

## **Cabinet**

**Monday, 29 June 2020**

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

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

**Apologies:** Councillor S Day

### **CAB124/20 Introduction**

Mrs Norma Redfearn, Elected Mayor, welcomed everyone to this meeting of North Tyneside Council's Cabinet which was the second 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.

### **CAB125/20 Declarations of Interest and Dispensations**

No declarations of interest were reported.

### **CAB126/20 Minutes**

**Resolved** that the Minutes of the previous meeting held on 26 May 2020 be confirmed and signed by the Chair.

### **CAB127/20 Report of the Young Mayor**

Young Mayor, Suzie McKenzie, thanked all the young people who had voted for her in the Young Mayor's election and her teachers and friends from St. Thomas More Roman Catholic Academy for their support. She had pledged to create better support in schools for mental health issues and work on improving and promoting mental health facilities. With more pressure being put on them due to the Covid-19 crisis, she had used social media, blogs and a newsletter to get out positive messages to young people in the borough.

UK Youth Parliament Member, Abi Tang, had pledged to reduce North Tyneside's carbon footprint and engage young people in tackling climate change and achieving her aims by using social media in giving out advice to people about how we could all keep North Tyneside looking lovely and enjoying outdoors.

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

- The Covid-19 lockdown imposed immediately following the elections of the Young

Mayor and Youth Parliament had resulted in the initial suspension of the young people's meetings.

- A virtual meeting had been held with the Members of UK Youth Parliament from the North East region to work on Abi's plans to roll out projects such as the re-use/refill of water bottles into the North East region.
- The Hawkshead residential was unfortunately not able to go ahead as planned as part of the regional collaborations.
- Abi had taken part in the Carbon Trust's virtual workshop in partnership with Tyneside Council which was developing a vision statement and action plans for the borough for it to become zero carbon by 2050.
- The Young Mayor had chaired her first virtual Youth Council meeting to discuss how the lockdown had affected them; support for the virtual campaign for free school dinners which had now been agreed by the Government; and ideas on the Poverty Intervention Fund before meeting with the Authority's Head of Corporate Strategy and Customer Service, having been invited to take part in a Steering Group for this fund.
- Youth Councillors had agreed that they would hold the virtual Youth Council meetings fortnightly to see how they could develop their projects using technology prior to them getting together again in the future.
- The Young Mayor had taken part in a virtual Northumbria Police Youth meeting to talk about the young people's experiences and challenges during this time.
- Youth Councillors had attended the British Youth Council e- convention.
- Young people from across the North East region continued work on the National Campaign, – 'Protect our Future'.
- Virtual meetings had been held to enable greater debate and discussion on the national campaign and actions to take forward on the local environment and global climate change. Young people had been consulted on the future of Local Government 2030, which was fed directly into the national commission as evidence on behalf of the British Youth Council.

The Elected Mayor thanked the Young Mayor for the report and both her, Abi Tang for their contributions to the work on the green agenda and young people's mental health issues.

### **CAB128/20    Update on Impact of Covid-19 in North Tyneside**

Wendy Burke, Director of Public Health, gave a short 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.

## **CAB129/20 Covid-19 - A Recovery Framework for North Tyneside**

Cabinet received a report setting out how work would be taken forward within the Authority and across the Borough to move from the Covid-19 crisis response phase to the recovery phase.

In introducing the report, the Elected Mayor also invited each Cabinet Member to speak on the recovery in respect of their individual portfolio area.

In drawing up this framework for recovery, the Authority's planning assumptions for the recovery phase were as set out below. In line with the Government's Covid-19 Recovery Strategy:

- the Authority must adapt to live with the virus in the community for the foreseeable future;
- any further easements to lockdown and the restart of businesses and services set by Government would be very gradual and on a phased basis;
- the "test, track and trace" arrangements would slow the spread of the virus and the Authority would work with partners on local outbreak control measures;
- shielding for the most medically critically vulnerable would remain for some time and the Authority would need to retain its support arrangements for those people;
- the Authority would see a changing nature of demand for some services such as Adult Social Care;
- social distancing and good respiratory hygiene would be key to manage the spread of infection and all workplaces, schools and other education facilities, retail settings and public spaces would need to be Covid-Secure;
- PPE would still be required where appropriate and the Authority would follow and promote Government guidance on its use such as the use of face coverings on public transport and in some other settings;
- there would be a significant financial impact for the Authority;
- the economic impact across the Borough as a whole would be substantial – nationally the forecast was for 14% GDP down this year and 15% GDP up next.

