

Cabinet

1 April 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, C Johnson and B Pickard

In Attendance: A Ferris (Young Mayor)
D McNally (Age UK)
R Layton (North Tyneside Joint Trade Union Committee)
M Walton (Business Representative)
P Wonders (Voluntary and Community Sector)

CAB108/04/19 Apologies

There were no apologies for absence received.

CAB109/04/19 Declarations of Interest and Dispensations

Councillor C Burdis declared a non- registerable personal interest in item 6(e) - Review of the North Tyneside Hackney Carriage and Private Hire Licensing Policy (CAB117/04/19), as her son was a private hire driver for North Tyneside.

Councillor B Pickard also declared a registerable personal interest in item 6(d) Review of the North Tyneside Hackney Carriage and Private Hire Licensing Policy as he was a member of the NEREO Executive Committee. A dispensation had been granted to Councillor Pickard in relation to that appointment.

Councillors R Glindon and B Pickard each declared a registerable personal interest in item 6(g) North Tyneside Trading Company–Strategic Business Plan 2019-2021 (CAB116/04/19), as they were both Directors of North Tyneside Trading Company and its subsidiary companies. A dispensation had been granted to both Councillors Glindon and Pickard in relation to the Trading Company appointment.

CAB110/04/19 Minutes

Resolved that the Minutes of the previous meeting held on 25 February 2019 be confirmed and signed by the Chair.

CAB111/04/19 Report of the Young Mayor

The newly elected Young Mayor, Amelie Ferris, reported on the following activities in which she and Young Cabinet Members and/or Youth Councillors had been involved:

- The Young Mayor had chaired her first Youth Council Meeting last month, she was pleased to see a cheque for £4,000 presented to The Bay Food Bank. Youth Councillors had raised £2,295.37 and the Chair of North Tyneside Council, Councillor Mulvenna had contributed a further £1,704.63.

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- Considered with the Youth Councillors their priorities for the coming year taken from Youth Councillors' own pledges at the annual debate and their vote for more First Aiders in the community. The 'Make Your Mark' campaign's highest vote in North Tyneside was young people's mental health and this would continue to be developed through supporting MH2K and their recommendations. Tackling Knife Crime was the second highest issue for young people in North Tyneside and nationally it had come out as the highest and had become the UKYP campaign for this year. A Young Cabinet member position for Community Safety had been introduced and would sit on the Safer North Tyneside Board.
- Considered ideas for the coming year's charity, with St John's Ambulance receiving the most votes. All youth councillors would take part in a variety of fundraising initiatives.
- Presentations held for the longest serving members ranging from 5 to 7 years.
- Carried out with the Young Deputy Mayor the selection process for Young Cabinet members who would lead on the various campaigns over the year.
- Attendance at the first Soundfest 2019 planning meeting which would be a different format from previous years and would be held outside at the Spanish Dome.
- Attendance at the Young Mayor's first adult full Council meeting.
- Taking part in a beach clean together with Children's Council support.

The Young Mayor explained that she looked forward to working with the adult Cabinet and her new Young Cabinet members to achieve their priorities which were to support education on diversity. She hoped by providing easily available information to help common misconceptions specifically surrounding feminism, also through colleges and schools and to open discussions on issues such as sexism, homophobia and racism.

The Young Mayor reported that the new Member of UK Youth Parliament had been elected and his pledge was to improve the environment to make North Tyneside a cleaner place to live.

The Cabinet Member for Community Safety and Engagement welcomed the appointment of a young cabinet member on the Safer North Tyneside Board.

The Elected Mayor thanked the Young Mayor for the report.

CAB112/04/19 Collaborative Working Sub-Group

Cabinet received a report detailing the recommendations of the Collaborative Working Sub-Group's report, on behalf of the Overview, Scrutiny and Policy Development Committee.

Councillor M Thirlaway, Deputy Chair of the Children, Education and Skills Sub-Committee and Councillor P Oliver, Sub-Group Convenor, presented the report on behalf of the Collaborative Working Sub-Group.

On 9 July 2018 the Children, Education and Skills Sub-Committee had agreed to establish a Sub-Group to review the collaborative working practices of the Authority to ensure they were improving outcomes for children and their families with a focus on the most vulnerable and in need.

