

Cabinet

Monday, 18 October 2021

Present: N Redfearn (Elected Mayor) (in the Chair)
Councillors C Johnson, S Cox, S Day, P Earley,
S Graham, A McMullen and M Rankin

In Attendance: S McKenzie (Young Mayor)
R Fry (Voluntary and Community Sector)
D Hodgson (Business Representative)
R Layton (North Tyneside Joint Trades Union Committee)
D McNally (Age UK)
K Robinson (Independent Chair Audit Committee)

Apologies: Councillors C Burdis and K Clark

CAB49/21 Declarations of Interest and Dispensations

No declarations of interest or dispensations were reported.

CAB50/21 Minutes

Resolved that the Minutes of the previous meeting held on 20 September 2021 be confirmed and signed by the Chair.

CAB51/21 Report of the Young Mayor

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

- Youth Councillors had met several times in person including the first full youth council meeting in a very long time.
- Youth Councillors had helped fill tote bags with important items and information for children and young people coming into care as part of the Make A Difference Luggage (MADLUG) project designed by North Tyneside's Children in Care Council, and were distributed by social workers as soon as they were needed.
- Youth Councillors had been involved with North Tyneside's SEND Local Offer review and consultations with students in schools. The SEND Youth Forum were keen to hear feedback.
- Young people were being encouraged to join Youth Council themed committees and in their many activities.
- The Increased Opportunities Committee had distributed left-over sanitary products from the project tackling period poverty in schools at public toilets around the borough and in Quadrant to highlight the message that "We believe that sanitary products should be freely available in toilets the same way that toilet tissue is available". Positive feedback

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had been received from those who appreciated the gift and supported what they were trying to achieve.

- The Young Mayor had worked in partnership with the Clinical Commissioning Group by chairing an Instagram live-streamed panel made up of Dr Alex Kent and the Immunisation Lead, Stephanie Gibbs, who had answered questions from North Tyneside young people and parents about the covid vaccine for the under 18-year-olds. The live stream had been recorded and sent to schools and colleges in the borough to be shared further with young people.
- The BAME Committee had launched an event titled DigitalMe to be held on 21 October 2021 via Zoom to bring people together to view a short, animated film, made by the Youth BAME committee about refugees and asylum seekers to discuss their experiences and views, and to respond to issues raised in a way that encouraged empathy, awareness and action.
- The first face-to-face Care4Me training with Foster Carers had taken place where the carers had learned about how it felt to be in care and why children in care should be listened to. This was important to ensure that the services received by children who could not be at home with their own families, were the right ones.
- Following the creation of new posts in the HIVE team, designated workers were now going into schools in the borough to work with teachers and young people about managing their mental health. A new member of staff from this team had joined the Participation & Advocacy Team and her focus was to support the Emotional Wellbeing and Mental Health Committee, which meant they could meet more regularly to complete their plans.

The Elected Mayor thanked the Young Mayor for the report and praised the young people for their work in supporting children and young people through a variety of important projects.

CAB52/21 Audit Committee Annual Report 2020/21

Cabinet received the Audit Committee Annual Report covering the work performed by the Audit Committee in 2020/21.

The Chartered Institute of Public Finance and Accountancy (CIPFA) viewed audit committees in local government as a key component of each local authority's governance framework. North Tyneside Council had a dedicated Audit Committee, which was independently chaired by Mr Kevin Robinson, with Mr Malcolm Wilkinson as independent Deputy Chair.

CIPFA also recommended that the Audit Committee should regularly assess its own effectiveness and had prepared guidance which Audit Committees could use for this purpose. A review of the Authority's Audit Committee had therefore been led by the Audit Committee Chair in 2015/16, with action to progress the recommendations from that review continuing throughout 2020/21 to date.

One recommendation from Mr Robinson's review was that the Authority would benefit from

greater interaction between Audit Committee and Cabinet. The review recommended that an annual report from Audit Committee to Cabinet should be considered, in addition to greater engagement between Audit Committee and Cabinet in development of a work programme for Audit Committee.

The Audit Committee report for 2020/21 was attached as Appendix A to the report. Mr Robinson presented the report and summarised the key work undertaken by Audit Committee in 2020/21. He also reiterated the recommendation that the Audit Committee continued to maintain strong links to the wider organisation particularly to the Senior Leadership Team and to Cabinet.

