

Cabinet

Monday, 29 July 2024

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

In Attendance: D Hodgson (Business Representative) and
and K Hardy (Voluntary and Community Sector)

Apologies: Councillor Janet Hunter, C Black (Young Mayor)
V Smith (Voluntary and Community Sector),
D McNally (Age UK North Tyneside), D Whyte
(Northumbria Police), and R Layton (North Tyneside
JTUC)

CAB25/24 To Receive any Declarations of Interest and Notification of any Dispensations Granted

Councillor K Clark declared a registerable personal interest in agenda Item 5: 2024-25 Performance and Financial Management Report to 31 May 2024 (CAB28/24), as she was a Director and Employee at Justice Prince CIC which had contracts with North Tyneside Council and received funding from the Authority.

CAB26/24 Minutes

Resolved that the minutes of the previous meetings held on 24 June 2024 be approved and signed by the Chair.

CAB27/24 Report of the Young Mayor

Cabinet was advised that the Young Mayor was currently on holiday and would provide an update in which he and Young Cabinet Members and/or Youth Councillors had been involved at a future meeting.

**CAB28/24 2024-25 Performance and financial Management Report
to 31 May 2024**

Cabinet received a report which provided a full overview of both the service delivery performance and budget position across the Authority as at 31 May 2024. For performance, it set out the key areas of service delivery for Cabinet to note, including where this impacted in budget terms. In terms of the budget, it set out the forecast outturn position to 31 March 2025 for both revenue and capital.

The report also set 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 up until 31 May 2024 for Cabinet to approve.

From a performance point of view, service delivery overall across the Authority remained strong. The Authority continued to manage high levels of demand in a number of areas including Education, Health and Care Plans (EHCPs), children in care, children in need, home care provision, residential and nursing care placements all of which have financial implications. Key areas of strength were 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 is progressing well with regeneration projects across the four areas of the borough. Capital investment continued to deliver planned improvement works helping maintain council homes at the decent homes standard. Council Tax and Business Rates collection also remained on track and better than national and regional comparators.

The Authority continued to experience challenges in some areas of delivery, which impacted on the overall financial forecast for the year. As part of the 2024-2028 MTFP there were 13 workstreams established to address the pressures over the 4-year period. From a budget perspective, whilst the MTFP looked to address the pressures identified, this was over the full life of the workstreams and work was on-going to update the Medium Term Financial Plan (MTFP) for new emerging pressures. The forecast net pressure on the general fund for the current year as at 31 May 2024 is [£13.676m], which was a worsening of [£6.447m] compared to the 2023/24 outturn position, and the Housing Revenue Account had a forecast underspend of £0.031m for 2024-25.

Cabinet

These figures were presented on a prudent basis, and work by Cabinet Members and senior officers was underway to address these pressures during the year. Senior Leadership Team (SLT) were meeting on a weekly basis to track progress in addition to the formal budget monitoring to Cabinet on a bi-monthly basis.

Despite this prudent approach, Cabinet noted the potential scale of the financial challenge this year. Work had been undertaken to assess the component parts of this forecast overspend, which had confirmed that the majority were identified as part of the 2024/25 budget setting process. As this report and accompanying appendices set out, the key areas of pressure are already part of the key MTFP projects for 2024-2028, but the scale and acceleration of the pressures was greater than anticipated when the MTFP was agreed in February.

In addition, some unforeseen pressures were arising, notably the proposed pay award for the year. Whilst this was not agreed, the current proposal from the Local Government Employers equates to circa 4.4% for the Authority (it was a combination of a £1,290 or 2.5% depending on grade). This was above the 3.5% provided for in the budget.

Within Children's Services, there was an overall pressure of £8.380m which was driven by similar trends to the outturn position, despite the additional growth included in the 2024/25 budget. The number of children in care was 362 in May and whilst this was broadly in line with the MTFP workstream, the placement mix was too reliant on more expensive external residential care provision. In addition to this market forces had meant the average cost per placement had significantly increased, the current average weekly cost to the Authority for an external residential care placement was £6,916, compared to £5,945 in May 2023, however this was still below costs which some other local authorities were incurring. The Authority also had a higher reliance on external fostering arrangements which, while preferable to residential care, still resulted in a forecast pressure.

Children's Disability Services were supporting children with increasingly complex needs and were often required to support children in bespoke care arrangements where market failure results in no alternative care plans being available. There was also increasing delay and challenge in the corresponding health income to support these complex children.

