



## North Tyneside Council

2 March 2018

**Monday, 12 March 2018** Room 0.02, Ground Floor, Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside **commencing at 4.00pm.**

# Cabinet

### Agenda Item

### Page(s)

1. **Apologies for Absence**

To receive apologies for absence from the meeting.

2. **To Receive any Declarations of Interest and Notification of any Dispensations Granted**

You are invited to **declare** any registerable and/or non-registerable interests in matters appearing on the agenda, and the nature of that interest.

You are also invited to disclose any dispensation in relation to any registerable and/or non-registerable interests that have been granted to you in respect of any matters appearing on the agenda.

Please complete the Declarations of Interests card available at the meeting and return it to the Democratic Services Officer before leaving the meeting.

3. **Minutes**

To confirm the minutes of the meetings held on 12 February 2018 (Ordinary meeting) and 19 February 2018 (Extraordinary meeting) (previously circulated).

**Continued overleaf**

Members of the public are welcome to attend this meeting and receive information about it.

North Tyneside Council wants to make it easier for you to get hold of the information you need. We are able to provide our documents in alternative formats including Braille, audiotape, large print and alternative languages.

For further information about the meeting please call:  
Sharon Ranadé, Democratic Services Officer on 0191 643 5614.

<b>Agenda Item</b>		<b>Page(s)</b>
4.	<b>Report of the Young Mayor</b>  To receive a verbal report on the latest activities of the Young Mayor and Young Cabinet.	
5.	<b>Key (and non-key) Decisions</b>	
(a)	<b>2017/18 Financial Management Report to 31 January 2018 (All Wards)</b>  To consider the Authority's financial position as at 31 January 2018 in the context of the Policy priorities in the Our North Tyneside Plan; including the forecast outturn positions for 2017/18 for the General Fund, the Housing Revenue Account, School Funding and the Investment Plan.	5-54
(b)	<b>Adoption of the proposed Planning Obligations Supplementary Planning Document 2018 (All Wards)</b>  To consider a report seeking approval of the proposed Planning Obligations Supplementary Planning Document.	55-111
(c)	<b>North Tyneside Travel Safety Strategy (All Wards)</b>  To consider a report seeking approval of the North Tyneside Travel Safety Strategy.	112-129
(d)	<b>North Tyneside Cycling Strategy (All Wards)</b>  To consider a report seeking approval of the North Tyneside Cycling Strategy and North Tyneside Design Guide.	130-131
(e)*	<b>Reduction in Library Opening Hours (All Wards)</b>  To consider a report seeking approval to implement revised opening hours for the Authority's libraries.	132-145
(f)	<b>Procurement of Adult Social Care Services – Various Contracts (All Wards)</b>  To consider a report seeking approval to undertake five separate procurement exercises for the award of contracts for Adult Social Care services.	146-156
(g)	<b>Delivery of the Action Plan resulting from the Ofsted Inspection of Children's Services (All Wards)</b>  To consider a report outlining progress achieved in relation to the delivery of the Action Plan to address the recommendations of the Ofsted Inspection.	157-205

<b>Agenda Item</b>		<b>Page(s)</b>
(h)	<b>Update on the development of the Regional Adoption Agency (All Wards)</b>  To consider a report outlining progress made in relation to the development of a proposed delivery model for the Regional Adoption Agency.	206-212
(i)	<b>Making the most of the Disabled Facilities Grant (All Wards)</b>  To consider a report seeking approval of the revised Disabled Facilities Grant Policy.	213-242
(j)	<b>Cabinet Response to Scrutiny Report on ICT Strategy Review (All Wards)</b>  To consider a report which seeks approval to the proposed response to the recommendations of the ICT Strategy Sub-group's study into the Authority's ICT Strategy.	243-252
(k)	<b>Whitley Bay, Compulsory Purchase Order (St. Mary's Ward)</b>  To consider a report on the Compulsory Purchase Order for premises at Wellington Avenue, Wellfield Estate, Whitley Bay	253-260
(l)	<b>North Tyneside Council Living Wage (All Wards)</b>  To consider a report seeking approval to a revised North Tyneside Living Wage.	261-271

#### **Date and Time of Next Meeting(s)**

Monday 9 April 2018 at 6.00pm

**Note:** In accordance with the provisions of the Local Authorities (Executive Arrangements) (Meetings and Access to Information)(England) Regulations 2012, notice is given that the following item has not been subject to 28 days notice for the reason indicated:  
Item 5(e)\* the report is required to be considered without twenty eight days notice in order to gain policy approval before implementation.

**Circulated to Members of the Cabinet:**

N Redfearn (Elected Mayor)  
Councillor G Bell  
Councillor C Burdis  
Councillor E Darke  
Councillor R Glendon  
Councillor I Grayson  
Councillor M Hall  
Councillor J Harrison  
Councillor B Pickard (Deputy Mayor)  
Councillor J Stirling

**Young and Older People's Representatives and Partners of  
North Tyneside Council:**

Poppy Arnold, Young Mayor  
Alma Caldwell, Age UK  
Mark Adams, North Tyneside Clinical Commissioning Group  
Janice Hutton, Northern Area Commander, Northumbria Police  
Roger Layton, North Tyneside Joint Trade Union Committee  
David Robinson, Voluntary and Community Sector  
David Bavaird, Business Representative

## Item 5(a)

2017/18 Financial Management  
Report to 31 January 2018

# North Tyneside Council Report to Cabinet 12 March 2018

<b>Portfolios:</b>	<b>Elected Mayor</b>	<b>Cabinet Member:</b>	<b>Norma Redfearn</b>
	<b>Finance and Resources</b>		<b>Councillor Ray Glindon</b>
<b>Report from:</b>	<b>Finance</b>		
<b>Responsible Officer:</b>	<b>Janice Gillespie, Head of Finance</b>	<b>Tel:</b>	<b>643 5701</b>
<b>Wards affected:</b>	<b>All</b>		

## PART 1

### 1.1 Executive Summary:

This report is the fifth monitoring report to Cabinet on the 2017/18 financial position. The report continues to be developed such that the format brings together financial and relevant performance information with the intention of explaining the current financial position in the context of the Policy priorities in the Our North Tyneside Plan.

The report covers:

- The forecast outturn of the Authority's General Fund and HRA revenue budget including details of where the Authority continues to manage financial pressures and what management mitigations are in place where issues have been identified;
- An update on the delivery of 2017/18 approved budget savings plans;
- An update on 2017/18 schools budgets;
- An update on delivery of the Capital Investment Plan including details of variations and reprogramming that are recommended for approval;
- An update and overview of current performance against the policy priorities in the 2016-2019 Our North Tyneside Council Plan as context for the financial position; and
- Details of additional grants received by the Authority during December 2017 and January 2018.

### 1.2 Recommendations:

It is recommended that Cabinet:

- (a) note the forecast budget monitoring position for the General Fund, Housing Revenue Account (HRA) and Schools' Finance as at 31 January 2018 (Annex Sections 1 to 5);
- (b) approve the receipt of £0.050m new revenue grants (Annex Section 3 Table 23);
- (c) note the Authority's Investment Plan spend of £53.626m to 31 January 2018 (Annex Section 6 Table 36) and the financing of the Plan to the end of the year);
- (d) approve variations of £1.360m and re-programming of £5.137m within the 2017 - 2020 Investment Plan (Annex Section 6);

### **1.3 Forward Plan:**

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 27 November 2017.

### **1.4 Authority plan and policy framework:**

The budget is a key strand of the Authority's Budget and Policy Framework.

### **1.5 Information:**

#### **1.5.1 Financial Position**

This report is the fifth monitoring report in the new format presented to Members on the Authority's 2017/18 financial position. It provides an update on the expected revenue and capital financial position of the Authority as at 31 March 2018.

#### **General Fund Revenue Account:**

The budget for 2017/18 was approved by full Council at its meeting on the 16 February 2017. The net General Fund revenue budget was set at £152.361m. This included £18.338m of savings to be achieved.

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

This forecast outturn is after taking into account the impact of the crystallisation of the deficit of Seaton Burn College of circa £0.668m on the transfer to an academy of the 1 January 2018. The inclusion of the Improved Better Care Fund (iBCF) of £4.579m has a significant impact on the outturn position. Aside from the iBCF there has been some marginal underlying improvement in most areas of the risks associated with the delivery of the 2017/18 budget, however there is 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 is £2.475m of pressures in Corporate Parenting and Placements. The drivers for these pressures within HECS continue from 2017/18 and arise from:

- Continued growth and changes in demand for Adult and Children's Social Care Services;
- The timing of delivery of some aspects of the Creating a Brighter Future Programme to the extent that achievement of some savings may be at risk and the impact of growth in demand as set out above;
- On-going issues around agreeing adequate levels of contributions from the North Tyneside Clinical Commissioning Group for clients with health needs and to support social care; and
- The impact of the National Living Wage on our care providers (and the consequential impact on our commissioning costs).

The 2017/18 budget setting process made provision for many of the pressures identified during 2016/17, however, demand pressures have continued into 2017/18. Negotiations with care providers continue 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 can be assumed as being delivered.

A number of working groups have 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 continues to be made against these plans and it is expected that the out-turn forecast will continue to improve over the course of the year as planned remedial actions impact on spend and income. The forecast outturn includes the additional funding for Adult Social Care announced as part of the Spring Budget on 8 March 2017. For 2017/18 this amounts to £4.579m, and is shown as a variation due to the timing of the announcement which was after the 2017/18 budget was set.

### **Housing Revenue Account (HRA):**

The HRA is forecast to have year-end balances at 31 March 2018 of £5.182m, which is £2.322m higher than budget. The higher than forecast balances are 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 is 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 is 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.

### **School Funding:**

The Annex to this report includes an update in respect of work in progress with regard to school funding (Annex, Section 4). There are ten schools with deficit approvals for 2017/18.. Cabinet will be aware that the authority has 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 continue to be compounded by rising employment costs, and it is this issue that continues to drive the deficit position in our schools. All schools requesting deficit approval have met with the Head of Finance and the Director of Children's and Adult Services to ensure all appropriate steps have been taken to improve each school's position prior to formally approving deficit arrangements. Additional

governance arrangements and monitoring meetings have been put in place with the relevant schools. School Improvement, HR and Finance officers continue to meet with Head Teachers and Governing Body representatives to monitor the specific requirements of each individual school's deficit approval.

### **Investment Plan:**

The 2017-2020 Investment Plan, as adjusted for proposed variations, totals £208.066m and is shown in Appendix 1. The Annex to this report also sets out in Section 6 delivery progress to date, planned delivery for 2017/18, reprogramming and other variations identified through the Investment Programme Governance process.

### **New Revenue Grants:**

There have been additional revenue grants received during December 2017 and January 2018 totalling £0.050 the details are which are set out in Annex 1 Section 3.

#### **1.5.2 Performance against Council Plan**

The 2016-2019 Our North Tyneside Plan (Council Plan) sets out the overall vision and policy context within which the Financial Plan and Budget are set.

The 2016-2019 Our North Tyneside Plan has three key themes – Our People, Our Places and Our Economy. For each one there is a set of policy outcomes that the Authority is seeking to deliver as set out below.

#### **Our People will:**

- Be listened to, and involved, by responsive, enabling services;
- Be ready for school – giving our children and their families the best start in life;
- Be ready for work and life – with the skills and abilities to achieve their full potential, economic independence and meet the needs of local businesses;
- Be healthy and well – with the information, skills and opportunities to maintain and improve their health, well-being and independence; and,
- Be cared for and safeguarded if they become vulnerable.

#### **Our Places will:**

- Be great places to live, and attract others to visit or work here;
- Offer a good choice of quality housing appropriate to need, including affordable homes;
- Provide a clean, green, healthy, attractive and safe environment; and,
- Have an effective transport and physical infrastructure - including our roads, cycle ways, pavements, street lighting, drainage and public transport.



## **Our Economy will:**

- Grow by building on our strengths, including our existing world class companies, and small and growing enterprises; and,
- Have the right skills and conditions to support investment, and create and sustain new good quality jobs and apprenticeships for working age people.

In Children's Services good progress continues to be made on engaging with children in the early years of life to ensure that they are ready for school. Safeguarding vulnerable children and maximising their educational attainment remain key priorities. The recently published Ofsted report following the review of Children's services put the service as joint 8<sup>th</sup> nationwide of the 136 authorities inspected under the new regime with a "Good" rating overall and recognition of an excellent focus on seeking the views of children to shape services.

The levels of looked after children (LAC) and children who require supervision after leaving care continue to generate a significant financial pressure. Although we continue to be a strong performer compared to our regional neighbours, the children we are supporting have complex needs that are expensive to meet.

The Authority is forecasting a pressure of £2.475m in corporate parenting and placements (2016/17 £2.525m). The new model for children has been designed in part to address the financial pressures but nationally the numbers of Looked After Children are the highest since 1985 and numbers have been subject to year-on-year increase for nearly a decade.

In Adult Social Care the focus remains on providing support which allows people to live independent lives by providing preventative services and keeping people living at home for as long as possible. There has 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 is driving some of the cost pressure within Adult Social Care.

### **1.5.3 Investment Plan**

Variations of £1.360m and re-programming of (£5.137m) are proposed in this report as set out in Section 6 of the Annex to this report, the revised Investment Plan stands at £83.870m for 2017/18. To the end of January 2018 £53.626m (63.94%) of spend had been incurred.

## **1.6 Decision options:**

The following decision options are available for consideration by Cabinet:

### Option 1

Cabinet may approve the recommendations at paragraph 1.2 of this report.

### Options 2

Cabinet may decide not to approve to recommendations at paragraph 1.2 of this report.

## **1.7 Reasons for recommended option:**

Option 1 is recommended for the following reasons:

Cabinet is recommended to agree the proposals set out in section 1.2 of this report as 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.

## **1.8 Appendices:**

Annex: Financial Management Report to 31 January 2018  
Appendix 1: 2017-2020 Investment Plan

## **1.9 Contact officers:**

Janice Gillespie - Corporate Finance matters – Tel. (0191) 643 5701  
Margaret Keith – Treasury Management matters – Tel. (0191) 643 5747  
Cathy Davison - Investment Plan matters- Tel. (0191) 643 5727  
Alison Campbell – Senior Business Partner – Tel. (0191) 643 7038  
Darrell Campbell - Housing Revenue Account matters – Tel. (0191) 643 7052

## **1.10 Background information:**

The following background papers and research reports have been used in the compilation of this report and are available at the offices of the author:

- (a) Revenue budget 2017/18  
<http://my.northtyneside.gov.uk/sites/default/files/web-page-related-files/Budget%20Book%20170427.pdf>
- (b) Investment Plan 2017-20  
[http://www.northtyneside.gov.uk/pls/portal/NTC\\_PSCM.PSCM\\_Web.download?p\\_ID=567811](http://www.northtyneside.gov.uk/pls/portal/NTC_PSCM.PSCM_Web.download?p_ID=567811)
- (c) Reserves and Balances Policy  
[http://www.northtyneside.gov.uk/pls/portal/NTC\\_PSCM.PSCM\\_Web.download?p\\_ID=567815](http://www.northtyneside.gov.uk/pls/portal/NTC_PSCM.PSCM_Web.download?p_ID=567815)

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

As this is a financial report, implications are covered in the body of the report. This report will also be presented to the Authority's Finance Sub-Committee at its meeting on 21 March 2018.

### **2.2 Legal**

The Authority has a duty to ensure it can deliver a balanced budget. The Local Government Act 2003 imposes a duty on an authority to monitor its budgets during the year and consider what action to take if a potential deterioration is identified.

## **2.3 Consultation/community engagement**

### **2.3.1 Internal Consultation**

Internal consultation has taken place with the Cabinet Member for Finance and Resources, the Elected Mayor, Cabinet Members, the Senior Leadership Team and Senior Finance Officers.

### **2.3.2 External Consultation / Engagement**

The 2017/18 budget was completed after widespread consultation and community engagement in line with the Authority's approved Budget Engagement Strategy.

## **2.4 Human rights**

The proposals within this report do not have direct implications in respect of the Human Rights Act 1998.

## **2.5 Equalities and diversity**

There are no direct equalities and diversity implications arising from this report.

## **2.6 Risk management**

Potential future financial pressures against the Authority are covered in this report and registered through the Authority's risk management process.

## **2.7 Crime and disorder**

There are no direct crime and disorder implications arising from this report.

## **2.8 Environment and sustainability**

There are no direct environmental and sustainability implications arising from this report.

## **PART 3 - SIGN OFF**

- Deputy Chief Executive ☒
- Head of Service ☒
- Mayor/Cabinet Member(s) ☒
- Chief Finance Officer ☒
- Monitoring Officer ☒
- Head of Corporate Strategy ☒

# **2017/18 Financial Management Report Annex**

## INDEX

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## **SECTION 1 - GENERAL FUND SUMMARY**

### **1 General Fund Revenue Forecast**

- 1.1 The Authority's approved net revenue Budget of £152.361m is now forecast to underspend by £0.628m (November, (£0.286m) underspend) after a proposed £0.250m contribution to reserves. This position reflects £18.338m of budget savings as agreed at Council on 16 February 2017. Table 1 below sets out the variation summary across the General Fund.

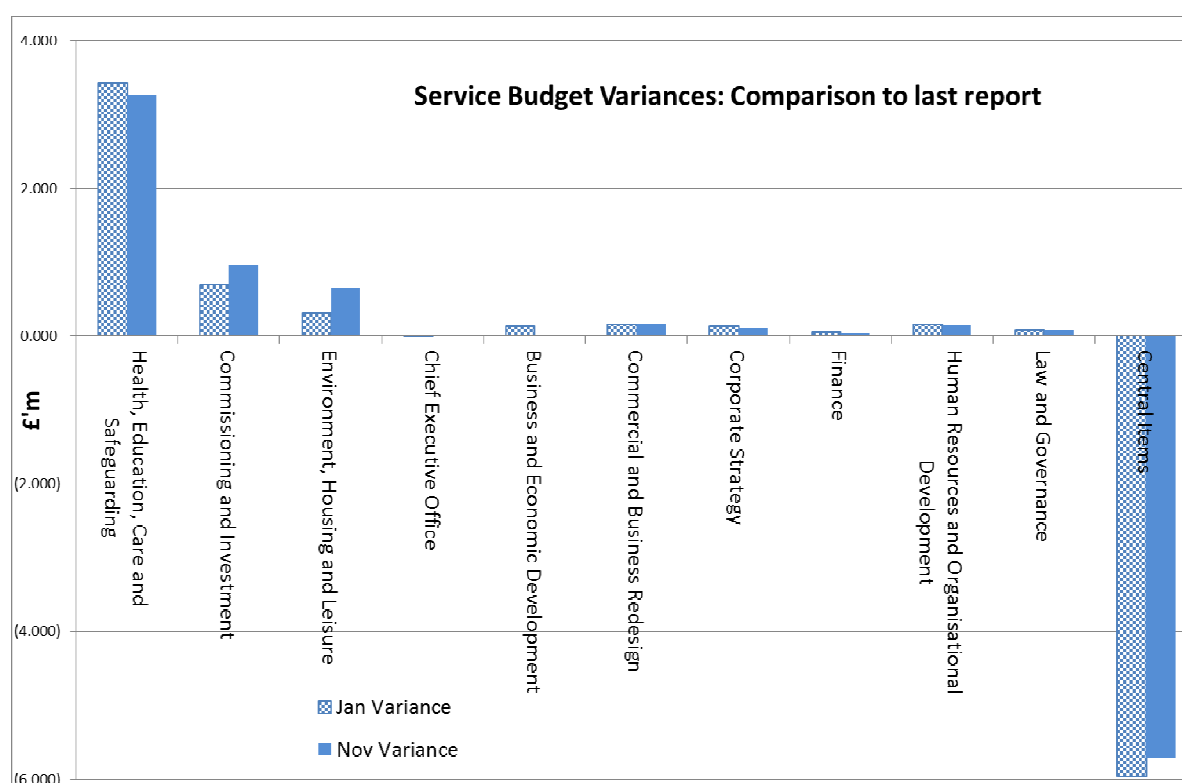
**Table 1: 2017/18 General Fund Revenue Forecast Outturn as at 31 January 2018**

	Gross Expenditure			Income			Net Expenditure			Forecast Outturn Variance November 2017 £m
	Budget	Forecast	Variance	Budget	Forecast	Variance	Budget	Forecast	Variance	
Services	£m	£m	£m	£m	£m	£m	£m	£m	£m	
Health, Education, Care and Safeguarding	162.099	172.325	10.226	(89.110)	(95.914)	(6.804)	72.989	76.411	3.422	3.272
Commissioning and Investment	196.216	198.667	2.451	(176.701)	(178.461)	(1.760)	19.515	20.206	0.691	0.970
Environment, Housing and Leisure	73.082	74.971	1.889	(27.862)	(29.445)	(1.583)	45.220	45.526	0.306	0.646
Chief Executive Office	0.576	0.572	(0.004)	(0.440)	(0.440)	0.000	0.136	0.132	(0.004)	0.001
Business and Economic Development	2.506	2.511	0.005	(0.885)	(0.762)	0.123	1.621	1.749	0.128	0.017
Commercial and Business Redesign	7.992	8.355	0.363	(5.480)	(5.693)	(0.213)	2.512	2.662	0.150	0.152
Corporate Strategy	2.351	2.516	0.165	(1.451)	(1.485)	(0.034)	0.900	1.031	0.131	0.106
Finance	80.584	79.961	(0.623)	(79.332)	(78.665)	0.667	1.252	1.296	0.044	0.044
Human Resources and Organisational Development	2.449	2.658	0.209	(2.187)	(2.249)	(0.062)	0.262	0.409	0.147	0.149
Law and Governance	4.232	4.374	0.142	(3.995)	(4.058)	(0.063)	0.237	0.316	0.079	0.079
Central Items	17.107	12.862	(4.245)	(9.390)	(11.117)	(1.727)	7.717	1.745	(5.972)	(5.722)
Contribution to Reserves	0.000	0.000	0.000	0.000	0.250	0.250	0.000	0.250	0.250	0.000
<b>Total Authority</b>	<b>549.194</b>	<b>559.772</b>	<b>10.578</b>	<b>(396.833)</b>	<b>(408.039)</b>	<b>(11.206)</b>	<b>152.361</b>	<b>151.733</b>	<b>(0.628)</b>	<b>(0.286)</b>

## 1.2 Main Variances

The forecast position reported has moved by £0.342m since November. The chart below shows the variances by service against the previous reported position. There are five services showing significant variances since November, which are summarised below and further detailed in section 3 of the report.

**Table 2: Variance comparison of January variance position to November**



### Health, Education & Safeguarding

1.2.1 The forecast overspend is mainly caused by Corporate Parenting and Placements within Children's Services, although there is a small improvement from the November forecast due to a drop in numbers of children in placements. This is offset by a reduction in expected income for both NHS funding and Care Call fees leaving an net increase in pressure of £0.150m. Over-commitments on third party payments within Older People Services and services for clients with a learning disability are covered by the £4.579m of Improved Better Care Fund awarded after the Budget was agreed.

### Commissioning and Investment

1.2.2 The main area of pressure remains within Facilities and Fair Access where, in addition to expenditure pressures within the Cleaning and Catering services, there are demand pressures for the Home to School transport service. The position since the last report in November has improved due to the forecast position on Capita-managed services reducing by (£0.253m), as a



compensating adjustment for the additional pressure on Capita's managed services in Environment, Housing & Leisure.

#### Environment, Housing & Leisure

- 1.2.3 The overspends in Sports & Leisure and Libraries and Community Centres are only partially offset by savings in Fleet/Facilities Management and Waste Strategy. Since November Planning income forecast has reduced by £0.176m, though this is offset in 2017/18 by forecast improvements in costs for waste (£0.350m) and net impact of the fleet service (£0.130m).

#### Business & Economic Development

- 1.2.4 The main area of variation as shown in Table 2 relates to staffing pressures of £0.029m and also income pressures at the Swan Hunters site of £0.125m. Three major load out and laydown opportunities, with berthing fees, etc., did not progress in 2017 (over a 12 month period there was the potential for £0.050m income from each of these enquirers). None of these will now be realised in 2017/18.

#### Central Items

- 1.2.5 Central items is showing an overall improvement against budget of (£5.972m) including new income due to a proposed dividend from KIER of (£0.250m). Further to the overall final outturn position this dividend will be set aside in a reserve to be used as a contribution to costs associated with bringing the Kier Joint Venture back in house.

## **SECTION 2 - DELIVERY OF BUDGET SAVINGS PROPOSALS**

- 2.1 The combined budget savings of £18.338m in 2017/18 approved by Council in February 2017 brings the total savings the Authority has had to find in the seven years following the 2010 Comprehensive Spending Review (CSR) to £109.933m.

**Table 3: Year on Year savings since 2010 CSR**

<b>Year</b>	<b>£m</b>
2011/12	16.169
2012/13	16.739
2013/14	12.240
2014/15	16.552
2015/16	14.158
2016/17	15.737
2017/18	18.338
<b>Total Savings</b>	<b>109.933</b>

- 2.2 In tracking progress made against each individual saving proposal (as set out in Table 4 below), £15.622m (85.2% of the £18.338m target) is currently forecast to be delivered in 2017/18 (November £15.287m and 83.4%). The Tables below show the delivery against each plan followed by a summary table by Service. The remaining balance to be secured at 31 January 2018 is forecast at £2.716m (November was £3.071m).

**Table 4: Savings Tracker 2017/18 at January 2018**

	<b>Budgeted Saving</b>	<b>January Budget Monitoring Assumed Delivered</b>	<b>November Budget Monitoring Assumed Delivered</b>	<b>Movement since November 2017</b>	<b>Savings to be secured at January 2018</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>
Business and Economic Development	0.162	0.119	0.154	0.035	0.043
Central	8.780	8.159	8.159	0.000	0.621
Commercial and Business Redesign	0.235	0.235	0.235	0.000	0.000
Commissioning and Investment	1.067	0.820	0.820	0.000	0.247
Corporate Strategy	0.355	0.308	0.338	0.030	0.047
Environment Housing and Leisure	1.578	0.947	0.947	0.000	0.631
Finance	0.191	0.191	0.191	0.000	0.000
Health Education Care and Safeguarding	5.527	4.436	4.043	-0.393	1.091
Human Resources & Organisational development	0.185	0.169	0.162	-0.007	0.016
Law & Governance	0.258	0.238	0.238	0.000	0.020
<b>Total</b>	<b>18.338</b>	<b>15.622</b>	<b>15.287</b>	<b>-0.335</b>	<b>2.716</b>

A prudent approach is taken to reporting efficiency savings, and they will only be

reported in the forecast position when the impact can be seen flowing into the financial ledger system.

- 2.3 The main areas of variation from business cases are set out below in paragraphs 2.3.1 through to 2.3.4. Cabinet continues to monitor the delivery of budget savings proposals and as part of the 2018/20 Budget and Financial Planning process included growth in the budget for 2018/19 for those savings not now expected to be delivered and provided contingency budget for Childrens and Adults Social Care where demand led pressures can impact on the delivery of efficiencies. The budget adjustment includes £0.900m relating to a gain share saving from the management of Continuing Healthcare (CHC) on behalf of the Clinical Commissioning Group (a 2016/17 proposal). The HECS service is continuing to analyse and understand the data in relation to this work and is working with NHS partners to deliver CHC in a cost effective manner. In addition, the outstanding element of the 2017/18 Pay and Pension savings of £1.00m has been adjusted for in the 2018/19 budget.

### **2.3.1 HECS - £5.527m Savings Target, current £1.091m forecast variance**

#### **Cared For Safeguarded & Healthy**

- i. £0.310m of the £1.019m savings remains to be secured within the New Model for Children Budget proposals (November £0.310m). The Service is working hard to fully deliver savings for the start of the 2018/19 financial year.

#### **Fit for Purpose**

- ii. Pay Award and Pension Increase - £0.316m of savings included in the Budget to reflect the service finding its own element of the pay award are currently not secured (November £0.316m). The Service continues to work towards identifying how they will meet this remaining pressure through a review of working hours, managing vacancies and non-essential spend that should reduce this shortfall.

#### **Great Place**

Specialist Housing - £0.175m of the £0.275m Specialist Housing solution remains to be secured partly due to the complexity of the cases involved (November £0.175m). The Mitford Gardens 6-bedded unit for care-leavers is now in use. Work has also commenced on Elm House for new staying close provision for post-16 LAC. An officer working group continues to consider potential housing growth plans to include specialist housing products and services for children and adults with additional needs, Looked After Children and Older People.

#### **Ready for Work & Life**

- iii. Disability Services - £0.350m (November, £0.350m). To date reviewing the internally provided residential care and respite services and the commissioned services from external suppliers has not yet provided any

savings that can be measured directly against budgets. Delivering the savings involves some significant changes for families and working through these with families is taking longer than had been expected.

#### VFM Tested Social Care

- iv The scheme to deliver savings in relation to use of extra care is forecasted to over deliver by £0.060m on its target of £0.100m.

### **2.3.2 Commissioning & Investment £1.067m saving target, £0.247m forecast variance (no change since November)**

#### **Fit for Purpose**

£0.055m is yet to be identified relating to a restructure of a post in child protection. The Service is continuing to review its non-essential spend and team structure as the numbers have not come down as far as the Business Case had anticipated.

£0.192m of savings included in the budget to reflect the service finding its own element of the pay award and pension costs (no move since November). The Service continues to work to identify how they will meet the additional costs through a review of working hours, the management of vacancies, stretching sales targets, reviewing appropriate recharging and by reducing non-essential spend.

### **2.3.3 Environment, Housing & Leisure £1.578m saving, £0.631m variance (no change since November)**

#### **Fit for Purpose**

£0.531m of savings included in the Budget to reflect the service finding its own element of the pay award and pension costs of which none is currently forecast to be achieved (£0.531m at November). The service continues to work hard to identify how they will meet the additional costs through a review of working hours, the management of vacancies and by reducing non-essential spend though these are unlikely to now impact on 2010/18 outturn.

#### **Great Place**

The £0.200m target with regard to the implementation of the new approach to waste introduced at the Recycling Centre from July 2017 has now been achieved (£0.020m at November).

£0.036m of a £0.071m saving relating to Howdon Community Centre is reported as not yet delivered (£0.036m at November). Although the transfer of the lease of Howdon Community Centre has now concluded, it is envisaged that the forecast position will stay the same.

#### **Maximising Resources**

£0.064m of a £0.070m savings target relating to bereavement income is reported yet to be secured. Despite the Service implementing a fee increase

in October the impact on forecasts has been minimal.

#### **2.3.4 Non Service Budgets and Cross Cutting savings £8.780m savings target, £0.621m forecast variance (£0.621m at November)**

##### **Fit for Purpose**

A £0.500m saving yet to be delivered is linked to the project in respect of procurement savings (£0.500m at November). A detailed review of the procurement of services and the Authority's spend with suppliers has been completed and options to deliver the target level of saving have been considered. Work by Capita on delivering the changes in procurement has started but, at this stage, it is considered prudent to assume that the savings will not be achieved. Additional actions continue to deliver this saving.

##### **Great Place**

A variance of £0.121m was identified in September within a savings target relating to Property Development activities where the Authority is now expected to receive less interest on loans provided to deliver the projects than originally anticipated, the timing of which are driven by the granting of planning permission on the sites. Work has commenced on the property developments at Northumberland Square in North Shields and continues on the sites at The High Point, The Avenue and Wallington Court.

### **SECTION 3 – SERVICE COMMENTARIES**

- 3.1 As well as the usual budget monitoring process between finance staff and budget managers, meetings have been held with Officers, Cabinet Member for Finance and Resources, the Deputy Mayor and the relevant Cabinet Member to discuss the in-year finance and performance position with each Head of Service and their senior team, and to discuss plans in progress to mitigate any pressures.

#### **3.2 Health, Education, Care & Safeguarding (HECS)**

- 3.2.1 HECS is forecast an over-commitment against its £72.989m net expenditure budget by £3.687m (£3.272m at November). The forecast over-commitment is caused mainly by Corporate Parenting and Placements within Children's Services alongside the timing of delivery of some of the CBF targets.

**Table 5: Financial Summary for HECS**

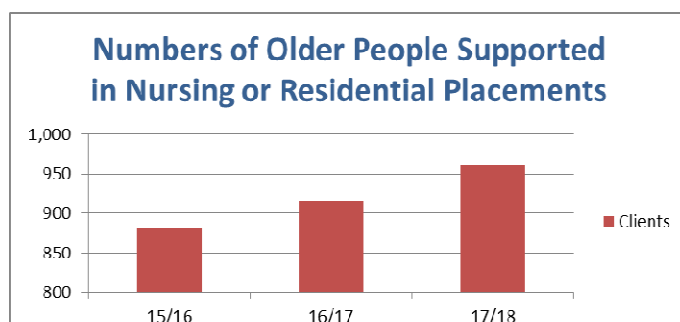
	<b>2017/18 Budget £m</b>	<b>January Variance £m</b>	<b>November Variance £m</b>	<b>Movement £m</b>
<b>Adults</b>	49.776	4.844	4.234	610
<b>Improved Better Care Fund (IBCF)</b>	0	-4.579	-4.579	0
<b>Adults after IBCF</b>	49.776	265	-345	610
<b>Children, Young People &amp; Learning</b>	23.192	3.157	3.617	-460
<b>Public Health</b>	21	0	0	0
<b>TOTAL HECS</b>	72.989	3.422	3.272	150

#### **Adult Social Care**

- 3.2.2 The reduction of forecast income and NHS funding leads to a forecast pressure of £0.265m at January, moving from a (£0.345m) underspend at November.
- 3.2.3 The Improved Better Care Fund (IBCF) of £4.579m is applied to offset the over commitment in client placements costs. The placement cost pressures are being experienced across all client categories but especially within services for older people and services for people with a learning disability.
- 3.2.4 The Disability & Mental Health service area, which includes all externally commissioned services for adults under 65 years with a learning disability or mental health need, is forecasting a demand pressure of £3.078m and shortfall on NHS funding of £0.943m. Deprivation of Liberty obligations provide a pressure of £0.144m. This is offset by over achieving client contributions of £0.247m. This area is mainly responsible for the worsening position within Adult Social Care since the November report due to a reduction in forecasted income from the NHS.

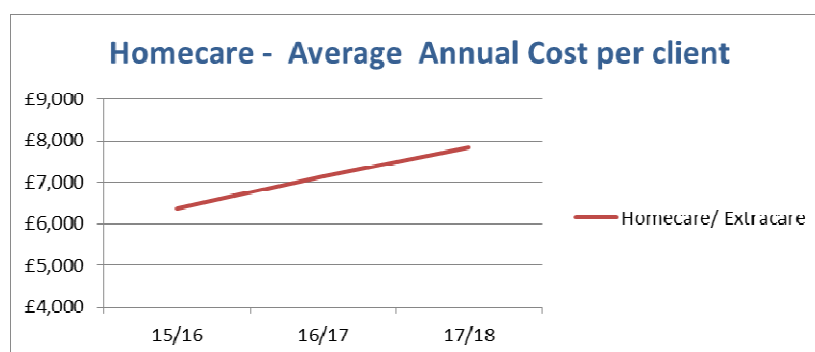
- 3.2.5 The Wellbeing and Assessment service area includes all externally commissioned services for adults 65 years and over and for adults under 65 years who have a physical or sensory disability. It also includes the Community Wellbeing & Assessment Teams. This service area is forecasting demand pressures of £1.287m across homecare and residential/nursing care.
- 3.2.6 Adult Social Care continues to see demographic growth principally within services for older people and services for people with a learning disability. The table below shows the rise in clients over 65 in nursing and residential placements since 2015/16.

**Table 6: Numbers of older people in nursing and residential placements**



- 3.2.7 The numbers of older people receiving homecare services has not shown the same trend although numbers in 2017/18 so far are slightly up (1.6%) on 2016/17. The static profile is likely to be due to the lack of capacity in the homecare market as providers struggle to recruit sufficient carers. This, in turn, is contributing to the additional short term and ultimately long term residential placements shown above. Greater capacity in the homecare market could reduce this cost to the Authority.

**3.2.8 Table 7: Trend in Annual Cost per Older Person of Homecare Services**



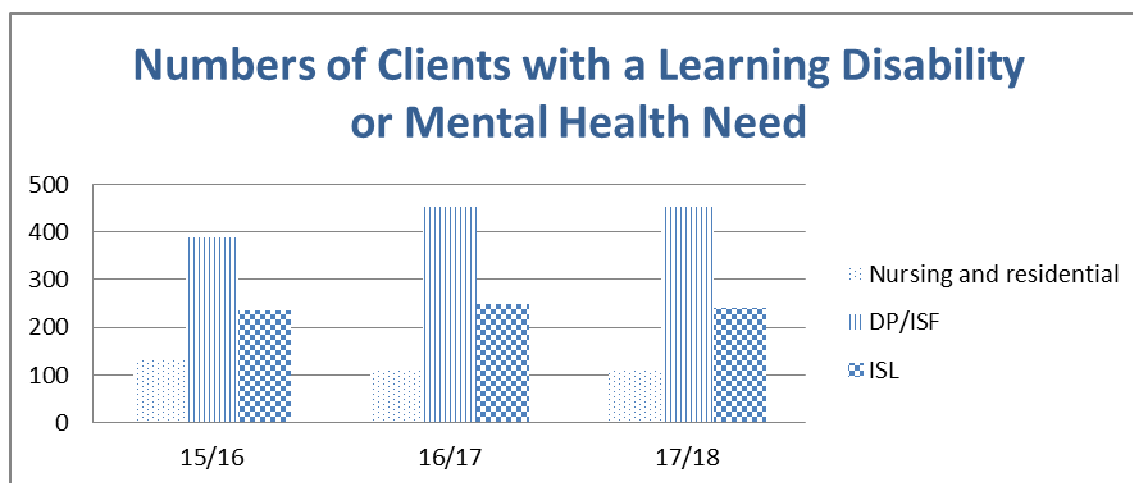
The average cost of a homecare package is however increasing as an aging population with higher levels of need require more intense support. The graph above shows the increase.

### Services for People with a Learning Disability

- 3.2.9 Total numbers of clients within services have been relatively static (Table 8) with a small decrease in residential services and Independent Supported Living Services (ISLs) offset by an increase in numbers with a direct payment

(DP) or Individual Service Fund (ISF – this is a fund held by a provider for an individual client to provide services on a more flexible and tailored basis for that client).

**Table 8: Changes in numbers of clients receiving services**

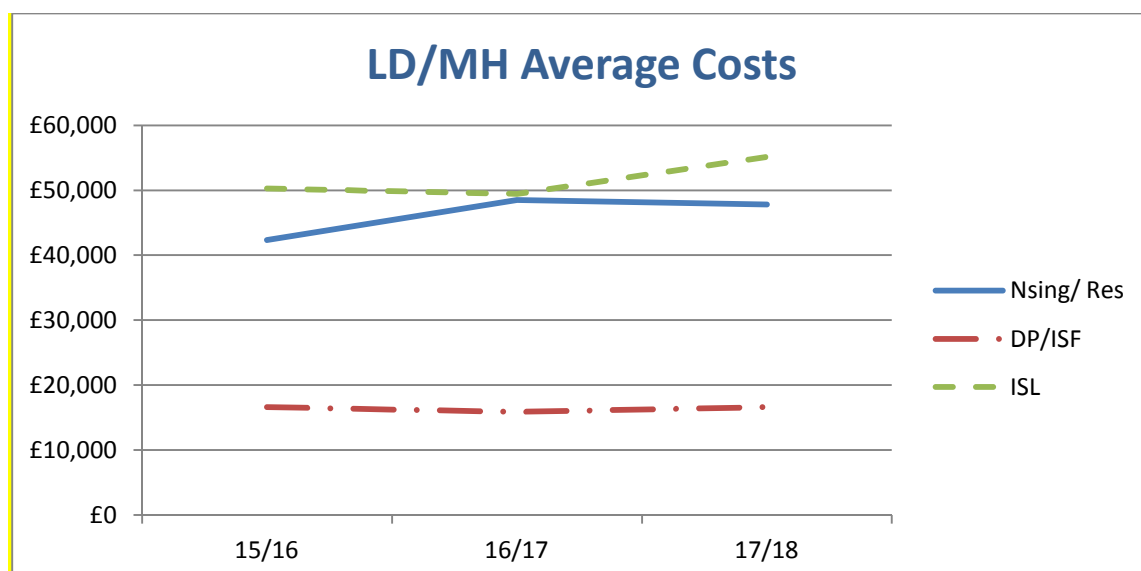


3.2.10 Average annual costs per client in for DPs and ISFs have been steady however; there has been an increase in average ISL costs and a decrease in residential care average annual costs. The increase in ISL unit costs is 9.8% since 2015/16 and is explained by increases in care fees due largely to National Living Wage rises. These trends are illustrated in Table 8 below. The reduction in residential care has been due to a change in the client base with some clients moving from residential services to an ISL service.

3.2.11 ISL services commissioned by the Authority for clients with a learning disability are on average more expensive than the residential care services the authority provides. The Valuing People Now policy (2009) was brought in to improve quality of life and promote greater independence for people with learning disabilities. This led to the development of ISL services, which can be more costly than equivalent residential care. The Service is working hard to move to more cost effective models of delivering ISLs with larger services like the 13 bedded Emery Court in Dudley, which offer greater economies of scale.

**Table 9: Changes in average annual costs of packages for clients with a Learning Disability or Mental Health Need.**





## Children's Services

3.2.12 Children's Services are forecasting a pressure of £3.157m (November, £3.617m) against a net budget of £23.191m. Analysis of the variance across the service areas is shown in Table 9 below.

**Table 10: Forecast Variation across Children's Services**

Service Area	2017/18 Budget £m	January Variance £m	November Variance £m	Movement £m
Corporate Parenting and Placements	16.886	2.475	2.729	-254
Early Help and Vulnerable Families	3.008	3	73	-70
Employment and Skills	598	164	164	0
Integrated Disability and Additional Needs Service	2.170	588	728	-140
School Improvement	529	-73	-77	4
<b>Total Children, Young People &amp; Learning</b>	<b>23.191</b>	<b>3.157</b>	<b>3.617</b>	<b>-460</b>

## Corporate Parenting and Placements

3.2.13 The forecast pressure in Children's Services remains mainly within Corporate Parenting and Placements with a pressure of £2.475m (£2.729m in November). Although we continue to be a strong performer compared to our regional neighbours and the national picture, the children we are supporting have complex needs that are expensive to meet.

- 3.2.14 There is a staffing pressure partially relating to the cost of agency staff covering vacant social work posts and the decision to pay a market supplement to social workers. In line with the nationwide picture the authority has found it difficult to recruit experienced social workers and is therefore using agency to meet needs. In addition the overall cost of Social Work Fieldwork has been mitigated by a one off payment from Public Health for related services.
- 3.2.15 Most of the pressure relates to demand within Looked After Children particularly at the high cost end of placements, of which £0.512m has been estimated as the potential additional cost of moving to a revised model of means testing Special Guardianship Orders. Whilst the overall number of LAC has remained relatively static during this financial year, the placement mix has changed since March 2017
- 3.3.16 Nationally, there has been an increase in demand for children's residential placements, but with no corresponding increase in provision. Locally, placements for adolescents (particularly males) with a combination of risks including aggressive behaviour, offending, substance use and sexualised behaviour are increasingly difficult to source. This has resulted in LAs having to use more costly bespoke individual placements, where it is not suitable to place young people in group environments.
- 3.2.17 Work is ongoing with Housing colleagues to identify any potential housing solutions to meet this relatively recent change in demand. The service continue to review all high cost placements, and the level of support required with a view to reduce the use of external placements as per the New Model for Children Business Case. Detailed planning has already begun in relation to identifying placements to transfer into the newly expanded in-house provision at Elm House and Mitford Gardens, which will subsequently 'free up' provision in the NTC Children's Homes.

### **Early Help and Vulnerable Families**

- 3.2.18 £0.324m of the over-commitment relates to the necessary delay in implementing the proposals for childcare settings as previously highlighted in Section 2 above. In addition, there is an estimated pressure of circa £0.177m in relation to a staffing requirement in Supporting Families following changes to implementation of 2016/17 proposals. Work progressing in respect of the development of community hubs and the wider council estate is anticipated to support resolution of the pressure. The pressure has been mitigated by drawing down the full allocation of Troubled Families grant income for families already attached to the programme, and generating additional grant funding following achievement of outcomes for families.

## Employment & Skills

3.2.19 An historical income pressure remains from when services were funded by specific individual grants, mainly from the Department of Education, and it was appropriate that these grants make a contribution to overheads (£0.164m). The service is working through options to mitigate this pressure.

## Integrated Disability and Additional Needs Service

3.2.20 There is an over commitment of £0.588m in this service area. The main issues making up this imbalance are: Staffing £0.553m, Service User Packages £0.299m and income target re short break care selling beds of £0.043m. These pressures are partly offset by additional income generation within Education Psychology of £0.226m and additional income generation from CCG of £0.061m. The movement since November reporting relates primarily to increased income from CCG for transitioning adult placements.

## School Improvement

3.2.21 The under spend in the School Improvement Service relates primarily to savings achieved on staffing (£0.198m) and Education ICT contracts/Network Refresh (£0.106m), offset by shortfall of income generation in Education ICT £0.201m and High Borrans £0.030m

## 3.3 Commissioning & Investment

3.3.1 Commissioning and Investment is forecasting an over-commitment of £0.691m as set out in Table 11 below compared to the November position of £0.970m. The main areas of pressure remains within Facilities and Fair Access where, in addition to expenditure pressures within the Cleaning and Catering services, there are demand pressures for the Home to School transport service.

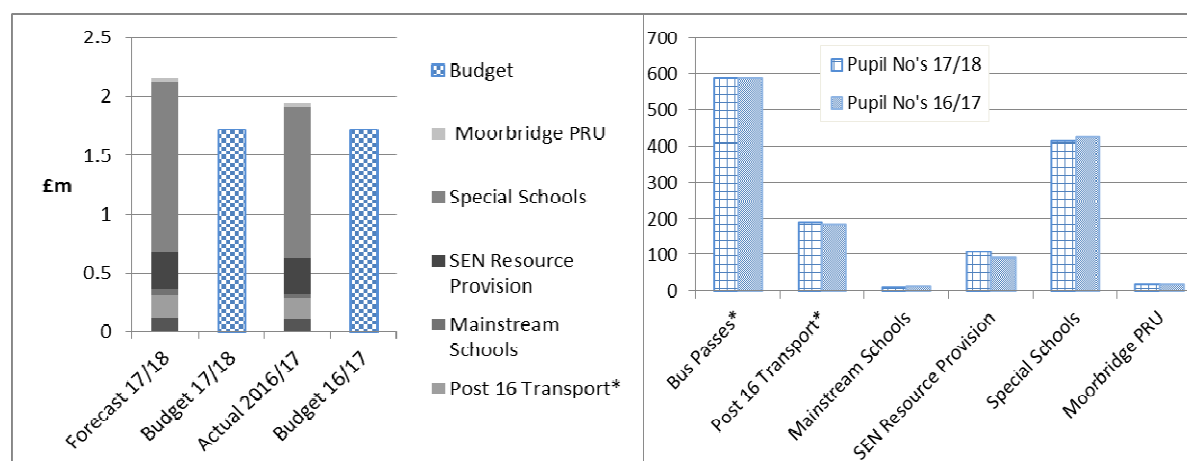
**Table 11: Commissioning and Investment forecast variation**

	2017/18 Budget £m	Jan Variance £m	Nov Variance £'m	Movement £m's
School Funding & Statutory staff costs	15.245	0.000	0.000	0.000
Commissioning Service	0.539	0.045	0.045	0.000
Child Protection Independent Assurance & Review	0.680	0.070	0.070	0.000
Facilities and Fair Access ( including Home to School Transport)	0.507	0.523	534	(0.011)
Strategic Property & Investment	0.388	0.003	0.017	(0.014)
High Needs Special Educational Needs	(0.080)	0.000	0.000	0.000
Property	1.866	0.050	0.284	(0.254)
Management & Support	0.143	0.015	0.020	(0.005)
Internal Audit & Risk	0.002	0.000	0.000	0.000
Procurement	0.000	(0.015)	0.000	(0.015)
<b>Total Commissioning &amp; Investment</b>	<b>19.290</b>	<b>0.691</b>	<b>0.970</b>	<b>(0.299)</b>

## Home to School Transport

3.3.2 Table 12 below sets out details of the cost and number of pupils accessing home to schools transport service provision during 2016/17 and forecasted to access the service in 2017/18. Although the numbers of pupils are relatively stable year on year, the overspend in this area for the Authority is expected to increase to £0.439m because of pressure on the Designated Schools Grant which is no longer available to contribute towards supporting this service at the previous levels. As can be seen below much of the provision is statutory with the most significant level of expenditure being in respect of special schools. The Authority is using appropriate opportunities to review the level of provision given, particularly when other elements of a child's package are reviewed. The Authority has a panel supporting work on this issue and is drawing on the knowledge of Special School Head teachers.

**Table 12: Analysis of Home to School Transport**



## Property

3.3.3 Although there is an overspend predicted in this managed budget, following the deed of variation with Capita, signed in March 2017, the Authority now has assurance that Capita will deliver the savings and the service within the managed budget envelope overall. This means that the pressure within Property in the Commissioning & Investment service is compensated for by an under spend within the services provided by Capita for the Authority within Environment, Housing & Leisure.

### 3.4 Environment, Housing & Leisure

3.4.1 Environmental, Housing and Leisure service is reporting a pressure of £0.306m as set out in Table 13 below (November was £0.646m).

**Table 13: Forecast Variation in Environment Housing and Leisure**

	<b>2017/18 Budget £m</b>	<b>Jan 2017/18 Variance £m</b>	<b>Nov 2017/18 Variance £m</b>	<b>Move £m</b>
Sport & Leisure	4.446	0.401	0.378	0.023
Arts Tourism & Heritage	1.960	0.106	0.084	0.022
Libraries and Community Centres	6.268	0.395	0.414	(0.019)
Security & Community Safety	0.249	0.081	0.144	(0.063)
Fleet/Facilities Management	0.459	(0.372)	(0.242)	(0.130)
Waste Strategy	11.891	(0.356)	(0.006)	(0.350)
Bereavement	(0.741)	0.117	0.113	0.004
Street Environment	8.772	(0.025)	0.043	(0.068)
Head of Service & Resilience	0.287	0.042	0.023	0.019
Street Lighting PFI	4.242	0.0	0.0	0.0
Consumer Prot & Building Control	0.985	0.001	0.005	0.006
Transport & Highways	5.009	(0.275)	(0.321)	0.046
Planning	0.220	0.192	0.016	0.176
General Fund Housing	1.092	0.0	0.005	0.005
<b>TOTAL Environment Housing &amp; Leisure</b>	<b>45.220</b>	<b>0.306</b>	<b>0.646</b>	<b>(0.340)</b>

#### Sport & Leisure

3.4.2 The variance change from the last reporting period reflects increased pay & backfill costs for covering sickness and holidays. (£0.023m). There are premises costs variances of £0.133m relating to energy and rates pressures now included which had historically been reported centrally.

#### Arts Tourism & Heritage

3.4.3 There continues to be a small £0.046m pressure arising from the Playhouse due to reduced Authority income and operational cost inflation. In addition, previously unforeseen essential repair costs on the Buddle Arts Centre building are identified of £0.037m.

#### Libraries & Community Centres

3.4.4 The outturn variance reflects forecast cost pressures in the following areas; Building Cleaning of £0.082m & Libraries Telephones/ICT/Computer Costs £0.038m, as well as energy and rates costs £0.069m , PFI Contract Costs £0.149m; Howdon & Shiremoor Community Centres £0.119m; together with minor underspends across the service (£0.062m).

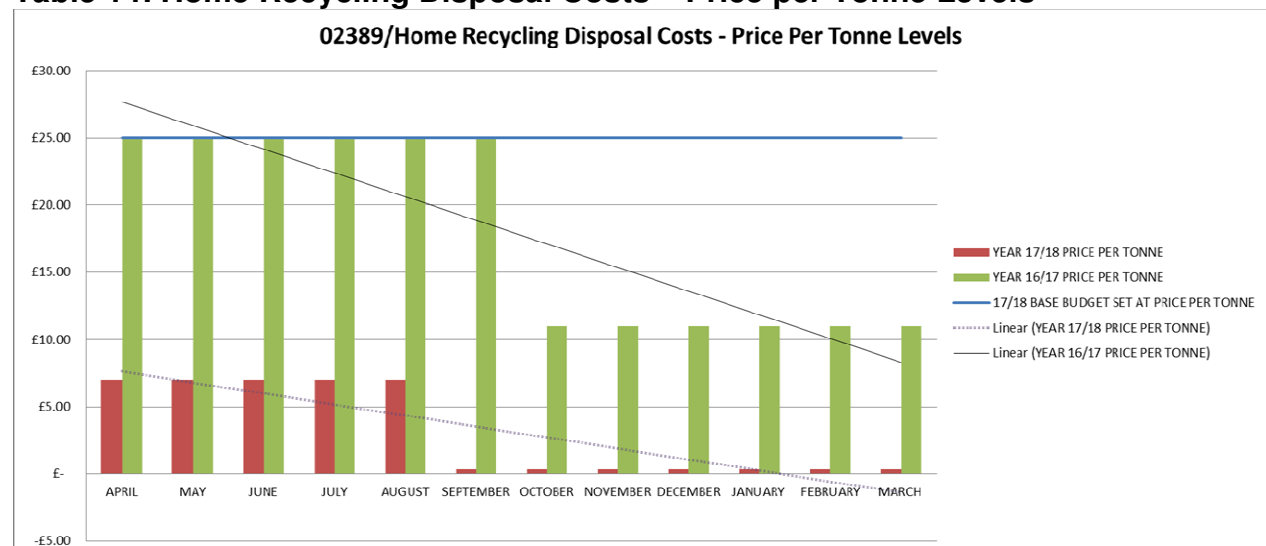
## Security & Community Safety

3.4.5 The £0.081m pressure relates in the main to current forecast underachievement of income £0.089m, offset by small savings in costs.

