

# Public Document Pack

## Cabinet

Monday, 16 October 2023

**Present:** Councillor C Johnson (Deputy Mayor)(In the Chair)  
Councillors C Johnson, K Clark, P Earley, S Graham,  
J Harrison, Janet Hunter, H Johnson, A McMullen  
and S Phillips

**In Attendance:** C Quinn (Young Mayor)  
D McNally (Age UK, North Tyneside)  
D Hodgson (Business Representative)  
M Wilkinson (Independent Chair, Audit Committee)

**Apologies:** Dame N Redfearn DBE (Elected Mayor)  
S Rennison (Northumbria Police)  
V Smith (Voluntary and Community Sector)  
R Layton (NT Joint Trades Union Committee)

**CAB53/23 To Receive any Declarations of Interest and Notification of any  
Dispensations Granted**

No declarations of interest or dispensations were reported.

**CAB54/23 Minutes**

**Resolved** that the Minutes of the previous meeting held on 18 September 2023 be approved and signed by the Chair.

**CAB55/23 Deputy Mayor**

The Deputy Mayor expressed his condolences on the recent death of Councillor Linda Arkley OBE.

**CAB56/23 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:

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- Shiremoor Adventure Playground had received 10 bags of produce to complete the first pilot of Ready, Set, Grow-the cost-of-living crisis cookery competition. The Environment Committee and Young Mayor had requested support from schools with this project. These schools including Norham High were set to create low-cost dishes.
- £1500 had been discharged in grants through the Young Mayor's Community Grant Scheme over the summer. £500 was awarded to the West Allotment Wildings for a board games night.
- £1000 had been awarded to the Young Carers Centre for numerous activities across the summer with their 16 -19-year-old members as part of the work to provide more positive activities for young people which was something that came out as a priority at the Youth Council conference.
- Several youth councillors and Young Mayor had taken part in a sponsored walk along the River Tyne and the coast to St Mary's Island, the money raised going into the fundraising pot for Pathways 4 All, with over £700 raised so far.
- The Young Mayor attended the successful opening of the North Shields Transport Hub and North Tyneside Together Event.
- The Young Mayor had met with Council officers regarding the new Vape Disposal Bins and would be working with the team to help support this project from a young persons perspective and helping track the progress and outcomes.
- Visitors from the Connect Mental Health team had attended Youth Council and give details of the new created Padlet online space, which included helpful information about keeping good mental health and how young people could get support if needed.
- The Mayor had met with a representative from Nexus regarding the North East Youth Transport Forum regarding issues around safety on the metro and the reliability of services. All local authorities in the Northeast had been approached to join us in this project.
- A visit from the School Improvement Officer who shared the statutory PHSE information with the young people, and asked members about their own experiences in school which would be used to help shape the service, and discussed how schools could get involved in the White Ribbon campaign.
- Youth Councillors, the Member of Youth Parliament and Young Mayor had attended State of the Area Event in October. In August, they had Youth worked with the Council's teams to develop a series of workshops for the event: Education for Life, Access Everywhere, Feeling Safe, Climate Futures

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and Participation in Democracy. They would be helping follow up on actions that came from this event as part of the 'Year of the Voice of the Child.'

- The Young Mayor had met with a member of the I met with a member of Public Health on the new policy around the Police change to responding to people with mental health issues, with strategies in place to ensure that people received the appropriate responses.
- Local Democracy Week commenced this week starting with the Youth Council debate on 17<sup>th</sup> October. Four schools would be debating the following topics: Public funds should be diverted from being invested in the motor industry and instead be invested in better public transport. Young People should be allowed to vote at 16 years old. Those interested were welcome to observe the debate and the Young Person's Question Time on 20<sup>th</sup> October to be held in Council Chamber, at Quadrant.

The Deputy Mayor thanked the Young Mayor for his update.

### **CAB57/23    Audit Committee Annual Report 2022/23**

Cabinet received the Audit Committee Annual Report covering the work performed by the Audit Committee in 2022/23.

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. Malcolm Wilkinson (Chair).

Mr. Wilkinson was in attendance at the meeting to present the Audit Committee report.

CIPFA 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.

The review identified that Audit Committee arrangements continued to be effective, however the 2022 revised good practice guidance raised a small number of areas requiring clarification and development as detailed in the report.

