

Cabinet

Tuesday, 26 May 2020

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

In Attendance: S McKenzie (Young Mayor)
R Fry (Voluntary and Community Sector Representative)
K Goldfinch (Business Representative)
R Layton (North Tyneside Joint Trade Union Committee)
D McNally (Age UK)

Apologies: M Adams (NHS Trust), J Hutton (Northumbria Police)

CAB114/20 Introduction

Mrs Norma Redfearn, Elected Mayor, welcomed everyone to this meeting of North Tyneside Council's Cabinet which was the first virtual Cabinet meeting held by the Authority following the recent introduction of regulations by the Government enabling local authorities to conduct their meetings remotely in the light of the current Coronavirus pandemic.

The Mayor informed Cabinet that a number of residents of North Tyneside had died from COVID 19. In addition, two of the Authority's own staff – Brian Clyde and Rachel Preston - had died, as had others who worked in North Tyneside.

A minute's silence was observed as a mark of respect and to show support to the families and friends of those who had died.

CAB115/20 To Receive any Declarations of Interest and Notification of any Dispensations Granted

Councillors R Glindon and B Pickard each declared a personal registerable interest in respect of agenda item 6: North Tyneside Trading Company – Strategic Business Plan 2020-23 (CAB119/20), and item 9: Declaration of Dividend by North Tyneside Trading Company Limited (CAB122/20), as they were each a Director of North Tyneside Trading Company and its subsidiary companies.

CAB116/20 Minutes

Resolved that the Minutes of the previous meeting held on 24 February 2020 be confirmed and signed by the Chair.

CAB117/20 Presentation on North Tyneside Council's response to the coronavirus pandemic

The Chief Executive, Paul Hanson, Head of Environment, Housing and Leisure, Phil Scott and Director of Public Health, Wendy Burke gave a presentation on the updated position of the COVID-19 virus that included the plans and actions undertaken by the Authority to

support the efforts to reduce its impact on communities.

Resolved that Members', Officers', Partners' thanks and appreciation of the efforts of everyone involved during the current crisis be recorded.

CAB118/20 Statutory consultation on changes to provision at the Melrose Centre, Longbenton High School and to Southlands School

Cabinet received a report detailing the outcome of the statutory consultation on the proposed changes to provision for children with autism at the Melrose Centre, Longbenton High School and to Southlands School.

The statutory consultation had opened on 27 February 2020 and closed on 2 April 2020, avoiding the Easter school holiday. While the consultation closed after the national restrictions had been introduced in response to COVID-19, the consultation materials had been issued well in advance. Combined with the previous engagement work, the officer team were satisfied that the national restrictions had not precluded engagement from interested parties.

The statutory notice at Appendix 1 to the report, had been published in the press, posted on the Local Offer website and displayed outside Longbenton High School and Southlands School. Unlike the initial (non-statutory) consultation it was not appropriate to hold consultation sessions during a statutory consultation. Respondents had been invited to offer written comments either by e-mail or by letter.

A letter dated 12 February 2020 at Appendix 2, had been sent to parents and carers of all children currently at the Melrose Centre; parents and carers of children in Years 7 to 10 at Southlands School; and parents and carers of children in Years 3 to 6 (Key Stage 2) at Benton Dene. This letter explained the duration of the statutory consultation, how parents could respond and informed them that the statutory notice to consult upon the change to the status of the Melrose Centre and to the types of needs of pupils at Southlands School, could be found on the Local Offer website. The letter also offered the opportunity to request a hard copy of the Statutory Notice which could be posted out to them. It also informed them that a further letter would be sent to update them when the statutory consultation period had ended. This letter dated 8 April 2020 at Appendix 3, informed parents and carers that Cabinet would consider a report recommending approval of the proposal on 26 May 2020 and that a further letter would be sent in June to inform them of Cabinet's decision.

Three written responses to the statutory consultation had been received by e-mail. One from a parent, one on behalf of the governing body at Southlands School and one on behalf of the Governing Body at Longbenton High School.

Comments in the parental response were set out in the report.

