady and had remained consistent in each of the last four financial years. This was only however an approximate indicator of the assumed council tax performance, given the significant time lag effect between in-year and ultimate council tax collection performance.

Having considered various issues in relation to the collection rate for 2020/21, which were detailed in the report, it was proposed that an assumed Council Tax Collection Rate of 98.50% be set as part of the 2020/21 Council Tax Base calculation. This was felt prudent as the risk of setting a Council Tax collection rate too high was that this could result in a deficit position for the Council Tax element of the Collection Fund, which in turn would have to be funded by the Authority's General Fund. This calculation was reviewed on an annual basis.

The final stage of the Council Tax Base calculation involved adding an estimated amount in respect of contributions in lieu of Council Tax to be made to the Authority, which was expressed in terms of the number of Band D equivalent properties. For 2020/21 this figure for North Tyneside Council which related to Ministry of Defence properties was 50 Band D equivalent properties.

The 2020/21 Council Tax Base for the whole of North Tyneside after the allowance for non-collection and payments in lieu was 61,870 Band D equivalent properties. This equated to an increase of 1,691 Band D equivalent properties compared to the 2019/20 figure.

Cabinet considered the following decision options:

Option 1 - Whilst the annual Council Tax Base calculation was a statutory calculation, there was always discretion to amend the assumed Council Tax collection rate each year, based on experience and actual / anticipated collection rates. Changes to exemptions, discounts, premiums and the Local Council Tax Support Scheme could also be made. Such changes were reserved to full Council for a decision. The Local Council Tax Support Scheme for 2020/21 would remain at the level set in 2019/20. Option 1 was:

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- Setting the 2020/21 Council Tax Base for North Tyneside Council using an assumed council tax collection rate of 98.50%;
- Noting the Council Tax Support Scheme.

Option 2 - The only available options for Cabinet, following the Authority's decision to leave the Local Council Tax Support scheme at the same level as 2019/20, were options to amend the assumed Council Tax collection rate. The current collection rate of 98.50% was proposed to remain unchanged for 2020/21. An increase in the collection rate would increase the Council Tax Base and a reduction in the collection rate would reduce the Council Tax Base. The impact of different Council Tax collection rates was shown in Table 3 below. For 2020/21 each 0.1% change to the collection rate would change the Council Tax Base by approximately 63 Band D equivalent properties which would equate to a change in resources of approximately £0.0988r

Resolved that the report on the calculation of North Tyneside's Council Tax Base for 2020/21 be noted; and the assumed Council Tax collection rate for 2020/21 remain at 98.50% and therefore the amount calculated by North Tyneside Council as its Council Tax Base for 2020/21 shall be 61,870 Band D equivalent properties.

(Reasons for decision: The proposed 98.50% Council Tax collection rate is felt to be prudent for the reasons set out in paragraph 1.5.14 of the report. The risk of setting a Council Tax collection rate too high is that this can result in a deficit position for the Council Tax element of the Collection Fund, which in turn will have to be funded by the Authority's General Fund. This

collection rate is reviewed as part of the annual Council Tax Base calculation, and the 98.50% collection rate will be reviewed in determining the Council Tax Base for 2020/21.)

CAB89/20 Our North Tyneside Corporate Performance Report

Cabinet received a report on the progress in delivering the objectives of the Our North Tyneside Plan. The Plan focussed on those issues which residents had informed the Authority were important to them.

The report provided an overview of performance since the start of the plan and identified the agreed activities that the Authority would pursue in the future. In addition, it provided comparator information, such as national or regional performance, as there were several issues where North Tyneside was facing similar challenges as other parts of the country.

The report outlined progress since the start of the plan in a number of key areas including:

- supporting 71% of young people to be ready for school, which was a greater increase than the national position since the start of the plan
- the delivery of 1,471 affordable homes in the borough so far
- a 45% reduction in the Authority's carbon footprint and increase in the recycling rate
- 400,000 more tourist visits to North Tyneside
- An increase in the number of people in work and the number of businesses in the borough

The report also showed areas for further development; some of which had already been acknowledged by Cabinet. This included perception of residents regarding the service that

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was delivered by the Authority. This was being addressed through the Customer Service programme that Cabinet had agreed on 28 May 2019.

It was noted that following Cabinet's decision in November 2019 to update the Our North Tyneside Plan, this was currently being consulted on and the outcome of that process would inform future performance reports.