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The Annual report from the Audit Committee was attached as Appendix A. Mr. Wilkinson presented the report and summarised the key work undertaken by Audit Committee in 2022/23. .

The Deputy Mayor thanked Mr. Wilkinson for attending Cabinet on behalf of the Audit Committee to present the Audit Committee's Annual Report 2022/23 and thanked him and the Committee for the important work undertaken.

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 2022/23 attached as Appendix A to the report, be noted.

(Reasons for decision: Noting the Audit Committee Annual Report 2022/23 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.

Is aware of the main governance matters which have been considered by Audit Committee in 2022/23 and provides a formal opportunity to feedback to Audit Committee on its work and performance throughout the year).

### **CAB58/23 Procurement Plan 2023/2024**

Cabinet considered a report seeking approval to the Authority's Procurement Plan 2023-2024 to proceed with the relevant procurement exercises throughout the financial year and award contracts in accordance with UK public procurement legislation to the most advantageous tenders.

The Authority continued to spend a considerable sum on third party goods and services. The Authority's Constitution required that prior to any procurement commencing which exceeded £500,000 Cabinet approval must be obtained.

Carrying out robust tendering exercises ensured that the Authority received the best value for money. Given the wide range of services the Authority delivered, some key tender exercises this financial year would be procurement of an

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operator for the Rising Sun Country Farm, tenders for adults and children's specialist services, together with the procurement of new build housing.

The contracts identified in Appendix 1 to the report would require procurement exercises to be commenced in financial year 2023/24. These procurement exercises would continue to encourage bids from small businesses and would require at least one greener commitment to be made to support the Authority's target to be carbon net-zero by 2030. These tender exercises would include social value to support the Authority's five key themes of the Our North Tyneside Plan.

The Authority adopted its Procurement Strategy in March 2022, and details of the procurements process was set out in paragraph 1.5.2 of the report. Consultation prior to commencing a procurement with the relevant Cabinet Member was key, this would ensure that the Authority's priorities were achieved through its contracting arrangements. An evaluation team consisting of subject matter experts and the procurement team would evaluate each bid received against the published award criteria and in accordance with UK public procurement legislation. Prior to award of any contact, the evaluation result would be provided to the relevant Director of Service to approve the award together with financial assurance that the contract value would remain within existing budgets.

The Authority updated its Social value priorities in March 2022 and work was ongoing to develop a process, as part of the procurement and contract management actively, to monitor and manage social value throughout a contract lifecycle. Social value requirements had been an important aspect of the procurement process since the Public Services (Social Value) Act 2012, and this had directly resulted in benefits for communities across the borough as set out in paragraph 1.5.5 of the report.

Social value commitments had been monitored closely which had resulted in several positive social value achievements from projects across the borough. This had included charity gift donations, attending career events within the borough, grant funding for local Voluntary, Community spaces around North Tyneside. Further details of which were set out in Appendix 2 of the report.

The Authority had a Responsible Procurement Charter attached at Appendix 3 to the report, this sets out the Authority's expectations of its supply chain to ensure

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that the Authority was a responsible buyer. As a large organisation, the Authority could use its strength working with businesses who shared North Tyneside Council's values and objectives. It was therefore recommended that the Authority's Responsible Procurement Charter was amended to provide a commitment to those businesses confirming that North Tyneside Council would work together and coordinate relationships between key businesses in the borough.

Cabinet considered the following decision options:

Option 1: To approve the recommendations set out in paragraph 1.2 to carry out the necessary procurement exercises during the 2023/2024 financial year and approve the proposed amendments to the Responsible Procurement Charter.

Option 2: To not approve the recommendations and continue to consider 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;

(2) the key achievements in social value for the borough via procurement activity carried out in 2023 as set out at Appendix 2, be noted;

(3) the amendments to the Responsible Procurement Charter as set out in Appendix 3, be approved;

(4) the relevant Director in consultation with the relevant Cabinet Member, Director of Resources and the Head of Law, 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.)

### **CAB59/23    The Socio-Economic Duty**

Cabinet considered a report which set out the socio-economic duty contained

within the Equality Act 2010 and explores the option of voluntarily adopting the provisions.

The Equality Act 2010 provided a legal framework to protect the rights of individuals and advance equality of opportunity for all. The provisions under the Act relating to a planned 'socio-economic duty' had not been brought into effect in law in England (although they were now in force in Scotland and Wales) and therefore did not apply as a duty upon the Authority. It was understood that the Government did not have plans to bring it into force in England although no formal steps had been taken to repeal the provisions. In November 2010, the then Home Secretary, Theresa May announced that the UK Government had decided not to implement the duty.