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The remit of the sub-group was to examine the existing collaborative working practices of the Authority, including the MASH (multi-agency safeguarding hub), the Tyneside Alliance, the North of the Tyne Collaboration and proposals relating to the local safeguarding children board. Key questions to be answered included Who is doing what?; Who should be doing what?; and What could be done better?

The Sub-Group had met on a number of occasions to receive information and discuss their findings. Evidence gathering sessions had been held with the Independent Chair of the North Tyneside Safeguarding Children Board; representatives of the North Tyneside Clinical Commissioning Group; social workers and front-line staff in Children's Services; Northumbria Police; and senior managers within the Health, Education, Care and Safeguarding Service.

As a result of the study the Sub-Group had identified eight recommendations for submission to Cabinet as set out in the report.

Cabinet was asked to consider the recommendations and was required to provide a response to the Overview, Scrutiny and Policy Development Committee within two months.

The Cabinet Member for Children, Young People and Learning and the Elected Mayor thanked Councillors Oliver and Thirlaway and members of the Sub-Group for their report.

Resolved that the report of the Overview, Scrutiny and Policy Development Committee on the collaborative working practices in North Tyneside be noted, and a detailed response to the recommendations be provided at a future Cabinet meeting, no later than June 2019.

(Reason for decision – Cabinet has a statutory duty to respond to the Overview, Scrutiny and Policy Development Committee recommendations within two months of receiving them).

CAB113/04/19 2018-19 Financial Management Report to 31 January 2019 (All Wards)

Cabinet considered the fifth monitoring report on the Authority's 2018/19 financial position which provided an update on the expected revenue and capital financial position of the Authority as at 31 March 2019.

The report covered the forecast outturn of the Authority's General Fund and Housing Revenue Account (HRA) revenue budget including financial pressures and management mitigations where issues had been identified; the delivery of 2018/19 approved budget savings plans; 2018/19 schools' budgets and an update on the delivery of the Capital Investment Plan, including details of variations and reprogramming that were recommended for approval. It also outlined the current performance against the policy priorities in the Our North Tyneside Plan and gave details of additional grants received by the Authority during December 2018 and January 2019.

The forecast overall out-turn position was an estimated pressure against the approved net budget of £0.642m, a £1.527m improvement on the figures reported to Cabinet at its meeting of 21 January 2019. The improvement had mainly been achieved through the inclusion of a £1.031m Winter Pressures grant (announced in October 2018) and the continued benefits of the Authority's Treasury Management Strategy providing savings against external interest charges of £0.792m. However, there continued to be pressure in Children's Services of £3.880m and Adult Services of £1.847m, partly mitigated by the contingency balances that

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had been created as part of the 2018/19 Budget setting process and were held centrally to reflect the on-going pressures in social care being felt locally and nationally.

Included in this projection was £3.641m of pressures in Corporate Parenting and Placements, £1.180m in Wellbeing and Assessment and £1.486m in Disability and Mental Health. These areas were being reported across England as pressure points with people living longer with more complex needs and the number of children being assessed for entry to the care system increasing dramatically. Within the Authority the drivers for these pressures continued from 2017/18, as outlined in the report.

Service areas had continued to develop further actions to mitigate identified financial pressures. It was anticipated that the out-turn forecast would continue to improve over the course of the financial year as planned remedial actions began to impact on both expenditure and income.

The HRA was forecast to have year-end balances at 31 March 2019 of £6.626m, which was £3.956m higher than budget. The higher than forecast balances were partly as a result of higher opening balances due to the impact of the previous year's financial performance £1.443m, but there was also an in-year estimated underspend of £2.513m, against an in-year budget of £1.970m, due to additional income of £1.283m and a reduction in forecast expenditure of £1.230m, mainly due to the progress of the Construction Options Project (£0.758m).

As at 28 January 2019, 1,713 North Tyneside Homes tenants had moved on to Universal Credit and a team was working proactively with tenants to minimise arrears. This position continued to be closely monitored as the year progressed to identify any adverse impacts on the budget position.