## Waste

3.4.6 The service has improved by (£0.350m) since November largely because of a reduction in household recycling costs. The net cost of waste has been improved due to additional funding and reduced contract costs. In addition, the price per tonne for the disposal of household recycling has dropped significantly across the year. When the 2017/18 budget was set it was around £25.00. The price per tonne initially reduced to between £7.00-£10.00 per tonne. It now has dropped to 31p per tonne, as seen in table 14.

**Table 14: Home Recycling Disposal Costs – Price per Tonne Levels**



3.4.7 The growth of housing across the Borough has put pressure on waste growth but the main area of growth in demand for the Authority was coming from increased waste being presented at the Household Recycling Centre rather than from doorstep collections.

3.4.8 In response to this increase in volume, the Authority has made changes at its Household Waste Recycling Centre (HWRC) in North Shields, to ensure the on-going safety and sustainability of the site. The Authority has introduced a ban on very large vehicles such as 'Luton' vans, tippers, minibuses, and long trailers, in response to concerns about site safety and the suspected misuse of the site by commercial operators. In addition a permit scheme for specified vehicles has been introduced.

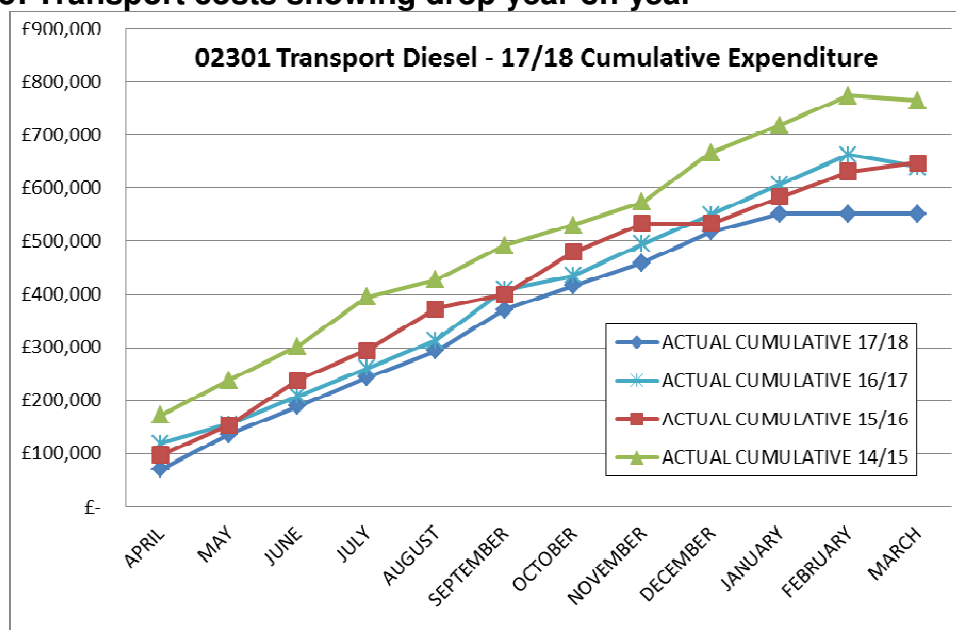
## Bereavement

3.4.9 The Bereavement Service fee increases in October 2017 have not led to the expected increased income targets for 2017/18. This is further impacted by increased security costs.

## Street Environment and Fleet Service Areas

3.4.10 A forecast underspend can be seen within the Fleet service area due to reduced maintenance costs, as well as lower fuel related expenditure (see Table 15) given more economic vehicles together with other related expenditure following the ongoing capital programme replacement of vehicles. In addition, the service has been successful in increasing the appropriate recharges for fleet usage with external users (schools and Capita).

**Table 15: Transport costs showing drop year on year**



## Street Lighting PFI

3.4.11 Electricity pressures of £0.100m and unitary charge inflation pressures of £0.257m are being partially mitigated by PFI interest and one-off income for officer time of £0.080m. A review of all PFI models has been undertaken, and the overall pressure on the street lighting PFI budget in year can be managed in year by an appropriate drawdown from the PFI reserve.

## Transport & Highways

3.4.12 The underspend is mainly due an over-achievement of income relating to parking (£0.528m) offset partially by increased parking running costs of £0.234m. This service area, along with Consumer Protection and Building Control and Planning within Environment, Housing & Leisure and Property within Commissioning & Investment from the managed budget. Capita, as our Technical Partner, is responsible for delivering savings and a balanced budget in total across these areas.

### 3.5 Business & Economic Development

- 3.5.1 The main area of variation as shown in Table 16 relates income pressures at the Swan Hunters site of £0.125m due to three major load out and laydown opportunities which did not progress in 2017. Over a 12 month period there was the potential for up to £0.050m income from each of these enquirers, none of these will now be realised in 2017/18. In addition there are staffing pressures of £0.029m. These are partially offset by savings on supplies and services of (£0.026m).

**Table 16: Forecast Variation Business and Economic Development**

	<b>2017/18 Budget £m</b>	<b>Jan 2017/18 Variance £m</b>	<b>Nov 2017/18 Variance £m</b>	<b>Movement £m</b>
Regeneration	0.513	0.145	0.028	0.117
Business & Enterprise	0.933	-0.004	0.003	-0.007
Resources & Performance	0.175	-0.013	-0.014	0.001
<b>Total Business And Economic Development</b>	<b>1.621</b>	<b>0.128</b>	<b>0.017</b>	<b>0.111</b>

### 3.6 Commercial & Business Redesign

- 3.6.1 The main area of variation as shown in Table 17 below relates to cost pressures arising from a number of new system costs and enhancements largely in the area of automated customer contacts and internet connectivity.

**Table 17: Forecast Variation Commercial and Business Redesign**

	<b>2017/18 Budget £m</b>	<b>Jan 2017/18 Variance £m</b>	<b>Nov 2017/18 Variance £m</b>	<b>Movement £m</b>
Head of Commercial & Business Redesign	0.004	0.014	0.014	0.000
ICT Retained Services	0.522	0.000	0.001	-0.001
ICT Client	1.986	0.136	0.137	-0.001
<b>Total Commercial and Business Redesign</b>	<b>2.512</b>	<b>0.150</b>	<b>0.152</b>	<b>-0.002</b>

### 3.7 Corporate Strategy

- 3.7.1 Corporate Strategy is forecasting an over-commitment of £0.131m as set out in Table 18 below. This is made up of staff cost pressures £0.092m, supplies and services pressures of £0.039m. The service area is looking to part manage these pressures through the year by opportunities to increase income, non-essential spend and vacancy management.



**Table 18: Forecast Variation Corporate Strategy**

	<b>2017/18 Budget £m</b>	<b>Jan 2017/18 Variance £m</b>	<b>Nov 2017/18 Variance £m</b>	<b>Movement £m</b>
Corporate Strategy Management	0.133	0.022	0.023	-0.001
Policy, Performance & Research	-0.003	0.002	0.023	-0.021
Community and Voluntary Sector Liaison	0.472	0.039	0.015	0.024
Marketing	0.129	0.057	0.035	0.022
Elected Mayor and Executive Support	-0.030	-0.006	-0.007	0.001
Children's Participation & Advocacy	0.199	0.017	0.017	0.000
<b>Total Corporate Strategy</b>	<b>0.900</b>	<b>0.131</b>	<b>0.106</b>	<b>0.025</b>

### 3.8 Finance

- 3.8.1 The under spend in the Finance service as set out in Table 19 relates to the pension rebate estimated as due to the Local Authority from Engie under the partnership contract, reduced audit fee and staff savings. Within Revenue & Benefits and Customer Services there is a pressure of £0.293m resulting from a pressure on enforcement income of £0.054m and £0.239m on housing benefit subsidy budgets. The variance is 0.39% of the gross expenditure budget of the Revenue & Benefits Customer Services of £75.866m.

**Table 19: Forecast Variation Finance**

	<b>2017/18 Budget £m</b>	<b>Jan 2017/18 Variance £m</b>	<b>Nov 2017/18 Variance £m</b>	<b>Movement £m</b>
Finance Service	-0.021	-0.249	-0.249	0
Revs & Bens & Cust Services	1.273	0.293	0.293	0
<b>Total Finance</b>	<b>1.252</b>	<b>0.044</b>	<b>0.044</b>	<b>0</b>

### 3.9 Human Resources & Organisational Development

- 3.9.1 The pressure relates to the additional HR staff supporting the Target Operating Model projects. The improvement is due to vacant posts being held.

**Table 20: Forecast Variance Human Resources and Organisational Development**

	<b>2017/18 Budget £m</b>	<b>Jan 2017/18 Variance £m</b>	<b>Nov 2017/18 Variance £m</b>	<b>Movement £m</b>
HR & OD and Total	<b>0.262</b>	<b>0.147</b>	<b>0.149</b>	<b>-0.002</b>

### 3.10 Law & Governance

3.10.1 The overall pressures in Law and Governance of £0.079m are analysed in Table 17 below. The main pressures relates to Information Governance where additional staffing costs (£0.059m) are in place to deal with the Authority's response to the General Data Protection Regulation (GDPR), which will apply in the UK from 25 May 2018, and the implementation of data management systems to replace the OpenText systems. The Government has confirmed that the UK's decision to leave the EU will not affect the commencement of the GDPR. There is a salary pressure on the Courier Service of £0.043m. These are partially offset by savings on supplies and services and additional income generation.

**Table 21: Forecast Variation Law and Governance**

	<b>2017/18 Budget £m</b>	<b>Jan 2017/18 Variance £m</b>	<b>Nov 2017/18 Variance £m</b>	<b>Movement £'m</b>
Customer, Governance & Registration	-0.091	0.109	0.091	0.018
Democratic & Electoral Services	0.004	-0.052	-0.047	-0.005
Information Governance	0.027	0.085	0.073	0.012
Legal Services	0.004	-0.031	-0.038	0.007
North Tyneside Coroner	0.293	-0.032	0.000	-0.032
<b>Total Law and Gov</b>	<b>0.237</b>	<b>0.079</b>	<b>0.079</b>	<b>0.000</b>

### 3.11 Central Budgets & Contingencies

3.11.1 The 2017/18 forecast outturn set out in Table 18 below reflects savings of circa £3.346m on interest charges and a forecast underspend of £0.333m in relation to MRP. These savings result from 2016/17 Investment Plan reprogramming and the approach to internal borrowing. Cabinet will recall during 2016/17 significant in-year savings were achieved through the application of the Treasury Management Strategy. Additional savings were factored into budget setting for 2017/18 however the approach to Treasury Management is continually reviewed in order to minimise borrowing costs to the Authority and maximise the opportunity to achieve in-year budget savings. That will be dependent on movements in interest rates, which are monitored on a daily basis.

3.11.2 The assumption that £1.426m of contingencies and Service Improvement Fund will not be drawn down continues (these pressures have been forecast within the Service figures reported above). A backdated rates rebate of £0.344m relating to the John Willie Sams Centre has been agreed and additional income generation of £0.293m from S31 Grants for Small Business Rate Relief are shown here, together with a dividend from the Airport of £0.886m and an anticipated dividend of £0.250m from Kier.

- 3.11.3 Included in Central items is the budgeted saving on Procurement activity of £0.500m which is currently being forecast as a pressure. As highlighted previously a detailed review of the procurement of services and the Authority's spend with suppliers is in progress. Options have been identified and work is now commencing to change how the Authority approaches procuring supplies and services across a number of areas. As the exercise is still in an early stage, it is prudent to assume that the saving will not be achieved but the practical work has started and progress will be kept under careful review. There are also pressures totalling £0.312m relating to the bad debt provision and to payments relating to NECA and the LEP, plus NTC Enterprise zone payment, shortfall on trading company interest and a small backdated VAT adjustment.
- 3.11.4 Seaton Burn Community High School has transferred as a sponsored academy at the start of January. The school is currently forecasting a deficit of £0.668m. Due to the nature of the transfer of the school the deficit will be met by the General Fund in 2017/18.
- 3.11.5 A dividend from Kier has been announced, valued at 0.250m that it is proposed is used as a contribution to reserves to be set aside to pay for costs associated with bringing the Joint Venture back in house.

**Table 22: Forecast Variation Central Budgets and Contingencies**

	<b>2017/18 Budget £m</b>	<b>Jan 2017/18 Variance £m</b>	<b>Nov 2017/18 Variance £m</b>	<b>Movement £m</b>
Corporate & Democratic Core	15.358	-0.574	-0.574	0
Other Central Items – corporate accounting, contingencies and levies	-7.641	-5.184	-5.184	0
KIER dividend		-0.250		-0.250
<b>Total Central Items</b>	<b>7.717</b>	<b>-5.972</b>	<b>-5.752</b>	<b>-0.250</b>

- 3.12 The following table shows additional grants received since November 2017. Cabinet is requested to approve receipt of these grants.

**Table 23: 2017/18 Revenue Grants awarded since November 2017**

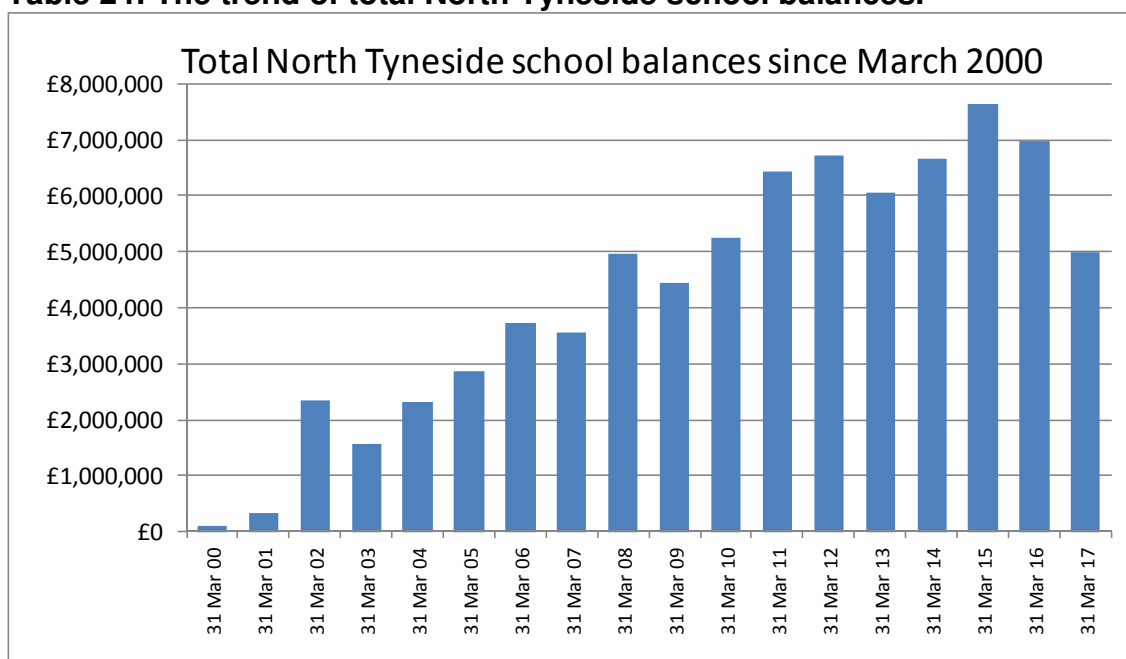
<b>Service</b>	<b>Granting Body</b>	<b>Description</b>	<b>Amount £m</b>
Environment Housing & Leisure	Department for Environment, Food & Rural Affairs	Support for LA Feasibility Study Roadside NO2	0.050
Total			0.050

## **SECTION 4 - SCHOOLS FINANCE**

### **2017/18 School Budgets**

- 4.1 During 2016/17 overall maintained school balances in North Tyneside decreased from £6.982m to £4.986m at 31 March 2017. This was reported in the Authority's Statement of Accounts for 2016/17 and used in National Government Benchmarking.
- 4.2 It should be noted that total maintained school balances do not include those of academies in the borough. The balances reported nationally include committed balances, i.e. amounts schools show as committed to spend on specific projects. The actual balances for forward planning purposes are normally lower, as they include elements that the schools plan to spend in future periods.
- 4.3 Cabinet will be aware that the authority has 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 continue to be compounded by rising employment costs. As expected the end of 2016/17 saw the second year of balances decreasing following a long term trend of rising balances in North Tyneside, and Table 24 below sets out the long term trend of the position of North Tyneside Schools. In 2016/17, North Tyneside school balances at March 2017 represented 3.3% of total school income in that year. This is significantly lower than the national figure of 6.4%.

**Table 24: The trend of total North Tyneside school balances.**



- 4.4 Cabinet should note that the overall position at the 31 March 2017 was significantly different to that predicted at the start of the year when schools submitted their budget plans. In the May 2016 budget submissions for the 2016/17 committed balances were forecast to be in an overall deficit position of £0.282m. This compares with an uncommitted balance of £4.986m at 31 March 2017, so the actual outturn balance was significantly higher. Schools have

been reminded of the need to forecast as accurately as possible so that decisions are taken in the light of accurate budget projections. Cabinet will be aware that schools retain a high degree of autonomy when setting budgets, unless they are in a deficit position. Therefore, whilst Elected Members and officers are able to advise schools on the adequacy of balances, they cannot intervene.

- 4.5 In June 2017, ten schools indicated that they needed the Authority's approval to set a deficit budget. This compares to eight schools in 2016/17 being managed under the deficit approval process. It should be noted that out of the ten schools requesting deficit approvals eight are secondary schools, as those schools continue to have surplus school places. All schools requesting deficit approval have met with the Head of Finance and the Director of Children's and Adult Services to ensure all appropriate steps have been taken to improve each school's position prior to formally approving deficit arrangements. Additional governance arrangements and monitoring meetings have been put in place with the relevant schools. School Improvement, HR and Finance officers continue to meet with Head Teachers and Governing Body representatives to monitor the specific requirements of each individual school's deficit approval.
- 4.6 Budget monitoring has been conducted with all schools during the Autumn term with particular attention given to the ten schools requesting deficit approval. The overall forecasted position improved by £0.878m from a total deficit of £2.896 to a deficit of £2.018m. The forecasts for the ten schools with deficit approvals improved by £0.227m. Table 25 below sets out the deficits approved and the Autumn term monitoring position. At the time of writing, the monitoring visits for the Spring term are nearing completion and early indications are that forecasts are generally continuing to improve.

**Table 25 Schools with deficit approval for 2017/18**

School	Deficit Approval Granted 2017/18 £m	Autumn Term Monitoring Position £m
Fordley Community Primary	-0.081	-0.042
Ivy Road Primary	-0.137	-0.150
Marden Bridge Middle	-0.027	-0.021
Monkseaton Middle	-0.034	-0.027
Marden High	-0.478	-0.467
Norham High	-1.224	-1.154
Longbenton High	-1.026	-1.040
Monkseaton High	-2.586	-2.523
Seaton Burn Community College	-0.668	-0.668
Whitley Bay High	-0.618	-0.561
<b>Total</b>	<b>-6.880</b>	<b>-6.653</b>

- 4.7 The deficit position is largely driven by surplus capacity. A programme of work is in progress with schools to consider further actions required to address the longer term approach to financial planning for schools in North Tyneside. The programme is focussing on three new work streams and is also consolidating work on two existing projects. The workstreams are:-

- Financial review and analysis;
- Planning and modelling;
- Tools for Schools;
- Keeping Children and Young People in School
- Closing the Gap.

A progress report will be given to Schools Forum in March 2018.

## National Funding Formula and Setting School Budgets for 2018/19

- 4.8 On 14 September 2017 the Department for Education (DfE) published the response to the Stage 2 national funding formula consultation and confirmed the final formulae. From 2018/19 the Dedicated Schools Grant (DSG), which provides the allocations for each block, will comprise of four blocks: schools, high needs, early years and the new central school services block. Each of the four blocks has their own funding formula.
- 4.9 In 2018/19 & 2019/20 the local authority will receive its funding based on the DfE national funding formula and during this transition period local authorities will continue to set a local formula to distribute funding and distribute individual schools budgets.
- 4.10 A consultation exercise with all schools held in November/December 2017 indicated that there was a desire to retain the current North Tyneside formula for as long as possible to allow schools to prepare for the National Funding Formula in 2020/21. This view was discussed and endorsed at Schools Forum on 15 November 2017.
- 4.11 The funding settlement for the DSG was received on 19 December 2017 and a proposal for its allocation was submitted to Schools Forum on 10 January. The settlement showed an overall funding increase of 2.7% against an increase in pupil numbers of 1%. Table 26 below shows the overall DSG allocation.

**Table 26: North Tyneside Overall DSG Allocation for 2018/19**

	2018-19 schools block units of funding (£s)	Schools Block	CSS Block	Early Years Block	High Needs Block	Total DSG 2018/19
		£m	£m	£m	£m	£m
<b>Primary per pupil rate (£):</b>	<b>3,769.62</b>					
<b>Secondary per pupil rate (£):</b>	<b>5,272.53</b>					
<b>Block value</b>		£116.594	£2.314	£13.115	£19.977	£152.000
<b>Deduction for direct funding of high needs places by ESFA</b>					-£0.674	-£0.674
<b>IT SIMS Capital</b>		£0.068	-£0.068			£0.000
<b>Total Settlement</b>		<b>£116.662</b>	<b>£2.246</b>	<b>£13.115</b>	<b>£19.303</b>	<b>£151.326</b>

- 4.12 Following Schools Forum in January 2018, schools block allocations to individual schools were calculated and submitted to the DfE. Mainstream schools received information on their budget share on 31 January 2018.

## **SECTION 5 - HOUSING REVENUE ACCOUNT**

### **Forecast Outturn**

- 5.1 The forecast set out in Table 27 below based on the results to January 2018 reflects balance or under spends across all cost areas except HRA Management costs where there is a pressure £0.123m. The early pressures on rental income existed largely because of higher levels of empty homes than forecast, particularly in Sheltered Housing, but it is now forecasted to exceed original budget as empty homes continue to be filled, leading to a net underspend of (£0.029m). In addition, the income from temporary dispersed accommodation is projected to be above budget (£0.071m), whilst service charge income (including furniture packs) is now also significantly better than budget (£0.125m). All of the £0.873m of savings identified in the 2017/18 budget approved by Cabinet are on target to be delivered in full.

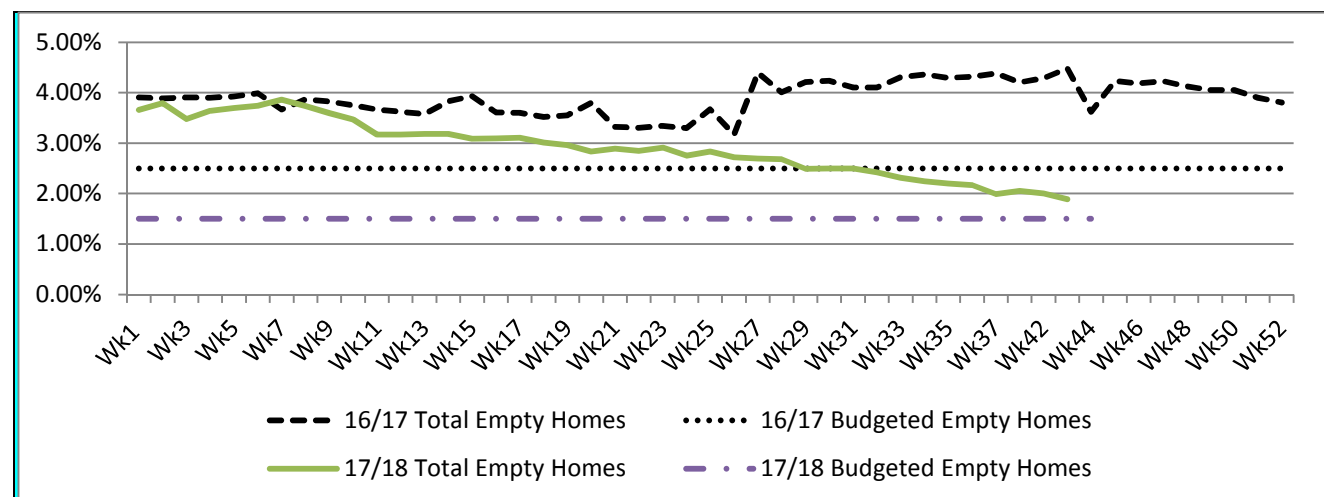
**Table 27: Forecast Variance Housing Revenue Account**

	<b>FULL YEAR - 2017/18</b>			<b>November Variance £m</b>	<b>Movement £m</b>
	<b>Full Year Budget £m</b>	<b>January Forecast Outturn Forecast £m</b>	<b>Variance £m</b>		
<b><u>INCOME</u></b>					
Rental Income	-59.689	-60.070	<b>-0.381</b>	-0.225	-0.156
Other Rental Income, Shops etc.	-0.255	-0.254	<b>0.001</b>	0.001	0.000
Interest on Balances	-0.030	-0.040	<b>-0.010</b>	-0.010	0.000
PFI Credits	-7.693	-7.693	<b>0.000</b>	0.000	0.000
	<b>-67.667</b>	<b>-68.057</b>	<b>-0.390</b>	-0.234	-0.156
<b><u>EXPENDITURE</u></b>					
Capital Charges - Net Effect	13.848	13.827	<b>-0.021</b>	-0.026	0.005
HRA Management Costs	10.197	10.028	<b>-0.169</b>	0.123	-0.292
PFI Contract Costs	9.551	9.551	<b>0.000</b>	0.000	0.000
Repairs	11.481	11.477	<b>-0.004</b>	-0.004	0.000
Revenue Support to Capital Programme	6.771	6.771	<b>0.000</b>	0.000	0.000
Contribution to Major Repairs Reserve – Depreciation	15.650	15.650	<b>0.000</b>	0.000	0.000
Contingencies, Bad debt Provision & Transitional Protection Payments	1.080	0.682	<b>-0.398</b>	-0.300	-0.098
Pension Fund Deficit Funding	0.855	0.855	<b>0.000</b>	0.000	0.000
	69.432	68.840	-0.592	-0.206	-0.386
	<b>1.766</b>	<b>0.784</b>	<b>-0.983</b>	-0.440	-0.543
<b>BALANCES BROUGHT FORWARD</b>	<b>-4.627</b>	<b>-5.966</b>	<b>-1.339</b>	-1.339	0.000
<b>BALANCES TO CARRY FORWARD</b>	<b>-2.861</b>	<b>-5.182</b>	<b>-2.322</b>	-1.779	-0.543

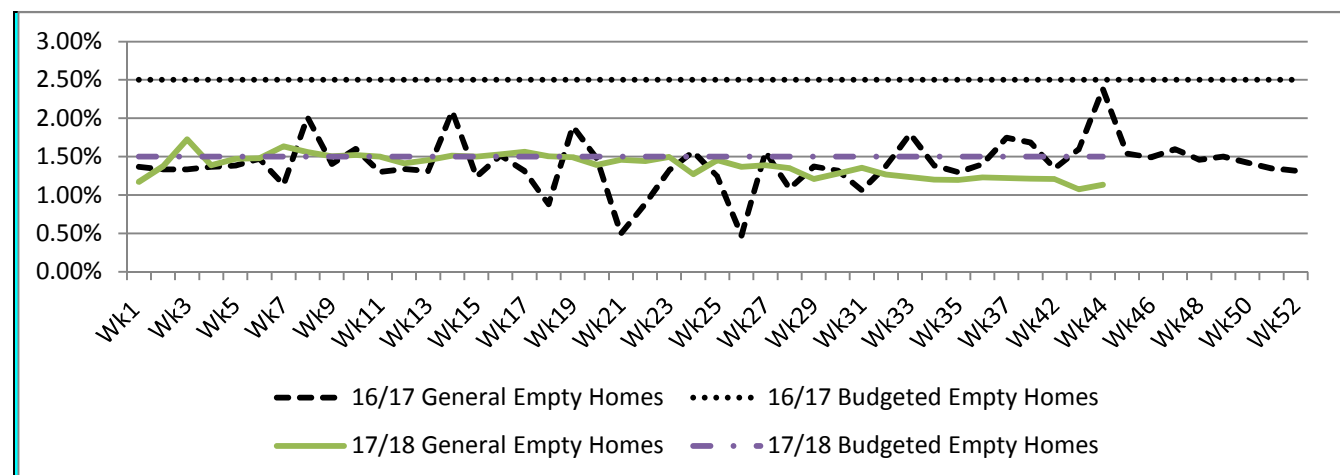
## 5.2 Empty homes

In terms of the impact of empty homes on the financial picture to date, rates are actually below 16/17 levels overall so far this year and as the year has moved on the empty home rates have improve significantly following the completion of the North Tyneside Living Schemes, to such an extent that income forecasts are now exceeding budget projections. Tables 28-30 illustrate the movement in stock levels for 17/18 compared to 16/17.

**Table 28: All stock Empty homes debit as percentage of total debit**

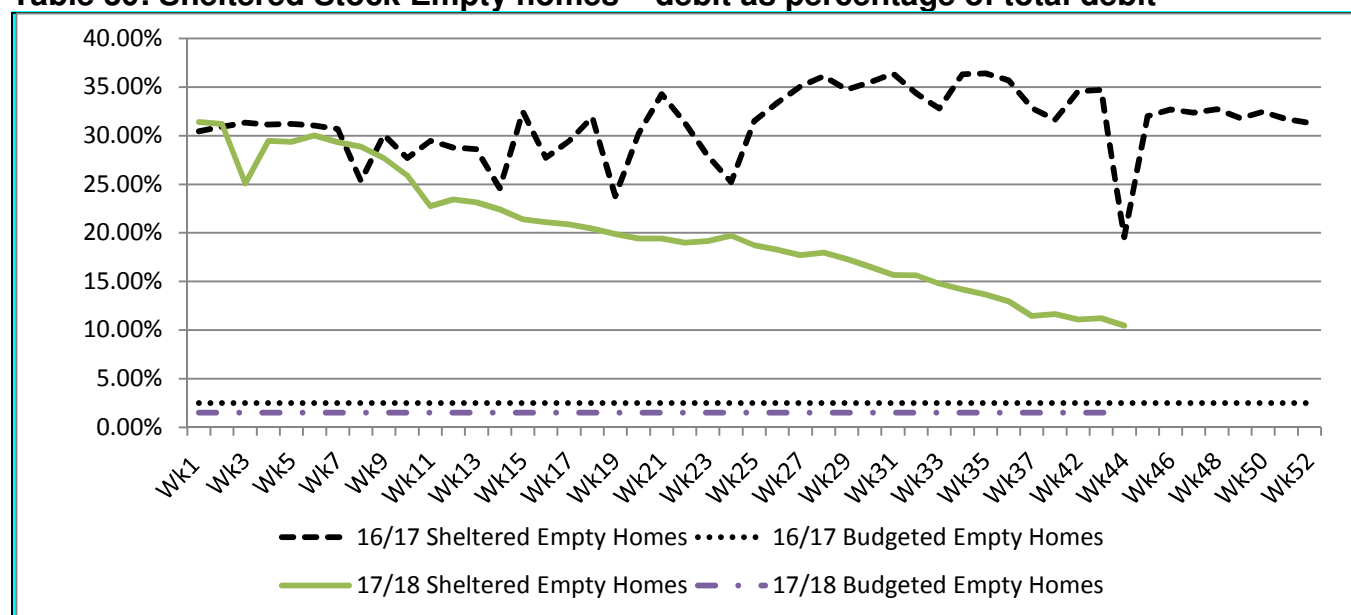


**Table 29: General Stock Empty homes debit as percentage of total debit**





**Table 30: Sheltered Stock Empty homes – debit as percentage of total debit**



5.3 The net forecast underspend of £0.169m in HRA Management costs includes a pressure from the impact of Council tax payable on higher level of empty homes (£0.235m), additional water rates commission income negotiated (£0.166m) and staff vacancies (£0.319m), plus potential pressures around broadband costs for sheltered accommodation (£0.059m) and the anticipated in-year costs relating to the Construction Options Project (£0.205m).

5.4 The £0.398m projected underspend on Contingencies, Bad debt provision and transitional protection payments includes an expected reduction in costs for transitional protection as a result of higher than budgeted empty homes in sheltered accommodation (£0.080m). There is a predicted reduction in bad debt provision (£0.230m) required based on a lower level of arrears than expected which will be monitored closely as the wider roll out of Universal Credit continues. The go-live on full-service Universal Credit in North Tyneside was 19 February 2018, but this has now been delayed until May 2018 so the impact for 2017/18 is expected to be minimal. Currently only around 2,000 North Tyneside residents are on Universal Credit, many of whom were not previously entitled to Housing Benefit. At the end of January 2018 there were 236 Authority tenants claiming universal credit, of these 190 (81%) are in arrears, with average current arrears per tenant of £555, compared to average current tenant arrears of circa £357. This is a trend that has been seen across those authorities who are live with full service and remains a risk for the HRA in future years.

### Right to Buy (RTB) Trends

5.5 The impact of RTB is critical to long-term planning for the HRA. Prior to the introduction of self-financing back in 2012, average RTB sales had dropped to around 25 per annum, mainly due to the capped discount (£22,000) which had remained static as property values had increased, making RTB less attractive financially to tenants. Shortly after self-financing began Central Government announced a change to RTB significantly increasing the maximum discount, initially to £75,000 and then subsequently annual inflation was added to the

maximum. The table below shows the trend in RTB sales since that time, and the financial impact this has had on revenue to the HRA.

**Table 31 – RTB Trends and Financial Impact**

	<u>Sales assumed by self- financing</u>	<u>Actual RTB Sales</u>	<u>Additional RTB Sales above budget assumptions</u>	<u>Estimated lost rent per annum (£000)</u>	<u>Capital Receipts (£000)</u>
<b>2012-13</b>	<b>40</b>	<b>85</b>	<b>45</b>	<b>315</b>	<b>3,477</b>
<b>2013-14</b>	<b>47</b>	<b>122</b>	<b>75</b>	<b>457</b>	<b>4,957</b>
<b>2014-15</b>	<b>53</b>	<b>100</b>	<b>47</b>	<b>397</b>	<b>3,938</b>
<b>2015-16</b>	<b>55</b>	<b>135</b>	<b>80</b>	<b>577</b>	<b>5,548</b>
<b>2016-17</b>	<b>55</b>	<b>136</b>	<b>81</b>	<b>557</b>	<b>5,632</b>
<b>2017-18 (Apr-Dec)</b>	<b>42</b>	<b>101</b>	<b>59</b>	<b>402</b>	<b>4,802</b>
	<b>292</b>	<b>679</b>	<b>387</b>	<b>2,705</b>	<b>28,354</b>

- 5.6 In the period (2012-2017) we have built just over 130 new homes through the HRA, which has helped mitigate a portion of the revenue loss from the 578 sales in the same period, but in essence the HRA has lost £2.3m in rental income from the annual rent over this period.
- 5.7 In terms of the total Capital Receipts from the sales of these properties over the last 5 years (£23.552m), the Authority has been required to pay a proportion over to Government (£8.326m) but is allowed to keep a proportion to cover administration costs (£0.753m). The Authority can also retain some proceeds to cover the additional debt burden from the extra sales (£8.507m), plus the Local Authority share of the “pooled” assumption (£3.425m). Any sum left over is called the “retained” receipt (£2.570m) and this must be used purely for new build housing, under the “one-for-one” policy. As can be seen from the figures above the Authority has sold an “additional” 387 properties in 5 years and has only replaced circa 130 to-date, so the policy intention of “one-for-one” replacement is currently not being achieved in North Tyneside.

## **SECTION 6 - INVESTMENT PLAN**

### **Review of Investment Plan - Position Statement**

- 6.1 The Authority's Investment Plan represents the capital investment in projects across all service areas. The vast majority of the 50+ projects are currently on line to deliver on time and on budget. Some of the key highlights of the Investment Plan due to be delivered during 2017/18 are summarised below:

#### **Affordable Homes New Build and Conversion Works**

- 6.2 There are currently 3 projects that will complete during 2017/18, namely:
- The construction of 6 new affordable units in Seaton Burn on the old Chapelville sheltered unit site was completed in November 2017;
  - The construction of 20 new affordable units in Dudley, on the former Dudley & Weetslade Club site. Work is due for completion in March 2018; and,
  - The conversion of Perth Gardens into 7 new affordable units. Work is due for completion in March 2018.

In addition to the above there will be a number of other schemes progressed through the design, planning and procurement process during 2017/18 that will subsequently complete in future financial years.

#### **Housing Investment Work**

- 6.3 The Housing Capital delivery programme will see the following works delivered across the Borough during 2017/18:
- Kitchens and bathrooms to 605 homes;
  - Heating upgrades to 600 homes;
  - Boundary improvements to 830 homes;
  - External decoration to 1,906 homes;
  - Roof replacements to 292 homes;
  - External Brickwork Repairs to 367 homes;
  - Insulation / Structural works to 24 Non-traditional homes ; and,
  - Infrastructure Projects to 7 locations.

#### **Education Investment Works**

- 6.4 The delivery of the Investment in schools will see the following works delivered over 2017/18:
- Delivery of an initial 26 priority condition related projects across the school estate;
  - Priority Schools Building Programme (Off Balance Sheet) ;
    - The projects at both Whitehouse Primary School, Longbenton High School and Marden High School are now fully completed;
    - The external works for John Spence High School were completed by the end of December 2017 and the contract has now moved to the external defects liability period; and,

- Cullercoats Primary School – this project is being delivered as part of PSBP2. The preferred solution is to be a refurbishment programme rather than a new build. Detailed discussions are ongoing with the Education Funding Agency (EFA) their appointed contractor and the school to finalise the scope of works. It is anticipated that the final agreed solution would be confirmed early 2018 with works commencing on site Spring/Summer 2018.

## **Highways and Infrastructure Works**

6.5 The main Highways, Infrastructure works include:

- Delivery of the LTP including the annual resurfacing programme and integrated transport projects;
- Construction of the final phase of A1058 Coast Road major scheme (Norham Road Bridge);
- Central Promenade Reconstruction Scheme - construction work commenced on site in February 2017;
- A1056 Weetslade major highways scheme was completed in July 2017;
- Construction of the North Bank of the Tyne highway improvements from October 2017; and
- Major drainage improvements at Monkseaton and Shiremoor.

## **Regeneration Works**

6.6 Regeneration Works for 2017/18 include:

- Works are progressing well with the restoration of the Spanish City Dome in accordance with the delivery plan with target date for completion late Spring 2018. Works to reinstate the western wing are continuing to progress;
- Hotel and restaurant adjacent to the Dome opened in July 2017;
- The public realm works on Northern Promenade are nearing completion; and,
- Swans – the next phase of works will cover feasibility works including upgrade of the Swans Quay and load out facilities plus further demolition works and Centre for innovation Phase 2 refurbishment.

## **Variations to the 2017-20 Investment Plan**

6.7 As part of the regular investment programme monitoring £5.137m reprogramming within the plan and variations of £1.360m variations have been identified.

Table 32 details the changes to the approved 3-year Investment Plan, as agreed at Council on 16 February 2017.

**Table 32: 2017 - 20 Investment Plan changes identified**

	2017/18 £m	2018/19 £m	2019/20 £m	Total £m
<b>Approved Investment Plan – Council 16 February 2017</b>	<b>106.952</b>	<b>48.888</b>	<b>30.833</b>	<b>186.673</b>
<b>Previously Approved Reprogramming</b>				
Cabinet 12 June 2017	12.980	0	0	12.980
Cabinet 10 July 2017	(21.929)	21.926	0.517	0.514
Cabinet 11 September 2017	1.316	(0.008)	0	1.308
Cabinet 13 November 2017	(9.317)	8.846	0	(0.471)
Cabinet 15 January 2018	(2.016)	2.130	0.144	0
<b>Approved Investment Plan – Cabinet 15 January 2018</b>	<b>87.986</b>	<b>85.256</b>	<b>33.464</b>	<b>206.706</b>
<b>December/January Variations</b>				
Reprogramming	1.021	0.339	0	1.360
	(5.137)	(0.053)	5.190	0
<b>Total Variations</b>	<b>(4.116)</b>	<b>0.286</b>	<b>5.190</b>	<b>1.360</b>
<b>Revised Investment Plan</b>	<b>83.870</b>	<b>85.542</b>	<b>38.654</b>	<b>208.066</b>

6.8 The details of the main variations £1.360m are shown below:

- (a) **HS004 Disabled Facilities Grant (DFG) £0.129m** – In the Autumn budget, the Chancellor announced an additional £42 million capital funding for the DFG. North Tyneside has received an allocation of £0.129m;
- (b) **EV085 England Coast Path (St Mary's) £0.025m** – Natural England has offered £0.025m grant after considering a grant application to establish a stretch of path as part of the wider England Coast Path (South Bents to Amble);
- (c) **EV086 Clean Bus Technology Fund £1.206m** – As part of the £3.3m fund North Tyneside has been granted £1.206m. The scheme will see 191 buses operating on 20 routes in Newcastle, Gateshead and North Tyneside fitted with new engine technology which significantly reduces levels of pollutants. The funding is split over 2017/18 £0.867m and 2018/19 £0.339m; and,
- (d) Following Cabinet's decision to retain the Killingworth Site as the preferred depot solution, the **Operational Depot Accommodation Review (EV076)** budget been reduced by £2.394m in 2018/19. This budget has been transferred to **GEN03 Contingencies**.

6.9 Reprogramming of £5.137m has been identified. The details are shown below:

- (a) **DV054 Coastal Regeneration £1.163m** – Issues discovered with the Spanish City Dome Eastern Wing has resulted in additional applications for planning and listed building consent to demolish and rebuild the wing. This has delayed the completion date until mid-June;

- (b) **EV082 North Bank of Tyne Infrastructure £1.300m** — The phasing of the work schedule has been amended to align with other major projects on the network to minimise the impact across the network. Based on the current programme and planned activity through to the end of 2017/18 there is a requirement to reprogramme £1.300m to 2018/19 to complete the project;
- (c) **EV080 Coast Road Cycle Scheme £0.141m**— Access to the section within Silverlink cannot be completed until access is gained. Work is being carried out with Sisk Lagan to identify a timeframe to complete the works; this is likely to be in 2018/19. It is proposed to reprogramme £0.141m into 2018/19 to help support the completion of the project;
- (d) **EV055 Surface Water Improvement £0.500m** — Due to the delays in obtaining land agreements, construction of the Briar Vale project will now extend into next financial year and there for there is a requirement to reprogramme £0.500m to 2018/19;
- (e) **EV073 Coast Road Junction Improvements (Norham Road Bridge) £0.802m** — Due to the delays in the programme due to the sequencing of the backfilling of the abutment walls, the completion date has now been extended from Spring 2018 to Summer 2018, therefore reprogramming of £0.802m is required;
- (f) **DV058 Swan Hunters Redevelopment £0.861m** – Application for further funding from the North East Local Enterprise Partnership and the need to establishing a compliant State Aid position has resulted in reprogramming;
- (g) **DV066 Investment in North Tyneside Trading Company £0.370m** – Reprogramming is required to reflect the updated spend profile for the work on the Wallington Court and Northumberland Square sites; and,
- (h) **EV076 Operational Depot Accommodation Review £5.190m (2018/19)** – Following Cabinet’s decision to retain the Killingworth Site as the preferred depot solution the budget has been reprogrammed to reflect the new timeframe which was presented in the proposed 2018-21 Investment Plan. The overall budget has been reduced by £2.394m (See 6.8c above) and £5.190m has been reprogrammed to future years.

6.10 The impact of the changes detailed above on capital financing is shown in Table 33 below.

**Table 33: Impact of variations on Capital financing**

	2017/18 £m	2018/19 £m	2019/20 £m	Total £m
<b>Approved Investment Plan – Cabinet 15 January 2018</b>	<b>87.986</b>	<b>85.256</b>	<b>33.464</b>	<b>206.706</b>
Council Contribution	(1.750)	(3.440)	5.190	0
Grants and Contributions	(2.366)	3.726	0	1.360
<b>Total Financing Variations</b>	<b>(4.116)</b>	<b>0.286</b>	<b>5.190</b>	<b>1.360</b>
<b>Revised Investment Plan</b>	<b>83.870</b>	<b>85.542</b>	<b>38.654</b>	<b>208.066</b>

## Capital Receipts – General Fund

- 6.11 There were no General Fund Capital Receipts brought forward at 1 April 2017. All receipts received in 2016/17 were applied to finance capital expenditure.

The capital receipts requirement for 2017/18 approved by Council on 16 February 2017 was £Nil (£0.760m for 2017-20). Due to reprogramming from 2016/17 £0.110m receipts are now required for 2017/18 (£0.870m 2017-20). To date £1.074m of capital receipts have been received in 2017/18, therefore the 2017-20 requirement has been met. The surplus balance of receipts (£0.204m) will be used to either replace unsupported borrowing within the Investment Plan or to repay debt. The receipts position is shown in Table 34 below.

**Table 34: Capital Receipt Requirement – General Fund**

	2017/18 £m	2018/19 £m	2019/20 £m	Total £m
Requirement reported to 16 February 2017 Council	0.000	0.380	0.380	0.760
Reprogramming from 2016/17	0.110	0	0	0.110
<b>Revised Requirement</b>	<b>0.110</b>	<b>0.380</b>	<b>0.380</b>	<b>0.870</b>
Useable Receipts Received 2017/18	(0.110)	(0.380)	(0.584)	(1.074)
<b>Surplus Balance</b>	<b>0.000</b>	<b>0.000</b>	<b>(0.204)</b>	<b>(0.204)</b>

## Capital receipts – Housing Revenue Account

- 6.12 Housing Capital Receipts brought forward at 1 April 2017 were £5.501m. The Housing receipts are committed against projects included in the 2017-20 Investment Plan. The approved Capital Receipt requirement for 2017/18 was £0.663m. This, together with the reprogramming reported to 12 June 2017 Cabinet, gives a requirement of £1.809m. To date, £5.898m receipts have been received in 2017/18 of which £1.405m has been pooled as part of the quarterly returns to Central Government. In total, subject to future pooling, this leaves a surplus balance of £8.185m to be carried forward to fund future years.

**Table 35: Capital Receipt Requirement - Housing Revenue Account**

	2017/18 £m	2018/19 £m	2019/20 £m	2017-20 £m
Requirement reported to 16 February 2017 Council	0.663	2.847	2.805	6.315
Reprogramming from 2016/17	1.146	0	0	1.146
<b>Revised Requirement</b>	<b>1.809</b>	<b>2.847</b>	<b>2.805</b>	<b>7.461</b>
Receipts Brought Forward	(5.501)	(8.185)	(5.338)	
Receipts Received 2017/18	(5.898)	0	0	
Receipts Pooled Central Government	1.405	0	0	
<b>Surplus Balance to fund future years (subject to further pooling)</b>	<b>(8.185)</b>	<b>(5.338)</b>	<b>(2.533)</b>	

*The final figure for useable receipts and pooled receipts in year will depend on the final number of Right to Buy properties sold during 2017/18.*

### **Investment Plan Monitoring Position to 31 January 2018**

6.13 Actual expenditure in the General Ledger was £53.626m, 63.94% (November £41.085m and 46.69%) of the total revised Investment Plan at 31 January 2018. The expenditure is 75.46% of the profiled budget at end of January.