The response on behalf of the governing body of Southlands school confirmed their ongoing support of the proposal to designate Southland as a school for children with autism and moderate learning difficulties and to see the Melrose Centre become part of the Southlands offer. Governors had qualified this support with a request that the Authority offer an undertaking that, in adopting the Melrose Centre, Southlands would not suffer a financial deficit as a result of incurring additional costs associated with the transfer, or from

undertaking essential work required at Southlands School to enable the needs of young people with autism to be met in a safe environment. This assurance had been given to the governors through agreement to continue the existing funding model for the Melrose Centre during the remainder of the current financial year as a transitional arrangement. From April 2021 the standard arrangements for funding places in special schools would apply.

The governing body of Longbenton High School had confirmed their full support for the proposed changes to take effect from 1st September 2020. If the proposal was approved, Governors and school leaders at Longbenton had confirmed that they would work with Southlands governors and school leaders to ensure there was a smooth transition for both pupils and staff on 1st September 2020.

The parental response and the responses from the two schools had not identified any problems which would prevent the proposal from being implemented. Both schools had continued to work with their Human Resources Business Partner to consult staff at the Melrose Centre who would transfer to Southlands School under the Transfer of Undertakings (Protection of Employment) Regulations 2006 should the proposal be approved. The consultation had not raised any problems relating to the transfer of staff which would prevent implementing the proposal.

The Parent Carer Forum had played, and would continue to play, a key role in the co-production of educational provision and services for children and young people aged up to 25.

To avoid creating unnecessary uncertainty or anxiety amongst the pupils already at the Melrose Centre while the proposal had been at the consultation stage, no formal discussions had taken place. This approach had been agreed by the Participation Team as being in the best interest of young people. Where individual pupils had raised concerns with a member of staff, reassurance had been given that there was nothing to worry about and that the same staff would be working with them. How children could potentially be engaged, should the proposal be approved, was also being discussed with the Authority's Participation and Engagement Team and with the schools. This would form part of the implementation plan which would be rolled out from June.

The Cabinet Member for Children, Young People Learning commented it was vital that the Authority continued to work alongside schools to meet the needs of children with special educational needs and disabilities, and to increase the number of specialist places for children with autism. The Authority had been clear that it was the leadership the Melrose Centre that would change and not the location of the centre or the staff team who worked there.

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

Resolved that (1) the outcome of the statutory consultation on changes to provision at the Melrose Centre, Longbenton High School and to Southlands School be noted and endorsed; and
(2) the proposal that leadership of the Melrose Centre, currently the responsibility of Longbenton High School, should transfer to Southlands School; and that Southlands School should increasingly offer places to children with autism at the main Southlands site, gradually increasing the number of autism places available, be approved.

(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. It enables the change to be implemented by September 2020 with no disruption to pupils' education. It allows the Authority to comply with the statutory EHC plan process in advance of September 2020 and allows the number of educational places for children with autism to increase over time, under appropriate special school leadership.)

CAB119/20 North Tyneside Trading Company - Strategic Business Plan 2020- 23

Cabinet received a report seeking approval of the North Tyneside Trading Company's Strategic Business Plan 2020-23.

The Trading Company had been established as a company limited by shares, in December 2012. It was wholly owned by the Authority and the Authority was therefore the sole shareholder of the Trading Company.

The Trading Company had been created to provide services to public bodies and to other customers, as considered appropriate, enabling trading in new markets and different places.

All projects undertaken by the Company would aim to return a surplus or profit to the Authority and/or seek to achieve a regeneration objective in line with the Authority's Our North Tyneside Plan and Ambition for North Tyneside. Projects delivered would be at least cost neutral to the Authority.

The Trading Company had two active subsidiary companies. These subsidiaries were wholly owned by the Trading Company. The Trading Company and its subsidiaries were each governed by their respective Boards of Directors and were guided by their Articles of Association which regulated the affairs of each of the Companies.

In accordance with best practice the Trading Company had a Strategic Business Plan, which it updated each year, to provide a sense of direction for the Company and to guide business development.

