

Cabinet

Monday, 23 January 2023

Present: Dame N Redfearn DBE (Elected Mayor) (in the Chair)
Councillors C Johnson, C Burdis, K Clark, S Graham,
J Harrison, H Johnson, A McMullen, S Phillips and
M Rankin

In Attendance: M Godfrey (Young Mayor)
R Layton (North Tyneside Joint Trades Union
Committee)
V Smith (Voluntary and Community Sector)

Apologies: M Hall (Northumbria Police)

CAB78/23 To Receive any Declarations of Interest and Notification of any Dispensations Granted

Councillor K Clark declared a registerable personal interest in agenda Item 5: 2022/23 Financial Management Report to 30 November 2022 (CAB81/23), as she was a Director and Employee at Justice Prince CIC (Working Roots), which had contracts with North Tyneside Council funded to deliver community-based programmes.

Councillor C Johnson declared a registerable personal interest in agenda Item 12: Regeneration of 11/12 Northumberland Square (CAB88/23), as he was a Director of North Tyneside Trading Company and its subsidiary companies.

Councillor S Graham declared a registerable personal interest in agenda Item 12: Regeneration of 11/12 Northumberland Square (CAB88/23), as she was a Director of North Tyneside Trading Company and its subsidiary companies.

CAB79/23 Minutes

Resolved that the Minutes of the previous meetings held on 28 November 2022 (Ordinary) and 16 January 2023 (Extraordinary) be confirmed and signed by the Chair.

CAB80/23 Report of the Young Mayor

In his announcements the Young Mayor referred to the sudden loss of Youth Councillor, Daniel Taylor, who passed away suddenly on the 18 December 2022. He would be sadly missed by North Tyneside Youth Councillors who had offered their condolences to his family. Daniel was standing as Member of Youth Parliament for North Tyneside and as a powered wheelchair user, had pledged to work with decision makers to increase awareness and provide more accessible activities, and work was being done to continue his ideas.

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

- The Swap Shop held in North Shields Library on the 10 December 2022 coincided with Northumberland Square Christmas Fayre, and Youth Councilors were looking at ways in which to develop their plans.
- Many Youth Councilors had taken part in the Christmas wrapping of gifts for the Make Christmas Special Project so that isolated people living in North Tyneside could receive a Christmas meal and a gift provided by the social action project.
- Youth Councilors had taken part in North Tyneside Council's budget consultation.
- Youth Councilors had held another collection at Morrisons in Whitley Bay on the 11 December 2022 with 50 bags of groceries and over £100 donated which would be added to the running total and presented to Walking With at the March Youth Council meeting.
- Youth Councilors had visited Walking With in Wallsend to find out more about the work they did during the stay and chat session where they met with volunteers and asylum seekers, with more visits planned over the coming weeks.
- The first stage of online voting in the two elections for Young Mayor and Member of Youth Parliament had concluded and candidate numbers had been reduced to the top four in each election. Young people from all areas of the borough were still in the race, with candidates from George Stephenson, St Thomas More, Marden High, Monkseaton High, and Burnside. The second stage of voting on paper ballots would take place in schools and colleges in February.

The Elected Mayor thanked the Young Mayor for the update and the Young People for their excellent work, she also paid tribute to Daniel Taylor for his contributions in helping raise awareness for more accessible activities.

CAB81/23 2022-23 Financial Management Report to 30 November 2023

Cabinet considered the fourth monitoring report outlining the 2022/23 financial position. It provided an early indication of the expected revenue and capital financial position of the Authority as at 31 March 2023.

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 2022/23 approved budget savings plans; and an update on the Capital Investment Plan, including details of variations and reprogramming, that was recommended for approval.

The Authority's finances were complex in any year given the range of services that were delivered; the picture this financial year was even more volatile given the national and global economic challenges. At a Service level, before the application of planned contingencies and central funding, the gross pressure would be £23.511m. However, the budget for the year included contingencies of £6.752m and other central funding of £1.006m (both shown within the Central Items figure in Table 1). As a result, the total forecast year-end pressure for the General Fund, shown in Table 1 reduces to £15.753m. Table 1 sets out the initial variation summary across the General Fund, with a detailed commentary of variances included in Annex 1 to the report.

Included within the position for Central Items is £6.752m of contingencies. Whilst held in Central Items, its use was identified as: £3.116m to offset the pressures in Children's Social Care; £1.301m was supporting the under achievement of savings targets; and £2.325m to support the inflationary pressures being faced by the Authority. In September's report, a £0.316m saving was included reflecting the part year reversal of the national insurance increase along with a £4.927m of Minimum Revenue Provision (MRP) savings following the conclusion of External Audit work into the methodology change; these items remained in the forecasts. In 2021/22 these savings were set aside in a new MRP reserve, which remained on the balance sheet, but it was likely that the in-year saving would be required to support the bottom-line position in 2022/23, so was currently included in the forecast position. This gave a total underspend for Central Items of £13.002m.