**Table 36: Total Investment Plan Budget & Expenditure to 31 January 2018**

	2017/18 Revised Investment Plan £m	Actual Spend to 31 January 2018 £m	Spend as % of revised Investment Plan %
General Fund	58.891	38.081	64.66
Housing	24.979	15.545	62.23
<b>TOTAL</b>	<b>83.870</b>	<b>53.626</b>	<b>63.94</b>



Project Ref	Project Title	2017/18 £000's	2018/19 £000's	2019/20 £000's	Total £000's	Funding Source	£000's
	<b><u>GENERAL FUND</u></b>						
	<b><u>Great Place to live, work and visit</u></b>						
BS026	Asset Planned Maintenance programme	1,371	1,500	1,500	4,371	Council Contribution Sport England Grant	4,320 51
DV054	Coastal Regeneration	12,943	3,494	0	16,437	Council Contribution Heritage Lottery Fund	13,487 2,950
DV058	Swan Hunters Redevelopment	481	10,108	0	10,589	Single Local Growth Fund (SLGF) Local Growth Fund (LGF) Council Contribution	0 7,510 3,079
DV059	Pilot Fund to Tackle Empty Properties	63	80	0	143	Council Contribution	143
DV060	Rosehill Regeneration	52	0	0	52	Council Contribution	52
DV062	St Mary's Lighthouse and Visitor Centre	0	1,887	481	2,368	Heritage Lottery Fund grant (HLF) Council Contribution	2,131 237
EV034	Local Transport Plan	4,862	1,817	0	6,679	Local Transport Plan (LTP) Grant DfT Pothole Grant DfT Incentive Grant GEO Wimpy Contribution NECA National Productivity Fund Public Transport Element (Nexus)	6,105 191 126 29 200 28
EV054	Central Promenade Reconstruction Scheme	3,823	0	0	3,823	Council Contribution Environment Agency Grant	1,930 993

Project Ref	Project Title	2017/18 £000's	2018/19 £000's	2019/20 £000's	Total £000's	Funding Source	£000's
						Northumbrian Water Ltd	900
EV055	Surface Water Management Improvements	1,517	500	0	2,017	Council Contribution Environment Agency Grant	652 1,365
EV056	Additional Highways Maintenance	2,146	2,000	2,000	6,146	Council Contribution National Productivity Fund	5,727 419
EV073	A1058 Coast Road Improvements to junctions	2,589	802	0	3,391	NELEP Growth Deal Council Contribution LTP Grant	3,054 217 120
EV077	A1056/A189 Weetslade junction imp	872	0	0	872	Section 278 NELEP Growth Deal	0 872
EV078	A19 Employment Corridor access imp	2,967	0	0	2,967	NELEP Growth Deal Section 106	2,560 407
EV079	A191 Junction Improvements (Coach Lane & Tyne View Pa	153	0	0	153	NELEP Growth Deal Section 106	-47 200
EV080	Coast Road Cycle Route	802	141	0	943	Cycle City Ambition Fund	943
EV081	Cobalt Cycle Scheme	47	0	0	47	NELEP Growth Deal	47
EV082	North Bank of the Tyne Infrastructure	1,048	3,431	0	4,479	NELEP Growth Deal	4,479
EV084	A189 Improvments Haddricks Mill to West Moor	200	3,474	2,000	5,674	Dft National Productivity Investment Fund	3,663
						S106/S278	2,011

Project Ref	Project Title	2017/18 £000's	2018/19 £000's	2019/20 £000's	Total £000's	Funding Source	£000's
EV085	England Coast Path (St Mary's)	25	0	0	25	Natural England Grant	25
EV086	Clean Bus Technology Fund	867	339	0	1,206	Department for Transport	1,206
GEN12	Local infrastructure projects	165	100	100	365	Council Contribution	365
HS049	Northumberland Square	0	0	0	0	Council contribution	0
HS046	Housing Private Landlord Refurbishment	90	68	0	158	Home and Communities Grant Revenue Contribution	46 112
HS047	Trading Company Affordable Homes Project	0	0	0	0	Section 106	0
EV083	Streelighting LED	1,447	507	0	1,954	Council contribution	1,954
DV063	Coastal Properties	0	0	0	0	Council contribution	0
DV064	Council Property Investment	465	550	0	1,015	Council contribution	1,015
DV065	North Shields Fisherman's Heritage Project	84	0	0	84	External contributions Council Contribution	46 38
DV066	Investment in North Tyneside Trading Company	3,138	8,940	1,000	13,078	Council contribution Section 106	11,505 1,573

Project Ref	Project Title	2017/18 £000's	2018/19 £000's	2019/20 £000's	Total £000's	Funding Source	£000's
CO074	All Our Histories - Libraries IT	0	0	0	0	Arts Council grant	0
CO075	Skate/BMX Park - The Parks Sports Centre	129	50	0	179	SUEZ Communities Trust Section 106 Council Contribution	44 125 10
CO067	Weekly Collection Support Grant	62	0	0	62	Weekly Waste Grant	62
	<b>Total Great Place to live, work and visit</b>	<b>42,408</b>	<b>39,788</b>	<b>7,081</b>	<b>89,277</b>		<b>89,277</b>
	<b><u>Cared for, Safeguarding and Healthy</u></b>						
CO064	Social Care Information System	1,088	265	0	1,353	Department of Health grant Better Care Fund	1,142 211
HS003	Private Sector Homes Renovation	0	472	333	805	Council Contribution	805
HS004	Disabled Facility Grants	1,056	2,307	0	3,363	Council Contribution Better Care Fund DFG Grant Additional	0 3,234 129
HS036	North Tyneside Warm Zone	100	42	0	142	Council Contribution	142
	<b>Total Cared for, Safeguarding and Healthy</b>	<b>2,244</b>	<b>3,086</b>	<b>333</b>	<b>5,663</b>		<b>5,663</b>
	<b><u>Corporate and Enabling</u></b>						
EV069	Vehicle Replacement	1,333	1,899	962	4,194	Council Contribution	4,194

Project Ref	Project Title	2017/18 £000's	2018/19 £000's	2019/20 £000's	Total £000's	Funding Source	£000's
EV076	Operational Depot Accommodation Review	900	5,200	5,190	11,290	Council contribution	11,290
GEN03	Contingency Provision	500	4,954	1,000	6,454	Council Contribution	6,454
IT020	ICT Strategy	1,387	1,000	1,000	3,387	Council Contribution	3,387
IT025	BDUK (Broadband)	21	75		96	Council Contribution	96
IT026	ICT citizen interaction and self serve	1,952	386	114	2,452	Council Contribution	2,452
	<b>Total Corporate and Enabling</b>	<b>6,093</b>	<b>13,514</b>	<b>8,266</b>	<b>27,873</b>		<b>27,873</b>
	<b><u>Ready for School and Work</u></b>						
ED075	Devolved Formula Capital	770	397	0	1,167	Education Funding Agency Council Contribution	691 476
ED120	Basic Need	243	0	184	427	Education Funding Agency	427
ED132	School Capital Allocation	3,396	0	0	3,396	Education Funding Agency	3,396
ED186	Backworth Park Primary - relocation and expansion	3,555	1,113	0	4,668	Section 106 Basic Need Grant Council Contribution Education Funding Agency	4,699 162 -196 3
ED100	30 Hours Capital Grant	182	0	0	182	Education Funding Agency	182
	<b>Total Ready for School and Work</b>	<b>8,146</b>	<b>1,510</b>	<b>184</b>	<b>9,840</b>		<b>9,840</b>

Project Ref	Project Title	2017/18	2018/19	2019/20	Total	Funding Source	
		£000's	£000's	£000's	£000's		£000's
	<b>TOTAL: GENERAL FUND</b>	<b>58,891</b>	<b>57,898</b>	<b>15,864</b>	<b>132,653</b>		<b>132,653</b>
	<b>HOUSING</b>						
	<b>Great Place to live, work and visit</b>						
HS015	Refurbishment / Decent Homes	18,794	20,219	18,633	57,646	Revenue Contribution	16,909
HS017	Disabled Adaptations (HRA)	1,020	1,030	1,041	3,091	Capital Receipts	7,461
HS039	ICT Infrastructure Works	123	287	429	839	Major Repairs Reserve (MRR)	46,041
HS041	Housing PFI	708	0	0	708	House Building Fund	4,692
HS044	HRA New build	4,334	6,108	2,687	13,129	Dept of Health grant	160
						HCA Grant	150
	<b>Total: HOUSING</b>	<b>24,979</b>	<b>27,644</b>	<b>22,790</b>	<b>75,413</b>		<b>75,413</b>
	<b>TOTAL INVESTMENT PLAN</b>	<b>83,870</b>	<b>85,542</b>	<b>38,654</b>	<b>208,066</b>		<b>208,066</b>
<b>GENERAL FUND</b>							
	Council contribution	28,663	31,431	12,867	72,961		
	Capital Receipts	110	380	380	870		
	Revenue Contribution	44	68	0	112		
	Grants & Contributions	30,074	26,019	2,617	58,710		
		<b>58,891</b>	<b>57,898</b>	<b>15,864</b>	<b>132,653</b>		
<b>HOUSING</b>							
	Capital Receipts	1,809	2,847	2,805	7,461		
	Revenue Contribution	6,818	5,955	4,136	16,909		
	Contribution from Reserves (House Building Fund)	1,192	3,500	0	4,692		
	Grants & Contributions	310	0	0	310		
	Major Repairs Reserve	14,850	15,342	15,849	46,041		
		<b>24,979</b>	<b>27,644</b>	<b>22,790</b>	<b>75,413</b>		
		<b>83,870</b>	<b>85,542</b>	<b>38,654</b>	<b>208,066</b>		

# North Tyneside Council

## Report to Cabinet

Date: 12 March 2018

### ITEM 5(b)

**Title:** Adoption of the proposed Planning Obligations Supplementary Planning Document 2018

**Portfolio:** Housing and Transport

**Cabinet Member:** Councillor John Harrison

**Report from Service Area:**

Environment, Housing and Leisure

**Responsible Officer:**

Phil Scott – Head of Environment, Housing and Leisure

**Tel:** (0191) 643 7295

**Wards affected:**

All Wards

## **PART 1**

### **1.1 Executive Summary:**

Cabinet, on 14<sup>th</sup> August 2017, approved for public consultation the draft Planning Obligations Supplementary Planning Document (SPD). The purpose of the SPD is to provide guidance on the type and extent of planning obligations to enable the delivery of infrastructure that may be required in order to ensure that planning permission may be granted. It will provide an important guide for applicants and enables the Authority to demonstrate a consistent approach to seeking such obligations. The SPD once adopted will allow the Authority to address some of the infrastructure requirements that were important to Elected Members, residents and businesses throughout the Local Plan and Masterplans consultation.

This is a revised version of the 2009 Local Development Document 8, the Planning Obligations SPD. A revision is required to reflect changes in legislation, national planning policy and adoption of the North Tyneside Local Plan in July 2017.

The Draft Planning Obligations SPD was subject to statutory consultation between August and October 2017 with stakeholders, including statutory consultees and other interested parties. A total of seven consultees made representations, which have been considered in preparing the proposed final Planning Obligations SPD.

It is recommended that Cabinet note the comments received and the resultant proposed amendments to the Planning Obligations SPD, and adopt the Planning Obligations SPD.

### **1.2 Recommendations:**

It is recommended that Cabinet:

- (1) note the responses received to the consultation on the draft Planning Obligations Supplementary Planning Document, authorised by Cabinet in February 2017; and

- (2) agree to adopt the proposed Planning Obligations Supplementary Planning Document.

### **1.3 Forward Plan:**

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 12 February 2018.

### **1.4 Council Plan and Policy Framework**

This report links to the 'Our North Tyneside' Council Plan 2018-20, including:

- Our people will be listened to, ready for school, for work and life, be healthy and well;
- Our places will be great places to live, offer a good choice of quality housing; provide a clean, green health attractive safe and sustainable environment, have effective transport and physical infrastructure and be a thriving place of choice for visitors;
- Our economy will grow by supporting new business and building on our strengths, be business friendly and continue to support investment.

The Planning Obligations SPD would contribute to adopted Local Plan policy S7.1 *General Infrastructure and Funding*. This policy commits the Authority to ensure appropriate infrastructure is delivered so it can support new development. This is in line with national planning policy as set out in the National Planning Policy Framework (NPPF).

The revision of the Planning Obligations SPD is included in the Authority's adopted Local Development Scheme 2016.

### **1.5 Information:**

#### The Planning Obligations SPD

- 1.5.1 The Planning Obligations SPD provides guidance on the type and extent of planning obligations, also known as Section 106 Agreements, which may be required in order to ensure that planning permission can be granted. It is intended to facilitate the process between the Authority and developers, as well as provide transparency on the Authority's approach. It is not an exhaustive document but it identifies key areas of infrastructure that may need to be addressed as part of a Section 106 Agreement, where considered to be fair, necessary and reasonable.
- 1.5.2 The Planning Obligations SPD was 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 ensures 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.
- 1.5.3 In 2010 the Community Infrastructure Levy Regulations were made, introducing three tests that must be satisfied when seeking a planning obligation for new development. Each requirement must be:
- Necessary to make the proposed development acceptable in planning terms,
  - Directly related to the proposed development, and
  - Fairly and reasonably related in scale and kind to the proposed development.



- 1.5.4 These requirements are reflected in the National Planning Policy Framework (2012) and the National Planning Practice Guidance (2013). These changes in legislation and national policy are reflected in the revised SPD document.

#### Recommended amendments to the Planning Obligations SPD

- 1.5.5 Cabinet agreed in August 2017 to consult on the draft Planning Obligations SPD. The public consultation began on 29 August 2017 and was extended to allow comments until 5 pm on 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.
- 1.5.6 A total of 7 stakeholders made representations. The proposed changes are set out within the Consultation Statement and Schedule of Changes included at Appendix 1. These documents consider the representations and explain the proposed changes to the SPD. The proposed Planning Obligations Supplementary Planning Document, February 2018, includes these suggested amendments

#### Implications of the Planning Obligations SPD

- 1.5.7 The Planning Obligations SPD does not put any extra planning constraints on a development; rather it provides an important guide for applicants and enables the Authority to demonstrate a consistent approach to seeking such obligations. An up to date Planning Obligations SPD ensures the Authority is 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.

### **1.6 Decision options:**

The following decision options are available for consideration by Cabinet:

#### Option 1

Agree with the recommendation as set out at paragraph 1.2 of this report.

#### Option 2

Do not agree with the recommendation as set out at paragraph 1.2 of this report.

Option 1 is the recommended option.

### **1.7 Reasons for recommended option:**

Option 1 is recommended for the following reasons:

1. 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.
2. 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.

## **1.8 Appendices:**

Appendix 1: Consultation Statement and Schedule of Proposed Changes, February 2018  
Appendix 2: Proposed Planning Obligations Supplementary Planning Document, February 2018

## **1.9 Contact officers:**

Caroline Grist, Planning Officer (0191 643 6304)  
Jackie Palmer, Planning Manager (0191 643 6336)  
Colin MacDonald, Regulatory Services Manager (0191 643 6620)  
Alison Campbell, Senior Business Partner (0191 643 7038)

## **1.10 Background information:**

The following background information has been used in the compilation of this report and is available at the office of the author:

1. [The Town and Country Planning Act, 1990](#)
2. [Planning and Compulsory Purchase Act 2004.](#)
3. [Planning Act 2008.](#)
4. [Town & Country Planning \(Local Planning\)\(England\) Regulations 2012.](#)
5. [The Community Infrastructure Levy Regulations 2010 \(as amended\)](#)
6. [North Tyneside Local Plan 2017](#)
7. [North Tyneside Statement of Community Involvement 2013](#)
8. [National Planning Policy Framework 2012](#)
9. [Planning Practice Guidance 2014 \(as amended\)](#)
10. [Draft Planning Obligations Supplementary Planning Document, August 2017](#)

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

The staff, printing and other costs associated with the Planning Obligations Supplementary Development Plan will be met from within the existing Authority budgets. All documents will be placed on the Authority's Web Site.

### **2.2 Legal**

The use of planning obligations, guided by a Planning Obligations SPD, is originally established in Section 106 of the Town and Country Planning Act 1990. Each agreement is tied to mitigating the direct impacts of the specific development and must be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

A planning obligation secured through a section 106 agreement is identified and secured during the planning application process.

### **2.3 Consultation/community engagement**

#### **2.3.1 Internal Consultation**

Engagement has been undertaken with the Local Plan Steering Group (which includes the Deputy Mayor and Cabinet Member for Housing and Transport). The Planning Team have also held internal consultation with a range of officers currently engaged in collecting and spending Section 106 monies within the Authority, such as in the Education and Highways teams, to obtain views on the impact of the proposed amendments to the current guidance.

### **2.3.2 External Consultation/Engagement**

The public consultation took place, in conjunction with the CIL Draft Charging Schedule consultation from 29 August 2017. The closing date for comments was extended until 5pm on 3 October 2017, providing a total of five weeks. This is consistent with the requirements of The Town and Country Planning (Local Planning) (England) Regulations 2012, which states that SPDs must be subject to four weeks consultation, and the Authority's adopted Statement of Community Involvement (SCI). The SCI states that consultation on this type of document should take place between 4 and 6 weeks. Given the technical nature of the document, the length of consultation is considered to be appropriate.

A letter or email was sent to stakeholders and others that were on the planning policy consultation database to inform them of the consultation, and where all the relevant information could be accessed. The document was available to view and provide comments on through the Authority's website. Paper copies were also available from:

- North Tyneside Council Planning Reception,
- Killingworth Library,
- North Shields Library,
- Wallsend Library, and
- Whitley Bay Library.

Notification of the public consultation was also advertised in the local press. In addition to the online consultation portal, comments were invited by letter or email.

A Strategic Environmental Assessment Screening Report on the draft Planning Obligations SPD has also been subject to consultation with the statutory consultees Historic England, Natural England and the Environment Agency.

Further details of this process and the feedback received are included within the Consultation Statement and Schedule of Changes (Appendix 1 and 2). The preparation of a Consultation Statement is a statutory requirement of SPD preparation.

## **2.4 Human rights**

There are no human rights implications directly arising from this report.

## **2.5 Equalities and diversity**

There are no direct implications arising from this report.

## **2.6 Risk management**

The Cabinet Member for Housing and Transport has been involved in dialogue relating to the Planning Obligation SPD and is aware of the risks identified. The risks associated with the preparation of the SPD have previously been assessed.

## 2.7 Crime and disorder

There are no crime and disorder implications directly arising from this report.

## 2.8 Environment and sustainability

There are no environment and sustainability implications directly arising from this report.

### PART 3 - SIGN OFF

- Deputy Chief Executive ☒
- Head(s) of Service ☒
- Mayor/Cabinet Member(s) ☒
- Chief Finance Officer ☒
- Monitoring Officer ☒
- Head of Corporate Strategy ☒

# **Cabinet**

## **12 March 2018**

Planning Obligations Supplementary Planning Document

### **Appendix 1: Consultation Statement**

# Planning Obligations

Supplementary Planning  
Document

Consultation Statement and  
Modifications

February 2018

## 1. Introduction

The Planning Obligations Supplementary Planning Document (“the Planning Obligations SPD”) provides guidance on the type and extent of planning obligations that may be required in order to ensure site specific impacts of new development can be mitigated. It is an important guide for applicants and enables the Council to demonstrate a consistent approach to seeking such obligations, sometimes referred to as Section 106 Agreements.

The SPD that this Statement accompanies is revises the Planning Obligations SPD adopted in 2009. A revised version is now required to reflect changes to planning legislation, notably the introduction of the Community Infrastructure Levy Regulations 2010 (as amended), as well as national and local policy.

This Statement is prepared in accordance with regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012, to set out the consultation that has taken place in preparation of the Planning Obligations SPD and how that consultation has shaped the final document.

## 2. Preparation of the revised Planning Obligations SPD

During 2017 a review of the adopted Planning Obligations SPD was undertaken in light of changes to the legislative and policy context. Changes to the legislative framework have occurred through the Community Infrastructure Levy Regulations (2010). These regulations have introduced tests to ensure that obligations are tied to mitigating the direct impacts of the specific development. Each planning obligation must be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

These Regulations have been reflected in the National Planning Policy Framework (2012) and accompanying Planning Practice Guidance (2013). In 2017 the Council also adopted the North Tyneside Local Plan and are currently in the process of preparing a Community Infrastructure Levy (CIL). Given the significance of these new considerations it was considered that the document should be updated.

### **3. Consultation on the draft Planning Obligations SPD**

The Draft Planning Obligations SPD was subject to a five week consultation between 29<sup>th</sup> August 2017 and 3<sup>rd</sup> October 2017. The consultation methods complied with both the statutory consultation requirements and the requirements of the Council's adopted Statement of Community Involvement.

A letter or email was sent directly to all stakeholders and other on the planning policy consultation database to inform them of the consultation and where all the relevant information could be accessed. The document could be read and commented on via the Council's online consultation portal (<http://northtyneside-consult.limehouse.co.uk/portal/>). The document was also available at the following locations:

- North Tyneside Council Planning Reception, Quadant
- Killingworth Library
- North Shields Library
- Wallsend Library
- Whitley Bay Library.

Notification of the public consultation was also advertised in the local press. In addition to the online consultation portal, comments were invited by letter or email.

A total of seven stakeholders made representations. In consideration of these representations, changes have been made to the document in order to provide greater clarity and ensure the SPD is applied as intended.



#### 4. Schedule of Comments and Officer Response

1065805	Nexus
<b>Comment</b>	<p>The system of planning obligations related to new and additional public transport services and infrastructure required due to development works well in securing funding, as a result of effective liaison between Council officers and Nexus during the determination of applications for development across North Tyneside. The Nexus Planning Liaison Policy includes criteria for:</p> <ul style="list-style-type: none"> <li>• Maximum walking distances to public transport stops</li> <li>• Minimum frequencies for new bus services until commercially viable</li> <li>• Recommended highway design standards to ensure access by buses</li> <li>• Developer contributions towards incentives for new residents and businesses to use public transport</li> </ul> <p>Nexus recognises that the Council faces competing demands for funding through planning obligations across a variety of infrastructure and services arising from development. The Supplementary Planning Document states in relation to Highways and Transport that:</p> <p>“Upon submission of planning applications, North Tyneside will consider a range of evidence and information available regarding the broad accessibility and sustainability of the location. This will include the opportunities available for cycling, walking and public transport and the likely impacts of the scheme upon the Borough’s road network.</p> <p>This approach is supported in principle, subject to there being adequate funding identified from the proceeds of development to fund the provision of public transport via s106 agreements that is considered essential to effectively mitigate the impact of development, particularly at locations where these impacts will be high, including the major development areas identified at Killingworth Moor and Murton Gap.</p> <p>The combined impacts of these developments upon transport and non-transport infrastructure in the immediate area and beyond will be major in scale, and the public transport network will need to play its part in mitigation. In particular, Nexus sees benefit in the development of the area surrounding a Metro station at Murton Gap as a ‘mini-interchange’ to incorporate local facilities such as healthcare, childcare, small-scale retail and other activities, with associated links within the development designed so as to encourage sustainable movement.</p>
<b>Council Response and Proposed Amendments</b>	<p>Comment noted. The update to the Planning Obligations Supplementary Planning Document (SPD) makes reference to the recent update of the Transport and Highways SPD that includes guidance for public transport provision, which would guide S106 agreements for the strategic sites.</p>

959891	Highways England
<p><b>Comment</b></p>	<p>Highways England previously provided comments on the Draft Planning Obligations SPD in April 2009. At that time, we were generally supportive of the draft SPD and in particular the provisions of Part 2 Section 7 regarding securing contributions for sustainable transport and the construction and improvement of highways through Section 106 Agreements and Section 38 and 278 Agreements. We also welcomed the provisions relating to the Department for Transport's Guidance on Transport Assessments and the indicative thresholds for the requirement of transport assessments and transport statements, although we considered that the SPD could provide further clarification towards its approach for obtaining contributions relating to highway works and in particular the SRN. 2</p> <p>We also recommended that further clarity could also be provided in relation to the use of Section 278 of the Highways Act 1980 as a means through which developers could pay for measures to mitigate the impact of the development on the SRN, to ensure that local conditions on the network would be no worse with the development than if it had not taken place.</p> <p>This SPD establishes the Council's approach to obtaining developer funding towards the cost of new and improved infrastructure in the form of Section 106 contributions. It details when contributions might be required and the methodology that will be applied to determine the requirements for new development and the potential associated costs, identifying key areas of infrastructure which may need to be addressed as part of a S106 Agreement.</p> <p>The structure and provisions within the SPD are generally consistent with the previous draft, but has been updated to make reference to the newly adopted Local Plan policies, including Policies S7.1 and DM7.2, which establish the overall approach taken towards infrastructure provision and developer contributions that were both previously supported by Highways England throughout the preparation and consultation on the Local Plan. Further, paragraph 2.8 highlights the policies in the Local Plan that identify the Plans infrastructure requirements, and in relation to highways and sustainable transport identifying Policy DM7.4: New Development and Transport, which we welcome. However, no reference is made to Policy DM7.3 which identifies the transport improvements that are required to deliver development aspirations of the Plan, including those relating to the SRN, and to which the JPS refers to. We would therefore welcome this cross reference to be added.</p> <p>Section 6 covers planning obligations in relation to highways and transportation. It identifies that the Council will seek to improve accessibility and increase the use of sustainable modes of transport, whilst working in partnership with others to improve strategic connectivity and reduce the number of car journeys. Paragraph 6.2 identifies that, "new developments can have significant impacts on the strategic transport network and the cumulative effect of a number of developments can produce considerable pressures".</p>

	<p>Consequently, the Council will request contributions towards transport improvements from all developments that exceeds the thresholds established in the SPD. Paragraph 6.4 states that the threshold that would trigger a contribution towards mitigation is 10 or more dwellings and major commercial developments, which we support. However, it is not clear whether such contributions will be sought from developers towards the cost of the SRN improvements proposed in Policy DM7.3.</p> <p>Paragraph 6.3, which details how the Council will consider a range of evidence and information regarding the accessibility and sustainability of a location, when planning applications are received, including the potential impact on the road network and any opportunities for public transport, walking and cycling, which we welcome. We also support the consideration of evidence of trip generation and modal shift in determining the likely impact of a development along with established evidence of junction capacity, taking into account existing and projected growth.</p> <p>As stated in response to the previous draft of the SPD, we welcome the recognition that highways infrastructure can also be delivered through Section 38 Agreements (S38) or Section 278 Agreements (S278) of the Highways Act 1980, alongside planning obligations, to ensure that traffic associated with the new development can be accommodated on the road network without having a severe impact. We also support the cross reference between the requirements for Travel Plans and Transport Assessments and the Council's further guidance in SPD - LDD12 Highways and Transport 2017.</p>
<b>Council Response and Proposed Amendments</b>	<p>The Council welcomes the support from Highways England to the updated Planning Obligations Supplementary Planning Document (SPD). The SPD includes reference to Local Plan policy S7.3 Transport, and reference to both the local and strategic road network is added to Paragraph 6.5 .</p>

<b>960389</b>	<b>Historic England</b>
<b>Comment</b>	With regards the SPD, it is worth noting that both specific planning obligations and s106 offer opportunities for funding improvements to, and mitigating adverse impacts upon, the historic environment. These could include: archaeological investigations; access and interpretation; public realm improvements; maintenance of heritage assets (including transport, green and social infrastructure, parks and gardens, church yards, and civic spaces); and the repair and reuse of buildings or other heritage assets.
<b>Council Response and Proposed Amendments</b>	The Council accepts the importance of the historic environment and its ability to have a positive impact on a community. The reference of S106 contributions towards regeneration in Chapter 4 is proposed to be expanded to encompass reference to the historic environment.
<b>1096012</b>	<b>Aldi Ltd</b>
<b>Comment</b>	It would be helpful for the text under the heading 'Trigger' in each section to clarify the floorspace when referring to, for example, 'major commercial developments' (paragraph 6.4) or 'major applications as defined in the Town and Country Planning (Development Management) Order 2015, as amended' (paragraph 9.5). It would then be clear without having to refer to any other document for the floorspace figure. A footnote link can still be provided to the document for completeness. Also, terms such as 'commercial developments' and 'employment development' are used. Such terms are generic and when seeking guidance in the SPD as to whether a planning application will be subject to various planning obligations, it needs to be clear as to what use class 'commercial' or 'employment' relate.
<b>Council Response and Proposed Amendments</b>	Comment noted. The SPD will be reviewed in light of the comments to improve clarity over the trigger points of contributions and the type of development from which contributions will be sought.

<b>685112</b>	<b>Sport England</b>
<b>Comment</b>	<p>Sport England welcomes the inclusion of sport provision and playing pitches within the scope of the Planning Obligations SPD.</p> <p>The Council must ensure that the obligation meets the relevant tests for planning obligations in that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. Planning obligations should not be sought where they are clearly not necessary to make the development acceptable in planning terms. As these 'tests' are now a legal test rather than just a policy test they are being given much greater scrutiny by Inspectors. There is a danger therefore that the use of standards of provision may not meet the legal tests, particularly where those standards are derived from out of date strategies.</p>
<b>Council Response and Proposed Amendments</b>	<p>Comment noted. The Council will seek to ensure its evidence remains up to date to ensure the needs of future sports provision is appropriately considered. The guidance outlined in the SPD is identified to provide an indication for applicants of the potential requirements that will arise from the proposed development. In all circumstances the eventual s106 contribution sought will reflect meet the legal tests for planning obligations.</p>
<b>1135798</b>	<b>North Tyneside Business Forum</b>
<b>Comment</b>	<p>I am writing to you following our recent discussion re: community infrastructure levy and the planning obligations supplementary planning document consultation.</p> <p>We have now had the opportunity to discuss the documents you kindly supplied at our management group meeting of 21st September 2017; at this meeting there was wholehearted support for the approach being adopted as we recognise that training and apprenticeships are vital components of a vibrant economy and a growing workforce.</p> <p>Our only request, would be that these funds are employed wherever possible using the expertise which we have locally to help identify areas of need. As we both know is one of the key features and policies of both the North Tyneside Business Forum and North Tyneside Council.</p> <p>Please be assured that if there is anything which the business community can do to help with planning and further investment in North Tyneside.</p> <p>I trust that the above in order, please do not hesitate to contact me.</p>
<b>Council Response and Proposed Amendments</b>	<p>Comment noted, the Council welcomes the support and input of the North Tyneside Business Forum into this process. Administration of funds will be undertaken in accordance with ensuring the planning impacts of development are appropriately addressed.</p>

<b>830571</b>	<b>Persimmon Homes North East</b>
<b>Comment</b>	<p>This statement is prepared by Persimmon Homes North East in response to the on-going consultation by North Tyneside and Capita to the CIL draft Charging Schedule for the North Tyneside Area.</p> <p>This statement is to be read in conjunction with the supporting representations prepared by the Murton Consortium of which we are a part.</p> <p>The context of this response is that Persimmon Homes have been intrinsically linked with the delivery of the local plan and supporting evidence base information. As part of this we signed up as part of the Examination in Public to a Statement of Common Ground which agreed the approximate levels of contribution anticipated from this site.</p> <p>At present with the inclusion of the CIL on the Murton Development site we as a member of the consortium cannot accept the level of uncertainty brought into the process by the CIL or sign up to a more detailed Infrastructure Delivery Plan as part of the progressing Consultation Draft Masterplan until this issue is resolved.</p>
<b>Council Response and Proposed Amendments</b>	<p>Comment noted. The Council will seek to update the supporting evidence for the CIL and will be mindful of the latest available evidence that is available through work on the Masterplans. Since submission of this comment in October 2017 the Masterplan for Murton Gap and also for Killingworth Moor has been adopted with the agreement of Persimmon Homes as a member of the Murton Development Consortium.</p>
<b>1032317</b>	<b>Natural England</b>
<b>Comment</b>	Natural England have no comments regarding this document.
<b>960257</b>	<b>Murton Consortium</b>
<b>Comment</b>	[Murton consortium made no specific comments regarding the content of the Planning Obligations Supplementary Planning Document]
<b>786388</b>	<b>Killingworth Moor Consortium</b>
<b>Comment</b>	[Killingworth Moor consortium made no specific comments regarding the content of the Planning Obligations Supplementary Planning Document]

#### 4. Schedule of Modifications to the draft Planning Obligations SPD

Chapter 1: Introduction	
Paragraph	Change
1.4 and 1.5	Changes to wording to ensure it is clear that a planning obligation would only be sought where considered fair, necessary and reasonable; in line with the requirements of the Community Infrastructure Levy Regulations (2010) (as amended).
Chapter 2: Legislation, policy and guidance on Planning Obligations	
Paragraph	Change
2.3	Re-worded to ensure the pooling restrictions are consistent with the wording of the Government's Planning Practice Guidance.
2.5	Paragraph altered for further clarity on 'double dipping' and how the Regulation 123 List would work with planning obligations.
Table 1: Relevant Local Plan Policy	Local Plan Policy DM7.3 (Transport) added in line with comments from Highways England.
2.12	The preferred trigger for housing development payments has been included to ensure that developer aware of this requirement.
2.15 and 2.16	Paragraph 2.16 merged with 2.15 to avoid repetition and for further clarity.
2.18	The preferred index to be used on Section 106 Agreements has been included to ensure developers are aware of this requirement.
Chapter 3: Calculating Developer Contributions	
Paragraph	Change
3.2 to 3.5	Small wording changes so the supporting text to each table is clear

<b>3.6 and 3.7</b>	New paragraphs introduced. Paragraph 3.6 states that any significant changes to the tables provided in this document will be issued whilst paragraph 3.7 provides an introduction to Table 4.
<b>Table 4</b>	In light of the new supporting text, any row that stated “negotiated on a site by site basis” has been deleted. Reference to 1 apprentice for every 30 dwellings has been expanded to include reference to the need for discussion with the Council regarding requirements of other forms of development.
<b>3.8</b>	Title changed from ‘Trigger Points’ to ‘Thresholds’ to prevent confusion, as the stage a development is due to pay a Section 106 Agreement is also referred to as a ‘trigger point’. The definition of a ‘major development’ has been summarised.
<b>Chapter 4: General Site Specific Infrastructure</b>	
<b>Paragraph</b>	<b>Change</b>
<b>4.1 and 4.2</b>	Paragraphs re-worded for clarity and to avoid repetition. Street cleaning has also been included to reflect current Member interests, however this does not mean that street cleaning would be included as part of every Section 106 Agreement. It would make it clear to developers that it may be considered appropriate depending on the requirements of each site.
<b>4.1</b>	Bullet point regarding Public Art and Regeneration expanded to also include reference to the historic environment.
<b>Chapter 5: Affordable Housing</b>	
<b>Paragraph</b>	<b>Change</b>
<b>5.4</b>	Paragraph amended for clarity, regarding the 25% affordable housing requirement.
<b>5.8</b>	Sub-title changed from “Trigger Point” to “Threshold”, consistent with paragraph 3.8. Clarification that threshold applies only to residential development.
<b>5.10</b>	Paragraph deleted as the further information provided sets out part of the pre-application process. The importance of seeking pre-application advice is contained within the introduction.
<b>Chapter 6: Highways and Transportation</b>	
<b>Paragraph</b>	<b>Change</b>
<b>6.5</b>	Additional reference to amend “the Borough’s road network” to “the Borough’s Local and Strategic road network”.



<b>6.6</b>	Sub-title changed from “Trigger Point” to “Threshold”, consistent with paragraph 3.8. Threshold changed to being assessed on a site by site basis reflecting the potential impact of all applications for development.
<b>6.10</b>	New paragraph. Further information regarding Travel Plans provided to explain the requirement of the Travel Plan Co-Ordinator. This information will ensure developers are aware of this requirement, which may be sought through a Section 106 Agreement) and for consistency with the Council’s adopted LDD12 Highways and Transport (2017).
<b>Chapter 7: Education</b>	
<b>Paragraph</b>	<b>Change</b>
<b>7.5</b>	Bullet points introduced to ensure that the key elements of the context are clear.
<b>7.12</b>	Sub-title changed from “Trigger Point” to “Threshold”, consistent with paragraph 3.8. Threshold re-worded for clarity and to establish that the requirement applies only to residential development.
<b>Chapter 8: Health</b>	
<b>Paragraph</b>	<b>Change</b>
<b>8.2</b>	Paragraph updated based on information provided by North Tyneside Clinical Commissioning Group (CCG)
<b>8.8</b>	Sub-title changed from “Trigger Point” to “Threshold”, consistent with paragraph 3.8. Clarification that threshold applies only to residential development. Reference to “off site” removed reflecting potential for needs to be met on site in appropriate circumstances and if required.
<b>Chapter 9: Employment and Training</b>	
<b>Paragraph</b>	<b>Change</b>
<b>9.5</b>	Sub-title changed from “Trigger Point” to “Threshold”. Clarification that the thresholds where the need for a contribution will be considered are as per expanded description of major development included at paragraph 3.8 and 3.9 of the SPD. Reference to “off site” removed reflecting potential for needs to be met on site in appropriate circumstances and if required.
<b>Chapter 10: Green Space and Children’s Play</b>	
<b>Paragraph</b>	<b>Change</b>

<b>10.7</b>	New table introduced. The latest allotment provision has been provided and included as supporting evidence for future planning obligations.
<b>10.8</b>	Sub-title changed from “Trigger Point” to “Threshold”, consistent with paragraph 3.8. Clarification that threshold applies only to residential development. Reference to “off site” removed reflecting potential for needs to be met on site in appropriate circumstances and if required.
<b>Chapter 11: Sport provision and playing pitches</b>	
<b>Paragraph</b>	<b>Change</b>
<b>11.6</b>	Fitness facilities included as part of the infrastructure that would be considered. This is consistent with modern fitness requirements and habits.
<b>11.7</b>	Sub-title changed from “Trigger Point” to “Threshold”, consistent with paragraph 3.8. Clarification that threshold applies only to residential development. Reference to “off site” removed reflecting potential for needs to be met on site in appropriate circumstances and if required.
<b>11.8</b>	The requirement for contributions to existing facilities to be reduced by 50% has been removed. This is consistent with the document as a whole, which does not place this requirement on any other infrastructure type, and will ensure that any contribution will meet the tests set out in the Community Infrastructure Levy Regulations (2010) (as amended).
<b>Chapter 12: Community Facilities</b>	
<b>Paragraph</b>	<b>Change</b>
<b>1.24 – 1.27</b>	Evidence updated in light of up to date information provided by Library Services.
<b>12.9</b>	Sub-title changed from “Trigger Point” to “Threshold”, consistent with paragraph 3.8. Clarification that threshold applies only to residential development.

#### **4. Consultation on Strategic Environmental Assessment Screening Report**

A Strategic Environmental Assessment (SEA) Screening Report on the Draft Local Register SPD was subject to a six week consultation with the statutory consultees Historic England, Natural England and the Environment Agency. Natural England responded; they agreed with the Local Planning Authority's conclusion that the Local Register SPD did not require to be subject to its own SEA.



Working in partnership with  
**CAPITA**

# North Tyneside

## Planning Obligations SPD Supplementary Planning Document

February 2018

**PLANNING AND COMPULSORY PURCHASE ACT  
2004 TOWN AND COUNTRY PLANNING (LOCAL  
PLANNING) (ENGLAND) REGULATIONS 2012,  
REGULATION 14**

**Planning Obligations Supplementary Planning Document  
Adoption Statement - March 2018**

This statement is published by North Tyneside Council to fulfil the requirements of regulation 14 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Planning Obligations Supplementary Planning Document (SPD) was adopted by North Tyneside Council on 12th March 2018.

Any person with sufficient interest in the decision to adopt the SPD may apply to the High Court for permission to apply for judicial review of that decision. Any such application for must be made promptly and in any case not later than 3 months after the date on which the SPD was adopted, that is by 12th June 2018.

Under Section 23 (1) of the Planning and Compulsory Purchase Act 2004, the Council has modified the SPD to take into account representations made in relation to the document and any other relevant matters. Modifications are included in the accompanying Consultation Statement.

The Planning Obligations SPD, Consultation Statement and this Adoption Statement are available to view on the Council's website:

<http://my.northtyneside.gov.uk/category/1150/supplementary-planning-documents-and-masterplans>

The documents are available for inspection on request at Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY. To request to view the documents please contact the Planning Policy team at [planning.policy@northtyneside.gov.uk](mailto:planning.policy@northtyneside.gov.uk) or by calling 0191 643 2310.

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# 1 Introduction

- 1.1 The purpose of this Supplementary Planning Document (SPD) is to provide guidance on the type and extent of planning obligations that North Tyneside Council may require in order to ensure that planning permission may be granted.
- 1.2 A planning obligation, also known as a Section 106 Agreement, is a formal commitment undertaken by a developer to mitigate site specific impacts caused by new development. They must be necessary and used directly to make a development acceptable.
- 1.3 The Council takes a robust stance in relation to ensuring new development appropriately mitigates its impact on the physical, social and economic infrastructure of North Tyneside. Notwithstanding that, planning obligations should not place unreasonable demands upon developers, particularly in relation to the impact upon the economic viability of development. The Council will consider and engage with applicants to identify appropriate solutions where matters of viability arise and require negotiation.
- 1.4 This SPD is intended to facilitate the planning obligation process between the Council and developers, providing transparency on the Council's approach. This SPD provides a guide to the possible requirements for Section 106 contributions that might be required and the methodology that is employed to determine the impacts of development proposals. The SPD does not introduce a 'tariff' style approach, but identifies key areas of infrastructure that may need to be addressed as part of a Section 106 Agreement where considered fair, necessary and reasonable.
- 1.5 The topic areas set out in this document are not exhaustive. Other infrastructure requirements not identified may be considered necessary should circumstances require and appropriate evidence of the potential impacts is available.

## Pre-application advice

- 1.6 All developers are encouraged to contact the Council's planning team at the earliest possible time in order to ensure their proposals comply with current and emerging planning policy. To assist, the Council offers a dedicated pre-application advice service, which is

subject to a fee.

- 1.7 Pre-application advice will give an indication of the likely requirement for contributions to be made by the developer, for example levels of affordable housing, highways considerations and other contributions. Early discussions will ensure that all parties are fully aware of the issues which need to be taken into account when submitting a planning application. Usually, providing the pre-application advice is taken into account, applications can then be processed without any unnecessary delay.
- 1.8 Further information can be found on the Council's website at this address:  
<http://my.northtyneside.gov.uk/category/1077/pre-application-advice>



## 2 Legislation, policy and guidance on Planning Obligations

- 2.1 The present legislative framework for planning obligations is set out in Section 106 of the Town and Country Planning Act, as amended by the Planning and Compulsory Purchase Act. Further legislation is set out in Regulations 122 and 123 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). Government policy on planning obligations is set out in Paragraphs 203 to 205 of the National Planning Policy Framework (NPPF) and the National Planning Policy Guidance (NPPG).
- 2.2 The CIL regulations and guidance require local authorities to ensure planning obligations are directly related to a specific site. Regulation 122 of the CIL regulations and Paragraph 204 of the NPPF set out the following tests that must be satisfied when seeking a planning obligation for new development. Each requirement must be:
- Necessary to make the proposed development acceptable in planning terms,
  - Directly related to the proposed development and
  - Fairly and reasonably related in scale and kind to the proposed development.
- 2.3 In addition, the CIL regulations restrict the pooling of financial contributions sought through planning obligations. No more than five separate planning obligations, entered into from 6 April 2010 onwards, can be collected for the funding or provision of the same infrastructure type or project.
- 2.4 Where a CIL has been introduced, items funded through this levy cannot be sought through planning obligations.

### Community Infrastructure Levy

- 2.5 North Tyneside Council intends to introduce a CIL and, once adopted, the Council will publish an infrastructure list in accordance with Regulation 123 known as a Regulation 123 List. This will set out the infrastructure and specific projects the CIL monies will help to fund and ensure no 'double dipping' occurs with planning obligations. The Regulation 123 List can potentially be changed, following local consultation, after its adoption. The areas of

infrastructure identified in this SPD, for potential Section 106 contributions, will never be sought or used to contribute towards a project that is identified in the Regulation 123 List.

## Sustainability Appraisal

- 2.6 All Development Plan Documents are subject to a Sustainability Appraisal (SA). The 2008 Planning Act, however, allows for SPDs to be prepared without a full SA as long as they are screened to establish whether they will result in significant effects as defined by the Strategic Environmental Assessment Directive. A Screening Statement has been produced to accompany this document in order to fulfil this requirement.

## Local Policy

- 2.7 Local Planning Authorities are required to demonstrate all development plan documents and supplementary planning documents are in conformity with the adopted Local Plan.
- 2.8 North Tyneside Council has recently adopted the North Tyneside Local Plan, which replaces the Unitary Development Plan (2002). Policies S7.1 and DM7.2 sets out the overall approach taken towards infrastructure provision and developer contributions. The table below sets out some of the policy needs for the areas of infrastructure set out in this document.

**Table 1: Relevant Local Plan Policy**

Area of funding	Local Plan Policy	
Affordable housing	DM4.7	Affordable Housing
Highways and Sustainable transport	DM7.3	Transport
	DM7.4	New Development and Transport
Education	S7.10	Community Infrastructure
Health	S1.2	Spatial Strategy for Health and Wellbeing
	S7.10	Community Infrastructure
Employment and training	S2.1	Economic Growth Strategy
	DM7.5	Employment and Skills
Green Spaces and Children's play	DM5.3	Green Space Provision and Standards
	S7.10	Community Infrastructure
Sports provision and playing pitches	DM5.3	Green Space provision and Standards
	S7.10	Community Infrastructure
Community services and facilities	S7.10	Community Infrastructure

Area of funding	Local Plan Policy	
Public art	DM6.1	Design of Development
Regeneration	S3.1	Competitive Centres
	S6.4	Improving Image
Ecology and biodiversity	S5.1	Strategic Green Infrastructure
	DM5.2	Protection of Green Infrastructure
	S5.4	Biodiversity and Geodiversity
	DM5.5	Managing effects on Biodiversity and Geodiversity
	DM5.6	Management of International Sites
	S5.16	Coastal Erosion
Flood risk	DM5.12	Development and Flood Risk
	DM5.13	Flood Reduction Works
	DM5.15	Sustainable Drainage
Air quality	S1.2	Spatial Strategy for Health and Well-being
	DM5.19	Pollution
Waste management and collection	DM7.9	New Development and Waste
Digital technology	DM7.11	Telecommunications – Broadband, mobile phone masts and equipment

## Procedural Matters

- 2.9 Planning obligations will be negotiated on a site by site basis using the information contained within this SPD. The Council will take into account the individual characteristics of the site, the availability and quality of the relevant infrastructure which the development of the site will impact. This approach ensures that obligations are necessary and directly related to the development from which they are sought.

## Types of contributions

- 2.10 In order to meet the requirements of a planning obligation, developers may make contributions in a variety of ways. These are generally through in kind or financial contributions.
- 2.11 In kind contributions are those which the developer provides directly and are normally physical in nature. This could include the construction of a community meeting room, play space or the creation of new wildlife habitats on site. Improvements required to the adopted highways network are often secured through a planning condition, which requires the applicant to secure an agreement under Section 278 of the Highways Act 1980..

## Payment of contributions

- 2.12 Financial contributions are payable at specific stages in the development process, usually on commencement of development or at an appropriate agreed stage in the development. There may also be cases, in large-scale development, where contributions can be phased to match the proportional impact of each phase of the development. For housing developments, the date of payment will normally be on the completion of a certain number of dwellings. The Council considers a dwelling to be complete when it is clearly fitted out and water tight with works to outside areas such as pathways, driveways or front gardens in place.
- 2.13 Trigger dates for the payment of financial contributions will be included in the Section 106 Agreement, as will any time periods by which the contribution is to be spent.
- 2.14 Following receipt by the Council, financial contributions will be held separately to be used for the intentions they were sought. Contributions remaining unspent at the end of a time period specified in the Section 106 Agreement will be returned to the payee in accordance with the terms of the Agreement.

## Viability

- 2.15 The Council considers the level of financial contributions and affordable housing it seeks to be viable, deliverable and reasonable in relation to the nature and scale of development within the Borough. In exceptional circumstances, the Council understands there may be site specific considerations that result in a proposed development being unable to meet all the relevant policy requirements and still remain viable. Where the Council is satisfied that an otherwise acceptable development cannot be fully policy compliant and remain viable, a reduced package of planning obligations may be recommended. Developers will need to provide robust evidence on the economic viability of the development to demonstrate how it is not reasonably possible to make payments to fund all or part of the infrastructure required to support it.
- 2.16 In order to assess the viability of a proposal, the Council will request an open book viability assessment. North Tyneside Council, in partnership with Capita, has prepared guidance for

developers, agents and land-owners to assist in the submission of viability assessments, to ensure a consistent and transparent process. A copy of this document, 'Submission of Viability Assessments Checklist for Applicants (January 2016)', can be provided upon request. It sets out the relevant fees, which must be paid up front to North Tyneside Council before any work will be carried out on the assessment, and the format of the assessment submission.

2.17 The following information is required to be submitted by the developer to assess viability:

- Site information (gross site area ha, net residential area ha, size of the residential units, plan showing the area and development plan);
- Development value (value of market housing, value of affordable housing, threshold land value);
- Development costs (build costs, abnormals, fees, finance, timescales, developer's profit)

2.18 This list is not exhaustive and the developer should include any further information, if necessary, in support of their viability assessment and be able to provide the Council with any site specific information upon request.

## **Index Linking**

2.19 All financial contributions contained in this SPD are to be index linked from the date of the S106 Agreement to the date when the contribution is requested. The Council's preferred index is the All in Tender Price Index published by the Buildings Cost Information Service of the Royal Institute of Chartered Surveyors.

## **Monitoring and Reporting of S106 Obligations and Payments**

2.20 Monitoring will be undertaken by the Council to ensure all obligations entered into are complied with on the part of both the developer and the Council. It will also ensure that no more than five obligations, relating to a type of infrastructure or project, are pooled.

2.21 Obligations are reported in the Authority Monitoring Report and to North Tyneside Council's Finance Sub-Committee.

## Enforcement

- 2.22 The Council will enforce obligations where necessary. In the first instance this will be sought informally. Where this is not possible, the Council will fully enforce the obligation.

### 3 Calculating Developer Contributions

- 3.1 When calculating the contributions required from new development, three key factors have been identified. These are:
- Infrastructure costs arising from the proposed population increase,
  - Occupancy rates, and
  - Pupil yield.
- 3.2 The infrastructure costs are dependent on current prices as well as local and national requirements established through latest policy. Consultation with the relevant service providers during the application process will ensure that the most recent information is used.
- 3.3 Calculations also use occupancy rates to establish the potential number of people arising from new development. These figures are derived from the 2011 Census and are as follows:

**Table 2: Occupancy (resident) yield per house size**

No. of bedrooms	Occupancy rate
1	1.23
2	1.75
3	2.46
4	3.01

- 3.4 Derived from the population figures is the potential pupil yield, which is used to calculate infrastructure costs such as education and play space. The calculation for pupil yield from new developments is based upon the National Level of Pupil Yield, derived from the Audit Commission research 'Trading Places'. The National Yield averages 5 pupils per 100 houses per year group from Reception to Year 11 (12 years). Local research into the impact of housing developments indicates that the pupil yield per dwelling is lower in North Tyneside, therefore an adjustment is made to reflect yield in pupils per size of dwellings.
- 3.5 To calculate the projected pupil yield from a development, a weighting is firstly applied for each educational sector. Primary and Nursery schools are weighted at 70% and Secondary Schools at 30% of the total pupil yield. The number of dwellings of each bedroom size will be multiplied by rows C and rows D below. This will produce a primary pupil yield and a secondary pupil yield.

**Table 3: Primary and secondary yield per house and house size**

		1 Bed	2 Bed	3 Bed	4 Bed
A	<b>Year Group 1 pupils per dwelling</b>	0.003	0.016	0.033	0.040
B	<b>Total Pupil Yield per dwelling</b>	0.040	0.196	0.400	0.478
C	<b>Primary Yield</b>	0.0280	0.137	0.280	0.335
D	<b>Secondary Yield per dwellings</b>	0.012	0.059	0.120	0.143

- 3.6 Where updated information becomes available that significantly alters these figures an update to this document will be issued.
- 3.7 Due to the changing nature of these factors it, is not possible to calculate the cost of infrastructure as part of this document. Table 4 below describes the amount of new provision that would be required as a result of new development, using the population yields per home identified above. The table assumes that there is a shortfall in infrastructure provision and can provide guidance. Any infrastructure not listed in Table 4 due to the varying nature of the potential impacts of development will be assessed on a site by site basis. This includes Highways and Sustainable Transport, Ecology and biodiversity, Public art, Regeneration, Flood risk, Air quality, Waste management and collection, and Digital technology.

**Table 4: Indicative requirements arising to address capacity shortfall**

House Type	Floor space (m <sup>2</sup> ) per person	1 bed	2 bed	3 bed	4 bed
<b>Number of residents</b>	n/a	1.23	1.75	2.46	3.01
<b>Health</b>	0.09m <sup>2</sup>	0.11m <sup>2</sup>	0.15m <sup>2</sup>	0.21m <sup>2</sup>	0.26m <sup>2</sup>
<b>Affordable Housing</b>	25% affordable sought on schemes of 11 units or more.				
<b>Semi-Natural and Natural Green Space</b>	2.00 m <sup>2</sup>	2.46 m <sup>2</sup>	3.50 m <sup>2</sup>	4.92 m <sup>2</sup>	6.02m <sup>2</sup>
<b>Allotments</b>	1 plot per 27 households				
<b>Parks</b>	2.00m <sup>2</sup>	2.46m <sup>2</sup>	3.50m <sup>2</sup>	4.92m <sup>2</sup>	6.02m <sup>2</sup>
<b>Local Amenity Green Space / Informal Play</b>	5.50m <sup>2</sup>	6.77m <sup>2</sup>	9.63m <sup>2</sup>	13.53m <sup>2</sup>	16.56m <sup>2</sup>
<b>Equipped Area for Play / Multi Use Games Area</b>	2.50m <sup>2</sup>	3.08m <sup>2</sup>	4.38m <sup>2</sup>	6.15m <sup>2</sup>	7.53m <sup>2</sup>
<b>Sports Pitch</b>	12.00m <sup>2</sup>	14.76m <sup>2</sup>	21.00m <sup>2</sup>	29.52m <sup>2</sup>	36.12m <sup>2</sup>
<b>Swimming Pool</b>	0.01	0.012m <sup>2</sup>	0.018m <sup>2</sup>	0.025m <sup>2</sup>	0.030m <sup>2</sup>
<b>Sports Hall</b>	0.11m <sup>2</sup>	0.132m <sup>2</sup>	0.187m <sup>2</sup>	0.263m <sup>2</sup>	0.322m <sup>2</sup>
<b>Primary Education</b>	<i>Pupils</i>	<i>0.280</i>	<i>0.137</i>	<i>0.280</i>	<i>0.335</i>
	5.73	1.604m <sup>2</sup>	0.785m <sup>2</sup>	1.604m <sup>2</sup>	1.919m <sup>2</sup>
<b>Secondary Education</b>	<i>Pupils</i>	<i>0.012</i>	<i>0.059</i>	<i>0.120</i>	<i>0.143</i>
	8.50m <sup>2</sup>	0.102m <sup>2</sup>	0.501m <sup>2</sup>	1.02m <sup>2</sup>	1.215m <sup>2</sup>
<b>Employment and Training</b>	1 apprentice per 30 dwellings or to be agreed in discussion with the Council for other types development.				
<b>Community Facilities</b>	0.033 m <sup>2</sup>	0.04m <sup>2</sup>	0.06m <sup>2</sup>	0.08m <sup>2</sup>	0.10m <sup>2</sup>



## Thresholds

- 3.8 Large scale developments where infrastructure is not provided on site will have an impact on existing facilities. As a result, major developments will often trigger the requirement for a Section 106 Agreement to be considered. The Town and Country Planning (Development Management) Order 2015 (as amended)<sup>1</sup> defines major planning applications and can be summarised as follows:
- minerals and waste development;
  - developments of 10 or more dwellings;
  - new building, or buildings, where the floor space is 1,000m<sup>2</sup> or more; or
  - where a site has an area of 1 hectare or more.
- 3.9 Within the following chapters there are explicit triggers for certain types of infrastructure. However, there may also be specific circumstances where it is considered that smaller schemes result in an impact that requires a developer contribution.
- 3.10 National Planning Policy Guidance makes an exception for residential developments of 10 units or less that have a combined floorspace of 1,000sqm (gross internal area). Where a Section 106 Agreement is sought in these circumstances, contributions will be only used to address an adverse impact arising from the development and will not be pooled to fund a project.

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<sup>1</sup> <https://www.legislation.gov.uk/uksi/2015/595/article/2/made>

## 4 General Site Specific Infrastructure

- 4.1 When considering the impact of proposed development there are certain key areas of infrastructure that will be affected by most major schemes. This document will therefore address the evidence, policy justification and scope of potential requirements associated with these infrastructure types in each of the following chapters:
- Affordable housing
  - Highways and transportation
  - Education
  - Health
  - Employment and training
  - Green space and children's play
  - Sports provision and playing pitches
  - Community services and facilities
- 4.2 There are also a range of additional site specific measures that may be required as a result of the location of a proposed development or its likely impacts, and could include:
- **The historic environment, regeneration and public art:** where a site is of particular prominence, might be likely to have a specific role in regeneration or requires particular intervention or mitigation for the historic environment for development to be acceptable.
  - **Ecology and biodiversity:** in order to mitigate the impact of development on existing habitat or species, enhancing or creating a new habitat may be considered necessary.
  - **Flood risk:** a Section106 Agreement may be identified as the most effective mechanism to ensure mitigation of flood risk and drainage issues, and may include measures such as the provision of Sustainable Urban Drainage schemes (SUDs).
  - **Air quality:** where a site has a particular impact on or exposure to potential air quality issues within the Borough, measures to ensure appropriate monitoring and / or delivery of specific mitigation may be required via a Section 106 Agreement.

