

Cabinet

Monday, 18 September 2023

Present: N Redfearn (Elected Mayor) (in the Chair)
Councillors P Earley, S Graham, J Harrison,
Janet Hunter, H Johnson, A McMullen and S Phillips

In Attendance: C Quinn (Young Mayor)
D Hodgson (Business Representative)
D McNally (Age UK, North Tyneside)
V Smith (Voluntary and Community Sector)
R Layton (NT Joint Trades Union Committee)

Apologies: Councillors C Johnson and K Clark

CAB41/23 To Receive any Declarations of Interest and Notification of any Dispensations Granted

Councillor Janet Hunter declared a registerable personal interest in agenda Item 8: Ambition for Education – Update, as she was a Local Authority School Governor.

Councillor Anthony McMullen declared a registerable personal interest in agenda Item 8: Ambition for Education – Update, as he was a Local Authority School Governor.

CAB42/23 Minutes

Resolved that the Minutes of the previous meeting held on 31 July 2023 be confirmed and signed by the Chair.

CAB43/23 Report of the Young Mayor

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

- Visiting Shiremoor Adventure Playground to drop off bags of ingredients for young people who took part in a cookery session as part of the Ready Steady

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Grow Competition to create a recipe card that would be included into a cost cutting guide.

- Youth Councillors took part in a social litter pick at Longsands beach.
- In preparation for the State of the Area Event in October Youth Councillors worked with the Council's Environmental Sustainability Team, to develop a Carbon Net-Zero workshop with focus on the 6 key strategic themes.
- Attended a tabletop games taster event at West Allotment, Young People provided the opportunity to try out new activities and awarded a grant from the Young Mayors Community Fund. The event's aim was to encourage young people to try activities and find out more about West Allotment Wildlings.
- The Young Mayor attended the opening of the new Transport Hub in North Shields and Youth Councillors' took part in the North Tyneside Together Event in Northumberland Square.
- Youth council members met with the sustainable environment team to hear about the Council's plans for vapes and waste electrics and provided their ideas to the design and location of the new Vape Bins.
- Young Carers Centre staff attended the Youth Council meeting where they shared their knowledge.
- Killingworth Youth Councillor Daniel McTiernan took part in the launch of North Tyneside Council's Neat Streets initiative for cleaner, greener, safer neighbourhoods and was also interviewed on Global Radio.
- The Young Mayor met the Chief Superintendent Area Commander Sam Rennison to talk about the new policy on responding to people with mental health issues.

CAB44/23 2023-24 Performance and Financial Management Report to 31 July 2023

Cabinet was provided an overview of both the service delivery performance and budget position across the Authority as at 31 July 2023.

The performance set out the key areas of service delivery, including the impacts in budget terms, with the budget forecast outturn position to 31 March 2024 for both revenue and capital.

The report detailed the current position in relation to schools finance, the Authority's Investment Plan, developers' contributions and treasury management. In addition, it provided details of additional revenue and capital grants received

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up until 31 July 2023 for Cabinets approval.

In terms of performance, service delivery overall across the Authority remained strong. The Authority continued to manage high levels of demand in several areas including Education, Health and Care Needs Plans, children in care, children in need, home care provision, residential and nursing care placements all of which had financial implications.

Key areas of strength were the delivery of the Our North Tyneside Plan 2021-2025 priorities such as the affordable homes programme and carbon net zero. The Ambition for North Tyneside Programme was progressing well with regeneration projects across the four areas of the borough.

Capital investment continued to deliver planned improvement works helping to maintain council homes at the decent homes standard. Council Tax and Business Rates collection also remained on track.

Since its last report, the number of children in care had increased from 362 in May to 376 in July. The Authority had an additional 64 children in need and an additional 46 children in care, compared to budgeted levels. The result of the additional children in care compared to May combined with the current mix of placements had driven a £1.093m worsening of the Children's position, to a total forecasted pressure of £6.474m. All other services areas had seen their financial position improve that facilitated to mitigate the increase in Children's resulting in an overall improvement of £0.389m to the position compared to May 2023.