Cabinet

Home to school transport had seen a reduction in the reported pressure since the outturn position due to the additional budget allocated as part of MTFP Home to School Transport workstream in addition to a stabilisation of the numbers of pupils receiving the service. However there remained a significant challenge as the workstream continued to focus on the identified savings, aiming to bring the service into balance within the 4 years of the MTFP.

Adult Social Care had seen inflationary pressures from external providers above that identified in the Health and Social Care MTFP workstream as well as increased activity across all commissioned services. This combined with complex clients transitioning from both hospital settings and Children's Services had resulted in a forecasted pressure of £3.873m.

Both Resources and Housing were showing pressures totalling £1m on Homeless presentations who were accommodated in Bed and Breakfast accommodation. This was after the use of the Homeless Prevention Grant and claimable Housing Benefit Subsidy were taken into account. A working group is reviewing this to focus on mitigating actions for the future.

The Authority's current position was a total forecasted pressure of £13.676m while the 2024/2028 MTFP programme of work continued and would be revised and updated to reflect new emerging pressures and mitigating actions.

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

Resolved that (1) the update provided on the Performance of the Authority including updated data on the key pressures facing the Authority and progress against the Our North Tyneside Plan 2021-2025 as outlined in the report, be noted; (2) 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 May 2024 as outlined in the report, be noted; (3) the Authority's Investment Plan spend of £7.252m to 31 May 2024 and the proposed financing of the Plan to the end of the year as outlined in the report, be noted; (4) the reprofiling of £2.581m from 2024/25 into future years, and variations of

Cabinet

£6.117m within the 2024-2029 Investment Plan be approved, and the current position with Developers' Contributions, be noted; and
(5) the receipt of £0.985m new revenue grants, and £2.406m of new capital grants as outlined in the report, be noted.

(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. It is also important that Cabinet agrees to receive the revenue and capital grants referred to in the report.)

CAB29/24 Our North Tyneside Plan 2021-2025 Performance Report

Cabinet received an update report on the significant progress delivered across the five policy priorities of the Our North Tyneside Plan 2021-2025 during the last three years.

On 23 September 2021, the refreshed Council Plan – “Our North Tyneside Plan 2021-2025” was agreed by Full Council following consultation with residents and other key stakeholders. The Council Plan was updated following the Mayoral Election on 6 May 2021, to reflect the policy priorities of the then incoming administration and the Elected Mayor’s manifesto.

In addition to the report, the ‘Our North Tyneside Performance Report at Appendix 1, had been developed to monitor progress against the refreshed Council Plan priorities and objectives which contained more detail under each of the priorities and comparable data.

Below were some of the highlights of the Our North Tyneside Plan 2021-2025 so far:-

- The ‘Ambition for North Tyneside’ had successfully attracted external funding to deliver a range of improvements to the town centres and seafront to enhance the public realm and improve the transport infrastructure, increase housing provision, attract new businesses to the area and support current businesses. As well as boost employment through the Working Well Hubs at North Shields and Wallsend town centres.
- Delivery of the segregated walking and cycling route between St Mary’s

Cabinet

Lighthouse and Tynemouth was progressing well.

- Cabinet approved Wallsend Masterplan July 2023 and funding had been secured for housing, employment and place initiatives.
- Village plans and a transport plan were being developed in the North West of the borough with consultation to take place to identify investment priorities.
- The Affordable Homes Programme had delivered 2,247 homes at the end of 2023/24 and long-term vacant dwellings was at its lowest level in seven years.
- North Tyneside was meeting its commitment to be carbon net-zero by 2030 following Cabinet approval of the Carbon Net-Zero 2030 Action Plan in August 2022 with over 150 actions to reduce carbon emissions of the Authority and borough as a whole.
- Cabinet agreed “Ambition for Education in North Tyneside 2020-24” in January 2021, building on the work of the North of Tyne Education Challenge to ensure all children and young people in North Tyneside had access to a high-class education to achieve their full potential. The education offer in North Tyneside was strong compared to national and regional comparators.
- In February 2023, the authority joined the DfE Safety Valve Programme attracting additional funding to implement Inclusive Education/SEND initiatives including the introduction of an Early Years Inclusion Service to identify pre-school children with additional needs and put support in place.
- Family Hubs had been launched across the borough, providing a one-stop shop of family support services including social care, education, mental health and physical health needs.
- The Authority continued to tackle health and socio-economic inequalities in the borough through delivery of the Equally Well Health and Wellbeing Strategy 2021-2025 and Implementation Plan.