- **Waste management and street cleansing:** where a site cannot be readily integrated into the network or projected population growth exceeds the available capacity of existing facilities.
- **Digital technology:** to support the roll out of superfast broadband in North Tyneside, supporting the connectivity of new residents.

## 5 Affordable Housing

### Introduction

- 5.1 The provision of adequate affordable housing in North Tyneside is a major priority for the Council. All developers seeking to bring forward new residential development should be aware of current national and local planning policy and must be prepared to work with the Council to meet the identified need for affordable housing.
- 5.2 The NPPF requires local planning authorities to significantly boost the supply of housing to meet their full, objectively assessed needs for market and affordable housing. In North Tyneside affordable housing is delivered by the Council, Registered Housing Providers and private developers.

### Policy justification and requirements

- 5.3 Local Plan Policy DM4.7 Affordable Housing confirms the Council's requirement to ensure that new housing development makes a contribution to affordable housing provision, to meet that identified need. Based on the evidence of housing needs assessment and the Area Wide Viability Assessment, Local Plan policy confirms that certain housing developments should include affordable housing provision equal to 25% of the overall volume of development.
- 5.4 It is the Council's expectation that a 25% contribution towards affordable housing will be secured from all housing schemes that trigger the requirement. However, Policy DM4.7 is worded in a flexible manner in relation to affordable housing. Developers are required to provide a mix of affordable housing for rent and intermediate housing, based on the most up-to-date evidence of local need. Where necessary, to assist the viability of proposals, a flexible approach to the tenure mix of affordable housing provision, may be considered by the Council.
- 5.5 In all but the most exceptional cases the Council will require affordable housing provision to be made on site, in line with policy. Where alternative off-site affordable housing provision or a commuted sum is proposed it must be demonstrated that:

- All options for securing on-site provision have been explored and exhausted; and,
- Where off-site affordable housing is to be provided the amount of affordable housing would be broadly equivalent in value to, that which would be viable if the provision was made on-site or,
- Where a commuted sum is to be provided it will be broadly equivalent to that which would be viable if the provision was made on-site.

5.6 As such, local policy is considered to be sufficiently flexible to take account of changing market conditions.

## Evidence base

5.7 Evidence of the level of affordable housing required in the Borough is set out within the North Tyneside Strategic Housing Market Assessment (SHMA)<sup>2</sup>. The latest evidence provided within the SHMA found that, considering the ability of existing and newly forming households to access market housing, there is a significant shortfall of affordable homes in the Borough. This is the equivalent to 490 affordable homes per annum. Within that affordable need the SHMA recommends that 75% should be affordable housing for rent and 25% intermediate tenure, such as shared ownership, shared equity, or discount open market sale. Information on the type and size of affordable housing needed is also provided in the SHMA.

## Threshold

5.8 Only residential developments of 11 or more dwellings and gross internal area of more than 1,000sqm.

## Exemptions from Affordable Housing Obligations

5.9 The following residential uses will not be required to make a contribution towards the Boroughs affordable housing requirements:

- Student Housing – Where a development is solely for student housing;
- Hostels;

<sup>2</sup> <http://my.northtyneside.gov.uk/category/1134/housing-and-employment>

- Educational Establishments – Establishments that include an element of residential development, when the residential accommodation is linked to educational facilities on site; and
- Residential Care/Nursing Homes – Where the accommodation is not self-contained and falls within Use Class C2.

## **Starter Homes**

5.10 At the time of writing the Government's proposed amendment to the NPPF, which would include Starter Homes under the definition of affordable housing, has not been introduced. As government policy evolves, the Council will engage with applicants on suitable affordable housing provision in reference to the latest national position. As a general principal, through the affordable housing requirement, the Council will seek to ensure that the housing needs of the Borough are met.

## 6 Highways and Transportation

### Introduction

- 6.1 North Tyneside Council seeks to improve accessibility and increase the use of sustainable modes of transport such as walking, cycling and public transport. Coordinating with others in the Tyne and Wear area, the Council will seek to improve connections regionally, nationally and internationally and seek to reduce the number of car journeys.
- 6.2 New developments can have significant impacts on the strategic transport network and the cumulative effect of a number of developments can produce considerable pressures.

### Policy justification and requirements

- 6.3 The NPPF is clear that planning should encourage the use of sustainable transport modes, the creation of safe access and improvements to the highways network in order to mitigate potentially severe impacts of new development.
- 6.4 Local Plan Policy S7.3 Transport and DM7.4 New Development and Transport set out the policy expectations placed upon new development. Further guidance regarding the Council's approach is set out in the SPD, LDD12 Highways and Transport 2017<sup>3</sup>.

### Evidence Base

- 6.5 When assessing a planning application, the Council will consider a range of evidence and available information regarding the broad accessibility and sustainability of the location. This will include opportunities available for cycling, walking and public transport and the likely impacts of the scheme upon the Borough's local and strategic road network. Evidence of trip generation and modal shift will be considered in ascertaining likely impacts, alongside known evidence of the remaining junction capacity in the Borough once existing and future projected growth is taken into account. Where appropriate for large schemes that potentially impact upon more than one junction, the proportionate impact of that scheme upon those

<sup>3</sup> <http://my.northtyneside.gov.uk/sites/default/files/web-page-related-files/transport.pdf>

junctions may be taken into consideration to make the most effective use of any works required.

## Threshold

- 6.6 All development would be considered for the potential requirement to make a contribution via section 106 based upon the impact of the site and location upon sustainable travel, severe traffic impacts and highway and highway safety.

## Other Highways Requirements

- 6.7 Highways infrastructure may be also be delivered through Section 38 Agreements (S38) or Section 278 Agreements (S278) of the Highways Act 1980, as deemed appropriate by the Local Highway Authority, to mitigate the impact of the development.
- 6.8 Planning conditions and provisions within the Highways Act normally control the construction and improvement of highways associated with development. They work alongside planning obligations in securing new highways within a development (S38) or improvements to existing highways adjacent or near to the development (S278). These agreements also ensure that traffic associated with the new development can be accommodated on the local highway network without having a severe impact, in line with NPPF.

## Travel Plans

- 6.9 The starting point for a Travel Plan (TP) is a Transport Assessment (TA) that identifies the potential impact of a development on the local highway network. The TP sets out a range of measures to reduce the number of single car occupancy journeys and increase the use of alternative, more sustainable modes of transport. The TP also sets out targets, details of monitoring and will include a Travel Plan Bond that will be used to provide further sustainable measures should these targets not be met.
- 6.10 Developers are required to identify a Travel Plan Coordinator who will remain responsible for the delivery, monitoring and reporting of the Travel Plan. In the absence of a Travel Plan



Coordinator being identified at the planning stage, the Council will carry out the coordinator role on behalf of the developer at the developer's expense. This will ensure all new developments are delivering effective Travel Plans, reducing car-borne trips and encouraging sustainable travel. Further guidance on TA's and TP's can be found in the Council's SPD, LDD12 Highways and Transport 2017.

## 7 Education

### Introduction

- 7.1 Schools are a crucial element of local infrastructure and therefore change in the local provision of school places must be considered alongside the delivery of new homes. North Tyneside Council seeks to prepare young people for work and life through their education and is striving to reduce the attainment gap across the borough.

### Policy, Justification and Requirements

- 7.2 The NPPF recognises the importance of ensuring there is sufficient choice of school places available to meet the needs of existing and new communities. Furthermore it seeks to minimise journey lengths to education facilities.
- 7.3 Local Plan Policy DM7.5 encourages the development or expansion of education facilities in order to address any shortfall in provision as a result of new development. This is further supported by Policy S7.10 which looks to protect and enhance community facilities.
- 7.4 When considering the required contribution, reference will be made to the current catchment areas and the capacity of schools affected by the development, and the wider implications of reduced capacity in one location affecting other school catchments.

### Evidence base

- 7.5 The pupil yield that arises from new development is considered in the following context:
- the existing and projected capacity of relevant schools within North Tyneside, and
  - the relationship between the development site and schools.
- 7.6 The underlying capacity of schools is established using the North Tyneside Pupil Place Planning Projection model. This model was developed as part of North Tyneside's work associated with Building Schools for the Future. The model enables the Council to forecast the likely demand for places for each primary and secondary school in the Borough.

- 7.7 The model uses birth data, received on an annual basis from health partners, which gives the month and year of birth for children born within the local authority during the last academic year. Data from the school census is also used to calculate the average proportion of pupils transferring between births and reception. Using the projected intakes and rates of transfer between year groups, projections are made at a school level for the next 5 years for primary schools and 10 years for secondary schools.
- 7.8 All parts of the model are updated on at least an annual basis using the school census. The model does not have the capacity to restrict the intake to the Published Admission Number (PAN) and then redistribute pupils to other schools, as the redistribution to other schools would be different for each school.
- 7.9 Furthermore, the model does not include the implications of new housing development. As a result it does not take into consideration the potential growth arising in the Borough beyond the forecasting of known births and current trends. These projections therefore only provide the baseline assessment of pupil place needs.
- 7.10 The basis for considering the capacity at each school follows established best practice; originally set out by the Audit Commission<sup>4</sup>. Broadly against each school's PAN capacity, the maintenance of a 10% surplus is sought for primary schools and 5% for secondary schools.

## Threshold

- 7.11 Only residential developments of 10 or more dwellings may be required to contribute towards meeting the impact of housing growth upon schools capacity where:
- the capacity of a relevant primary school or schools is reduced to less than 10% of the PAN. and / or
  - the capacity of a relevant secondary school or schools is reduced to less than 5% of the PAN.

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<sup>4</sup> <http://webarchive.nationalarchives.gov.uk/20150421134146/http://archive.audit-commission.gov.uk/auditcommission/subwebs/publications/studies/studyPDF/1212.pdf>

- 7.12 Where these thresholds are not exceeded, a contribution towards the enhancement of affected schools may be sought where necessary.

## 8 Health

### Introduction

- 8.1 On 1 April 2013 the responsibility for public health services transferred from North Tyneside Primary Care Trust (PCT) to North Tyneside Council. The Authority now has responsibility for:
- leading investment for improving and protecting the health of the population and reducing health inequalities;
  - ensuring plans are in place to protect the health of the population and ensuring an appropriate public health response to local incidents, outbreaks and emergencies; and;
  - providing public health expertise, advice and analysis to Clinical Commissioning Groups (CCGs).
- 8.2 North Tyneside CCG is responsible for planning and securing health services for the local population. This includes the commissioning of primary care services from 29 GP practices that operate from numerous locations around the borough, and secondary care and community services from Northumbria Healthcare NHS Foundation Trust (Northumbria FT) and Newcastle Upon Tyne Hospitals NHS Foundation Trust (Newcastle FT). Within North Tyneside, Northumbria FT operates North Tyneside General Hospital and associated facilities adjacent to the hospital building and Tynemouth Court in North Shields. Newcastle FT provides services for residents predominantly in west North Tyneside and for more specialist services.
- 8.3 Whilst life expectancy over a number of decades has greatly improved within North Tyneside, due to a growing and rapidly aging population some health facilities are under a great deal of pressure. Housing development can add substantially to the demand for health care as it generates population growth in given areas. Where this is the case it is incumbent upon the planning system to ensure not only that development creates an environment that supports health and wellbeing; but that there should be a reasonable contribution towards the capacity and resilience of health facilities.

### Policy, Justification and Requirements

- 8.4 The NPPF is clear that new development and the planning of communities should take account of the health and wellbeing of residents, and that appropriate consideration should be given to ensuring high quality built environments include access to local facilities and services to support amongst other priorities the health of residents. Local Plan policy further promotes health and wellbeing with Policy S1.2 Spatial Strategy for Health and Wellbeing that places the value of supporting healthy communities at the core of the Local Plan and S7.10 Community Infrastructure sets out the Council's commitment to ensuring facilities, including health provision, are accessible to residents .

### **Evidence Base**

- 8.5 Developments are generally encouraged to promote healthy communities through the design and layout to shape the Borough's living environment. Where specific facility provision or contributions to the capacity of facilities is required, in particular general practices reference will be made to latest national advice and guidance. The level of contributions required will be based on the estimated numbers of patients generated by the development, beyond potential capacity of existing surgeries, together with the particular circumstances prevalent in the locality at the time. Based on current good practice the Clinical Commissioners Group advise that for primary care services approximately 199m<sup>2</sup> gross internal area for every 2,000 patients is required.

### **Threshold**

- 8.6 Only residential developments of 10 or more dwellings may be required to contribute towards necessary mitigation.

## 9 Employment and Training

### Introduction

- 9.1 New development will bring capital investment to North Tyneside and encourage the growth of new businesses, create a wider variety and more jobs, and provide a robust platform upon which to tackle the problem of economic exclusion for local people and communities. It also provides an opportunity to address the 'skills gap' within the local workforce by providing opportunities for training, thereby enabling a wider distribution of the economic benefit of development in the support of sustainable communities. It is vital to North Tyneside's economy that residents develop the skills, knowledge and qualifications to be successful in the labour market, as being in work means fewer health and social problems and is the best way of increasing the resilience of individuals and communities.

### Policy, Justification and Requirements

- 9.2 The Our North Tyneside Plan<sup>5</sup> aims to grow the local economy through ensuring residents have the right skills and creating new, good quality jobs and apprenticeships. This aim is reflected in the NPPF, as it seeks to secure economic growth to ensure jobs and prosperity.
- 9.3 Policy DM7.5 Employment and Skills seeks to meet this aim by encouraging new development to contribute towards the creation of local employment opportunities. This could be through either specialist training or apprenticeships related to the development or support skills in the advanced engineering, manufacturing and the off-shore, marine and renewables sector.

### Evidence Base

- 9.4 The Council will work in partnership with the developers to secure a reasonable and proportionate approach to targeted employment and training opportunities. The Council is using the Targeted Recruitment and Training Programme (TR&T) to facilitate these negotiations. Targeted recruitment and training requirements will be delivered by developers through a Training and Employment Management Plan for both the construction and end

<sup>5</sup> <http://my.northtyneside.gov.uk/category/368/our-north-tyneside-plan>

user phases of the development where appropriate. Alternatively, where a developer has an existing training and recruitment programme this scheme could be used. Where the development is unable to deliver on site training or employment an equivalent financial contribution will be required.

## Threshold

- 9.5 The contributions required by development will be assessed on a case by case basis when the thresholds set out at paragraph 3.8 and 3.9 of this document are met.

## Training and Employment Plan

- 9.6 The Training and Employment Plan, secured through the Use of Section 106 Agreements or condition, could take the form of:
- Creating apprentice opportunities either directly or through the developers supply chain. Apprentice opportunities created would need to be monitored by the council in order to ensure that the targets are met and outcomes recorded. There would be an understanding that developers would work with the Council and full contribute to that activity.
  - The Councils Employment and Skills service can work with developers to ensure that apprentice recruitment is simplified with opportunities targeted at the Council's priority groups. Financial contributions towards the running of Local Labour Initiatives.
  - A commitment to work in partnership with the council's Employment and skills service to joint working in schools.
  - Provide structured work experience placements linked to existing training provision.



## 10 Green Space and Children's Play

### Introduction

- 10.1 Green spaces make a major contribution to the economic, environmental, health and social well-being of local communities. They are also the most widely used facility that the Council provides and, as such, it is imperative that green spaces are provided are attractive, safe and well managed.
- 10.2 New residential development can place increased pressure on green space and recreation provision within the Borough. It is the Council's responsibility to enable and co-ordinate the provision of these facilities to ensure they are in the right place and of appropriate quality. Planning obligations play an essential role in ensuring that facilities are available and of a standard to cope with additional demand placed upon them by new development.

### Policy justification and requirements

- 10.3 The NPPF seeks to improve health, social and cultural wellbeing for all. Access to high quality open spaces is identified as an important contribution to the health and well-being of communities.
- 10.4 Local Plan Policy DM5.3 Green Space Provision and Standards seeks to protect and enhance accessible Green Space. Opportunities should be sought to improve the existing provision and new development is required to meet the requirements in the Green Space Strategy. Policy S7.1 Community Infrastructure also supports the maintenance and enhancement of open space and other community resources.

### Evidence Base

- 10.5 The Council, in its Green Space Strategy<sup>6</sup> (GSS), identifies a range of formal and informal open space provision including: semi-natural green spaces, parks, allotments, outdoor recreation facilities (excluding football, cricket, hockey and rugby pitch provision), informal

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<sup>6</sup> [http://www.northtyneside.gov.uk/pls/portal/NTC\\_PSCM.PSCM\\_Web.download?p\\_ID=558885](http://www.northtyneside.gov.uk/pls/portal/NTC_PSCM.PSCM_Web.download?p_ID=558885)

green space and play provision for children and young people, open space associated with new housing provision, and youth and adult facilities.

- 10.6 Standards for a range of green space provision in North Tyneside are set out in the GSS and new housing developments will be required to meet provision within the development site where this is possible. There may be certain circumstances, such as on smaller housing developments, where it is not possible to accommodate the provision on site. In these instances a contribution may be required to provide or enhance existing facilities.
- 10.7 Allotment provision is set out in the Council's Allotment Strategy<sup>7</sup>. This document assesses the current facilities available by area and calculates the demand. The demand, as a ratio by area, is then used to assess the contribution required. Currently the Borough's requirement is as follows:

**Table 4: Current allotment provision**

Area	Number of Households	Number of plots	Number on waiting lists	Availability	Demand
Borough Wide	97,239	2,012	1,350	1 plot per 48 households	1 allotment per 29 households

## Threshold

- 10.8 Only residential developments of 10 or more residential units will be required to incorporate infrastructure as set out above, based upon the specific impacts of the proposal, within the development site and/or contribute towards meeting local needs off-site.
- 10.9 Future maintenance for off and on site provision will also be included as part of a contribution. This will cover the cost of provision for up to 10 years, unless an alternative management scheme is agreed.

<sup>7</sup> <http://my.northtyneside.gov.uk/sites/default/files/web-page-related-files/allotment.pdf>

## 11 Sport provision and playing pitches

### Introduction

11.1 In the Our North Tyneside Plan<sup>8</sup>, North Tyneside Council seeks to ensure residents are happy and healthy. The mission statement for sport and leisure is:

‘To continuously develop quality leisure opportunities that meets the needs and circumstances of people in North Tyneside’.

11.2 It is also acknowledged that green spaces offer opportunities for sport and recreation and it is therefore important that they are accessible, attractive, safe and well-managed. New development can affect these facilities as a result of an increased demand. Contributions to support existing and provide new sports pitches and recreation facilities can address the impact.

### Policy Justification and Requirements

11.3 The NPPF which identifies access to high quality open spaces and opportunities for sport and recreation as an important contribution to the health and well-being of communities.

11.4 Local Plan Policy S7.10 seeks to ensure that the quantity and quality of open space, sport and recreation provision throughout the Borough will be maintained and enhanced. This is further supported by Policy DM5.3 Green Space Provision and Standards by ensuring accessible green space will be protected and enhanced to be of the highest quality and value.

### Evidence Base

11.5 The Green Space Strategy<sup>9</sup>, Playing Pitch Strategy<sup>10</sup> and Built Sports Strategy<sup>11</sup> set out the current and required levels of provision. Spatial and thematic approaches have been undertaken to ensure all residents have access to the full range of provision.

<sup>8</sup> <http://my.northtyneside.gov.uk/category/368/our-north-tyneside-plan>

<sup>9</sup> [http://www.northtyneside.gov.uk/pls/portal/NTC\\_PSCM.PSCM\\_Web.download?p\\_ID=558885](http://www.northtyneside.gov.uk/pls/portal/NTC_PSCM.PSCM_Web.download?p_ID=558885)

<sup>10</sup> [http://www.northtyneside.gov.uk/pls/portal/NTC\\_PSCM.PSCM\\_Web.download?p\\_ID=553126](http://www.northtyneside.gov.uk/pls/portal/NTC_PSCM.PSCM_Web.download?p_ID=553126)

<sup>11</sup> [http://www.northtyneside.gov.uk/pls/portal/NTC\\_PSCM.PSCM\\_Web.download?p\\_ID=563333](http://www.northtyneside.gov.uk/pls/portal/NTC_PSCM.PSCM_Web.download?p_ID=563333)

- 11.6 Where the Council has not prepared local standards the need will be assessed on a case by case basis through the planning obligations process. The contribution required will take into account these standards and the associated costs required to meet the needs of development. Facilities that will be taken into account include sports halls, fitness facilities, swimming pools and sports pitches.

### **Threshold**

- 11.7 Only residential developments of 10 or more dwellings may be required to contribute towards meeting needs.
- 11.8 Where new development does not need to provide new facilities, it may have an impact on existing services. In these circumstances it is appropriate to ensure these facilities are improved and enhanced in order to cater to the increased demand. In these circumstances the Council considers that it may be appropriate for the contribution figure to be reduced.

## 12 Community Services and Facilities

### Introduction

- 12.1 North Tyneside Council seeks to ensure residents are ready for school, work and life as well as having the relevant information, skills and opportunities needed<sup>12</sup>. The range of community services and facilities available in the borough are critical to achieving this objective.

### Policy Justification and Requirements

- 12.2 The NPPF recognises that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. To ensure that sufficient community and cultural facilities and services are provided, development should plan positively for the provision of community facilities and other local services.
- 12.3 This is supported at a local level through Local Plan policy S7.10 Community Infrastructure. It prioritises facilities that contribute towards communities and specifies library provision in the supporting text.

### Evidence Base

- 12.4 North Tyneside Council as a public library authority, has a statutory duty under the Libraries and Museums Act 1964<sup>13</sup> to provide a comprehensive, efficient and modern library service to those who live, work and study within North Tyneside. The Arts Council of England is responsible for developing and advocating libraries and aim to place the library as “the hub of the community”<sup>14</sup>. Locally, the North Tyneside Library Strategy 2016-21, Words, Well-being and Wifi, draws upon national reports to set out the Council’s priorities for this service.

<sup>12</sup> <http://my.northtyneside.gov.uk/category/368/our-north-tyneside-plan>

<sup>13</sup> <http://www.legislation.gov.uk/ukpga/1964/75>

<sup>14</sup> <http://www.artscouncil.org.uk/supporting-libraries/how-we-work-libraries>

- 12.5 The Museum, Libraries and Archives Council, recommended a minimum figure of 30sqm of library accommodation per 1,000 people<sup>15</sup>. Whilst this benchmark is dated, it is still considered reasonable and robust in order to build on the recent improvements to the service and fulfil the aims of the Library Strategy.
- 12.6 Within North Tyneside there are four Customer First Centres (CFCs) located at the main centres of Killingworth, North Shields, Wallsend and Whitley Bay. These CFCs provide a range of services including, library, customer advice suites, Council payment kiosks; community space for hire and a range of other Council, health or community services. Further libraries are located around North Tyneside as well as other community buildings and facilities. All of these facilities play an important role for local communities and can provide useful services for those who commute in and out of the borough.
- 12.7 The Council recognises that new development can help meet these objectives by making appropriate contributions to support existing and provide new community facilities and library services to address the requirements of new and growing populations.

## Threshold

- 12.8 Only residential developments of 10 or more dwellings may be required to contribute towards meeting needs.

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<sup>15</sup> Museums Libraries Archives Council: Public Libraries, Archives and New Development - A Standard Charge Approach, ISBN 978-1-905867-23-3, June 2008, Annex B

**For further details please contact:**

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# North Tyneside Council

## Report to Cabinet

### Date: 12 March 2018

#### ITEM 5(c)

Title: North Tyneside  
Travel Safety Strategy

Portfolio(s): Housing and Transport

Cabinet Member(s): Councillor John Harrison

Report from Service  
Area:

Environment, Housing and Leisure

Responsible Officer:

Phil Scott, Head of Environment, Housing  
and Leisure

Tel: (0191) 643 7295

Wards affected:

All

## PART 1

### 1.1 Executive Summary:

The North Tyneside Transport Strategy, adopted by Cabinet on 8 May 2017, sets out the Authority's vision for transport in the borough. It seeks to ensure that "North Tyneside will 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 sets out five principles which are key to achieving this.

A key aim for both our Transport Strategy and the North Tyneside Local Plan is 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. Collision rates across the entire network continue to fall in line with regional and national trends. Locally North Tyneside is committed to achieving and supporting the NECA (North East Combined Authority) casualty reduction targets set for 2020.

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

The Travel Safety Strategy considers a broader remit in addressing road safety and aims to tackle safety and personal security perceptions of transport users as well as acute road safety issues. The Travel Safety Strategy sets out 5 key actions to enhance our already successful approach to improving safety on the transport network:

- i. Expand and deliver a range of Travel Safety education initiatives which support health, safety and sustainability,
- ii. Work with public transport organisations including Nexus, bus operators, and Taxi operators to improve perceptions around safety,



- iii. Improve coordination with delivery partners to increase opportunities to deliver Travel Safety improvements.
- iv. Invest in new technology for monitoring traffic speeds and enhance data collection,
- v. Report ongoing performance as part of the Transport Strategy Annual Information Report,

The North Tyneside Travel Safety Strategy, attached as Appendix 1, sets out clearly the Authority's approach to managing road safety in the borough. Cabinet is invited to adopt the strategy.

## **1.2 Recommendation(s):**

It is recommended that Cabinet adopt the North Tyneside Travel Safety Strategy, attached as Appendix 1.

## **1.3 Forward Plan:**

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 9 February 2018.

## **1.4 Council Plan and Policy Framework**

The proposals in this report relate to a number of priorities in Our North Tyneside Plan 2018-2020; in particular:

- Our people will:
  - Be ready for school – giving our children and their families the best start in life
- Our places will:
  - Provide a clean, green, healthy, attractive, safe and sustainable environment. This will involve creating a cycle friendly borough, investing in energy efficiency schemes and by encouraging more recycling.
  - Have an effective transport and physical infrastructure - including our roads, pavements, street lighting, drainage and public transport.

## **1.5 Information:**

### **1.5.1 Background**

Collision rates across the entire network continue to fall in line with regional and national trends. Together with other authorities in the region, North Tyneside is committed to achieving and supporting the NECA (North East Combined Authority) casualty reduction targets set for 2020.

Within the borough roads subject to 20mph zones remain the safest locations on the highway network and are supported through our driver feedback sign programme.

Approximately 14,129 children were engaged across our Pedestrian training, Bikeability, and Go Smarter / road safety education schemes in 2017.

The challenge to continue to reduce KSI (Killed or Seriously Injured) collision rates occurring on the local highway network is significant. The local highway network has become safer each year as collision rates continue to decline despite the volume of traffic

increasing. The perception of safety on the local highway network is becoming as important as actual collision statistics as this can influence decisions and behaviour.

#### 1.5.2 Success so far

The Authority remains on course to deliver its target reductions for KSI collisions, Child KSI collisions, and slight casualties; in particular, reductions in slight casualties have been such that North Tyneside is currently achieving the level of the 2020 target.

The Authority has in recent years secured around £30m of central government funding for the highway network. Frequently the schemes being delivered have also focused on improving safety. Consequently there are very few collision cluster sites remaining across the borough that would be subject to engineering solutions. There will always remain a statutory obligation to continue to identify and resolve any cluster sites that may arise in the future.

We have successfully introduced 20mph zones in our estates that has reduced the risk from excess speed to road users as intended. We will undertake a full audit of the 20mph zones which will identify any further measures required to improve safety.

#### 1.5.3 Strategic context for cycling

Road Safety in the borough is considered in a broader strategic context, which is made up of:

- i. Our North Tyneside Plan 2018 - 2020;
- ii. the Local Plan 2017 - 2032;
- iii. the Health and Wellbeing Strategy 2013 – 2023;
- iv. the North Tyneside Transport Strategy;
- v. Local Development Document LDD12 – Transport and Highways;
- vi. the North Tyneside Highway Asset Management Plan (HAMP); and
- vii. the North Tyneside Network Management Plan.

In May 2017 the Authority adopted its Transport Strategy which sets out clear overarching principles to be applied to the management of transport in the borough: these are to improve safety, health and well-being outcomes and sustainability; support economic growth; improve connectivity; enable smart choices for all; and manage demand.

This means that for travel safety it is essential to focus on securing the following outcomes, which directly link to the North Tyneside Transport Strategy:

- i. reducing road casualties while increasing cycling and walking
- ii. engaging with schools to promote road safety alongside healthy travel
- iii. supporting improved safety for public transport users

#### 1.5.4 Proposed actions for cycling

Following engagement with Members, residents, and public transport operators the following recommendations were made for consideration in the updated strategy:

- i. Consider a broader remit when addressing safety to include public transport users and pedestrian and cyclist safety off-road

- ii. Provide more clarity on the process for setting speed limits and how enforcement varies across different types of road
- iii. Consider residents' priorities around footways as their condition is directly linked to the perception of safety
- iv. Provide more details on how road safety and speed information is collated and how this is used to identify future schemes

These recommendations have been combined with the actions set out in the previous Road Safety Strategy (2015-18) to set a revised consolidated action plan to be delivered over the period of this strategy, the actions are:

- i. Action 1 – Expand and deliver a range of Travel Safety education initiatives which support health, safety and sustainability, e.g. pedestrian and cycling training
- ii. Action 2 – Work with public transport organisations including Nexus, bus operators, and Taxi operators to improve perceptions around safety, e.g. include passenger survey data in education initiatives.
- iii. Action 3 – Improve coordination with delivery partners to increase opportunities to deliver Travel Safety improvements. e.g. Joint delivery of safety training with Active North Tyneside team.
- iv. Action 4 – Invest in new technology for monitoring traffic speeds and enhance data collection, e.g. Upgrading signal controlled crossings to record speeds and refreshing driver feedback sign equipment
- v. Action 5 – Report ongoing performance as part of the Transport Strategy Annual Information Report, e.g. detailed analysis of collisions involving vulnerable users within close proximity to schools

#### 1.5.5 Indicators of success

The Authority will know if it has been successful in improving Travel Safety if it can demonstrate that:-

- i. Collision rates continue to reduce in line with our targets
- ii. Observance of speed limits has improved in accordance with thresholds recommended in DfT guidance.
- iii. There is greater participation and engagement through our Travel Safety education initiatives
- iv. Survey data for public transport indicates improvements in people's perception of personal safety.

Progress against these targets will be reported in the Transport Strategy Annual Information Report.

## 1.6 **Decision options:**

The following decision options are available for consideration by Cabinet:

### Option 1

Cabinet approves the recommendations at paragraph 1.2 of this report.

### Option 2

Cabinet does not approve the recommendations at paragraph 1.2 of this report.

Option 1 is the recommended option.

### **1.7 Reasons for recommended option:**

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.

### **1.8 Appendices:**

Appendix 1 – Draft North Tyneside Travel Safety Strategy

### **1.9 Contact officers:**

Colin MacDonald, Senior Manager Technical and Regulatory Services, 0191 643 6620  
Nicholas Bryan, Highway Network Manager, Capita, 0191 643 4808  
Andrew Flynn, Integrated Transport Manager, 0191 643 6083  
John Cram, Integrated Transport Officer, 0191 643 6122  
Alison Campbell, Senior Business Partner, 0191 643 7038

### **1.10 Background information:**

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

- (1) North Tyneside Transport Strategy (approved by Cabinet on 8 May 2017)  
[http://www.northtyneside.gov.uk/browse-display.shtml?p\\_ID=568803&p\\_subjectCategory=41](http://www.northtyneside.gov.uk/browse-display.shtml?p_ID=568803&p_subjectCategory=41)
- (2) Tyne and Wear third Local Transport Plan (LTP3)  
<http://www.tyneandwearltp.gov.uk/documents/ltp3/>
- (3) Equality Impact Assessment (EIA) for the Travel Safety Strategy
- (4) North East Combined Authority (NECA) Transport Manifesto  
<http://www.northeastca.gov.uk/local-transport-plan>
- (5) Supplementary Planning Document LDD12 – Transport and Highways  
<http://my.northtyneside.gov.uk/sites/default/files/web-page-related-files/transport.pdf>
- (6) North Tyneside Road Safety Strategy (existing strategy adopted in 2015)  
[http://www.northtyneside.gov.uk/pls/portal/NTC\\_PSCM.PSCM\\_Web.download?p\\_ID=559254](http://www.northtyneside.gov.uk/pls/portal/NTC_PSCM.PSCM_Web.download?p_ID=559254)
- (7) North Tyneside Highway Asset Management Plan (HAMP)  
[http://www.northtyneside.gov.uk/browse-display.shtml?p\\_ID=527383&p\\_subjectCategory=380](http://www.northtyneside.gov.uk/browse-display.shtml?p_ID=527383&p_subjectCategory=380)
- (8) North Tyneside Network Management Plan  
[http://www.northtyneside.gov.uk/browse-display.shtml?p\\_ID=569773&p\\_subjectCategory=41](http://www.northtyneside.gov.uk/browse-display.shtml?p_ID=569773&p_subjectCategory=41)

- (9) North Tyneside Joint Health and Wellbeing Strategy 2013-2023  
[http://www.northtyneside.gov.uk/browse-display.shtml?p\\_ID=537759&p\\_subjectCategory=387](http://www.northtyneside.gov.uk/browse-display.shtml?p_ID=537759&p_subjectCategory=387)
- (10) Towards An Active Nation Strategy 2016-2021, Sport England  
<https://www.sportengland.org/media/10629/sport-england-towards-an-active-nation.pdf>
- (11) Everybody Active Everyday, Public Health England October 2014  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/374914/Framework\\_13.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/374914/Framework_13.pdf)
- (12) Public Health Outcomes Framework, Public Health England May 2016  
<https://fingertips.phe.org.uk/profile/public-health-outcomes-framework>

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

It is envisaged that all actions within the proposed Travel Safety Strategy can be delivered within existing budgets (the Local Transport Plan capital budget and Technical Services Partnership managed budget) or using specific external grant funding, where applicable. Any expenditure which cannot be contained within existing budgets will be reported to Council / Cabinet, as appropriate for a decision before any expenditure is incurred or committed.

### **2.2 Legal**

There are no legal implications arising directly from this report. The strategy aims to set the vision and policy direction for road safety within the context of the North Tyneside Transport Strategy.

The Authority however is responsible for undertaking a number of transport-related functions and statutory duties under relevant legislation, for example: under the Highways Act 1980 the Authority has a statutory duty to maintain the adopted highway network; under the Road Traffic Act 1988 it has a duty to promote road safety; the Traffic Management Act 2004 places a duty on the Authority to secure the expeditious movement of traffic (including walking and cycling); and under the Education Act 1996, e.g. to promote the use of sustainable travel and transport for access to education. These obligations are discharged via specific policies, plans and programmes which are approved by the relevant decision-making forum.

The Authority works with the North East Combined Authority, which is the statutory local transport authority for the area, on a range of transport-related matters including some aspects of travel safety.

### **2.3 Consultation/community engagement**

Consultation has involved the Cabinet Member for Housing and Transport and the Head of Environment, Housing and Leisure. Specific feedback from the community through enquiries from ward members and residents, the Young Mayor, and public transport operators.

## 2.4 Human rights

There are no human rights implications directly arising from this report.

## 2.5 Equalities and diversity

There are expected to be positive impacts for equality and diversity in terms of the provision of infrastructure and initiatives as part of the strategy which may have a positive impact for equality in terms of age and disability. An Equality Impact Assessment has been undertaken.

## 2.6 Risk management

There are no risk management implications arising directly from this report. Strategic and operational risks associated with transport matters are assessed via the established corporate process.

## 2.7 Crime and disorder

There are no crime and disorder implications arising directly from this report.

## 2.8 Environment and sustainability

There are no adverse environment and sustainability implications arising directly from this report. The proposals in the report seek to improve safety for people travelling by more sustainable modes of transport which, by replacing motorised journeys, would have positive impacts in terms of reduced carbon emissions and improved local air quality.

## PART 3 - SIGN OFF

- Deputy Chief Executive ☒
- Head(s) of Service ☒
- Mayor/Cabinet Member(s) ☒
- Chief Finance Officer ☒
- Monitoring Officer ☒
- Head of Corporate Strategy ☒

# **Travel Safety Strategy**

## **1. Introduction**

The North Tyneside Transport Strategy sets out how we will improve safety, health and well-being outcomes and sustainability; support economic growth; improve connectivity; enable smart choices for all; and manage demand.

A key aim for both our Transport Strategy and the North Tyneside Local Plan is 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.

Travel safety considers all users of the highway including, pedestrians, cyclists, horse riders, motorists and users of buses, Metro and taxis and private hire vehicles.

## **2. Our strategic approach**

This strategy sets out how the Council intends to further improve road safety by reviewing and improving infrastructure, increasing awareness and education of road safety matters and working in partnership to address travel safety concerns on our transport network.

Public transport is one of the top ten issues that local residents believe is key to making the borough a good place to live. Listening to local residents and businesses is essential to enable us to manage our transport networks effectively to ensure North Tyneside continues to be a great place to live, work and visit. The remit of this strategy will therefore broaden seek to address the perceptions of safety and personal security of all transport network users.

## **3. Background**

Collision rates across the entire network continue to fall in line with regional and national trends. Locally North Tyneside is committed to achieving and supporting the NECA (North East Combined Authority) reduction targets set for 2020.

Within the borough roads subject to 20mph zones remain the safest locations on the highway network and are supported through our driver feedback sign programme.

Approximately 14,129 children were engaged across our Pedestrian training, Bikeability, and Go Smarter / road safety education schemes in 2017.

Road Safety in the borough is considered in a broader strategic context, which is made up of:

- i. the Our North Tyneside Plan 2018 - 2020;
- ii. the Local Plan 2017 - 2032;
- iii. the North Tyneside Transport Strategy;
- iv. other local strategies including the Cycling Strategy, Parking Strategy, Highway Asset Management Plan (HAMP) and Network Management Plan;
- v. North Tyneside Joint Health and Wellbeing Strategy 2013-23; and
- vi. Hackney Carriage and Private Hire Licensing Policy.

In May 2017 North Tyneside adopted its first Transport Strategy which sets out clear overarching principles to be applied to the management of transport in the borough: these are to improve safety, health and well-being outcomes and sustainability; support

economic growth; improve connectivity; enable smart choices for all; and manage demand.

The Travel Safety Strategy has been developed in accordance with these principles and is supported by the plans detailed above.

#### **4. The challenges we work with**

The challenge to continue to reduce KSI (Killed or Seriously Injured) collision rates occurring on the local highway network is significant. The local highway network has become safer each year as collision rates continue to decline despite the volume of traffic increasing. The perception of safety on the local highway network is becoming as important as actual collision statistics as this can influence decisions and behaviour.

#### **5. The outcomes we seek**

- i. reduce road casualties while increasing cycling and walking

Together with other authorities in the region, North Tyneside is committed to achieving and supporting the casualty reduction targets set for 2020 relating to road safety, which are:

- a 35% reduction in those killed or seriously injured in collisions
- a 50% reduction in children (under the age of 16) killed or seriously injured in collisions
- a 40% reduction in slight casualties (as defined by the Department for Transport)

- ii. engaging with schools to promote road safety alongside healthy travel

North Tyneside Council through its existing Go Smarter and Road Safety Education initiatives will actively increase the promotion and awareness around Travel Safety to address perceptions and improve behaviour.

- iii. supporting improved safety for public transport users

North Tyneside Council will work with public transport operators to address safety concerns raised by passengers.

#### **6. Progress**

The previous Road Safety Strategy (2015-18) set actions to be delivered and progress against these actions is summarised in appendix A.

North Tyneside remains on course to deliver its target reductions for KSI collisions, Child KSI collisions, and slight casualties; in particular, reductions in slight casualties have been such that North Tyneside is currently achieving the level of the 2020 target.

North Tyneside has in recent years secured around £30m of central government funding for the highway network. The majority of this has been via the Local Growth Fund and is linked to a national and regional priority to support growth in the local economy. Frequently the schemes being delivered have also focused on improving safety.

Consequently there are very few collision cluster sites remaining across the borough that would be subject to engineering solutions. This strategy should therefore consider



moving the focus away from reactive infrastructure led schemes towards collision prevention through education and awareness. However there will always remain a statutory obligation to continue to identify and resolve any cluster sites that may arise in the future.

## **7. Revised Approach**

Following engagement with Cabinet, the Young Mayor, public transport operators, and residents both through the residents survey and correspondence with officers the following suggestions were made when considering this revised Road Safety Strategy:-

- Consider a broader remit when addressing safety to include public transport users and pedestrian and cyclist safety off-road
- Provide more clarity on the process for setting speed limits and how enforcement varies across different types of road
- Consider residents priorities around footways as condition is directly linked to perception of safety
- Provide more details on how road safety and speed information is collated and how this is used to identify future schemes

Following the review of the previous Road Safety Strategy and taking on board the points raised above, the strategy remit is being broadened to cover Travel Safety as reflected in the new title. The Travel Safety Strategy will consider a wider remit around safety and the perception of safety and personal security raised by residents and public transport users.

## **8. Road Safety Challenges**

The local highway network has become safer each year as collision rates continue to decline despite the volume of traffic increasing. The number of KSI collisions is reaching such a low level across the network that influencing driver behaviour is becoming the most appropriate method of achieving further reductions in casualties.

However, the Council will always have a responsibility to review and identify the collision rates across the network to identify any cluster locations where trends can be resolved through improved infrastructure design/provision.

The perception of safety on the local highway network is becoming as important as actual collision statistics and can impact decisions and behaviour that compound negative perceptions. Most notably, the perception of pedestrian safety around schools can lead to parents making travel decisions that can increase traffic levels and make roads busier and feel more unsafe. Whereas in fact, as traffic volumes decrease so does the likelihood of a collision occurring.

Below are several examples of such challenges to which we will seek to respond:-

- Public Transport patronage reduces substantially in the evenings, in particular Metro usage. The most commonly cited reason for this is personal security associated with being alone on a Metro or at a station. If patronage levels remained consistent with off-peak daytime rates, the level of natural surveillance would increase and so in turn reduce the perception of vulnerability for lone travelers.

- Short journeys made by cars increase the volume of traffic and pressure on the local highway network substantially. The perceived safety associated with walking/cycling alongside/crossing the road reduces as more traffic is present on the network, despite traffic speeds being at their lowest during peak periods.
- Parking pressures around schools at peak times can lead to difficulties for residents and children wishing to safely access/cross the road. As the number of trips made to school by sustainable modes increases, the need for parking restrictions and formal crossing provisions reduce.

These perceptions need to be addressed and the Council will work on providing information to road users and travellers that will help improve awareness and allow residents to make more informed decisions. Our programme of education and awareness raising initiatives around travel safety will include messages around health, air quality, and congestion reduction. These supporting themes will all benefit from improvements to Travel Safety, in particular those delivered in schools.

Public Transport operators have been engaged to identify opportunities to share information and facts around perceived and actual safety risks associated with this mode of travel. Bus passenger surveys identified that approximately 20% of passengers felt unsafe at bus stops, this reduced to 12% when on the bus itself. Whereas only 0.4% of passengers actually directly or indirectly experienced anti-social behaviour during a journey. All figures have been taken from the National Bus Passenger Survey 2016 broken down for Tyne & Wear (Nexus area).

## 9. Action Plan

The Travel Safety Strategy sets out a number of actions that will deliver improvements, against which performance can be monitored. Successful progress against these actions will be reported back to the public through the Annual Transport Strategy Report submitted to Cabinet.

Over the period of this strategy we intend to deliver the following actions:-

**Action 1** – Expand and deliver a range of Travel Safety **education initiatives** which support health, safety and sustainability, e.g. pedestrian and cycling training

We will review and expand our existing offer of education initiatives to deliver to more people across a wider background, i.e. beyond schools. Following a review of successfully delivered initiatives from around the region and wider U.K. we will expand our offer to include those most appropriate to North Tyneside.

Through the Go Smarter in North Tyneside programme and our ongoing engagement work with schools, we will endeavour to raise awareness among pupils, parents and staff of the impacts of short car journeys on safety. This work will continue to be supported with investment in appropriate crossing infrastructure along routes to schools.

As the Go Smarter in North Tyneside programme expands to incorporate work with employment sites, town centres, and residential developments this will be supported with Travel Safety education work.

We will deliver cycle training to young people through schools in the Borough. The national standard Bikeability training has been extended in scope and, alongside the well-established cycle training at age 9-10, now includes training for younger children to develop their confidence in riding, using small pedal-free "balance bikes". We will explore opportunities to expand cycle training to adults and build people's confidence in cycling independently.

**Action 2** – Work with **public transport** organisations including Nexus, bus operators, and Taxi operators to improve **perceptions** around safety, e.g. include passenger survey data in education initiatives.

We will work with all major bus operators, Nexus (Metro and Shields Ferry), and hackney carriage and private hire vehicle operators to understand and present information around the perception of safety on transport and at points of access e.g. bus stops, Metro stations, Taxi ranks. We will work with these operators to help promote their safe use, with specific consideration around operation at night.

We will engage with operators to feed back views from residents and identify measures that could be delivered to resolve identified/perceived barriers to passengers, such as surveillance and personal security concerns.

**Action 3** – Improve **coordination** with delivery partners to increase opportunities to deliver Travel Safety improvements. e.g. Joint delivery of safety training with Active North Tyneside team.

We will work with partners to promote safe travel more widely in the community, e.g. through the Active North Tyneside programme which supports people to become "community health champions", alongside promoting healthy lifestyles. We will seek to raise awareness of relevant activities and events, e.g. the "pop-up" cycle hubs provided at major business parks.

We will ensure that there is a consistent message across areas of work, including Public Health, Highways (including parking), Education, NSRI (Northumbria Safer Roads Initiative), Road Safety GB, the Police, and transport operators, to raise awareness of safe and sustainable travel in North Tyneside.

**Action 4** – Invest in new **technology** for monitoring traffic speeds and enhance data collection, e.g. Upgrading signal controlled crossings to record speeds and refreshing driver feedback sign equipment

We will review and upgrade our existing collection of driver feedback signs to provide more reliable, flexible, and effective equipment. This equipment will continue to be utilised as part of our feedback sign rotation programme, but will also serve as speed survey data collection systems.

The information gathered from this equipment and supplemented with the TADU (Tyne & Wear Traffic and Accident Data Unit) network of traffic speed survey sites will be used to validate annual Department for Transport traffic speed data (Trafficmaster). Trafficmaster data covers the whole local highway network and is gathered remotely using GPS data taken from millions of vehicles every day.

An annual speed map for the borough will be produced showing those roads where excessive average speeds have been recorded. This information will be used to identify locations where further speed reduction measures may be necessary.

Further local traffic survey sites will be created through upgrading signal controlled pedestrian crossings and some signal controlled junctions (where appropriate). These sites will expand the data collection network developed by TADU and will provide more accurate, real-time results allowing more informed decisions to be made.

**Action 5 – Report ongoing performance** as part of the Transport Strategy Annual Information Report, e.g. detailed analysis of collisions involving vulnerable users within close proximity to schools

We will continue to report on progress against the NECA 2020 KSI reduction targets but will expand our analysis to consider the following categories:-

- Speed related collisions occurring in 20mph zones
- Child pedestrian/cyclist collisions occurring within close proximity to schools
- Pedestrian crossing collisions in town centres
- Collisions involving cyclists along the Strategic Cycle Route Network (“Tube Map”)
- Pedestrian trips/falls reported, to inform future footway improvement programmes

We will undertake a full review of the 20mph zone programme delivered between 2008 and 2012. The review will consider if the schemes have been successful in reducing the risk to the most vulnerable road users as intended. Locations where average speeds continue to exceed 24mph will be identified and consideration given to further supportive self-enforcing speed reduction measures such as additional signage and traffic calming features.

## **10. Speed Management**

A key part of travel safety is the management of speed limits on the local highway network to ensure they remain appropriate and adhered to. When setting speed limits there are several variables and road characteristics that are considered including road classification (e.g. A, B, unclassified), traffic volumes, residential frontage, crossing provision, road width, etc.). Appendix B sets out the criteria North Tyneside Council considers when setting speed limits.

North Tyneside Council delivered a programme of 20mph zones with the intention of directly reducing the number of KSI collisions in these areas. These zones when supported by self-enforcing speed reduction measures such as speed cushions, pedestrian refuges and signage (including feedback signs) are very effective in reducing average speeds. RoSPA (Royal Society for the Prevention of Accidents) identified in the “Road Safety Factsheet” November 2017 that the fatality rate of 8% associated with collisions at 30mph reduced to around 1.5% when speeds reduced to 20mph. Therefore ensuring speeds are below 30mph in residential areas and around schools reduces the risk to vulnerable road users.

Historically within North Tyneside, our most challenging collision “black-spots” have been on high speed approaches to busy junctions, such as the A1058 Billy Mill junction. As part of our recent £30m highway investment programme we have delivered schemes

that directly address some of these locations with historic road safety challenges. This has resulted in reductions in collisions at some junctions of up to 75%.

## **11. Enforcement**

North Tyneside has very few locations where excessive speeding regularly occurs, which is reflected by the low number of fixed and mobile camera enforcement sites. As part of our Safety Camera Partnership with Northumbria Police we continue to monitor speeds on all roads to ensure enforcement is carried out where necessary. Additional enforcement sites will be added if required and in agreement with Northumbria Police.

Whilst enforcement of speed limits remains the responsibility of the Police, North Tyneside Council continually reviews the operation of the highway network and will introduce further supporting traffic calming measures where appropriate to reduce the resource burden on Police to enforce. This will often involve the temporary installation of driver feedback signs which advise drivers of their speed and remind them to adhere to the speed limit.

North Tyneside Council has an increasing driver feedback sign rotation programme which identifies locations on the network where speeds have periodically exceeded appropriate averages for the speed limits in operation. The majority of these locations are situated on local estate distributor roads that are subject to a 20mph speed limit but were previously subject to a 30mph limit.

Evidence from the sign rotation programme suggests that when signage is installed it has a positive impact on average speeds but only when present for a short period of time (approximately 2 weeks). When situated for prolonged periods, the signage becomes increasingly ignored and therefore average speeds increase again. The rotation programme therefore seeks to rotate feedback sign locations frequently and return to sites multiple times each year.

We will be investing in new and additional feedback sign equipment to ensure the effectiveness of these measures continues. The new equipment will passively record speeds which will be used to determine whether or not further supporting measures are required and to locally validate the annual speed data we receive from the Department for Transport.

The sign rotation programme is reviewed annually and additional sites are included following a review of requests received from residents and speed survey data. The sign rotation programme site list is available to view on North Tyneside Council's website.

North Tyneside Council is also trialling and investing in upgrades to traffic signals which allow vehicle speeds, classification, and volumes to be recorded in real-time. This information will allow for traffic signal operation to be better optimised and also provide additional data sources of recorded speeds around the network. Detailed analysis of this information will be undertaken annually to understand how speeds vary across the day in relation to traffic volumes.

As part of a refreshed Travel Safety Strategy we will increase awareness of local speeding concerns through engagement with residents, staff employed in the borough, and councillors. Analysis of speed survey data often highlights if the issue is caused by local residents, staff, or by general through traffic to an area. This allows for more focussed engagement with those users contributing to a speeding problem.

## 12. Monitoring & Reporting

As highlighted in Action 5 of the Action Plan, North Tyneside Council is committed to providing evidence of the success of its revised approach to travel safety and will be increasing the amount of post scheme monitoring and evaluation and making this information available to the public through an annual report submitted to Cabinet.

The Transport Strategy Annual Information Report will include information including:-

- Action Plan Progress
- Collision reduction statistics (TADU)
  - Progress against NECA 2020 reduction targets
  - Speed related collisions occurring in 20mph zones
  - Child pedestrian/cyclist collisions occurring within close proximity to schools
  - Pedestrian crossing collisions in town centres
  - Collisions involving cyclists along the Strategic Cycle Route Network ("Tube Map")
  - Pedestrian trips/falls reported, to inform future Footway Improvement Plan proposals
- Annual Highway Network Speed Map
  - All-day average speeds
  - Peak-hour average speeds
- Feedback Sign Rotation Programme
  - Updated site list
  - Review of effectiveness
- 20mph Zone Review
- Major Scheme Monitoring
  - Pre and post scheme safety review
- Update on New Technology trial
  - Signals data collection upgrades
  - Driver feedback signs
  - Use of VMS signage

## 13. Indicators of Success

We will know we have been successful in improving Travel Safety if we can demonstrate that:-

- i. **Collision rates** continue to **reduce** in line with our targets
- ii. **Improved observance** of speed limits in accordance with thresholds recommended in DfT guidance.

iii. there is **greater participation** and engagement through our Travel Safety education initiatives

iv. survey data for public transport indicates **improvements** in people's **perception of personal safety**.