The budget's overall projection for 2023/24 was that the General Fund would outturn with a pressure of £11.311m and the Housing Revenue Account had a forecast underspend of £0.053m.

The report also set out the programme in place to manage and mitigate the 2023/24 budget pressures and form part of the 2024-2028 Medium Term Financial Plan.

Resolved that Cabinet

- i. Noted the update provided on the Performance of the Authority including updated data on the key pressures facing the Authority and progress against

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the Our North Tyneside Plan 2021-2025,

- ii. noted the forecast budget monitoring position for the General Fund, Housing Revenue Account (HRA), schools finance and Treasury Management together with the service delivery performance position across the Authority as at 31 July 2023 (sections 1.5.1, 1.5.2, 1.5.3 and 1.5.5 of the report),
- iii. noted the Authority's Investment Plan spend of £19.264m to 31 July 2023 and the proposed financing of the Plan to the end of the year (section 1.5.4 of the report),
- iv. approved variations of £5.579m and reprogramming of £8.489m for 2023/24 within the 2023-2028 Investment Plan (section 1.5.4 of the report) and note the current position with Developers' Contributions (section 1.5.6),
- v. approved the receipt of £1.066m new revenue grants (as outlined in section 1.5.7 of the report), and £0.775m of new capital grants to be applied in 2023/24 (as outlined in section 1.5.8 of the report), and
- vi. approved the budget setting timetable for the 2024/28 Medium Term Financial Plan (as outlined in Appendix 2 appended to the report).

(Reason for decision: It is important that Cabinet continues to monitor performance against the Budget, especially given the current level of financial pressures faced by the public sector).

CAB45/23 Public Spaces Protection Orders

Cabinet received a report in relation to tackling environmental crime. Having legal powers available to effectively manage and enforce environmental crime was essential to the quality of life of the community and Public Spaces Protection Orders (PSPOs) provided the Authority with an important enforcement tool.

In October 2020, Cabinet approved the extension of existing PSPOs within the Borough, covering the control of dogs and the consumption of alcohol in public spaces. Cabinet was informed that PSPOs could not last for more than 3 years and the current PSPOs in place would expire in October 2023 if not extended.

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Cabinet approved a 4-week public consultation exercise on proposals to extend the existing PSPOs for a further 3 years at its meeting 22 May 2023, where it agreed to receive a further report following the conclusion of the consultation exercise to determine if it was 'reasonably satisfied'; in accordance with the enabling legislation, to extend the PSPOs.

The report detailed the outcome of the consultation exercise and requested Cabinet to determine whether the PSPOs should be extended for a further 3 years.

Resolved that Cabinet

- i. noted the consultation exercise undertaken on the proposed extension of Public Spaces Protection Orders for a further period of 3 years and the consultation responses as outlined in the report;
- ii. approved the making of the Orders at Appendix 5 of the report that would extend the original Public Spaces Protection Orders for a further period of 3 years;
- iii. authorised the Head of Law in consultation with the Director of Environment and the Cabinet Member for Environment to correct any minor drafting errors that may be identified in the Orders referred to in ii above, and make minor amendments including deletions and insertions that may be necessary to ensure that the Orders extending the Public Spaces Protection Orders, reflected the intentions of Cabinet as set out in the report;
- iv. authorised the Head of Law in consultation with the Director of Environment and the Cabinet Member for Environment to make the Orders at Appendix 4 of the report, subject to the correction of any minor amendments in accordance with recommendation iii above and to undertake all ancillary matters associated with the recommendation, including the signing of the Orders on behalf of the Authority; and
- v. authorised the Director of Environment and the Cabinet Member for Environment to consider the key emerging themes arising from the public consultation and undertake any action considered appropriate.

(Reason for decision: the PSPOs in place within the Borough would expire at

midnight on 19 October 2023. If the PSPOs were not extended before the expiry they would cease to have effect, resulting in the Authority having no controls in place to tackle anti-social behaviour relating to dogs and the irresponsible consumption of alcohol in public spaces and the detrimental effect that such behaviour can have on the quality of life of those in the community. Given the outcome of the public consultation exercise coupled with the other available evidence Cabinet could be reasonably satisfied that extending the PSPOs currently in place was necessary to prevent the occurrence or recurrence of the activities identified in the PSPOs after the expiry of the PSPOs, or an increase in the frequency or seriousness of those activities after the expiry of the PSPOs).