Cabinet

- Support was provided to low-income households through the Council Tax Support Scheme and Hardship Support Scheme. As well as programmes to alleviate the impacts of poverty and food insecurity through the Holiday Activities and Food Programme, Household Support Fund and Poverty Intervention Fund.
- In October 2022, Warm Welcome Spaces were launched borough-wide at Libraries, Community Hubs and a range of Voluntary and Community Sector organisations to alleviate the impact of the cost-of-living crisis.
- The Embedding Equalities Programme was in its third phase. The programme had delivered a broad range of improvements to ensure North Tyneside was an inclusive place to live, work and visit.
- The Authority continued to improve working conditions of care workers by increasing fees to support external social care providers to meet the National Living Wage and increased home care fees aligned to the Real Living Wage for home care and extra care.

Resolved that the progress that had been made to deliver the objectives of the Our North Tyneside Plan 2021-2025 and the information contained in the 'Our North Tyneside Performance Report' appended to the report, be noted.

(The recommendation at paragraph 1.2 did not require a decision to be taken by Cabinet as this report was for information purposes.)

CAB30/24 North Tyneside Carbon Net-Zero 2030 Action Plan - Update

Cabinet received an update report on performance since its previous report in September 2023 and seeking approval to an update of the North Tyneside Carbon Net-Zero 2030 Action Plan at Appendix 1 to the report.

In July 2019 full Council declared a Climate Emergency, setting a target to reduce the carbon footprint of the Authority and the borough by 50% by 2023 and to become carbon neutral by 2050. Subsequently, in further acknowledgement of the gravity and urgency of the Climate Emergency, the refreshed Our North Tyneside Council Plan 2021-25, approved by full Council in September 2021, included the following ambition;

"We will publish an action plan of the steps we will take and the national

Cabinet

investment we will seek to make North Tyneside Carbon Net-Zero by 2030.” Net-Zero meant achieving a balance between the volume of emissions produced and the amount removed from the atmosphere. It required the reduction of existing emissions, and the removal (offsetting) of remaining emissions.

Whilst working towards a net-zero target it must be recognised that there would be some emissions at the target date which cannot be mitigated through planned interventions and that these needed to be fully offset / inset. Traditionally this would be achieved through natural carbon absorption through land and/or trees, although increasingly the national policy context was including the potential for technological solutions, such as carbon capture and storage. The Authority was actively participating in an emerging project which may facilitate and enable local solutions to manage residual emissions.

This year (2024) was a major milestone in the Authority’s journey towards its 2030 target. It was five years since full Council declared the Climate Emergency and nearly halfway to the Authority’s 2030 goal. With the agreement of the Cabinet Member for Climate Emergency, officers had undertaken a range of stakeholder engagement actions to provide a range of opportunities for its communities to participate in this important work.

Attached to the report as Appendix 2 was a summary of the Carbon Net Zero and Waste Strategy Consultation exercise undertaken with the public and businesses. Additionally, the Authority had undertaken a Carbon Net Zero Programme Assurance Audit. The objective of this review was to provide assurance on the delivery of the Carbon Net Zero (CNZ) programme and action plan. The recommendations from this review were agreed and adopted by the Carbon Net-Zero 2030 Board.

The Authority was clear in its commitment to tackling the Climate Emergency and had taken a number of steps since the previous report to Cabinet on 18 September 2023, this included the achievements and projects detailed in section 1.5.3 of the report.

The 2024 Action Plan provided an update on performance, delivery on key projects and associated developments of field of climate change and Net-Zero. In addition, the proposed updated Action Plan would include:

Cabinet

- The use of Local Partnership's Greenhouse Gas Accounting Tool for Local Authorities which was developed with the Local Government Association, to calculate the emissions associated with the Authority's waste and recycling disposal (Scope 3 Emissions).
- Modelling of carbon emissions and trajectories towards the 2030 target.
- The progress the Authority was making on the national DEFRA Adaptation to Climate Change Reporting pilot programme.
- Detail on the principles and associated good practice of a "Just Transition" towards a low carbon future for local businesses and residents.

Decarbonisation travel remained a challenge, including for the Authority's fleet of vehicles. The Authority had already started the journey of replacing petrol- and diesel-powered vehicles with electric alternatives. Currently the Authority had 15 electric vehicles. Over the course of the next twelve months the Authority would continue to work with the supply chain to assess the availability and viability of electric vehicle models to both meet service delivery needs, and to prove value for money. This would also link to the Authority's work to increase electric vehicle charging infrastructure in the Borough.

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

Resolved that (1) the performance update in relation to the carbon footprint of the Authority and the carbon footprint of the Borough, be noted;
(2) the update of the Carbon Net-Zero 2030 Action Plan attached as Appendix 1 to the report, be agreed; and
(3) a further progress report to be presented to Cabinet in 2025 on the performance of the carbon footprints of the Authority and the Borough, be noted.