Cabinet considered the following decision options: either to approve the recommendations as set out in paragraph 1.2 of the report, or alternatively, to not approve the recommendations.

The Elected Mayor thanked all those involved in delivering the Authority's Our North Tyneside Plan.

Resolved that progress made to deliver the objectives of the Our North Tyneside Plan be noted.

(Reason for decisions: It is important that Cabinet continues to monitor performance against the Our North Tyneside Plan, in order to influence future plans and activity.)

CAB90/20 Corporate Equality Objectives Progress Report

Cabinet received a report on the progress made towards the achievement of the Authority's Corporate Equality Objectives in accordance with the Authority's equalities and diversity policy governance arrangements.

The Public Sector Equality Duty (PSED) of the Equality Act 2010 required public sector organisations to publish and implement equality objectives and to refresh them at least every four years. The objectives should demonstrate how the organisation was seeking to meet the aims of the general equality duty by having due regard to the need to:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity between people who shared a relevant protected characteristic and people who did not share it
- Foster good relations between people who shared a relevant protected characteristic and those who did not share it

The Authority's current corporate equality objectives had been agreed by Cabinet in January 2019 and implemented from April 2019. The Authority had five Corporate Equality Objectives, each of which was underpinned by key actions:

- Objective 1: Improve North Tyneside Council's Equality Impact Assessment process.
- Objective 2: Be a good employer and promote an inclusive workforce that feels valued.
- Objective 3: Ensure staff and elected members are kept informed about the requirements of the Public Sector Equality Duty.
- Objective 4: Improve the collection and use of both internal and external quality data.
- Objective 5: Ensure our buildings, services and communications are accessible.

The objectives, key actions and progress to date were set out in the report.

In introducing the report, the Deputy Mayor highlighted the following areas of progress:

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- The introduction of new processes and guidance, including the new EIA template and staff equality handbook
- A focus on work to address the issues raised during the staff and the health and wellbeing surveys by employees with disabilities
- The embedding of equality and diversity considerations throughout the customer service programme.

Resolved that the progress made towards the achievement of the Authority's Corporate Equality Objectives and how this work is being embedded within the Customer Service programme be noted.

CAB91/20 Review of the North Tyneside Contaminated Land Strategy

Cabinet considered a report which sought approval for the adoption of the Authority's updated Contaminated Land Strategy following the conclusion of a six-week consultation process.

The Authority had a duty under Part 2A of the Environmental Protection Act 1990 to produce a Contaminated Land Strategy setting out how it would identify and deal with contaminated land within its area. The Authority had a Strategy which had last been reviewed in 2014.

The current review of the Strategy had been shaped by engagement with the Contaminated Land North East Regional Group which consisted of local authority Contaminated Land officers. Internal consultation had also been undertaken to ensure the Strategy remained up to date with current nationally published guidance. The updated draft Strategy was included at Appendix 1 of the report.

The Local Plan, approved by Council in July 2017, emphasised that new development must be made suitable for its use and enabled contaminated land to be brought back into beneficial use. The updated draft Strategy linked to the Local Plan and highlighted development as a route to bringing contaminated land back into beneficial use and provided an opportunity to improve the environment.

The main amendments to the Strategy were:

- Mining and ground water constraints: Developer guidance had been produced by the Environment Agency and the Coal Authority to ensure protection of water courses, ground water and mine gas;
- National and local planning policy: New policies on Planning placed the onus on developers to demonstrate that development would not cause serious detriment to the environment;
- Changes in land status: There had been a reduction in local designated wildlife sites and sites of local nature conservation interest in the borough. There had been a reduction in publicly owned land;
- Prioritisation of actions relating to contaminated land: Updates to the work programme to reflected the proactive work that had been undertaken; and
- Environmental Damage Regulations: Inclusion of the amendments that had been made to these regulations which removed the need for formal consultation on remediation proposals.

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The six-week consultation exercise on the updated Strategy included consultation with the statutory bodies who were consultees to the Planning process (Environment Agency, Coal Authority and Highways Authority), developers, businesses and the public. The Authority's Engagement Hub had been used as a means of publicising the draft strategy to local residents and businesses.

In total 5 responses had been received, considered and reflected in the revised draft policy as appropriate. A summary of the responses received, and the amendments made were attached at Appendix 2 to the report.