However, a local authority may seek to voluntarily 'adopt' and implement the provisions of Section 1 of the Act which contained the socio-economic duty. It would be important for an authority to remain aware that where a 'duty' had been adopted on a voluntary basis it did not have the same standing and force as other provisions within the Equality Act 2010 or other legislation.

The duty was intended to affect how public bodies made strategic decisions about spending and service delivery and to enshrine in law the role key public bodies had in narrowing gaps in outcomes resulting from socio-economic disadvantage.

Voluntarily adopting the duty can complement current approaches to tackling socio-economic inequalities such as anti-poverty, inclusive economy, and equalities approaches, and where appropriate, contribute to a 'levelling up' agenda. Several English local authorities had already voluntarily adopted the duty.

In 2021, the Equality and Human Rights Commission stated the following on the issue of making England fairer:

"We believe the duty can help reduce the most pressing inequalities of outcome exacerbated by the pandemic by helping organisations ensure their decision making takes full account of socio-economic disadvantage. By adopting the duty, regional authorities can help support inclusive approaches to strategic decision making across

their organisations”.

The Local Government Association’s Equality Framework for Local Government (EFLG) 2001 was intended to help authorities comply with the Public Sector Equality Duty which is a legal obligation of the Equality Act 2010. While the framework had a focus on the nine legally protected characteristics, it also encouraged local authorities to consider other issues that might be affecting their communities and staff, for example, socio-economic inequality, caring responsibilities, rural isolation.

Section 1 of the Equality Act 2010 when in force would introduce a socio-economic duty on public bodies that required them:

“when making decisions of a strategic nature about how to exercise its functions” to “have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage”.

Section 1 asks public bodies to consider how their decisions and policies could increase or decrease inequality that results from socio-economic disadvantage. The explanatory notes which accompanied the Bill stated that:

“such inequalities could include inequalities in education, health, housing, crime rates, or other matters associated with socioeconomic disadvantage. It will be for public bodies subject to the duty to determine which socio-economic inequalities they are in a position to influence.”

Adoption of the duty by the Authority would build on and strengthen the current approaches to tackling socio-economic inequalities in North Tyneside. Since the COVID-19 pandemic and the subsequent cost of living crisis the socio-economic inequalities across the borough had been amplified. As a result, the Authority had had a much greater focus on socio-economic inequalities with clear policy steer from Cabinet.

There was both a moral and economic case for tackling inequalities. The gap in life expectancy and healthy life expectancy in North Tyneside had persisted over the last two decades. Men in the most socio-economically deprived wards of the



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borough can expect to live on average 11.4 years less than men in the least deprived wards. For women the corresponding figure was 9.9 years. There was also a 14 year gap in the average number of years lived in good health between people living in the most and least deprived areas of the borough.

In November 2021, the North Tyneside Health and Wellbeing Partnership agreed a strategy for reducing inequalities across the borough driven by socio- economic determinants. Equally Well: A Healthier, Fairer Future for North Tyneside (2021-2025) was published in November 2021. Underpinned by a detailed assessment of need and a clear evidence base, a detailed implementation plan was developed to deliver a wide range of interventions and initiatives, many led and delivered by the Authority. Examples include the poverty intervention fund, inequalities funding for VCS organisations, supporting people into employment, an enhanced holiday activities and food programme and warm welcome hubs.

Adoption of the duty would further support:

- Strong and visible leadership and the clear commitment to tackling socio-economic inequalities in North Tyneside
- Widespread organisational commitment to, and consideration of, socio-economic inequalities including embedding culture change.
- Cross organisational and cross departmental working.
- Effective partnership working.
- High awareness of socio-economic inequalities within organisations and among partners.
- Increased engagement with residents in areas of the borough that suffer the greatest inequity.
- Systematic approaches to equality impact assessments and assessment of policy and practice more broadly.
- Systematic data gathering and analysis.
- Effective use of data as a tool for decision making and to monitor impact and compliance.
- Effective and efficient allocation of resources.