(Reasons for Decision: Agreeing the recommendations set out in paragraph 1.2 of the report will support the delivery of the Our North Tyneside Council Plan 2021-25 Carbon Net-Zero 2030 ambition.)

Cabinet

CAB31/24 Northumberland Square Conservation Area Management Strategy Supplementary Planning Document

Cabinet received a report which presented the final proposed Northumberland Square Conservation Area Management Strategy Supplementary Planning Document, referred to as the CAMS, and seeks approval for its adoption.

Production of the draft CAMS was in line with national planning policy, contained in the National Planning Policy Framework (2023), that encouraged strategies “for the conservation and enjoyment of the historic environment”. The CAMS had also been prepared in accordance with Part 5 of the Town and Country Planning (Local Planning)(England) Regulations 2012 (as amended).

Consultation on the draft Northumberland Square CAMS SPD took place between 11 July 2023 to the 23 August 2023 as detailed in section 1.5.9 of the report.

The final proposed CAMS SPD set out potential projects and objectives for the area that would guide planning, regeneration and other development and management decisions in the conservation area. It would form a basis for any applications for external funding. The Authority adopted similar SPDs for the Fish Quay Conservation Area (2012) and Tynemouth Village Conservation Area (2014) that had proved key documents in guiding positive decisions in those areas. Production of the draft CAMS was in line with national planning policy, contained in the National Planning Policy Framework (2023), that encouraged strategies “for the conservation and enjoyment of the historic environment”. The CAMS had also been prepared in accordance with Part 5 of the Town and Country Planning (Local Planning)(England) Regulations 2012 (as amended).

Historic England identified the preparation of the CAMS for this area as one of the conditions for its funding support. The funding formed part of a £2.46 million project, which included an Authority contribution of nearly £1 million, to revitalise the Northumberland Square conservation area, focused on Howard Street and Northumberland Square as set out in section 1.5.3 and 1.5.4 of the report.

The relevant planning policies in this case were within the adopted North Tyneside Local Plan (2017), primarily those relating to the management of heritage assets and North Shields town centre. The SPD would be regarded as a

Cabinet

material planning consideration in the determination of relevant planning applications and would be afforded considerable weight.

The proposed CAMS SPD recommended how the conservation area can be preserved and enhanced through: Identifying regeneration and enhancement opportunities, advising on the management of public realm, green spaces, and trees, identifying the area's heritage assets and considering a review of the conservation area boundary, setting out design principles, advising on good maintenance and repair, and advising on monitoring and enforcement.

The final proposed Northumberland Square CAMS SPD was included at Appendix 2 to the report. In accordance with Regulation 14 of the Town and Country Planning (Local Planning)(England) Regulations 2012 (as amended) an adoption statement, for publication alongside the new SPD. The proposed Adoption Statement was included at Appendix 3 of the Report.

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

Resolved that (1) the outcome of consultation undertaken on the draft Northumberland Square Conservation Area Management Strategy as outlined within the Consultation Statement at Appendix 1 to the report, be noted; (2) the adoption of the final proposed publication of the Northumberland Square Conservation Area Management Strategy Supplementary Planning Document included at Appendix 2 to the report as a Supplementary Planning Document, be agreed; (3) the Director of Regeneration and Economic Development, in consultation with the Deputy Mayor, be authorised to make any additional minor modifications to the Northumberland Square Conservation Area Management Strategy Supplementary Planning Document and publish the final document on the Authority's website alongside the Consultation Statement and an Adoption Statement, included at Appendix 3 to the report.

(Reasons for Decision: Production of a CAMS is a condition of the recent Historic England HAZ finding for the area. Its production is in line with the aims of local and national planning policy and guidance and will assist the Authority pursuing its statutory duty of preserving and enhancing the character and

Cabinet

appearance of the conservation area. It will guide planning, regeneration and other development and management decisions in the conservation area, building on recent positive change in the area.)

CAB32/24 Contaminated Land Strategy Review

Cabinet considered a report seeking approval to commence a process of public consultation on the draft revised Contaminated Land Strategy.

The Strategy must be reviewed at least every five years, with the current Strategy having been approved by Cabinet in January 2020. The Strategy set out how the Authority would inspect for, identify, and deal with contaminated land within the Borough.

