

Cabinet

12 February 2018

Present: N Redfearn (Elected Mayor) (in the Chair)
Councillors G Bell, C Burdis, EN Darke, R Glindon,
IR Grayson, M Hall, JLL Harrison, CB Pickard and
JJ Stirling

In Attendance: B Corner (Young Cabinet Member)
D Hodgson (Business Sector)
R Layton (North Tyneside Joint Trade Union Committee)
A Paradis (North Tyneside Clinical Commissioning
Group)

CAB122/02/18 Apologies

Apologies were received from A Caldwell (Age UK) and O Daniel (Young Mayor).

CAB123/02/18 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

CAB124/02/18 Minutes

Resolved that the Minutes of the meetings held on 15 January 2018 (Ordinary meeting) and 24 January 2018 (Extraordinary meeting) be confirmed and signed by the Chair.

CAB125/02/18 Report of the Young Mayor

In the Young Mayor's absence, Bethan Corner, Young Cabinet Member, reported on the following activities in which the Young Mayor, Young Cabinet Members and/or Youth Councillors had been involved:

- Preliminary voting had taken place in the Young Mayor and Member of UK Youth Parliament elections. The top four candidates for Youth Parliament and top five candidates for Young Mayor were known.
- Youth Councillors had continued meeting to develop their drama sessions to mark the centenary of women suffrage. The Youth Councillors would perform the play at the Exchange on 10 March as part of the celebrations which would take place in North Tyneside.
- The Young Mayor and young cabinet members had met with design company All Together to develop the branding for the reusable water bottle campaign. All Together had given a free session and the group were grateful to David

Bavaird for setting this up. The group now had a logo which could be used for stickers and the poster design.

- The Young Mayor had attended the Holocaust Memorial Event on 26 January and had read out a poem called the Power of Words.
- Some Young Cabinet members and the Young Mayor had helped with the budget consultation. They had valued the opportunity to have a say in how the council spent its money and they hoped more young people would be involved in the future.
- The Youth Council and Children in Care Council had been visited by Citizen Researchers from the MH:2K project. They had been asked for their opinion on awareness, stigma and support around young people's mental health.
- The Young Mayor and Young Cabinet Member Bethan had attended the North Tyneside Safeguarding Children's Board to provide an update on what they had done in the last year.
- The Member of UK Youth Parliament and Young Cabinet Member Bethan had visited Parkside House School to talk about Youth Democracy and the importance of having a voice in the community. They had invited their school council to one of the Youth Council meetings.

The Mayor thanked Bethan for the report. She was pleased that many young people were engaging in the democratic process and she looked forward to watching the play to mark the centenary of women suffrage that would take place at The Exchange. The Mayor commended the young people for their participation at the recent Holocaust Memorial Day event, and she also expressed thanks to Councillor Muriel Green, who had stepped in at short notice to oversee the proceedings.

The Cabinet Member for Community Engagement referred to many positive comments she had received about the contributions of young people at the recent State of the Area event, and she thanked them for their involvement.

CAB126/02/18 Contract Agreement for the supply of Grounds Maintenance and Burial Services (All Wards)

The Cabinet Member for Environment reported that this item was being deferred to allow time to further explore the service delivery options before the Authority proceeded to procurement.

CAB127/02/18 Cabinet Response to Overview, Scrutiny and Policy Development Committee – Cultural Development Plan Sub-Group Recommendations (All Wards)

Cabinet considered a report seeking approval to the proposed responses to the recommendations of the Cultural Development Plan Sub-Group in relation to a Cultural Development Plan for delivering an effective cultural offer in the Borough.

The report and recommendations had been presented to Cabinet at its meeting on 11 December 2017 (Previous Minute CAB93/12/17).

The Overview, Scrutiny and Policy Development Committee, as part of the 2016/17 work programme had prioritised the topic, 'how can the Council deliver an effective cultural offer in a shrinking financial environment?' as an important issue. Through the Culture and Leisure Sub-Committee a sub-group had been established to carry out an in-depth review on proposals for an Authority wide Cultural Development Plan. The sub-group had decided to focus upon the impact of culture as it related to the summer programme and how it attracted visitors to the Borough, in comparison with two neighbouring authorities.