Table 2 added further detail to the information in Table 1. The top half of table 2 breaks down the forecast £15.753m pressure into the main factors of covid legacy, utility, other inflation and other pressures. The covid pressures of £8.021m arose primarily from fees and charges income not yet returning to pre-pandemic levels and additional fixed term staff employed to cover increased demand or to enable front-line service provision to continue.

The lower half of Table 2 included details of funding set aside to support known pressures. As part of the 2022-2026 Medium-Term Financial Plan (MTFP) agreed by full Council in February, £2.200m was set aside from the Change Reserve to support additional pressures in Home to School Transport (£0.400m), Special Educational Needs (£0.400m), additional children's social care provision (£1.200m) and for the development of the Customer Relationship Management programme (£0.200m). The £0.400m relating to Home to School Transport had now been allocated to Commissioning & Asset Management and was reflected in the services projected position, with the remaining £1.800m supporting the overall corporate pressure, in Table 2. In addition, £2.000m was also set aside to create a Covid-19 Reserve as part of the 2022-2026 MTFP, this included £0.650m to support additional caseloads within Children's Services, £0.350m to support Home to School Transport and £1.000m to support reduced fees and charges income following the pandemic. The £0.350m relating to Home to School Transport had now been allocated to Commissioning & Asset Management and was reflected in the services projected position, leaving £1.650m to support the overall corporate pressure in Table 2.

Within the 2022-2026 MTFP, £0.150m was identified as planned use of the Insurance Reserve to support additional Repairs and Maintenance costs. The use of this funding had been included in Table 2. A further £1.300m of contingencies had not been applied to specific service areas/central items, so could support the overall corporate position.

Following the on-going review of provisions, the Authority had been able to release a provision of £0.300m relating to Special Guardianship Order costs, reported previously, along with a further £0.428m included in this report, giving an underspend of £0.728 in total. £1.925m of funding previously reported in July had now been allocated to help cover the cost of the Pay Award, which was now approved at £1,925 for every full-time equivalent employee. Despite this additional allocation, the cost of the pay award was higher than the funding set aside and was reflected in the overall forecast for the year, which was reflected in individual service areas in the top part of Table 2. The Authority carried forward £2.962m of Covid-19 related central Government grants from 2021/22. Of this £1.462m had been committed and was reflected in the £15.753m position reported in

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Table 1. The remaining balance of £1.50 was available to support on-going Covid-19 legacy pressures and was reflected in the revised position (Table 2).

Taking all of the above into account, the result was a forecast year-end pressure of £8.625m, which was an improvement of £0.175m since the previous Cabinet report.

The main service areas facing forecast overspends were those most exposed to the new, emerging pressures, which were impacting on top of the residual covid-impacts. Environment, which included Sports and Leisure activities, was experiencing income shortfalls from fees and charges, which continued to be at lower than pre-pandemic levels. That Directorate was significantly affected by energy costs, given it included streetlighting, leisure centres and customer first centres which were all energy intensive activities. In addition, higher inflation rates were significantly impacting on the waste management contract.

Children's and Adults' Services were forecasting significant pressures, as the impact of Covid-19 had seen the need to increase staffing levels to manage increases in both the complexity and volume of demand for services. This was also resulting in increased payments to external providers. This was not unique to North Tyneside and was being seen across the region and nationally. Commissioning & Asset Management was forecasting overspends in catering supplies and the cost of Home to School Transport, with the cost of supplies and fuel rising rapidly in this period of high inflation. The Resources Directorate was experiencing overspends in Legal Services, associated with the level of locum solicitors dealing with a combination of increased demand and job vacancies, as well as the impact of the recovery of benefit overpayments in the Revenues and Benefits Service.

Finance officers were continuing to work with Cabinet, the Senior Leadership Team and other senior officers across the Authority to review Business as Usual activity as well as challenging and reviewing the current projected risks the authority was facing in a number of key areas including 'Children's Services; High needs/SEND; Adults Social Care; Unachieved savings targets; Commissioning & Asset Management; Law & Governance; and Revenues & Benefits'. The aim of this work would be to ensure actions were in place to bring the outturn forecast for normal activities in on balance and it was anticipated the position would improve over the course of the financial year as planned remedial actions began to impact on both expenditure and income. Should any balance remain at year-end then this would need to be supported from the Strategic Reserve, significantly reducing the level of un-ringfenced reserves the Authority had available.

New savings of £4.720m were agreed as part of the Budget approved by full Council in February 2022 taking the total savings the Authority had had to find in the eleven years following the 2010 Comprehensive Spending Review (CSR) to £134.268m.