It was still relatively early to be able to fully assess the impact that the pandemic had had and continued to have across North Tyneside, but just like all other areas across the UK, it already looked and felt very different as a place. This would continue to be the case as the Borough adapted to live with the virus such as by re-shaping public spaces to ensure that they were Covid-Secure and safe for people to get around or spend time and for businesses to operate. Schools and other education facilities in North Tyneside were adapting so that they could gradually get back to places where more children, young people and others could safely attend.

The pandemic was creating a profound economic and social shock that would not be straightforward or quick to recover from. Local government had a key role to play in that, working with all other key partners. Economically the crisis would shift patterns of investment, activity and consumption and it would be important not to assume that things would either be able to, or be desired to, revert back to the pre-pandemic situation. The social impact was also great with differential impacts on different groups of people in the Borough from a health and social inequalities point of view. It was likely that the pandemic would have exacerbated already existing inequalities across the Borough and in relation to the numbers of people living in poverty. In addition, the health impact went way beyond those directly impacted by having the virus including mental health and well-being.

In line with the Our North Tyneside Plan, the recovery framework for North Tyneside was designed to meet the clear set of strategic objectives as set out in the report.

The Authority's approach to recovery for North Tyneside was a long-term one, starting with three distinct phases: immediate 'restart' (June-September 2020); medium 'transition' (October 2020-March 2021); and long term 'rebuild and grow' (April-July 2021)

The recovery activity would be overseen by Cabinet through both individual lead Cabinet Member oversight of the activity workstreams (Our People; Our Places; Our Economy; Our Organisation) as well as written weekly progress reports to Cabinet on an informal basis and quarterly progress reports into full Cabinet meetings. Cabinet would provide written weekly progress updates to all Elected Members and progress reports would also be provided through the programme of Member Briefings.

At an Officer level, the activity was overseen by the Recovery Co-ordinating Group (co-chaired by the Head of Environment, Housing and Leisure and the Head of Corporate Strategy and Customer Service). This Group reported into the Authority's Senior Leadership Team.

In addition, the Chairs of Overview, Scrutiny, and Policy Development Committee, and the associated Sub-Committees, were meeting to consider a revised work programme of topics, intended to compliment the themes set out in the plan in order to provide maximum benefit for the Authority. As part of this, each Chair would be encouraged to discuss any proposed topic with their respective Head of Service, ensuring full coverage of all recovery activities. It was anticipated that Committee and Sub-Committee scrutiny activity would commence in July.

The Elected Mayor thanked everyone involved for their efforts during the current crisis and for their continued support during the recovery phases.

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 the proposed framework for Covid-19 Recovery in North Tyneside be agreed.

(Reason for decision: This would allow a comprehensive and structured approach to recovering from the Covid-19 pandemic, in line with relevant Government guidance and plans as well as clear governance arrangements to ensure transparency and

accountability.)

## **CAB130/20    Poverty Intervention Fund**

Cabinet received a report detailing the proposed approach for the operation of the Poverty Intervention Fund which was included in the Authority's budget for 2020/21.

The overall aim of the Fund was to enable support to families and individuals to alleviate the impacts of living in poverty.

The report outlined the current poverty situation within North Tyneside and how Covid-19 had impacted on poverty in the Borough.

The Authority was tackling the causes of poverty in a variety of ways. This had included through working as part of the North of Tyne Combined Authority to improve economic growth; attract inward investment to create jobs; support businesses to grow and create new opportunities; enable people to gain skills; and improve education outcomes. In addition, the Authority had targeted support for businesses; families in need and via its Skills Strategy. The Tackling Deprivation work within the most deprived wards had also had success in addressing the underlying causes of poverty.

