

## **Cabinet**

**12 March 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:** D Bavaird (Business Sector)  
D Robinson (Voluntary and Community Sector)  
R Layton (North Tyneside Joint Trade Union Committee)

### **CAB138/03/18 Apologies**

Apologies were received from J Connolly (North Tyneside Clinical Commissioning Group) and P Arnold (Young Mayor).

### **CAB139/03/18 Declarations of Interest and Dispensations**

Councillor IR Grayson declared a non-registerable personal interest in item 5(a) 2017/18 Financial Management Report to 31 January 2018 (CAB141/03/18), as his son was employed at Whitley Bay High School.

### **CAB140/03/18 Minutes**

**Resolved** that the Minutes of the meetings held on 12 February 2018 (Ordinary meeting) and 19 February 2018 (Extraordinary meeting) be confirmed and signed by the Chair.

### **CAB141/03/18 2017/18 Financial Management Report to 31 January 2018 (All Wards)**

Cabinet considered a monitoring report, outlining the Authority's 2017/18 financial position. It provided an update on the expected revenue and capital financial position of the Authority as at 31 March 2018.

The budget for 2017/18 had been approved by full Council at its meeting on the 16 February 2017 (Previous Minute C77/02/17). The net General Fund revenue budget had been set at £152.361m. This included £18.338m of savings to be achieved.

The forecast overall outturn position was an estimated surplus of £0.628m, an improvement of over £0.342m since the last report. The forecast included a £0.250m dividend from the Kier Joint Venture which was proposed to be set aside to fund project costs of bringing the Joint Venture back in house.

This forecast outturn was after taking into account the impact of the crystallisation of the deficit of Seaton Burn College of £0.668m on the transfer to an academy on 1 January 2018. The inclusion of the Improved Better Care Fund (iBCF) of £4.579m

had a significant impact on the outturn position. Aside from the iBCF there had been some marginal underlying improvement in most areas of the risks associated with the delivery of the 2017/18 budget, however there was continued pressure in Health, Education, Care and Safeguarding (HECS) of £3.422m after the allocation of the iBCF (November 2017 £3.272m). Included in this projection was £2.475m of pressures in Corporate Parenting and Placements. The drivers for these pressures were outlined in the report.

The 2017/18 budget setting process made provision for many of the pressures identified during 2016/17, however, demand pressures had continued into 2017/18. Negotiations with care providers continued for 2017/18 in terms of the National Living Wage and at this point not all savings built into the Creating a Brighter Future Programme could be assumed as being delivered. A number of working groups had continued to meet with senior officers and Cabinet Members looking in detail at the financial position and progress against the action plans developed since the start of the financial year. Progress continued to be made against these plans and it was expected that the out-turn forecast would continue to improve over the course of the year as planned remedial actions began to have an impact on spend and income. The forecast outturn included the additional funding for Adult Social Care announced as part of the Spring Budget on 8 March 2017. For 2017/18 this amounted to £4.579m, and was shown as a variation due to the timing of the announcement which was after the 2017/18 budget had been set.

The Housing Revenue Account (HRA) was forecast to have year-end balances at 31 March 2018 of £5.182m, which was £2.322m higher than budget. The higher than forecast balances were mainly as a result of higher opening balances due to the impact of the previous years' financial performance (£1.339m) which was not known at the time the budget was set, and an in-year estimated overall underspend of £0.784m. Total overall income was currently expected to be higher than budget (£0.390m) due to an improved position on empty properties, service charge projections ahead of budget and increased Temporary Dispersed Accommodation projections. Total expenditure was below budget mainly as a result of a reduction in the required call on general contingencies mainly as a result of an improved position on bad debt and transitional protection.

With regard to school funding, there were ten schools with deficit approvals for 2017/18. The Authority had been working with schools for a number of years with regard to the long term strategic issue of surplus secondary school places and the associated financial pressures which continued to be compounded by rising employment costs, and it was this issue that continued to drive the deficit position in schools. All schools requesting deficit approval had met with the Head of Finance and the Director of Children's and Adult Services to ensure all appropriate steps had been taken to improve each school's position prior to formally approving deficit arrangements. Additional governance arrangements and monitoring meetings had been put in place with the relevant schools. School Improvement, HR and Finance officers continued to meet with Head Teachers and Governing Body representatives to monitor the specific requirements of each individual school's deficit approval.

The 2017-2020 Investment Plan, adjusted for proposed variations, totalled £208.066m and was detailed in Appendix 1 to the report. The Annex to the report set

out delivery progress to date, planned delivery for 2017/18, reprogramming and other variations identified through the Investment Programme Governance process.

There had been additional revenue grants received during December 2017 and January 2018 totalling £0.050, the details of which were set out in Annex 1 of the report.

With regard to current progress of services against the Our North Tyneside Plan, in Children's Services good progress had continued to be made on engaging with children in the early years of life to ensure that they were ready for school. Safeguarding vulnerable children and maximising their educational attainment remained key priorities. The levels of looked after children and children who required supervision after leaving care continued to generate a significant financial pressure. Although the Authority was a strong performer compared to regional neighbours, the children the Authority was supporting had complex needs that were expensive to meet. The Authority was forecasting a pressure of £2.475m in corporate parenting and placements (2016/17 £2.525m). The new model for children had been designed in part to address the financial pressures but nationally the numbers of Looked After Children were the highest since 1985 and numbers had been subject to year-on-year increase for nearly a decade.