The governance structure of the Efficiency Savings Programme included a monthly review of progress by the Senior Leadership Team (SLT). In addition, in-year budget and performance progress meetings were held between officers and Cabinet Members to consider progress and actions being taken to deliver savings. The variations in relation to the savings were outlined in the sections below, with more detail included in the regular reports on this topic to the Overview, Scrutiny and Policy Development Committee.

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The new savings of £4.720m were combined with £2.537m of brought forward targets that still required a permanent solution from previous years, meaning the overall target to achieve in 2022/23 was £7.257m. These savings were factored into Tables 1 and 2 of the report but were shown separately in section 1.5.3.3 for transparency.

Adults Services were projecting to achieve the full £0.950m target. Within the CYPL pressure of £13.477m reported earlier, £2.800m related to the non-achievement of savings targets. In the previous financial year these savings had been significantly impacted by Covid-19 and as such, achievement had been supported by Central Government Covid-19 grants. With these grants not available in 2022/23 and on-going demand-led pressures already impacting the service, current projections were for these CYPL savings to remain unachieved in 2022/23.

Within Commissioning & Asset Management, £0.400m of cross-cutting 2022/23 savings were held with £0.036m projected to be achieved and £0.026m of the Procurement saving projected to be achieved to date by in year actions, with work on-going across the Authority to achieve the balance by the year end. The unachieved savings were included in the forecast pressure in the report (Table 1).

All savings in the other service areas were forecasted to be achieved.

Schools were required to submit their rolling three-year budget plan by 31 May each year and as reported previously the total planned in-year deficit for 2022/23 is £5.533m. The Authority had been working with schools for a number of years with regard to the long-term strategic issue of surplus secondary places and the associated financial pressures, which continued to be compounded by rising employment costs. Finance officers were working with schools to produce an update on 2022/23 school finances position which would be presented to Cabinet in the next financial report.

The High Needs Block ended 2021/22 with a pressure of £13.511m. The forecast of the Budget position for 2022/23 indicated an anticipated in-year pressure of £4.416m reflecting continued demand for special school places, producing a cumulative deficit balance of £17.927m.

The Housing Revenue Account was forecast to have year-end balances at 31 March 2023 of £0.281m. These balances were £0.090m lower than budget which was set at £0.371m.

Universal Credit was fully implemented across North Tyneside on 2 May 2018. As of the end of November 2022, 4,049 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 approved 2022-2027 Investment Plan totalled £331.281m (£103.523m in 2022/23) and was detailed in the Annex (Table 20) to the report. The Annex also set out (Section 4) delivery progress to date, planned delivery for 2022/23, reprogramming and other variations identified through the Investment Programme Governance process.

An officer led review of the Investment Plan had resulted in proposals for variations of £0.152m and reprogramming of (£10.942m) of which more details were set out in the Annex (Section 4). The revised Investment Plan stood at £92.733m for 2022/23 and to the

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end of November 2022 spend of £40.858m had been incurred which represented 44.06% of the revised plan.

The Investment Plan continued to face significant inflationary pressure and Senior Officers within the Authority had undertaken a review of the expected financial impact on approved schemes with the relevant project managers. The review had confirmed that for the majority of schemes there had been an ability to re-profile planned works to future years given supply issues and rising costs. However, in some cases it was proposed to utilise the Authority's contingency allocation within the Investment Plan in order to maintain delivery plans. The use of the contingency was managed as part of the Investment Programme Board governance arrangements. The corporate risk register included risks for such inflationary pressures to the investment plan and the position was monitored on an ongoing basis.

The 2021-2025 Our North Tyneside Plan (Council Plan) sets out the overall vision and policy context within which the Medium-Term Financial Plan and Budget were set. The Council Plan, "Building A Better North Tyneside", had five key themes – 'A caring North Tyneside; A thriving North Tyneside; A secure North Tyneside; A family-friendly North Tyneside; and; A green North Tyneside. For each theme there was a set of policy outcomes which the Authority was seeking to deliver; these were detailed in the Council Plan itself. The Authority had plans in place to deliver all elements of the Plan and performance against delivery was carefully monitored. An update report on the progress of delivering the 2021-2025 Our North Tyneside Plan was presented to Cabinet in September 2022.

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

Resolved that (1) the forecast budget monitoring position for the General Fund, Schools' Finance and Housing Revenue Account (HRA) and as at 30 November 2022 (Annex sections 1, 2 and 3), be noted;
(2) the receipt of (£1.134m) new revenue grants (as outlined in section 1.5.4 of the report), be approved;
(3) the Authority's Investment Plan spend of £40.858m to 30 November 2022 and the financing of the Plan to the end of the year (Annex Section 4), be noted;
(4) variations of £0.152m and reprogramming of (£10.942m) for 2022/23 within the 2022-2027 Investment Plan (Annex Section 4), be approved;
(5) the information on the Collection Fund (Annex section 6), be noted; and
(6) the write-offs of business rates identified in Table 29 (Annex section 6 paragraph 6.5.1), be approved.