The Elected Mayor thanked Mr Robinson for attending Cabinet on behalf of the Audit Committee to present the Audit Committee's Annual Report 2020/21, and that Cabinet would welcome the Committee's future guidance and support, as appropriate.

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

Resolved that the Audit Committee Annual Report 2020/21 attached as Appendix A to the report, be noted.

(Reason for decision: Noting the Audit Committee Annual Report 2020/21 will demonstrate that Cabinet has received and considered the outcomes of the Audit Committee's review of its own effectiveness, which is good practice recommended by CIPFA; and will help to ensure that Cabinet is aware of the main governance matters which have been considered by Audit Committee in 2020/21.)

CAB53/21 North Tyneside Local Flood Risk Management Strategy

Cabinet considered a report seeking approval for an updated North Tyneside Local Flood Risk Management Strategy.

In 2012, North Tyneside had experienced a number of devastating storms causing flooding to hundreds of homes across the Borough. This included the infamous Thunder Thursday.

In response to this, the Authority had set up a Surface Water Task Group which had developed a range of initiatives to tackle flooding. This included the development of a detailed flood risk management strategy, approved by Cabinet in 2014. Under this strategy the Authority had successfully delivered a range of major schemes and other initiatives which had greatly reduced the risk of flooding across the borough. The achievements made during the lifetime of the first Local Strategy were summarised in the report.

The flooding strategy now required updating in order to take into account changes in legislation, the introduction of a new national flooding strategy and to reflect the impact of work that had been completed over the last few years. The updated strategy was attached at Appendix 1 to the report, and this set out the Authority's future objectives and approach to flood risk management.

Although much had been achieved since 2012, the Authority remained fully committed to flood risk management. The updated Local Strategy therefore largely continued with the

original policy direction and objectives. The way the Authority would achieve these were set out in the revised strategy.

The objectives shown in section 1.5.3 of the report aligned with those included within the latest national DEFRA strategy for flood risk management which had been developed in 2020. The revised Local Strategy would provide the strategic framework for the Authority to continue its programme of surface water management work from now until 2032 in line with the timescales of similar engineering strategies and plans such as the Highway Asset Management Plan.

In terms of funding, the majority of flooding hotspots identified within the borough had been addressed during the lifetime of the current Local Strategy. As such, at this time, there was no need for the Authority to provide further capital investment. Future schemes and studies would be smaller scale and would normally be funded through external grants, in particular from the Environment Agency. With regard to new housing, developers would be required to fund drainage systems in line with the conditions of detailed flood risk assessments which they were required to undertake. The Authority and partner agencies would work with housing developers to ensure this was done in the most sustainable manner.

The Cabinet Member for Environment commented that whilst it was very pleasing to see all the good work done to date, it was vital that the Authority continued with this important area of work and believed the updated Flood Risk Management Strategy would provide the framework for achieving this.

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

Resolved that (1) the information presented in the report be noted; and
(2) The North Tyneside Local Flood Risk Management Strategy at Appendix 1 to the report, be approved.

(Reason for decision: This will ensure the Authority's ongoing commitment to tackling surface water issues and will fulfil the statutory requirement to have a published Local Strategy in place to manage this).

CAB54/21 The Gambling Act 2005 - Draft Statement of Licensing Policy (Gambling) 2022 - 2025

Cabinet considered a report which outlined the final proposals for a revised Statement of Licensing (Gambling) Policy prior to consideration by Full Council on 25 November 2021.

The Authority was required to produce and publish a Statement of Licensing Policy under the Gambling Act 2005 and to revise the Policy at least every three years. The revised Policy had to be in force by 31 January 2022 when the existing Policy would expire.

Under the Act, the Authority as a licensing authority was responsible for issuing Premises Licences and Permits. Premises Licences were specific to the type of premises offering gambling to the public and included Casino Premises; Bingo Premises; Adult Gaming Centre Premises; Family Entertainment Centre Premises; and Betting Premises.

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The Authority did not have the authority from the Secretary of State to issue Casino Premises Licences. Section 175 of the Act limited the overall numbers of types of casinos that would be permitted in Great Britain and, until such time as the current limit on the number of casinos was increased, no further Casino Premises Licences would be issued.