Progress against these targets will be reported in the Transport Strategy Annual Information Report.

## **Appendix A – Road Safety Strategy (2015-18) Progress**

Action 1 - We will continue to monitor and assess the success of 20mph zones in residential areas and amend their design if required;

Performance – Roads subject to 20mph zones remain the safest locations on the highway network and are supported through our driver feedback sign programme. Performance is monitored through traffic speed surveys from which data is used to identify if there is need for further supporting measures or to confirm that speeds remain appropriate.

Action 2 - We will improve safety for children and other vulnerable road users, by identifying potential issues in the Annual Information Report and addressing these through engineering measures, education and publicity;

Performance – An annual road safety information report is prepared but ongoing annual road safety information will now be included in the Annual Transport Strategy Report presented to Cabinet in May of each year.

Action 3 - We will continue to deliver road safety education and training to schools and key focus groups, working with our delivery partners;

Performance – approximately 14,129 children were engaged across our Pedestrian training, Bikeability, and Go Smarter / road safety education schemes in 2017.

Action 4 - We will take into account the safety needs of all road users;

Performance – Engagement on proposed Road Safety schemes includes Cycling user groups, local access forum, disability user groups, and schemes are subject to Road Safety Audits.

Action 5 - We will continue to work in partnership with other organisations such as the Northumbria Safer Roads Initiative (NSRI), the Police, the Highways Agency, neighbouring authorities, Sustrans and Living Streets to improve the borough's network and maintain consistency with other councils.

Performance – Through our regular North Tyneside Network Management meetings and regional Road Safety partnership meetings we continue to engage with key delivery partners. Meetings include discussions around schemes/initiatives being delivered throughout the region and nationally.

Action 6 - We will ensure, through the Network Management Plan and the Highway Asset Management Plan, that the road network is managed so that motorised traffic uses the most appropriate routes and that the network is maintained to an acceptable and safe level.

Performance – Both the Network Management Plan and Highway Asset Management Plan are also due to be refreshed in 2018 and will remain interconnected with the Travel Safety Strategy.



## Appendix B – Speed Limit Criteria

Road Classification	Road Purpose	Traffic Volume (AADT)	Urban / Rural	Residential Access	Crossing Provision	Carriageway Type	Traffic Calming	Speed Limit
A	Major distributor	>20,000	Rural	None	Grade Separated	Dual	No	70
A or B	Local distributor	< 8,000	Rural	None	Uncontrolled	Single	No	60
A or B	Local distributor	>12,000	Urban	None	Grade Separated / Uncontrolled	Dual	No	50
A or B	Local distributor	>12,000	Urban	None	Controlled	Dual / Single	No	40
A or B	Local distributor	any	Urban	Driveways	Controlled / Uncontrolled	Single	No	30
Unclassified	Estate distributor	> 8,000	Urban	Driveways	Controlled / Uncontrolled	Single	Yes	30
Unclassified	Estate distributor	< 8,000	Urban	Driveways	Controlled / Uncontrolled	Single	Yes	20
Unclassified	Local Street	< 8,000	Urban	Driveways	Uncontrolled	Single	Yes*	20
Industrial Estate / Business Park	distributor	> 8,000	Urban	None	Controlled / Uncontrolled	Single	No	30

\*subject to 20mph zones with self-enforcing traffic calming measures)

This table is intended as a guide and there will be locations where variations to this will be necessary, such as on approaches to signal controlled junctions where approach speeds will be reduced to 40mph or less.

# North Tyneside Council Report to Cabinet Date: 12 March 2018

## ITEM 5(d)

**Title:** North Tyneside Cycling Strategy

**Portfolio:** Housing and Transport

**Cabinet Member:** Councillor John Harrison

**Report from Service Area:** Environment, Housing and Leisure

**Responsible Officer:** Phil Scott – Head of Environment, Housing and Leisure

**Tel:** (0191) 643 7295

**Wards affected:** All Wards

## **PART 1**

### **1.1 Executive Summary:**

As identified in the Our North Tyneside Plan, the Local Plan and the North Tyneside Transport Strategy, cycling is an important means of transport.

On 15 January 2018, Cabinet agreed to commence a process of public engagement on the draft North Tyneside Cycling Strategy and to commence a process of engagement with user groups on the draft North Tyneside Cycling Design Guide.

In accordance with this decision, an engagement process has now taken place. Following this process, the report will present the final proposed North Tyneside Cycling Strategy and final proposed North Tyneside Cycling Design Guide and seek Cabinet's approval of these documents.

### **1.2 Recommendations:**

The recommendations to Cabinet will include:

- (1) note a summary of responses received to the engagement process; and
- (2) approve the North Tyneside Cycling Strategy and North Tyneside Cycling Design Guide.

### **1.3 Forward Plan:**

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 12 February 2018.

## 1.4 Council Plan and Policy Framework

The proposals in this report relate to a number of priorities in Our North Tyneside, the Council Plan 2016 to 2019; in particular:

- Our people will:
  - be ready for work and life - with the skills and abilities to achieve their full potential, economic independence and meet the needs of local businesses
  - be healthy and well - with the information, skills and opportunities to maintain and improve their health, wellbeing and independence
- Our places will:
  - have an effective transport and physical infrastructure - including our roads, cycleways, pavements, street lighting, drainage and public transport

## 1.5 Information:

- 1.5.1 This initial report is submitted at this time to enable full consideration of the responses received and final amendments to the draft Cycling Strategy following public engagement and to the draft North Tyneside Cycling Design Guide following engagement with user groups.

## PART 3 - SIGN OFF

- |                              |                                     |
|------------------------------|-------------------------------------|
| • Deputy Chief Executive     | <input checked="" type="checkbox"/> |
| • Head of Service            | <input checked="" type="checkbox"/> |
| • Mayor/Cabinet Member       | <input checked="" type="checkbox"/> |
| • Chief Finance Officer      | <input checked="" type="checkbox"/> |
| • Monitoring Officer         | <input checked="" type="checkbox"/> |
| • Head of Corporate Strategy | <input checked="" type="checkbox"/> |

# North Tyneside Council

## Report to Cabinet

### Date: 12 March 2018

#### ITEM 5(e)

Title: Reduction in Library Opening Hours

Portfolio: Leisure, Culture and Tourism

Cabinet Member: Councillor Eddie Darke

Report from Service Area:

Environment, Housing and Leisure

Responsible Officer:

Phil Scott, Head of Environment, Housing and Leisure

(Tel: (0191) 6437295)

Wards affected:

All

## PART 1

### 1.1 Executive Summary:

This report seeks approval to implement the revised opening hours for the Authority's libraries to deliver the efficiencies recently agreed as part of the 2018/19 Budget. The report also outlines both the national and local policy context informing the decision and indicates the timetable for implementation.

### 1.2 Recommendation(s):

It is recommended that Cabinet:

- (1) authorise the library opening hours as set out in Appendix 1 to the report;
- (2) authorise the Head of Environment, Housing and Leisure, in consultation with the Cabinet Member for Leisure, Culture and Tourism, to implement the new opening hours and to agree any modifications in opening hours, if necessary, following implementation; and
- (3) advise the Secretary of State for Digital, Culture, Media and Sport (DCMS) of changes in library provision in accordance with national guidance and in order to assist in his supervisory function.

### 1.3 Forward Plan:

It has not been practicable to give twenty eight days notice of this report due to Council agreeing its budget on 15 February 2018. However, it is required to be considered without the twenty eight days notice being given in order to gain executive approval prior to implementation.

## **1.4 Council Plan and Policy Framework**

This report relates to the following priority in the 2018-20 Our North Tyneside Plan:

Our places will be great places to live by focusing on what is important to local people

## **1.5 Information:**

### **1.5.1 Background**

Cabinet at its meeting on 14 November 2016 adopted its Library Strategy for 2016-2021.

The Strategy sets 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 outlines several areas of 'purpose', which are reflected in the key objectives of the Authority's strategy.

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

These four facilities account 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 states,

"While the Council will 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 allow and funding streams permit."

### **1.5.2 The Budget Proposal**

In the context of the Authority's library strategy a range of proposals were 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 brought forward proposals to reduce library opening hours as part of the 2018-2020 Financial Planning and Budget Process. The report stated that "There will be a reduction in opening hours of Libraries and Customer First Centres – the approach taken will be based on current levels of activity to ensure we continue as far as possible to maintain appropriate access to facilities for our residents".

Engagement on the budget proposals was undertaken with residents and key stakeholders between 28 November 2017 and 24 January 2018 as set out in appendix 2. Following the responses received during this engagement, Cabinet agreed its final budget proposals on 24 January 2018.

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 shared the draft plans to illustrate options available to the Authority. Following this engagement the Mayor and Cabinet 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 specifically asked the Officer Team to capitalise on the strength of community feeling and asked Officers to 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 proposed in its final Budget proposals that the emphasis upon maximising access to Customer First Centre based library provision should be maintained and agreed the opening hours outlined in Appendix 1.

Cabinet 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 will be affected by the proposed changes. In addition the Libraries at Home service, providing books for the most vulnerable and Schools Library Service will not change as a result of budget considerations.

Cabinet is now being requested to authorise the implementation of a reduction in the opening hours of the Authority's libraries from 1 April 2018 as set out in Appendix 1.

An Equality Impact Assessment has been undertaken to consider how the proposals will impact on individuals with protected characteristics such as disability, and age etc. The Equality Impact Assessment details the mitigation that the Authority has developed to address the impacts identified. The Equality Impact Assessment is attached at Appendix 3.

In implementing this proposal, the Head of Environment, Housing and Leisure will continue to monitor the impact of changes and, in consultation with the Cabinet Member for Leisure, Culture and Tourism, make any necessary modifications.

If Cabinet proceed to implement the proposed reduction in opening hours as set out in Appendix 1, the Authority is required to advise the Secretary of State for Digital, Culture, Media and Sport (DCMS) of changes in library provision in accordance with national guidance and in order to assist in his supervisory function.

## **1.6 Decision options:**

The following decision options are available for consideration by Cabinet:

### Option 1

To agree the recommendation set out in Paragraph 1.2 of the report.

### Option 2

Not to agree the recommendation and ask Officers to reconsider the options available to Cabinet in relation to the opening hours of the Authority's libraries.

Option 1 is the recommended option.

## **1.7 Reasons for recommended option:**

Option 1 is recommended for the following reasons:

To achieve the financial saving agreed by Full Council on 15<sup>th</sup> February 2018;

This option is consistent with the consultation and feedback received during the budget engagement process and the Authority's existing Library Strategy.

## **1.8 Appendices:**

Appendix 1: Proposed days of opening and opening hours for libraries from 1<sup>st</sup> April 2018.

Appendix 2: Consultation feedback relating to reduced library opening hours

Appendix 3: Equality Impact Assessment

## **1.9 Contact officers:**

Steve Bishop, Senior Manager, Cultural Services tel: (0191) 643 7410  
Alison Campbell, Senior Business Partner, tel. (0191) 643 7038

## **1.10 Background information:**

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

- (1) Council 15 February 2018 [2018-2020 Financial Planning and Budget Process: 2018/19 Budget](#)
- (2) Cabinet 14 November 2016  
[http://www.northtyneside.gov.uk/pls/portal/NTC\\_PSCM.PSCM\\_Web.download?p\\_ID=567002](http://www.northtyneside.gov.uk/pls/portal/NTC_PSCM.PSCM_Web.download?p_ID=567002)

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

The business plan to Protect the Cultural Offer agreed as part of the 2018-2020 Financial Planning and Budget Process indicated a reduction of £139k achievable through the proposal to reduce library opening hours.

### **2.2 Legal**

The statutory obligations of local authorities to provide a “comprehensive and efficient” library service are outlined in the Public Libraries and Museums Act 1964.

The Authority must undertake consultation with the public in the relation to the proposals and also consider the impact that the proposals will have on individuals with protected characteristics in accordance with the requirements of the Equalities Act 2010. Cabinet is referred to Appendices 2 and 3 of the report, which sets out the consultation responses and an equality impact assessment, in determining whether to approve the recommendations set out in paragraph 1.2.

In accordance with the Local Government Act 2000 (as amended) and the Regulations made under that Act, Cabinet has responsibility for determining the proposals contained in this report.

## **2.3 Consultation/community engagement**

### **2.3.1 Internal Consultation**

Cabinet Member, Cabinet, Council, Employees, Trade Unions

### **2.3.2 External Consultation/Engagement**

Public Budget Engagement process – the engagement process undertaken in relation to budget proposals including a proposal to reduce library opening hours is included at Appendix 2.

## **2.4 Human rights**

There are no human rights implications arising from this report.

## **2.5 Equalities and diversity**

An Equality Impact Assessment assessing the impact of reduced library opening hours and outlining measures to mitigate against adverse impact is attached at Appendix 3.

## **2.6 Risk management**

The major risks associated with this report are those of non-compliance with the statutory duty as previously indicated. Mitigation is provided through the advice to the Secretary of State as indicated.

## **2.7 Crime and disorder**

There are no crime and disorder implications arising from this report

## **2.8 Environment and sustainability**

Reduced library opening hours will lead to a reduction in the consumption of electricity and gas within the buildings, which will in turn lead to a reduction in carbon emissions.

## **PART 3 - SIGN OFF**

- Deputy Chief Executive ☐
- Head(s) of Service ☐
- Mayor/Cabinet Member(s) ☐
- Chief Finance Officer ☐
- Monitoring Officer ☐
- Head of Corporate Strategy ☐



## APPENDIX ONE

### Proposed days of opening for library branches from 1<sup>st</sup> April 2018

MON	TUES	WED	THURS	FRI	SAT
Whitley Bay	Whitley Bay	Whitley Bay	Whitley Bay	Whitley Bay	Whitley Bay
North Shields	North Shields	North Shields	North Shields	North Shields	North Shields
Wallsend	Wallsend	Wallsend	Wallsend	Wallsend	Wallsend
White Swan	White Swan	White Swan	White Swan	White Swan	White Swan
Tynemouth	Battle Hill		Battle Hill	Cullercoats	Battle Hill
	Wideopen		Wideopen	Monkseaton	Cullercoats
	Cullercoats		Tynemouth	Oxford	Monkseaton
	Monkseaton		JWSC		Tynemouth
	Oxford		Shiremoor		Wideopen
	JWSC		Forest Hall		Oxford
	Shiremoor		Howdon		JWSC
	Forest Hall				Forest Hall
	Howdon				Howdon
					Shiremoor

### Proposed library opening hours from 1<sup>st</sup> April 2018

**Libraries based in CFCs** – North Shields, Wallsend, Whitley Bay, White Swan

Weekdays - 9am – 5.30pm

Saturday – 9am – 1pm

**Libraries based in community centres** – Oxford Centre, John Willie Sams Centre

Weekdays (as indicated above) – 9am – 1pm and 2pm – 5.30pm

Saturday – 9am – 1pm

**Branch libraries** – Cullercoats, Shiremoor, Tynemouth, Forest Hall, Howdon, Monkseaton, Battle Hill, Wideopen

Weekdays (as indicated above) – 9am – 1pm and 2pm – 5.30pm

Saturday – 9am – 1pm

## **APPENDIX TWO**

### **Consultation feedback relating to the budget proposal to reduce library opening hours**

The consultation on Cabinet's initial budget proposals ran between 28 November 2017 and 10 January 2018. This data was gathered from responses to the online survey, which was published on the North Tyneside Council website. 256 people responded.

In the on-line survey, 114 responses concerned the proposals in relation to opening hours for libraries and Customer First Centres (CFC's) (114 responses)

Consultation then remained open between 10 January and 24 January. During that period an extra 150 on-line questionnaires were submitted and individual responses. The comments raised in these additional responses were consistent with those made during the main consultation period which ran up until 10 January.

Respondents viewed these facilities as important community hubs providing warm, welcoming, safe, free (with 'no pressure to spend') meeting places for all members of the community regardless of their characteristics or circumstances.

Many drew attention to how the borough's libraries are used by all people of all ages and backgrounds, thereby acting as intergenerational meeting places. The need to consider the impact of reduced hours on the following groups was highlighted (in order of precedence):

- older people (especially those at risk of social isolation or unable to travel to other facilities)
- people on low incomes and the unemployed, particularly their access to computers to meet the requirements for job searches and benefits claims (especially in light of Universal Credit) and their access to books and information)
- the lonely – including older people, disabled people, people with mental health conditions.
- children, young people and their families– to ensure they: develop a love of books and literacy skills; can study; attend events and holiday activities; and have time outside the home and away from technology
- new parents accessing baby clinics and peer support
- those who need access to the internet and computers, but do not have the means or the knowledge
- the community, social and support groups hosted by libraries
- schools, who regularly use the libraries for literacy activities, author events, reading campaigns and other educational activities
- people who need face to face contact to access services.

Respondents highlighted the role libraries play within the community in terms of enabling social inclusion, intergenerational contact, community cohesion, supporting the vulnerable. They were also felt to contribute to preventative services.

Respondents suggested that the following factors should be considered when determining the exact reduction in opening hours:-

- the viability of each site
- the condition of each building and the associated maintenance cost

- the costs incurred by the potential loss of social support and community services be considered as part of a cost benefit analysis of each site
- evidence of use, but not solely focused on books borrowed local needs.
- ease of access to the building by public transport
- the value of the building/site.

## APPENDIX THREE

### Equality Impact Assessment (EIA)

**The separate EIA guidance notes outline what should be included for each section. Please read them before you begin. If you have any queries, contact your Corporate Equality Group rep, or the Engagement Team on 643 2828.**

1. Author, service area, date

*Steve Bishop, Senior Manager, Cultural Services February 2018*

2. Who else has been involved in writing this EIA?

*Andrea Stephenson, Operational Manager (Libraries), Cultural Services  
Chris Bishop, Operational Manager (Arts, Museums and Heritage), Cultural Services  
Pete Warne, Operational Manager (Tourism and Events), Cultural Services*

3. What proposal is this EIA assessing?

*Reduction in Library Opening Hours*

4. What is the purpose of your proposal and what is it expected to achieve?

*The purpose of this proposal is to assess the impact of the above proposal to reduce library opening hours in the context of the Council's financial planning and budget setting process for 2018/19.*

5. Is there any relevance to the aims of the public sector equality duty? *Write your answers in the table*

Aim	Yes, No, or N/A	Details if 'yes'
Eliminate unlawful discrimination, victimisation and harassment	Yes	The Council's cultural provision, reflected in its library strategy, aims to highlight and combat examples of unlawful discrimination, victimisation and harassment with a view to their elimination.
Advance equality of opportunity between people who share a protected characteristic and those who do not	Yes	The Council's cultural provision, reflected in its library strategy, aims for greater inclusion of borrowers, audience and performers and to advance equality of opportunity between people who share a protected characteristic and those who do not, in accordance with Arts Council England objectives.
Foster good relations between people who share a protected characteristic and those who do not	Yes	The Council's cultural provision, reflected in its library strategy, is predicated upon achieving improved relations between people who share a protected characteristic and those who do not as reflected in its events, activities and programmes.

6. Analysis by characteristic *Write your answers in the table*

Protected characteristic	Potential positive or negative impact?	Explanation and evidence
Age	Potential Negative Impact	<p><b>Potential impact</b> - The reduction in library hours has the potential to disadvantage some older members of the community who may be less mobile or at risk of social isolation. It is recognised that libraries provide spaces which help combat social isolation, promote inter-generational engagement and contribute significantly to positive mental health and well being. These issues can be of particular importance for older members of the community.</p> <p><b>In mitigation</b> - the rescheduling of mobile library provision to visit facilities which are losing some hours, and promotion of the Libraries at Home scheme is in hand. Visitor data currently shows that over 80% of library visits are to the four Customer First Centres; over 66% of book issues are at these facilities; and over 75% of People's Network computer use occurs at CFCs, where reductions in opening hours will be minimised. In relation to the age profile of visitors to library facilities, the Customer First Centres are consistently the top four sites for</p>

		<p>visitor numbers from those aged 55 and over. This age group constitute 30% of library members. Library membership amongst the over 55 age group shows that 73% of membership is concentrated at the CFC provision. These sites also have the highest proportion of community activity as they are set up to facilitate this with additional meeting spaces. The impact upon wider community activity is likely to be minimal. Branch libraries are smaller and, in general, more focused upon the book offer. Where branch libraries are based in community centres, such as at John Willie Sams Centre and the Oxford Centre, the wider centre provision will continue to function and support those at risk of social isolation. Some younger members of the community may have reduced out of school hours access due to restricted hours of opening. However, the most significant proportion of young people using library facilities is at CFCs where the reduction in hours will be minimal. It is not anticipated that there will be significantly reduced access for school visits or school time use of key facilities. In relation to staff the voluntary redundancy scheme will be available to all staff. Should more staff apply than are required the selection process will follow the Council's HR Policy and Procedure.</p>
Disability	Potential Negative Impact	<p><b>Potential Impact</b> - The reduction in library hours has the potential to disadvantage some disabled members of the community who may be less mobile or socially isolated. It is recognised that libraries provide spaces which help combat social isolation and contribute significantly to positive mental health and well being.</p> <p><b>In mitigation</b> - the rescheduling of mobile library provision and promotion of the Libraries at Home scheme is in hand. Visitor data currently shows that over 80% of library visits are to the four Customer First Centres; over 66% of book issues are at these facilities; and over 75% of People's Network computer use occurs at CFCs, where reductions in opening hours will be minimised. These sites also have the highest proportion of community activity as they are set up to facilitate this with additional meeting spaces. The impact upon wider community activity is likely to be minimal. Branch libraries are smaller and, in general, more focused upon the book offer. Where branch libraries are based in community centres, such as at John Willie Sams Centre and the Oxford Centre, the wider centre provision will continue to function and support those at greatest risk of social isolation. In relation to staff the voluntary redundancy scheme will be available to all staff. Should more staff apply than are required the selection process will follow the Council's HR Policy and Procedure. If necessary appropriate adjustments will be made for staff in relation to the provisions of the Equality Act 2010.</p>
Gender		In relation to staff the voluntary redundancy scheme will be available to all staff. Should more staff apply than are required the selection process will follow the Council's HR Policy and Procedure.
Gender reassignment		No impact
Marriage and civil partnership status		No impact

Pregnancy and maternity	Potential Negative Impact	<p><b>Potential impact</b> - The reduction in library hours has the potential to impact upon the Bookstart scheme which encourages engagement with books and library membership from birth, taking a whole family approach. There may also be some displacement of Bounce and Rhyme sessions for young children.</p> <p><b>In mitigation</b> - There will be no impact upon Baby Clinic services currently provided at Customer First Centre facilities. However, visitor data currently shows that over 80% of library visits are to the four Customer First Centres, with significant engagement in early years and children's activities focussed upon these facilities. The Customer First Centre based library facilities are consistently the highest ranking for users under the age of 5 years old. Any reductions in hours in branch facilities will also take into account the importance of retaining activities for the early years and seek to minimise the impact upon this visitor group. In relation to staff the voluntary redundancy scheme will be available to all staff. Should more staff apply than are required the selection process will follow the Council's HR Policy and Procedure.</p>
Race		<p><b>Potential Impact</b> - The reduction in library hours has the potential to disadvantage some members of the community for whom English is not their first language, who may be more likely to suffer social isolation.</p> <p><b>In mitigation</b> - provision for these members of the community is primarily focussed at Customer First Centres where reductions in opening hours will be minimised. Branches will remain alert to the needs of minority communities and steps will be taken to support access to alternative provision where required. In relation to staff the voluntary redundancy scheme will be available to all staff. Should more staff apply than are required the selection process will follow the Council's HR Policy and Procedure.</p>
Religion or belief		In relation to staff the voluntary redundancy scheme will be available to all staff. Should more staff apply than are required the selection process will follow the Council's HR Policy and Procedure.
Sexual orientation		In relation to staff the voluntary redundancy scheme will be available to all staff. Should more staff apply than are required the selection process will follow the Council's HR Policy and Procedure.

7. Have you carried out any engagement in relation to this proposal? If so, what?

*Consultation undertaken as part of the process of drafting the Council's library strategy stressed that changes in provision may be a consequence of budget re-alignments. Flexibility in the provision of service and scale were an understood element of these strategies. This was stressed as part of the public consultation, presentations to Cabinet and in evidence to the Department of Digital, Culture, Media and Sport (DCMS), as part of the deliberations of the National Libraries Task Force .*

*Consultation has been undertaken as part of the Council's engagement in relation to its financial planning and budget setting process for 2018/19.*

*The Department for Digital, Culture, Media and Sport (DCMS) has been advised of the proposed changes in library provision, in accordance with the guidelines agreed by the National Libraries Taskforce to assist the Secretary of State in his superintendence role, regarding the provisions of the Public Libraries and Museums Act (1964).*

8. Is there any information you don't have that you need to find?

*No*

9. What actions are already in place, or will be taken, to remove or reduce potential negative impacts? (add more lines to the table if you need to) *Write your answers in the table*

Action	Responsibility	Timescale
Re-scheduling of mobile library provision	Andrea Stephenson	March 2018
Review of Libraries at Home service	Andrea Stephenson	March 2018
Work with partners and agencies to minimise the potential for increased social isolation resulting from reductions in library opening hours	Steve Bishop	March 2019

10. Are there any potential negative impacts that cannot be removed or reduced? If so, why is this?

*A reduction of 34% in library opening hours clearly means that there will be less provision. However, evidence illustrates that the major concentration of visits is to Customer First Centres, where reductions to opening hours will be minimised. Branch provision across the Borough will be maintained thus ensuring that local community activity can be sustained.*

11. Based on your conclusions from this assessment, what are your next steps?

*Initiate rescheduling of mobile library offer*



*Initiate review of Libraries at Home offer*  
*Evaluate and act upon outcomes of budget consultation process*

12. How will the impact of this proposal be monitored after it is introduced?

*Monthly Cabinet Member Briefings*  
*Fortnightly Cultural Services meetings*  
*Monthly 1-1 meetings with staff*  
*Feedback from key partners e.g. Arts Council England*  
*Regular public engagement and feedback through customer satisfaction responses*

13. When will this EIA be reviewed?

*October 2018*

# North Tyneside Council Report to Cabinet Date: 12 March 2018

## ITEM 5(f)

### Procurement of Adult Social Care Services – Various Contracts

**Portfolio(s):** Adult Social Care

**Cabinet Member(s):** Councillor Gary Bell

**Report from Service Area:** Health, Education, Care and Safeguarding

**Responsible Officers:** Jacqui Old **Tel:** (0191) 643 7317

**Wards affected:** All wards

## **PART 1**

### **1.1 Executive Summary:**

The purpose of the report is to seek Cabinet 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 are all services that are currently in place and the current contracting arrangements are coming to an end over the course of the forthcoming year, the details are set out in the report. New contracts and framework agreements for each of the above services will need to be put in place to ensure continuity of service and provision to support people in the community and in care home placements.

Cabinet will wish to note, while this report proposes to continue the current approach, work is 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.

This report seeks authority to undertake five separate procurement exercises as the aggregated values of each contract will be in excess of £500,000.

## **1.2 Recommendation(s):**

It is recommended that Cabinet authorise the Head of Health, Education, Care and Safeguarding in consultation with the Head of Law and Governance and the Head of Finance to:

### Learning disability, accommodation based respite care

- 1.2.1 Undertake an open procurement exercise to procure a single provider to deliver the identified services, as outlined in section 1.5.2 of this report; and
- 1.2.2 Following the open procurement exercise carried out in accordance with 1.2.1 above, to proceed with the award of contracts to the preferred bidder.

### Residential care, mental health, learning disability and physical disability

- 1.2.3 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 this report; and
- 1.2.4 Following the procurement exercise carried out in accordance with 1.2.3 above, to proceed with the award of contracts to the preferred bidders.

### Supporting people to live at home

- 1.2.5 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 this report; and
- 1.2.6 Following the open procurement exercise carried out in accordance with 1.2.5 above, to proceed with the award of contracts to the preferred bidders.

### Extra care

- 1.2.7 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 this report; and
- 1.2.8 Following the open procurement exercise carried out in accordance with 1.2.7 above, to proceed with the award of contracts to the preferred bidders.

### Preventative services

- 1.2.9 Undertake an open procurement exercise to procure a provider(s) to deliver the identified services, as outlined in section 1.5.6 of this report; and
- 1.2.10 Following the open procurement exercise carried out in accordance with 1.2.9 above, to proceed with the award of contracts to the preferred bidders.

## **1.3 Forward Plan:**

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 22 January 2018.

## **1.4 Council Plan and Policy Framework**

1.4.1 This report relates to the following priorities contained within the 2016 - 19, Our North Tyneside Plan, Our People will be:

- (a) Listened to and involved by responsive, enabling services;
- (b) Healthy and well – with the information, skills and opportunities to maintain and improve their health, wellbeing and independence;
- (c) Cared for and safeguarded if they become vulnerable

## **1.5 Information:**

### **1.5.1 Background**

The Authority commissions a range of adult social care services from the independent sector to meet the needs of individuals deemed to be eligible in accordance with the Care Act 2014 following a Care Act assessment.

The Authority does not deliver these services internally and needs to have robust and proper arrangements in place for services to be procured and available. There are arrangements in place at present for these services and these are coming to an end, there is therefore a need to put new arrangements in place as detailed in this report.

The report covers for the following services / service areas:

- 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.

### **1.5.2 Learning disability, accommodation based respite care**

The current contract for the above service runs to 30 September 2018. This has operated successfully over the last four years and in the last two years it has operated from a purpose built property at Queensbridge in Longbenton, built as a specialist set of homes as part of the Authority's Affordable Homes Programme.

There are six rooms at the respite unit and an average of 45 adults with a learning disability access the service across the year. The service supports adults with a learning disability and / or autism and / or challenging behaviours. Access to the service is following a social work led assessment and where an individual meets the criteria for access to an accommodation based respite service. The service also importantly supports family carers / parents to have a break from their caring role. The individuals who access the service have a range of social care needs and a small number have health needs, the cost of this element of the service is met by the Clinical Commissioning Group.

The service is registered with the Care Quality Commission as a registered care home provision and will be subject to the CQC regulatory process and this includes undertaking inspection visits and publishing inspection reports. The Authority will work closely with the CQC on all matters relating to service quality and delivery.

The Authority is seeking to undertake a procurement exercise for the provision of a new respite care service at Queensbridge from 1 October 2018. It is proposed this is a five year contract with an initial three years and an option to extend for a further two years. The procurement will invite tenders and these tenders will be evaluated against price and quality criteria.

The overall estimated cost of this service over the contract period will be in excess of £500,000 and requires Cabinet approval.

This report also seeks approval for the delegated decision for the award of the contract.

#### 1.5.3 Residential care, mental health, learning disability and physical disability

At its meeting on 11 April 2016, Cabinet approved the development of a procurement exercise to put in place a Dynamic Procurement System (DPS) for the provision of residential and nursing care services in a care home setting. This was for services for older people including dementia and mental ill health. This has not yet gone to market.

It is proposed that the scope of the current DPS arrangement we are about to commence for older person's care home services be extended to include the following client groups:

- Learning disability
- Working age mental health
- Physical disability

The DPS is used as it easily allows for new providers to the market to be added to the DPS during its lifetime.

As well as care home services for older people, the Authority also commissions individual placements for individuals in other client groups, including learning disability, working age mental health and physical disability. At present there are 12 independent sector care homes operating in this sector in North Tyneside with a total of 146 beds, the Authority is currently commissioning 70 placements. Other placements in these homes include private funded placements, placements funded by other Local Authority areas and placements funded by the Clinical Commissioning Group.

The DPS will allow the Authority to contract with any care home provider in the borough that accepts the fee structure proposed by the Authority and which meets the standards set out in the contract and service specification for personal care, funded nursing care and NHS continuing healthcare. All care home services are also required to be registered with the Care Quality Commission.

It is also proposed the term of the DPS is in line with that for older person's care homes, ie to 31 July 2021 with an option to extend to 31 July 2023.

This report seeks authority to procure and operate the DPS and to award contracts to providers that meet the required criteria. All individual services are then commissioned on a spot purchase basis.

#### 1.5.4 Supporting people to live at home

This service supports people to live independently in their own homes and delivers a range of home care / personal care tasks to individuals based on their assessed and

eligible needs. Whilst this service is primarily aimed at older people and people with dementia, it does provide support to other client groups as well.

Currently a framework agreement arrangement is in place whereby a number of providers are identified through a procurement process and awarded a contract. The current framework agreements run to 31 March 2019 and it is proposed to put in place new arrangements with external providers from 1 April 2019.

As Social Workers complete assessments for individuals and identify home care / personal care services to meet assessed needs, they are able to choose from the range of providers on the framework and they are then commissioned on an individual basis to deliver the service to the individual.

There are approximately 1,000 people in receipt of a home care / personal care service at any one time within North Tyneside, including around 50 people who are CHC funded. There are approximately 11,000 hours homecare delivered per week. This equates to an average of 11 hours per person per week.

The individual service providers are registered with the Care Quality Commission as a registered home care agency and will be subject to the CQC regulatory process and this includes undertaking inspection visits and publishing inspection reports. The Authority will work closely with the CQC on all matters relating to service quality and delivery. The service is currently being delivered by approximately 30 different CQC registered service providers.

The Authority is seeking to undertake a procurement exercise to put in place a new framework agreement from 1 April 2019. It is proposed this is a five year contract with an initial three years and an option to extend for a further two years. The procurement will invite tenders and these tenders will be evaluated against quality criteria, the Authority sets the price for this service and all tenderers will be required to comply with the Authority's price as part of the evaluation and award process.

The overall estimated cost of this service over the contract period will be in excess of £500,000 and requires Cabinet approval.

This report seeks authority to establish a new framework arrangement of approved providers to deliver home care services across North Tyneside and to award contracts to providers that meet the required criteria. All services are then commissioned on a spot purchase basis.

#### 1.5.5 Extra care

This service supports people to live independently in their own homes within designated extra care schemes across North Tyneside and delivers a range of home care / personal care tasks to individuals based on their assessed and eligible needs. Whilst this service is primarily aimed at older people and people with dementia, it does provide support to other client groups as well.

The current extra care schemes in North Tyneside include:

<b>Scheme</b>	<b>Location</b>
Edith Moffatt	N Shields
Homeside Lodge	Wallsend
Linskill Park	North Shields
Rowan Croft	North West

Sandringham Court	North West
Thomas Ferguson Court	North Shields
Fontburn Court	North Shields
Weetslade Court	North West
Crossgates	North West

There are approximately 320 people in receipt of extra care across the borough. There are approximately 3,200 hours extra care delivered per week. This equates to an average of 10 hours per person per week.

The service is currently being delivered by three different service providers.

The Authority through its Housing Market Position Statement for Vulnerable Adults would want to see an increase in the overall numbers of extra care schemes in North Tyneside as a realistic alternative to moving people into long term residential or nursing care placements.

There are two separate, but inter-related, arrangements in place to commission care and support in an extra care scheme:

- The existing Accommodation and Care Dynamic Procurement System (DPS) is used to cover accommodation and / or care in a scheme. This arrangement will continue outside of the scope of main care framework agreement;
- The existing care framework agreement is used to cover care only. The current framework agreements run to 31 March 2019 and it is proposed to put in place new arrangements with external providers from 1 April 2019. It is this element that is the subject of this report.

The services are registered with the Care Quality Commission as a registered home care agency and will be subject to the CQC regulatory process and this includes undertaking inspection visits and publishing inspection reports. The Authority will work closely with the CQC on all matters relating to service quality and delivery.

The Authority is seeking to undertake a procurement exercise to put in place a new framework agreement from 1 April 2019. It is proposed this is a five year contract with an initial three years and an option to extend for a further two years. The procurement will invite tenders and these tenders will be evaluated against quality criteria, the Authority sets the price for this service and all tenderers will be required to comply with the Authority's price as part of the evaluation and award process.

The overall estimated cost of this service over the contract period will be in excess of £500,000 and requires Cabinet approval.

This report seeks authority to establish a new framework arrangement of approved providers to deliver home care / personal care services within an extra care scheme and to award contracts to providers that meet the required criteria. Services at each extra care scheme can then be commissioned as appropriate.

#### 1.5.6 Preventative services

Under the Care Act 2014, the Authority has a responsibility to promote the health and wellbeing of all our residents whilst also reducing the demand for health and social care services.

Preventative services are a fundamental part of the Authority's Target Operating Model in Tier 1 and it is now well documented that early intervention and prevention is effective in reducing the need for more formal services at a later date.

North Tyneside is fortunate to have a wide range of activities, services and support options that are available within the community and where possible we will signpost and support people to access those services. However, there are some individuals that have low level needs associated with their physical or mental health needs, which mean they often experience additional barriers to accessing activities in the community and need additional support to do so. This can require a short period of time or limited support to give individuals confidence and the abilities to access these services and extend their natural networks.

Over the last year, we have been conducting a pilot with a number of organisations in the Community and Voluntary Sector, to help us to establish what our 'preventative offer' should look like and also how this fits with the Target Operating Model and the lower limits of the Adult Social Care offer.

The pilot included making changes to a number of existing contracts and testing out a range of options that include the following elements of support:

1. Provision of practical support to vulnerable people. Building community capacity by linking people together and also identifying volunteers who can support them;
2. Befriending for people who are very socially isolated;
3. Time limited 'enabling' to support people to access community services – this could be through a volunteer or a paid employee;
4. More intensive 1-1 and longer term support where needed by trained professionals (broadly time limited);
5. Building community capacity – opportunities to support the development of new groups and activities where a need is identified.

The Authority is seeking to establish new contractual arrangements to deliver the services outlined above from 1 April 2019. It is proposed this is a five year contract with an initial three years and an option to extend for a further two years. The procurement will invite tenders and these tenders will be evaluated against price and quality criteria.

This new contract will bring the learning from this pilot together and allow us to commission a range of services and providers that will help us to deliver our vision for preventative services across North Tyneside.

Over the contract period this will be in excess of £500,000 and requires Cabinet approval.

This report seeks authority to undertake a procurement exercise to establish the range of services as described to deliver preventative support across North Tyneside and to award a contract to a provider(s) that meet the required criteria.

#### 1.5.7 Links to the Target Operating Model (TOM)

The principles that underpin the Authority's TOM will be integral to each of the services identified in this report. There will 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 need it most;
- Understand and manage demand;
- Identify innovation; and
- Reduce long term costs through the use of technology.

Where appropriate this will form part of the evaluation process for the award of contracts, to ensure that providers we work with are committed to the principles of the Creating a Brighter Future programme and the TOM.

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

#### 1.5.8 Social Value

The Public Services (Social Value) Act 2012 requires public bodies to consider how the services they commission and procure might improve the economic, social and environmental well-being of the area. It is a requirement of the service that providers will evidence how they will deliver social value through the delivery of these services. The tender process employed to select the successful providers will specifically assess this ability as part of the quality element of the tender evaluation process.

### 1.6 **Decision options:**

The following decision options are available for consideration by Cabinet:

#### Option 1

Agree the recommendations set out at section 1.2.

#### Option 2

Not agree the recommendations set out at section 1.2 and propose that officers consider other options for delivering this provision.

Option 1 is the recommended option.

### 1.7 **Reasons for recommended option:**

Option 1 is recommended for the following reasons:

- (a) 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;
- (b) Ensure compliance with procurement regulations, undertake competitive procurement exercises for the various services identified above;
- (c) To ensure commissioning arrangements are current, effective and ensure value for money is in place with those contracts and framework agreements;

### 1.8 **Appendices:**

None.

## **1.9 Contact officers:**

The names, titles and contact numbers of the key officer who has contributed to the report and other relevant officers should be set out here in the following format:

Scott Woodhouse, Strategic Commissioning Manager Adults, Tel. (0191) 643 7082

Alison Campbell., Senior Business Partner, Tel (0191) 643 7038

## **1.10 Background information:**

None.

# **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

## **2.1 Finance and other resources**

The commissioning and procurement of Adult Social Care services will need to take full account of the resources and funding available to meet the needs of the target population. This will be as per the budgets set by the Authority and aligned to each of the service areas identified in this report. It is envisaged that the services can be provided from within the specific Adult Social Care budgets included as part of the 2018/19 Budget (including contingencies) agreed by Council on 15 February 2018. Spend against these budgets will be managed through the normal budget monitoring process and reported to Cabinet bi-monthly as part of the financial management reporting of the Authority.

The tenders for the contract for the learning disability respite service and the preventative services will invite prices to be submitted against the terms of the contract and the specification and the evaluation will take account of the price received. The award of the contracts will therefore be based on price and quality.

The contracts and framework agreements for residential care, support to live at home and extra care will be awarded on the basis of quality only. The Authority will set the unit cost for each of these service areas and this will have due regard for:

- The historic costs associated with the services;
- Cost pressures that social care providers are facing, ie National Living Wage, pensions, CQC fees, apprenticeship levy etc;
- Value for money and benchmarking with other regional Local Authority areas.

Where appropriate, the services will require the Provider to work with the Authority to promote the TOM principles and manage the overall demand and service levels that are in place for individual clients.

The Care Act 2014 provides that when commissioning services, the Authority should be assured and have evidenced that contract terms, conditions and fee levels for care and support services are appropriate to provide the delivery of the agreed care packages with agreed quality of care. This should support and promote the well-being of people who receive care and support and allow for the service provider to meet their statutory obligations to pay at least the national minimum wage and provide effective training and

development of staff. The Authority should have regard to guidance on the minimum fee levels that are necessary to provide this assurance, taking account of the local economic environment.

## **2.2 Legal**

The contracts and contracting arrangements that will be in place for each of the services included in this report will ensure Authority will comply with the Public Contract Regulations 2015 and the Authority's Contract Standing Orders when procuring each of these services and will seek to achieve value for money in the procurement process.

The Authority also has a duty under the Care Act 2014 to ensure the assessed and eligible needs of individuals are met and this will include meeting those needs via services being commissioned or put in place as set out in this report. The Care Act also places a general duty to promote diversity and quality in the care and support provider market with a view to ensuring that any person in its area wishing to access services in the area has:

- (a) Variety of providers to choose from who (taken together) provide a variety of services;
- (b) Variety of high quality services to choose from;
- (c) Sufficient information to make an informed decision about how to meet the needs in question.

## **2.3 Consultation/community engagement**

### **2.3.1 Internal Consultation**

The process of establishing a detailed specification for each of the services / service areas included in this report will be undertaken in close conjunction with key colleagues across the Authority.

The process of tender evaluation for the award of contracts / framework agreements will be completed alongside colleagues with specialist knowledge, experience and expertise across the Authority.

### **2.3.2 External Consultation/Engagement**

There is continuous engagement with care and support providers, service users and family carers of those who access the services and the NHS for each of the services / service areas identified in this report.

Comments and feedback from individuals with specialist knowledge, experience and expertise will be fed into the procurement process.

## **2.4 Human rights**

The proposals contained in this report relate to the following human rights:

- Right to liberty and security;
- Right to respect for private and family life;
- Freedom of thought, belief and religion;
- Freedom of expression;

- Protection from discrimination.

## 2.5 Equalities and diversity

The Adult Social Care contracts stipulate that the Provider(s) will ensure compliance with the 2010 Equality Act and Public Sector Equality Duty and therefore will not unlawfully discriminate against employees or service users with protected characteristics.

The contract also stipulates that the Provider(s) must ensure that its workforce receives appropriate training in order to understand their roles and responsibilities under the Equality Act e.g. implementing Equal Opportunity requirements, and to promote equality and prevent discrimination.

This will be monitored through the quality monitoring arrangements for each of the services.

## 2.6 Risk management

Risks have been considered and evaluated. Actions that could be taken to mitigate identified risks have been identified. During the process of contracting, risks will be discussed, evaluated and actioned as appropriate.

Any risks associated with the process of putting new contracts in place have been mitigated through the use of the NEPO portal as the mechanism to ensure that an open and transparent procurement process is in place.

## 2.7 Crime and disorder

There are no crime and disorder implications directly arising from this report.

## 2.8 Environment and sustainability

There are no environment and sustainability implications directly arising from this report.

## PART 3 - SIGN OFF

- Deputy Chief Executive ☒
- Head(s) of Service ☒
- Mayor/Cabinet Member(s) ☒
- Chief Finance Officer ☒
- Monitoring Officer ☒
- Head of Corporate Strategy ☒

# North Tyneside Council

## Report to Cabinet

### Date: 12 March 2018

#### ITEM 5(g)

Title: Delivery of the Action Plan resulting from the Ofsted Inspection of Children's Services

Portfolio(s): Children, Young People and Learning

Cabinet Member: Councillor Ian Grayson

Report from Service Area:

Health, Education, Care and Safeguarding

Responsible Officer:

Jacqui Old, Head of Health, Education, Care and Safeguarding

Tel 0191 643 7317

Wards affected:

All

## **PART 1**

### **1.1 Executive Summary:**

Between 27 February 2017 and 23 March 2017 North Tyneside Council's services for children in need of help and protection, children looked after and care leavers were inspected by Ofsted as part of their national inspection programme. Ofsted published their findings by way of Report on 13 June 2017. Ofsted judged the overall effectiveness of children's services in North Tyneside to be 'Good', placing the Authority within the top performing Children's Services within the country.

Ofsted made seven formal recommendations to the Authority about areas for development. The Authority was required to provide an 'Action Plan' relating to the recommendations for approval by the Secretary of State and Her Majesty's Chief Inspector and did so within the required timescale on 19 September 2017. The Action Plan seeks to deliver improvements to services for vulnerable children and young people within the Borough.

The purpose of this report is to update Cabinet as to progress achieved in relation to the twenty three identified actions during the period from 01 October 2017 until 31 January 2018 and to identify areas to progress during the next three month period.

### **1.2 Recommendation(s):**

It is recommended that Cabinet:

1. note and approve 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; and
2. note the actions requiring further progress during the next three month period.

### **1.3 Forward Plan:**

Twenty eight days notice of this Report has been given and it first appeared on the Forward Plan that was published on 30 November 2017.

### **1.4 Council Plan and Policy Framework**

The 2018-20 Our North Tyneside Plan states that 'Our people will':

- Be listened to so that their experience helps the Council work better for residents.
- Be ready for school – giving our children and their families the best start in life.
- Be ready for work and life – with the right skills and abilities to achieve their full potential, economic independence and meet business needs.
- Be healthy and well – with the information, skills and opportunities to maintain and improve their health, well-being and independence, especially if they are carers.
- Be cared for, protected and supported if they become vulnerable including if they become homeless.
- Be encouraged and enabled to, whenever possible, be more independent, to volunteer and to do more for themselves and their local communities.

The Ofsted Inspection of the Authority's services for children confirmed the quality and performance of Children's Services contribution to these priorities. The Inspection highlighted seven areas for development to improve services further. This Report and appended Action Plan Update details how the Authority has progressed delivery of these improvements.

### **1.5 Information:**

#### Background to the Inspection

- 1.5.1 Between 27 February 2017 and 23 March 2017 North Tyneside Council's services for children in need of help and protection, children looked after and care leavers were inspected by Ofsted (the Office for Standards in Education, Children's Services and Skills) as part of their national inspection programme.
- 1.5.2 The inspection took place over a four week period. The inspection team consisted of four of Her Majesty's Inspectors from Ofsted and three additional inspectors. The inspection team were onsite for fifteen working days and read case files, observed staff working with children and families and other professionals and discussed with staff and safeguarding partners the help and care given to children and young people. They also talked directly to children, young people and their families.
- 1.5.3 The Inspection focused on the overall effectiveness of services based upon judgments about:
- the experiences and progress of children who need help and protection;
  - the experiences and progress of children looked after and achieving permanence;
  - adoption performance;
  - the experiences and progress of care leavers; and
  - leadership, management and governance.

### Outcome of the Inspection

1.5.4 Ofsted published their findings by way of Report on 13 June 2017. Ofsted judged the overall effectiveness of children's services in North Tyneside to be 'Good'. Ofsted define this grading as being achieved when inspectors find work of good quality, with some outstanding elements and which is delivering measurably improved outcomes. This overall judgment was based on the following findings:

- the experiences and progress of children who need help and protection were judged to be 'Good';
- the experiences and progress of children looked after and achieving permanence were judged to be 'Good';
- adoption performance was judged to be 'Good'; and
- leadership, management and governance was judged to be 'Good'.

1.5.5 Ofsted judged the experiences and progress of care leavers in North Tyneside to be 'Outstanding'. Ofsted define this grading as being achieved when inspectors find work of the highest quality which is delivering improved outcomes that exceed expectations.

1.5.6 Alongside these very positive findings, Ofsted formally identified seven recommended areas for development. All areas were known to Officers and improvement work was on-going at the point of inspection.

### Formal Recommendations requiring action by the Authority following Inspection

1.5.7 The formally identified seven recommended areas for development were:

1. Ensure that assessments are regularly updated to reflect the changing needs of children and that they fully consider children's identities, contingencies and research.
2. Ensure that support to children who are privately fostered is timely, managed well and effectively meets the needs of children.
3. Improve the timeliness with which designated officers complete investigations.
4. Improve the oversight of IRO's (Independent Review Officers) of the progress of plans between child protection conferences and between children looked after reviews, and evidence this on the child's records.
5. Ensure that life story work and later life letters are of consistently good quality and completed in a timely way to ensure that children and their adopters have a clear understanding of a child's history in preparation for placement and for later life understanding.
6. Ensure that supervision for all staff is consistently of good quality because it is reflective, directive, regular and well recorded.
7. Ensure that actions identified as a result of audits are specific and measurable and have timescales.

### Response by the Authority

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

### Progress to Date

- 1.5.10 The Authority identified twenty three specific actions to address the seven recommendations. A matrix with these actions and a brief summary of progress to date is appended to this Report.
- 1.5.11 In summary, of the twenty three actions, eleven have been successfully completed within the period. Of the remaining twelve, five are dependent upon the implementation of the new Case Management System (Liquid Logic LCS) which is 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, has been discontinued due to a change in workforce planning with the responsibilities for the work passing to another Officer. The final six are all work in progress and will be delivered in the next quarter.

### Governance of Delivery of the Plan

- 1.5.12 Delivery of the Plan is subject to regular scrutiny and review by the Senior Management Team for Children, Young People and Learning. The Plan is owned by the Head of Service, Ms. Jacqui Old.

### Monitoring of Progress under the Plan by Ofsted

- 1.5.13 Progress by the Authority in relation to the seven recommendations made in June 2017 will be part of the Annual Conversation, a meeting between the Regional Director of Ofsted and the Head of Service scheduled for the 22 May 2018.

## **1.6 Decision options:**

The following options are available for consideration by Cabinet

### Option 1

Cabinet accepts the recommendations set out in paragraph 1.2 above.

### Option 2

Cabinet does not accept the recommendations set out in paragraph 1.2 above and requests that Officers revise the Update and/or take actions additional to those detailed within the Report.

Option 1 is the recommended option.



## **1.7 Reasons for recommended option:**

Option 1 is recommended for the following reasons:

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.

## **1.8 Appendices:**

- i. Ofsted Report on the Inspection of North Tyneside Council's services for children in need of help and protection, children looked after and care leavers and Review of the effectiveness of the Local Safeguarding Children Board published 13 June 2017
- ii. North Tyneside Council Post-Inspection Action Plan Update

## **1.9 Contact officers:**

Jacqui Old, Head of Health, Education, Care and Safeguarding (0191) 643 7317

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## **1.10 Background Information**

The following background papers/information have been used in the compilation of this report and are available at the office of the author. This report is appended and is also available electronically at:

- [Ofsted Report - Inspection of Children's Services.](#)

# **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

## **2.1 Finance and other resources**

There are no financial implications resulting from delivery of the Action Plan to date. It is anticipated that the Action Plan will be delivered from within the existing resources allocated to Children, Young People and Learning.

## **2.2 Legal**

Inspection in March 2017 of North Tyneside Council by Ofsted (the Office for Standards in Education, Children's Services and Skills) was carried out under section 136 of the Education and Inspections Act 2006.

## 2.3 Consultation/community engagement

The Action Plan was produced following consultation with key stakeholders. Stakeholders will be consulted as appropriate as the Plan is delivered.

## 2.4 Human rights

There are no direct human rights issues arising from this Report and delivery of the Action Plan.

## 2.5 Equalities and diversity

There are no direct issues of equality and diversity arising from this Report and delivery of the Action Plan.

## 2.6 Risk management

The Ofsted Inspection of North Tyneside Council's services for children in need of help and protection, children looked after and care leavers focused on the management of risk to children and young people. The Report identified seven areas for development. It was a requirement that the Authority produce an Action Plan for agreement by Secretary of State and Her Majesty's Chief Inspector. The Plan was accepted. Future Inspection activity by Ofsted will include judgment as to whether the Authority delivered the identified actions to improve services for vulnerable children and young people within the Borough.

## 2.7 Crime and disorder

There are no crime and disorder issues arising from this Report or delivery of the Action Plan.

## 2.8 Environment and sustainability

There are no environment and sustainability issues arising from this Report or delivery of the Action Plan.