The study group had considered future service provision in the context of:

- A shrinking financial envelope to meet service delivery;
- Existing Council strategies for arts development and tourism;
- Changing patterns of consumer behaviour in relation to tourism; and
- Greater expectations for partnership working arising from the change programme.

Members had held a series of evidence gathering meetings between September 2016 and November 2017. The sub-group had met on a number of occasions with officers from the Cultural Services teams, received a range of reports and statistical data from officers and visited a number of summer activities/ events in the Borough during 2017 in order to inform its considerations.

The sub-group had identified a total of 3 recommendations for Cabinet to consider, proposed responses to which were set out at Appendix A to the report.

Cabinet considered the following decision options:

- Option 1 – Accept the recommendations set out in section 1.2 of the report.
- Option 2 – Reject the recommendations set out in section 1.2 of the report.
- Option 3 – Accept part of the recommendations as set out in section 1.2 of the report and reject the rest.

The Cabinet Member for Culture and Leisure thanked the Chair of the Culture and Leisure Sub Committee and members of the sub group for their report.

Resolved that the proposed response to the recommendations from the Overview, Scrutiny and Policy Development Committee on the Cultural Development Plan Study, as set out in Appendix A to the report, be approved.

(Reason for decision – it fulfils the statutory requirement for Cabinet to respond to recommendations put forward by the Overview, Scrutiny and Policy Development Committee.)

CAB128/02/18 Consultation on a Draft Design Quality Supplementary Planning Document (All Wards)

Cabinet received a report seeking approval to publish the Draft Design Quality Supplementary Planning Document (SPD) for public consultation.

In September 2010, Cabinet had adopted the Design Quality SPD that had been used since that date to inform consideration of planning applications for development (Previous Minute CAB62/09/10). High quality design of buildings, places and spaces could create attractive environments that set a positive context for the development of successful places and sustainable communities. The SPD provided an efficient and transparent tool for applicants to understand the requirements associated with good design.

The SPD applied to all types of uses including residential development and extensions and commercial and retail development. The guidance in the SPD was applied flexibly having regard to the circumstances and other material considerations of each case. As an adopted planning document it was a material consideration when determining planning applications and may be used to refuse development on the grounds of poor design.

A revised Design Quality SPD was now required to reflect up-to-date local and national planning policy, and to support the design quality of a wider range of development types. These were set out within the Draft Design Quality SPD included in Appendix 1 to the report.

A number of general updates were included throughout the Draft SPD reflecting evolving best practice, current design guidance and the Local Plan. The revised document followed the same format as the adopted version with two key sections; Design Principles and Putting Principles into Practice. Additional guidance, which was outlined in the report, had been added to each of these sections.

Pending approval of the Draft SPD a six week consultation would be undertaken with key stakeholders and the public in accordance with the requirements of Town and Country Planning Regulations 2012 and the Authority's adopted Statement of Community Involvement.

All comments received would be considered and an officer response prepared identifying any amendments to the Draft SPD. A final proposed SPD, together with a consultation statement setting out the responses received, would be presented to a future Cabinet meeting for consideration and adoption as the Authority's updated Design Quality SPD.

Cabinet considered the following decision options: either to agree the recommendations as set out in section 1.2 of the report, or alternatively to disagree with the proposals.

Resolved that publication of the Draft Design Quality SPD, set out in Appendix 1 to the report, be approved for public consultation.

(Reason for decision - A revised SPD will allow the Authority to fulfil the requirements of local and national planning policy, ensuring that new development is of a high quality of design. It is a statutory requirement that SPDs are subject to consultation with relevant stakeholders. It is important that the public have the opportunity to consider the Draft Design Quality SPD and given the opportunity to comment. Other stakeholders such as house builders and other developers will also have a direct interest in the document and should be given the opportunity to comment accordingly.)

CAB129/02/18 Register of Buildings and Parks of Local Historic and Architectural Interest (Local Register) Supplementary Planning Document (All Wards)

Cabinet received a report seeking approval to adopt the Local Register Supplementary Planning Document (SPD).