In Adult Social Care the focus remained on providing support which allowed people to live independent lives by providing preventative services and keeping people living at home for as long as possible. There had been an increase in short term placements to residential care and reablement in-house provision as a result of a lack of capacity in the local domiciliary care market and this was driving some of the cost pressure within Adult Social Care.

Variations of £1.360m and re-programming of £5.137m were set out in the Annex to the report, the revised Investment Plan stood at £83.870m for 2017/18. To the end of January 2018 £53.626m (63.94%) of spend had been incurred.

The Cabinet Member for Children, Young People and Learning explained that through regular meetings between officers and schools, 8 out of 10 schools had managed to reduce its deficit. He also mentioned that although some small reductions had been made in Children's Services this remained a challenging area and the Authority needed to ensure that children were safe.

Mr Bavaird, Business Representative, asked for his appreciation to be noted for all of the consultation that had been carried out with the business community.

The Elected Mayor appreciated the hard work carried out by officers and the Cabinet Member for Finance and Resources; and thanked them for managing to turn the budget around to achieve a forecasted small surplus.

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

**Resolved** that (1) the forecast budget monitoring position for the General Fund, Housing Revenue Account (HRA) and Schools' Finance as at 31 January 2018, as set out in the Annex to the report, be noted;  
(2) the receipt of £0.050m new revenue grants be approved;  
(3) the Authority's Investment Plan spend of £53.626m to 31 January 2018 and the financing of the Plan to the end of the year be noted; and  
(4) the variations of £1.360m and re-programming of £5.137m within the 2017 - 2020 Investment Plan be approved.

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

### **CAB142/03/18 Adoption of the proposed Planning Obligations Supplementary Planning Document 2018 (All Wards)**

Cabinet considered a report seeking approval of the proposed Planning Obligations Supplementary Planning Document (SPD) 2018.

The Planning Obligations SPD provided guidance on the type and extent of planning obligations which may be required in order to ensure that planning permission could be granted. It was intended to facilitate the process between the Authority and developers, as well as provide transparency on the Authority's approach. It was not an exhaustive document but it identified key areas of infrastructure that would need to be addressed as part of a Section 106 Agreement where considered to be fair, necessary and reasonable.

The Planning Obligations SPD had been adopted in October 2009 in the context of the Unitary Development Plan 2002 (UDP) policy DC4, relating to planning obligations / agreements and developers' contributions. The proposed update to the Planning Obligations SPD following adoption of the Local Plan in 2017 ensured appropriate alignment of the document to the relevant policy throughout the Local Plan to securing infrastructure and in particular policy S7.1 General Infrastructure and Funding.

The 2010 Community Infrastructure Levy Regulations had introduced three tests that must be must be satisfied when seeking a planning obligation for new development. These requirements were reflected in the National Planning Policy Framework (2012) and the National Planning Practice Guidance (2013). These changes in legislation and national policy were reflected in the revised SPD document

Cabinet had agreed at its meeting on 14 August 2017 (Previous Minute CAB37/08/17), to consult on the draft Planning Obligations SPD. The public consultation had begun on 29 August 2017 and had been extended to allow comments until 3 October 2017. This was in conjunction with the consultation on the Community Infrastructure Levy (CIL) Draft Charging Schedule and carried out in accordance with the statutory requirements of preparing SPDs.

A total of seven stakeholders had made representations. The proposed changes were set out within the Consultation Statement and Schedule of Changes, this was

attached at Appendix 1 to the report. These documents considered the representations and explained the proposed changes to the SPD. The proposed Planning Obligations Supplementary Planning Document, February 2018, included the suggested amendments.

The Planning Obligations SPD did not put any extra planning constraints on a development; rather it provided an important guide for applicants and enabled the Authority to demonstrate a consistent approach to seeking such obligations. An up to date Planning Obligations SPD ensured the Authority was in the best position to deliver the infrastructure required to support the proposals of the North Tyneside Local Plan and the Killingworth Moor and Murton Gap Strategic Allocations.

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

**Resolved** that (1) the responses received to the consultation on the draft Planning Obligations Supplementary Planning Document, authorised by Cabinet in February 2017, be noted; and  
(2) the adoption of the proposed Planning Obligations Supplementary Planning Document be approved.

(Reason for decision - Adoption of the Planning Obligations SPD would allow for the Authority to fulfil the requirements of local and national planning policy, ensuring that the Authority has a transparent process for seeking Section 106 Agreements as part of the planning process. An update to the Authority's existing Planning Obligations SPD is necessary to ensure alignment with the Local Plan 2017 and compliance with government regulations and national planning policy and guidance.)

### **CAB143/03/18 North Tyneside Travel Safety Strategy (All Wards)**

Cabinet considered a report seeking approval of the North Tyneside Travel Safety Strategy.

