

## **Cabinet**

**25 February 2019**

**Present:** Mrs N Redfearn (Elected Mayor) (in the Chair)  
Councillors G Bell, C Burdis, S Cox, S Day, P Earley,  
R Glindon, M Hall and C Johnson

**In Attendance:** P Arnold (Young Mayor)  
A Caldwell (Age UK)  
R Layton (North Tyneside Joint Trade Union Committee)  
D Robinson (Voluntary and Community Sector)  
D Bavaird (Business Representative)

### **CAB98/02/19 Apologies**

Apologies were received from Councillor B Pickard and M Adams (North Tyneside Clinical Commissioning Group).

### **CAB99/02/19 Declarations of Interest and Dispensations**

There were no declarations of interest or dispensations reported.

### **CAB100/02/19 Minutes**

**Resolved** that the Minutes of the previous meetings held on 21 January 2019 (Ordinary meeting) and 28 January 2019 (Extraordinary meeting) be confirmed and signed by the Chair.

### **CAB101/02/19 Report of the Young Mayor**

The Young Mayor, Poppy Arnold, reported on the following activities in which she and Young Cabinet Members and/or Youth Councillors had been involved:

- The Young Mayor had spent time at the Children's Council meeting, she also attended the Holocaust Memorial Event in January the theme "Torn from Home", and the Young Carers Centre Awareness evening at The Exchange in North Shields.
- Some young cabinet members who had attended a planning meeting with the Music Hub about Soundfest 2019 would become part of the organising committee.
- Youth councillors had attended the Challenging Youth Racism Workshop facilitated by Human Kind and were able to discuss the issues in a safe environment.
- Young cabinet members had attended a special meeting with Mayor Redfearn and Cabinet Members to feed back the priorities of the youth council, outlining what they were already doing; they all valued the fact that adults were very interested in their work and looked forward to the meetings becoming a regular occurrence.
- The preliminary online election for the youth elections had closed with an increase in the number of young people voting online. The top four candidates were known. There was no preliminary online vote for UK Youth Parliament elections due to the low number of nominations. Announcement of results of the voting would take place on 8 March.

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- The Bay Food bank were very appreciative of youth councillors and parents for giving up their time in February to help with the groceries bag pack. £608.71 was raised (along with full bags of groceries) which would be added to the previously collected funds totalling £2,295.37 to be presented at the March Youth Council Meeting.
- Some young cabinet members and youth councillor had met with the Town Centre/ Retail Sub Committee, when they fed back on a survey regarding the future town centre and retail offer including their use of shops and online shopping.
- The Youth Council Health and Wellbeing Cabinet Member Niamh had been working with MH:2K and Phoenix Detached Youth Project on helping to develop a leaflet about mental health support. She had met with public health looking at a survey about growing up in North Tyneside which was going out into schools soon.
- The Environment group had raised some ideas for the Big Spring Clean-up in March including a beach clean-up at Longsands, with a letter going to schools inviting them to take part in a competition style clean up outside of their schools, with an award given to the school which had the most students participating and who gathered the most litter. The group had asked for photographic evidence of the spring clean-up.

The Young Mayor commented that as this may be her last time at Cabinet thanked everyone for all the opportunities to represent young people and having enjoyed her time in the role she would be standing again; regardless of the outcome she would continue to be involved in the youth council and wished all the candidates' good luck in the elections.

The Elected Mayor thanked the Young Mayor for her report and was commended on the amazing work that she, young cabinet members and youth councillors had been involved in, including the recent Bay Food Bank fund raising and the young people's opinions that had been welcomed by Cabinet and Councillors of North Tyneside.

### **CAB102/02/19 2019-2023 Financial Planning and Budget Process: Consideration of any Objections to the Cabinet's Proposals (All Wards)**

This item had been included in the agenda for the meeting in the event that the Council, at its meeting held on 21 February 2019, agreed any objections to the Cabinet's proposals in relation to the budget and Council Tax proposals. No such objections had been agreed at the Council meeting and therefore no further consideration of this matter was required.

### **CAB103/02/19 Determination of School Admission Arrangements for September 2020 (All Wards)**

Cabinet considered a report detailing the proposed admission arrangements for all Community Schools in North Tyneside for the 2020/2021 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 was 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.

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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 2019 for entry into maintained schools in September 2020. 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. The Co-ordinated Admissions Schemes were attached Appendices 1 and 2 to the report.

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. The Planned Admission Numbers were detailed in Appendix 3 to the report.

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. Admissions Policies for admission to North Tyneside Community Schools and Nurseries for which the Local Authority was the Admissions Authority were set out in Appendices 4 and 5 to the report.

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 Local Authority was responsible for consultation and determining the admission arrangements for community schools in the North Tyneside areas in accordance with the School Admissions Code 2014.

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.

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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 2020/21 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 2020 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 Asset Management be authorised to proceed in administering admission arrangements for the 2020/2021 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 Asset Management 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 2020/2021 academic year should these arise.