The Local Register SPD continued to celebrate the Borough's rich historic environment and was designed to identify the buildings, parks and gardens of local architectural and historic interest and enabled their notable features to be identified and considered during the course of the design process when development was proposed. The Local Register SPD consisted of two parts: the Register of buildings and parks, and the SPD that provided relevant information on the implications of being included on the Local Register.

The Local Register had been adopted on 13 February 2007 (Previous Minute CAB195/02/07), where it was agreed that 146 buildings and parks within the Local Register were worthy of recognition through their local architectural and historic interest.

An accompanying Local Register SPD had been prepared and adopted by Cabinet on 10 November 2008 (Previous Minute CAB88/11/08). The SPD supplemented UDP policies E17/5 and E18, providing stakeholders with an explanation of policies and objectives with regard to the Local Register, to outline the process of establishing and maintaining the Local Register, to provide information on the implications of property being included on the Local Register and to give guidance on works to property on the Local Register.

A revised version had now been prepared and was required for two main reasons:

- Since the Local Register had been compiled in 2007, information had been gathered relating to other buildings and parks that could be added to the register. In addition, some changes had occurred that meant some buildings and parks should be removed.
- To reflect changes in national and local planning policy since the adoption of the 2008 SPD.

The Local Register SPD had been subject to a Strategic Environmental Assessment Screening. This was to ensure the SPD would not have adverse impacts with regards to sustainable development.

In November 2017 Cabinet had agreed to consult on recommended amendments to the Local Register and a revised SPD. The recommended amendments were that 47 nominated buildings and parks should be added to the Local Register, three new nominations should be combined with existing entries, and 16 existing entries should be removed from the Local Register. 23 nominated buildings were not recommended for inclusion. This resulted in a recommended revised Local Register with 177 entries (Previous Minute CAB78/11/17).

The public consultation had taken place between 27 November 2017 and 5 January 2018, and had been carried out in accordance with the statutory requirements of preparing SPDs.

A total of 18 stakeholders had made representations. These were set out within the Consultation Statement included at Appendix 1 to the report, along with an Officer response. In consideration of these representations and the Local Register SPD criteria of the proposed Local Register SPD, two properties were no longer recommended for inclusion on the Local Register and an existing entry was recommended to be amended to better reflect its most special qualities. Several comments suggested clarifications to property "Statements of Significance" that had led to additional amendments to the Local Register. The proposed amendments were included within Appendix 2 to the report and were summarised in the Consultation Statement attached at Appendix 1 to the report.

Unlike statutory listed buildings, local register status did not put any extra planning constraints on a property; rather it would be a relevant consideration if a development was proposed.

Cabinet considered the following decision options: either to agree the recommendations as set out in section 1.2 of the report, or alternatively to disagree with the proposals.

Resolved that (1) the responses received to the engagement on the draft Local Register Supplementary Planning Document authorised by Cabinet in November 2017 be noted; and
(2) the adoption of the Local Register Supplementary Planning Document be approved.

(Reason for decision - Adoption of the Local Register SPD will allow the Authority to fulfil the requirements of local and national planning policy, ensuring that buildings, structures, parks and gardens locally identified as having architectural and historic interest are given an appropriate degree of recognition.)

CAB130/02/18 Local Plan and Authority Monitoring Report 2016/17 (All Wards)

Cabinet received a report seeking approval to publish the 2016/17 Authority Monitoring Report (AMR) in relation to the progress of the Local Plan.

The AMR monitored the effectiveness of planning policies and how they were being implemented in practice. The annual publication of information regarding the delivery of development and preparation of planning documents was a statutory

requirement. The 2016/17 AMR presented in the report was the first to be prepared since the adoption of the North Tyneside Local Plan in July 2017.

The Town and Country Planning (Local Planning) (England) Regulations 2012 required at Regulation 34 that as a minimum an Authority's AMR provided an update on the preparation of Local Plan and Supplementary Planning documents included within the Authority's Local Development Scheme. AMRs were also required to report the number of additional dwellings built in its area or any part of its area in relation to the relevant adopted policy of the Authority.

In addition the AMR must set out details of any neighbourhood development order or neighbourhood development plan where these had been made. Where a Community Infrastructure Levy (CIL) charge had been adopted by the Authority, the AMR must report the total CIL receipts for the reported year and total CIL expenditure. It should also summarise CIL expenditure during the reported year including the total amount of CIL receipts retained at the end of the reported year.