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

**Resolved** that (1) the contents of the report, be noted;

(2) the voluntarily adoption of the provisions of the Socio-Economic Duty for incorporation into North Tyneside Council's ongoing work and processes relating to equalities, diversity and inclusion, be agreed; and

(3) the Assistant Chief Executive, in consultation with the Cabinet Member for Environment and the Head of Law, be authorised to take forward the steps necessary to integrate the duty into the Authority's decision making and other processes, including measuring and reporting on its impact.

(Reason for decision: Voluntary adoption of the duty can deliver a number of benefits to the Authority and its residents.)

### **CAB60/23 North Tyneside Council Housing Services Rent Policy Review 2023**

Cabinet considered a report seeking approval to the revision of the North Tyneside Rent Policy.

The rent for social housing in North Tyneside as set annually by Cabinet based on Government guidelines included in the 2020 Regulator of Social Housing Rent Standard. The policy for the collection of the rent was based on relevant sections of the Social Housing (Regulation) Act 2023 legislation.

The Policy review covered:

- Income Collection with Care: – including promoting financial inclusion, maximising benefit take up and access to specialist support and advice.
- Rent and garage charges and tenant responsibilities: – in relation to paying rent.
- Leasehold Service Charges: – transparent and well communicated charges made annually.
- Universal Credit and Housing Benefit – ensuring collaboration and partnership working with Housing Benefit Service and Department for Work and Pensions.
- Accessibility: – appropriate and accessible methods of communication, payment and support provision
- Pre-tenancy affordability assessment: – to promote tenancy sustainment.
- Rent arrears management procedures and legal action: – a comprehensive suite of procedures ensures a flexible person-centred approach to managing rent arrears and supporting tenants. Legal action is the last resort other than in exceptional circumstances in the arrears.

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This Policy detailed how North Tyneside Council set new rents, review rents annually and the Authority's approach to rental income management. It applied to all housing including all social and affordable rent, garage tenancies and long lease for flats sold under the right to buy provisions.

The formula by which rents were set was provided by Government and was reviewed annually to reflect changes in Consumer Price Inflation (CPI) and rent caps, these factors combined with North Tyneside Council's asset value, investment requirements and financial planning allowed Cabinet to decide to set a rent up to the maximum Government had allowed.

Effective income management ensured that the Authority could continue to deliver a good housing service, develop, and maintain homes and help sustain viable tenancy arrangements by ensuring that all tenants received the appropriate support and advice to enable them to deal with their finances. Providing an income collection with care approach highlighted the responsibility of the Authority to ensure a person centred, flexible service which was responsive to diverse needs.

The North Tyneside Council Housing Services Rent Policy 2023 was appended to the report.

Cabinet considered the following decision options:

Option 1 – to accept and approve the revised rent policy and require this to be reviewed again in 3 years or as required by legislative changes.

Option 2 – to reject the revised rent policy; however, the Authority may then be at risk of failing to meet its duty to review and update the current rent policy.

**Resolved** that the North Tyneside Council Housing Services Rent Policy 2023, be approved and reviewed in 3 years or as required by legislative changes.

(Reason for decision: It ensures regulatory compliance and promotes good practice in income collection.)

### **CAB61/23 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 item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act.

### **CAB62/23 Corporate Risk Management Summary Report**

Cabinet considered a report which detailed the corporate risks that had been identified for monitoring and management by the Authority's Senior Leadership Team and relevant Cabinet members. The report also provided detailed information on each risk and how it was being managed.

Cabinet considered the following decision options: to consider the information provided for each of the corporate risks and endorse the outcome of the latest review by the Authority's Senior Leadership Team; and after consideration of the detailed information provided for the corporate risks, suggest changes to the corporate risks and their controls.

**Resolved** that the latest review of key corporate risks undertaken by the Senior Leadership Team be endorsed.

(Reason for decision: Each of the corporate risks has undergone substantial review and challenge as part of the corporate risk management process. This is designed to provide assurance that corporate risks and opportunities are being identified and appropriately managed.)

### **CAB63/23 Date and Time of Next Meetings**

Monday 30 October 2023 at 4.30pm (Extraordinary meeting)

Monday 27 November 2023 at 6.00pm (Ordinary meeting)

**Minutes published on Thursday, 19 October 2023.**

The decisions contained within these Minutes may be implemented (unless called in by 3 Non-Executive Members for consideration by the Overview,

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Scrutiny and Policy Development Committee) immediately following the expiry of the call-in period; i.e. 5.00pm on Thursday, 26 October 2023.

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