## PART 3 - SIGN OFF

- Deputy Chief Executive ☒
- Head(s) of Service ☒
- Mayor/Cabinet Member(s) ☒
- Chief Finance Officer ☒
- Monitoring Officer ☒
- Head of Corporate Strategy ☒

# North Tyneside

## Inspection of services for children in need of help and protection, children looked after and care leavers

and

## Review of the effectiveness of the Local Safeguarding Children Board<sup>1</sup>

Inspection date: 27 February to 23 March 2017

Report published: 13 June 2017

<b>Children's services in North Tyneside are good</b>		
<b>1. Children who need help and protection</b>		Good
<b>2. Children looked after and achieving permanence</b>		Good
	2.1 Adoption performance	Good
	2.2 Experiences and progress of care leavers	Outstanding
<b>3. Leadership, management and governance</b>		Good

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<sup>1</sup> Ofsted produces this report under its power to combine reports in accordance with section 152 of the Education and Inspections Act 2006. This report includes the report of the inspection of local authority functions carried out under section 136 of the Education and Inspections Act 2006 and the report of the review of the Local Safeguarding Children Board carried out under the Local Safeguarding Children Boards (Review) Regulations 2013.

## Executive summary

Services for children in North Tyneside are good. In the vast majority of cases seen by inspectors, children have benefited from high-quality social work and well-coordinated partnership working, and this has demonstrably improved their lives. There is an excellent focus on seeking the views of children to shape services and to ensure that individual targeted services meet their needs.

Strong political and senior manager leadership ensures that improving outcomes for children and young people is at the heart of North Tyneside Council. This shapes its strategic priorities and effectively influences partners in sharing their ambition and commitment to improve children's lives. Engagement and participation are a particular strength and children are not only heard, but their views are shaping and driving service improvement. Good workforce development, commissioning of services and performance monitoring contribute to delivering effective services and solid social work practice. However, actions identified from thematic and casework audits are not always specific and measurable or have timescales. At the last Ofsted inspection in 2012, safeguarding and services for children looked after were judged to be good. The quality of those services has continued to be developed and improved, and inspectors saw evidence of robust social work practice that is improving the lives of children in North Tyneside.

There is a broad and developing early help offer, which is of good quality and supports families, preventing children from needing to be referred to children's services. Significant harm is identified and responded to well. Assessments are timely and comprehensive, although in a small number of cases not always updated to reflect the changing needs of children. Planning for children is effective and driven by social workers who know children well and supported by effective operational partnership working, providing a wide range of services to support and protect children. Responses to children at risk of sexual exploitation and those who go missing are well developed and effective. A good range of accommodation informed by a prompt assessment is provided for 16- and 17-year olds who present as homeless. Awareness raising of private fostering is good, but the social work response following notification is not always prompt. The designated officer coordinates agencies well when issues are raised about professionals who may be behaving inappropriately towards children. However, the completion of investigations is not always timely.

North Tyneside Council is a highly ambitious and nurturing corporate parent for all of its children and ensures that there is an excellent range of work experience and apprenticeship opportunities.

Edge of care services work well to support children to stay at home. Children only become looked after when it is in their best interests, and, in these instances, the response is timely and appropriate. A good range of permanence options combined with a wide range of local accommodation, including foster carers' and children's homes, means that most children maintain their local support networks. This

promotes stability and security for children. Effective services from health, education and specialist support promote good outcomes. The caseloads of independent reviewing officers (IROs) who chair child protection conferences and children looked after reviews are high, and this impacts on their ability to monitor progress between meetings. Children and carers who met inspectors reported that they have too many changes of social worker.

Achieving permanence for children is a key priority in North Tyneside. There is strong oversight of children to ensure that children find their 'forever homes'. Although it has taken a long time to secure permanence through adoption for some children, this is due to the additional time required to find adoptive families for older children and sibling groups. Overall, adoption timeliness is improving. There is a wide range of effective post-adoption support available, including therapeutic assessments of attachment to enhance adopters' understanding of children's needs. Life story work and later life letters, however, take too long to complete and are of variable quality. Adopters who met inspectors reported that they feel extremely well supported and prepared throughout the process.

The services for care leavers are outstanding. This is because council leaders and senior managers have high aspirations for all care leavers and consistently listen to the views of young people and value their contribution. The care leavers' team has an excellent focus on working proactively with the young people. As a result, all care leavers are in touch with their workers, live in suitable and safe accommodation, take increasing responsibility for their health and have excellent support to continue their training and to find jobs. They benefit from highly effective individual support, including through their pathway plans, and many of them have benefited from apprenticeships with the council. The result is that the vast majority have the skills and knowledge that they need to become successful adults.

Despite much good work across children's services, the recording of social workers' involvement with children is inconsistent. There are variable approaches to social work recording and completion of key documentation. The quality of supervision notes is also variable and, for a small number of cases, this means that it is not always possible to evidence reflective and directive management oversight. These issues are due to an electronic client database, which is barely fit for purpose. The local authority is well aware of the issues and is procuring another system, which will become live in 2018. In the interim, it has put in additional support to address current deficits and to ensure that the problems with recording do not impact on the high quality of support that social workers provide to children and their families.

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## The local authority

### Information about this local authority area<sup>2</sup>

#### Previous Ofsted inspections

- The local authority operates five children's homes. Three were judged to be good or outstanding in their most recent Ofsted inspection.
- The previous inspection of the local authority's safeguarding arrangements / arrangements for the protection of children was published in May 2012. The local authority was judged to be good.
- The previous inspection of the local authority's services for children looked after was published in May 2012. The local authority was judged to be good.

#### Local leadership

- The director of children's services (DCS) has been in post since July 2015.
- The DCS is also responsible for adult services.
- The chief executive has been in post since November 2013.
- The chair of the LSCB has been in post since March 2014.

#### Children living in this area

- Approximately 40,460 children and young people under the age of 18 years live in North Tyneside. This is 20% of the total population in the area.
- Approximately 18% of the local authority's children aged under 16 years old are living in low-income families.
- The proportion of children entitled to free school meals:
  - in primary schools is 16% (the national average is 17%)
  - in secondary schools is 12% (the national average is 15%).
- Children and young people from minority ethnic groups account for 5% of all children living in the area, compared with 21% in the country as a whole.
- The largest minority ethnic groups of children and young people in the area are Asian/Asian British and Mixed.
- The proportion of children and young people who speak English as an additional language:
  - in primary schools is 5% (the national average is 20%)
  - in secondary schools is 4% (the national average is 16%).

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<sup>2</sup> The local authority was given the opportunity to review this section of the report and has updated it with local unvalidated data where this was available.

## Child protection in this area

- At 27 February 2017, 1,319 children had been identified through assessment as being formally in need of a specialist children's service. This is a reduction from 1,462 at 31 March 2016.
- At 27 February 2017, 169 children and young people were the subject of a child protection plan (a rate of 42 per 10,000 children). This is a reduction from 179 children (44 per 10,000 children) at 31 March 2016.
- At 27 February 2017, four children lived in a privately arranged fostering placement. This is an increase from three at 31 March 2016.
- In the two years prior to inspection, six serious incident notifications have been submitted to Ofsted, and no serious case reviews have been completed.
- There is one serious case review ongoing at the time of the inspection.

## Children looked after in this area

- At 27 February 2017, 298 children are being looked after by the local authority (a rate of 74 per 10,000 children). This is an increase from 290 (72 per 10,000 children) at 31 March 2016. Of this number:
  - 88 (or 30%) live outside the local authority area
  - 26 live in residential children's homes, of whom 16 (62%) live out of the authority area
  - none is in residential special schools
  - 223 live with foster families, of whom 69 (31%) live out of the authority area
  - 17 live with parents, of whom five (29%) live out of the authority area
  - two children are unaccompanied asylum-seeking children.
- In the last 12 months:
  - there have been 19 adoptions, and 14 children are currently placed for adoption
  - 21 children became subject of special guardianship orders (SGOs)
  - 137 children ceased to be looked after, of whom three (2%) subsequently returned to be looked after
  - four young people ceased to be looked after and moved on to independent living
  - no young people ceased to be looked after and are now living in houses of multiple occupation.



## Recommendations

1. Ensure that assessments are regularly updated to reflect the changing needs of children and that they fully consider children's identities, contingencies and research.
2. Ensure that support to children who are privately fostered is timely, managed well and effectively meets the needs of children.
3. Improve the timeliness with which designated officers complete investigations.
4. Improve the oversight of IROs of the progress of plans between child protection conferences and between children looked after reviews, and evidence this on the child's records.
5. Ensure that life story work and later life letters are of consistently good quality and completed in a timely way to ensure that children and their adopters have a clear understanding of a child's history in preparation for placement and for later life understanding.
6. Ensure that supervision for all staff is consistently of good quality because it is reflective, directive, regular and well recorded.
7. Ensure that actions identified as a result of audits are specific and measurable and have timescales.

## Summary for children and young people

- Services for children and young people in North Tyneside are good. This is because the council listens carefully to your views, you have helped to improve services and everyone is working together to make things better for children and young people.
- Sometimes when you need extra help, particularly if you do not feel safe, everyone works closely together to make sure that you and your family receive the right sort of help quickly. This means that social workers, police and teachers work well together to make sure that you are safe and well protected. It also means that families get help before problems are too big.
- Social workers provide good and helpful support to you. They write good assessments about what needs changing when they first start working with you and your families. However, they are not always good at making sure that these are updated and include all the things that have changed. Everybody needs to know when things should be done, who should do them and what should happen next if there is a problem.
- When you have to leave your family, social workers are good at making sure that you live in stable, caring foster families and in good children's homes. Managers are very good at making sure that you can live locally, near to your school and friends. When it is safe for you to return home, you and your families are helped to do so with lots of support to make it work.
- If you are being looked after by the local authority, you have plenty of help to make sure that you stay healthy, go to the doctor and dentist regularly and do well at school. If problems arise, then plans are made, which are reviewed regularly so you can continue to make good progress. You are helped to say what you think in reviews, and people listen to what you have to say.
- You have helped to improve the care leaving service, and this is now outstanding. Social workers and personal advisers develop excellent relationships with young people. They work extremely hard to make sure that care leavers feel safe and happy with their accommodation and have a pathway plan that is right for them. Everyone in the council is involved, for example by offering an apprenticeship or work experience. A high number of care leavers are attending further and higher education. Personal advisers and social workers are in touch with everyone.
- You told inspectors about a very small number of things you would like to see improve. For example, a very small number of you had changed social worker too many times. This sometimes makes you lose trust in the people trying to help you, although this has not happened very often. Finally, you told us that some of you wanted to complete your life story work, but in too many cases this has not happened. We listened to you and asked the council for these things to improve.

<b>The experiences and progress of children who need help and protection</b>	<b>Good</b>
<p><b>Summary</b></p> <p>Children are at the centre of the social work practice in North Tyneside. Children's voices and opinions are the foundation of assessments and planning. Direct work with children is of good quality and undertaken by social workers who know the children they work with very well.</p> <p>No children were found to be in situations of unassessed or unmanaged risk of significant harm. In the vast majority of cases, inspectors saw good-quality social work, with appropriate support and intervention resulting in reducing risk and improving outcomes for children.</p> <p>An extensive range of early help services is available to support the differing needs of children and families. This is resulting in improving outcomes for many children.</p> <p>Children in need receive good, timely support, ensuring that needs are met early, and risks are reduced safely, so they do not enter the child protection system unnecessarily.</p> <p>Thresholds are well understood and appropriately applied. The multi-agency screening and coordination team (MASCT) deals with all contacts appropriately and promptly. When children are potentially at risk of significant harm, enquiries are swift and robust, including an effective, well-coordinated response to children who are missing or at risk of child sexual exploitation.</p> <p>Assessments are timely and thorough and provide a good platform for planning and intervention to meet children's needs and reduce risk. However, not all assessments are updated to reflect children's changing circumstances, and written plans are not of a consistently good quality.</p> <p>Multi-agency response to risk is well managed through timely information sharing in strategy meetings, conferences and core groups, and as a result actions taken are appropriate to the levels of identified risk, and statutory intervention is taken only when it is necessary.</p> <p>Multi-agency risk assessment conferences (MARAC) and multi-agency public protection arrangements (MAPPA) are well established and demonstrate a coordinated multi-agency response and shared understanding that reduces risk to children.</p> <p>However, although there has been much done to improve the recognition of private fostering in North Tyneside, too many children experience delays in these arrangements being formalised. The designated officer provides a good service, ensuring that children are safeguarded. However, the investigations are not always completed in a timely manner.</p>	

## Inspection findings

8. Children who need help and protection in North Tyneside benefit from high-quality social work, robust multi-agency working and a strong focus on ensuring that their views are at the centre of all decision-making. This enables outcomes for these children to improve.
9. A well-considered early help and prevention strategy that also includes the Troubled Families work has been developed, and is informed by a thorough analysis of local need. It is clear and used by all agencies across North Tyneside. As a result, children benefit from the provision of a good range of universal, targeted and specialist services. This reduces risk and helps to reduce the need for statutory social care intervention. Feedback provided by children who met the inspectors was positive. They described enthusiastically how the support has improved school attendance, self-esteem and relationships within families. One child reported, 'I am able to contact the family partner and discuss how I'm feeling. She has supported my mum with doing volunteering and she has now got a job. She has helped my brother to improve his school attendance, and there is a good atmosphere at home.'
10. Families can access a good range of early help services, based in their own communities. These provide parenting support and targeted assistance related to substance misuse, mental health and domestic abuse. Intensive support is also provided, including during evenings and at weekends, to better meet the needs of children and families. The support is being effective at tackling issues and concerns earlier and preventing crises that result in referrals to children's services.
11. The MASCT is an effective single point for all contacts with children's services. In all cases seen by inspectors, thresholds were appropriately applied. Qualified social workers make all decisions about whether referrals meet the threshold for a social work assessment. Decision-making is informed by thorough information gathering and good consideration of previous involvement with agencies. There is effective information sharing within the MASCT to ensure an appropriate response to risk. Advice and decisions are clearly recorded and reviewed by the senior social worker and are of sound quality. A large majority of contacts (97%) have a decision made about whether to progress to referral in one working day. Referrers are routinely informed of the outcomes of their referrals. Consent is sought appropriately. The out-of-hours service responds swiftly and proportionately to presenting risks. There is a robust handover and information sharing with the MASCT, and this minimises delay in follow-up and keeps children safe.
12. The presence of a detective constable and domestic abuse worker within the MASCT enables timely joint working and decision-making between the agencies and, as a consequence, families gain access to prompt support so that needs are met early and risks reduced. The domestic abuse worker provides timely advice and support to victims of domestic abuse and

undertakes short pieces of work with families, making swift referrals for ongoing therapeutic support and interventions when appropriate. The housing officer responds quickly to any housing issues and expedites searches for suitable accommodation. In the main, arrangements for step up and step down from early help to the MASCT are effectively managed to ensure timely and appropriate information sharing. However, in a very small number of cases seen by inspectors, there had been a delay when signposted to early help services. The local authority advised inspectors that it is introducing a new series of checks to improve the management oversight from the MASCT, to ensure that families receive the support that they need at the time that they need it.

13. The quality of assessments is good. They are timely and comprehensive, consider historical information, effectively identify risks and strengths and make appropriate recommendations for future action to reduce risk and meet children's needs. Views of children and family members are integrated well in the assessment process. However, in a small number of cases, assessments are not updated to reflect the changing circumstances of children.  
(Recommendation)
14. Children in need and their families receive a good range of well-coordinated services and interventions to ensure that children's needs are met effectively within their families, and positive changes are sustained. In addition to well-coordinated and regular children in need reviews, inspectors saw a range of assistance from practical support to bespoke 1:1 sessions with parents as well as social workers working closely with other professionals, such as from education, housing, health and the youth offending service to ensure that support is coordinated and leading to positive outcomes.
15. Significant harm is recognised well. Strategy meetings are thorough, timely and very well attended by an appropriate range of agencies. Coordinated multi-agency responses result in good understanding of risks and inform decision-making. Appropriate actions are taken promptly to ensure that children are safe. Decisions to progress from a child protection enquiry to an initial child protection conference (ICPT) are timely. Subsequent child protection conferences are held promptly. Effective multi-agency information sharing ensures that immediate risk is identified, assessed and managed promptly and results in children receiving proportionate interventions. Decisions to make children subject of a child protection plan are appropriate. Children are well supported to participate and contribute to their conferences either via completion of child protection consultation forms or in person, with the support of an advocate. Since April 2016 to date, 30 children aged over eight have been supported at ICPCs.
16. Child protection, core groups and child in need (CIN) reviews are regular and well attended, resulting in well-coordinated planning that protects and safeguards children. IROs chair both child protection conferences and children looked after reviews. Despite caseloads for IROs being high, 90% of initial and

99% of review child protection conferences are held on time. IROs' ability to have an overview of the progress of plans between reviews, however, is compromised by the poor recording system in North Tyneside.  
(Recommendation)

17. When children are on child protection plans, work is focused on managing and reducing risk. Evidence was seen of effective use of family group conferencing, resulting in additional support being provided by the extended family members and enabling children to remain safely with their parents. Parents are referred to appropriate intervention programmes, such as domestic violence perpetrator programmes, parenting programmes and services that provide support for families with drug- and alcohol-related problems. When parents have engaged positively, this has resulted in risk reduction and improved outcomes for children.
18. The electronic client database does not support good social work practice. Senior managers are fully aware of the issues, and the system is due to be replaced in 2018. Temporary arrangements have been put in place to attempt to strengthen the current system. However, social workers raised issues to inspectors about the additional work needed and about how the different screens needing to be completed do not help them to record ongoing work and key documentation fully. Despite these significant issues, social workers work 'around the system', and much recording is of a good quality. However, this was not consistent on all of the children's files seen by inspectors. For instance, written plans do not always evidence the high-quality work being undertaken.
19. Children who have disabilities have their needs assessed promptly and comprehensively, and, as a result, they receive packages of care and support that reflect and meet their individual needs. Individual children's cases seen by inspectors were supported to a high standard. The team of experienced childcare social workers has recently transferred to adult services as part of a 'whole life' approach to supporting disabled people and to improving the transitions between children's and adult services. It is too early to see improvements in outcomes. Potential risks have been evaluated, and a report has been produced for the North Tyneside Safeguarding Children Board (NTSCB) on the potential benefits of this new approach.
20. Children are regularly visited by their social workers, who engage in age-appropriate direct work with them. Inspectors saw the use of various tools, including 'three houses, three islands' exploration and analysis of children's own drawings and writing, which enables children to share their feelings and understanding of their experiences. The child's voice is at the core of social work practice, and social workers have a sound understanding of children's needs, which leads to effective planning.
21. Individual children at risk of child sexual exploitation or missing receive timely and robust multi-agency consideration from the missing, sexual exploitation



and trafficking group (MSET). Good partnership working and coordinated information sharing mean that risks are promptly assessed and inform safety planning to reduce risk and keep children safe. Intelligence is effectively shared across the multi-agency group to inform local understanding of high-risk areas to influence disruption activities. Social workers have a good understanding of risks associated with child sexual exploitation, resulting in focused and comprehensive support packages to reduce risk.

22. All missing children receive a 'safe and well' check from the police. The appointment of a designated missing persons' worker has improved planning. In 96% of missing episodes, children were offered a return interview in a timely manner, with 19% refusing the offer. The information gathered is used effectively to inform strategy discussions, risk assessments and care planning and to further protect children.
23. Procedures for children missing education are well established and effective. The Children Missing Out on Education (CMOOE) task force focuses on absence levels of vulnerable pupils. Effective links are in place with social care, and regular half-termly meetings track and monitor individual children. Daily checks are carried out on all referrals for children missing from education. Pupils who cannot be traced are added to the lost pupil database. A range of checks continue to be made, for example to housing and health colleagues and, in exceptional circumstances, to the Border Agency, to locate missing pupils. As a result, the central register provides an accurate picture of children and young people, known to the authority, who are not attending school. At the time of the inspection, the local authority has 27 open cases of children missing education in which enquiries are ongoing.
24. Good arrangements are in place to support children who are electively home educated. The Alternative Placement Team encourages parents to register and, once this has occurred, a home visit is offered. In the majority of cases, the authority successfully registers those families who come to their notice, so they can support them, make suitable checks to ensure that children are safe and assess the quality of provision. Currently, 41 pupils are being educated at home. The Alternative Placement Team makes concerted efforts to ensure that parents are well informed about the most suitable education for their children. The team offers home visits, support, advice and guidance to parents.
25. There is a good range of services to address domestic abuse, including victim and perpetrator programmes and services for substance misuse. The Harbour and Freedom Programme provides victims with a range of support to enable them to safeguard themselves and to protect children. The risk to children of living in families with multiple needs, such as domestic violence, substance misuse and parental mental ill health, is well understood and effectively managed by the MARAC and MAPPA. Operation Encompass also effectively ensures that nurseries and schools are alerted when incidents of domestic abuse occur, so that children can receive timely support.

26. Support for 16- and 17-year-old young people at risk of homelessness is strong. Social workers undertake timely and thorough assessments, and complex cases are heard at the joint housing and social care protocol panel, ensuring a holistic consideration of broader emotional, practical and educational needs. There is a good range of accommodation options, including emergency crash pads and fully supported, semi-independent and self-contained accommodation, which enables young people's differing needs to be met. Appropriate consideration is undertaken as to whether children should be looked after to ensure that their welfare is promoted. No young person has been accommodated in unsuitable accommodation, including bed and breakfast provision, in 2016–17 and this is good practice.
27. The local authority has undertaken steps to increase awareness of private fostering in North Tyneside. At the time of the inspection, there were four children identified as living under private fostering arrangements. The services provided to the children were not consistently good. In the cases seen by inspectors, a number of issues were identified, including delays in assessing and confirming arrangements. (Recommendation)
28. The management of allegations of abuse by professionals against children is robust, and this ensures that children are safeguarded. However, investigations are not always completed in a timely manner. (Recommendation)
29. The local authority and its partners have a robust joint strategy in place for children who may be at risk of radicalisation. Although there have been no referrals to the multi-agency Channel panel, an exercise was undertaken by agencies in May 2016 to gain assurance of the effectiveness of the process. Training has been provided to staff to identify and respond to risks of radicalisation and female genital mutilation. There has been one case of female genital mutilation in North Tyneside, and the judge dealing with this wrote to the local authority commenting on the sensitive and efficient way in which social workers had managed the case.



<b>The experiences and progress of children looked after and achieving permanence</b>	<b>Good</b>
<p><b>Summary</b></p> <p>Services for children looked after are good and outstanding for care leavers. Children become looked after when this is in their best interests, and edge of care services help to prevent them from becoming looked after unnecessarily. When it is required, decisions for children to become looked after are timely and appropriate. Prompt action to seek legal advice ensures that permanence for children is timely. A wide range of permanence options are available, providing children with safe and secure placements when needed.</p> <p>The health needs of children looked after are well met, and there are effective responses to support children’s emotional well-being and attachment disorders. Current educational progress for children looked after is positive, and a significant majority of pupils make expected levels of progress. The pupil premium is being used creatively to help to support the educational progress of children looked after.</p> <p>Responses to children who are missing and/or at risk of sexual exploitation are good and have resulted in improved outcomes, especially for those children living in children’s homes.</p> <p>The Children in Care Council (CiCC) is highly influential and effective in challenging professionals and politicians to ensure that services for children looked after are good and improving.</p> <p>In a few areas, the local authority needs to improve to make services for children looked after even better. Examples include IROs challenging the progress of plans for children, reducing the number of changes of social workers for children and improving timeliness of life story work.</p> <p>The local authority is committed to securing permanence through adoption and is working to improve timeliness for children waiting for a match and to ensure more consistent and timely delivery of good-quality life story work. Tenacious family finding for harder-to-place children and therapeutic post-adoption support demonstrate positive impact for children.</p> <p>Excellent, aspirational services and support mean that the vast majority of care leavers are engaged in education, training or employment, and all live in safe and supportive housing arrangements. Staff work tirelessly to help them to reach their potential. Care leavers are very regularly consulted and feel valued. This has resulted in ensuring that the service they receive is outstanding.</p>	

## Inspection findings

30. Children in North Tyneside only become looked after when it is in their best interests and, in these instances, the response is timely and appropriate. The number of children looked after at the time of the inspection was 298, a slight increase from 291 in 2015–2016, which is above the England averages but below that of statistical comparators.
31. Effective edge of care services, working closely with multi-agency professionals, including education, health, youth offending, Raising the Health and Education of Looked After Children (RHELAC) and child and adolescent mental health services (CAMHS), provide good, targeted work to prevent children from becoming looked after and to support them when they return home. A parenting programme delivered to 13 families of children looked after was very successful and resulted in eight children returning home and staying at home.
32. Good use of the Public Law Outline (PLO) ensures that decisive action is taken when children need to be looked after. Letters before proceedings clearly set out what families need to do to support children. Family group conferencing (FGC), commissioned from a national charitable organisation, is increasingly used, so that all options are considered before children become looked after. FGC has been effective in helping children to remain with their own families and in improving relationships within families to sustain good outcomes for children.
33. The local authority has forged productive working relationships with the Children and Family Court Advisory and Support Service (Cafcass). Effective communication, particularly with IROs, and performance monitoring of the use of the PLO, means that children and young people benefit from efficient and timely progression through the court system. The average duration for care proceedings is 27 weeks: better than the national average of 30 weeks in 2015–16. Assessments and reports for court are detailed, and there is evidence of managerial oversight of quality.
34. When the plan is for children to return home, comprehensive assessments are undertaken to evaluate any risks, so that children are protected and supported. Children placed at home are visited regularly by social workers, and the frequency of visiting is adjusted according to risk. Oversight by managers ensures that, when appropriate, necessary action is taken to discharge care orders or escalate any concerns.
35. The local authority is achieving permanence for children in a timely way. Monitoring is also used successfully with children who are accommodated under section 20, to assure that this is the best legal option to promote their welfare and to ensure permanency. As a result, the number of care proceedings has increased and the percentage of children accommodated

under section 20 has reduced from 31% (90) in 2015–2016 to 27% (81) currently.

36. Short-term and long-term placement stability is better than that of comparator authorities. This success is maintained because there is a wide range of permanence options. SGOs and regulation 24 placements with connected persons are increasingly being used as permanence options for children, which helps them to maintain close bonds with people they know. The local authority also has five children's homes, two of which are increasingly evolving their services in response to children's needs, including 'staying close' and staff supporting the edge of care services.
37. The local authority fostering service is very responsive. The fostering strategy has clear priorities to meet the complex and changing needs of children looked after. In response to the rise in the number of older children becoming looked after, there is a focus on developing the specialist fostering scheme for teenagers. There are also a small number of mother and baby placements and foster carers who focus solely on brothers and sisters living together. Most placements for children (92%) are within 20 miles of the child's own community, and the large majority (67%) are within North Tyneside. This enables children to retain their local support networks and friends, promoting stability and security and, importantly, their feeling of identity in 'belonging'.
38. Placements for those children living out of area in excess of 20 miles are usually specially commissioned services for children who have complex needs and display challenging behaviour. In those instances seen by inspectors, there is good access to specialist health provision, education and support. However, there are sometimes delays in transferring children to local CAMHS.
39. The needs of children are prioritised well by the local authority fostering service. Foster carers value the good support from the service, which is responsive, approachable and friendly. As a result, 98 foster carers have remained with the local authority for longer than six years, and 12 in excess of 21 years. This means that children benefit from stability and consistency from committed carers. Foster carers receive a good range of flexible support and training to help them to care for children. Assessments for new foster carers are completed within timescales, and this is tracked on a daily basis. Training is efficiently managed and well organised, and there is a good monitoring system in place to track gaps in foster carers' training, which has led to a 50% increase in take up on the training offer since December 2016. Training, including access to parenting programmes, is also offered to connected persons and SGO carers. Carers value the experienced staff and quality of training provided, which enables them to provide appropriate care for children, some of whom have very complex needs.
40. Independently chaired annual reviews of foster carers are detailed and analytical and incorporate the views of children. This helps to ensure that foster carers continue to be able to meet the needs of children. Independent

unannounced supervisory visits of foster carers further strengthens oversight of foster carers and safeguards children.

41. A dedicated worker, who knows the needs of carers and children well, undertakes placement matching for children requiring a foster placement. Placement planning meetings take place in a timely way to make sure that all aspects of a child's care plan are considered within a day of placement, whenever possible. There is a clear priority given to identifying a suitable in-house match. Proposals to place brothers and sisters together or separately are addressed in children's plans. Appropriate assessments, including independently commissioned assessments, are undertaken to fully consider issues relating to age and the impact and appropriateness of different placement options for brothers and sisters.
42. Supervised contact is well supported and managed. Social care assistants are allocated to a number of families to support contact arrangements and provide consistency for children. There is good provision of contact venues available for supervised contact as well as a variety of community-based activities and facilities. Supervised contact referral forms provide all necessary information in relation to any specific issues, frequency and duration of contacts.
43. Care team meetings are an example of excellent practice. Professionals, young people and, when appropriate, family members meet on a monthly basis to ensure that the plan is being implemented and any risks are addressed. Although detailed agency reports are produced for the children looked after reviews, formal assessments are not updated on a regular basis. This means that the changing needs, circumstances and ages of children are not always fully considered. The quality of assessments in respect of court applications is variable. In a few instances, this can lead to unnecessary delays in decision-making and planning for children's futures. (Recommendation)
44. Overall, plans for children looked after are detailed, with clear actions and timescales. These are regularly updated at children looked after reviews with any changes or new actions to further progress outcomes for children. Although the good outcomes for children in North Tyneside and the support by dedicated staff who know children well are acknowledged, the quality of assessments to inform ongoing work and plans with children is not consistent.
45. Supervisory visits to children are regular, and the recording demonstrates good consideration of children's plans and children's views. However, children and carers report that, despite the more recent stability of workers and regular statutory visiting, there have been too many changes in social workers, which have resulted in some children being unable to develop long-standing, trusting relationships with social workers. Social work team structures have recently been changed to improve this situation. (Recommendation)

46. Despite a recent emphasis on life story work through training and support by the Participation Team, and some recent good examples seen of life story books, delays in progressing this work mean that some children do not always have important information about their lives, families and histories. Children, carers and IROs all expressed concerns about this and about the impact on children. (Recommendation)
47. Current educational progress for children looked after is positive, and a significant majority of pupils make expected levels of progress. Cohorts are small in most cases, which accounts for variations in annual performance in key stage 1 and key stage 2. In addition, a significant number of pupils have additional needs, and a third attend special school provision. Despite this, progress in mathematics at key stage 2 remains above the national average. Proactive interventions by virtual school staff are ensuring that those pupils at key stage 4, a high number of whom have additional needs, are on track. The pupil premium and pupil premium plus are being used creatively to help to support the educational progress of children looked after. This includes counselling and additional resources to support crisis situations.
48. The vast majority of pupils (90%) attend good or outstanding schools within North Tyneside. Attendance is well monitored, and attendance rates for children attending in-borough schools is high, at 97%. There have been no permanent exclusions for a number of years.
49. Children looked after not in receipt of full-time education are provided with a wide range of good-quality alternative provision. Two key partners provide the bulk of the service. Currently, 16 pupils looked after are accessing 25 hours of alternative provision. In very occasional circumstances, a young person might access less than 25 hours education per week, for example when they are re-integrating into mainstream provision following long-term illness, but this is very much the exception. Quality assurance arrangements are suitably rigorous, and providers submit regular quality reports on pupils' achievement and attendance. All providers are also subject to annual visits from the authority to ensure that young people are receiving good-quality education that best suits their needs.
50. Following a full-quality audit, the virtual school recognised the need to improve the quality and timeliness of personal education plans (PEPs). As a result, PEPs were redesigned two years ago, with the help of social workers, carers and young people. The resulting PEP is much simpler to complete, and most are good.
51. Good attention is paid by virtual school staff to identifying any child looked after who has concerns about bullying. A recently appointed counsellor is being used well to support any young people identified as at risk of being bullied. The CiCC Care 4 Me group is providing training to schools to improve their understanding of the specific needs of children in care. The Mind Your

Head lesson plan helps to support teachers to raise awareness of mental health issues.

52. Children looked after in North Tyneside are encouraged to access leisure facilities and are provided with free passes. A free pass is also available to any friend who wants to accompany them. The passes can be used for gyms, swimming pools and a range of classes and activities. The CiCC is also involved in organising an annual Christmas party and celebration of achievements events. Carers receive prompt information and confirmation of their delegated authority. This helps them to enable children to access any leisure activities and not to feel different from other children.
53. Children who are at risk of offending are given good, well-considered holistic support. The youth offending team works closely with education, police and health staff to look at appropriate resources and support for young offenders who have undiagnosed health needs.
54. A well-established healthcare team, most of whom are co-located with the RHELAC team, including designated paediatrician, lead nurse, school and specialist nurses, provides very good health support for children and their carers. North Tyneside demonstrates consistently strong performance across all health measures, including 100% of initial health assessments and reviews, immunisations and developmental checks and 93% of dental checks completed on time.
55. Much good work is being done in relation to supporting children's emotional well-being and attachment disorders through the RHELAC team counsellor, and the dedicated education psychologist. In addition, CAMHS provide a daily triage for all children at high risk. Other CAMHS assessments are completed within a 12-week period. As a result, the mental health and well-being services for children looked after and care leavers up to age of 18 are well coordinated, and children generally receive a prompt service.
56. The influence of the voice of children in North Tyneside is very strong and results in services for children looked after that are increasingly responsive and effective. The CiCC, comprising three different groups according to age, is highly motivated and influential. The CiCC is well supported by the local authority Participation Team. The CiCC has been proactive in developing training so that multi-agency professionals understand what it is like to be looked after. The CiCC undertakes quality assurance inspections of children's homes, assists with training and carries out assessments of foster carers and their homes.
57. The CiCC, supported by the Participation Team, is very good at providing information to children looked after. A monthly newsletter is sent out to all children looked after, including those who live out of area. This helps to ensure that children are aware of their rights and entitlements. The introduction of the Mind of My Own (MOMO) application (app) gives children



an opportunity to contact their IRO or worker to give their views, comments or complaints. Advocacy is provided for all children and young people who are or have been looked after, up to the age of 25. Advocates are tenacious in resolving issues for children and only cease their involvement once the issue has been resolved.

58. Caseloads for IROs are high. IROs have caseloads for both child protection cases and children looked after. Despite the high caseloads, children looked reviews are timely, with 99% within timescales. The vast majority of children (94%) also participate in their reviews, and more children are able to contribute to their reviews using the MOMO app. Due to the poor quality electronic client recording system, IROs struggle to have an overview of progress between reviews, and their impact and challenge are not always evident in the children's files. (Recommendation)
59. Robust responses to when children go missing and/or are at risk of child sexual exploitation have been instrumental in safeguarding children. Recent data, April 2016 to February 2017, shows that in most instances (96%) children were offered a return interview and most of the interviews (92%) were completed within 72 hours of the child returning home. The information collated from the interviews is used efficiently to inform strategy discussions, risk assessments and care planning. Evidence of the effectiveness of this work can be demonstrated in the reduction, by more than half, of children missing from in-house residential care. There has been an increase in overall missing and absent episodes in 2016–2017. However, the local authority has a clear understanding of the reasons why and has responded appropriately.

**The graded judgement for adoption performance is that it is good**

60. North Tyneside is committed to securing permanence through adoption, and is working to improve timeliness for all children waiting for a match with adopters. It has robust oversight of parallel planning from when children first become looked after until a permanent placement is identified, through regular tracking meetings and scrutiny of performance information.
61. Experienced workers support permanence planning and are tenacious in finding permanent homes for harder-to-place children. Successful adoptive placements have been achieved for sibling groups and older children. Recent data shows that nearly half of children adopted in the last 12 months were aged five or over. For a small number of children, adoption plans have appropriately changed in favour of other permanence options, and there is a clear rationale underpinning such decisions, based on children's views and updated assessments of need and attachments. Overall, there have been 19 children adopted in the last 12 months, which is slightly fewer than the 25 adopted in each of the previous four years. This is in line with national trends and the increased and appropriate use of SGOs as an alternative route to permanence in the local authority.
62. Recent adoption performance data evidences an improving picture of timeliness for children with an adoption plan in the last 18 months. The vast majority of children are now meeting scorecard timescales for both key indicators, and effective use of the tracker ensures that plans for permanence are closely monitored and progressed in a timely way.
63. Arrangements for the recruitment, assessment and training of adopters are effective and timely. The quality of the prospective adopter reports (PARs) is good, and clear analysis of applicants' strengths and areas for development underpin matching considerations. The completion of PARs includes a quality assurance visit, undertaken by the manager prior to approval recommendations presented to panel. Assessments for approved adopters completed in the last 12 months have all been within timescales. Adopters particularly value the access to therapeutic input for extended adoptive family members. This has helped adopters and their wider family to develop greater understanding about attachment issues and to feel more prepared to help children to settle into their new families. Adopters spoken to were very positive about the helpful and supportive service, felt well prepared throughout the process and welcomed the expertise provided.
64. Many adopters are identified for children locally, but, when this is not possible, regional and national processes are used in a timely way. Two approved adopters are currently waiting for a match, and have been linked to the national adoption register and other regional and national initiatives, ensuring



that there is good support to help them to identify a potential adoptive placement.

65. Pre-matching meetings are effective in identifying the best possible match for adopters and children. The service consistently discusses the potential for foster to adopt placements with all adopters, as part of the assessment process and has utilised such placements effectively to place a small number of children. Family finding efforts are extensive and creative, making good use of adoption activity days to identify potential families for older children and sibling groups. Family finding efforts are under way for two children with a placement order, and potential adopters have been identified for both children, including an older child for whom a national search has taken longer to identify a suitable family.
66. The adoption and fostering panel is timely and efficient and offers appropriate scrutiny and challenge to all matching decisions and approval recommendations. The chair is independent and experienced, and there is an appropriately constituted group of panel members who are knowledgeable about the needs of children for permanence, in relation to both fostering and adoption. The chair ensures that the rationale for decision-making is recorded clearly. The agency decision-maker ratifies decisions in a timely manner, ensuring that children and families are informed promptly. The panel is effective in listening to the views of children and includes representatives from the CiCC on annual panel training. This has led to children's views on improving the quality of life story work informing the work of panel, which has been taken forward by the participation team in the local authority.
67. The vast majority of adopters receive good support when children first move to their care. Therapeutic assessments of attachment enhance adopters' understanding of children's needs, including those of brothers and sisters placed together.
68. Life story work and later life letters for some children can take too long to complete and are of variable quality. The service has plans in place to ensure greater consistency, and recently has provided a rolling programme of training on life story work to social workers, which has resulted in some improvement. (Recommendation)
69. Effective post-adoption support plans are detailed. They are based on therapeutic principles and show clear actions and responsibilities, including financial support when it is required. There is a good range of support offered to adopters, utilising the adoption support fund, including Theraplay, Safebase and independently commissioned attachment training. Adopters reported to inspectors that the training is 'incredibly helpful and uplifting'. They have access to a range of support groups in the region, and effective work is undertaken with birth families to support appropriate letterbox contact. The post-adoption social worker also offers support and advice to schools and

ensures that adopted children are very well supported by school staff, in accordance with their assessed needs.

**The graded judgement about the experience and progress of care leavers is that it is outstanding**

70. Outstanding services for care leavers mean that the vast majority of them are either in education or training or employed. Many of them have benefited from work experience with the council, and a significant number have gone on to complete apprenticeships locally. All of them live in safe and supportive housing that includes staying put with their foster carers or successfully managing their own tenancies. As a result of building open and trusting relationships with staff, care leavers make excellent progress in developing their independent living skills and taking full responsibility for their health and the choices that they make. They have also been instrumental in making improvements to the service, for example in relation to pathway plans, and these developments are helping the vast majority to make significant progress towards successful adult lives.
  
71. Staff and managers are extremely effective in staying in touch with young people. Workers on the care leavers' team are passionate and committed and work tirelessly in supporting young people, being persistent especially with those who are more difficult to engage. As a result, they are in touch with 100% of care leavers. Care leavers have an excellent understanding of their rights and entitlements, and their achievements are rewarded and celebrated. They have been fully engaged in developing the care leavers' pledge, and regular efforts are made by staff to further canvass their views.
  
72. Highly effective collaborative working with health colleagues results in care leavers being very well supported in ensuring that their health needs are identified and met. Care leavers have been fully involved in developing a health passport, which provides them with a copy of their health background. The passport also provides excellent health guidance, for example on matters such as promoting good sexual health, quitting smoking and receiving help with drug and alcohol issues. To ensure high-quality continued healthcare for care leavers, a copy of this passport is shared with their general practitioner (GP), which is excellent practice.
  
73. Workers assess and manage risk very well and, as a result, care leavers feel safe. Pathway planning helps to drive the work with young people. Plans are comprehensive, regularly reviewed and used as a working tool to help young people to focus on their next steps and on reducing risks.
  
74. North Tyneside is a very good corporate parent, and is highly aspirational for care leavers. The authority listens to them, acts on their suggestions very well and provides consistently excellent support to enable them to move successfully into adulthood. Care leavers who met inspectors were very

positive about the support that they receive from the council, the dedication of politicians and senior managers, and ways in which they are actively involved in the development of future services. As a result, participation and involvement by care leavers are very high and demonstrably impact on improvements in services.

75. Care 2 Work is an extremely successful council initiative, working across the region to help care leavers into work. High numbers of care leavers have benefited from bespoke training opportunities, for example vocational taster programmes, English and mathematics and work experience. Young people are extremely positive about the support that they receive. As one apprentice put it, 'I could never have done this without the support of the team and I probably would not have completed my education. Now I am a mother and also have a career which I love.' Apprentices are located across the whole authority. So far, a high number of young people (19) have benefited from either extended work experience, apprenticeships or traineeships within the authority.
76. Staff and managers have very high expectations for all care leavers. This helps to account for the 84% of care leavers engaged in education, training or employment. This compares favourably to 61% of care leavers nationally. When young people are not engaged, they tend to be the older, 19-plus cohort, 58% of whom are engaged in comparison to 49% nationally. This reduction in engagement post 19 has been recognised by the authority that is taking robust action. For example, a monthly not in education, employment or training (NEET) monitoring group focuses on individual cases, and there is an excellent peer mentoring programme, which is re-engaging young people and giving them a mentoring qualification.
77. There is excellent support for young people to help them to move successfully towards independence, particularly in managing everyday living tasks. The proportion of care leavers who are in suitable accommodation is extremely high at 98%. This is because innovative and effective work is being undertaken to develop and improve the housing options for care leavers in North Tyneside. The care leaving team and the strategic housing lead work very closely together to ensure that a wide range of provision is available. Twenty care leavers currently benefit from staying put arrangements.
78. Accommodation providers and other partners communicate extremely effectively, ensuring that everyone involved with care leavers is kept informed about their progress. Care leavers reported to inspectors that they feel extremely well supported and grow in confidence in relation to such things as budgeting, getting their driving licence and managing to cook for themselves. Many of them are able to achieve an additional social development qualification.
79. Excellent guidance is in place to assist young people in tenancies with external providers and in local authority tenancies. This ensures that high-quality

planning, support and preventative work are in place, to assist young people when things are not going well or if there is a potential threat of eviction. The housing advice team, community protection team and leaving care workers communicate closely and aim to work proactively with young people at all times to reduce and prevent any evictions.

80. Support for leisure activities and sporting opportunities is excellent. Care leavers have access to Ease Extra cards, which entitle them to visit any public leisure facility in the borough free of charge. They can take a friend with them also free of charge. They can use gyms and swimming pools and access a range of classes and activities during the day and in the evening. Young people spoken to by inspectors were particularly appreciative of this facility, especially of being able to take a friend. They said that it helps them to become fitter and gives them something positive to do.

<b>Leadership, management and governance</b>	<b>Good</b>
<p><b>Summary</b></p> <p>Senior managers, leaders and politicians provide a clear vision to improve outcomes for children and young people. Core social work practice is good and means that services for children and families contribute positively to improving their daily lives. The alignment of strategic plans provides a shared sense of ownership and ambition across partnerships, with a clear drive to enhance children's lives. Engagement and participation are highly visible in the evaluation and development of services. Consultation with parents, carers, social workers and children and young people is central to the everyday workings of the local authority, and this ensures that senior managers and leaders have a comprehensive understanding of frontline practice.</p> <p>The director's efforts are well focused on understanding local need and demand for services, forming the basis of a local authority transformation programme to target services. The director takes an open and transparent approach to understanding frontline services and uses this to improve and strengthen social work practice. Social workers spoken to by inspectors feel highly supported and valued.</p> <p>A whole-council approach to corporate parenting ensures that this responsibility is held across the local authority and that the 'family firm' provides work experience and apprenticeship opportunities, and uses strong partner relationships to secure ownership of corporate parenting across services and local businesses. The corporate parenting board is highly ambitious for its children and young people and tightly monitors their progress. The CiCC is highly effective in shaping and improving local services, and in leading on regional standards that all children looked after can expect from their home authority.</p> <p>Good commissioning of services, performance monitoring and quality assurance contribute to delivering effective services and solid social work practice. Weekly performance information is circulated to all managers, allowing them to interrogate and act on identified issues. There is a significant programme of audits identifying service strengths and where practice needs improvement. Resultant action plans, however, are not always specific and measurable and with timescales. The electronic client database does not support good recording and consistent social work practice, and the local authority has improved some of its functionality prior to a new system being introduced in 2018.</p> <p>Children and carers reported to inspectors that their main concern is changes in their social workers. Increased turnover in staffing is new to North Tyneside, but the reasons are well understood by the local authority and it is taking assertive action to retain and recruit staff to ensure continued high-quality services.</p>	

## Inspection findings

81. Improving outcomes for children and young people is a clear priority across North Tyneside. The local authority has strategically aligned a number of plans with the Our North Tyneside plan. This identifies three clear priorities to ensure that children are ready for school, ready for work and life, and are safe, supported and cared for. These outcomes form the foundation of the corporate parenting plan, the children and young people's plan, and the joint health and well-being strategy. Each plan details how partners work together strategically with the single focus on improving services for children and young people, which provides a shared sense of ambition and a commitment across the council and its partners. These are translated into actions that are well coordinated and, more importantly, underpin the effective services that are delivered to children and make a difference to their lives.
82. Leaders and managers are proud and passionate about the services for children in North Tyneside. They ensure that safeguarding is firmly embedded in all council activity. Monthly leadership forums for all managers hold them to account and explore national areas of safeguarding, learning and local concerns raised by children and young people. Actions are agreed and swiftly implemented. For example, national learning led to more council staff receiving training to recognise concerns relating to child sexual exploitation.
83. Senior managers and leaders have a clarity about what is happening at the front line, through regular communication with children, carers, parents and social workers, and this has influenced decision-making. When young people raised issues about housing options, the local authority reviewed its housing stock and developed two-person supported accommodation, enabling young people to live with their friends.
84. The voice of children and young people is woven into the fabric of the local authority. Despite times of austerity, a highly effective and dedicated team has been developed, providing participation, advocacy and engagement and focusing specifically on ensuring that the voice of children is heard and taken seriously in the local authority. The CiCC is a significant strength and is successful in influencing service design, delivery and evaluation. Its influence is far reaching, not only locally but also on a regional scale. North Tyneside has led a Regional Children in Care Council Campaign, which has agreed a memorandum of understanding to ensure consistency of services for all children in care across the region.
85. Governance and accountability are clear are well established. A dedicated children, education and skills scrutiny subcommittee meets on a monthly basis and has a particular focus on children and young people. This provides a broad overview of how children and young people are helped and protected. When particular areas of concern arise, thematic subgroups are developed with a specific purpose to review current provision and provide direction.



86. There are well-established lines of accountability between the NTSCB, the DCS, chief executive and deputy chief executive, through regular scheduled meetings. Relationships are based on respectful challenge, and the NTSCB chair is a critical friend, informing and shaping service strategies and testing what this means for safeguarding children.
87. The DCS has worked for North Tyneside for eight years, two of which have included the role as director for children services, while already holding responsibility for adult social care. She has successfully forged solid partner relationships and invested heavily in understanding local demand to prevent children coming into care. The use of extensive research to identify the needs of children and families and their communities forms the basis of North Tyneside's ambitious transformation programme and the remodelling of early help services into localities with the highest need, providing a broad and developing range of support. Given the breadth of the director's responsibility, this has been assurance tested independently to ensure that she has sufficient capacity to fully meet the demands of the two roles.
88. Partnership working is built on strong and established trusting relationships, enabling the local authority to be nimble in identifying and addressing specific areas of concern. For example, a twice-yearly corporate assurance group brings together senior officers with responsibility for safeguarding, including police and health. Recently, this identified a number of children and adults engaging in the use of 'legal highs', and through the development of a 'places of concern meeting', chaired by the deputy chief executive, intelligence was shared, leading to effective, targeted disruption activity.
89. North Tyneside takes a whole-council approach to corporate parenting. Led by tenacious and dedicated senior leaders, the lead member for children and the elected mayor ensure that all areas of the council understand the challenges faced by children looked after and take responsibility as a corporate parent to improving children's lives. The local authority successfully uses its influence to ensure that partners and local businesses recognise their responsibilities and play an active role in providing care leavers with bespoke training opportunities, creating apprenticeships and work experience opportunities to enhance the offer already provided by the local authority.
90. The corporate parenting committee is ambitious for its children and receives regular reports on education, health and placements and meets regularly with the CiCC to monitor progress of care leavers and children looked after. For example, effective data analysis ensures that pupil progress is well tracked and monitored. Educational achievement for children looked after is a high priority, and there is regular scrutiny by the committee.
91. The local authority meets its sufficiency duty and ensures that children remain close and connected to their community, when possible, and an impressive 93% live within 20 miles of their homes. The local authority analysed the changing needs of children it cares for, identifying that children who have



more complex needs entering care are older, and this led to the development of specialist foster placements. Effective regional consortium relationships enable commissioners to actively manage the children's placement market to achieve the best outcomes. The alignment of children, adults and public health commissioning in the same directorate provides efficiency of effort and shared strategic priorities. The commissioning cycle is well embedded within the strategic planning framework, and, because the prevalence of need is well understood through the joint strategic needs analysis (JSNA), this ensures that a sufficient range of provision is available to meet local need.

92. The director is committed to improving social work and has taken an open and transparent approach to understanding and strengthening frontline practice, through commissioning a number of external and independent reviews. This includes peer reviews, independent assessors, external audit and targeted consultation, to work alongside staff to identify what good looks like. More recently, additional senior management capacity has been created to focus on improving the quality of its services. It has been five years since the last Ofsted inspection of children's services, and this judged services for help and protection and children looked after to be good. The quality of the support and outcomes achieved by children continues to be of a high standard because the local authority has continued to build on the solid foundations of good practice that were identified at the last inspection in 2012.
93. An extensive suite of information, tailored to meet the needs of its audience, monitors performance at all levels. Thematic audits and the recent introduction of systematic case reviews completed by managers have effectively identified key themes for improvement, the learning from which is disseminated through regular learning forums and team meetings and is impacting on improving practice, including assessments, strengthening the voice of children, and better care planning. However, subsequent action plans are not always specific, measurable or with timescales. (Recommendation)
94. The current electronic client database does not facilitate good recording, management oversight of practice, or quality assurance by IROs. The local authority has commissioned a new electronic system, which is being introduced in 2018. Meanwhile, it has been working on improving the current system's functionality, utilising a number of short-term measures. Although the system is acknowledged to be poor and makes recording and retrieval of performance information difficult for social workers, managers and IROs, inspectors did not find that this had a direct negative impact on the outcomes for children.
95. Social workers and managers told inspectors that management oversight is strong and co-location of all managers alongside their teams facilitates regular communication. However, due to the deficiencies in the electronic client database, this is not evident in all children's records. Regardless of the longer-term solutions identified, recorded oversight of practice and supervision require improvement. Although all social workers receive regular supervision,

this is not recorded in a consistent way. Where this is weaker, the recorded supervision does not demonstrate professional challenge, clarity and direction, and, where actions are agreed, no timescales are given, resulting in a lack of progress against tasks. (Recommendation)

96. Children spoken to by inspectors reported that they are concerned about changes in social workers and that this impacts on their ability to form stable relationships. Historically, North Tyneside has had a stable workforce. However, there has been a recent increase in staff turnover, due to increased wages and benefits being paid elsewhere in the region. Agency staff are providing temporary cover: this has increased from 4% in 2015–16 to 11% at the time of the inspection. The local authority has swiftly responded, offering staff a market supplement as part of their recruitment and retention package in the short term, while a longer-term competitive remuneration package is being agreed. The impact of the increased use of agency staff is recognised and action is taken, including utilising the agency staff in the main in short-term teams, ensuring effective case handover arrangements, good quality staff induction and training opportunities. All managers are permanent members of staff.
97. There is good investment in developing a culture for good social work to flourish, with a strong emphasis on continuing professional development leading to solid social work practice. This includes good levels of support for newly qualified social workers, practice teacher training, leadership development programmes, monthly 'learning forums' and an annual 'pride of practice' event, and improved support and mentoring provided by experienced senior practitioners based within social work teams. Engagement in frontline graduate programmes and step up to social work have successfully led to employment. The local authority has decided to introduce a model of social work practice and, at the time of the inspection, all staff and managers were receiving the relevant training to support the implementation of that chosen model of practice. The authority has also successfully addressed issues of high caseloads. These are regularly reviewed and monitored, and social workers told inspectors that these are now manageable.
98. Social workers and managers spoken to by inspectors were highly positive about their experiences of working in North Tyneside, and the director places high importance on ensuring that staff are well supported and feel valued. Social workers and managers told inspectors that North Tyneside promotes a nurturing, personable culture, with visible and supportive management at all levels of the service, which enables social workers to deliver good, solid social work practice that benefits children in this authority.