In terms of Permits, the Authority as a licensing authority could issue Family Entertainment Centre Gaming Machine Permits; Club Gaming Permits; Club Gaming Machine Permits; Alcohol Licensed Premises Gaming Machine Permits; and Prize Gaming Permits.

Section 153 of the Act set out the principles to be applied by the Authority when considering an application for a Premises Licence; and emphasised the importance of the Authority's Statement of Licensing Policy (Gambling) in determining any application for a Premises Licence made to the Authority as a licensing authority.

The draft revised Policy, attached as Appendix 1 to the report, contained the information that the Gambling Act 2005 (Licensing Authority Policy Statement)(England and Wales) Regulations 2006 had prescribed should be included in the Policy document, as referred to in the report.

In preparing the draft revised Policy document, regard had been given to the Commission's statutory guidance and the Regulations issued in order to assist licensing authorities in the preparation of their Policy statements.

The draft revised Policy statement made reference to the new Council Plan and included additional information in relation to those individuals or businesses seeking to apply for a permit. It also emphasised the requirement to have regard to the public sector equality duty when formulating a Policy or making decisions in relation to individual applications.

The draft revised Policy statement had been subject to a 6-week period of public consultation commencing on 5 July 2021. The report outlined the requirements for publishing the draft revised Policy statement once approved.

In total, 55 responses had been received to this consultation exercise from a mixture of residents and agencies. Officers had considered each response and amended the draft policy as required. A summary of the responses received and the amendments made was attached at Appendix 2 to the report. The majority of responses focussed on support for a further "no casino" resolution. One response requested a definition of children to be added to the Policy. The Policy had been amended in response to this.

Council, on 22 November 2018, had passed a 'no casino' resolution which meant that the Authority would not grant any Casino Premises licences in the Borough if it was given the power to do so. This resolution remained in place for the duration of the Policy, even if the number of national Casino licences increased. If Council passed a 'no Casino' resolution, then it would remain in force for a further three years (unless another resolution was passed in the interim) and would prohibit the Authority from issuing Casino Premises Licences in that period.

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

Resolved that (1) the final proposals in connection with the formulation and approval of the draft revised Statement of Licensing Policy (Gambling), including the ‘no casino resolution’, attached at Appendix 1 to the report, be endorsed; and
(2) the draft Statement of Licensing Policy (Gambling) be referred to Full Council for consideration on 25 November 2021.

(Reasons for decision: The draft Policy has been developed by an Officer Working Group with oversight from the Cabinet Member for Community Safety and Public Protection. The Policy contains the information required by legislation and the Gambling Commission’s statutory guidance. It has been subject to extensive consultation involving, in addition to members of the public, those involved in the gambling trade, North Tyneside MPs, and all councillors. Consultees were given the opportunity of providing feedback and comments on the draft Policy during the consultation period.)

CAB55/21 North Tyneside Transport Strategy

Cabinet considered a report seeking approval for the revised North Tyneside Transport Strategy.

Transport was an important part of everyone’s lives. It supported the economy, society, and communities. It was important that the Authority had a clear policy direction to guide its strategic planning and day-to-day responsibilities. This was reflected in a number of priorities in the Our North Tyneside Council Plan 2021 to 2025, which related to matters such as regeneration; roads and pavements; safe walking and cycling; and a commitment to publish an action plan of the steps the Authority would take and the national investment it would seek to make North Tyneside carbon net-zero by 2030.

The North Tyneside Transport Strategy had been adopted by Cabinet in May 2017. The strategy had been revised and updated, taking account of more recent developments – for example, the climate emergency which the Authority had declared in 2019; the Our North Tyneside Council Plan 2021 to 2025; and the new North East Transport Plan which had been approved in March this year by the regional Joint Transport Committee, on which the Elected Mayor represented North Tyneside.

The revised North Tyneside Transport Strategy was attached to the report as Appendix 1. This set out the Authority’s updated transport vision for the borough and would be used to shape future decisions; influence sub-regional, regional and national issues; support future funding bids for transport-related projects or initiatives; and support the implementation of the North Tyneside Local Plan.