CAB46/23 Review of Part of North Tyneside Council's Hackney Carriage and Private Hire Licensing Policy

The current North Tyneside Hackney Carriage and Private Hire Licensing Policy (“the Policy”) included a section on vehicle age standards for licensed vehicles which was due to come into force on 1 April 2024. Due to the introduction of the Newcastle/Gateshead Clean Air Zone (CAZ) and the vehicle standards that apply to the CAZ, in addition to approaches from the licensed trade about the vehicle age standards section of the Policy, it was considered prudent to test whether this element of the Policy remained fit for purpose if it were to be implemented in April 2024.

At its meeting on 22 May 2023 Cabinet agreed to the commencement of a four-week public engagement into the proposed options available in relation to the vehicle age standards section of the Policy. The responses to the public engagement exercise are set out in Appendix 2 appended to the report.

The report presented to Cabinet the proposed revised vehicle standards paragraph of the Policy and sought permission to delegate authority to the Director of Public Health to amend the Policy accordingly.

Resolved that Cabinet:

- i. Approved the proposed amendments to the existing age standards of licensed vehicles chapter of the Authority’s Hackney Carriage and Private Hire Licensing Policy as set out at paragraph 1.5.5 of the report, having regard to the consultation responses at Appendix 2 of the report and the

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other matters set out in the report;

- ii. Authorised the Director of Public Health, to take all necessary steps to amend the Policy accordingly and to publish the Policy.

(Reason for decision: The implementation of the vehicle emission standards as set out in paragraph 1.5.5 with effect from April 2024 aimed to strike a balance between the need to reduce vehicle emissions in the Borough and the wider region which could have a negative impact on the health of individuals as well as contributing to global warming, and the need to keep any additional costs to some of the licensed trade to a minimum. This was demonstrated by the fact that it was proposed that diesel licensed vehicles could be licensed 4 years older than under the existing age standards Policy and 8 years older for petrol vehicles than would be the case under the existing age standards Policy).

CAB47/23 Ambition for Education – Update

Cabinet received a report that informed that education in North Tyneside was a strong performer regionally and nationally.

It was reported that the Authority considered education was the catalyst for social mobility and the mitigation of deprivation; that championing the learner continued to sit at the heart of the Authority's decision making. The Authority continued to work with schools to tackle the priorities within the Ambition for Education document and the Special Educational Needs and Disabilities (SEND) Inclusion Strategy to improve outcomes for all pupils, to build on the Authority's partnerships to transform lives, uncap the potential of children and young people, and mitigate against the longer-term impact of COVID-19. It was acknowledged all of this needed to be achieved in a challenging environment for both schools and the Authority.

The report to Cabinet provided:

- Outline the national and local context
- Outline the key strategic challenges currently facing the education system in North Tyneside, the work already underway as part of the Strategic Education and Inclusion Review, and the further work required to tackle the

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challenges in partnership with educational leaders.

The key challenges were:

- Financial sustainability of Schools, in particular, Secondary provision;
- Increasing demand in relation to Children and Young People with Special Educational Needs and Disabilities (SEND);
- Post-16 Provision; and
- Local Plan proposals on School Places and Catchment areas.

Resolved that Cabinet

- i. Noted the key elements regarding the national and local context and noted the continued challenges facing education;
- ii. Recognised the significant work that had happened in relation to the key strategic challenges regarding Special Educational Needs and Disabilities provision prior to and since joining the Safety Valve Intervention Programme in April 2023 and agreed to progress the work identified;
- iii. Noted the work that had progressed regarding the Education Review; and agreed to progress the work with schools and governing bodies in the North East Planning Area and to seek a firm commitment by the end of October 2023 from them to protect the integrity of the current three-tier system and to continue to collaborate and work closely together to ensure educational and financial sustainability;
- iv. Agreed that if no firm commitment was received from schools and governing bodies in accordance with recommendation (3) above, to receive a further report to allow Cabinet to consider the alternative options available to the Authority to manage the existing financial risk;
- v. Noted the activities in relation to Catchment area amendments across the borough; and the intention to begin engaging with schools to explore options around future capacity / demand potentially arising from Local Plan Strategic sites;
- vi. Authorised the Director of Children Services, the Director of Commissioning and Asset Management and the Director of Resources in consultation with