The Authority had a statutory duty under the 1990 Act to inspect the land in the Borough from time to time and to identify any land that may be “contaminated” as defined by the Act. Broadly speaking, “contaminated land” was land that was in such a condition that significant harm was being caused, or there was a significant possibility of such harm being caused because of substances in, or under the land. Cabinet was advised that the Strategy confirmed that no sites in North Tyneside had been formally identified as contaminated land.

Alongside the Guidance was a technical guidance issued by the Environment Agency in October 2020 – “Land Contamination Risk Management” (“LCRM”) which set out best practice. The Environment Agency expected the LCRM to be followed when assessing and managing the risks from contaminated land. The proposed amendments to the Strategy took into account the Guidance and the LCRM.

The draft Strategy had been shaped in consultation with the Contaminated Land North East Regional Group which consisted of the seven North East local authority Contaminated Land officers. Internal consultation had also been undertaken to ensure that the Strategy remained up to date and in line with the Guidance. The review of the Strategy had considered changes to land status and progress on contaminated land actions in the North Tyneside. Although the National Planning Policy Framework had been updated, no changes were made to the approach to be adopted by planning authorities on the suitability of the development of contaminated land.

Cabinet

The initial proposals for the draft revised Contaminated Land Strategy was attached at Appendix 1 to the report. The revised draft Strategy included updates to the milestones and action plan and took account of the latest national guidance on contaminated land. The main changes to the Strategy were: The milestones were updated to reflect the progress for period 2020 to 2024 in achieving the overall aim of this Strategy to make land suitable for use; The Action Plan Table was updated to demonstrate how the Authority met its contaminated land objectives; and All proposed changes to the Strategy were set out in Appendix 2 to the report.

It was proposed that a process of public engagement would be undertaken on the draft strategy with statutory consultees which included developers, local businesses and members of the public that would commence on 12 August 2024 for 6 weeks. At the conclusion of the consultation the draft strategy would be brought before Cabinet for consideration and determination as to what changes, if any, should be made to the draft Strategy before its adoption.

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

Resolved that (1) the initial proposals for the draft revised Contaminated Land Strategy attached to the report at Appendix 1 be endorsed and consultation on the draft revised Strategy as set out in paragraph 1.5.4 of the report, be approved;
(2) the Director of Public Health be authorised to take all necessary steps to commence the consultation; and
(3) a further report at the conclusion of the public consultation exercise to consider and determine what changes, if any, should be made to the Contaminated Land Strategy, be agreed.

(Reasons for Decision: The revised draft Strategy has been developed by an Officer Working Group. It is a statutory requirement to have an up-to-date Strategy in force that sets out the action the Authority will take concerning Contaminated Land.

The Strategy will be subject to extensive engagement involving members of the public, developers and local businesses. All consultees will be given the

Cabinet

opportunity of providing feedback and comments on the draft Strategy during the consultation period.)

CAB33/24 Animal Penalty Notices

Cabinet considered a report seeking approval to adopt the use of Penalty Notices by the Authority as part of the enforcement options available to it for the purposes of enforcing various animal health and welfare offences under existing animal health and welfare legislation.

The Animals (Penalty Notices) Act 2022 (“the Act”) introduces powers to issue Penalty Notices for animal health and welfare offences under existing legislation with a maximum penalty of up to £5,000 being permissible under the Act. The use of Penalty Notices provided an additional enforcement option for the Authority that ensured that offenders were financially penalised for committing an animal health or welfare offence as an alternative to being prosecuted in the Courts. The determination of the appropriate action to be taken against an individual would be based on the particular circumstances of the case and would be taken having regard to the Authority’s Enforcement Policy and other legislative matters that the Authority must have regard to when making such decisions. Statutory guidance published by the Department for Environment, Food & Rural Affairs (Defra) in January 2024 provided guidance to local authorities on the calculation to be undertaken when determining the level of penalty to be imposed by way of Penalty Notice under the Act.

The relevant offences to which Penalty Notices could be issued under the Act became operational following the implementation of the Animals (Penalty Notices) (England) Regulations 2023. Animal Penalty Notices may be issued for offences committed under the Animal Welfare Act 2006 and any associated Regulations; Animal Health Act 1981; Dangerous Wild Animals Act 1976; Zoo Licensing Act 1981; Wild Animals in Circuses Act 2019; Retained European Union law; and the Dangerous Dogs Act 1991.

Relevant stakeholders including national interest groups and businesses involved in animal health and welfare were consulted by the Authority over a four-week period between 26 February 2024 to 26 March 2024 on the intention to introduce Penalty Notices as an alternative to animal welfare prosecutions, the responses received were set out in section 1.5.3 of the report. Appropriate

Cabinet

guidance on the use of such Notices would be produced by the Authority to support the implementation of the Penalty Notices and each level of penalty would be decided on a case-by-case basis.