The Annex to the report included an update in respect of work in progress with regard to school funding. The first set of monitoring for 2018/19 had been completed in October 2018 and the results showed an overall improved position against budget plans of £0.936m. The second set of monitoring, completed in February 2019, showed a further improvement of £0.556m resulting in an overall improvement against original budget plans of £1.492m. A significant overall deficit position was however still forecast and the level of balances was still a cause for concern.

The High Needs block outturn in 2017/18 was a pressure of £0.430m. This pressure had continued in 2018/19 and in the light of additional funding for High Needs being announced by the Government for 2018/19 and 2019/20 the cumulative pressure in 2018/19 had been reduced to £0.604m.

Following Schools Forum on 14 January 2019, the local formula for distribution of the Schools Block had been finalised in line with the views of schools individually and collectively in Schools Forum. The results of this consultation had outlined the preference to maintain stability within the allocations as far as possible. Individual School Budget funding values had been calculated and notified to schools on 1 February 2019.

To the end of January 2019 Investment Plan spend of £48.740m had been incurred. The Investment Plan, as adjusted for proposed programming, totalling £169.721m (£78.102m 2018/19) was detailed in the Annex to the report. The Annex also set out delivery progress

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to date, planned delivery for 2018/19, re-profiling of £5.643m from 2018/19 into 2019/20 and £0.050m from 2018/19 into 2020/21 and variations of £4.881m (£1.192m in 2018/19). The revised investment plan stood at £78.102m for 2018/19.

New revenue grants totalling £0.326m had been received during December 2018 and January 2019, further details of which were set out in the report.

In terms of delivery of the Council Plan the area under most financial pressure was Health, Education, Care and Safeguarding.

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 was 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.

In Children's Services good progress 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 new model for children had been designed in part to address these financial pressures, more details were set out in the Annex to the report.

The Mayor congratulated officers for their efforts in achieving an improvement in the budget position since the previous report.

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

Resolved that (1) the forecast budget monitoring position for the General Fund, Schools' Finance and Housing Revenue Account as at 31 January 2019 be noted; (2) the receipt of new revenue grants totalling £0.326m be approved; (3) the Authority's Investment Plan spend of £48.740m to 31 January 2019 and the financing of the Plan to the end of the year be noted; and (4) the variations of £4.881m and re-programming of £5.693m within the 2018-2021 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.)

CAB114/04/19 Ambition for North Shields and the Fish Quay (All Wards)

Cabinet considered a report which outlined the work done so far in North Shields and the Fish Quay as part of the regeneration strategy 'An Ambition for North Tyneside' and sought approval for the first stage of work and proposed policy priorities to inform the next stage.

Initial work in the last few months between officers and the Cabinet Member had focussed on property ownership; planning; transport flows; housing and external conversations, as

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detailed in the report. That work had identified a set of policy priorities which Cabinet was being asked to agree in order to shape the next stages of the work, as follows:

A smaller but more vibrant and connected, high quality town centre - it should combine living, working and retail with a place that became a family friendly destination in its own right, to relax and socialise. In turn it would be connected to an increasingly vibrant Fish Quay. Both would be supported by better transport flows, stronger infrastructure and better quality built environment. In practical terms a place that had higher quality public space, more of it and more covered which allowed the town centre to host more events, more flexible retail opportunities and adopting some national best practice.

A connected and vibrant Fish Quay, which supported a developing food and drink offer and a working quay, but built on the Fish Quay's increasing popularity as a destination exploring heritage, cycling, the connections to South Shields as well as the popular night time and weekend economy.

Better transport flows and connectivity, making sure traffic flowed more effectively, that the Metro Station was connected to the rest of the town, that pedestrians and cyclists could move easily between the town centre and the Fish Quay with an opportunity for something eye-catching to make that possible.

A better quality built environment, learning from recent projects, and setting high design and material standards for the work.

The North of Tyne Combined Authority, recognising the contribution of North Shields and the Fish Quay to the North of Tyne economy, had approved business case development funding for work to continue to develop a master plan for the area. This would focus on transport flows, economic activity and what opportunities existed to grow economic activity in the area. The work would run from Spring to Autumn 2019 and the Authority had committed to sharing the outputs with partners in NEXUS, Port of Tyne, the Fish Quay Development Company and New River as well as the members of the Business Forum and the North Shields Chamber of Trade and Commerce.