In relation to issues caused by the welfare benefit system, the Authority's Welfare Reform Task Group had successfully addressed matters such as benefit sanctions and improving digital skills. The Authority provided financial support through the provision of benefits to support people on low incomes; welfare assistance scheme to help people with food (via the Food Bank) and other essentials.

The Authority also addressed the health impacts of poverty through Public Health funding supported initiatives including through Active North Tyneside; mental health and well-being.

The overarching policy aim for the Poverty Intervention Fund was "to help to alleviate the impacts of poverty on families and individuals across North Tyneside with particular emphasis on children, by providing support to those who need it."

In order to deliver that policy aim, the Fund would have the following lower level policy objectives:

- to address the financial impacts of poverty by targeting support to areas where people were struggling to make ends meet to be able to afford the basics or where they were having to go without certain things which others took for granted;
- to address the social impacts of poverty by targeting support so that people could play a full role in society and for activities which would have a positive impact; and
- to address the health impacts of poverty by targeting support on relevant areas such as risk-taking behaviour and mental health and well-being.

The delivery approach with the Fund would be guided by the following principles:

- evidence based – to ensure both that the Fund was targeted to meet need and was

based on proven best practice/research;

- inclusive – the Authority would engage externally and internally to inform the approach;
- fair – the Authority would conduct an Equality Impact Assessment to ensure that the approach provided opportunities for the widest possible reach and that no-one was disadvantaged;
- targeted – the Fund would be used to meet the greatest levels of evidenced need in the Borough;
- funding may be allocated to groups or organisations via a mix of grant funding and commission-based approaches;
- collaborative – working in partnership to deliver the best outcomes to meet need;
- creative and flexible – to respond to changing need (particularly key in the Covid-19 situation); and
- measured – outcomes would be monitored, measured and evaluated.

The delivery of the Fund would be overseen by a Steering Group comprised of one elected member per ward (with appropriate arrangements for mixed wards) and to include the Young Mayor/Cabinet Member with representation from relevant external organisations. The Steering Group would meet at least quarterly; and a Delivery Group chaired by the Deputy Mayor to include relevant Cabinet Members to meet on a monthly basis to have oversight of the detailed operation of the Fund.

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 recommendation on the proposed approach to operate the Poverty Intervention Fund.

**Resolved** that approval be given to (1) the policy aims and objectives for the Poverty Intervention Fund;  
(2) the delivery approach which will be followed to operate the Fund; and  
(3) the governance arrangements which will be put in place to oversee and deliver the Fund.

(Reason for decision: to allow the Poverty Intervention Fund to be established from July 2020.)

### **CAB131/20    Adult Social Care Action Plan**

Cabinet received a report setting out the approach that the Authority and its partners were taking in response to the Covid-19 pandemic in respect of adult social care and a proposed approach to securing greater market stability within a longer term programme of work to consider service redesign and market reshaping as a result of the experience of Covid-19 and the changing nature of demand for adult social care services.

Covid-19 had imposed significant and additional demands on the care market. Local care

providers, the Local Authority and NHS services had been working together since the start of the pandemic to understand and respond to these challenges.

Within North Tyneside Council, the total adult social care budget for 2020/21 was £62.9 million. Of this, £30.5 million was used to commission services from the adult social care provider market. This was determined by a joint strategic assessment with North Tyneside Clinical Commissioning Group (CCG).

Services were commissioned from 92 providers (both commercial and not-for-profit) to deliver services to 3,455 people, and collectively, the adult social care provider market was one of the largest employers in North Tyneside, employing around 3,140 people.

Beyond the current context with Covid-19, the adult social care market faced the same challenges as those seen nationally i.e. increasing intensity and complexity of need; rising staffing costs due to the National Living Wage; and care staff recruitment and retention.

The Care Act 2014 gave local authorities, the NHS and the CQC clear legal responsibilities for managing different elements of the adult social care market as detailed in the report.

In North Tyneside the Authority's key objectives with the market since 19 March were set out in the Authority's overall Covid-19 response plan, which aimed to slow the spread of infection by flattening the curve and protecting the vulnerable, protect staff, and support the Borough by delivering essential services and working in partnership with business and the community and voluntary sector.