The North Tyneside Transport Strategy, adopted by Cabinet on 8 May 2017 (Previous Minute CAB166/05/17) set out the Authority's vision for transport in the borough. It sought to ensure that "North Tyneside would have a safe, easy to use, healthy, affordable, accessible and integrated travel and transport infrastructure that works for residents, businesses and visitors effectively and efficiently." It set out five principles key to achieving this.

A key aim for both the Transport Strategy and the North Tyneside Local Plan was to provide a safer environment for road users and to continue to reduce the number of people injured on the transport network in North Tyneside.

The local highway network had become safer each year as collision rates continued to decline despite the volume of traffic increasing. The perception of safety on the local highway network was becoming as important as actual collision statistics as this could influence decisions and behaviour.

The Travel Safety Strategy considered a broader remit in addressing road safety and aimed to tackle safety and personal security perceptions of transport users as well as acute road safety issues. The Travel Safety Strategy set out 5 key actions to enhance the Authority's already successful approach to improving safety on the transport network:

- Expand and deliver a range of Travel Safety education initiatives which support health, safety and sustainability.
- Work with public transport organisations including Nexus, bus operators, and Taxi operators to improve perceptions around safety.
- Improve coordination with delivery partners to increase opportunities to deliver Travel Safety improvements.
- Invest in new technology for monitoring traffic speeds and enhance data collection.
- Report ongoing performance as part of the Transport Strategy Annual Information Report.

The North Tyneside Travel Safety Strategy set out clearly the Authority's approach to managing road safety in the borough.

The broader strategic context for road safety, proposed actions and indicators of success were detailed in the report.

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

**Resolved** that the North Tyneside Travel Safety Strategy, attached at Appendix 1 to the report, be approved.

(Reason for decision - approval of the Strategy will clearly set out the Authority's commitment to improving travel safety across the borough, in accordance with the adopted North Tyneside Transport Strategy, and allow the Authority to deliver and evidence further long term safety improvements.)

### **CAB144/03/18 North Tyneside Cycling Strategy (All Wards)**

Cabinet considered a report seeking approval of the North Tyneside Cycling Strategy and the North Tyneside Cycling Design Guide.

As identified in the Our North Tyneside Plan, the Local Plan and the North Tyneside Transport Strategy, cycling was an important means of transport. A strategic approach to cycling was essential in order to deliver aspects of the Our North Tyneside Plan, the Local Plan and the North Tyneside Transport Strategy. It was proposed that this approach would focus activity on:

- growing everyday cycling so that more people benefited and the environment did too;
- wherever possible, improving the borough's infrastructure and information to support that growth; and

- providing some design guidance to make sure that infrastructure was in line with best and emerging practice.

More than two million adults in the UK regularly rode a bicycle and the 2011 Census showed the number of people cycling to work had increased by 14%. Increasingly, people were choosing to cycle as a practical way to get to and from work, school and shops as well as a popular recreational activity. Cycling tourism on long-distance routes such as the Coast and Castles was also a valuable contributor to the region's economy.

The proportion of North Tyneside residents who cycled to work had increased by 20% in the ten years to 2011 and cycling in North Tyneside had trebled in the past decade.

The health benefits associated with physical activity such as cycling were outlined in the report.

In response to the changing picture the Authority had invested in cycling to deliver improvements. The Authority had:

- encouraged more people to cycle, by delivering Bikeability cycling training in schools and taking part in the regional Go Smarter programme of initiatives to support sustainable and active travel; and
- designed cycling into seven large transport schemes worth £27.3m which had improved routes and crossing points.

The broader strategic context for cycling, proposed actions and indicators of success were detailed in the report.

The draft Design Guide set out requirements for the design of infrastructure, which supported everyday cycling: this guide was to be applicable to all highway projects, not only those where cycling was the primary focus. The draft Design Guide added further detail of the Authority's requirements following the approval by Cabinet on 8 May 2017 of the revised Supplementary Planning Document LDD12 – Transport and Highways (Previous Minute CAB167/05/17).

On 15 January 2018, Cabinet had approved the commencement of a process of public engagement on the draft North Tyneside Cycling Strategy and a process of engagement with user groups (including Sustrans) on the draft Design Guide (Previous Minute CAB 113/01/18). The report provided detail of the consultation process.

The Authority had received 46 responses during the engagement process which were overwhelmingly positive with the majority strongly agreeing with the proposals. Over 36 different points or suggestions had been made and these were summarised along with the action taken in Appendix 3 of the report.

Mr Bavaird, Business Representative, stated that the North Tyneside Cycling Strategy was critical in terms of delivering economic growth in the borough, particularly in town centres; and that the business community totally supported and welcomed the strategy.

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

**Resolved** that (1) the North Tyneside Cycling Strategy, attached at Appendix 1 to the report, be approved; and  
(2) the North Tyneside Cycling Design Guide, attached at Appendix 2 to the report, be approved.

(Reason for decision - Approval of the draft North Tyneside Cycling Strategy and draft North Tyneside Cycling Design Guide will clearly set out the Authority's aspirations for cycling in the borough, in accordance with the adopted North Tyneside Transport Strategy, and allow the Authority to secure improvements through the planning process, shape future decisions and support future funding bids for transport-related projects or initiatives.)