The Board of Directors of the Trading Company had reviewed and refreshed the Strategic Business Plan for 2020 – 2023. The Plan set out the Trading Company's history; its governance arrangements; its mission/purpose and its approach to appraising business opportunities, assets, products and services and risks.

Since its development of 13 new build affordable homes in Camperdown, the Development Company had devised in 2017 a purchasing strategy and had since then proceeded to acquire 36 homes on the open market, therefore taking its total number of homes to 49 as at April 2020. In line with the Cabinet's priority of delivering more affordable homes the Board had reviewed and extended their purchasing strategy with the aim of purchasing a further 51 homes to take the Company's asset base up to 100 homes. Funding of these purchases was via a grant from the Authority of Section 106 Town and Country Planning Act 1990 commuted sums available for affordable housing.

Following the successful completion of its first new build development of 12 bungalows at Wallington Close in 2018, Aurora Properties (Sale) Limited had now also successfully

completed its second 12 home luxury development for market sale at Empress Point, Whitley Bay in 2019.

The Company was also well underway with its third scheme of a further 28 homes for market sale at Northumberland Square in North Shields which was due to be completed in 2020. The scheme at Northumberland Square was at the heart of the North Shields Regeneration Project, kick-starting the drive to improve the appeal of the town centre for residents and visitors.

Cabinet approval had also been obtained for a development of seven further homes on the site of the former Backworth Primary School. Funding for the construction of these homes was from the Council in the form of both debt and equity funding.

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

The full Strategic Business Plan was attached at Appendix 1 to the report.

Cabinet considered the following decision options: either to agree the recommendations as set out in section 1.2 of the report, or, alternatively to not agree the proposals and refer the Business Plan back to the Trading Company to examine further options/opportunities.

Resolved that the North Tyneside Trading Company Strategic Business Plan 2020-23 be approved.

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

CAB120/20 The findings of the Ofsted Inspection of Children's Services

Cabinet received a report on the findings of the Ofsted Inspection of the Authority's Children's Services that had taken place in March 2020.

The inspection had taken place between 9 - 13 March 2020. The inspection team consisted of four of Her Majesty's Inspectors from Ofsted and two additional Inspectors for Fostering, Adoption and Residential Care and for the Virtual School respectively.

The inspection team had been onsite for five working days and had read case files, observed staff working with children and families and other professionals and discussed with staff and safeguarding partners the help and care given to children and young people. They had also talked directly to children, young people and their families, including the Children in Care Council and SEND Youth Forum, Foster Carers and Adopters. They had visited a range of Council venues where services for children and young people were based and delivered, including Quadrant, the Oxford Centre, Riverside Children's Centre, Whitley Bay Customer First Centre, Balliol Wing (Adopt North East) and The Lodge (Leaving Care).

Ofsted had published their findings by way of Report on 15 April 2020. The Summary of findings was as follows:

“Senior leaders share a relentless commitment to continuous improvement. Outward looking and open to challenge, they have succeeded in creating a learning environment in which social work is thriving. Strategic partnerships are mature, well developed and highly effective. The quality of performance management information is excellent. The reach of the quality assurance framework is extensive. Using a rich combination of facts, figures and findings, senior leaders are proactive in responding to shortfalls in practice and performance. They are daring and imaginative in pushing the boundaries in order to improve the experiences and progress of children in need of help and protection, children in care and care leavers.

Partner agencies have enthusiastically embraced early help. Further changes to the multi-agency safeguarding hub (MASH) have significantly increased its impact and effectiveness. The interface between children's social care and early help has been strengthened. The local authority's preferred method of social work has transformed the way in which they, and their partners talk with children and families and to each other families and to each other about what worries them, what is working well and about what worries them, what is working well and what they need to do about it. As a result, most children get the right level of the right level of help and protection help and protection at the right time.

When it is no longer possible for children to live safely at home, the local authority pulls out all the stops to try to make sure that children stay connected with their friends, families and communities. Most children in care live in good-quality placements within a 20-mile radius of their family homes. The local authority is in touch with virtually all of its care leavers, the vast majority of whom are living in safe and suitable accommodation.”