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

Resolved that (1) the Director of Public Health, be authorised to develop appropriate guidance for the enforcement of animal health and welfare legislation and to determine the process for issuing Penalty Notices under The Animals (Penalty Notices) Act 2022, in consultation with the Cabinet Member for Public Health and Wellbeing, Director of Resources and Head of Law;

(2) the Director of Public Health, be authorised to keep the guidance referred to in resolution (1) under review and to be responsible for all matters relating to the guidance, including, but not limited to, making amendments to the guidance in consultation with the Cabinet member for Public Health and Wellbeing, Director of Resources and the Head of Law;

(3) the Director of Public Health, in consultation with the Cabinet Member for Public Health and Wellbeing, Director of Resources and Head of Law, be authorised to agree the level of penalty to be applied for any Penalty Notice issued by the Authority for relevant animal health and welfare legislation offences; and

(4) the Director of Public Health, in consultation with the Director of Resources, be authorised to determine the level of investigatory costs to be deducted from the Penalty Notice sums received by the Authority before the balance of such sums is paid by the Authority to the government's Consolidated Fund.

(Reasons for Decision: The adoption of Penalty Notices as outlined in the report will strengthen animal health and welfare enforcement and promote the safety and well-being of animals in the Borough. The Penalty Notices will add to the existing domestic enforcement framework which had few options beyond prosecution, by widening the suite of available enforcement tools.

It is considered that the use of financial penalties in appropriate cases will provide a swift, proportionate, and cost-effective way to deal with low level, one-off offending.

The use of financial penalties will also act as a deterrent and hopefully induce

behavioural changes of those responsible for the care of animals and will be a more cost-effective use of officer time when compared to prosecution and the associated preparation and court time.)

CAB34/24 Consultation on changes to the Special Education Needs provision in North Tyneside

Cabinet considered a report seeking approval to commence an initial (non-statutory) pre-publication consultation with schools, parents and other stakeholders in relation to potential changes in provision for pupils with Special Education Needs and Disabilities; and on potential changes to the provision of Additional Resourced provision in the Borough.

North Tyneside had an education system to be proud of, with schools and officers working together to drive inclusion and improve outcomes for all children and young people. A key priority was to develop the range of education provision in North Tyneside to better reflect the changing needs of children with special educational needs and disabilities (SEND). This included consulting on opportunities to increase places and capacity in Additional Resourced Provisions (ARPs) and Special Education Needs (SEN) units in mainstream schools. The Authority would also consult on changes to the designation of ARPs and on creating new ARPs and SEN units across North Tyneside, as outlined in sections 1.9 to 1.15 of the report.

In terms of specialist provision, the Authority would also consult on plans to extend the provision of the Authority's special school for children with social, emotional and mental health (SEMH) needs. This would focus on extending primary provision to take account of existing commissioned primary places in the school, as outlined in section 1.16 of the report.

The first stage of the change process was a pre-publication consultation which was planned for the autumn term. The findings would be considered by the Authority at a school and locality level to determine whether to proceed to the formal stage of issuing statutory publication notices to make proposed changes to maintained schools. Any final decisions would be taken by Cabinet in line with the Department for Education (DfE) guidance on making changes to maintained schools.

Cabinet

The consultation on changes to special education needs provision would allow schools, children, young people and their families, and partner agencies to express their views on the changes proposed. The aim was to ensure that children and young people had access to additional special education needs provision that was high quality, inclusive and sustainable.

Cabinet noted the work that had been done so far, and that this was in line with the Authority's Ambition for Education Strategy. The changes to the provision were necessary to ensure the Authority had the right provision at the right time to meet the needs of children and young people in North Tyneside.

A summary of current ARPs and units in North Tyneside was included at Appendix 1 to the report.

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

Resolved that (1) the work that had been undertaken by the Authority with schools in relation to the review of Additional Resourced Provision and special educational needs and disabilities provision across the Borough, be noted; (2) the Head of Commissioning, Children's and Families, be authorised to commence an initial (non-statutory) pre-publication consultation with schools, parents and other stakeholders in relation to potential changes to provision for pupils with Special Educational Needs and Disabilities and on potential changes to the provision of Additional Resourced Provision in the Borough and take all necessary steps to commence such consultation; (3) the Director of Children's Services, in consultation with the Cabinet Member for Education, Inclusion, Employment and Skills, and the Head of Law, be authorised to: (i) consider the responses to the pre-publication consultation (ii) to determine if there should be statutory consultation with schools, parents and other stakeholders on potential changes to Additional Resourced Provision and special educational needs and disabilities Provision in the Borough in line with the Department for Education statutory guidance; and (4) if a decision was taken by the Director of Children's Services in accordance with resolution (3); there should be statutory consultation, and a further report be presented to Cabinet following the conclusion of any such consultation so that Cabinet can consider and determine what, if any, changes, there should be

Cabinet

in relation the Additional Resourced Provision and special educational needs and disabilities Provision in the Borough, be agreed.