### **CAB145/03/18 Reduction in Library Opening Hours (All Wards)**

Cabinet considered a report seeking approval to implement revised opening hours for the Authority's libraries.

Cabinet at its meeting on 14 November 2016 had adopted its Library Strategy for 2016-2021 (Previous Minute CAB82/11/16). The Strategy set out the Authority's objectives for the delivery of library services following the publication, in March 2016, of the National Libraries Task Force consultation paper, Libraries Deliver: Ambition for Public Libraries in England 2016-21, which outlined several areas of 'purpose', which were reflected in the key objectives of the Authority's strategy.

Consistent with the improvement programme over the past ten years, which had seen an investment of over £20m in new library provision, Cabinet had encouraged a concentration of service provision in its Customer First Centre network in North Shields, Whitley Bay, Wallsend and Killingworth.

These four facilities accounted for over 80% of library visits; nearly 70% of library members; 66% of book issues and 75% of People's Network computer log-ins.

In summarising the Authority's approach to its library service delivery the strategy clearly stated, "While the Council would continue to meet its statutory obligation to deliver a "comprehensive and efficient" library service, the exact mix of this provision may vary over the lifetime of the strategy, as resources allowed and funding streams permitted".

In the context of the Authority's library strategy a range of proposals had been explored in advance of Cabinet bringing forward its initial budget proposals. Given the significance of the investment in library infrastructure and the importance of libraries in the community, Cabinet ruled out any library closures as an option.

At its meeting on 27 November 2017 Cabinet had brought forward proposals to reduce library opening hours as part of the 2018-2020 Financial Planning and Budget Process (Previous Minute CAB87/11/17). The report had stated that "There



would be a reduction in opening hours of Libraries and Customer First Centres – the approach taken would be based on current levels of activity to ensure we continued as far as possible to maintain appropriate access to facilities for our residents”. Engagement on the budget proposals had been undertaken with residents and key stakeholders between 28 November 2017 and 24 January 2018. Following the responses received during this engagement, Cabinet had agreed its final budget proposals on 24 January 2018 (Previous Minute CAB120/01/18).

While the original proposals from Cabinet did not specify the precise nature of the reduction in hours, through the Budget Engagement period, as people expressed views around the proposals, the Officer Team had shared the draft plans to illustrate options available to the Authority. Following this engagement the Mayor and Cabinet had proposed a reduction in library opening hours from 46% to 34%, effectively restoring 66 hours per week of library opening hours.

Also, the Mayor and Cabinet had specifically asked officers to capitalise on the strength of community feeling and explore how these groups might be involved in the work with their local library to support the operation of each library.

Following feedback from residents and library user groups during the budget engagement process Cabinet had proposed in its final Budget proposals that the emphasis upon maximising access to Customer First Centre based library provision should be maintained and had agreed the opening hours, these were outlined in Appendix 1 to the report.

Cabinet had also recognised the ongoing value of mobile provision across the Borough, both in the form of the mobile library and the Children’s Bus, neither of which would be affected by the proposed changes. In addition the Libraries at Home service, providing books for the most vulnerable and Schools Library Service would not change as a result of budget considerations.

An Equality Impact Assessment (EIA) had been undertaken to consider how the proposals would impact on individuals with protected characteristics such as disability, and age etc. Attached at Appendix 3 to the report, the EIA detailed the mitigation that the Authority had developed to address the impacts identified.

The Head of Environment, Housing and Leisure would continue to monitor the impact of changes and, in consultation with the Cabinet Member for Leisure, Culture and Tourism, make any necessary modifications.

In response to Mr Layton, North Tyneside Joint Trade Union Committee, the Cabinet Member for Leisure, Culture and Tourism gave assurance that there would be a review on the impact of reducing library hours following implementation.

Cabinet members thanked officers and the Cabinet Member for Leisure, Culture and Tourism for their hard work in continuing to provide high quality library provision in the borough in light of significant financial pressures.

Cabinet considered the following decision options:

Option 1 – to agree the recommendations as set out in paragraph 1.2 of the report.  
Option 2 – to disagree with the recommendations and ask officers to reconsider the options available to Cabinet in relation to the opening hours of the Authority’s libraries.

**Resolved** that (1) the proposed library opening hours from 1 April 2018, as set out in Appendix 1 to the report, be approved;  
(2) the Head of Environment, Housing and Leisure, in consultation with the Cabinet Member for Leisure, Culture and Tourism, be authorised to implement the new opening hours and to agree any modifications in opening hours, if necessary, following implementation; and  
(3) the Secretary of State for Digital, Culture, Media and Sport be advised of changes in library provision in accordance with national guidance and in order to assist in his supervisory function.

(Reason for decision - To achieve the financial saving agreed by full Council on 15 February 2018; This option is consistent with the consultation and feedback received during the budget engagement process and the Authority’s existing Library Strategy.)

### **CAB146/03/18 Procurement of Adult Social Care Services – Various Contracts (All Wards)**

Cabinet considered a report seeking approval to undertake five open procurement exercises for the award of contracts for the following adult social care services:

- Learning disability, accommodation based respite care;
- Residential care, mental health, learning disability and physical disability;
- Supporting people to live at home;
- Extra care;
- Preventative services

These were all services that were currently in place and the current contracting arrangements were coming to an end over the course of the forthcoming year. New contracts and framework agreements for each of the services would need to be put in place to ensure continuity of service and provision to support people in the community and in care home placements.