The AMR contained information on progress towards the milestones in preparation of planning documents set out in the latest Local Development Scheme (LDS), agreed by Cabinet in October 2016. The documents that were being prepared or had recently been completed and adopted and were reviewed within the AMR 2016/17 were outlined in the report.

Within the adopted Local Plan 2017 the policy S4.4(a) established the adopted housing requirement for North Tyneside as 16,563 additional dwellings over the period 2011 to 2032. This was an overall average of 790 dwellings per year but the policy allowed for a phased housing requirement. The annual requirement from 2011/12 to 2016/17 was set out in table 1 of the report.

Policy S4.2 (a) of the Local Plan required the Authority to maintain a sufficient supply of housing land in order to ensure delivery of its housing requirement. Where monitoring indicated the number of completed dwellings fell below the cumulative target the Authority was required to prioritise housing land supply and undertake appropriate actions to support delivery.

During 2016/17 the number of dwellings built in the year had exceeded the annual Local Plan requirement. However, past under delivery meant overall delivery against the Local Plan requirement had a shortfall of 521 dwellings. Since 31 March 2017 quarterly monitoring of housing delivery indicated another strong year for housing delivery in 2017/18. However, to recover from past under delivery North Tyneside required housing supply to exceed its annual target for a number of years before the shortfall was addressed and to achieve the overall target for delivery of 16,563 dwellings by 2032.

As this AMR was the first to be undertaken following adoption of the Local Plan key actions had included most notably adoption of the North Tyneside Local Plan and allocation of sufficient land for housing development. This included in particular the strategic housing allocations of Murton Gap and Killingworth Moor and a significant number of brownfield allocations across the borough.

Further key actions already undertaken to support and enable an increase in housing delivery in North Tyneside included the adoption of Masterplans for both strategic allocations in December 2017. Undertaken in accordance with policy S4.4 (c), adoption of the Masterplans was a key step to supporting the delivery of housing in the borough.

There were no adopted neighbourhood development orders in the borough. At this time there were no formally established Neighbourhood Forums in the borough and no adopted Neighbourhood Plans. The Fish Quay Neighbourhood Plan Supplementary Planning Document (SPD) had been prepared by the local community and adopted in 2013. As an SPD the Fish Quay Neighbourhood Plan was not a development plan document. However, the key policy priorities established through the SPD had now been adopted as Local Plan policy AS8.12 Fish Quay and New Quay.

The Authority was currently preparing CIL for its area. The CIL Charging Schedule would not form part of the development plan, but would be subject to consultation and independent examination as if it were a development plan document.

Cabinet considered the following decision options: either to agree the recommendations as set out in section 1.2 of the report, or alternatively to disagree with the proposals.

Resolved that (1) the findings of the 2016/17 Authority Monitoring Report be noted; (2) the publication of the 2016/17 Authority Monitoring Report be approved; and (3) the Head of Environment, Housing and Leisure be authorised, in consultation with the Cabinet Member for Housing and Transport, the Cabinet Member for Finance and Resources, the Deputy Mayor and the Head of Law and Governance, to approve publication of future Authority Monitoring Reports.

(Reason for decision - The AMR provides a factual analysis of the delivery of development plan documents and monitoring of development in North Tyneside. The Authority would fail to fulfil its statutory duty if it failed to publish updated monitoring information on at least an annual basis.)

CAB131/02/2018 Determination of School Admission Arrangements for September 2019 (All Wards)

Cabinet considered a report detailing the proposed admission arrangements for all Community Schools in North Tyneside for the 2019/2020 academic year, including the coordinated admissions schemes.

All Local Authorities were required to formulate and consult on a scheme for each academic year for co-ordinating admission arrangements for all maintained schools within their area. This requirement included maintained boarding schools, but excluded maintained special schools and maintained nursery schools. Co-ordinated schemes were intended to simplify the admission process for parents whilst reducing the likelihood of any child being left without a school place. Co-ordination established a mechanism that ensured that, as far as is practicable, every child living in a Local Authority (LA) area who had applied in the normal admissions round

received one, and only one, offer of a school place on the same day. While it was for each LA to decide the scheme that best suited its residents and its schools, authorities must ensure that they:

- a) complied with law and regulations, including all the process requirements; and
- b) did not disadvantage applications to their schools from families resident in other local authorities.

