



South Tyneside Council

item 2

Cabinet
14 April 2021

Cabinet Minutes 17 March 2021

Present: Councillors: Dixon (*in the Chair*), Atkinson, Anglin, Bell, Gibson, Hetherington, Smith and M Walsh.

George Mansbridge (Corporate Director Regeneration and Environment), Stuart Reid (Corporate Director of Business and Resources), Nicola Robason (Head of Corporate and External Affairs), Shona Gallagher (Head of Children and Families Social Care), Beverley Scanlon (Head of Learning and Early Help), Paul Fleming (Road Safety Manager), John Rumney (Acting Head of Legal and Deputy Monitoring Officer), Natalie Johnson (Senior Press Officer), Paul Baldasera (Strategy and Democracy Officer) and Karen Connolly (Strategy and Democracy Officer).

1. Declarations of Interest

Councillor Hetherington declared an interest as a Board member of Housing Ventures Trust in respect of Item 7 – Housing Delivery – 5 Year Plan for Building New Homes. This is not a Disclosable Pecuniary Interest as her position is not carried on for profit or gain. Therefore, she remained in the meeting and was able to participate in any discussion and participate in any vote.

Councillor Hetherington declared an interest as Chair of Governor's in respect of Item 9 – School Term Dates 2022/23. This is not a Disclosable Pecuniary Interest. Therefore, she remained in the meeting and was able to participate in any discussion and participate in any vote.

Councillor Bell declared a personal interest as a resident of Hindmarch Drive, Boldon in respect of Item 7 – Housing Delivery – 5 Year Plan for Building New Homes. This is not a Disclosable Pecuniary Interest. Therefore, she remained in the meeting and was able to participate in any discussion and participate in any vote.

Councillor Bell declared an interest as a member of the Governing Body of Boldon School in respect of Item 9 – School Term Dates 2022/23. This is not a Disclosable Pecuniary Interest. Therefore, she remained in the meeting and was able to participate in any discussion and participate in any vote.

Councillor Atkinson declared a personal interest as an unpaid member of the East Boldon neighbourhood Forum in respect of Item 8 – (South Tyneside Local Plan: Spatial Options Review. This is not a Disclosable Pecuniary Interest. Therefore, she remained in the meeting and was able to participate in any discussion and participate in any vote.

Councillor Anglin declared a personal interest as a member of the Governing Body for Marine Park Primary School and Whitburn Primary School in respect of Item 9 – School Term Dates 2022/23. This is not a Disclosable Pecuniary Interest. Therefore, he remained in the meeting and was able to participate in any discussion and participate in any vote.

Councillor Dixon declared a personal interest as an unpaid member of the Whitburn Neighbourhood Forum in respect of Item 8 – (South Tyneside Local Plan: Spatial Options Review. This is not a Disclosable Pecuniary Interest. Therefore, she remained in the meeting and was able to participate in any discussion and participate in any vote.

Councillor Walsh declared an interest as Director of Centaurea Homes Limited in respect of Item 7 – Housing Delivery – 5 Year Plan for Building New Homes. This is not a Disclosable Pecuniary Interest as his position is not carried on for profit or gain. Therefore, he remained in the meeting and was able to participate in any discussion and participate in any vote.

Councillor Walsh declared an interest as a Ward Councillor in respect of Item 13 – Award of Contract for the full refurbishment and extension of Foxden. This is not a Disclosable Pecuniary Interest. Therefore, he remained in the meeting and was able to participate in any discussion and participate in any vote.

2. Minutes of 17 February 2021

Resolved: That the minutes of the meeting of Cabinet held on 17 February 2021 be confirmed as a true record.

3. Council Budget Monitoring Report – April to December 2020

Submitted: Report of the Corporate Director Business and Resources

This report, which was presented by Councillor Bell, Lead Member Resources and Innovation detailed the budget monitoring activity for April to December 2020.

Resolved: That (a) the revenue and capital spending forecasts for 2020/21 and forecast position on capital receipts be noted;
(b) the progress against planned efficiency gains in 2020/21 shown at Appendix 1 be noted;
(c) the monitoring of key revenue service drivers and the associated financial risks from increases to the activity levels outlined at Appendix 2 be noted;
(d) the capital budget changes in paragraph 25 be approved; and
(e) the reserve balances for 2020/21 and the potential requirement for the utilisation of specific reserves during the financial year be noted and approved.

Reasons for Decisions:

The Council's performance management arrangements ensure that Members formally consider capital and revenue spending against budget on a quarterly basis in line with best practice.

4. Treasury Management – Quarter Ended 31 December 2020

Submitted: Report of the Corporate Director Business and Resources

This report, which was presented by Councillor Bell, Lead Member Resources and Innovation provided a quarterly update on Treasury Management activity for the quarter ended 31 December 2020.

Resolved: That the report be noted.

Reasons for decision:

- *To comply with the Chartered Institute of Public Finance and Accountancy Code of Practice on Treasury Management in Public Services.*

5. Sums Due to the Council Considered Irrecoverable

Submitted: Report of the Corporate Director Business and Resources

The report, which was presented by Councillor Bell, Lead Member Resources and Innovation, provided details of debts which were no longer considered recoverable at this present time and sought approval to write-off the amounts as detailed in the report. Further action may be taken to recover these debts dependent upon receipt of new information or a change of circumstances.