Whilst the report proposed to continue the current approach, work was underway with the relevant Cabinet Members to examine which aspects of social care might be best delivered directly by the Authority in the coming years.

Each of the services / service areas were outlined in detail in the report.

The principles that underpinned the Authority’s Targeting Operating Model (TOM) would be integral to each of the services identified. There would be a requirement for commissioned organisations to work proactively with the Authority as part of the service delivery model to enable people to support themselves; target resources to people who needed it most; understand and manage demand; identify innovation; and reduce long term costs through the use of technology.

Where appropriate this would form part of the evaluation process for the award of contracts, to ensure that providers were committed to the principles of the Creating a Brighter Future programme and the TOM.

All services commissioned under the arrangements identified would be performance monitored against how well individuals had been supported to progress towards achieving agreed outcomes; this would be at an individual level and also a service level.

The tender process employed to select the successful providers would specifically assess their ability to deliver social value as part of the quality element of the tender evaluation process.

Cabinet considered the following decision options:

Option 1 – to agree the recommendations as set out in paragraph 1.2 of the report.  
Option 2 – to disagree with the recommendations and propose that officers consider other options for delivering this provision.

**Resolved** that the Head of Health, Education, Care and Safeguarding, in consultation with the Head of Law and Governance and the Head of Finance, be authorised to:

Learning disability, accommodation based respite care:

- (1) Undertake an open procurement exercise to procure a single provider to deliver the identified services, as outlined in section 1.5.2 of the report; and
- (2) Following the open procurement exercise carried out in accordance with Resolution (1) above, to proceed with the award of contracts to the preferred bidder.

Residential care, mental health, learning disability and physical disability

- (3) Undertake an open procurement exercise to procure a range of providers under a Dynamic Purchasing System to deliver the identified services, as outlined in section 1.5.3 of the report; and
- (4) Following the procurement exercise carried out in accordance with Resolution (3) above, to proceed with the award of contracts to the preferred bidders.

Supporting people to live at home

- (5) Undertake an open procurement exercise to put in place a framework agreement and procure providers to deliver the identified services, as outlined in section 1.5.4 of the report; and
- (6) Following the open procurement exercise carried out in accordance with Resolution (5) above, to proceed with the award of contracts to the preferred bidders.

Extra care

- (7) Undertake an open procurement exercise to put in place a framework agreement and procure providers to deliver the identified services, as outlined in section 1.5.5 of the report; and

- (8) Following the open procurement exercise carried out in accordance with Resolution (7) above, to proceed with the award of contracts to the preferred bidders.

#### Preventative services

- (9) Undertake an open procurement exercise to procure a provider(s) to deliver the identified services, as outlined in section 1.5.6 of the report; and  
(10) Following the open procurement exercise carried out in accordance with Resolution (9) above, to proceed with the award of contracts to the preferred bidders.

(Reason for decision – current contracts and contracting arrangements are due to expire and new arrangements will need to be in place to ensure continuity of service for individuals accessing those services; ensure compliance with procurement regulations, undertake competitive procurement exercises for the various services identified above; and to ensure commissioning arrangements are current, effective and ensure value for money is in place with those contracts and framework agreements.)

#### **CAB147/03/18 Delivery of the Action Plan resulting from the Ofsted Inspection of Children's Services (All Wards)**

Cabinet considered a report outlining progress achieved in relation to the delivery of the Action Plan to address recommendations of the Ofsted inspection of Children's Services.

Ofsted had formally identified seven recommended areas for development. All areas were known to Officers and improvement work had been on-going at the point of inspection. The seven recommended areas for development were detailed in the report.

The Authority had submitted an Action Plan to address the seven recommendations to the Secretary of State and Her Majesty's Chief Inspector on 19 September 2017. Neither the Secretary of State nor Her Majesty's Chief Inspector had responded to the submission, the inference drawn by the Authority that the Action Plan was acceptable to them.

The Authority had identified twenty three specific actions to address the seven recommendations. A matrix with the actions and a brief summary of progress to date was appended to the Report.

In summary, of the twenty three actions, eleven had been successfully completed within the period. Of the remaining twelve, five were dependent upon the implementation of the new Case Management System (Liquid Logic LCS) which was scheduled to 'Go Live' on 26 February 2018. One action, relating to use of a new post within Children's Social Care to progress work, had been discontinued due to a change in workforce planning with the responsibilities for the work passing to another Officer. The final six were all work in progress and would be delivered in the next quarter.

Delivery of the Plan was subject to regular scrutiny and review by the Senior Management Team for Children, Young People and Learning. The Plan was owned by the Head of Health, Education, Care and Safeguarding.

Progress by the Authority in relation to the seven recommendations made in June 2017 would be part of the Annual Conversation, a meeting between the Regional Director of Ofsted and the Head of Health, Education, Care and Safeguarding scheduled for the 22 May 2018.