The Scheme applied to applications received from September 2018 for entry into maintained schools in September 2019. The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 required the LA to exchange specified information on applications with neighbouring Authorities.

The purpose of the Scheme was to co-ordinate admissions into all mainstream maintained first and primary, middle and high schools in North Tyneside. The Regulations also placed a duty on all Local Authorities to make arrangements within their Scheme for cross-Authority border co-ordination of admissions.

All schools had to have an admission number for each 'relevant age group'. This was defined in law as 'an age group in which pupils were or would normally be admitted' to the school in question. Admission Authorities of maintained schools must set admission numbers with regard to the capacity assessment for the school under the Regulations.

Pupils would be able to go to their preferred school unless there were more applications to that school than there were places available. If there were more applications than places available at a school, oversubscription criteria would be used to allocate places after any children with a Statement of Special Educational Needs or an Education, Health and Care Plan had been provided for where the Statement or the Education, Health and Care Plan named a specific school.

Where a secondary school operated a sixth form and admitted pupils from other schools at age 16, for instance, an admission number would be required for Year 12 as well as for the main year or years. Admission numbers must refer to pupils being admitted to the school for the first time and not transferring from earlier age groups. The entry requirements for sixth form were largely dependent on the course of study that a student wished to access. Details of specific requirements and courses available may be obtained for individual schools. All schools published information about their post 16 provision.

The only formal consultation which had been undertaken by the LA for Community Schools for the 2019/20 academic year was in respect of the proposed changes to Backworth Park Primary School which was increasing the Published Admission Number from 30 to 45 to align with the relocation and expansion of the school on a new site.

The North Tyneside Learning Trust had been established in September 2010 and currently comprised 44 schools. The governing bodies of these schools were responsible for determining their arrangements in accordance with the School

Admissions Code 2014. Five of the schools in the Learning Trust were Special Schools and these arrangements did not apply to them.

The governing bodies of Voluntary Aided Schools were responsible for consultation and determining their own admission arrangements in accordance with the School Admissions Code 2014. Formal consultation had been undertaken by the respective governing bodies of the RC Schools in North Tyneside for the 2019/20 academic year.

The governing bodies of the four Academies were responsible for consultation and determining their own admission arrangements in accordance with the School Admissions Code 2014.

Any school which subsequently changed status would be responsible for determining their own admission arrangements in accordance with the School Admissions Code 2014.

Cabinet considered the following decision options: either to agree the recommendations as set out in section 1.2 of the report, or alternatively to disagree with the proposals and request officers undertake further work to change the proposed admission arrangements.

Resolved that (1) the 2019 proposed admission arrangements and limits for Community Schools, as outlined in Appendices 1 to 5 to the report, be approved, subject to the appropriate publication of Statutory Notices;
(2) the Head of Commissioning and Investment be authorised to proceed in administering admission arrangements for the 2019/2020 academic year, subject to the publication of Statutory Notices and compliance with obligations required by the Secretary of State in accordance with the timescales set; and
(3) the Head of Commissioning and Investment be authorised, in consultation with the Cabinet Member for Children, Young People and Learning, to formally seek approval, as necessary, from the Schools Adjudicator in accordance with the School Admissions Code 2014 for any necessary variations to the determined arrangements for the 2019/20 academic year should these arise.

(Reason for decision – to secure compliance with statutory requirements as outlined in the report).

CAB132/02/18 Date and Time of Next Meetings

Monday 19 February 2018 at 6.00pm (Extraordinary Meeting)

Monday 12 March 2018 at 4.00pm (Ordinary Meeting)

Minutes published on Thursday 15 February 2018.

The decisions contained within these Minutes may be implemented (unless called in by 3 Non-Executive Members for consideration by the Overview, Scrutiny and Policy Development Committee) immediately following the expiry of the call-in period; i.e. 5.00pm on Thursday 22 February 2018.