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

### **CAB104/02/19 Football Foundation Grant: Amberley Playing Fields (Killingworth Ward)**

Cabinet considered a report seeking approval to accept an offer of up to £0.500m grant funding from the Football Foundation to be used to provide a full-size Artificial Grass Pitch (AGP) at Amberley Playing Fields in Killingworth.

North Tyneside Council officers from the Sport and Leisure Team had been approached by the Football Foundation in early 2018 who had asked the Authority to consider an application for funding to provide a new AGP at Amberley playing fields in Killingworth. The Football Foundation had identified this site as a priority site for investment in partnership with the resident club, Killingworth Young People's Club (KYPC).

The Authority was the freehold owner of the site and whilst KYPC already held a ground lease from the Authority for land adjacent to the playing fields, this lease was coming to an end. Therefore, the Authority would enter a new 99-year lease with KYPC for the whole of this area including the playing field site.

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In May 2018, the Investment Programme Board (IPB) had approved a request in relation to the potential development of this facility.

Since then officers had been working in partnership with the Football Foundation and KYPC to develop the joint bid for funding. The bid included a comprehensive business plan for the new facility which dealt with ongoing revenue and life cycle maintenance implications for the new pitch which would fall under the responsibility of KYPC. This responsibility was also set out in the new lease for the site with KYPC who would be responsible for the day today management of the new pitch.

The Football Foundation expected that facilities that they funded demonstrated good community use at peak times from clubs and organisations other than KYPC as the resident football club. This was a requirement of the bid as the Football Foundation received one third of its funding from Sport England who asked for wider use other than just football.

The agreed business plan for the site included a programme of use for the AGP which listed usage by Rugby Union, Rugby League, Archery, Cricket, Local Schools, Newcastle United FC Foundation and Northumberland FA. In addition, the programme anticipated usage by two mini soccer leagues and an over 35 league with teams coming from all over North Tyneside. The facility would also be used for FA coaching courses as well as coaching programmes for children, especially during school holiday periods. The programme also included free use of the AGP for those participating in Active North Tyneside programmes hosted at the site such as walking football. There was also an emphasis on developing girl's football and disability football which had been identified as a strategic priority for Newcastle United Football Club (NUFC) Foundation and the Football Association (FA). Provision had also been programmed in for casual community hire. The Club, in partnership with the NUFC Foundation, would run a weekly recreational session aimed at participants who were not members of any football clubs. These sessions would predominantly be free of charge.

With regard to hire charges to use the facility, it had been agreed in the draft lease that the charges would mirror those at Authority managed leisure centres. In addition, a further discount of at least 50% would be given for daytime use by local schools. The AGP would, in effect, be used and managed in line with existing AGPs at Authority leisure centres.

The Football Foundation, as main funders, would carry out annual checks to see if the pitch was being used in accordance with the business plan as set out in the submission for funding. Planning approval for the new facility had been given on 18 December 2018.

An application for funding had been submitted in October 2018 and confirmation received on 22 January 2019 that the application had been approved with an offer of up to £0.500m toward the development of a new AGP. The offer of grant funding must be accepted by 22 March 2019.

Cabinet considered the following decision options: to accept the recommendations set out in paragraph 1.2 of the report to accept the grant offer of up to £0.500m from the Football Federation and enter into a grant funding agreement with the Football Federation; or alternatively, to not approve the Football Foundation offer of grant funding recommendations.

The Cabinet Member for Culture, Sport and Leisure indicated that the Chair of the Council had agreed that this decision should not be subject to call-in as the grant offer from the Football Foundation must be accepted by 22 March. If this decision was called in and then

subsequently considered through normal scrutiny procedures the deadline to accept the grant would be missed.

**Resolved** that (1) the Head of Resources be authorised to accept the offer of up to £0.500m grant funding from the Football Foundation; and  
(2) the Head of Environment, Housing and Leisure in consultation with the Head of Resources, Senior Manager Legal Services and the Cabinet Member for Culture, Sport and Leisure, be authorised to enter into a grant agreement with the Football Foundation.

(Reason for decision: There is an identified gap in the provision of a full size AGP in the north west of the Borough. This was identified in the Borough-wide playing pitch strategy as well as the Football Foundation's local football development plan. Acceptance of the grant from the Football Foundation will support the development of this pitch which in turn will also support the aspirations within Authority's Our North Tyneside Plan.)

### **CAB105/02/19 Tyneside Air Quality Feasibility Study (All Wards)**

A report was considered seeking approval to submit the jointly prepared Tyneside Air Quality Feasibility Study Outline Business Case (OBC) included at Appendices 1-5 to the report to the Government's Joint Air Quality Unit thereby meeting the requirements of the Secretary of State's legal direction of 27 July 2017; and to commence public consultation on the options identified in the OBC.

While it was important to recognise that air quality was improving, so too was understanding of the serious public health implications of poor air quality on people. Based on national estimates, poor air quality was responsible for around 360 deaths each year across Newcastle, Gateshead and North Tyneside and around 40,000 across the UK.