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the Cabinet Member for Education, Inclusion, Employment and Skills, the Cabinet Member for Supporting and Protecting Children and the Cabinet Member for Finance and Resources to take all necessary steps to progress the work set out in the recommendations above; and

- vii. Agreed to receive further reports as required on the progress made as set out in the recommendations above.

(Reason for decision: It reflects the priorities agreed by the Elected Mayor, Cabinet Member, Headteachers and Chairs of Governing Bodies).

CAB48/23 Carbon Net-Zero 2030 Action Plan – Update

Following the July 2019 full Council declaration on Climate Emergency, and its acknowledgement of the gravity and urgency of the Climate Emergency, the refreshed Our North Tyneside Council Plan 2021-25, approved by Council in September 2021, included the following ambition: –

“We will publish an action plan of the steps we will take and the national investment we will seek to make North Tyneside Carbon Net-Zero by 2030.”

Cabinet received a report that provided a performance update since its previous report received in August 2022 and requested Cabinet’s approval to an update of the Carbon Net-Zero 2030 Action Plan that was appended to the report.

Resolved that Cabinet:

- i. noted the performance update in relation to the carbon footprint of the Authority and the carbon footprint of the Borough;
- ii. agreed the update of the Carbon Net-Zero 2030 Action Plan that was appended to the report; and
- iii. noted that a further progress report would be presented to Cabinet in 2024.

(Reason for decision: by agreeing the recommendations set out in paragraph 1.2

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of the report would support the delivery of the Our North Tyneside Council Plan 2021-25 Carbon Net-Zero 2030 ambition).

CAB49/23 North Tyneside Transport Strategy Annual Report 2022/23

Cabinet received a report that detailed the commitment within the Transport Strategy to provide Cabinet with an North Tyneside Transport Strategy Annual report 2022/23 that outlined activities and trends relating to transport in the borough over the previous year.

The report outlined that North Tyneside's transport network was becoming safer compared with the baseline, reflecting the Authority's significant and targeted investment in major schemes over recent years. Cycling continued to be prevalent as a way of getting around North Tyneside and air quality in the borough had been confirmed as compliant with legal standards.

Resolved that Cabinet noted the content of the report and noted the contents of the North Tyneside Transport Strategy Annual Information Report 2022/23 appended to the report at Appendix 1.

CAB50/23 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.

CAB51/23 0.4 of a Hectare of land at Stephenson Street, North Shields

Cabinet received a report that informed of land at Stephenson Street, North Shields that was available for the development of new homes.

Cabinet was informed that clearance had been given for the land to be marketed as a residential development opportunity on the open market.

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The report provided information about an offer received for the site by way of a sealed bid and asked Cabinet to agree to the terms of sale as detailed in Section 1.5 of the report.

Resolved that Cabinet:

- i. approved the sale of the Site to the successful bidder, subject to the main terms detailed in Section 1.5 and 2.2 of the report.
- ii. authorised the Director of Commissioning and Asset Management to agree any reasonable revisions to the terms of the sale of the Site in consultation with the Elected Mayor and the Director of Resources;
- iii. authorised the Head of Law to negotiate a sale contract, together with associated documents and complete the freehold transfer of the Site in accordance with all relevant legal requirements, the Authority's Constitution and Financial Regulations, and;
- iv. subject to the above recommendations being agreed authorised the Director of Commissioning and Asset Management in consultation with the Elected Mayor, Director of Resources and the Head of Law to take any further steps necessary to implement the decision of Cabinet.

(Reason for Decision: It was considered to be the most advantageous way forward to assist in the Authority's ambition to regenerate North Shields and also to assist with the Authority's affordable homes target).

CAB52/23 Date and Time of Next Meeting

Minutes published on Friday 22 September 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 Friday 29 September 2023.