The Authority had submitted an Expression of Interest to the Future High Streets Fund. Based on the national Plan for the High Street, the fund aimed to develop the High Street experience and support places to develop that experience. The changes already seen in North Shields, and particularly on the Fish Quay, suggested the town was the right place to seek this funding and make a difference. However, competition was expected to be fierce.

In addition, work had begun on a North Shields Master Plan. The Master Plan was expected to be the basis of widening discussions with Ward Councillors, the Chamber of Commerce and the wider community.

While the technical study work would continue and the bid to Government continued, Cabinet was asked to agree the approach to the next stage of this work. Specifically:

- Further and wider engagement based on the policy objectives and an emerging Master Plan to test the thinking done to date and seek input from the community in and around North Shields;

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- Work to define specific projects and create a programme of activity based on the agreed regeneration strategy and the work already completed and coming next; and
- Broader work to approach some ambitious plans that might connect the Town Centre and the Fish Quay in a more imaginative way and, building on the master planning work, suggest how the town centre might be re-shaped for the long term.

Mr Walton, business representative, welcomed the proposals contained in the report and looked forward to the continued collaborative working between the Council, other agencies and businesses.

The Elected Mayor thanked everyone involved in the work done so far and looked forward to the next steps including wider engagement.

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

Resolved that (1) the work done to date with regard to the Ambition for North Shields and the Fish Quay, as detailed in the report, be noted;
(2) the proposed policy priorities be agreed; and
(3) the next steps, including wider engagement, be approved and further reports be presented to Cabinet as required.

(Reason for decision: It reflects the commitments made in the Our North Tyneside Plan and the agreed Ambition for North Tyneside.)

CAB115/04/19 Transporting the Public (Home to School/College and Adult Services) Contract (All Wards)

Cabinet considered a report which sought approval to carry out a procurement exercise in order to appoint contractors to provide transport services to the Authority.

The proposed tendering exercise related to transportation of pupils with special educational needs or other specific needs attending schools, and adults with assessed critical and/or substantial needs attending further education, employment, leisure and day opportunities.

In reviewing the options Officers and Cabinet Members had considered the potential to directly deliver the service. However, because of fluctuations in demand and the requirement for capital investment it was considered that the service was best provided by the market.

The Authority had a duty under the Education and Inspections Act 1996 to provide or arrange transport to and from home to school/college for pupils and students and from home to day opportunities for vulnerable adults in certain circumstances. The present transport contracts would terminate in August 2019.

The procurement process had to deliver value for money as well as meeting the requirements of both the EU Procurement Regulations and the Authority's Contract Standing Orders and Department for Education and Skills guidance. All tenderers would be required to comply with the Authority's eligibility criteria for Adult Social Care Services and Fair Access to Care Services. This would continue to be under the dynamic purchasing system (DPS), as

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this was considered to be more flexible and better able to meet the needs of the Authority than the previous framework agreement in that new providers could apply to join the DPS at any time during its lifetime. The number of providers on DPS would be determined upon receipt of tender returns and all eligible providers would be invited to bid for each call-off contract.

The Home to School and Adult Services contract was divided up into various routes, which were tendered, and awarded to individual contractors who provided a transport service using a licensed taxi or licensed public service vehicle. In most cases an approved passenger transport assistant must accompany the driver.

The requirement for drivers and passenger transport assistants to undergo clearance from the Disclosure Barring Service (DBS) and attend appropriate accredited training courses was outlined in the report.

During the procurement process checks would be made to ensure potential suppliers clearly discharged their obligations. Consideration had been given to EU working time directives and would be built into the new contract for transporting the public.

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

Resolved that the Head of Commissioning and Asset Management, in consultation with the Cabinet Members for Children, Young People and Learning and Adult Social Care and the Heads of Health, Education, Care & Safeguarding and Law and Governance, be authorised to:

- i) undertake the procurement and establishment of a dynamic purchasing system for Transporting the Public to enable the appointment of contract providers for this service; and
- ii) award contracts to successful providers for the duration of the dynamic purchasing system.

(Reason for decision – It will enable the Authority to fulfil its statutory obligations regarding access to education for children and young people with special educational needs and access to day opportunities for vulnerable adults.)