Cabinet considered the following decision options: either to adopt the updated North Tyneside contaminated land strategy 2019 or not to adopt the revised strategy.

Resolved that the adoption of the updated Contaminated Land Strategy, attached at Appendix 1 to the report, be approved.

(Reasons for decision: It is a statutory requirement that the Authority has an up to date Contaminated Land Strategy. The updated draft Strategy will provide developers, businesses and residents of North Tyneside with guidance on how the Authority will determine whether land is deemed to be contaminated. When land is deemed to be contaminated it sets out what action the Authority will take.)

If the preferred option is not approved, the Authority risks not being able to fulfil its statutory requirements and not being in a position to ensure that land within North Tyneside will be fit for its current use. This may result in detrimental impacts to health for the residents of North Tyneside and the wider community. All consultees were given the opportunity of providing feedback and comments on the draft Strategy during the consultation period.)

CAB92/20 North Tyneside Surface Water and Drainage Partnership Annual Update

Cabinet received the North Tyneside Surface Water and Drainage Partnership Annual Update

Over the last 12 months the Partnership had coordinated the Authority's involvement in the following areas:

- the Killingworth and Longbenton Sustainable Surface Drainage Project, a multi-agency project between the Authority, Northumbrian Water and The Environment Agency;
- progression of the Flood Risk Implementation Plan, overseeing the planned improvements and progression of schemes and the works;
- the work being carried out around community preparedness including ongoing communications and regular engagement with the wider community, key stakeholders and community flood wardens; and
- the Flood Alleviation spend.

The following specific work had been delivered since the last update report to Cabinet:

- Briar Vale, Monkseaton – Completion of the final phase of work in Murton Gap to reduce the risk of flooding to nearby homes. The £0.800 million scheme involved installing large dry storage basins and a new culvert system

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- Killingworth and Longbenton Sustainable Drainage Project – Completion of the final phase of this £6 million partnership project which involved the creation of a large dry storage basin at the edge of Killingworth lake and a new culvert to divert lake drainage into a nearby natural watercourse.

The review of the Partnership the Briar Vale major flood alleviation scheme was the final project in a 4-year programme of capital work to reduce the risk of surface water flooding. The programme was completed earlier this year. The Partnership had therefore undertaken a review to summarise what had been achieved throughout the Partnership's lifetime; determine whether the aims and objectives of the Partnership had been met; and recommend whether or not there was a need to continue with the Partnership.

The Authority had contributed £4.75 million into flood risk management working with its partners and this had resulted in an overall investment of around £20 million. The achievements of the Partnership were summarised in the report. Officers had revisited the Partnership Terms of Reference to test whether the original aims and objectives had been met. These were set out in the report together with the assessment made against each objective.

The review had concluded that the objectives of the Partnership had been successfully met and the good practice that had been developed was now embedded in the daily business of the partner organisations. It was therefore recommended that the existing governance arrangements of the Partnership were dissolved. Established regional networks with partners relating to flood risk management existed that had their own separate governance arrangements. It was therefore proposed that the management of local surface water issues continued to be managed using a business as usual approach through these arrangements.

A number of measures would be kept in place to ensure that the good work of the Partnership was continued. These were continued active participation in the Northumbria Integrated Drainage Partnership; active regular liaison with other partner drainage agencies to deal with day to day surface water issues; and public engagement and community activity including continuation of the flood warden scheme.

In the event of a major flooding event existing major incident protocols would be used as part of the resilience and emergency planning arrangements that had been improved and embedded.

Cabinet considered the following decision options: either to approve the recommendation to dissolve the existing partnership arrangements, or alternatively, to not approve the recommendation.

The Elected Mayor thanked all those for the work done in helping to achieve the objectives of the Partnership.

Resolved that (1) the progress made in relation to the North Tyneside Surface Water and Drainage Partnership be noted; and
(2) the dissolution of the Partnership for the reasons set out in Sections 1.5.5 and 1.5.6 of the report be approved.

(Reasons for recommended option: A review of the Partnership has concluded that it has met original aims and objectives. The capital work overseen by the Partnership is now complete and

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the good practice developed has been embedded in daily business which means there is no longer a requirement for a formal partnership arrangement.)

CAB93/20 North Tyneside Homelessness Prevention and Rough Sleeping Strategy 2019-2021

Cabinet received a report which sought approval for the revised North Tyneside Homelessness Prevention and Rough Sleeping Strategy 2019-2021.