(Reasons for Decision: Consultation on changes to SEND provision will allow schools, families and partner agencies to express their views on the change proposals. The aim is to ensure that children and young people have access to additional SEND provision that is high quality, inclusive and sustainable;

At a cohort level, the expansion and development of ARPs, SEN units and specialist provision will ensure that the changing needs of children with SLCN, ASC, and SEMH are met;

There will be greater consistency in access, oversight, and quality monitoring of the ARPs and SEN units, and effective progression pathways through each key stage and into post-16 provision;

Agreeing to the initial pre-publication consultation is in line with the ambition and delivery plans of the Authority's Safety Valve programme; and

Pre-publication consultation is the recommended first stage in the DfE guidance for making changes in maintained schools.)

CAB35/24 Ambition for Education Strategy (Refresh) 2024-2028

Cabinet considered a report seeking approval for the refresh of the Ambition for Education Strategy 2024-2028 at Appendix 1 to the report. This would apply to all schools and settings in North Tyneside.

The Borough had an education system to be proud of. A strong performer both regionally and nationally. This was a reflection of the hard work of head teachers, their teams, governing bodies, Elected Members, officers and our fantastic children and young people. Working together to deliver priorities that enabled all children and young people in North Tyneside to have access to a high-class education in order to achieve their full potential.

The original Ambition for Education strategy was approved by Cabinet in August 2020. The refreshed Ambition for Education Strategy runs from 2024 -2028. It had taken into account the huge social and economic changes which the Authority's schools and settings were facing post pandemic. It was clear that the increase in mental health needs and the rising cost of living, had

Cabinet

negatively impacted the lives of both adults and children in the borough. Despite the work of schools to provide remote learning, disruption to education during the pandemic period had had, physical, academic and social impact on children and young people nationally. In line with national trends North Tyneside had seen an increase in need for support for mental health, and intervention in Early Years and schools for emerging SEND needs. Nationally the rising rate of suspension and permanent exclusion is concerning, and the Authority had seen this increase in North Tyneside. School attendance had not returned to pre-pandemic levels. Although the overall attendance in North Tyneside was better than the national average, the Authority needed to support families and schools to address the barriers to attendance.

The Education North Tyneside Team had worked to refresh the Ambition for Education Strategy, reflecting the changes and challenges in North Tyneside in 2024 and was in line with the North Tyneside Council Values.

The Ambition for Education Strategy (Refresh) 2024 – 2028 would focus on the following key priorities and objectives:

- To challenge and support schools and settings to improve outcomes for children and young people
- To improve the quality of Career Education Information and Guidance and improve post 16 pathways
- To support and challenge all who work with children from two years old to improve their experiences
- To tackle the health inequalities for young people
- To inspire the leaders of schools to continue to develop their professional learning to raise standards in North Tyneside.

Inclusion and attendance ran through each of these key priorities as they were central to providing a successful education.

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

Resolved that (1) the refreshed Ambition for Education Strategy 2024-2028 attached at Appendix 1 to the report, be approved; and

Cabinet

(2) the Director of Children's Services, in consultation with the Cabinet Member for Education, Inclusion, Employment and Skills and the Head of Service, Education and Inclusion, be authorised to review the Ambition for Education Strategy 2024-2028 at least annually and to make any amendments to the Strategy as considered appropriate.

(Reasons for Decision: To enable Education North Tyneside to deliver objectives that impact positively on the education of all children and young people, ensuring they have access to a high-class education in order to achieve their full potential.)

CAB36/24 North Tyneside Lettings Policy

Cabinet considered a report seeking approval on the proposals for the Draft amended North Tyneside Lettings Policy.

There was a commitment to review the Lettings Policy every two years and it was last updated in 2021. It was timely to consider whether the Lettings Policy remained effective and achieved its intended outcome. The review of the Draft Policy commenced in 2023 and was completed February 2024, in view of the significant changes in housing demand and financial cost implications to the Authority. The Lettings Policy had been reviewed to ensure that it was fit for purpose and ensured best use of housing stock and meeting the needs of those households with the greatest housing needs. The Lettings Policy was intended to ensure there was a fair and transparent process for housing applicants who apply for social housing across the Borough.