CAB116/04/19 Review of the North Tyneside Hackney Carriage and Private Hire Licensing Policy (All Wards)

A report was considered on the review of the North Tyneside Hackney Carriage and Private Hire Licensing Policy.

The North Tyneside Transport Strategy, approved by Cabinet in May 2017, committed the Authority to managing North Tyneside's transport network effectively, considering all forms of travel including taxis and PHVs, and also committed the Authority to promote the safeguarding of vulnerable people, which could be facilitated through the formulation of a cohesive Hackney Carriage and Private Hire Licensing Policy.

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The existing Policy was due for renewal by 2021 and would be the first time the Policy sat under the umbrella of the Transport Strategy. It was therefore important that any review took into account the five principles of the North Tyneside Transport Strategy as well as associated objectives in the North Tyneside Local Plan and all relevant statutory guidance.

The consultation on the revised Policy would include appropriate engagement with residents and businesses, including representatives of the taxi and PHV trade and groups representing disabled people, the Chamber of Commerce, women's groups and safeguarding authorities, as well as an opportunity being given to the Regulation and Review Committee and Full Council to comment on the draft refreshed Policy. The refreshed Policy would return to Cabinet for approval at a future date.

The current North Tyneside Hackney Carriage and Private Hire Licensing Policy was attached at Appendix 1 to the report.

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

Resolved that (1) the Head of Environment, Housing and Leisure, in consultation with the Cabinet Member for Community Safety and Engagement and the Cabinet Member for Environment and Transport, be authorised to review the North Tyneside Hackney Carriage and Private Hire Licensing Policy;
(2) a further report on the progress made on reviewing the Policy and authorising if necessary consultation on any draft Policy be submitted to Cabinet; and
(3) the current Policy, attached as Appendix 1 to the report, remain in place as the Authority's adopted Policy until such time as the Policy is replaced with any amended Policy.

(Reason for decision: To ensure that the existing Policy is refreshed in accordance with the commitment in the North Tyneside Transport Strategy. This will also ensure that the policy remains transparent, accountable, proportionate and consistent.)

CAB117/04/19 Strategic Property Policy Framework (All Wards)

Cabinet received a report seeking approval to adopt a new Strategic Property Policy Framework.

Property was one of the Authority's most important strategic resources. As such there needed to be a robust approach to the management of property assets to ensure that they were being used to deliver the best and most cost-effective outcomes for the Authority and residents of the Borough.

The new Framework would provide a pragmatic approach to how the Authority would deliver relevant property activities to support the Estates Strategy and would help to facilitate the most intelligent and informed property decisions.

The initial proposed Policy was attached as an Appendix to the report and covered the following key property activities: -

- Property Disposals – including sale by competitive tender and by private treaty.
- Tender evaluation when a relevant property was sold by competitive tender.

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- Dealing with late tenders.
- Dealing with non-compliant tenders.

The adoption of the Framework by the Authority would formalise how officers approached the property activities outlined therein. It was intended that the Policy would be subject to review when new policy additions were required, or existing policy activities were no longer relevant. Any changes to the Policy would be subject to further consideration by Cabinet.

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

Resolved that the Strategic Property Policy Framework, set out in the Appendix to the report, be approved.

(Reason for decision: It is considered to be the best way to ensure there is appropriate policy guidance in place covering a number of property activities.)

CAB118/04/19 Appointment of Outside Bodies exercising Executive Functions 2019/20 (All Wards)

Cabinet received a report regarding proposed arrangements for the appointment of representatives to serve on outside bodies that had executive decision-making powers for the 2019/20 Municipal Year.

Appendix A to the report set out those outside bodies which had executive functions and required appointments to be made by Cabinet for 2019/20.

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

Resolved that the Elected Mayor be authorised to determine: (1) the appointment of representatives to serve on those executive outside bodies set out in Appendix A to the report for the 2019/20 Municipal Year; (2) any changes to the appointment of representatives to serve on those executive bodies which might arise during 2019/20; and (3) the appointment of representatives to serve on any new executive outside bodies that may arise during the 2019/20 Municipal Year.

(Reason for decision: It would ensure that the Authority is properly represented on external bodies that exercise executive functions.)