(Reasons 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.)

CAB82/23 Calculation of the 2023/24 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 2023/24 had been calculated and requested approval of the calculation for 2023/24.

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The detailed Council Tax Base calculation for North Tyneside for 2023/24 was attached as Appendix A to the report, together with an explanation of the specific elements that formed part of this calculation. Within this calculation, adjustments had been made to reflect the effect of exempt properties, disabled relief, discounts and premiums. Specifically, these adjustments included:

- The estimated number of dwellings to be demolished during 2023/24;
- Assumed growth from anticipated new build properties during 2023/24 based on current estimates from the Planning Department;
- The estimated number of dwellings where the liable person qualifies for a disabled reduction;
- The estimated number of exempt dwellings during 2023/24;
- The Council Tax Support scheme in 2023/24; and
- The estimated number of premiums which apply to long term empty properties in 2023/24.

Applying the factors above adjusts to 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 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 Band 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 2023/24.

The Council Tax Base calculation for 2023/24 converted the number of dwellings within each of the Council Tax Bands into , A – H, had been Band D equivalents, using the appropriate proportions. The result of this calculation for 2022/23 was to produce a total number of properties prior to an allowance for non-collection and contributions in lieu of 63,596.

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.

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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% was proposed and agreed 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. This assumed collection rate continued, but in 2021/22 for one year, a lower rate of 98% was agreed to reflect the impact of Covid 19.

Council Tax in year collection had been challenging in recent years due to the impact of Covid-19, and it was likely that 2023/24 would continue to see in year collection being difficult due to the rising cost of living and the impact this was having on resident's incomes. As at the end of November 2022 the in-year collection for 2022/23 is 0.10% ahead of 2021/22 at the same point, which was an improvement against the 2020/21 figure. However, the Authority was still behind by 0.40% against the collection rate at the same point in 2019/20. The collection rate at this point was only an approximate indicator of the assumed Council Tax collection performance, given the significant time lag effect between in year and ultimate/long-term Council Tax collection performance. Whilst the Authority did see an increase in residents claiming Local Council Tax Support during 2020/21, the number claiming was now reducing.

Having considered various issues in relation to the collection rate for 2023/24, which were detailed in the report, it was proposed that an assumed Council Tax Collection Rate of 98.50% was set as part of the 2023/24 Council Tax Base calculation, which was the same assumed collection rate that was in place when setting the 2022/23 budget and was still considered to be achievable long term. In-year collection has improved against 2021/22 at the same point, recovery of Council Tax debt was ongoing, and the number of Council Tax Support claims are reducing. The Authority was still mindful that, since 2020/21, working age Council Tax Support claimants have been further assisted with up to £150.00 additional support against their Council Tax, and this would continue in 2023/24.

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 2023/24 this figure for the Authority, which related to Ministry of Defence properties, was 50 Band D equivalent properties.

An increase in the collection rate increased the Council Tax Base and a reduction in the collection rate reduced the Council Tax Base. An illustrative example of the impact of different Council Tax collection rates was shown in section 1.6.1 of the report. There were no increases shown beyond 98.5% as this was not felt viable in the current economic situation.

The 2023/24 Council Tax Base for the whole of North Tyneside after the allowance for non-collection and payments in lieu is 62,692 Band D equivalent properties. This equated to an increase of 463 Band D equivalent properties compared to the 2022/23 figure.

Cabinet considered the following decision options: to set the 2023/24 Council Tax Base for North Tyneside Council using an assumed Council Tax collection rate of 98.50% and

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agrees the change to the Council Tax Support Scheme, or alternatively, not to agree the proposed Council Tax Base calculation and asks officers to undertake further work on the proposal.

Resolved that (1) the report on the calculation of North Tyneside's Council Tax Base for 2023/24, be approved; and
(2) the assumed Council Tax collection rate for 2023/24 is set at 98.50% and therefore the amount calculated by North Tyneside Council as its Council Tax Base for 2023/24 will be 62,692 Band D equivalent properties, pursuant to this report and in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, be agreed.

(Reasons for decision: The proposed 98.50% assumed Council Tax collection rate, is felt to be achievable for the reasons set out in paragraph 1.5.13 of this 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 2024/25.)

CA83/23 North Tyneside Air Quality Strategy

Cabinet received a report seeking approval to consult on the draft North Tyneside Air Quality Strategy 2023-2028.

Air quality had an effect on the environment, human health and global warming. The National Clean Air Strategy indicated that air pollution was the top environmental risk to human health in the UK, and the fourth greatest threat to public health after cancer, heart disease and obesity. According to the latest data published in the Public Health Outcomes Framework (PHOF) 5% of deaths in England were attributable to long-term exposure to particulate air pollution. Poor air quality shortens lives and contributes towards chronic illness as long-term exposure to air pollution can cause chronic conditions such as cardiovascular and respiratory diseases as well as lung cancer, leading to reduced life expectancy.