The Ministry of Housing, Communities and Local Government (MHCLG) had published the Cross-Government Rough Sleeping Strategy, which committed to ensuring that all local authorities had an up to date homelessness strategy which was available online by winter 2019. They had also asked that strategies be rebadged as homelessness and rough sleeping strategies.

The Authority's current Homelessness Strategy had been approved by Cabinet in June 2019 and covered the period 2019 – 2021. Therefore, to adhere to the recent Government requirement the Authority had reviewed this strategy and updated it to include further focus on rough sleeping.

The main changes to the Strategy included:

- Renaming the strategy to 'Homelessness Prevention and Rough Sleeping Strategy 2019-2021 and Delivery Plan'.
- Section 4.2.5 now included further detail on the impacts of rough sleeping and costs to manage it.
- Section 5 'Our priorities' now included the challenges and issues rough sleepers presented and how the Authority responded to rough sleeping in the borough.

The Strategy outlined how the Authority would tackle homelessness and rough sleeping by aligning its work to prevent homelessness and assist the most vulnerable households to secure and sustain a home.

The revised Strategy and Delivery Plan were attached at Appendix 1 to the report.

Cabinet considered the following decision options: either to approve the revised Homelessness Prevention and Rough Sleeping Strategy; to not approve the revised Strategy; or alternatively to seek further information prior to approving the revised Strategy.

Resolved that the North Tyneside Homelessness Prevention and Rough Sleeping Strategy 2019 – 2021, attached at Appendix 1 to the report, be approved.

(Reasons for decision: To ensure that the Authority meets the Government requirement that every Local Authority in England must have an up to date Homelessness and Rough Sleeping Strategy; to ensure that the Strategy is submitted to the MHCLG and available online.)

CAB94/20 Tyneside Air Quality Plan

Cabinet considered a report which sought approval to submit a Full Business Case for the

Tyneside Air Quality Plan that was the proposed option for delivering compliance with legal limits for nitrogen dioxide in the shortest possible time.

The Authority, along with Newcastle and Gateshead councils, had been issued with a legal direction in 2017 by Government with an instruction to prepare a plan that would address forecast air quality exceedance locations within the shortest time. In response, the three authorities had carried out a joint study to identify what measures were needed to address this issue and comply with the legal directive,

The three authorities had undertaken a public engagement exercise between March and May 2019 on two options, both of which would apply charges to all vehicles. The consultation had attracted over 19,000 responses from individuals, businesses, community groups and voluntary organisations. Further consultation had then been carried out in October and November 2019 on a revised option which excluded charging private vehicles, and this formed the basis of the Final Tyneside Air Quality Plan which was intended to be submitted to Government.

The consultation had confirmed that residents and representative groups wanted cleaner air action, but most were concerned about the potential impacts of an immediate move to charging all vehicle types over a wide geographic area.

The Final Tyneside Air Quality Plan reflected those concerns and proposed the introduction of a Clean Air Zone (CAZ) "Type C" where all non-compliant, non-private vehicles would pay a daily charge for entering the Clean Air Zone. The area in which the charge would be applied was shown in Appendix 1 to the report and was essentially Newcastle City Centre between St James' Boulevard and the Central Motorway covering routes to all 3 bridges: the Tyne bridge, the Swing bridge and the Redheugh bridge. The charge would be between £12.50 (Taxi and LGV) and £50 (Bus and HGV) depending on the vehicle type. The Clean Air Zone would generate revenue which, once operational costs were covered, may produce a surplus. Any surplus generated would be ring-fenced to deliver transport measures that improved air quality.

Alongside the submission of the Final Tyneside Air Quality Plan Business Case was a bid for Clean Air Fund monies to help mitigate the negative financial impacts upon those user groups subject to the Clean Air Zone charge. The bid included loans for taxi and LGV drivers to upgrade vehicles, retrofitting grants for buses, HGVs and coaches, and also funding for a large package of behavioural change measures aimed at improving air quality.

Whilst the report primarily focussed on air quality issues in Newcastle City Centre, it was an extremely important issue for all local authorities to address.