North Tyneside was a popular place to live and there was a high demand for housing of all types. House prices across the Borough are higher than other parts of the region, and private rental costs are also typically higher and rising. As a result, there was an increasing pressure on the social housing register to meet the housing needs of households who were unable to afford home ownership or access private rented accommodation.

During 2023/24, the Authority let approximately 900 Council homes and received nearly 7,500 housing applications to the North Tyneside housing register. By comparison, whilst the previous year had a similar number of homes let, there were almost 1,500 fewer housing applications received by the

Cabinet

Authority.

With the cost-of-living crisis and economic pressures, the Authority had seen a significant increase in the number of households facing homelessness, with more households with a priority housing need being placed into temporary accommodation. Households, often with multiple and enduring needs, were waiting longer for suitable accommodation. This was having a significant impact on households as well as having budgetary implications for the Authority.

Recent changes introduced by the Regulator of Social Housing and the Social Housing White Paper had put a greater emphasis on customer satisfaction and had introduced consumer standards which also applied to how council homes were allocated. There was a greater need therefore to ensure that the Lettings Policy was reviewed to ensure that, as far as possible, it made sure that peoples' housing needs were being met by appropriate accommodation types.

As a result of the demands, the numbers on the housing register were not only outweighing the supply of homes, but there had also been an increase in the number of enquiries submitted through the Customer First Office from customers dissatisfied with their housing register assessments and/or the time taking to find a home. During 2022/23 there were 114 Members' enquiries received about housing allocation issues, and this number increased to 130 during 2023/24. Additionally, there were 87 appeals of housing assessments received during 2022/23, compared to 110 in 2023/24.

The report identified the extensive consultation process that was undertaken and recommended a number of changes to the policy to improve outcomes for the Authority's residents.

In response to the review of the Lettings Policy, the following changes were proposed:

- Band changes to reflect housing need, with the introduction of band 1+ and clearer definition of categories. This is intended to help housing applicants and advocates better understand where a priority has been awarded and how it supported the urgency of the housing need.

Cabinet

- Revised band categories, with a separation of existing band 3 priorities, along with the removal of the 10-year good tenant category. This would distinguish between circumstances where applicants had a housing need, with those applicants who had a preference to move.
- Flexibility to restrict access to the register to housing applicants with no priority need. This would not be a permanent restriction, but was intended to be applied, only when required. The rationale was to ensure that Customers with the greatest housing need would be allocated homes when available over and above those with a lesser, or no priority housing need. Operating the Lettings Policy in this way, would manage the expectations of applicants at the outset who had no priority need and encourage them to consider all of their housing options.
- Revised timeframes for reviewing priority need would apply to all categories, rather than being limited to only certain groups. This was believed to be a fairer approach and will encourage all housing applicants with a priority need to be proactive in satisfying their need, wherever possible.
- Amended the review period of the Lettings Policy to every four years rather than every two years, although the Policy would be reviewed earlier if necessary, such as when changes were needed, because of the introduction of new legislation or statutory guidance. This proposed review period was to bring the Lettings Policy in line with the other policies and strategies across the Authority which were reviewed every four years.

It was believed that the proposed changes to the Lettings Policy would, over time, support those households with the greatest housing need; improve customer satisfaction; ensure better use of the Authority's housing stock; and create efficiencies with how the service operates, including the Authority's homelessness offer.

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

Resolved that (1) the draft amended North Tyneside Council Lettings Policy 2024

Cabinet

at Appendix 1 to the report, be noted; and
(2) the Director of Housing and Property Services, in consultation with the Cabinet member for Housing, be authorised to take all necessary steps to implement resolution (1), including (but not limited to) making further minor amendments to the North Tyneside Council Lettings Policy 2024 prior to its publication.

(Reasons for Decision: The Authority is required by law to formulate and publish the Lettings Policy. This Policy must be kept under review and align with legislation, guidance and requirements set out by the Regulator of Social Housing.

To ensure Council homes are allocated to those with the greatest housing need and help to manage the expectations of housing applicants.)

CAB38/24 Date and time of next meeting

16 September 2024 at 6.00pm.

Minutes published on Thursday 1 August 2024.

The decisions contained within these Minutes may be implemented (unless called in by 3 Non-Executive Members for consideration by the Overview & Scrutiny Co-ordination & Finance Committee immediately following the expiry of the call-in period; i.e. 5.00pm on Thursday 8 August 2024.