In recognition of the impacts of air quality on health, the Local Air Quality Management (LAQM) policy guidance 2022 ('the guidance') published by the Department for Environment Food and Rural Affairs requires local authorities that have not had to designate an area an 'Air Quality Management Area' and thereafter been required to produce an 'Air Quality Action Plan' to now produce a local Air Quality Strategy for addressing air pollution in their area from 2023. This Strategy is intended to bring together all existing policies and strategies into one comprehensive focused document.

As the Authority had not had to declare an Air Quality Management Area and produce a resulting Air Quality Action Plan, it is one of the local authorities required to produce a local Air Quality Strategy. There is no set format for the Air Quality Strategy and in developing

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the Strategy the Authority has been able to draw on the content in the last Annual Status Report on Air Quality and other plans such as the Authority's Transport Strategy.

The guidance encouraged local authorities to take early preventative action to improve local air quality, avoid exceedances of the air quality objectives set out in The Air Quality (England) Regulations 2000 and reduce the long-term health impacts associated with air pollution. It was anticipated that this approach would enable local authorities to adopt measures that reduced the need for costly health interventions at a later date.

The Air Quality Strategy was intended to set out the aims of the Authority to maintain and improve air quality and show how collectively the Authority would work to improve air quality. The aims included how to encourage change to achieve good air quality. As well as setting out actions to reduce pollutants which would improve health, the Air Quality Strategy would set out the actions which would be taken to help to reduce global warming associated from gases such as carbon dioxide, nitrogen dioxide and particulates. The Air Quality Strategy would provide greater focus on how small improvements in air quality would impact public health outcomes.

The Air Quality Strategy linked into existing policies including planning, transport and the Carbon Net Zero 2030 policies adopted by the Authority aimed at improving air quality across the Borough. All policies adopted by the Authority must consider the impact on the environment and the Authority recognised the need to reduce its own carbon footprint, and to consider measures that would promote and support a reduction in greenhouse gases. The policies and teams would assist as follows: 'Transport Strategy - aims to reduce congestion and promote cleaner transport. Planning Policy - seeks to maintain and improve air quality with the expectation that developers will assess the impact of any development on air quality and the environment and to provide mitigation measures. Environmental Health will act as the consultees on reviewing such air quality assessments. Public Health will provide an important role in demonstrating how pollutants impact on health and ensure adequate focus given to health inequalities. Development of the draft Strategy involved the establishment of a steering group made up of officers from different areas of the Authority who were currently involved with actions that contributed towards the improvement of air quality of the Borough. This included officers from Environmental Health, Public Health, Transport, Planning and Sustainability. The aim of the group was to identify aims and actions that regulated or encouraged reductions in air pollution and ensured appropriate mitigation measures were in place to reduce emissions and air quality exposure.

Progress on the Strategy would be reported annually through the Annual Air Quality Status Report which it proposed would be produced and published by the Director of Public Health. The draft Air Quality Strategy was attached at Appendix 1. The aims of the strategy were:

- To maintain and improve air quality and health
- To reduce transport related emissions
- To review air quality in planning policy, development and land use
- Reviewing and promoting reductions in emission from industrial processes
- Promoting public health and improving health outcomes linked to air quality
- Encouraging public participation and Informed choices on air quality and Health
- To review and promote benefits of carbon Net Zero Action Plan on air quality

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- To ensure the Authority works collaboratively.

The Annual Status Report in addition to providing a review of the air quality in the borough, would provide a progress report on the actions set out in the local Air Quality Strategy. The Annual Status Report would consider new or changing sources of emissions and monitoring would be focused on any polluting areas.

The Strategy would be reviewed at least every 5 years. Currently, local authorities had a duty under the Environment Act 1995 to monitor and review air quality against short and long-term exposure objectives and to publish an Annual Status Report that was submitted each year to the Secretary of State. This report had consistently established that the pollutants of main concern in the Borough were fine particulates and nitrogen dioxide that arose from the burning of fossil fuels. Traffic was the predominant source of pollution in the Borough. The monitoring of air quality in North Tyneside between 2017 to 2021 had shown that North Tyneside had no exceedances in the UK air quality objectives set out in the Regulations referred to above.

The Environment Act 1995 requires local authorities to declare an Air Quality Management Area if exceedances in the air quality objectives are found in their area and to produce an Air Quality Action Plan. Although the Authority had not needed to declare an Air Quality Management Area within the Borough, it continued to actively monitor air quality through 29 indicative monitoring sites located in the Borough. The locations were chosen based on potential exposure to high levels of pollutants and were predominantly sites located in residential areas adjacent to roads that had a high traffic flow.