## The Local Safeguarding Children Board (LSCB)

**The Local Safeguarding Children Board is good**

### Executive summary

The North Tyneside Safeguarding Children Board (NTSCB) is an efficient and reflective Board, meeting its statutory requirements, and effectively coordinating and assuring itself of the quality of multi-agency safeguarding work.

Governance arrangements are strong, and constructive working relationships between senior partnership managers ensure multi-agency ownership and prioritisation of safeguarding.

The chair of the NTSCB is central in developing a culture of openness and challenge, along with the business manager, who has ensured that efficient board processes are in place to support effective board functioning.

Focused multi-agency performance information, audit activity and specific reports mean that the Board is appropriately sighted on all areas for which it has responsibility, and this supports the effective prioritisation of board activity.

There is positive identification and dissemination of learning, and a wide-ranging flexible training programme is linked to board priorities. However, clear actions with timescales, including ways in which the impact of learning will be evaluated, are not consistently in place to further support improvements in frontline practice.

The voice of children and young people is evident in discrete areas of work, but does not sufficiently inform wider board activity and developments.

The Board is influential in multi-agency service planning, through rigorous scrutiny of plans and evaluation of practice. This ensures that safeguarding practice is not compromised and the implementation of strategic developments is effectively supported. The annual report 2015–2016 comprehensively describes services. However, further improvements could be made in the Board's evaluation of their effectiveness.

## Recommendations

99. Ensure that the outcomes of all learning activities are supported by clear actions with timescales, including ways in which the impact of the activity will be evaluated.
100. Ensure that the voice of children and young people effectively informs wider board activity and developments.
101. Ensure that the annual report rigorously and succinctly reflects the evaluation and effectiveness of safeguarding services in North Tyneside.

## Inspection findings – the Local Safeguarding Children Board

102. The NTSCB has made clear and continuing improvements since the current chair came into post in April 2014, and effective arrangements are in place to ensure that the Board fulfils its statutory functions.
103. Strong governance arrangements, NTSCB membership of key strategic boards and constructive working relationships between senior partnership managers ensure that there is effective prioritisation, coordination and multi-agency ownership of safeguarding work in North Tyneside.
104. The independent chair of the NTSCB has been instrumental in steering the board developments, setting a culture of openness and challenge and influencing senior management engagement with the safeguarding agenda. The chair is appropriately held to account by the deputy chief executive, through regular meetings, which also include the DCS. The lead member is regularly briefed to ensure that he is sighted on key board issues. The local authority commitment to the work of the NTSCB is further evidenced by additional funding for a part-time business support post, which has contributed to increased efficiency of the Board.
105. The NTSCB is constituted in line with statutory requirements. Development work by the Board and preparation and support for individual board members have ensured effective multi-agency ownership of and contributions to board activity, including by lay members. The Board has clear priorities, supported by a detailed business plan. The voice of children and young people is evident in discrete work areas, but does not sufficiently inform wider board activity and developments. (Recommendation)
106. The Board is well managed and operates very efficiently, with limited direct resources. Sub-groups of the Board are chaired by partnership managers of sufficient seniority and board processes, including timely circulation of good-

quality reports and clear work plans, and coordination of the sub-groups supports effective board functioning.

107. The Board has appropriate oversight of all practice areas for which it has responsibility. Multi-agency performance management data, including trends and comparator information, supports a clear overview of key areas and identification of where more detailed or qualitative assurance is required.
108. Audit activity gives a qualitative view of frontline work and enables practice themes to be identified. Recommendations arising from the audits are not sufficiently focused and do not have clear timescales to support more timely practice improvement. The audit programme is planned, reflecting areas of board priorities. Multi-agency audits are effectively supplemented by single-agency audit activity as part of the quality assurance for the Board. Some areas of work have also been subject to re-audit, to evaluate impact and progress. (Recommendation)
109. The Board has been effective in increasing the coverage of section 11 and section 175 audits to assure partners about the quality of wider agency safeguarding practice across the partnership. The most recent audits have been further evaluated by an external provider who has been commissioned to evaluate and lead a planned challenge event.
110. Clear reports to the Board on specific work areas, supported by board manager quality assurance, underpin effective oversight and challenge. The Board has been sighted and influential in a number of practice areas and in structural changes within agencies that impact on safeguarding practice. Examples include the improvements required for children who are privately fostered and the structural changes for children who have disabilities, prior to the service being moved to adult services to implement a whole-life approach, and ways in which robust safeguarding arrangements would continue. Another example is the plans to move health visiting and school nursing to the local authority, which have been subject to rigorous board scrutiny to ensure that safeguarding capacity and practice are not compromised. The Board's oversight of early help has also ensured that any practice deficits identified by audits have been directly addressed by management planning.
111. Effective processes are in place to identify cases from which there may be learning, and information gathering and decision-making in relation to SCRs are timely and in line with national guidance. Cases are brought to the relevant sub-group for consideration by a range of agencies. There have not been any recent SCRs published. However, the NTSCB is contributing to a significant case review, following a serious incident occurring to a Scottish child placed in North Tyneside. The Board has undertaken learning reviews to identify where practice can be further improved. Learning is effectively disseminated through a variety of methods, and the Board has ensured that learning from previous reviews and local and national SCRs are embedded in ongoing training.

112. The North of Tyne child death overview panel (CDOP) is a collaboration between North Tyneside, Newcastle and Northumberland LSCBs. It benefits from an independent chair and maximises available information and data to identify and act on areas for learning and development. Examples of positive impact include a contribution to a reduction in maternal smoking rates following targeted intervention, improving consent for child health immunisations and increasing awareness of safe sleeping. The CDOP demonstrates a learning approach to improving its function and effectiveness, and there is evidence of challenge from the Board and chair to support this. The annual report is clear and accessible.
113. The NTSCB policies and procedures, including practice guidance, are appropriate and clear, cover key areas of responsibility and are updated in a timely way.
114. The Board has been instrumental in providing support and challenge to developing and evaluating effective partnership responses to children at risk of child sexual exploitation and those who go missing. The oversight of the work is undertaken jointly with the Safeguarding Adults Board. There has been clear coordination between the sub-groups in undertaking audits and reviews, providing and refining relevant training and evaluating and evidencing direct improvements in frontline practice. The voice of young people has been central in developing more effective and timely responses when they go missing.
115. Effective induction and support have ensured the development and maintenance of an extensive pool of trainers to deliver a wide-ranging and well-regarded NTSCB training programme. Training is delivered in line with board priorities, and a range of methods support flexibility in the timeliness and targeting of delivery. NTSCB training is effectively overseen by an experienced workforce leader who also leads local authority training. Methods of evaluation continue to evolve, with electronic methods used to provide feedback at key points after the training to assess implementation and impact.
116. The annual report for 2015–16 describes key areas of safeguarding activity, but does not analyse the effectiveness of this with sufficient clarity. The report also has much content on the challenges for improving board effectiveness, but the overall improvements evident in board functioning and oversight in the last year should support a more succinct and evaluative annual report for 2016–17. (Recommendation)



## **Information about this inspection**

Inspectors have looked closely at the experiences of children and young people who have needed or still need help and/or protection. This also includes children and young people who are looked after and young people who are leaving care and starting their lives as young adults.

Inspectors considered the quality of work and the difference adults make to the lives of children, young people and families. They read case files, watched how professional staff work with families and each other and discussed the effectiveness of help and care given to children and young people. Wherever possible, they talked to children, young people and their families. In addition the inspectors have tried to understand what the local authority knows about how well it is performing, how well it is doing and what difference it is making for the people who it is trying to help, protect and look after.

The inspection of the local authority was carried out under section 136 of the Education and Inspections Act 2006.

The review of the Local Safeguarding Children Board was carried out under section 15A of the Children Act 2004.

Ofsted produces this report of the inspection of local authority functions and the review of the local safeguarding children board under its power to combine reports in accordance with section 152 of the Education and Inspections Act 2006.

The inspection team consisted of four of Her Majesty's Inspectors (HMI) from Ofsted and three additional inspectors.

### **The inspection team**

Lead inspector: Neil Penswick

Deputy lead inspector: Lisa Summers

Team inspectors: Shabana Abasi, Fiona Millns, Lorna Schlechte, Pam Blackman, Graham Reiter

Senior data analyst: Peter McLaughlin

Quality assurance manager: Christine Williams

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North Tyneside Council

## Post-Inspection Action Plan: Update to Cabinet

(For the period 01 Oct 2017 to 31 January 2018)

	Ofsted Recommendation	Actions that will be taken	Update	Status
1.	<b>Ensure that assessments are regularly updated to reflect the changing needs of children and that they fully consider children's identities, contingencies and research.</b>	a. Early Help Assessments to be regularly and systematically updated of the assessment of a child's needs.	Early Help Assessments are regularly and systematically updated following every Review (6-12 Weeks).	G
		b. The Single Assessment to be used as the updating Social Work Report to Review Child Protection Conference and Looked After Review, facilitating the regular and systematic updating of the assessment of a child's needs.	This significant change in practice will be delivered when LCS is introduced on 26 February 2018. LCS has been configured to reflect this approach to Single Assessment updates.	A
		c. Training of all practitioners undertaking assessment in how to clearly record a child's ethnic, cultural and religious heritage, disability and communication needs and how to consider the implications of these factors in assessment, planning and intervention.	This training will be delivered after 31 March 2018 due to other training priorities including Signs of Safety and LCS Training.	A

	Ofsted Recommendation	Actions that will be taken	Update	Status
		d. Training of all practitioners in the Signs of Safety model of practice, including how to construct clear and concise 'Danger Statements' and 'Bottom Lines' with which to inform contingency arrangements that manage risk effectively.	All Children's Social Care and Early Help Practitioners have received a two-day training on Signs of Safety, with a number also attending a five-day advanced course to embed the model of practice across services.	G
		e. All Social Workers to have access to the 'ccInform' research website, awareness of the contribution that it can make to high quality assessment and intervention and trained on how use the website to inform their practice	All Children's Social Care Social Workers have been provided with a licence with which to access the research website.	G
2.	<b>Ensure that support to children who are privately fostered is timely, managed well and effectively meets the needs of children.</b>	e. Designated Manager for Private Fostering responsibilities will transfer to another manager	On 13 November 2017 as part of changes to the structure of Children's Social Care, the Designated Manager for Private Fostering transferred to a named MASH Team Managers improving the initial response to private fostering arrangements.	G
		f. The management of Private Fostering Notifications, Assessment, Review and Statutory Visiting to be transferred to the MASH and Social Work Assessment Teams to ensure a timely and effective response	On 13 November 2017 as part of changes to the structure of Children's Social Care, Private Fostering cases are assessed by the MASH and Social Work Assessment Teams rather than transferred to the Permanency Team improving the initial response to private fostering arrangements.	G
		g. Quality Assurance Audit Tool for Private Fostering cases developed and implemented	A new Audit Tool for Private Fostering cases will be developed in light of the recording processes on LCS. In common with other audit tools, the Tool will include Signs of	A

	Ofsted Recommendation	Actions that will be taken	Update	Status
			Safety principles. This will be completed by 31 March 2018.	
		h. General awareness of Private Fostering Regulations by Social Workers improved through Staff Briefings and Learning Forums.	Private Fostering Awareness is scheduled for a Lunch Time Staff Training event on 15 Mar 2018.	A
3.	<b>Improve the timeliness with which designated officers complete investigations.</b>	i. Increase the capacity of the LADO Service from current single post holder for greater resilience and improved performance.	On 13 November 2017 as part of changes to the structure of Children's Social Care, LADO responsibility transferred to the two MASH Team Managers improving resilience through increased capacity.	G
		j. The LADO Service transferred to the MASH (Multi-Agency Safeguarding Hub).	The LADO Service transferred to the MASH on 25 September 2017. This co-locates the service with activities to safeguard children ensuring a co-ordinated and timely response.	G
		k. The LADO Service Case Management System for recording case work transferred onto Liquid Logic LCS.	A bespoke LADO Service module has been procured for LCS and will ensure secure recording of information with improved tracking and reporting functionality. Go Live is 26 February 2018.	A
4.	Improve the oversight of IROs of the progress of plans between child protection conferences and between children looked after reviews, and evidence this on the child's records.	l. Change to the recording of the Mid-Point Review process by developing and implementing a 'Midway Monitoring Form' to enable clear recording on the child's record of the oversight of the Independent Reviewing Officer in relation to progress of Child Protection Plans and/or Care Plans.	A Midway Monitoring Form has been developed and introduced by the Independent Review Service.	G

	Ofsted Recommendation	Actions that will be taken	Update	Status
		m. IRO Quality Assurance Framework to be amended to include monitoring and review of Mid-Point Review process.	The IRO QAF has been amended to include monitoring of mid-point reviews. The quality and impact of this process will be reported upon by way of an assurance Report to SMT.	G
5.	Ensure that life story work and later life letters are of consistently good quality and completed in a timely way to ensure that children and their adopters have a clear understanding of a child's history in preparation for placement and for later life understanding.	n. Creation of a 'Permanency Champion' post to support, review and champion timely and effective care and care planning for children and young people, including Life Story work and Later Life letters.	Following a review of the staffing of Children's Social Care, the post of Permanency Champion has been deleted. The responsibilities have transferred to the Senior Manager for Looked After Children Resources.	N/A
		o. Training of all Social Work Staff on the preparation and completion of Life Story Work and Later Life Letters	A new process for recording life story work has been agreed using Signs of Safety 'words and pictures'. A training programme is being developed for delivery from 01 April 2018.	A
6.	Ensure that supervision for all staff is consistently of good quality because it is reflective, directive, regular and well recorded.	p. Training of all Supervisees and Supervisors in the Signs of Safety model of practice, including how the approach supports and underpins good quality reflective and directive Case Supervision.	A new policy was launched on 01 January 2018 following consultation with staff and managers. The policy was developed to reflect Signs of Safety principles.	G
		q. The Supervision Policy is changed to be consistent with, reflect and facilitate the Signs of Safety model of practice	A new policy was launched on 01 January 2018 following consultation with staff and managers. The policy was developed to reflect Signs of Safety principles.	G
		r. Review, development and implementation of performance management information relating to Supervision	LCS will ensure secure recording of Case Supervision. Go Live is 26 February 2018.	A

	Ofsted Recommendation	Actions that will be taken	Update	Status
		s. Introduction of Direct Observation of Supervision by Senior Managers as part of quality assurance activity	A Direct Observation template has been developed and has been in use by Senior Managers from 01 February 2018. Senior Managers will observe one Supervision session per month. Findings from the Observations will be aggregated and an Assurance Report provided to SMT.	A
		t. Review, development and implementation of enhanced question set in relation to the experience of Supervision as part of the bi-annual Social Workforce Health Check	Review of Health Check has led to the development of an Annual Supervision Survey which will bench mark experience of supervisees and quality of supervision.	A
		u. The recording of Case Supervision recording case work transferred onto Liquid Logic LCS.	LCS will ensure secure and accessible recording of Case Supervision. Go Live is 26 February 2018.	A
7.	Ensure that actions identified as a result of audits are specific and measurable and have timescales.	v. Change the format of planning documents resulting from audit activity to a format which facilitates SMART Planning, with a particular emphasis on more specificity of actions and success measures and more precise timescales.	Audit documentation and activity will be developed to reflect Signs of Safety principles. This work will be completed by 31 March 2018.	A

Author: Nik Flavell, Senior Manager for Quality Assurance	Date: 08 February 2018
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# North Tyneside Council

## Report to Cabinet

### Date: 12 March 2018

#### ITEM 5(h)

Title: Update on the  
Development of the  
Regional Adoption Agency

**Portfolio(s):** Children, Young People and Learning

**Cabinet Member:** Councillor Ian Grayson

**Report from Service Area:**

**Health, Education, Care and Safeguarding**

**Responsible Officer:**

**Jacqui Old, Head of Health, Education, Care and Safeguarding**

**Tel 0191 643 7317**

**Wards affected:**

**All**

## **PART 1**

### **1.1 Executive Summary:**

On 12 June 2017 Cabinet 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 (hereafter 'RAA').

Participation in the development of proposals for an RAA by the Authority has 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 has worked with four other Local Authorities - Newcastle City Council, Northumberland County Council, South Tyneside Council and Gateshead Council and four voluntary agencies - After Adoption, Barnardos, ARC NE and Durham Family Welfare to scope an appropriate RAA delivery model.

- 1.3 In June 2017 it was 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 is now anticipated that a Report to Cabinet for a decision will be provided in the summer of 2018. This is due to the need for further, more detailed scoping work being required.
- 1.4 Accordingly, this report is provided to update Cabinet of progress to date and inform Cabinet of the likely decisions that will need to be made in the summer.

## 1.2 Recommendation(s):

It is recommended that Cabinet:

- note and approve the progress made in relation to the development of a proposed delivery model for the Regional Adoption Agency
- re-affirm 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.

## 1.3 Forward Plan:

Twenty eight days notice of this Report has been given and it first appeared on the Forward Plan that was published on 30 November 2017.

## 1.4 Council Plan and Policy Framework

The 2018-20 Our North Tyneside Plan states that 'Our people will':

- Be listened to so that their experience helps the Council work better for residents.
- Be ready for school – giving our children and their families the best start in life.
- Be ready for work and life – with the right skills and abilities to achieve their full potential, economic independence and meet business needs.
- Be healthy and well – with the information, skills and opportunities to maintain and improve their health, well-being and independence, especially if they are carers.
- Be cared for, protected and supported if they become vulnerable including if they become homeless.
- Be encouraged and enabled to, whenever possible, be more independent, to volunteer and to do more for themselves and their local communities.

There will be no changes in the current day-to-day delivery of adoption services to children for whom the Authority is responsible prior to any decision about the RAA. Core to the participation of the Authority in the development of the RAA is the commitment by participants to ensure that the RAA delivers improved outcomes for the children of North Tyneside by making it easier and more efficient to find the best forever family for the child and improving the support available for families who have already adopted.

## 1.5 Information:

### Background to the Development of the Regional Adoption Agency

- 1.5.1 In June 2015, the Department for Education (DfE) published a paper '*Regionalising Adoption*' setting out the proposals for the establishment of Regional Adoption Agencies (RAAs). The paper gave a directive that it was the expectation for all local authorities to be part of a Regional Adoption Agency by 2020. Despite changes in ministerial leadership and issues relating to adoption, recent policy statements indicate continued support for the creation of RAAs.
- 1.5.2 The move towards the creation of Regional Adoption Agencies has been shaped by the national agenda to better target the recruitment of prospective adopters and speed up

the matching and placement of children for adoption. The national Regional Adoption Agency Programme, set out in legislation in the form of the Education and Adoption Act 2016, requires local authorities to combine their adoption services in Regional Adoption Agencies or be directed to do so if they do not choose to do so on a voluntary basis.

- 1.5.3 Locally it is proposed that a new Regional Adoption Agency (RAA) is created through combining the adoption services currently delivered by Newcastle City Council, North Tyneside Council, South Tyneside Council, Gateshead Council and Northumberland County Council. All five of these adoption agencies wish to build on the success of their existing services to improve performance in meeting the needs of those children who require permanence through adoption, by bringing together the best practice from each of these authorities through the RAA.

#### Progress to Date

- 1.5.4 The RAA Executive Board, comprising of the five Directors of Children's Services for the five participating Local Authorities, has agreed to the following proposals developed by the RAA Project Team:

1. The target operating model for the new RAA will deliver the following services across the five Local Authorities:
  - a. Recruitment and Assessment of prospective adopters
  - b. Matching and Placement
  - c. Post placement and post adoption order support
  - d. Support and advice to all those affected by adoption
  - e. Development and management of all forms of post adoption contact (Post Box) between adopted children and their birth families
  - f. Step-Parent adoptions
  - g. Inter-country adoptions
2. The RAA should be 'hosted' by one of the five participating Local Authorities. The alternative model by which the five Local Authorities establish a 'Joint Venture Company' was discounted as not representing best value due to the additional costs associated with the model, particularly irrecoverable VAT costs.
3. The main accommodation for the RAA should be based in Newcastle. This will provide the RAA with a central location within the North East region for both service users and staff.

- 1.5.5 These proposals were developed by the RAA Project Team following:

- Consultation events held with relevant stakeholder groups. These have included adopters, birth parents, children and young people affected by adoption; staff; and partners in health and education. After Adoption, Voluntary Adoption Agency Partner (VAA) have led on adopter and adopted children consultation and video feedback provided to the Board;
- Baseline of the current Adoption Service provided by the five Local Authorities. This has included analysis of finance, historical and current spend/income, performance, staffing and pensions actuary report.



- Regular reporting to and feedback from the five Local Authorities through engagement with Senior Management Teams and Cabinet Members.

#### Next Steps to be taken

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

1. That the costs and practical arrangements required for North Tyneside Council to act as the 'host' for the RAA be scoped
2. That more granular financial modelling and analysis be undertaken including:
  - Actual costs arising from North Tyneside Council hosting;
  - Activity estimates and financials for the current financial year 2017-18;
  - Further checking of longer-term averages for adoption activity; and
  - Exploration of a financial model that mitigates in favour of the efficiencies to be found by moving to a unit cost per adoption approach and in favour of Local Authorities who will find the transition to an RAA more straightforward if existing adoption service budgets are transferred into the RAA operational budget.
3. Determination of the options relating to the RAA's Information Technology needs and how these will be met
4. An options appraisal of accommodation in Newcastle to base RAA staff and activity

#### 1.6 **Decision options:**

The following options are available for consideration by Cabinet

##### Option 1

Cabinet accepts the recommendations set out in paragraph 1.2 above.

##### Option 2

Cabinet does not accept the recommendations set out in paragraph 1.2 above and requests that Officers revise the Update and/or take actions additional to those detailed within the Report.

Option 1 is the recommended option.

#### 1.7 **Reasons for recommended option:**

Option 1 is recommended for the following reasons:

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.

## **1.8 Appendices:**

None

## **1.9 Contact officers:**

Jacqui Old, Head of Health, Education, Care and Safeguarding (0191) 643 7317

Nik Flavell, Senior Manager for Quality Assurance, Children, Young People and Learning (0191) 643 7219

Jodie Henderson, Senior Manager for Looked After Children Resources, Children, Young People and Learning (0191) 643 7388

Stephen Close, Principal Accountant, Engie, (0191) 643 8105

## **1.10 Background Information**

None

# **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

## **2.1 Finance and other resources**

Development work, including RAA Project Team staffing, is being funded by the DfE with a small amount of work being done in kind by each Authority. Funding available to develop the proposal has been agreed from the DfE until end of March 2018. The funding has been managed by Newcastle City Council on behalf of the RAA Executive Board.

The direct financial implications of the RAA on the Authority are not known at this time. The Head of Health, Education and Safeguarding has asked the RAA Project Team for more detailed work in relation to the 'hosted model' and, in particular, costs associated with the Authority acting as host. This information will be developed into a detailed business case in respect of finance, human resources and assets and will be brought back to Cabinet for further consideration and a decision.

## **2.2 Legal**

Further detailed work will be undertaken to develop a business case based on the hosted model. The business case will set out the potential impact on the Authority in relation to budget allocation, staffing issues and asset allocation of the hosted model.

## **2.3 Consultation/community engagement**

### **2.3.1 Internal Consultation**

Since the initial development of the RAA, there has been consultation with senior managers across Childrens Services, at Senior Leadership Team and Corporate Parenting Committee and directly with the Cabinet Member for Children, Young People and Learning.

### 2.3.2 External Consultation/Engagement

As this is an external project involving frequent engagement with relevant partners, supported and progressed by DfE, there has been consistent development work with the four other local authorities and with Voluntary Adoption Agencies. This includes consultation with relevant staff, unions, children and young people, prospective and existing adopters.

## 2.4 Human rights

The development of the RAA has no negative impact on human rights.

## 2.5 Equalities and diversity

The development of RAA has no perceived negative impact on equality and diversity. However, a detailed EIA will be developed as part of the Business Case to be provided to Cabinet.

## 2.6 Risk management

A full Risk Assessment of all financial, legal, human resource and operational delivery issues will be undertaken as part of the Business Case and reported back to Cabinet. This Risk Assessment will be fully compliant with the Authority's decision making risk management guidance.

A risk register has been maintained as part of regular project management practice with mitigating actions identified to ensure the likelihood and impact of risks is managed proactively.

## 2.7 Crime and disorder

The development of the RAA has no negative impact on crime and disorder.

## 2.8 Environment and sustainability

The development of RAA has no negative impact on environment and sustainability. Regionalising adoption services is likely to have a positive impact by reducing the need for staff to travel across the region as staff will be better distributed across the areas covered.

### PART 3 - SIGN OFF

- Deputy Chief Executive ☒
- Head(s) of Service ☒
- Mayor/Cabinet Member(s) ☒
- Chief Finance Officer ☒
- Monitoring Officer ☒
- Head of Corporate Strategy ☒

# North Tyneside Council

## Report to Cabinet

Date: 12<sup>th</sup> March 2018

### ITEM 5(i)

Title: Making the most of  
the Disabled Facilities  
Grant

**Portfolios:** Adult Social Care  
Children, Young People and  
Learning  
Housing and Transport  
Public Health and  
Wellbeing

**Cabinet Members:** Councillor Gary Bell  
Councillor Ian  
Grayson  
Councillor Margaret  
Hall  
Councillor John  
Harrison

**Report from:** Deputy Chief Executive

**Responsible Officer:** Deputy Chief Executive

**Tel: 0191 643 7000**

**Wards affected:** All

## PART 1

### 1.1 Executive Summary:

- 1.1.1** The Disabled Facilities Grant (the Grant), made annually by the Department of Health, is 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 has worked hard to use the Grant to help people live independently in their own homes for longer.
- 1.1.2** The Authority has had in place for some time, a policy which is published and accessible by residents, and which details how the Authority will administer the Grant. This includes for example, the application process.
- 1.1.3** 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 has become part of a wider picture of care and support which more closely aligns to housing and health services. To that end Officers have been working with the relevant Cabinet Members and our partners to review the Authority's policy, sharpen the process, understand how to effectively target the grant and ensure the appropriate supply chain is in place for delivery. It is hoped that following this review, the Authority will see a wider take up and more effective targeting of the Grant, ensuring that it reaches those that need it the most, achieving the best outcomes.
- 1.1.4** This report includes a draft policy for approval by Cabinet, explains the process changes which are proposed (including the impact on the Technical Services Partnership with Capita) and describes how the grant will be effectively targeted.

## **1.2 Recommendations:**

It is recommended that Cabinet:

- (1) approve the revised Disabled Facilities Grant Policy at Appendix 1 and agree to its implementation by 2<sup>nd</sup> April 2018;
- (2) note the revised process and accountabilities; and
- (3) agree the proposed approach to targeting the Grant.

## **1.3 Forward Plan:**

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 12<sup>th</sup> February 2018.

## **1.4 Council Plan and Policy Framework**

This report relates to the following priorities in the 2018/20 Our North Tyneside Plan

### **Our People will:**

Be ready for school – giving our children and their families the best start in life

Be ready for work and life – with the right skills and abilities to achieve their full potential, economic independence, and meet business needs

Be healthy and well – with the information, skills and opportunities to maintain and improve their health, well-being and independence, especially if they are carers

Be cared for, protected and supported if they become vulnerable including if they become homeless

Be encouraged and enabled to, when ever possible, be more independent, to volunteer and to do more for themselves and their local community

### **Our Places will;**

Offer good choice of quality housing appropriate to need, including affordable homes that will be available to buy or rent.

## **1.5 Information:**

### **1.5.1 Background**

**1.5.2** The Grant was introduced by the Local Government and Housing Act 1989 with the first grants being paid in 1990. It was amended by the Housing Grants Construction and Regeneration Act 1996 and it is in accordance with the Housing Grants Construction and Regeneration Act 1996, that the Authority's current policy is drafted.

**1.5.3** The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, repealed and replaced many sections of the Housing Grants Construction and Regeneration Act

1996, introducing wider powers for Local Authorities and Housing Associations to distribute the Grant without a means test (subject to the publication of a policy). It is the means test, detailed in the Housing Grants Construction and Regeneration Act 1996, which is now out of step with current operations and a barrier to some who wish to access the Grant and could see a personal difference as well as value for money for the Authority. The Care Act 2014, and the introduction of the Better Care Fund in the autumn 2013, required the pooling of the Grant into the Better Care Fund and the Comprehensive Spending Review of 2015 saw Government commit to increasing the value of the Grant.

**1.5.4** As detailed in the Budget Monitoring Report considered by Cabinet at its meeting on 13<sup>th</sup> November 2017, Officers have administered the Grant in line with the Better Care Fund Grant Conditions, but work has been required to review and update the current policy, and the processes which sits behind it, to ensure that the Grant is most effectively targeted and to ensure that the Authority is able to utilise the wider powers conferred on it by statute to offer the Grant without a means test.

#### **1.5.5** Policy

**1.5.6** The ability for the Authority to allocate funding from the Grant without a means test is subject to the publication of a locally agreed policy. Working with the appropriate Cabinet Members, Officers have been reviewing and revising the current policy.

**1.5.7** That work has included a fundamental look at the statutory basis of the Grant, the national policy context and the policy direction of the Mayor and Cabinet. It has also included a review of national best practice and reflections on the experience of Officers and more importantly families and individuals who have been involved with the Grant policy and processes.

**1.5.8** The revised policy is at Appendix 1. It contains the following significant changes to the current policy

- **The Grant will be used to support people who chose to move home in order to live independently;** the first question asked in the revised process will focus on the housing needs of the individual and whether they are appropriately housed. Following the investment in specialist housing and the North Tyneside Living Scheme the Authority knows from our work with residents, this is a practical starting point for a conversation which involves the Grant. The draft policy confirms that the Grant will be used to support home moves where
  - This would secure a better outcome to meet assessed need
  - This represents better value than adaptation; or
  - Adaptation to meet assessed need is not practical in the current home; and
  - This would avoid a more expensive care arrangement (for example admission to residential care.)
- **The Grant will be administered from 1<sup>st</sup> April 2018 with a de minimus of £10, 000 which will increase in line with RPI each year;** in line with national best practice, and flexibilities afforded by statute, this will mean that any adaptation that costs less than £10,000 will not involve a means test. This represents value for the tax payer as it means that adaptations can be delivered

quicker, preventing Delayed Transfers of Care, reducing care package costs and preventing admission to hospital or residential settings. For the individuals involved, it is expected that it will also speed up the process. However, to ensure appropriate protection of the public purse, the Grant will be subject to a straight forward savings declaration where applicants with less than £20,000 (itself subject to increase by RPI) will qualify for the Grant subject to the other conditions being met

- **The Grant will be used to remove a Category 1 Hazard under the Housing Health and Safety Rating System where there is assessed need;** this national system for assessing risk in homes defines a Category 1 Hazard as one posing a serious threat to people living in or utilising a home (for example poor wiring or heating). In line with national best practice, local housing need and the experience of our healthy homes work, the evidence shows that this will allow improvements to poor quality owner-occupied or rented property where the resident has an assessed need to prevent escalation of that need and further care costs
- **The upper ceiling of the Grant will be increased from £30,000 to £40,000;** in line with national best practice and rising construction costs it has become clear that the current ceiling is ruling out Grants in circumstances which would otherwise represent value for money. This will be achieved by adding £10,000 Local Discretionary Adaptation Assistance to the National Maximum Grant of £30,000. (The former element to be increased annually by RPI.)
- **The Grant will be used in specific cases for homes out of North Tyneside based on individual business cases;** this is likely to apply where North Tyneside Council is the responsible authority and the work is likely to save care costs. (For example a Foster Carer who lives out of Borough but is caring for a North Tyneside Looked After Child with assessed needs)
- **The Grant will be used for equipment to meet assessed need;** over time, the overlap between “equipment” and “adaptation” has become greater, particularly as it relates to technology. In line with national best practice and local experience, the policy will allow the Grant to be used for items of equipment, where that item is specific to assessed need and can be seen to prevent additional care costs
- **The Grant and associated processes will allow for the maintenance of the asset;** in the first instance we will test this by including maintenance arrangements in the initial price.

### 1.5.9 Process

**1.5.10** The current process is based on historic responsibilities, statutory requirements and a dated means test. The Officer team has reviewed the process and will implement a revised approach to support the revised policy if it is agreed by Cabinet.

**1.5.11** At a high level that process has been designed in line with the principles of the Target Operating Model and will work as follows

- **Widely available, simply understood information;** while the Authority will be working to target the grant, it will make sure information about the grant is widely available and allows a range of referral points



- **Self-service eligibility;** that information will support potential customers and professionals to make an eligibility judgement and prompt them to consider whether moving home would be the best starting point
- **Single route in;** based on whether the Grant Application is in respect of an adult or a child the route into the Authority will be via the Gateway arrangements where eligibility has been confirmed as likely
- **Single point of management;** all adaptations for all homes (including the Authority's own stock) will be held by the Adaptations and Loan Equipment Service and the Occupational Therapy team in Adult Social Care
- **Full assessment;** that team will own the assessment process
  - Checking need (with appropriate expert Environmental Health and Building Control advice for Category 1 Hazards)
  - Confirming cost (where adaptations are for children or less than £10, 000 they will be passed straight to implementation)
  - Considering tenure (including landlord consent); and
  - Securing the appropriate financial assessment
- **Project management and delivery;** will be done from the current Adaptations and Loan Equipment Service.

**1.5.12** In all cases from April 2019, where the customer has asked the Authority to manage the project, the work will be delivered either by the Authority's construction team or via specialist contract (for example, specialist lifts and stairlifts.) Customers who wish to engage their own construction source will be required to manage the process themselves or pay the Authority an appropriate fee. The Authority will always check the work meets the assessed need.

**1.5.13** In some cases, the financial assessment will mean that individuals and families will self-fund. As they do now, the team will offer a service to manage adaptations in those circumstances for an appropriate fee.

**1.5.14** In terms of customer complaints, the current Corporate Complaint process will apply.

**1.5.15** Cabinet may be aware that this work is currently carried out, in part, by the Environmental Health and Building Control Teams within the Capita Technical Services Partnership. Should Cabinet agree the policy and proposed process, this work will be delivered via Adult Social Care. The transfer has been agreed with Capita and the legal and financial consequences are described below.

#### **1.5.16** Targeting

**1.5.17** Cabinet will understand that assessed need can apply to anyone in any circumstances. However, there are particular circumstances where the Authority will actively seek to target the Grant in order to make the most difference.

- **In terms of people;** experience and data suggests that children with assessed needs, young adults with a lifelong disability and older people to promote

independent living are most likely to benefit from the Grant. Particular attention will also be paid to high cost care packages and where a Grant will support single-handed care (and thus reduce costs)

- **In terms of housing types;** experience and practical delivery shows that bungalows, ground floor flats, homes with large down stairs spaces and homes with outhouses or garages can be best adapted; and
- **In terms of places;** this work is done with an eye to creating a longer term asset (particularly in non-Authority rented stock), improving poor quality housing and places with access to local amenities and public transport which promotes independent living.

#### **1.5.18 Commercial and procurement matters**

**1.5.19** Some of this work requires access to specialist services. In particular, the current arrangements include a contract for 3 years (with a 1 year option for extension) with a specific stair lift provider for stair lifts, through-floor lifts, hoists and step lifts. This contract commenced on 1<sup>st</sup> April 2016 and will therefore come to an end in 2019 or 2020 if the extension is utilised. The team currently working in Kier North Tyneside on adaptations to Authority homes use specialist contracts for flooring and door entry systems.

**1.5.20** Following Cabinet's decision not to extend the Kier North Tyneside Joint Venture a Construction Project is under way to plan for construction services from 1<sup>st</sup> April 2019. The need for specialist services will be included in the supply chain work for those services.

### **1.6 Decision options:**

The following decision options are available for consideration by Cabinet

#### Option 1

Agree the recommendations as described in paragraph 1.6

#### Option 2

Not agree the recommendations described in paragraph 1.6 and ask Officers to carry out further work in relation to the review of the use of the Grant within the Authority.

Option 1 is the recommended option.

### **1.7 Reasons for recommended option:**

Option 1 is recommended for the following reasons:

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.

## **1.8 Appendices:**

Appendix 1: Draft Policy for the Disabled Facilities Grant.

## **1.9 Contact officers:**

Paul Hanson, Deputy Chief Executive, tel. (0191) 643 7000

## **1.10 Background information:**

[Equality Impact Assessment.](#)

# **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

## **2.1 Finance and other resources**

The Disabled Facilities Grant is paid to the Authority as part of the Better Care Fund. In 2017/18 it was worth £1.542m (which includes an additional £0.125m announced in the Budget Statement) and in 2018/19 £1.527m. The revenue costs of administering the Grant are currently contained in the Adult Social Care Adaptations and Loan Equipment Service budget and the budget managed by Capita. If Cabinet agree Option 1, the revenue in the budget managed by Capita will be moved to Adult Social Care.

## **2.2 Legal**

The introduction of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 provided local authorities with greater flexibility in their making of Disabled Facilities Grants. This therefore enables the Authority to make discretionary DFG payments without the application of a means test. The only caveat to this in the 2002 Order is, as detailed at paragraph 1.9.6, the Authority publishes a Policy detailing its procedure for awarding such non-means tested grants. The 2002 Order does not set a limit on the award of non-means tested grants and therefore the proposed £10,000 limit is a matter for the Authority's discretion.

As this work potentially involves moving work between one of the Authority's strategic partners and the Authority, consideration is being given to any staff that may benefit from the provisions of the Transfer of Undertakings (Protection of Employment) Regulations 2006.

## **2.3 Consultation/community engagement**

### **2.3.1 Internal Consultation**

All of the teams involved in the current process have been part of the review and contributed to the revised policy and changed process. The relevant Cabinet Members have been briefed and had the opportunity to contribute to the review. The staff who are involved in the work have all been briefed and local Trades Union representatives informed.

### **2.3.2 External Consultation/Engagement**

The work has been informed by the experience of applicants for the Grant. Best practice has been drawn from a range of local authorities and studies of the Grant and its impact.

## **2.4 Human rights**

There are no direct human rights implications from this report.

## **2.5 Equalities and diversity**

An Equalities Impact Assessment has been completed in order to address the obligation on the Authority to discharge the public sector equality duty and to understand the effect of the proposals set out in this Report, on those individuals with Protected Characteristics (as defined by the Equality Act 2010).

## **2.6 Risk management**

There are no direct risk implications from this report.

## **2.7 Crime and disorder**

There are no direct crime and disorder implications from this report.

## **2.8 Environment and sustainability**

There are no direct environment and sustainability implications from this report.

## **PART 3 - SIGN OFF**

- Deputy Chief Executive ☒
- Head(s) of Service ☒
- Mayor/Cabinet Member(s) ☒
- Chief Finance Officer ☒
- Monitoring Officer ☒
- Head of Corporate Strategy ☒

NORTH TYNESIDE COUNCIL  
DISABLED FACILITIES GRANT  
HOME ADAPTATION AND RELOCATION  
ASSISTANCE POLICY

2018

This Policy is made under Article 3 of the Regulatory Reform (Housing Assistance) (England and Wales) order 2002 – Statutory Instrument No. 1860.

This Policy replaces part only of the Authority's 'Private Sector Housing Renewal Financial Assistance Policy' as more particularly detailed the amended version of that policy <http://my.northtyneside.gov.uk/category/824/financial-assistance-and-grants>.

This Policy contributes towards the following Council Plan themes:

**Our People will:**

Be ready for school – giving our children and their families the best start in life.

Be ready for work and life – with the right skills and abilities to achieve their full potential, economic independence and meet business needs.

Be healthy and well – with the information, skills and opportunities to maintain and improve their health, well-being and independence, especially if they are carers.

Be cared for, protected and supported if they become vulnerable including if they become homeless.

Be encouraged and enabled to, whenever possible, be more independent, to volunteer and to do more for themselves and their local community.

**Our Places will:**

Offer good choice of quality housing appropriate to need, including affordable homes that will be available to buy or rent.

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## 1. INTRODUCTION AND OBJECTIVES

### 1.1 Introduction

1.1.1 The Authority will, in accordance with this Policy, give Assistance for the purpose of improving living conditions in the Borough of North Tyneside.

1.1.2 This Policy makes provision for both means tested and discretionary Disabled Facilities Grants and more particularly:

- (a) Means Tested Disabled Facilities Grants
  - Adaptation Assistance
- (b) Discretionary Disabled Facilities Grants
  - Adaptation Assistance
  - Relocation Assistance
  - Removal of Category 1 Hazards
  - Provision of High Value Equipment
  - Maintenance of Mechanical and Electrical Equipment

1.1.3 Assistance may be in any form, financial or otherwise.

1.1.4 Appeals against decisions as to what assistance, if any, is to be given in the normal application of this Policy, should be referred to the Authority in accordance with paragraph 11.

### 1.2 Objectives

This Policy has a number of objectives which are:

- 1.2.1 the delivery of the Council Plan and of the Policy Direction of the Elected Mayor and Cabinet;
- 1.2.2 to meet need as described in the Joint Strategic Needs Assessment; and
- 1.2.3 delivering the agreed and Wellbeing Strategy.

## 2. DISABLED FACILITIES GRANTS (DFG)

2.1 North Tyneside Council has a statutory duty to provide Disabled Facilities Grants (DFGs). This duty is set out in Part 1 of the Housing Grants Construction and Regeneration Act 1996.

2.2 When developing this section of the Policy, the Authority has also taken into account other key legislative provisions relating to disabilities, social care and housing. These include:

- The Care Act 2014
- Chronically Sick and Disabled Persons Act 1970
- The Equalities Act 2010
- NHS and Community Care Act 1990
- The Housing Act 1996



- The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002
- 2.3 The Authority will provide Disabled Facilities Grants (DFG) specified within Paragraph 3 of this Policy and as prescribed by Part 1 of the Housing Grants Construction and Regeneration Act 1996.
- 2.4 In addition to the provision of Disabled Facilities Grants as provided for in Paragraph 3 of this Policy, the Authority will provide Discretionary Assistance to support disabled residents and vulnerable residents who have urgent health related housing needs. Discretionary Assistance is detailed in Paragraph 4 of this Policy.
- 2.5 The Authority will apply 15% to the total cost of the works for administrative and technical charges and this figure will be included in the customer's grant amount.

### **3. DISABLED FACILITIES GRANTS – MEANS TESTED ASSISTANCE**

- 3.1 Certain DFG applicants will undergo an “affordability test” (means test) to determine the applicant's contribution towards the cost of the adaptation works. The criteria for means testing and other criteria for grants of this nature are set out in Appendix 1 of this Policy.
- 3.2 Those in receipt of relevant ‘passporting’ benefits will not undergo the means test (see Appendix 1).
- 3.3 Information from a customer relating to their finances will be used to determine the type and level of assistance (if any) that would be most appropriate to suit their circumstances.
- 3.4 This affordability test includes consideration of income, such as any salary, and/or benefits that are received. This Grant is means tested based on income and capital of the disabled person and their spouse or cohabitee according to Government Regulations.
- 3.5 Where the affordability test determines that a customer has sufficient income or equity to meet the cost of the adaptation or works from their own resources, they will not be eligible for means tested Disabled Facilities Grant.
- 3.6 The Authority may, in certain circumstances, add a local land charge to privately owned properties for the cost of a DFG adaptation. Should the property be disposed of within 5 years, or where the applicant (or in the case of a child, their parent/guardian) are no longer the qualifying owner either by sale, donation or repossession, the property will be deemed disposed of (as more particularly detailed in Appendix 1).
- 3.7 Adaptation Assistance
  - 3.7.1 Decision as to the awarding of Adaptation Assistance will be taken by Officers of the Authority who are familiar with this Policy and who the Head of Health

Education Care and Safeguarding has appointed as suitable to administer schemes run in accordance with this policy.

3.7.2 The purposes for which mandatory DFGs may be given are set out in Appendix 2.

3.8 The affordability test is not applicable for applications made on behalf of disabled children. In this context an individual is classed as a child for as long as they are under the age of 20.

## **4. DISABLED FACILITIES GRANTS – DISCRETIONARY ASSISTANCE**

### **4.1 The provision of Discretionary Assistance**

4.1.1 In providing Discretionary Assistance the Authority aims to adopt a holistic approach, supporting a number of innovative solutions, aimed at reducing dependency and assisting vulnerable individuals to live safely and comfortably in their own homes.

4.1.2 Detail of the Discretionary Assistance available is detailed in Paragraph 7, of Appendix 1.

4.1.3 Discretionary Assistance will be subject to the Authority's annual review of this policy (see paragraph 12) and budgets and will be allocated as and when resources are available.

4.1.4 In order to access the Discretionary Assistance, a customer (together with others in the same household – see 4.1.5 below) will be required to sign a declaration to confirm that they have less than £20,000 in savings (cash, shares and other investments) in their name.

4.1.5 For the purposes of paragraph 4.1.4 above and subject to the exception at 4.1.6 below, 'others in the same household' will include all individuals over the age of 18 living at the same address (excluding children of the household where they are not a legal owner of the property or named on the tenancy of the property, even if they are aged 18 or over). The savings of the whole of the household will be considered for the purposes of providing Discretionary Assistance.

4.1.6 Where one of the following applies:

- (a) the customer is living (on their own or with others) in a property, which they rent from an owner/occupier of the same property (i.e. they live with their landlord); or
- (b) the customer is living (on their own or with others) in a property they own, but rents any part of the property to a tenant (i.e. they live with their tenant)

for the purposes of completing the declaration referred to at 4.1.4, the landlord or tenant respectively, (in the context of (a) and (b)) above, will be excluded.

- 4.1.7 The Authority may apply discretion in relation to 4.1.5 above, where it has established that by not providing the Discretionary Assistance, it will cause extreme hardship.

## 4.2 Adaptation Assistance

- 4.2.1 Discretionary Adaptation Assistance will be given to adapt living accommodation (whether by alteration, conversion, or enlargement, by the installation of anything or injection or any substance or otherwise).
- 4.2.2 Discretionary Adaptation Assistance will be offered to disabled individuals and individuals with urgent health related housing needs, where the Authority is of the opinion that this will support prevention and promote independent living. Examples of assistance will include, but not be limited to:
- (a) Where in an individual case a DFG applicant has a contribution to make following a test of resources (means test), specific hardship identified at the discretion of the Authority shows that the individual cannot fund the contribution upfront.
  - (b) When further improvement works are required to facilitate or enhance the installation of major adaptations.
  - (c) Where further improvement works are required to enable the disabled resident to continue living safely and independently in their home for as long as possible.
  - (d) Where the Authority is satisfied that works to address serious disrepair will prevent health deterioration of a vulnerable individual.
- 4.2.3 Decisions as to the awarding of assistance will be taken by Officers of the Authority who are familiar with this Policy and whom the Head of Health Education Care and Safeguarding has appointed as suitable to administer schemes run in accordance with and adherence to, this Policy.
- 4.2.4 Adaptation Assistance will be given in accordance with this Policy unless there are unusual or exceptional circumstances, which mean an individual would suffer unnecessary hardship unless assistance is given. A decision of the Head Health Education Care and Safeguarding as to what constitutes unusual or exceptional circumstances, or unnecessary hardship, is final and not subject to appeal under paragraph 11 of this Policy.
- 4.2.5 Under this Policy, the Authority will only provide Direct Adaptation Assistance.

## 4.3 Relocation Assistance

- 4.3.1 Relocation Assistance will be provided to *support* a home move only.
- 4.3.2 Support described in this paragraph may be given to assist an individual to move home either within or outside of (where the Authority deems that this is appropriate in an individual case) the Borough.

- 4.3.3 Subject to Paragraph 4.3.4 below, Relocation Assistance described in this paragraph will only be given where the Authority is satisfied that one or more of the following criteria is satisfied in the individual case:
- 4.3.3.1 assisting an individual to move home would be the best way to secure a better outcome to meet that individual's assessed need; and/or
  - 4.3.3.2 providing support to enable an individual to move home, represents better value for money than providing an adaptation or a series of adaptations in their current home; and/or
  - 4.3.3.3 an adaptation or a series of adaptations to meet an individual's assessed need are not practical in that individual's current home; and/or
  - 4.3.3.4 assisting an individual to move home will enable them to remain in their own home for longer.
- 4.3.4 For an individual to be eligible for Relocation Assistance under Paragraph 4.3, the Authority must be satisfied that the individual's acquisition of other living accommodation would provide for that person a benefit similar to that which would be provided by carrying out work of any description in relation to their existing living accommodation.
- 4.3.5 Decisions as to the awarding of assistance will be taken by Officers of the Authority who are familiar with this Policy and whom the Head of Health Education Care and Safeguarding has appointed as suitable to administer schemes run in accordance with and adherence to, this Policy.
- 4.3.6 Relocation Assistance will be given in accordance with this Policy unless there are unusual or exceptional circumstances, which mean an individual would suffer unnecessary hardship unless assistance is given. A decision of the Head of Health Education Care and Safeguarding as to what constitutes unusual or exceptional circumstances, or unnecessary hardship, is final and not subject to appeal under Paragraph 11 of this Policy above.
- 4.3.7 Under this Policy, the Authority will only provide direct Relocation Assistance which will be provided by way of a Relocation Assistance Grant as set out in Appendix 3 of this Policy.
- 4.3.8 Assistance will only be provided where the Authority is satisfied that the fees and costs it will be paying are reasonable, and may refuse to pay costs where it does not believe that this is the case.

#### **4.4 Removal of Category 1 Hazards (under the Housing Health and Safety Rating System<sup>1</sup>)**

- 4.4.1 Where the removal of a Category 1 Hazard is required for the purposes enabling works/adaptations in accordance with paragraph 3 or this paragraph 4, an individual may include within their grant application under paragraph 3 or 4 of this Policy, an

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<sup>1</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/9425/150940.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/9425/150940.pdf)

application for a grant to enable those hazards to be removed in accordance with this paragraph 4.4.

- 4.4.2 The need for the removal of a Category 1 Hazard will be identified during the assessment where the needs of an individual are assessed. Further assessments by other qualified officers of the Authority may be required as appropriate.
- 4.4.3 Where one or more Category 1 Hazards are discovered at a property where the customer is the tenant of a private landlord and that/those hazard(s) are restricting the adaptation of the property or the installation of equipment under this Policy, the Authority's Environmental Health Team will:
- (a) seek to stabilise the customer's situation with smaller works/equipment to meet their needs temporarily; and
  - (b) pursue the landlord through its usual channels to encourage the landlord to rectify the issues causing the hazard; but
  - (c) where this is not possible, the Authority may seek to relocate the customer and/or assist with social care intervention.
- 4.4.4 This discretionary payment may be made alongside either a means tested application under paragraph 3 or a discretionary payment under this clause 4.

#### **4.5 Provision of High Value Equipment**

- 4.5.1 The Authority may provide high value equipment to meet an assessed need where it can be shown that it will enable an individual to remain in their own home longer, and in the longer term, achieve better outcomes for that individual provided that:
- (a) the item of equipment proposed is a non-core item within the Authority's Adaptation and Loan Equipment Service; and
  - (b) the cost of an individual item is over £1,000 (and the application is within the Authority's discretionary limits detailed in Paragraph 7 of Appendix 1)
- 4.5.2 Any grant given for the purchase of high value equipment under this paragraph is subject to the requirements for the Authority's recovery of specialist equipment detailed in Appendix 4.

#### **4.6 Maintenance of mechanical and electrical equipment**

The Authority may provide assistance for the maintenance for a piece of mechanical or electrical equipment installed under this Policy.

#### **4.7 Discretionary Assistance to Support Means Tested Assistance**

An individual may make an application for Discretionary Assistance detailed in this paragraph 4 and paragraph 7 of Appendix 1 as a stand alone application or alongside a means tested application.

## **5. GRANT CONDITIONS**

Where a grant is made to an individual under paragraph 3 or 4 of this Policy, such grant shall be made subject to the conditions detailed in Appendix 5.