North Tyneside would not have any roads covered by the Clean Air Zone, but it would experience some of the traffic redistribution impacts of the measures implemented in Newcastle. Furthermore, more journeys travelling through the Clean Air Zone originated in North Tyneside compared to any other part of the region and so the Authority had a role to play in influencing these trips to move to more sustainable modes of transport. North Tyneside Council remained firmly committed to providing a clean, green, healthy, attractive and sustainable environment, a key feature of the Our North Tyneside Plan. In recent years, the Authority had already invested over £150m in major highway improvements which provided greater opportunities for sustainable travel and further

significant improvements were anticipated, such as the introduction of new Metro fleet carriages by 2023; pulling in resources from the Transforming Cities Fund which would see improvements to public transport, walking and cycling by 2023 and the addition of a new lane on the A1 Western Bypass north of the Tyne in 2023.

It was noted that on the 8 January 2020 Newcastle City Council had approved the recommendations as set out in Section 1.2 of the report. Gateshead Council would consider the recommendations at its Council meeting on 26 January 2020.

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 response to the consultation conducted between October and November 2019 be noted;
(2) the contents of the proposed package, including the bid for funding for mitigation measures to the Clean Air Fund be noted; and
(3) the Full Business Case for the Tyneside Air Quality Plan as the proposed option for delivering compliance with legal limits for nitrogen dioxide in the shortest possible time, in adherence to the Authority's obligations under the Environment Act 1995 (Feasibility Study for Nitrogen Dioxide Compliance) Air Quality Direction 2017 and the Environment Act 1995 (Gateshead Council, Newcastle City Council and North Tyneside Council) and Air Quality Direction 2019, be approved.

(Reasons for decision: To allow progress towards satisfying the legal direction issued by the Government requiring local authorities to create plans to address air quality issues on specific local roads.)

CAB95/20 Consultation on changes to provision at the Melrose Centre, Longbenton High School and Southlands School

Cabinet considered a report on the outcome of an initial consultation and to seek permission to formally consult on the publication of statutory notices regarding proposed changes to the Melrose Centre at Longbenton High School and Southlands School, both of which were maintained by the Authority.

On 29 July 2019 Cabinet had received an update on the education system in North Tyneside including the challenges in meeting the needs of children and young people with Special Educational Needs and Disabilities (SEND). The report had described the need for change arising from the increase in the numbers of children with SEND and particularly children with autism. Cabinet had noted the work undertaken with schools and agreed that the Authority should enter pre-publication consultation with schools, parents and other interested parties in relation to the amendment of the structure of provision for pupils with Special Educational Needs (minute CAB 31/07/19 refers).

Following Cabinet's decision in July an initial (non-statutory) consultation on changes to provision at the Melrose Centre at Longbenton High School and to Southlands School had been undertaken with school governing bodies, with staff and with parents and carers. The proposal was that leadership of the Melrose Centre, currently the responsibility of Longbenton High School, would transfer to Southlands School. Southlands School would also increasingly offer places to children with autism at the main Southlands site, gradually

increasing the number of autism places available. The proposal was to have the new arrangements in place for September 2020. The proposed change was subject to the requirements of the Department for Education (DfE) statutory change process to de-commission or make changes to provision.

It was vital that the Authority continued to work alongside schools to meet the needs of children with special needs and disabilities, and to increase the number of specialist places for children with autism. The emphasis on continuity of children's education remained the Authority's top priority as it considered these changes. Melrose Centre was highly regarded by parents and the Authority understood that parents would want reassurance about what the changes would mean for their child. The Authority had been clear that it was the leadership of the Melrose Centre that would change and not the location of the centre or the staff team who worked there.

The Authority was following the Department of Education's statutory guidance on making significant changes to maintained schools. The first part of that process was an informal consultation which had been carried out with parents and carers, school staff, and with the governing bodies of the schools involved. This had included 5 consultation sessions with parents between 25 and 27 November 2019. Feedback from the initial consultation had been considered and a frequently asked questions response had been prepared. This would inform stage 2 of the consultation process.

Cabinet considered the following decision options: either to agree the request for permission to consult on the publication of statutory notices, or alternatively to reject this request.

Resolved that (1) the outcome of the initial (non-statutory) consultation on changes to provision at the Melrose Centre, Longbenton High School and to Southlands School be noted and endorsed;

(2) the next phase of consultation and the publication of statutory notices regarding the proposed changes to maintained schools, covering the Melrose Centre, Longbenton High School and Southlands School be approved; and

(3) Cabinet receive a further report on completion of the consultation.