As part of the Government's response to the Covid-19 pandemic, some temporary relaxations had been made to the duties on local authorities under the Care Act (from 31 March 2020), making it possible for local authorities to reduce some of their usual duties. However, these relaxations did not apply to any Care Act duties for market oversight. The Department of Health and Social Care's Action Plan, 16 April 2020, set out their approach which was made up of 4 pillars: i) controlling the spread of infection; ii) supporting the workforce; iii) supporting independence, supporting people at the end of their lives and responding to individual needs; and iv) supporting providers of care and support.

An assessment of the current situation and how Covid-19 had impacted on Adult Social Care in North Tyneside was set out in the report. This was set out against each of the pillars in this plan.

On 14 May 2020, the Minister for Care had required all local authorities with adult social care responsibilities to work with system partners to agree a return consisting of:

- A letter setting out an overview of current activity and a forward plan
- Completion of a short template confirming the current level of access to the support offer
- Confirmation that the Local Authority was carrying out a daily review of the local care market, including care homes

This information had been submitted to the Minister for Care on 29 May 2020 and had subsequently been published on the North Tyneside Council website. This gave the detail on the North Tyneside position on each of the four pillars.

The report detailed the impact of Covid-19 on Adult Social Care in North Tyneside in relation to the current position, key progress to date, and next steps for controlling the spread of infection in care settings; supporting the workforce; supporting independence; supporting providers of care and support.

In terms of the future commercial framework, notwithstanding the work done to date, a longer- term approach and framework needed to be established in order to secure and sustain an appropriate social care offer to meet the needs of residents. The negotiating remit within the Framework would encompass the following elements: Strategic Objectives, Negotiating Context, and Value for Money.

Cabinet considered the following decision options:

Option 1: Note the current position, work done to date, progress and next steps and agree approach to outlined in establishing the Commercial Framework.

Option 2: Note the current position, work done to date, progress and next steps and not agreeing the approach to outlined in establishing the Commercial Framework.

**Resolved** that (1) the work done to date to support the adult social care market be noted; (2) the approach to securing longer term market stability be agreed; (3) the Chief Executive, Head of Health, Education, Care and Safeguarding, Head of Resources and Head of Commissioning and Asset Management, in conjunction with the Cabinet Member for Adult Social Care and Cabinet Member for Finance and Resources, be authorised to work towards a sustainable and affordable solution to an appropriate social care offer to meet the needs of residents; and (4) Cabinet receives a further report on progress and considers any future contractual proposals.

(Reason for decision: it provides a detailed update on the response work done in Adult Social Care and establishes a structured approach to a set of commercial arrangements with all social care providers.)

### **CAB132/20    2019/20 Provisional Finance Outturn Report**

Cabinet received a report which set out details of the provisional outturn for the General Fund, Schools Finance, Housing Revenue Account, the financial and delivery aspects of the Investment Plan and the delivery of the Treasury Management Strategy for the financial year 2019/20.

The budget for 2019/20 had been approved by full Council on 21 February 2019. The net General Fund revenue budget had been set at £155.730 million including efficiency savings of £10.533 million. The monitoring report up to 31 January 2020 had projected pressure of £2.932 million and the final position was an underspend of £0.050 million. In addition to this, the Authority had received a one-off £0.637m dividend receipt from the Airport, as well as a one-off £0.400m dividend receipt following the closure of the Keir NT Joint Venture.

In other years where a surplus had been generated this would be held in reserve for future investment in the Borough but in light of the significant and unexpected impact of the Covid-19 pandemic, it was proposed that these balances were transferred into General Fund



Balances (£0.195m) and the Strategic Reserve (£0.842m) to support the increased financial impact and risk to the Authority expected during 2020/21 and future years. The remaining balance of (£0.050m) was also proposed to be taken to the Strategic Reserve. With these final transfers included, the General Fund Revenue Budget would show spend on budget for 2019/20.

As part of the 2019/20 financial statements, amounts had been set aside as provision and reserves for known liabilities, risks and uncertainties that remained in future years.

The Housing Revenue Account had year-end balances of £7.803 million, which was a £2.831 million improvement against the in-year budget.