Cabinet considered the following decision options:

Option 1 – to agree the recommendations as set out in paragraph 1.2 of the report.  
Option 2 – to disagree with the recommendations and request that officers revise the update and/or take actions additional to those detailed within the report.

**Resolved** that (1) the progress made in relation to the Action Plan devised by Officers to address the recommendations of the Ofsted Inspection of North Tyneside's services for children in need of help and protection, children looked after and care leavers be noted; and  
(2) the actions requiring further progress during the next three month period be noted.

(Reason for decision - Delivery of the Action Plan is ongoing but significant and substantial progress has been made to address the seven formal recommendations by Ofsted following their inspection of the Authority's services for children. Delivery is on schedule and is contributing to improved services for vulnerable children and young people within the Borough.)

### **CAB148/03/18 Update on the development of the Regional Adoption Agency (All Wards)**

Cabinet considered a report detailing the progress made in relation to the development of a proposed delivery model for the Regional Adoption Agency.

On 12 June 2017 Cabinet had authorised the Head of Health, Education, Care and Safeguarding, in consultation with the Cabinet Member for Children, Young People and Learning, the Head of Law and Governance and the Head of Finance to participate in and contribute to the development of proposals for a Regional Adoption Agency (RAA) (Previous Minute CAB181/06/17).

Participation in the development of proposals for an RAA by the Authority had stemmed from the requirement by the Department for Education (DfE) that by 2020 adoption services should no longer be delivered by individual Local Authorities but delivered on a regional basis. To comply with this national requirement, the Authority had worked with Newcastle City Council, Northumberland County Council, South Tyneside Council and Gateshead Council and four voluntary agencies to scope an appropriate RAA delivery model.

It had been anticipated that a decision by Cabinet following consideration and appraisal of delivery options regarding the RAA would be required in late

summer/autumn 2017. It was now anticipated that a report to Cabinet for a decision would be provided in the summer of 2018. This was due to the need for further, more detailed scoping work being required.

In relation to progress to date, the RAA Executive Board, comprising of the five Directors of Children's Services for the five participating local authorities, had agreed to the following proposals developed by the RAA Project Team:

- The target operating model for the new RAA and the services it would deliver, these were detailed in the report.
- The RAA should be 'hosted' by one of the five participating local authorities. The alternative model by which the five Local Authorities established a 'Joint Venture Company' had been discounted as not representing best value due to the additional costs associated with the model, particularly irrecoverable VAT costs.
- The main accommodation for the RAA should be based in Newcastle. This would provide the RAA with a central location within the North East region for both service users and staff.

The proposals had been developed by the RAA Project Team following consultation events held with relevant stakeholder groups; baseline of the current Adoption Service provided by the five local authorities; and regular reporting to and feedback from the five local authorities through engagement with Senior Management Teams and Cabinet Members.

On 26 January 2018 the RAA Executive Board had recommended the following next steps be taken by the RAA Project Team:

- That the costs and practical arrangements required for North Tyneside Council to act as the 'host' for the RAA be scoped.
- That more granular financial modelling and analysis be undertaken.
- Determination of the options relating to the RAA's Information Technology needs and how these would be met.
- An options appraisal of accommodation in Newcastle to base RAA staff and activity.

Cabinet considered the following decision options:

Option 1 – to agree the recommendations as set out in paragraph 1.2 of the report.  
Option 2 – to disagree with the recommendations and requests that officers revise the update and/or take actions additional to those detailed within the report.

**Resolved** that (1) the progress made in relation to the development of a proposed delivery model for the Regional Adoption Agency (RAA), be noted; and (2) the authorisation given to the Head of Health, Education, Care and Safeguarding, in consultation with the Cabinet Member for Children, Young People and Learning, the Head of Law and Governance and the Head of Finance, to participate in and contribute to the development of the proposals associated with the RAA, be re-affirmed.

(Reason for decision – The recommendation proposed supports the work and initial conclusions of the Project Group whilst requiring a full and detailed explanation and analysis of the available options to be provided the Cabinet when it is requested to make a final decision of the model to adopt.)

### **CAB149/03/18 Making the most of the Disabled Facilities Grant (All Wards)**

Cabinet considered a report seeking approval of a revised Disabled Facilities Grant policy.

The Disabled Facilities Grant, made annually by the Department of Health, was administered by local authorities to allow them and local housing associations to adapt properties to make it easier for people with assessed needs to remain living in their home. Since its introduction in 1989 the Authority had worked hard to use the Grant to help people live independently in their own homes for longer.

A policy had been in place for some time which was published and accessible by residents, and which detailed how the Authority would administer the Grant.

Since the introduction of the Care Act in 2014 and the announcement of the Better Care Fund in 2013, the Grant and the use of it had become part of a wider picture of care and support which more closely aligned to housing and health services. Officers had been working with the relevant Cabinet Members and partners to review the Authority's policy, sharpen the process, understand how to effectively target the grant and ensure the appropriate supply chain was in place for delivery. It was hoped that following this review, the Authority would see a wider take up and more effective targeting of the Grant, ensuring that it reached those that needed it the most, achieving the best outcomes.