It was known through the lifetime of the Local Plan, the borough was set to grow – with more people, more jobs and more homes. Significant employment sites were being developed and the borough’s town and district centres would continue to play a vital role. The way people travelled was also changing, for example:

- i. the Covid-19 pandemic had had wide-ranging impacts on how people travelled – including movement towards a digital commute, and changes in public transport patronage;
- ii. car ownership remained substantial and most people travelled to work by car, which put the road network under pressure;

- iii. however, cycling in the borough had shown a pronounced increase.

The strategy had been revised with reference to an evidence base summarised in section 1.5.3 of the report and had also been prepared with a clear eye on the national and regional context: including major projects which had benefits for the borough, such as the Northumberland Line. At regional level, the revised strategy would complement both the North East Transport Plan and the Strategic Economic Plan, which sought to secure more and better jobs for the North East.

The strategy set out a vision for delivering effective transport in North Tyneside. Reflecting the priorities of the Our North Tyneside Council Plan, the North East Transport Plan and the Authority's declaration of a climate emergency, the vision was:

“Moving to a green, healthy, dynamic and thriving North Tyneside”.

This led on to an updated list of five principles that would guide the Authority's actions, and against which it would measure performance. These were to:

1. Reduce carbon emissions from transport;
2. Improve health outcomes;
3. Support inclusive economic growth;
4. Improve connectivity; and
5. Manage demand and enable smart choices for all.

Work was now underway to update, where appropriate, a number of policies and strategies specific to transport matters, which sat under this overarching strategy. These were outlined in Annex 2 of the strategy document. Approval would be sought by Cabinet and/or the appropriate decision-maker.

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

Resolved that (1) the revised North Tyneside Transport Strategy, attached as Appendix 1 to this report, be approved; and
(2) the work that is underway, as outlined in section 1.5.6 of the report to update, where appropriate, the Authority's policies and strategies specific to transport matters to ensure their continued alignment with the North Tyneside Transport Strategy, be noted.

(Reason for decision: Approval of the updated strategy will allow the Authority to shape its future decisions, influence sub-regional, regional and national issues, support future funding bids for transport-related projects or initiatives and support the implementation of the North Tyneside Local Plan.)

CAB56/21 Procurement Plan 2021/22

Cabinet considered a report seeking approval to proceed with relevant procurement exercises throughout the financial year and award contracts in accordance with UK public procurement legislation to the most advantageous tenders. This would ensure contracts were procured efficiently and ensure value for money was achieved.

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The Authority undertook a wide variety of duties and delivered a vast range of services to the people of North Tyneside via third parties. In turn this meant that the Authority continued to spend a significant proportion of its budget on goods and services.

A report had been approved by Cabinet in April 2021 which detailed procurements that would individually exceed £500,000. This report supplemented the procurement activities agreed in April of this year, at the time not all procurements were known, and funding had been secured where third-party delivery partners were required.

The contracts identified in Appendix 1 of the report would require the procurement exercises to be commenced in this financial year, budgets associated with the contracts had been identified and were within existing budgets.

The Cabinet Member for Finance and Resources commented that, if approved, the procurements would provide an opportunity to support economic recovery in the wake of the Covid pandemic. Where appropriate the tender exercises would encourage bids from smaller businesses, and from larger businesses would secure employment and apprenticeships together with commitments to environmental sustainability.

Cabinet considered the following decision options: to either approve the recommendations as set out in section 1.2 of the report to carry out the necessary procurement exercises during the 2021/2022 financial year, or alternatively, to not approve the recommendations and continue individual reports for each package of works and/or services. This may delay implementation of essential services and works being carried out.

Resolved that (1) the procurement of the goods and services, as detailed in Appendix 1 of the report, be approved; and
(2) the relevant Director, in consultation with the relevant Cabinet Member, Director of Resources and Director of Law and Governance, be authorised to commence the procurements identified and award contracts to those bidders who submit the most advantageous tenders in accordance with UK public procurement legislation.

(Reason for decision: The Authority has a duty to obtain value for money. Tendering the opportunities identified in the report will meet the priorities contained within the Procurement Strategy and Our North Tyneside Plan.)

CAB57/21 Date and Time of Next Meeting

6.00pm on Monday 29 November 2021.

Minutes published on Friday 22 October 2021.

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 29 October 2021.