School balances had decreased from £1.599 million to £0.165 million. These balances included a significant amount of committed funds and the permitted carry forward of grants for the remainder of the academic year

The final capital expenditure position for the year was £59.080 million, with a recommendation for Cabinet to approve reprogramming of £6.262 million into 2020/21.

In terms of Treasury Management, the Authority had acted in line with the agreed strategy that the security of the Authority's resources was of greater importance than returns on investments. The level of investments at 31 March 2020 was £52.100 million (£35.100 million with HM Treasury and £17.000 million with other local authorities). The level of borrowing (excluding PFI) was £466.913 million (up from 2018/19 level of £450.146 million) which was well within the capital financing requirement agreed as part of budget setting. This was primarily due to continued level of internal borrowing.

Details of new revenue grants were set out in the report.

Like all local authorities, North Tyneside Council had felt the impact of the ongoing Covid-19 pandemic. The Authority had received a £6.822 million share of the Government's Local Support Grant in March 2020 to support local authorities with the additional costs and income lost due to Covid-19. As 'Lockdown' measures had only been announced on 23 March 2020, the impact in 2019/20 was £0.733 million and the remaining balance of £6.089 million had been moved to a ringfenced reserve, ready to be utilised in 2020/21 when the greater impact was expected.

A further tranche of the Local Support Grant of £5.709 million had been received in May 2020 bringing the total received by the Authority to £12.531 million. After the carry forward from 2019/20, the Authority currently had £11.798 million of Local Support Grant funding in reserve. As the majority of the financial impact would be felt in 2020/21, work was ongoing between Finance and the wider service areas to quantify the impact of costs and income forgone against the 2020/21 Budget. Monthly returns were being submitted to the Ministry for Housing, Communities and Local Government containing the latest estimates of the financial impact of Covid-19 on the Authority. The May 2020 return projected the financial impact to be £24.930 million (both General Fund and HRA), far in excess of the current funding that had been made available to the Authority from the Government. The impact of Covid-19 on the medium-term financial plan was currently being considered and a refreshed plan would be presented in a future report to Cabinet.

In addition to the Local Support Grant, the Authority had also received a £38.494 million grant from the Government aimed at supporting small businesses during the pandemic. Initial estimates were that 3,014 small businesses would be eligible to apply for this grant at a cost of £34.270 million. At the end of May 2020, the Authority had made payments to 2,567 (85.17%) of the eligible businesses, totalling £29.495 million, with payments still being made on a daily basis.

Cabinet considered the following decision options:

Option 1 - agree the recommendations as set out in Section 1.2 of the report.

Option 2 - disagree with all or some of the individual recommendations set out in section 1.2 of the report.

The Elected Mayor thanked everyone for achieving the provisional outturn position and for the achievements made in delivering capital projects in 2019-20.

**Resolved** that (1) the provisional 2019/20 outturn for the General Fund, Schools Finance and Housing Revenue Account, together with a financial overview of the year, as set out in the report, be noted;

(2) the decisions made under the Reserves and Balances Policy be noted;

(3) the Authority's Investment Plan spend during 2019/20 and the financing put in place be noted;

(4) reprogramming of £6.262 million within the Investment Plan be approved;

(5) the Council's Treasury Management performance be noted;

(6) the performance against the Capital and Treasury Management prudential indicators be noted; and

(7) the receipt of £46.103 million of new revenue grants be approved.

(Reason for decision: The proposals set out in section 1.2 of the report form part of the 2019/20 Statement of Accounts. Reprogramming of the Investment Plan will ensure successful delivery of projects included within the Investment Plan).

### **CAB133/20 North Tyneside Transport Strategy Annual Report**

Cabinet received the North Tyneside Transport Strategy Annual Information Report which summarised the work undertaken to demonstrate progress against delivery of performance of the Transport Strategy during 2019-20.

The annual information report, included at Appendix 1, demonstrated progress against delivery of the Transport Strategy. A Transport Strategy Data Factsheet summarising the key performance data for 2019/20 was included at Appendix 2.

The Authority's programme of investment during 2019/20 had delivered six major schemes to improve the operation of the Authority's transport network, support its Local Plan objectives and improve provision for sustainable travel. The Authority had improved traffic management technology on its network, while supporting the efficient operation of the network by improved management of road works by utility companies through the Streetworks permit system.