CAB119/04/19 North Tyneside Trading Company – Strategic Business Plan 2019-21 (All Wards)

Cabinet received a report seeking approval of the Trading Company's Strategic Business Plan 2019-21.

The Trading Company had been established as a company limited by shares, in December 2012. It was wholly owned by the Authority and the Authority was therefore the sole shareholder of the Trading Company.

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The Trading Company had been created to provide services to public bodies and to other customers, as considered appropriate, enabling trading in new markets and different places. All projects undertaken by the Company would aim to return a surplus or profit to the Authority and/or seek to achieve a regeneration objective in line with the Authority's Our North Tyneside Plan and Ambition for North Tyneside. Projects delivered would be at least cost neutral to the Authority.

The Trading Company had two active subsidiary companies. These subsidiaries were wholly owned by the Trading Company. The Trading Company and its subsidiaries were each governed by their respective Boards of Directors and were guided by their Articles of Association which regulated the affairs of each of the Companies.

In accordance with best practice the Trading Company had a Strategic Business Plan, which it updated each year, to provide a sense of direction for the Company and to guide business development. The subsidiary companies were in the process of developing their own business plans which reflected the strategic aims of the Trading Company but provided detail in relation to the business delivery plans of each company. The Business Plans of the subsidiary companies would be approved by the Board of Directors of the Trading Company.

The Board of Directors of the Trading Company had reviewed and refreshed the Strategic Business Plan for 2019 – 2021. The Strategic Business Plan set out the Trading Company's history; its governance arrangements; its mission/purpose and its approach to appraising business opportunities, assets, products and services and risks.

Since its development of 13 new build affordable homes in Camperdown, the Development Company had devised in 2017 a purchasing strategy and had since then proceeded to acquire 21 homes on the open market, therefore taking its total number of homes to 34. In line with the Council's priority of delivering more affordable homes the Board of the Development Company had reviewed and extended their purchasing strategy with the aim of purchasing a further 20 homes to take the Development Company's asset base up to 50 homes as soon as possible. Funding of these purchases was via a grant from the Council of Section 106 Town and Country Planning Act 1990 commuted sums that were available for affordable housing.

Aurora Properties (Sale) Limited had successfully completed its first new build scheme of 12 bungalows at Wallington Close, Marden Estate for market sale. Aurora Sale was also well underway with its second scheme of a further 12 homes for market sale at Empress Point (the site of the former Avenue Public House, Whitley Bay) and completion of these homes was expected in Summer 2019.

In addition, the refurbishment of the former Council offices building and new build scheme at the rear of Northumberland Square in North Shields into 28 homes for market sale was expected to commence on site in early 2019. Funding for the construction of the homes was from the Council in the form of both debt and equity funding.

Aurora Sale would continue to work with the Council to explore sites to be developed out for either market sale or market rental properties and/or a mix of property – some affordable and some for market sale or rental and to support any wider regeneration aims contained in the Ambition for North Tyneside. Opportunities for the development of sites and other potential

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trading options would be considered and presented to Cabinet for consideration, in line with their priorities, at the appropriate time.

The full Strategic Business Plan was attached at Appendix 1 to the report.

Cabinet considered the following decision options: either to agree the recommendations as set out in section 1.2 of the report, or, alternatively to not agree the proposals and refer the Business Plan back to the Trading Company to examine further options/opportunities.

Resolved that the North Tyneside Trading Company Strategic Business Plan 2019-21 be approved.

(Reason for decision: It will allow the Trading Company to continue with the activities set out in the Strategic Business Plan, including continuing with the purchasing strategy of homes to be let at an affordable rent and the construction of new homes for market sale, in line with Cabinet approval.)

CAB120/04/19 Exclusion Resolution

Resolved that under Section 100A (4) of the Local Government Act 1972 (as amended) and having applied a public interest test as defined in Part 2 of Schedule 12A of the Act, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act.

CAB121/04/19 Howdon Community Centre, Royal Quays Community Centre and Battle Hill Multi Use Centre (Battle Hill, Howdon and Riverside Wards)

Cabinet considered a report which sought approval to enter into long-term letting arrangements with two community organisations in respect of three Authority owned buildings: Howdon Community Centre, Royal Quays Community Centre and Battle Hill Multi Use Centre.