## **6. DEGENERATIVE CONDITIONS AND SUCCESSIVE APPLICATIONS**

- 6.1 Where an application is made under this policy by a disabled person whose condition is degenerative, further adaptations to the home to cater for their deteriorating condition may become necessary at a later date.
- 6.2 In cases referred to in 6.1 above
  - 6.2.2 where an application is made under paragraph 3, depending on the time lapse between the successive applications, the amount of an applicant's current contribution may be reduced by the amount paid towards the previous grant assistance. The time period considered for this purpose is the 10 year period prior to each application.
  - 6.2.3 In cases referred to in 6.1 above, where an application is made under paragraph 4, an individual may make successive grant applications, but in considering an application, consideration will also be given to the nature and extent of previous grants made to that individual under paragraph 4.

## **7. THE AUTHORITY'S APPROACH TO THIS POLICY**

In order to administer Home Adaptation Assistance, Relocation Assistance and Adaptation Assistance, the Authority will:

- 7.1 Make this policy available for inspection by the public free of charge and place a public announcement in the press of the changes to this Policy.
- 7.2 Provide a copy of this Policy, free of charge, to any member of the public that requests it.
- 7.3 Make a written offer of assistance setting out what conditions, if any are attached to the giving of assistance.
- 7.4 Ensure that each applicant has received appropriate advice and assistance or information about the extent and nature of any obligation, whether financial or otherwise, to which s/he will become subject as a consequence of the provision of assistance.
- 7.5 Where appropriate, register a legal charge in respect of assistance given, or make contractual provisions for the recovery of the assistance as an unsecured debt.
- 7.6 Impose conditions on the assistance to be given in accordance with this Policy.
- 7.7 Enforce those conditions requiring repayment in every case, except those where, having regard to the ability of the assisted person to make the repayment of the contribution, the Authority is satisfied that exceptional hardship would be caused by

enforcement of that condition, it would be unfair or unreasonable in all the circumstances, and the merits of the case.

## **8. EQUAL OPPORTUNITIES**

- 8.1 The Authority fully endorses the removal of all barriers to its services arising from ethnicity, religion, geographic location, special needs, language differences, learning difficulties, sexual orientation, gender, age or disability. This list is not intended to be exhaustive, but is intended to show some of the areas where it is believed discrimination could occur.
- 8.2 In order to ensure that this policy provides equal access to all, a comprehensive impact assessment has been undertaken to consider the effect of the policy on all the residents of the borough.
- 8.3 The assessment showed overall that implementation of the revised policy would generally enhance the beneficial effect on the health, safety and welfare of residents by raising housing standards and community vitality.
- 8.4 This document can be produced in other formats, such as in Braille; large print; on audiotape; CD-ROM or in other languages. Contact North Tyneside Authority's Adaptations Loan Equipment Service Team for further assistance.

## **9. CONFIDENTIALITY AND DATA PROTECTION STATEMENT<sup>2</sup>**

## **10. CONTACT DETAILS**

If you would like more information, or would like to discuss any part of this Policy please contact Adaptations Loan Equipment Service or visit our website at [www.northtyneside.gov.uk](http://www.northtyneside.gov.uk).

## **11. COMPLAINTS, COMPLIMENTS AND APPEALS**

- 11.1 The Authority operates a Corporate Complaints procedure. If you are not satisfied with the service that you have received please contact us. Your comments help the Authority to improve the service provided:
- By post or in person at Quadrant East, The Silverlink North, Cobalt Business Park, North Shields, NE27 0BY
  - By telephone on 0191 643 2280
  - By email to [CMLO@northtyneside.gov.uk](mailto:CMLO@northtyneside.gov.uk)
  - By fax on 0191 643 2415
- 11.2 Equally if our customers are satisfied with the service they receive we would also like to hear about it.

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<sup>2</sup> The process under this Policy and the use of personal data is under consideration by officers within ALES and Information Governance. Following this assessment, an appropriate Confidentiality and Data Protection Statement will be included.

- 11.3 Appeals against decisions as to what assistance, if any, given in the normal operation of this Policy, will be referred to and decided upon by a panel of senior officers who have been appointed by the Head of Health Education Care and Safeguarding for that purpose.

## **12. REVIEW OF THIS POLICY**

- 12.1 This Policy will be subject to continuous monitoring and an annual officer review to ensure that it remains suitable and is contributing to the Authority's objectives detailed in paragraph 1.2 of this Policy the most effective way. An assessment of the outputs and outcomes achieved by this Policy will be made. This will include the number of applications both successful and unsuccessful for mandatory and discretionary grants and the number of people who have been able to continue to live independently as a result of assistance under this Policy. Where certain changing circumstances have a significant impact on the operation of this Policy, necessary changes will be made to the Policy. Changes could include financial limits, those required following a change in legislation, and changes in local and national housing policy. Any material changes to this Policy will be subject to Cabinet approval.
- 12.2 Where assessment shows that the Policy is operating satisfactorily and that no changes are required, the Cabinet Member with the relevant portfolio will be provided with an update.



## APPENDIX 1

### ADAPTATION ASSISTANCE – Criteria and Means Testing

#### 1. Introduction

- 1.1 North Tyneside Council aims to assist disabled people to live independently within their current home or move to a more suitable property to meet their longer term needs.
- 1.2 This Policy focuses primarily on the Authority's delivery of Disabled Facilities Grants (DFGs). This is set out in Paragraphs 2 to 6 below.
- 1.3 In addition to the delivery of Disabled Facilities Grants, and subject to available funding, the Authority will provide Discretionary Assistance to support disabled residents and vulnerable individuals with urgent health related housing needs.
- 1.4 Paragraph 7 sets out how the Authority will deliver Discretionary Assistance under this Policy.

#### 2. Eligibility for Disabled Facilities Grant (as detailed in the Housing, Grant, Construction and Regeneration Act 1996)

- 2.1 The Authority must be satisfied that the customer has a qualifying owner's interest or is a qualifying tenant/resident. It is the applicant's responsibility to provide proof of this as part of their application. Failure to provide this will result in the application being rejected.
  - 2.1.1 A qualifying owner is one who owns a freehold interest in a property or one who has a leasehold interest in a property with at least 5 years remaining on the lease. If the leasehold interest is less than 5 years in duration, confirmation must be obtained from the property's freeholder of what is due to happen at the end of the lease period. A qualifying owner must supply an owner's certificate and certify that it is the intention that the disabled occupant will occupy the premises for a period of at least 5 years.
  - 2.1.2 Private sector tenants will be eligible if they are able to supply permission from their landlord and confirmation that it is the intention of the landlord to let the property to the disabled occupant for a period of at least 5 years.
  - 2.1.3 A 'qualifying tenant' is one who meets one of the following:
    - a secure tenant
    - an introductory tenant
    - a protected occupier under the Rent Act 1976
    - an employee who occupies the dwelling or flat concerned for the better performance of his duties
    - an assured tenant of a Housing Association
  - 2.1.4 With any tenancy the landlord must give permission for the works to go ahead.

- 2.1.5 Where the application is made on behalf of a child (an individual under the age of 20 years) the parent or guardian making the application is the applicant.
- 2.1.6 If an applicant is not the owner or they are not named on the tenancy, they may still be eligible if:
- they are the partner of the owner or tenant or treated as the partner
  - they are married to the owner or the tenant
  - they are living together with the owner or the tenant as a couple
  - they are a civil partner of the owner or the tenant
  - the applicant is an immediate family member (parents, grandparents, adult children, grandchildren and siblings) of the owner or tenant of the property and they can provide evidence that they live at the property and intend to do so for the next 5 years and the main carer for the applicant is the owner or tenant.

### **3. Needs Assessment**

- 3.1. Assessments will be carried out by a “competent person”. This could be an Occupational Therapist, qualified Nursing Practitioner or trained assessment officer to determine the need and level of adaptation required. The assessment will make recommendations of how the adaptations would fully meet the person’s needs and enable them to remain in their home.
- 3.2 The person carrying out the assessment should consider any equipment, minor fixings or minor adaptations (under £1,000) that could be put into place to meet the need of the client prior to assessing for a major adaptation
- 3.3 If a major adaptation is requested, then technical and feasibility visits will take place to determine cost and if the adaptation can be carried out on the property.
- 3.4 If it is not reasonable and practicable to carry out the works to the property, other options to meet the assessed needs of the customer will be considered.

### **4. Grant Application**

- 4.1. If the adaptation is practicable and the costs (inclusive of ancillary charges) have been determined, a grant application can be processed.
- 4.2. Where applicable, a test of resources (“means test”) will be carried out to assess the amount the client will need to contribute towards the cost of the adaptation/s. The test of resources is used to assess the level of a customer’s contribution towards the cost of eligible works and is based on a formula calculating a notional level of need (the amount the government says you need to live on each week) compared to the relevant person’s income and capital.
- 4.3. Only “major adaptations” over £1,000 are eligible for a DFG.

- 4.4. The maximum DFG limit is £30,000. However, the Council will apply Discretionary Assistance to increase the maximum grant threshold to £40,000 as set out in paragraph 7.

## **5. Property Charges**

- 5.5. The Authority is able to add a Local Land Charge to a privately owned property for the cost of the adaptation, should the property be disposed of within 5 years. Where the applicant, or in the case of a child, their parent/guardian, are no longer the qualifying owner either by sale, donation or repossession, the property will be deemed as disposed of.
- 5.6. A Local Land Charge will only be considered where the adaptation/s has increased the floor size of the property or added value to the property. Examples would include, loft conversions, extensions, out building conversions, multiple adaptations.
- 5.7. The Council will only consider adding a charge where the cost of the adaptation is more than £10,000. Consideration does not mean that this is a blanket policy and every case will be judged on its own merits in terms of adding a land charge against the property

## **6. Withholding, Recalculating and Requesting Repayment of DFG**

- 6.1 North Tyneside Council has the authority to withhold, request repayment or recalculate a grant that has been approved as per the *Housing Grants, Construction and Regeneration Act 1996 (Section 42)* in the following circumstances:
- 6.1.1 If it is found that the amount of grant awarded was determined on the basis of inaccurate or incomplete information and exceeds that to which the applicant was entitled.
- 6.1.2 If it is found that the eligible works were started before the application was approved without the Authority's knowledge.
- 6.1.3 The eligible works are not completed to the satisfaction of the Authority within 12 months of the approval date as specified under *section 37 of the Housing Grants, Construction and Regeneration Act 1996*.
- 6.1.4. If it is ascertained that the total of the cost of completing the eligible works and the costs incurred with respect to preliminary or ancillary services and charges, is or is likely to be lower than the estimated expense.
- 6.1.5 The Authority ascertains that without their knowledge the eligible works were carried out by a contractor whom was not approved by the Authority to carry out the eligible works or for any other reason listed within *Section 38 of the Housing Grants, Construction and Regeneration Act*.
- 6.1.6 In some cases the cost of the works may be covered by an insurance payment or a claim against a third party. The Authority may in these circumstances believe that it is appropriate for the Authority to give grant aid

to ensure the works are completed at the earliest opportunity. However where the grant applicant subsequently receives a payment from an insurance or damages claim in respect of the grant aided works then he should repay to the Authority the grant, so far as is appropriate, out of the proceeds of that claim.

**7. Discretionary Adaptation Assistance**

- 7.1 The Authority will not generally carry out a test of resources (means test) on applicants where the cost of the works and/or adaptation (including any fees charged by the Authority in respect thereof) are not expected to exceed £10,000.
- 7.2 The Authority will increase the maximum DFG grant limit of £30,000 up to a revised maximum of £40,000 (being the maximum DFG grant of £30,000 and Discretionary Adaptation Assistance of up to £10,000).
- 7.3 The value of the Discretionary Adaptation Assistance may each financial year, at the discretion of the Authority, be increased in line with the Retail Prices Index.

## APPENDIX 2

The purposes for which mandatory DFGs may be given.

- facilitating access to and from the dwelling or the building in which the dwelling or flat, as the case may be, is situated, e.g. by widening doors or installing ramps;
- facilitating access to a room used or usable as the principal family room;
- facilitating access to a room used or usable for sleeping, or alternatively providing such a room for the disabled occupant;
- facilitating access to a room in which there is a lavatory, a bath or shower (or both) and a wash basin or providing a room in which there is such a facility or facilities;
- facilitating access to the garden
- facilities for the preparation and cooking of food.
- adaptations to the dwelling or building to make it safe for the disabled person and other persons residing with him. This may include adaptations to access and movement around the home to enable the disabled person to care for another person who lives in the property, such as a spouse, child or another person for whom the disabled person cares.
- improvement of an existing heating system in the dwelling to meet the disabled occupant's needs. Where there is no heating system or where the existing heating arrangements are unsuitable to meet their needs, a heating system may be provided.
- The installation of central heating to the dwelling will only be considered where the well-being and mobility of the disabled person would otherwise be adversely affected and to enable a disabled person to have full use of heating, lighting and power controls in the dwelling. Such work includes the relocation of power points to make them more accessible, the provision of suitably adapted controls where a disabled person has difficulty in using normal types of controls and the installation of additional controls.

### **Common parts**

The purposes for which grant is available for works to the common parts of buildings such as blocks of flats are, limited to works to facilitate access to the dwelling through the common parts, or facilitating the use by the disabled person of a source of power, lighting or heating in the common parts.

## **APPENDIX 3**

### **DIRECT RELOCATION ASSISTANCE GRANTS**

Legal fees, including disbursements for example searches and land registry fees

Stamp duty and other taxes associated with moving home

Surveyors Fees

Removal Costs

## **APPENDIX 4**

### **RECOVERY OF SPECIALIST EQUIPMENT**

The customer shall, as soon as possible, notify the Authority should any specialised equipment no longer be needed. Upon receiving notification, the Authority may inspect the equipment and may decide to remove it. The Authority will make good any damage caused to the property as a result of such removal.

The Authority will have the right to recover specialist equipment only where it has been purchased through the Discretionary Grant in accordance with this Policy, or where the customer has made no contribution, or was assessed as having a 'nil' contribution to the Grant.

## APPENDIX 5

### Financial Assistance Conditions

In this appendix, the term 'financial assistance' refers to financial assistance of any form whether by grant or loan give pursuant to this Policy.

#### 1. Works that have begun

- A Disabled Facilities Grant will not be paid for works that have already begun prior to approval.

#### 2. The Property and the Works

- a. The works that are eligible for assistance, the Client Contribution, and the contractor that will carry out the works, must be agreed with the Authority.
- b. Should works that were unforeseen at the time of the works being carried out, financial assistance in the form of further mandatory DFG, or Disabled Facilities Discretionary Grant towards the additional cost will be considered.

#### 3 The Application

- a. An application must be made on the application form provided for that purpose. The Authority will only consider a valid application for assistance. A valid application is one where the following documents are submitted:
  - o A correctly completed application form and any supporting documentation
  - o Either a certificate of owner occupation, or a certificate of intended letting or a tenant's certificate
  - o Proof of title where applicable
  - o Authorisation from the owner of the property if a third party is acting agent in the application. This can be in the form of an authorisation letter, power of attorney or document of similar standing
  - o Completed form of Technical and Administrative Services Charges
  - o Any relevant reports as requested by the Schedule giving the particulars of the relevant works
  - o At least two sets of estimates for the proposed works.
  - o Details of preliminary or ancillary services or charges
  - o Other prescribed particulars
- b. The applicant shall be required to enter into a contract with the Authority.
- c. The Authority will determine an application within 6 months of receipt of a valid application.

The applicant will be informed in writing of the approval or refusal of the application.

#### 4 Carrying Out and Completing the Works

- 4.1 The eligible works must be completed within 12 months from the date of approval of the application. The Authority may extend this period if they feel it is necessary, upon written request from the applicant;
- 4.2 Where the work has begun and not been completed within the time allowed in accordance with terms of the approval of the assistance and the Authority has incurred costs including any interim payments or additional costs, the Authority may recover these from the applicant.



- 4.3 Where the applicant fails to fully reimburse the Authority, the Authority shall place a land charge on the property for any outstanding amount plus any interest accrued from that date.
- 4.4 The works that are eligible for assistance must be completed to the satisfaction of the Authority and carried out in accordance with any specification imposed by the Authority.
- 4.5 The Authority should be provided with an acceptable invoice, demand or receipt for payment from the agreed contractor. For this purpose an invoice, demand or receipt is acceptable if it satisfies the Authority and is not produced by the applicant or a member of his/her family.
- 4.6 It will be a condition of assistance that the property must be insured and properly maintained at all times. If this condition is not met during the period until the assistance is repaid, it will be a breach of the conditions of assistance; a copy of the buildings insurance certificate may be requested annually by the Authority.

## **5 The Local Land Charge**

- 5.1 Once an application for financial assistance is approved, the assistance may be registered as a legal charge and a local land charge on the property. This will be carried out before any assistance is paid.
- 5.2 Any charge where applied, will apply for a period of up to 5 years from the date at which the Authority certifies that the eligible works have been carried out to their satisfaction ("the certified date").
- 5.3 Reducing the priority of the charge or removing the charge will only be undertaken in exceptional circumstances.
- 5.4 A charge is binding on the person who is for the time being an owner of the premises concerned.
- 5.5 Where a condition is broken, the Authority has all the usual remedies in law to secure repayment including enforcement of the charge.

### **General Notes:**

- i. If the property is occupied by a person who is a protected occupier under the Rent (Agriculture) Act 1976 or is occupied under an assured agricultural occupancy, within the meaning of Part 1 of the Housing Act 1988, the condition will not be breached.
- ii. In a case where personal representatives or trustees are the owner, the letting must not be to a person who has a beneficial interest under the will, intestacy or trust, in the property or the proceeds of its sale.
- iii. A "RELEVANT Disposal" is where the whole or part of a property undergoes either a conveyance of the freehold or an assignment of the long lease or the grant of a long lease, which does not qualify as an exempt disposal.
- iv. An "EXEMPT disposal" means a disposal that is:
  - a. Of the whole of the property to the owner or one of the joint owners of the dwelling
  - b. Of the whole of the property by Court order in the course of a domestic breakdown;

- c. Compulsorily, or by agreement, to a public body with compulsory purchase powers;
- d. Of land which is "included land" under Section 184 of the Housing Act 1985;

**An owner's interest is:**

- an estate in fee simple absolute in possession, or
- "a term of years absolute of which not less than five years remain unexpired at the date of application". This included a long lease of seven years or over granted under deed where the leaseholder has a repairing obligation. There must be at least 5 years remaining on the lease.

Whether held by the applicant alone or jointly with others.

**A person is a member of another's family if that person is:**

- the other's wife or husband or that person lives with the other as wife, husband or civil partner
- a son or daughter or son-in-law or daughter-in-law of the other, or of the other's wife or husband

("son" or "daughter" includes any step son or step daughter and any illegitimate son or daughter,

and "son-in-law" and "daughter-in-law" are to be construed accordingly) or, a parent, grandparent,

grand child, brother, sister, aunt, uncle, nephew, niece of the other, or of the other's wife or husband, whether the relationship is by blood or marriage.

# North Tyneside Council

## Report to Cabinet

### Date: 12 March 2018

#### ITEM 5(j)

Title: Cabinet Response  
to Scrutiny Report on  
ICT Strategy Review

Portfolio(s): Deputy Mayor

Cabinet Member(s): Councillor Bruce  
Pickard

Report from Service Area: Commercial and Business Redesign

Responsible Officer: Lisa Clark, Head of Commercial and  
Business Redesign (Tel: (0191) 643  
5719)

Wards affected: All

#### **PART 1**

##### **1.1 Executive Summary:**

The purpose of this report is to seek Cabinet's 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.

In accordance with Section 21B of the Local Government Act 2000, Cabinet is required to provide a response to the recommendations of the Overview, Scrutiny and Policy Development Committee within two months.

In providing this response Cabinet is asked to state whether or not it accepts each recommendation. Cabinet must also indicate what action, if any, it proposes to take.

##### **1.2 Recommendation(s):**

It is recommended that Cabinet agree the proposed responses to the recommendations from the Overview, Scrutiny and Policy Development Committee, as shown in Appendix 1 of this report.

##### **1.3 Forward Plan:**

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 9 February 2018.

##### **1.4 Council Plan and Policy Framework**

This report relates to the following priority in the 2018/20 Our North Tyneside Plan:

- Our People will be listened to so that their experience helps the Council work better for residents.

## **1.5 Information:**

### **1.5.1 Background**

1.5.2 The Overview, Scrutiny and Policy Development Committee 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 (TOM) and delivery of the Creating a Brighter Future (CBF) Programme.
- Evaluating whether the Authority has an appropriate ICT strategy in place and whether this strategy will meet the future needs of the organisation.

1.5.3 Having completed its investigation, the sub-group prepared a report and a series of recommendations. Cabinet received the report and recommendations on 15 January 2018.

## **1.6 Decision options:**

The following decision options are available for consideration by Cabinet:

### Option 1

Cabinet agrees the proposed response to the recommendations from the Overview, Scrutiny and Policy Development Committee, as set out in paragraph 1.2 above.

### Option 2

Cabinet does not agree the proposed response to the recommendations from the Overview, Scrutiny and Policy Development Committee, as set out in paragraph 1.2 above, and provides an alternative response to the Overview, Scrutiny and Policy Development Committee at the meeting.

Option 1 is the recommended option.

## **1.7 Reasons for recommended option:**

Option 1 is recommended in order to ensure that the ICT strategy continues to be fit for purpose and supports the needs of the organisation moving forward.

## **1.8 Appendices:**

Appendix 1: Cabinet Response to Overview, Scrutiny and Policy Development Committee Recommendations, Completed Action Plan

## **1.9 Contact officers:**

Lisa Clark, Head of Commercial and Business Redesign, tel. (0191) 643 5719  
Ben Kaner, Head of Digital Strategy, tel. 07875 140539

## **1.10 Background information:**

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

- (1) Overview, Scrutiny and Policy Development Committee Report: ICT Strategy Review November 2017 [\(insert hyperlink\)](#)
- (2) The Authority's Digital Strategy: <http://my.northtyneside.gov.uk/sites/default/files/web-page-related-files/Digital%20Strategy%202015.pdf>

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

It is anticipated that the actions proposed in this report can be completed within existing budgets.

In relation to recommendation 9 (in Appendix 1), total budget planning for ICT projects is in consideration, including the adequacy of ICT capital funding and the funding to support the overall strategic change programme. If investment allows savings to be realised, this will be a priority for funding. Any changes will be reported in line with financial regulations.

### **2.2 Legal**

In accordance with section 21B of the Local Government Act 2000, Cabinet is required to provide a response to the recommendations of the Overview, Scrutiny and Policy Development Committee within two months. In providing this response Cabinet is asked to state whether or not it accepts each recommendation and the reasons for this decision. Cabinet must also indicate what action, if any, it proposes to take.

### **2.3 Consultation/community engagement**

The Sub Group which undertook this work on behalf of the Overview, Scrutiny and Policy Development Committee met with relevant Authority officers. Full details are listed in the Overview, Scrutiny and Policy Development Committee Report: ICT Strategy Review.

### **2.4 Human rights**

There are no direct issues relating to human rights arising from this report.

### **2.5 Equalities and diversity**

There are no direct issues relating to equalities and diversity arising from this report.

### **2.6 Risk management**

There are no direct issues relating to risk arising from this report.

## 2.7 Crime and disorder

There are no direct issues relating to crime and disorder arising from this report.

## 2.8 Environment and sustainability

There are no direct issues relating to environment and sustainability arising from this report.

### PART 3 - SIGN OFF

- Deputy Chief Executive ☒
- Head(s) of Service ☒
- Mayor/Cabinet Member(s) ☒
- Chief Finance Officer ☒
- Monitoring Officer ☒
- Head of Corporate Strategy ☒

## Cabinet Response to Overview and Scrutiny Recommendations Completed Action Plan

### ICT Strategy Review

In accordance with Section 122 of the Local Government and Public Involvement in Health Act 2007, Cabinet are required to provide a response to the recommendations of the Overview and Scrutiny Committee within 2 months. In providing this response Cabinet are asked to state whether or not it accepts each recommendation and the reasons for this decision. Cabinet must also indicate what action, if any, it proposes to take.

Overview and Scrutiny Recommendation	Officer Commentary	Cabinet Decision (Accept or reject)	Action to be taken (if any) and timescale for completion
1. The Digital Strategy is subject to an annual review to ensure it is refreshed on a regular basis, and that consideration is given to including a timeline setting out when objectives will be achieved, particularly shorter term objectives covering the next 12-18 months.	The strategy is continually reviewed with the Cabinet Member for ICT, including discussion on the 12-18 month forward plan.	Accept	<p>The Head of Digital Strategy to continue to review the Digital Strategy, including the 12-18 month forward plan, with the Cabinet Member for ICT.</p> <p>The Head of Digital Strategy will also ensure the Digital Strategy published online is reviewed and updated regularly (annually at least).</p>
2. There is clear democratic accountability in relation to the management of the contract with ENGIE and the wider ICT Strategy, and that the Overview, Scrutiny and Policy Development Committee has a specific on-going role in reviewing the performance of the contract and the delivery of projects within the ICT Strategy.	Decision making responsibility for the Council's strategic partnerships rests with Cabinet and oversight of performance is undertaken through established governance structures agreed by Cabinet. The structures include Partnership Boards attended by the Mayor and/or relevant cabinet Members and the identification of a lead Cabinet Member for ICT. It is not	Noted	

Overview and Scrutiny Recommendation	Officer Commentary	Cabinet Decision (Accept or reject)	Action to be taken (if any) and timescale for completion
	felt necessary for the Overview, Scrutiny and Policy Development Committee to have a specific on-going role in this regard although future specific pieces of work would be welcomed.		
3. Communication to staff and Members in relation to the ICT Strategy and the ICT projects that are underway is enhanced to raise awareness of the various strands and the linkages between them.	<p>The Authority's Senior Leadership Team (SLT) receives regular updates on progress against ICT projects, as does the Cabinet Member for ICT.</p> <p>Extensive internal communications go out to the organisation around ICT business-as-usual activity, and communication is always a vital part of any system replacement or change project. This is targeted to people depending on their role and how the change will impact them.</p> <p>Consideration will be given to potential opportunities to enhance raising the awareness of the various strands and linkages between them.</p>	Accept	The Head of Digital Strategy, the Head of Commercial and Business Redesign, and the Head of Corporate Strategy consider opportunities to enhance awareness raising of the Digital Strategy and linkages between key projects
4. SLT and the Council's partners are pro-active in encouraging all staff to embrace the opportunities offered by ICT innovations and to fully utilise ICT to improve efficiency, underpinned by	User adoption, change management, and training are essential aspects of all ICT projects. Significant system changes (e.g. the implementation of Liquid Logic in Adults Services) include	Accept	<p>SLT to continue to ensure that user adoption activities are central to new system roll-outs.</p> <p>SLT to also ensure exploitation</p>



Overview and Scrutiny Recommendation	Officer Commentary	Cabinet Decision (Accept or reject)	Action to be taken (if any) and timescale for completion
comprehensive training for all staff on new systems.	<p>business-readiness and adoption workstreams with the intention of supporting staff through the change as well as embedding new ways of working as a result of the changing technology. This support is proportionate to people's roles and depends on how much the change will affect them.</p> <p>Staff are encouraged to embrace new opportunities whilst ensuring they remain within the Authority's policies and procedures.</p> <p>The Authority's SLT is also considering inclusion of objectives in the Individual Performance Review (IPR) process around the exploitation of ICT to ensure we are maximising the benefits of new systems.</p>		of new systems is made more explicit in IPRs where appropriate.
5. That a cross-section of residents with mixed technical ability are involved in consultation and testing around the re-design of Council services, to ensure the accessibility of re-designed services.	<p>Consultation already takes place on the re-design of key Council services that have an impact or are used by the public. This is via consultation events and campaigns and through the residents' panel.</p> <p>Officers are working with other agencies (e.g. the Post Office, the</p>	Accept	The Head of Commercial and Business Redesign and the Head of Digital Strategy to ensure that, where appropriate, residents are involved in the design and testing of new digital products and applications.

Overview and Scrutiny Recommendation	Officer Commentary	Cabinet Decision (Accept or reject)	Action to be taken (if any) and timescale for completion
	<p>Citizens Advice Bureau, Barclays Bank) to support residents where necessary in their digital skills.</p> <p>Significant work is being undertaken by Authority to help prepare tenants for the impact of Welfare Reform specifically in relation to digital skills.</p> <p>All the products being developed within the Customer Journey Programme are being designed with the user experience at the centre of the thinking, although it is acknowledged that more user involvement would be beneficial. The Customer Journey Team has been in discussion with HMRC about how they approach this.</p>		
<p>6. In relation to future developments around data and analytics, to ensure that Scrutiny members are involved in the development of ideas about how residents' data is used and analysed, and have oversight of how these developments are implemented.</p>	<p>All proposed uses of analytics are subject to controls of information governance and value for money. With the General Data Protection Regulations (GDPR) coming in to force in May 18, use of data will be open to further scrutiny and rigour. The Overview, Scrutiny and Policy Development Committee may wish to consider whether this is an area for inclusion in their future work programme.</p>	<p>Noted</p>	

Overview and Scrutiny Recommendation	Officer Commentary	Cabinet Decision (Accept or reject)	Action to be taken (if any) and timescale for completion
7. To consider the training needs of Councillors in relation to the introduction of Office 365 and Sharepoint, particularly in relation to Data Protection requirements around the storing and accessing of documents.	Training requirements for Councillors is being incorporated in the overall plan, particularly around General Data Protection Regulation and the implementation of the new Members information systems.	Accept	The Head of Commercial and Business Redesign, Head of Digital Strategy and the Head of Law and Governance, working with the Deputy Mayor, the Cabinet Member for Finance, and the Chair of the Overview and Strategy Finance Sub-Committee, to ensure that Elected Members are effectively supported and trained in the new ICT environment.
8. Given the data transfer issues that have arisen from the recent Kier in-sourcing decision, that exit plans are developed for all current partnership arrangements, and at the outset of any future arrangements, to fully consider the ICT implications.	<p>We have clear arrangements on data ownership and the ICT worksteam (as part of the Kier in-sourcing project) is considering the optimum path to achieve a smooth transfer of data for when the contract ends.</p> <p>There are contractual arrangements in all the partnerships which provide for data ownership and include provisions relating to the end of the contractual relationship. Implementation of specific exit plans will be developed at the appropriate time (when the contracts are nearing an end).</p>	Reject	
9. While recognising the difficult	In relation to the annual capital	Noted	SLT to continue to monitor the

Overview and Scrutiny Recommendation	Officer Commentary	Cabinet Decision (Accept or reject)	Action to be taken (if any) and timescale for completion
<p>financial situation, to consider whether any additional Capital funding could be allocated to speed up improvements and the roll-out of ICT equipment, particularly where investment would allow savings to be realised.</p>	<p>investment the Authority makes in ICT infrastructure (current £1m per annum), total budget planning is in continual consideration, including whether the funding is enough to cover the requirement.</p> <p>In relation to funding ICT projects to support change, if investment allows savings to be realised then this will be a priority for funding.</p> <p>The capacity for the organisation to absorb change (including changes related to ICT) over and above that which is currently planned must also be considered.</p>		<p>pace of ICT change. SLT to also continue to consider invest to save business cases as part of the on-going efficiency process.</p>

# North Tyneside Council

## Report to Cabinet

### Date: 12 March 2018

#### ITEM 5(k)

**Title:**  
**Compulsory Purchase Order**  
**in Respect of 25 and 26**  
**Wellington Avenue, Wellfield**  
**Estate, Whitley Bay**

**Portfolio(s):** The Elected Mayor

**Cabinet Member(s):** Mrs N Redfearn

**Report from Service**  
**Area:**

**Commissioning and Investment**

**Responsible Officer:**

**Mark Longstaff**  
**Head of Commissioning and**  
**Investment**

**(Tel: (0191) 643 8089)**

**Wards affected:**

**St Mary's**

#### **PART 1**

##### **1.1 Executive Summary:**

North Tyneside Council is the former tenant of 25/26 Wellington Avenue, Wellfield Estate in Whitley Bay.

These premises were transferred to the Authority on its formation in 1974. Prior to the transfer, the former Tynemouth County Borough Council was the tenant of the premises under the terms of a 99 year lease dated 12 May 1912.

When the premises transferred to the Authority from the former Borough Council it was without record of the then owner and Landlord or any correspondence with them relating to the premises.

The Authority has since been unable to identify the current owner and Landlord and when the lease expired on 11 May 2011, the Authority ceased to have any legal interest in the premises.

The building has subsequently fallen into disrepair whilst vacant and outside of the ownership of the Authority.

This report outlines the Compulsory Purchase Order (CPO) proposal in respect of 25 and 26 Wellington Avenue, Wellfield Estate, Whitley Bay within the area shown by red outline on the plan attached as Appendix 1 (the "Order Land").

## **1.2 Recommendation(s):**

It is recommended that Cabinet:-

- i. approves 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 in order to facilitate the improvement of the premises and to contribute to the economic, social and environmental well-being of the locality;
- ii. agrees that the Order be named “Nos. 25 and 26 Wellington Avenue, Wellfield Estate, Whitley Bay Compulsory Purchase Order 2018”;
- iii. authorises 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 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 this 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.

## **1.3 Forward Plan:**

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 12<sup>th</sup> February 2018.

## **1.4 Council Plan and Policy Framework**

This report relates to the following priorities in the 2018-2020 Our North Tyneside Plan:

Our Places will:

- Be great places to live by focusing on what is important to local people, such as by tackling the derelict properties that are blighting some of our neighbourhoods.
- Offer a good choice of quality housing appropriate to need, including affordable homes that will be available to buy or rent.

## **1.5 Information:**

### **1.5.1 Background**

North Tyneside Council is the former tenant of 25/26 Wellington Avenue, Wellfield Estate in Whitley Bay as shown outlined in red on Appendix Plan 1.

These premises were transferred to the Authority on its formation in 1974. Prior to the transfer, the former Tynemouth County Borough Council was the tenant of the premises under the terms of a 99 year lease dated 12 May 1912.

When the premises transferred to the Authority from the former Borough Council it was without record of the then owner and Landlord or any correspondence with them relating to the premises.

The Authority has since been unable to identify the current owner and Landlord and when the lease expired on 11 May 2011, the Authority ceased to have any legal interest in the premises.

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

The numerous and wide ranging attempts by the Authority to identify the owner have included:-

- a) instructing an international probate genealogist to conduct a full investigation, without success;
- b) placing adverts in the London Gazette, Whitley Bay Guardian, Newcastle Journal, without receiving any response;
- c) posting details on line through the Authority's Facebook and twitter pages; again no response was received;
- d) enquiries of the Upper Tribunal Lands Chamber to seek clarification of whether it held jurisdiction to declare that the property is unclaimed and can be registered in the name of the Authority, and;
- e) enquiries of the Bona Vacantia Department which administers the estates of persons who appear to have died without leaving a Will and also deals with unclaimed land and estates. The Department checked its records and were unable to trace anything relating to the Authority's former Landlord and were therefore unable to assist.

In addition the Authority has given consideration to whether a claim for adverse possession would be appropriate. However it is not possible for the Authority to pursue an application for adverse possession of the property as the Authority is no longer in occupation of the property.

#### Use of Compulsory Purchase Powers (CPO)

Under section 226 (1) (a) of the Town and Country Planning Act 1990 a local authority has a power 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 to exercise such powers the Authority must be satisfied that the proposed development, redevelopment or improvement is likely to contribute towards any of the following objectives:

- the promotion or improvement of the economic well-being of their area;
- the promotion or improvement of the social well-being of their area; or
- the promotion or improvement of the environmental well-being of their area.

In order for the Authority to use its CPO powers the Authority must demonstrate that it has a “Scheme” for the premises and a budget available to execute it. It is also imperative that the Authority can successfully demonstrate that it has tried all other ways to secure the premises by agreement.

Whilst it is 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 is considered that this will be acceptable as an appropriate “Scheme” for CPO purposes.

Additionally this will be supported by a document known as a “Statement of Reasons” which will confirm that the work is required to halt the further decline of the premises and its detrimental impact on the immediate locality. This document can make reference to the Authority’s Housing Strategy 2016 - 2021 that was agreed by Cabinet in August 2016 and which details the Elected Mayor’s commitment to tackling empty properties which “blight” neighbourhoods. The “Statement of Reasons” will then be submitted for formal approval in accordance with Recommendation iii (a) of this report.

Funding to support a “Scheme” can be made available from the Housing Revenue Account, if the premises are 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 are currently being considered by Officers and a preferred option together with the full financial implications to the Authority will be recommended for approval in due course in accordance with Recommendation iii (b) of this report.

If a CPO is not progressed then the property will 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 will consider the options available to the Authority including seeking an Order from the High Court.

## **1.6 Decision options:**

The following decision options are available for consideration:

1. Cabinet may approve the recommendations contained within this report to facilitate the making of the Nos. 25 and 26 Wellington Avenue, Wellfield Estate, Whitley Bay Compulsory Purchase Order 2018.
2. Cabinet may decide not to approve the recommendation to make the CPO and request Officers to look at other options available to the Authority.

Option 1 is the recommended option.



### **1.7 Reasons for recommended option:**

Option 1 is the recommended option as 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.

### **1.8 Appendices:**

Appendix 1: Boundary plan of 25 and 26 Wellington Avenue, Wellfield Estate, Whitley Bay "The Order Land".

### **1.9 Contact officers:**

Niall Cathie, Strategic Property Manager, tel. 0191 643 6517

Vicki Dixon, Finance Manager, tel. (0191) 643 5723

### **1.10 Background information:**

Lease dated 21<sup>st</sup> May 1912

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

The officer time involved with making the CPO, will be contained within existing budgets.

Funding to support the preferred "Scheme" can be made available from the Housing Revenue Account if the premises are brought back into beneficial use as affordable homes, or through either of the Authority's trading companies for use as affordable or private homes. The final details of the preferred "Scheme" and the full financial implication of it will be considered when final approval for it is sought in accordance with Recommendation iii (b) of this report.

### **2.2 Legal**

Under section 226 (1) (a) of the Town and Country Planning Act 1990 a local authority has a power 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.

Once a CPO is made and the relevant notice has been served, a period of at least 21 days is allowed for objections. If objections are raised and not withdrawn the Secretary of State must call a public inquiry. Following the inquiry the inspector appointed will report to the Secretary of State. The Secretary of State will determine whether or not to confirm the CPO.

Market value for the properties will normally be payable under the terms of any confirmed CPO. However, as the Authority has been unable to identify the owner of 25 and 26 Wellington Avenue, it is expected that the property will transfer to the Authority at nil consideration. if the CPO is successful.

Under the legislation, an owner of adjoining land may serve a blight notice if they consider that the CPO Scheme will have a negative impact on the sale price of adjoining land. If a notice is received, the Authority may serve a counter notice to object to the claim of blight. Where such a notice is upheld, the Authority would be required to compensate the owner of the blighted land.

The risk of a blight notice is considered to be negligible with regard to 25 and 26 Wellington Avenue given that the objective of the CPO is to improve the condition of the premises and halt its negative impact on the locality.

## **2.3 Consultation/community engagement**

### **2.3.1 Internal Consultation**

The Strategic Property Group and Ward Councillors have been briefed regarding this matter and the intention to progress with a CPO.

### **2.3.2 External Consultation/Engagement**

Local residents will be consulted as part of the planning process in respect of the proposed Scheme for the premises.

## **2.4 Human rights**

The Human Rights Act 1998 places direct obligations on public bodies such as the Authority to demonstrate that the use of CPO powers is in the public interest and that the use of such powers is proportionate to the ends being pursued.

In normal circumstances, the Authority must be sure that the purpose for which it is making the Order sufficiently justifies interfering with the human rights of those with an interest in the land affected.

However, in respect of 25 and 26 Wellington Avenue, the use of CPO powers is only required because the Authority has been unable to identify the owner of the property. Should the owner come forward during the CPO process then the Authority will formally withdraw the CPO as it is expected that the owner will either improve the property or sell it as an asset of value.

## **2.5 Equalities and diversity**

It is considered that the proposed CPO Scheme will have a significant positive impact upon the quality of life for the residents of the local community.

## **2.6 Risk management**

There are no significant risk factors associated with the commencement of the CPO.

Should Cabinet not approve the recommendations as set out in paragraph 1.2, the Authority will be unable to try and secure ownership of the premises which will leave it vulnerable to further decline and the target for anti-social behaviour through bringing the property back into beneficial use.

## 2.7 Crime and disorder

Securing ownership of the premises will significantly reduce their decline and negative impact on the local community particularly in terms of attracting anti-social behaviour and being vulnerable to break-in. Crime and disorder issues will also be considered as part of the planning process for the “Scheme”.

## 2.8 Environment and sustainability

The current condition of the premises is poor and the proposed Scheme will result in a general improvement in the amenity of the surrounding area. Environment and sustainability issues will also be considered as part of the planning process for the “Scheme”.

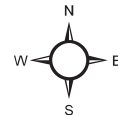
### PART 3 - SIGN OFF

- Deputy Chief Executive ☒
- Head(s) of Service ☒
- Cabinet Member ☒
- Chief Finance Officer ☒
- Monitoring Officer ☒
- Head of Corporate Strategy ☒



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Eastfield Bungalow

49.3m

Gas Gov

Shelter

Shelters

House  
Lodge

47.6m

51.5m

46.1m

50.0m

WATERLOO ROAD

WHITLEY ROAD

WELLINGTON AVENUE

HOLLY AVENUE

REDHEUGH ROAD

COLLINGWOOD ROAD

Path (m)

#### Appendix 1

**Nos 25 and 25 Wellington Avenue, Wellfield Estate, Whitley Bay**

**Compulsory Purchase Order 2018**

**The Order Land**

Scale: 1:1,250 @A4  
OS Ref:  
Date: 16/02/18  
KH

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# North Tyneside Council

## Report to Cabinet

Date: 12 March 2018

### ITEM 5(I)

Title: North Tyneside  
Council Living Wage

Portfolio(s): Deputy Mayor

Cabinet Member(s): Councillor Bruce  
Pickard

Report from Service  
Area:

Human Resources & Organisation Development

Responsible Officer: Janice Gillespie – Head of Finance (Tel: (0191) 643  
5701)

Wards affected: All

## PART 1

### 1.1 Executive Summary:

At a meeting of the Cabinet on 10 July 2017 it was 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 have prompted a review of this payment:

1. In November 2017, the Living Wage Foundations hourly rate was raised to £8.75 per hour. Raising the NTLW payment to £8.75 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 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 have recommended rejection of the offer which is now out to consultation with the membership. Pending the outcome of the consultation the unions may ballot the membership on taking industrial action.

The purpose of this report is to seek Cabinet approval to adjust the pay supplement (NTLW) to £8.75 per hour in response to recent developments as outlined above with a caveat that should the current pay offer be rejected that it remains at £8.45 to be reviewed at such a time as a pay award is agreed.

## **1.2 Recommendation(s):**

It is recommended that Cabinet:

- (1) agree to a revised North Tyneside Living Wage as outlined in the report, £8.75 per hour should the current pay award be accepted by the trade unions;
- (2) authorise the use of the finance allocated via the budget setting process for 2018/19 to enable the implementation of this payment; and
- (3) authorise the Head of Finance, in consultation with the Head of Law and Governance to take all necessary steps to implement the recommendations above.

## **1.3 Forward Plan:**

Twenty eight days' notice of this report has been given and it first appeared on the Forward Plan on the 12 February 2018.

## **1.4 Council Plan and Policy Framework**

This report does not relate to the priorities in the 2018-2020 Our North Tyneside Plan.

## **1.5 Information:**

### **1.5.1 Background**

As part of the budget proposals for 2017/18 Cabinet agreed the introduction of a North Tyneside Living Wage (NTLW) as a pay supplement based on the Living Wage Foundation's rate of £8.45 per hour with effect from 1 September 2017. The payment is a voluntary one and not accredited to the Living Wage Foundation.

The original proposal affected employees on grades 1-3 (SCP's 6-12 inclusive) of the Authority's pay and grading structure including Schools.

It did not change the pay and grading structure of the Authority and is not paid on any enhanced rates of pay such as shift allowances or voluntary overtime payments.

The payment is kept under review as it was deemed likely that future decisions on pay awards or changes to the national pay spine would at some point overtake this hourly amount.

This proposal from 1 April 2018 would affect employees on grades 1, 2 and the bottom SCP of grade 3 (SCP's 6-10 inclusive).

### **1.5.2 Schools Position**

The Authority is the residual employer for all employees in Community Schools (18) and Moorbridge Pupil Referral Unit (1). The NTLW was applied in these schools to avoid any equal pay risks arising.

For other maintained schools within North Tyneside (i.e. the North Tyneside Learning Trust schools and those schools who have a foundation provided by the Catholic Church or the Church of England) as the Authority is not the employer of the staff employed in these schools (the respective governing bodies employ the staff), there is no equal pay risk present beyond the boundaries of each school.

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

### 1.5.3 Workforce Data and Costs

The current number of Authority staff affected on SCP's 6 – 10 is as follows:

GRADE	SCP	NO OF EMPLOYEES	TOTAL FOR GRADE
1	006	89	89
2	007	33	339
2	008	45	
2	009	259	
3	010	2	2
			428

Forecasted costs for the Authority

- Number of Authority employees affected approx 428
- Grades affected = Grade 1,2 and bottom scp of 3

<b>Additional Cost (approx)</b>	<b>1 April 2018 to 31 March 2019 (£000's)</b>
Authority	42

### 1.5.4 Partner Organisations

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

## 1.6 **Decision options:**

The following decision options are available for consideration by Cabinet:

### Option 1

Cabinet may approve the recommendations at paragraph 1.2 of this report.

## Option 2

Cabinet may decide not to approve the recommendations at paragraph 1.2 of this report.

Option 1 is the recommended option.

### **1.7 Reasons for recommended option:**

Option 1 is recommended for the following reasons:

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.

### **1.8 Appendices:**

Appendix 1: Equality Impact Assessment (NTLW).

### **1.9 Contact officers:**

Janice Gillespie – Head of Finance Tel. (0191) 643 5701

Carol Murphy – HR Specialist, Pay, Reward and Partnerships; Tel. (0191) 643 5064

### **1.10 Background information:**

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

(1) The Living Wage Foundation website - <https://www.livingwage.org.uk>

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

There has been funding set aside for the costs associated with the implementation of the Living Wage for North Tyneside employees at the level of £8.75 per hour. This cost has been factored into the Authority's budget for 2018/19.

There has been no provision set aside for Community Schools or any other School. This supplementary payment will have to be funded from within School Budgets.

### **2.2 Legal**

The North Tyneside Living Wage is being paid as a supplementary payment on the basic hourly rate to those employees on SCP's 6-10 of the Authority's pay and grading structure. As there will be no change to the pay and grading structure or employees' terms and conditions of employment a collective agreement with the trades unions is not required.

In accordance with the Local Government Act 2000 and the Regulations made under that Act, the decision to implement a North Tyneside Living Wage is a matter for Cabinet.

As the implementation of the North Tyneside Living Wage will be via a supplement to all employees, irrespective of gender (or any other protected characteristic) any equal pay or other



form of discrimination risk is minimal. The payment of a supplement to increase the pay of the lowest paid in the Authority to the level of the North Tyneside Living Wage could be also justified as a proportionate means to achieve a legitimate aim.

## **2.3 Consultation/community engagement**

### **2.3.1 Internal Consultation**

Consultation has been carried out with the Senior Leadership Team and other parties as part of the budget consultation for 2018/19. The Trade Unions have also been advised of the proposals and have had the opportunity to provide comments and views.

### **2.3.2 External Consultation/Engagement**

Engagement has taken place with the Regional Employer's Organisation and with other local authorities in the area to benchmark how this has been implemented elsewhere within the region.

The Authority has briefed Head Teachers and Chairs of Governors on the pay offer and the impact on the NTLW.

## **2.4 Human rights**

There are no human rights implications.

## **2.5 Equalities and diversity**

The Equality Impact Assessment is attached at Appendix 1.

## **2.6 Risk management**

Any risks identified will be managed in accordance with the Authority's risk management policy and procedures.

## **2.7 Crime and disorder**

There are no crime and disorder implications arising specifically from this report.

## **2.8 Environment and sustainability**

There are no environment and sustainability implications arising specifically from this report.

### PART 3 - SIGN OFF

- Deputy Chief Executive ☐
- Head(s) of Service ☐
- Mayor/Cabinet Member(s) ☐
- Chief Finance Officer ☐
- Monitoring Officer ☐
- Head of Corporate Strategy ☐

## Equality Impact Assessment (EIA)

The separate EIA guidance notes outline what should be included for each section. Please read them before you begin. If you have any queries, contact your Corporate Equality Group rep, or the Engagement Team on 643 2828.

1. Author, service area, date

*Carol Murphy – HR Specialist Pay, Reward & Partnerships, Susan Begg – UNISON 15.2.18*

2. Who else has been involved in writing this EIA?

*This EIA is to go to Senior Leadership Team on Tuesday 20 Feb 18 and has been sent to Roger Layton, Secretary of the Joint Trade Union Committee on behalf of all trade unions for comment.*

3. What proposal is this EIA assessing?

*An amendment to the pay supplement to match the current Living Wage Foundation hourly rate of £8.75 to be applied to those spinal column points on NTC's pay and grading structure where the current substantive hourly rate of pay is currently less than £8.75 per hour. This will affect SCP's 6 to 10 and will not be applied to any enhanced payments. The intention is to apply this supplement from 1 April 2018 pending a pay award on 1 April 2018. If the pay award which is currently out to ballot is not implemented the NTLW will remain as £8.45 per hour and will be reviewed if any further pay awards are agreed.*

*The EIA is assessing whether the introduction of the NTLW is detrimental to any group of staff with protected characteristics.*

4. What is the purpose of your proposal and what is it expected to achieve?

*The proposals will raise the substantive hourly rate of pay of those employees in job roles whose grades span SCP's 6 to 10 on the NTC pay and grading structure up to the current Living Wage Foundation hourly rate of £8.75 ph. The pay supplement will sit between SCP 10 and 11 on the 17/18 pay and grading structure.*

*This will mean that the lowest hourly rate of pay in NTC will be £8.75. As the NTLW is paid as a supplement this does not affect the collective agreement in 2007 to introduce a new pay and grading structure.*

5. Is there any relevance to the aims of the public sector equality duty? *Write your answers in the table*

<b>Aim</b>	<b>Yes, No, or N/A</b>	<b>Details if 'yes'</b>
Eliminate unlawful discrimination, victimisation and harassment	N/A	
Advance equality of opportunity between people who share a protected characteristic and those who do not	N/A	
Foster good relations between people who share a protected characteristic and those who do not	N/A	

6. Analysis by characteristic *Write your answers in the table*

<b>Protected characteristic</b>	<b>Potential positive or negative impact?</b>	<b>Explanation and evidence</b>
Age	Positive	For all employees within the grades affected the average age is 49.7 years. The

		introduction of the NTLW will benefit those employees in the boosting of their earnings in relation to future pension benefits, for those who are a member of the Local Government Pension Scheme.
Disability	Positive	The increased pay will be applied to all employees within the grade boundaries regardless of whether they have a disability.
Gender	Positive	68% of the employees affected are female, of which the majority are paid SCP 6-9 (Grades 1 &2).
Gender reassignment	N/A	
Marriage and civil partnership status	N/A	
Pregnancy and maternity	N/A	
Race		The increased pay will be applied to all employees within the grade boundaries regardless of race.
Religion or belief	N/A	
Sexual orientation	N/A	

7. Have you carried out any engagement in relation to this proposal? If so, what?

*Consultation has been carried out with members of the Council's Senior Leadership team, Head Teachers and the Trades Unions.*

8. Is there any information you don't have that you need to find?

*No*

9. What actions are already in place, or will be taken, to remove or reduce potential negative impacts? (add more lines to the table if you need to) *Write your answers in the table*

Action	Responsibility	Timescale


10. Are there any potential negative impacts that cannot be removed or reduced? If so, why is this?

*It is not considered that there are any significant negative impacts as the proposal is to increase hourly rates of pay of those employees on the lowest grades, in accordance with the independent guidance from the Living Wage Foundation, in order to tackle low pay.*

*There is a potential negative impact on the differential between those employees on SCP 10 and those on SCP 11, particularly if those employees on SCP 11 are in receipt of any enhanced rates of pay due to their working pattern. In these circumstances the earnings of someone on the lower SCP could be higher than an employee on SCP 11.*

*There is only a differential of 8 pence per hour between the Living Wage Foundation rate of £8.75 and SCP 11 which is £8.82 per hour.*

*It is felt that the NTLW remains a proportionate means of achieving a legitimate aim which is to improve the earnings of the lowest paid employees on the Council's 'Green Book' pay and grading structure up to the level set by the Living Wage Foundation as the earnings level needed to maintain a reasonable standard of living.*

11. Based on your conclusions from this assessment, what are your next steps?

*Implement the NTLW as planned and continue to monitor the impact on the workforce.*

12. How will the impact of this proposal be monitored after it is introduced?

*This will be reviewed once consultation on the 2 year pay offer and changes to the national pay spine has been concluded, in order to assess if the NTLW is still suitable. This may be reviewed sooner subject to any change in the Living Wage Foundation agreed rates.*

13. When will this EIA be reviewed?

*12 Months or earlier if there are any changes as identified.*