An engagement period of six weeks from 30 January 2023 to 6 March 2023 would enable responses to be received from those wishing to comment on the draft Strategy. External engagement would involve consultation with the members of the public, businesses and interest groups with responses reported back to Cabinet at the conclusion of the consultation exercise.

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

Resolved that (1) the Director of Public Health be authorised to commence public consultation on the draft North Tyneside Air Quality Strategy 2023-2028 attached at Appendix 1 to the report;
(2) a further report be received by Cabinet at the conclusion of the public consultation process when Cabinet having regard to any consultation responses will be asked to agree to the adoption of the Air Quality Strategy; and
(3) the Director for Director of Public Health, in consultation with the Cabinet member for Environment, be authorised to approve and publish an Annual Status Report on Air Quality and to submit the report to the Secretary of State on behalf of the Authority.

(Reason for decision: To allow engagement to be commenced which will enable the Authority to have a considered and approved Strategy in place. This will ensure that the Authority meets the requirements set out in the Local Air Quality Management Policy

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guidance and that the subject of air quality is promoted and remains high on local agendas.)

CAB84/23 Storm Arwen Task & Finish Group

A report was received seeking approval for the proposed response to the recommendations made by the Storm Arwen Task & Finish Group established by the Overview, Scrutiny and Policy Development Committee to undertake a review into the Authority's handling of the emergency response to Storm Arwen.

The Authority had a responsibility to respond and recover from emergency events that occurred in the borough. The majority of these were minor but significant incidents could, and did, occur that tested the arrangements in place and the resources available.

Emergency preparedness was a key priority for the Authority. Plans were in place, key people were trained, and regular exercising took place, most often on a multi-agency basis locally, regionally and nationally. This had enabled the Authority to respond strongly to what the borough had faced. In addition to the series of storms last winter, significant events in recent times requiring an emergency response had included 'Thunder Thursday' in 2012 and the global coronavirus pandemic in 2020.

Last winter the borough experienced the impact of six named storms over a period of eleven weeks. Storm Arwen was the most significant. A rare 'Red' weather warning was issued and the impact for the borough and the wider Northumbria area was the worst since 1953.

The handling of the emergency response was debated by full Council in January 2022 leading to the Storm Arwen Task & Finish Study Group being established by Overview, Scrutiny and Policy Development Committee to undertake a review. The Committee reported its findings to Cabinet in November 2022 and this report provided Cabinet's proposed response to the recommendations made by the Storm Arwen Task & Finish Study Group. It was noted that the Group:

- Recognised the comprehensive information on the Authority's emergency planning obligations in relation to weather events that exists,
- Recognised the extent of the storms and how the Authority prepared, communicated, co-ordinated response activity for each storm, which included identified good practice and what lessons had been learned,
- Understood the primary priority in any emergency event should, and will always be, to ensure the safety of life,
- Established there was a clear understanding that the Authority would carry out its statutory duty to carry out all recovery works.

In addition, the Group concluded that:

- The Authority was able to rapidly mobilise staff with the necessary specialist technical skillset to support the range of requirements needed to keep residents and property safe,
- This activation and effective mobilisation reduced possible further impacts to residents and business within the borough, and

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- By its very nature, resilience and emergency planning practice constantly evolves through experience.

The Storm Arwen Task & Finish Group identified four recommendations. These were outlined in the Appendix (Action Plan) to the report along with officer commentary and responses.

In terms of next steps, every service area within the Authority had their own business continuity plan and, where appropriate, emergency response plan(s) in preparedness for providing a resilient response to disruption events. The Director of Public Health had corporate responsibility for the coordination of this and the Authority's overall approach to emergency planning and resilience. An Emergency Planning Leadership Group (EPLG) had been established to provide appropriate governance arrangements and assurance that the statutory responsibilities contained within the Act were being met and supported the themes of the Our North Tyneside Plan.

It was proposed that Cabinet delegate authority to the Director of Public Health to address the recommendations made by the Storm Arwen Task & Finish Study Group via the Emergency Planning Leadership Group (EPLG).

The Cabinet Member for Community Safety and Public Protection thanked the Storm Arwen Task & Finish Group for their work, the Overview, Scrutiny & Policy Development Committee for making it happen, and the Authority's officer teams who worked tirelessly over the weekend of the storm and coordinated the considerable recovery effort over several weeks later.

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

Resolved that (1) the responses by Cabinet to the recommendations from the Overview, Scrutiny and Policy Development Committee in relation to its study into Storm Arwen as set out in the Appendix (Action Plan) to the report, be agreed; and (2) the Director of Public Health be authorised to deliver the proposed actions set out in the Appendix through the Emergency Planning Leadership Group, as set out in paragraph 1.5.6 of the report.