The report highlighted the significant changes to the current policy, explained the process changes which were proposed (including the impact on the Technical Services Partnership with Capita) and described how the grant would be effectively targeted. The revised policy was attached at Appendix 1 to the report.

The Cabinet Member for Health and Wellbeing welcomed the report and stressed that in terms of an individual's health and wellbeing it was crucial that people had homes which were fit for purpose.

Cabinet considered the following decision options:

Option 1 – to agree the recommendations as described in paragraph 1.2 of the report.

Option 2 - disagree the recommendations and ask Officers to carry out further work in relation to the review of the use of the Grant within the Authority.

**Resolved** that (1) the revised Disabled Facilities Grant Policy at Appendix 1 to the report and its implementation by 2 April 2018 be approved;  
(2) the revised process and accountabilities be noted; and  
(3) the proposed approach to targeting the Grant be approved.

(Reason for decision - It represents an opportunity to update the Authority's policy and more effectively target this Grant and utilise the statutory flexibilities available to it. It also means an improvement in the processes that will result in some efficiencies and an improved experience for customers.)

### **CAB150/03/18 Cabinet Response to Scrutiny Report on ICT Strategy Review (All Wards)**

Cabinet received a report seeking approval to the proposed response to the recommendations of the ICT Strategy Sub Group's study, on behalf of the Overview, Scrutiny and Policy Development Committee, into the Authority's ICT Strategy.

The Overview, Scrutiny and Policy Development Committee had agreed on 25 May 2017 to review the ICT Strategy with the intention of:

- Reviewing the Authority's ICT strategy in the context of changing organisational and customer need, underpinned by the Target Operating Model and delivery of the Creating a Brighter Future Programme.
- Evaluating whether the Authority had an appropriate ICT strategy in place and whether this strategy would meet the future needs of the organisation.

Having completed its investigation, the sub-group had prepared a report and a series of recommendations. Cabinet had received the report and recommendations on 15 January 2018 (Previous Minute CAB110/01/18).

Cabinet considered the following decision options:

Option 1 – to agree the proposed response to the recommendations from the Overview, Scrutiny and Policy Development Committee, as set out in paragraph 1.2 of the report.

Option 2 – to disagree with the proposed response to the recommendations from the Overview, Scrutiny and Policy Development Committee, as set out in paragraph 1.2 of the report, and provide an alternative response.

**Resolved** that the proposed responses to the recommendations from the Overview, Scrutiny and Policy Development Committee, as shown in Appendix 1 to the report, be approved.

(Reason for decision - in order to ensure that the ICT strategy continues to be fit for purpose and supports the needs of the organisation moving forward.)

### **CAB151/03/18 Compulsory Purchase Order – 25 and 26 Wellington Avenue, Wellfield Estate, Whitley Bay (St. Mary's Ward)**

Cabinet considered a report on a proposal to make a Compulsory Purchase Order (CPO) in respect of 25 and 26 Wellington Avenue, Wellfield Estate, Whitley Bay.

North Tyneside Council was the former tenant of the premises. The premises had been transferred to the Authority on its formation in 1974. Prior to the transfer, the



former Tynemouth County Borough Council had been the tenant of the premises under the terms of a 99 year lease dated 12 May 1912.

When the premises had transferred to the Authority it had no record of the then owner and Landlord or any correspondence with them relating to the premises. The Authority had since been unable to identify the current owner and Landlord and when the lease had expired on 11 May 2011, the Authority had ceased to have any legal interest in the premises.

The building had subsequently fallen into disrepair whilst vacant and outside of the ownership of the Authority. This was having a negative impact on the locality and the premises were regularly the subject of anti-social behaviour and were potentially becoming a danger to anybody who trespassed onto the property.

The numerous and wide ranging attempts by the Authority to identify the owner were detailed in the report. In addition the Authority had given consideration to whether a claim for adverse possession would be appropriate. However this had not been possible as the Authority was no longer in occupation of the property.

The report outlined the powers of the local authority to acquire compulsorily any land in their area in order to facilitate the carrying out of development, redevelopment or improvement on or in relation to the land.

In order for the Authority to use its CPO powers the Authority must demonstrate that it had a "Scheme" for the premises and a budget available to execute it. It was also imperative that the Authority could successfully demonstrate that it had tried all other ways to secure the premises by agreement.

Whilst it was not part of a wider regeneration plan or project, if the Authority were to promote the improvement and refurbishment of the premises through its sub-division into two dwellings, it was considered that this would be acceptable as an appropriate "Scheme" for CPO purposes.

Additionally this would be supported by a "Statement of Reasons" which would confirm that the work was required to halt the further decline of the premises and its detrimental impact on the immediate locality. This document could make reference to the Authority's Housing Strategy 2016 - 2021 that had been agreed by Cabinet in August 2016 and which detailed the Elected Mayor's commitment to tackling empty properties which "blight" neighbourhoods. The "Statement of Reasons" would then be submitted for formal approval.

Funding to support a "Scheme" could be made available from the Housing Revenue Account, if the premises were brought back into beneficial use as affordable homes, or through either of the Authority's trading companies for use as affordable or private homes.

These options were currently being considered by Officers and a preferred option together with the full financial implications to the Authority would be recommended for approval in due course.