Ofsted reported that it judged the overall effectiveness of Children's Social Care Services in North Tyneside to be 'Outstanding'. A comparison with the graded judgments of other local authorities that had been inspected to date by Ofsted establish that North Tyneside Council was one of only fourteen Local Authorities to be graded Outstanding in the country.

Two formal recommended areas for development were made by Ofsted as follows:

- 1. Supervision and management oversight are not of a consistently high quality or always clearly recorded.*
- 2. In the absence of good-quality life-story work, children and young people are not routinely getting the help they need to make sense of their, and their families', histories and better understand why they are in care.*

Officers had devised and would submit a Post-Inspection Plan to address the two recommendations to the Secretary of State and Her Majesty's Chief Inspector within the prescribed timescale (no later than 21 July 2020).

Additionally, other areas identified for development but not subject to formal recommendations, not least the judgment that the experience of children in care and care

leavers was 'Good but not 'Outstanding', would be subject to relentless and focused improvement work by Officers in the coming twelve months.

Delivery of the Plan would be subject to regular scrutiny and review by the Senior Management Team for Children, Young People and Learning. The Plan was owned by the Director of Children's Services.

The Ofsted Report and the Authority's Post-Inspection Action Plan were appended to the report at Appendix 1 and Appendix 2 respectively.

It was anticipated that progress by the Authority in relation to the two recommendations would be part of future Annual Conversations, meetings between the Regional Director of Ofsted and the Head of Service, scheduled for May of each year. Additionally, it was anticipated that progress in relation to the recommendations would be part of any subsequent inspection of Children's Services by Ofsted.

The Elected Mayor congratulated all staff involved and the Cabinet Member for Children, Young People and Learning for their efforts in achieving the 'Outstanding' judgement.

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 provides an alternative response to the Report by Ofsted following the Inspection of Children's Services.

Resolved that (1) the positive findings of Ofsted, including the overall effectiveness of services being graded 'Outstanding' be noted; and
(2) the areas for development identified by Ofsted and the commitment by the Service Area to address these and to continue to improve and develop services for children and young people, parents and carers be noted.

(Reason for decision: The recommendation affords an acknowledgement by Cabinet of the positive findings by Ofsted and endorses the actions identified by Officers to respond to two areas of development recommended by Ofsted.)

At this point the Elected Mayor thanked the Young Mayor and partners for attending the meeting.

CAB121/20 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 involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act.

CAB122/20 Declaration of Dividend by North Tyneside Trading Company Limited

Cabinet received a report seeking approval of the Authority, as sole shareholder, to approve the recommendations of the Board of Directors of the North Tyneside Trading Company Limited to declare the dividend in respect of the year ended March 2020.

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North Tyneside Trading Company Limited, a company owned wholly by the Authority, had recommended the declaration of a dividend payment of £0.500m to the Authority as its shareholder in respect of the year to 31 March 2020. This represented the Authority's return on its investment in the company. The Authority, as sole shareholder, was required to approve the recommendation to the Board of Directors of North Tyneside Trading Company Limited to declare the dividend in order that it could be paid.

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

Resolved that (1) the recommendation of the Board of Directors of North Tyneside Trading Company Limited to declare a dividend of £0.500m in respect of the year ended 31 March 2020 be approved; and
(2) the Head of Law and Governance be authorised to complete a Shareholder Written Resolution confirming to the Board of Directors of North Tyneside Trading Company Limited that the Authority agrees to the payment of the dividend specified in (1) above.

(Reasons for decision: Declaration of a dividend by North Tyneside Trading Company Limited is the means by which the Authority derives its return from its investment in the Company; without the dividend, the Authority would be unable to obtain any return from its investment.)

CAB123/20 Date and Time of Next Meeting

6.00pm on Monday 29 June 2020.

Minutes published on Friday, 29 May 2020.

The decisions contained within these Minutes may be implemented (unless called in by 3 Non-Executive Members for consideration by the Overview, Scrutiny and Policy Development Committee) immediately following the expiry of the call-in period; i.e. 5.00pm on Friday, 5 June 2020.