(Reason for decision: It provides an appropriate curriculum offer and clarity to parents, stability and certainty about the future offer for pupils with autism. It provides clarity about the future for the staff involved and enables the change to be implemented by September 2020 with no disruption to pupils' education. It allows the Authority to comply with the statutory Education, Health and Care plan process well in advance of September 2020 and it allows the number of educational places for children with autism to increase over time, under appropriate special school leadership.)

CAB96/20 Appointment of Assistant Coroners/Regional Post-mortem Pathology Services

Cabinet considered a report which sought approval for the cross appointment of four Assistant Coroners for the Newcastle Upton Tyne Coroner area to the North Tyneside Coroner area, and to participate in a procurement exercise for the provision of Coroner requested post-mortems and pathology services.

Cabinet at its meeting on 9 September 2019 had considered a report in relation to the future

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of the Coroner's Service in North Tyneside. At that meeting Cabinet had agreed in principle to the merger of the Newcastle upon Tyne and North Tyneside Coroners' areas, subject to the development of an agreed business case and approval of the Lord Chancellor and Chief Coroner for England and Wales. Cabinet had also agreed to the appointment of the Senior Coroner for Newcastle upon Tyne as the Acting Senior Coroner for North Tyneside from 1 October 2019 in the interim period.

The Acting Senior Coroner for North Tyneside had, following her appointment, requested the cross appointment of the four Assistant Coroners in the Newcastle Upon Tyne coroner area to the North Tyneside coroner area. These cross appointments were consequent on the need to provide resilience and further additional resource for the North Tyneside coroner area. Currently there were only two Assistant Coroners for North Tyneside.

The Lord Chancellor and the Chief Coroner for England and Wales had both agreed to consent to these appointments without open competition.

The Assistant Coroners were not salaried; they would be paid on a day rate/half day rate only when they were requested by the Acting Senior Coroner to act in her absence. The cost of the engagement of the Assistant Coroners as and when required would be met from existing budgets and was not anticipated to be extensive.

Under the Coroners and Justice Act 2009, Coroners had the ultimate discretion to request any suitable practitioner to undertake a post mortem examination of a body. It was proposed that a regional procurement process was undertaken for a Coroner requested post-mortem and pathology service. The purpose of this procurement was to secure a dedicated cost-effective service that benefited from the economies of scale associated with the geographical size of the Coroners' areas and was based on the requirements of coroners in the North East Region.

Durham County Council had agreed to act on behalf of the North East Procurement Organisation (NEPO) in conjunction with the coroners for the North East Region for the procurement of a Framework Agreement for Regional Post Mortem and Pathology Services.

The procurement had been divided into two geographical demand zones (Lots) classified as North and South. Bidders may bid for one or both Lots, however, they must include a preference and could only be successful for one Lot. The premises upon which the services took place must be situated within the geographical boundaries of the demand zone (Lot) for which they were bidding.

It was expected that the contract award would take place in mid-April 2020 with the Framework Agreement commencing on 1 May 2020.

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 and request officers to look at other options in relation to the appointment of Assistant Coroners for North Tyneside and the procurement of a Coroner requested post-mortem and pathology service.

Resolved that (1) the cross appointment of the four Assistant Coroners for the Newcastle upon Tyne Coroner area to the North Tyneside coroner area, as set out in the report, be

agreed;

(2) the Authority participates in the procurement exercise led by Durham County Council on behalf of the North East Purchasing Organisation to establish a Framework Agreement for the provision of Coroner requested post-mortem and pathology services;

(3) the Head of Law and Governance, in consultation with the Head of Resources and the Elected Mayor, be authorised to agree on behalf of the Authority to the award of the Framework Agreement for a period of 10 years, commencing 1 May 2020 with an option to extend for two years, based on the most economically advantageous tender; and

(4) the Head of Law and Governance, in consultation with the Head of Resources and the Elected Mayor, be authorised to call off the Framework Agreement for the provision of Coroner requested post-mortem and pathology services.

(Reasons for decision: To provide for additional resilience and further additional resource for the Acting Senior Coroner for the North Tyneside coroner area and to secure a dedicated cost-effective Coroner requested Post Mortem and Pathology service that benefits from the economies of scale associated with the geographical size of the Coroners' areas and is based on the requirements of coroners in the North East Region.