(Reason for decision: This will provide confidence that the Authority continues, in a healthy way, to learn from emergency events and to ensure it complies with its statutory duties under the Civil Contingencies Act 2004.)

CAB85/23 North Tyneside Highway Asset Management Plan Annual Information Report 2022

Cabinet received the North Tyneside Highway Asset Management Plan (HAMP) 2017-2032 Annual Information Report 2022 which summarised the work undertaken to demonstrate progress against delivery of performance of the Highway Management Plan during the past 12 months, future planned work activities and other items of relevant interest.

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North Tyneside Council was responsible for an extensive highway network and feedback from its residents had consistently told the Authority that the maintenance of roads and footpaths was a top priority.

In September 2017, Cabinet had adopted a new HAMP 2017 - 2032, setting out the Authority's approach to maintaining North Tyneside's highways and responding to the Elected Mayor and Cabinet's policy direction which included providing a greater emphasis on footways. The HAMP included a commitment to provide Cabinet with an annual information report outlining progress and key issues associated with the maintenance of the Authority's public highway network.

Currently the highway maintenance activities delivered through the HAMP were funded through a number of funding streams as detailed in the report.

Since the introduction of the HAMP, the Authority had been able to maintain the highway network to a good standard, mainly due to its commitment to provide additional investment. However, this had not been without its challenges, most notable of which was in adequate funding from Central Government coupled with increased costs of materials arising from inflation and other world events. Improvement of the network would not have been possible had the Authority been solely reliant on Government funding.

The requirement to operate within government funding restraints and the increased costs of highway maintenance due to recent world events were significant challenges. However, in response to these challenges, the HAMP provided a structured programme of targeted investment into the highway network with the objective of ensuring it was maintained in a serviceable condition to meet the needs of the travelling public and businesses.

The Authority had also seen a change in how it managed and invested in the highway network. In line with the Authority's commitment to increase active travel, the Authority had introduced schemes that had reallocated road space to cycling. This included improvements to Rake Lane Roundabout together with the introduction of cycle lanes on Middle Engine Lane. These, together with other planned works would see a greater use of the highway by a broader mix of users.

The Authority had also secured around £5.5m funding for schemes through Active Travel England and Transport North East which had enabled delivery on the ground. This had ensured that active travel and the reallocation of highway space to accommodate sustainable travel modes had been embedded in the Authority's regeneration plans for North Shields.

However, this opportunity to increase active travel and investment in the Authority's highway infrastructure would also bring increased maintenance liabilities that would need to be factored into the Authority's future financial planning. Based on current funding trends, there was a concern that it would be difficult to sustain the condition of the network in future years. In addition to limited Government funding for core maintenance works, the issue had been exacerbated by the sudden increase in construction costs due to the inflation crisis and the war in Ukraine. The cost of surfacing materials were now 22% higher than they were 12 months ago. This translated to around 10 less roads being resurfaced in 2022/23 compared to previous recent years. As such, as the Authority

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looked ahead, it would need to align its core maintenance funding with external investment and targeted interventions where they would have the maximum impact.

Over the last 12 months, a number of positive changes to the highway maintenance service had been made such as improvements to operational processes and initiatives that would assist the Authority in achieving its policy objectives around carbon reduction.

The HAMP Annual Information Report 2022 attached as Appendix 1, would be used to inform investment choices and address the current challenges of maintaining the highway network. The report was aimed at supporting those investment choices so that any decisions about changes in highway maintenance priorities and resources could be made in an informed manner having regard to the Authority's policy objectives.

Following the Cabinet meeting, all Ward councillors would be invited to view the HAMP Annual Information Report via the members intranet. The report would also be published on the Authority's website so it could be viewed by the public.

The following key highlights could be drawn from the annual report:

- The highway network was the most extensive and valuable asset in the Authority's ownership.
- The highway network is a strategically important asset, and a well-maintained network is vital to support the local economy. Every day, thousands of residents are reliant on the highway network to travel to work and school. Visitors to the borough also use the network to access the Authority's various tourist attractions which further stimulates the local economy.
- The current total value of highway assets was £1,840,000,000 (£1.84 billion).
- The successful implementation of the HAMP and the adoption of asset management principles by the Authority was demonstrating that, over the years, the condition of the road network was improving. However, the Authority was now at a point where if improvement was to continue on the current trajectory, further investment would be required.
- Due to continued additional Authority investment over the years, the highway network was currently in a serviceable state. However, the constraints around Government funding coupled with concerns around inflation and other recent world events would continue to have a serious impact on the cost of highway maintenance.
- The report suggests that consideration should be given to reviewing investment and maintenance priorities in light of the emerging funding and inflation issues. The report advises that highway officers will commence discussions with the Elected Mayor, the Cabinet Member for the Environment and the Senior Leadership Team around what options might be available for the future management of the network in the most effective way.
- With regard to reactive maintenance and core services, the Technical Services Partnership continued to largely achieve its Key Performance Indicator targets and

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through its Annual Service Plan was identifying innovative ways of working and service improvements which was evident in the report.