If a CPO was not progressed then the property would continue to deteriorate and have further impact on the local area as a target for anti social behaviour.

Should the Authority fail to secure the property through the use of its CPO powers, Officers would consider the options available to the Authority including seeking an Order from the High Court.

Cabinet considered the following decision options:

Option 1 – to agree the recommendations contained within the report to facilitate the making of the Nos. 25 and 26 Wellington Avenue, Wellfield Estate, Whitley Bay Compulsory Purchase Order 2018.

Option 2 – to disagree to make the CPO and request Officers to look at other options available to the Authority.

**Resolved** that (1) the making of a Compulsory Purchase Order under section 226 (1) (a) of the Town and Country Planning Act 1990 for the acquisition of 25 and 26 Wellington Avenue, Wellfield Estate, Whitley Bay within the area edged red on the plan attached at Appendix 1 to the report, to facilitate the improvement of the premises and to contribute to the economic, social and environmental well-being of the locality, be approved;

(2) the Order be named “Nos. 25 and 26 Wellington Avenue, Wellfield Estate, Whitley Bay Compulsory Purchase Order 2018”; and

(3) the Head of Commissioning and Investment, in consultation with the Elected Mayor, the Head of Finance, the Head of Law and Governance and the Head of Environment Housing and Leisure, be authorised to:-

a) agree a final “Statement of Reasons” that will be submitted with the Order to the Secretary of State for Housing, Communities and Local Government providing the justification for pursuing a CPO based on the information given in Section 1.5 of the report;

(b) agree a “Scheme” for bringing back the premises into beneficial use; and

(c) take all necessary steps to secure the making, confirmation and implementation of the CPO, including the conduct of a Public Enquiry (if appropriate) to obtain confirmation of the Order by the Secretary of State.

(Reason for decision - this will demonstrate the Authority’s clear commitment to secure ownership of 25 and 26 Wellington Avenue in order to stop the further decline of the premises and its negative impact on the locality and to bring them back into beneficial use.)

### **CAB152/03/18 North Tyneside Council Living Wage (All Wards)**

Cabinet received a report seeking approval to a revised North Tyneside Council Living Wage.

At a meeting of the Cabinet on 10 July 2017 (Previous Minute CAB 29/07/17) it had been agreed that a pay supplement, the North Tyneside Living Wage (NTLW) would be added to the hourly rate of pay of those Authority employees earning less than £8.45 per hour.

The level of pay supplement reflected The Living Wage Foundation's recommended hourly rate. This rate of pay was used as a benchmark to set a reasonable and recognisable hourly rate of pay for those employees paid on the lower end of the National Pay Spine and the Authority's pay and grading structure.

Two recent developments had prompted a review of this payment:

1. In November 2017, the Living Wage Foundations hourly rate had increased to £8.75 per hour. This would affect employees on Spinal Column Points (SCP) 6-10 on the Authority's pay and grading structure.
2. As a part of the national collective bargaining arrangements for local authority employees, the national employers' organisation had offered to the trade unions representing the employees a 2 year pay deal from 1 April 2018 to 31 March 2020. In 2018/19 this pay award would increase the current hourly rates at the bottom end of the pay spine to more than the current NTLW (£8.45 per hour).

Two of the unions had recommended rejection of the offer which was now out to consultation with the membership. Pending the outcome of the consultation the unions may ballot the membership on taking industrial action.

Cabinet was requested to agree to adjust the pay supplement (NTLW) to £8.75 per hour in response to recent developments with a caveat that should the current pay offer be rejected, it remained at £8.45 to be reviewed at such a time as a pay award was agreed.

The Authority was the residual employer for all employees in Community Schools and Moorbridge Pupil Referral Unit. The NTLW was applied in these schools to avoid any equal pay risks arising. For other maintained schools within North Tyneside as the respective governing bodies rather than the Authority was the employer of the staff in these schools, there was no equal pay risk present beyond the boundaries of each school.

The decision did not affect the other schools such as the academy schools in North Tyneside, however to date all maintained schools had adopted a similar position to the Authority.

Both partner organisations (Capita and Engie) were supportive of the NTLW. Engie currently had no staff affected and Capita had implemented the proposal to those staff within the North Tyneside Contract from 1 January 2018.

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

**Resolved** that (1) a revised North Tyneside Living Wage, as outlined in the report, of £8.75 per hour should the current pay award be accepted by the trade unions, be approved;  
(2) the use of the finance allocated via the budget setting process for 2018/19 to enable the implementation of this payment, be approved; and

(3) the Head of Finance, in consultation with the Head of Law and Governance, be authorised to take all necessary steps to implement the resolutions above .

(Reason for decision - It aligns to an hourly rate of £8.75 which is recommended by the Living Wage Foundation as the hourly rate of pay a person living in the UK needs to live at a sustainable level and it ensures the continuation of a North Tyneside Living Wage.)

### **CAB153/03/18 Date and Time of Next Meetings**

Monday 19 March 2018 at 4.00pm (Extraordinary Meeting)

Monday 9 April 2018 at 6.00pm (Ordinary Meeting)

**Minutes published on Friday 16 March 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 Friday 23 March 2018.**