The numbers of road collisions and associated casualties continued to decrease in North

Tyneside. Serious collisions had decreased in 2019, which compared positively with the regional picture, while slight collisions had more than halved since the baseline years 2005-09.

The figures suggested that the Authority's targeted major scheme investment had helped to reduce the number of collision cluster sites (those with more than five collisions over a three-year period within a 50m radius) although clearly there remained a need to continue the Authority's ongoing work to analyse and reduce road collisions. There was also a decreasing trend in the number of collisions which involved somebody cycling, even as everyday cycling became more popular.

To support the sustained growth in everyday cycling in North Tyneside, the Authority had continued to invest in high standard cycling infrastructure: for example, the Authority's major scheme at the A189 Killingworth Road included a 2.5km protected cycleway (phase 1 complete; developer-funded phase 2 to follow). Equally, it remained important to continue to engage in training which encouraged people to travel more sustainably and support road safety. Road safety education was offered in schools, and national standard 'Bikeability' cycling training was delivered to increasing numbers of children in the borough.

It would remain important to continue to engage with schools in the borough to encourage children and their parents to travel actively to school or use 'park and stride' rather than drive to school gates. Following North Tyneside's participation in the national pilot of the "School Streets" event, where the street outside a school was reserved for cycling and walking, working with Sustrans, there were opportunities to hold similar events more regularly. The Authority's ongoing 'Go Smarter' programme promoted the use of sustainable and active transport in schools, as well as involving children in identifying improvements to cycling and walking infrastructure, and was achieving a shift away from car use of up to 15%, which helped to support air quality and health objectives.

Since mid-March 2020, the COVID 19 pandemic had had substantial and wide-ranging effect on many aspects of people's life and work. As the Government began to ease the national 'lockdown' measures, the ongoing restrictions on travel and requirement for social distancing would have a significant effect on how people travelled for work and personal business and how goods were distributed. The Authority would continue to review the latest Government guidance so as to continue to manage the highway network safely and effectively whilst supporting residents, business and visitors during the recovery period. This would include looking at ways to continue to maximise the air quality benefits obtained during the lockdown period, while recognising the need to reduce carbon emissions from transport to address the climate emergency.

People in the borough had been cycling much more over the last three months, which had wide-ranging benefits for people's health, carbon reduction and air quality as well as reducing queues of cars on the highway network. The Authority planned to capture this opportunity by moving swiftly to provide more protected cycling routes which would make it quicker and easier to get around the borough by cycle, alongside supporting people's travel needs and local businesses in the new circumstances by reallocating road space to walking and cycling.

**Resolved** that the content of the report and associated supporting information contained in Appendices 1 and 2 to the report be noted.

## **CAB134/20 Statement of Community Involvement 2020**

Cabinet received a report seeking approval to an updated Statement of Community Involvement (SCI) that had been prepared to ensure the Authority's policy regarding consultation on planning matters was up to date and consistent with the latest regulations, national guidance and local policy.

It was a statutory requirement for local authorities to have an adopted SCI and review and update the document every five years. The content of the SCI comprised:

- Consultation on planning policy documents: this section of the SCI outlined what the public could expect from the Authority in consultation on planning policy documents such as the Local Plan and Supplementary Planning Documents.
- Requirements for neighbourhood plans: the preparation of neighbourhood plans included specific requirements for consultation and engagement with local communities. These requirements and the approach of the Authority were set out within the SCI.
- Consultation on planning applications: the SCI explained the development management process and how the Authority would notify and consult with the community on planning applications.

Since the adoption of the existing SCI in 2013, the following new legislation and local and national planning policy and guidance had been introduced, which should be reflected within an updated SCI.