North Tyneside's Transport Strategy set out as one of its key principles that it would seek to "*Improve safety, health and well-being outcomes and sustainability*" and ensure local air quality continued to meet good standards. Through an investment of around £150m in major highway improvements that contributed to improving local air quality through providing improved opportunities for sustainable travel, improved journey time reliability for public transport services, and the removal of pinch-points along key commuting corridors across the Borough. This was supported through the Authority's on-going Go Smarter North Tyneside behavioural change programme which was working with schools, major employers and large residential developments to increase awareness of this new infrastructure and encourage a shift towards more sustainable modes of travel.

On 27 July 2017, the Secretary of State had issued a Direction to a number of local authorities across the country where there was predicted to be an exceedance of UK air quality thresholds. The Direction required these authorities to produce a feasibility study to identify an option which would deliver compliance with legal limits for nitrogen dioxide in their administrative area in the shortest possible time. Within North Tyneside the exceedance area was a short section of the A1058 Coast Road between the A186 Station Road and the City of Newcastle boundary. As traffic patterns across North Tyneside Council, Newcastle City Council, and Gateshead Metropolitan Borough Council were interlinked, the three authorities had commenced work to prepare a joint Air Quality Feasibility Study covering their respective areas.

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Since receiving the Direction from the Secretary of State significant progress had been made on developing, and testing, measures that would help to improve air quality in the area. The three authorities had aimed to develop measures that sought to address exceedance locations, but to do so fairly and in a way that supported the local economy and improved public health, rather than focusing solely on certain roads, or certain groups of road users. This work had included a successful bid to the Department for Transport for funding to retrofit buses primarily travelling along the A1058 Coast Road. As illustrated in the Outline Business Case, this funding had contributed to bringing North Tyneside into compliance within the Government's timescales.

The report presented the findings from the on-going joint study undertaken by the authorities and set out a proposed set of measures for consultation with the public and wider stakeholders at a formative time in the decision-making process. No decisions had been made as to what measures would be appropriate to adopt to address air quality; rather, the decision-making process would be informed by consultation on a set of measures that officers had identified to be appropriate for consideration by the public at this stage. All responses received as a result of the consultation process would be considered and further analysis would be undertaken. This would then feed into the preparation of a Full Business Case which must then be submitted to Government.

The report sought approval to submit the jointly prepared Outline Business Case (OBC), and commence public consultation on the options identified in the OBC.

It was noted that both Gateshead Metropolitan Borough Council and Newcastle City Council Cabinets' were being asked to approve the same recommendations as set out below.

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

It was noted that the Chair of the Council had agreed that this decision should not be subject to call-in in order to meet the Secretary of State's deadline for the submission of the Outline Business Case by 26 February 2019.

In response to a request by Mr D Bavaird, on behalf of the business sector that consultation with the business community on the proposals be undertaken; the Cabinet Member for Environment and Transport indicated that consultation as set out in the report included the public and stakeholders.

**Resolved** that (1) the submission of the Outline Business Case, included in Appendix 1 to the report, to the Government's Joint Air Quality Unit thereby meeting the requirements of the Secretary of State's legal direction of 27 July 2017, be approved;  
(2) the entering into a period of consultation with the public and stakeholders on the potential measures to be implemented to deliver compliance with legal limits for nitrogen dioxide in the Authority's administrative area in the shortest possible time as outlined in the Outline Business Case and in sections 1.5.5-1.5.6 of the report, be approved;  
(3) the Head of Environment, Housing and Leisure, in consultation with the Cabinet Member for Environment and Transport, be authorised to finalise the consultation materials;  
(4) the further collaborative work by the authorities to undertake further detailed analysis of the range of measures that might be implemented including non-charging measures and,

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where appropriate, those highlighted as a result of the consultation process in order to inform a final decision as to which measures to implement, be approved; and

(5) it be noted that the responses received as a result of the consultation process would be considered and further analysis would be undertaken; this would then feed into the preparation of a Full Business Case which would be brought back to Cabinet to seek approval of submission.

(Reason for decision: Approval to submit the Outline Business Case and commence consultation will satisfy the legal direction issued by the government requiring local authorities to create plans to address air quality issues on specific road links.)

### **CAB106/02/19 Mayor's Announcements**

The Elected Mayor on behalf of the Cabinet, thanked Mrs Alma Caldwell, Age UK, for her hard work in support of the Authority and wished her well in her forthcoming retirement.

The Elected Mayor welcomed Mr Bryn Roberts following his recent appointment to the Authority in the post of Head of Law and Governance & Monitoring Officer.

### **CAB107/02/19 Date and Time of Next Meeting**

Monday 1 April 2019 at 6.00pm (Ordinary meeting).

### **Minutes published on Thursday 28 February 2019.**

**With the exception of the decisions contained in Minutes CAB104/02/19 and CAB105/02/19, unless called in by 3 Non-Executive Members for consideration by the Overview, Scrutiny and Policy Development Committee, the decisions contained within these Minutes may be implemented immediately following the expiry of the call-in period; i.e. 5.00pm on Thursday 7 March 2019.**

**The decisions contained in Minutes CAB104/02/19 and CAB105/02/19 are not subject to call-in and may be implemented immediately.**