Resolved: The approval be given to the write-off of the irrecoverable debts over £5,000 as detailed in Appendices A and B.

Reason for Decision:

- *Cabinet is asked to approve the write-offs to ensure that the balances shown within the accounts represent a fair view of recoverable debt.*
- *The proposed write-offs reflect those debts exceeding £5,000 where further recovery action would not be effective.*

6. Tiledsheds and Boldon Level Crossings – Update on Road Over Rail Bridge Option

Submitted: Report of the Corporate Director Regeneration and Environment

This report, which was presented by Councillor Walsh, Leader Member Housing and Transport provided an update on the current position associated with the recent feasibility studies undertaken by the Council as Local Highways Authority in response to a decision by Network Rail to install full barrier systems at Tiledsheds Lane and Boldon Lane Level crossings following safety concerns related to the in-situ half barrier level crossing system.

A full barrier system will be significantly safer but will take longer to operate. The longer operation time will mean the barrier downtime would be increased. The increase in downtime is due to additional safety protocols and the actual time it takes for the rise and fall of the barrier itself. It is likely that the additional barrier downtime will lead to increased congestion problems on the road network (and associated problems therewith).

The Council, as Local Highways Authority, has a statutory duty to investigate, plan and mitigate the potential impact of congestion on the highway network. A feasibility study was therefore commissioned by the Council to explore alternative ways to minimise the potential impact of the full barrier system. Following a detailed appraisal which analysed several potential options, officers concluded that a bridge option was the only viable alternative solution.

A formal public communications process began in late September with residents of the Borough. As of 12 February, 159 responses had been received, with 140 of the responses against the proposed bridge option and 19 in support of the proposals. Of these responses 76 were matters relating to environmental concerns, 29 were associated with a perceived relationship to future housing sites and 32 were challenging the validity of the claims made by NWR on safety and barrier timings. In addition the Council had received a petition which currently stands at 4068 signatures against the proposal, approximately one third of the petitioners were South Tyneside residents.

The safety issues highlighted by NWR are serious matters and they will need to be addressed by NWR. They will install a full barrier system at both level crossings or work with the Council for an alternative option. The full barrier system will have a negative impact on the highway by virtue of the additional barrier downtime estimated to be 38 minutes per hour. The full extent of the impact, as yet, cannot be verified.

The full barrier option will not fully resolve the safety issue it will only minimise the risk of future incidents occurring. The alternative bridge option will remove the safety risk and could have a positive impact on congestion and air quality. It is likely that the bridge option will have a negative impact on the natural environment in the Tiledsheds area by virtue of the removal of trees and bushes. The full extent of this and the compensatory measures needed cannot be reasonably assessed in the absence of an Environmental Impact Assessment.

The impact of Covid on future traffic levels is unclear at present. Many residents may find new ways of working and shopping which could reduce the need to travel. The impact of Covid may lead to people being reluctant to car share or use public transport.

There are too many variables at this time that would impact the outcome of the full barrier system and as such any traditional traffic modelling is unlikely to be sufficiently accurate at this time.

Options to be considered:

Option 1

To place the feasibility work associated with the bridge option in abeyance until such time that the need for a bridge is better understood, this will need to include verified evidence and data, including data about future expected traffic levels and public transport use. All detailed design activity and the EIA processes will be paused indefinitely, until (and only if) verified data and evidence comes forward which allows Cabinet to make a full and informed decision at a point in the future. Further public consultation would also inform any future decision.

As a consequence of this decision, it will mean that the bridge option cannot be included in the current Transforming Cities Fund business case and therefore the funding for the bridge element will be lost. Officers will work with the North East Regional Transport Team to explore any potential opportunity to redirect some of that investment elsewhere within the overall South Shields to Newcastle corridor.

NWR will be informed of the Council's decision to put the bridge design works in abeyance, this decision will allow NWR to detail design and programme the works for the full barrier system from 2024 onwards.

Option 2

To continue the work on the bridge option and commission detailed design work and a full Environmental Impact Assessment ready for a future planning application.

Resolved: That Option 1 as detailed above be approved.

Reason for Decision: There are several key issues and variables that cannot be reasonably quantified and modelled at this stage which will affect any future bridge decision, option 1 will allow for an informed decision to be made in the future when all necessary information becomes available.

7. Housing Delivery – 5 Year Plan for Building New Homes

Submitted: Report of the Corporate Director Regeneration and Environment

This report, which was presented by Councillor Walsh, Leader Member Housing and Transport set out a five-year plan to build homes for the Council to help meet the residents needs and aspirations.

The report seeks approval to:

- Build at least 250 new Council Homes through the Housing Revenue Account (HRA) including in phase 1 sites at: Henderson Road, Simonside; and, Hindmarch Drive, Boldon (detailed in Appendix 1).
 - Provide land and loan finance to South Tyneside Housing Ventures Trust to deliver 350-400 new specialist homes to support the Council's Adult Social Care Accommodation Strategy including in phase 1 developing two sites for specialist support accommodation at Hedgley Rd, Hebburn and Concorde Way, Jarrow; and, phase 2 to develop sites in Hebburn Town Centre and Dean Rd, South
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Shields for Extra Care including specialist dementia support (detailed in Appendix 2).