- National Planning Policy Framework (NPPF) 2019: The NPPF set out the Government's planning policies for England and how these should be prepared and applied at local level. The NPPF itself did not create any substantial changes to be reflected in the SCI other than clarity of referencing and contextual discussion.
- National Planning Practice Guidance (NPPG) 2014 onwards: The NPPG was a web-based resource providing planning guidance on a range of topics. Launched in March 2014 and updated regularly, the NPPG itself did not create any substantial changes to be reflected in the SCI other than clarity of referencing and contextual discussion.
- The Town and Country Planning (General Permitted Development) (England) Order 2015 and its amendments: The Order did not alter any requirements for consultation. However, it did change some aspects of permitted development that could result in the public expecting a planning application, with associated consultation, where there was no longer a requirement for an application.
- Neighbourhood Planning Act 2017: The Act required the SCI to set out exactly how a Council would help neighbourhood plan making bodies. At present the SCI stated that the Council would assist, manage and support but did not give any further detail about what this support would entail. This required amendment in an updated SCI.
- Housing and Planning Act 2016: Brownfield land register, Self-build register and the Permission in Principle: A range of new planning consent processes had been

introduced since 2013. This included the brownfield land register, which included provisions for some sites to be granted Permission in Principle. Applicants now also had the opportunity to request the Local Planning Authority granted Permission in Principle, rather than seek outline planning consent.

- North Tyneside Local Plan 2017: The Local Plan set out the planning policies and proposals to guide development within North Tyneside up to 2032. The Local Plan itself did not create any substantial changes to be reflected in the SCI other than clarity of referencing and contextual discussion.

A section should be added to the SCI relating to the monitoring of planning documents and the revised government requirements that required a review of Local Plan documents at least every five years. Additionally, the references and web links throughout the existing SCI were out-of-date and required updating.

The Draft updated SCI was attached at Appendix 1 to the report.

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 proposed changes to the Statement of Community Involvement (SCI) be approved; and  
(2) the updated SCI 2020 be adopted to set policy for consultation on development plan preparation and planning applications.

(Reasons for decision: Under Section 18 of the Planning and Compulsory Purchase Act 2004, the Council must prepare a SCI that sets out the Authority's approach to engagement in planning matters. The existing SCI does not reflect current legislation and planning policy and therefore does not accurately set out the Authority's position in this regard.)

**CAB135/20    Renewal of Article 4 Directions to manage planning rights for land at Preston Park and specified streets within Spanish Battery, New Quay, and Tynemouth**

Cabinet received a report seeking approval to renew the existing Article 4 Directions in relation to Preston Park, Spanish Battery, New Quay and Tynemouth that would be subject to consultation with residents and landowners for each of the four affected areas.

The existing Article 4 Directions continued to be applied, but a review had identified that there was risk of misinterpretation of their meaning or effect upon permitted development rights by residents and stakeholders. This was because the legislation attached to the above Directions, the Town and Country Planning (General Permitted Development) Order 1995, had been superseded by the Town and Country Planning (General Permitted Development) (England) Order 2015 ("the GPDO").

To respond to the potential risk identified, it was proposed that the existing Directions were replaced by renewed Article 4 Directions, worded in accordance with the GPDO. The extent of the conservation areas affected by the existing Directions would not change. The approach however to defining the extent of the Article 4 Direction for Tynemouth Village had been amended from specific identification of dwelling houses at each of the streets listed at

paragraph 1.5.6 of the report to state that it applied to all dwelling houses within the defined boundary. This approach was more resilient to changes over time as flats or commercial properties may be converted to houses or vice versa.

The renewed Directions would, as with the previous Directions, remove permitted development rights afforded to dwelling houses and, in the case of Preston Park only, remove permitted development rights afforded to land. This would include the erection of extensions and porches, installation of hardstanding and alterations to roofs – all of which did not normally require planning permission.

The renewed Directions would be made under the GPDO and would include the wording “as amended, revoked or re-enacted” to ensure the Directions would remain valid should there be any future changes to legislation. The draft Article 4 Directions were available at Appendices 1 to 4 to the report. In accordance with the relevant legislation, once a new Direction was confirmed the existing Direction was cancelled.

Article 4 Directions must be prepared in accordance with Schedule 3 of the GPDO. This included the requirement to agree a draft (or “made” Direction) for public consultation for a period of six weeks. Following this, the Local Planning Authority could confirm the Article 4 Direction, taking into consideration any responses it received to the made Direction. This decision would be made by Cabinet at a future meeting.