CAB97/20 A Digital Strategy for North Tyneside

Cabinet considered a report which sought approval for a Digital Strategy for North Tyneside.

The Authority operated in a digital environment and it was therefore important that the Elected Mayor and Cabinet provided a policy steer for the Authority's work in this area. Since the 1970s public services had been increasingly automated and over the last decade the pace of change had risen exponentially. While the expertise of the digital sector was critical it was often the case that the business strategy was not well articulated and thus there was a mismatch between technology and the business objective.

It was important that the Authority's digital work was shaped by the business and given a clear policy context, hence the production of the Strategy. Appendix 1 to the report outlined the work that had been done in each area of the strategy over the last five years and what was planned for the next four years which would align to the medium-term Financial Plan.

In an attempt to make the policy context as clear and simple as possible the strategy was in four parts:

- **Data:** The Authority would keep it safe, use it well, turn it into intelligence and wisdom, share it lawfully and delete it appropriately.
- **Customers:** The Authority would work to design services to make interaction with the Authority consistent and as easy as possible in order to deliver its Customer Promise.
- **Team:** The Authority would provide a safe and stable technical environment with tools that were fit for purpose and worked well, and the Authority would support its team to use them well; and
- **Borough:** The Authority would work to ensure residents, business and visitors were safe, digitally confident and connected both in terms of physical access to technology and digital connection.

The Authority would use this agreed strategy to shape its approach and prioritise its plans.

Cabinet considered the following decision options: either to approve the draft Digital Strategy, or alternatively not to approve the Strategy and ask for more work to be done.

Resolved that (1) the work done to date be noted and the Digital Strategy for North Tyneside be approved; and
(2) the draft Work Plan, as appended to the report, be approved subject to annual agreement of the Investment Plan.

(Reasons for decision: The draft Digital Strategy is based on wide discussion with the team, partners and a look at best practice. A Digital Strategy will give a clear policy direction to a great deal of work which is important to the Authority and the Borough.)

CAB98/20 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 3 of Schedule 12A of the Act, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act.

CAB99/20 Strategic Property, North Shields Town Centre

Cabinet considered a report which sought approval for the acquisition of Unicorn House located on Suez Street in North Shields Town Centre.

If the Authority acquired the property as shown by dark outline on the plan appended to the report, it could then clear the site in preparation for a housing-led regeneration scheme complementing the ongoing work at Northumberland Square and the emerging North Shields Master Plan. It would also contribute to delivering the Authority's Ambition for North Tyneside which confirmed a commitment to provide improved housing in North Shields that would attract more people to live in the town centre.

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 Head of Law and Governance be authorised to complete the acquisition of Unicorn House as detailed in the report in accordance with Authority's financial regulations and applicable legislation;
(2) the Head of Commissioning and Asset Management, in consultation with the Elected Mayor, the Head of Resources and the Head of Law and Governance, be authorised to agree minor amendments to the final terms and conditions of acquisition as considered appropriate; and
(3) the Head of Commissioning and Asset Management be authorised to deal with all ancillary matters arising that are consistent with the preceding recommendations.

(Reasons for decision: The acquisition of Unicorn House will add immediate and significant value to the Authority's regeneration proposals for North Shields and Town Centres as

confirmed in the Authority's Ambition for North Tyneside.)

Note: in accordance with the Authority's Constitution, the Chair of Council had agreed to the decision on this item not being subject to call-in as the transaction needed to be completed by 31 January 2020, otherwise the Authority may miss the opportunity to purchase the property by the deadline and therefore the potential to add immediate and significant value to the Authority's regeneration proposals for North Shields town centre.

CAB100/20 Date and Time of Next Meeting

Monday 3 February 2020 at 6.00pm (Extraordinary meeting)

Monday 10 February 2020 at 6.00pm (Extraordinary meeting)

Monday 24 February 2020 at 6.00pm (Ordinary meeting)

Minutes published on Thursday 23 January 2020.

With the exception of the decisions contained in Minute CAB99/20, unless called in by 3 Non-Executive Members for consideration by the Overview, Scrutiny and Policy Development Committee, the decisions contained within these Minutes may be implemented immediately following the expiry of the call-in period; i.e. 5.00pm on Thursday 30 January 2020.

The decisions contained in Minute CAB99/20 are not subject to call-in and may be implemented immediately