These buildings had been occupied by the community organisations under pilot letting arrangements since 1 April 2017.

The report outlined the proposed main terms and conditions of the lettings and arrangements for dealing with the current condition of the buildings.

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

Resolved that (1) the Head of Law and Governance be authorised to complete long term leases in respect of Howdon Community Centre, Royal Quays Community Centre and Battle Hill Multi Use Centre in accordance with all relevant legal requirements; and (2) the Head of Commissioning and Asset Management be authorised to deal with all ancillary matters arising that are consistent with the preceding resolution.

(Reasons for decision: It is considered to be the best way to secure the long-term community and financial benefits associated with the three lettings.)

CAB122/04/19 Procurement of a Materials Recycling Contractor (All Wards)

Cabinet considered a report which sought approval to carry out a procurement exercise in order to appoint a contractor to provide materials recycling services to the Authority.

The current contract would end on 30 September 2019. Consideration by officers and Cabinet Members had been given to the approach to future delivery of the service. This had included the option of providing the service in-house; however this was not considered to be a viable option at the present time. Approval was therefore sought to undertake a procurement exercise.

Cabinet considered the following decision options: either to agree the recommendations as set out in section 1.2 of the report, or, alternatively to not agree the proposals and request that officers explore alternative options for the processing of recycling materials.

Resolved that (1) the position with regard to the current recycling contract arrangements, as detailed in the report, be noted;
(2) a procurement exercise be undertaken for a new materials recycling contractor;
(3) the Head of Environment, Housing and Leisure, in consultation with the Head of Law and Governance, the Head of Resources, the Cabinet Member for Environment and Transport and the Cabinet Member for Finance and Resources, be authorised to agree the specification and evaluation criteria required to carry out a procurement process for a materials recycling contractor; and
(4) the Head of Environment, Housing and Leisure, in consultation with the Head of Law and Governance, the Head of Resources and the Cabinet Member for Environment and Transport, be authorised to award a contract to the bidder who provides the most economically advantageous tender on terms and conditions agreed by the Head of Law and Governance.

(Reasons for decision: To allow the Authority to be able to continue to process recyclable materials that are collected as part of the statutory service that it undertakes for residents in the Borough. In addition, given the value of the services, a procurement exercise is required.)

CAB123/04/19 Operating Agreement with SMG Europe for the Playhouse, Whitley Bay (All Wards)

Cabinet received a report setting out options in respect of the Operating Agreement with SMG Holdings Ltd, agreed in 2009, to run the facility at Playhouse, Whitley Bay.

The Operating Agreement entered into was for a period of 15 years from 1 January 2009 to 31 December 2024. The Agreement contained an option for either party to give notice to break the Agreement at the five year and ten-year points by either party giving to the other not less than 9 months' notice of their intention to break the Agreement. Therefore, a decision in writing to break the contract, should either party choose to do so, would have been required by 31 March 2019.

SMG Europe had agreed to vary the notice period under the Agreement by one month whilst retaining the 9 months' notice period, meaning that written notice would be required by 30

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April 2019. The consequential effect of this was, if notice was given the Agreement would come to an end on 31 January 2020.

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

Resolved that (1) it be agreed to retain the existing Operating Agreement with SMG Europe until the contract expires on 31st December 2024; and
(2) approval be given to enter into a Deed of Variation to the existing Operating Agreement, as set out in the report.

(Reasons for decision: In financial terms the management of the Playhouse delivers a professional operation, at relatively low cost to the Authority, while enhancing the Authority's reputation both in terms of tourism and arts development, consistent with its own strategy objectives.

Comparative data with other Authorities in the region does not suggest that other models provide a more efficient return for resources invested. The Playhouse enjoys a good reputation both locally and regionally. SMG Europe is able to bring the benefits of being linked into an international network of artists and performers to a local audience.

This option modifies the existing Agreement to minimise the financial risk to the Authority, while retaining an acceptable level of profit share in relation to the operation of the Playhouse.)

CAB124/04/19 Date and Time of Next Meeting

Monday 28 May 2019 at 6.00pm (Ordinary meeting).

Minutes published on Thursday 4 April 2019.

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 11 April 2019.