Should Cabinet agree to make the draft Directions, they would be subject to statutory consultation as soon as possible following the decision. In accordance with the GPDO, the draft Directions would be consulted upon via advertisement in the local press, site notice in no fewer than two locations affected by the Direction and by letter to owners/occupiers of the land or dwelling houses.

An engagement plan would be finalised to ensure the statutory consultation was appropriately publicised taking account of each area affected by the proposed renewal of Article 4 Directions. Due regard would be given to the on-going restrictions imposed by the Covid-19 pandemic. All representations received would be taken into account when making a recommendation to Cabinet on whether to confirm the Article 4 Directions.

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 and instruct that an alternative approach be taken.

**Resolved** that (1) the risks associated with the current wording of existing Article 4 Directions at Preston Park; Spanish Battery; New Quay, and Tynemouth be noted; and (2) a renewed draft Article 4 Direction be made that will be subject to consultation with residents and landowners for each of the four affected areas.

(Reasons for decision: The legislation attached to the Article 4 Directions currently in place has now been superseded by the GPDO. As a result of this change, these Directions may not be capable of effective interpretation and implementation. Renewing the Article 4 Directions will allow for the Local Planning Authority to fulfil its statutory duty of preserving and enhancing the character and appearance of conservation areas.)

## **CAB136/20    Public Spaces Protection Orders**

Cabinet received a report seeking approval for the commencement of a 6-week consultation exercise on a proposal to extend the Public Spaces Protection Orders (PSPOs) within the borough for a further three years.

Tackling environmental crime was a key priority of the Elected Mayor and Cabinet to ensure that North Tyneside remained a great place to live, work and visit. Having legal powers available to effectively manage and enforce environmental crime was essential to the quality of life of the community. PSPOs provided the Authority with an important enforcement tool.

In October 2017, Cabinet had approved the making of PSPOs within the borough covering the control of dogs and the consumption of alcohol in public spaces. PSPOs could not last for more than 3 years therefore the PSPOs currently in place would expire in October 2020.

It was proposed that these PSPOs were extended for a further 3 years using the powers available to do so.

Should Cabinet approve commencement of the consultation exercise on extending the PSPOs a comprehensive engagement plan would be finalised. The Act required the Authority to consult with the Chief Officer of Police, the Police and Crime Commissioner, the owner or occupier of land within restricted areas, and community representatives the Authority thought appropriate.

The engagement plan would meet both the statutory requirements and the Authority's recognised corporate standards for consultation. Due regard would be given to the on-going restrictions imposed by the Covid-19 pandemic.

The consultation responses would be collated and analysed with recommendations being brought back to a future Cabinet meeting so that an informed decision could be taken as to the whether to extend the PSPOs.

The Cabinet Member for Environment and Transport highlighted the Authority's commitment in addressing environment crime and anti-social behaviour across the borough. The Cabinet Member for Community Safety and Engagement, echoed Councillor Johnson's comments, and as Chair of the Safer North Tyneside Partnership, confirmed this was a key priority in the Authority's Community Safety Strategy.

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 commencement of a 6-week consultation exercise on the proposed extension of the Public Space Protection Orders, attached at Appendix 1 to the report, be approved;

(2) the Head of Environment, Housing and Leisure, in consultation with the Cabinet Member for Environment and Transport and the Cabinet Member for Community Safety and Engagement, be authorised to undertake all appropriate steps to undertake the consultation exercise and any ancillary matters relating to it; and

(3) Cabinet receive a further report following the conclusion of the consultation exercise to consider the consultation responses and to determine if there are reasonable grounds for

the Public Space Protection Orders to be extended for a further period of 3 years.

(Reasons for decision: The PSPOs in place within the borough will expire on 19 October 2020. If the PSPOs are not extended before their expiry they will cease to have effect resulting in the Authority having no controls in place to tackle anti-social behaviour relating to dogs and alcohol and the detrimental effect that such behaviour can have on the quality of life of those in the community.)

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

**CAB137/20    Date and Time of Next Meeting**

6.00pm on Monday 3 August 2020.

**Minutes published on Friday 3 July 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 10 July 2020.**