- Continued customer engagement was providing better intelligence concerning resident satisfaction and new initiatives were being developed to better understand customer priorities. Feedback received from customers on their investment priorities would be used to inform forward programmes of improvement work.
- The Authority had successfully delivered all programmed highway asset improvement schemes to date.

Resolved that the content of the Highway Asset Management Plan Annual Information Report 2022 attached as Appendix 1, be noted.

CAB86/23 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act.

CAB87/23 Strategic Partnership Update

Cabinet considered a report seeking approval for the proposals to the variation to the Business Services Partnership.

The Authority had a vast and diverse supply chain; its purchasing power and influence to deliver Policy Priorities were strong. It was a Council Plan priority to review how it procured goods and services. As part of this, negotiations had been undertaken with the Authority's strategic partner Equans, which followed previous discussions that resulted in elements of the ICT and finance service being returned to the management of the Authority. It was now proposed that the remaining ICT and finance functions return to the Authority, together with the human resources, and the print and post room functions. This would provide the Authority with the opportunity to deliver further savings and deliver operational priorities.

The report set out the basis to conclude those commercial negotiations.

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 accept the recommendations.

Resolved that (1) the variation to the Business Services Partnership as set out in paragraph 1.5 of the report, be agreed;
(2) the Director of Resources, in consultation with the Cabinet Member for Finance and Resources and Director of Commissioning and Asset Management, be authorised to conclude all necessary arrangements to finalise commercial arrangements as detailed in the report, where this would represent value for money for the Authority;
the Director of Resources, be authorised to novate, extend and procure any associated third-party contracts associated with the transfer; and
the Director of Resources, in consultation with the Cabinet Member for Finance

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and Resources, Director of Commissioning and Asset Management, be authorised to re-procure and award a contract to the bidder who was the most economically advantageous for occupational health services.

(Reason for decision: The Authority needs to continue to deliver value for money. The return of staff to the Authority will maximise value for money, flexibility of services and there is potential to improve service delivery within the transferring services.)

(Note: Councillor C Johnson and Councillor S Graham declared a registerable personal interest in the following item of business, left the meeting and did not take part in any discussions).

CAB88/23 Regeneration of 11/12 Northumberland Square

Cabinet considered a report seeking approval for the Authority to refurbish and regenerate the long-term derelict property at 11-12 Northumberland Square (as marked on the Site Plan at Appendix 1 to the report), to agree to sell the completed scheme in order to achieve best value, and to support the delivery of the Our North Tyneside Plan.

The historic Grade II listed property had been vacant since 2011 and was in significant need of repair. As a direct result of current economic pressures and high levels of inflation, Aurora Properties (Sale) Limited, (Aurora), had informed the Authority that they were unable to acquire the Property and proceed with a scheme of residential conversion, as it was not economically viable.

Therefore, to reduce the liability to the Authority, it was proposed that the Authority intervenes and secures the regeneration and preservation of the property, addresses market failure and improves the surrounding area. To achieve this, it was proposed that the Authority benefits from a procurement exercise already undertaken by the Authority on behalf of Aurora where tenders were sought from contractors for the conversion scheme at the property in addition to a new build scheme at the site of the former Unicorn House at Stephenson Street in North Shields.

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 accept the recommendations.

Resolved that (1) the Director of Commissioning and Asset Management, in consultation with the Director of Resources and Cabinet Member for Finance and Resources and the Assistant Chief Executive, be authorised to review the tenders received in response to the procurement exercise undertaken by the Authority on behalf of Aurora for the refurbishment of the properties at 11-12 Northumberland Square and, to progress to award the contract to the most economically advantageous tenderer;

(2) subject to (1) above, the Director of Commissioning and Asset Management, in consultation with the Director of Resources and Cabinet Member for Finance and Resources and the Assistant Chief Executive, be authorised to develop a sales strategy for the developed scheme to achieve best value for the Authority; and

(3) the Director of Commissioning and Asset Management, be authorised to take all necessary steps to implement the resolutions set out in (1) and (2) above.

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(Reasons for decision: It will allow for the completion of the Authority's regeneration ambitions at Northumberland Square. It will reduce derelict properties and supports the Authority's ambition for improving North Shields Town Centre; and it will provide new homes into North Shields and reduce the Authority's liability with regards to its ownership of a listed building that is in significant need of improvement).

CAB89/23 Date and Time of Next Meeting

6.00pm on Monday 30 January 2022 (Extraordinary).

Minutes published on Thursday, 26 January 2023.

Minutes published on Thursday 26 January 2023. 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 Thursday 2 February 2023.

Monday, 23 January 2023