- To agree for Centaurea Homes to appraise further sites to deliver up to 200 new homes for sale that meet residents needs and aspirations.

Resolved: That recommendations as detailed above be approved.

Reason for decision: To deliver a 5-year plan of investment in new homes to meet the current and future needs of residents in the Borough.

8. South Tyneside Local Plan: Spatial Options Review

Submitted: Report of the Corporate Director Regeneration and Environment

This report, which was presented by Councillor Anglin, Lead Member Regeneration and Economy sought approval to review the spatial options for the emerging Local Plan and to progress to a new Regulation 18 pre-publication draft Local Plan.

The Council had previously consulted on a pre-publication draft Local Plan in 2019. However, it has since become clear that more land needs to be identified for housing. As such, the Spatial Planning team were recommending that the strategic spatial approach should be reviewed.

It is proposed that the Council reassess the existing spatial options and include the appraisal of a new option: Sustainable Urban Area Growth + large scale (single land) Green Belt release + additional Green Belt site releases of varying sizes. If an option involving a large scale (single land) Green Belt release is selected, then its deliverability will need to be tested through the commissioning of a major multi-modal travel study.

The risk of continuing with the current strategy is that the next iteration of the Local Plan could be declared unsound by an Inspector.

The Options to be considered are:

Option 1

To progress the current Pre-Publication Draft (Regulation 18) Local Plan to a Publication Draft (Regulation 19) Local Plan. Subject to Cabinet endorsement consult on the Regulation 19 draft Local Plan.

Option 2

To review the spatial options and progress to a new draft Regulation 18 Local Plan to be informed by that review. Subject to Cabinet endorsement consult on the new draft Regulation 18 Local Plan.

Resolved: That officers be authorised to review the spatial options for the distribution of development and prepare a new Regulation 18 Local Plan.

Reason for decision:

- *There is a risk that a Local Plan based on the current spatial strategy would be found unsound unless either an effective playing pitch mitigation strategy is devised and/or additional housing supply is identified.*
- *The fact that the Local Plan will not now be adopted until 2023 and that current housing targets are not being met also means that there is a need to identify additional housing supply.*
- *A fresh assessment of the spatial strategy also provides an opportunity for a fresh assessment of whether the proposals for infrastructure provision set out in the Infrastructure Delivery Plan will deliver the optimum benefits for both existing and new communities.*

9. School Term Dates 2022/23

Submitted: Report of the Corporate Director Children, Young People and Families

This report, which was presented by Councillor Smith, Leader Member Children, Young People and Families sought approval to the school calendar for 2022/23 for all community and voluntary controlled schools in South Tyneside.

A consultation on the proposed dates had been undertaken and the comments received were presented to Cabinet.

Resolved: That (a) the calendar for the academic year 2022/34, as appended to the report be approved and adopted for all community and voluntary controlled schools and the Interim Director Children's Services be authorised to publish the document accordingly and (b) all other schools within South Tyneside be requested to follow, as far as is possible, the agreed Council's calendar when determining their individual school calendars for 2022/23.

Reason for decision: *The Council must determine the calendars annually for all community and voluntary*

controlled schools and endeavours to collaborate with neighbouring Local Authorities in order to achieve the maximum level of consistency

10. Chairman's Urgent Items

Beverley Scanlon provided an overview of the current position within schools in the Borough since the return.

Schools had returned on 8 March 2021. There had been very positive feedback from Primary, Secondary and Nursery schools. Children and staff were all pleased to be back in school and parents were pleased to see the return.

After such a prolonged period of remote learning schools were reporting strong attendance across the board.

Secondary schools were offering Lateral Flow Testing to all pupils and staff. The first few tests were being done on site followed by future testing being carried out at home. So far over 80% of pupils had been involved in the voluntary lateral flow tests programme.

Initial feedback is that the wearing of masks in Secondary schools is also going well with pupils and parents being supportive, again around 80% of pupils are wearing masks.

Unfortunately, a small number of schools have had to send bubbles home as a result of either one adult or child testing positive.

Schools were reporting that the biggest challenge was reinforcing social distancing measures at the beginning and end of the school day. Families were obviously pleased to see each other but the message to remember social distancing needs to be re-enforced. The vast majority of parents want their children, who have already lost so much face-to-face teaching, to remain in school. To achieve this, it is vital that everyone continues to follow the guidance to avoid a further spike in cases. Every single person has a duty to protect their community, so it is essential that the hands, face, space advice is followed.

Resolved: That the update be noted.

Councillor Dixon informed the public that this concluded the public meeting of Cabinet. The live streaming will now cease and the remaining Items on the Cabinet Agenda will be considered in private as they contain confidential information as defined in Part 1 of Schedule 12a of the Local Government Act 1972.

11. Resolution to Exclude the Public

Resolved: That the public be excluded from the meeting for the remainder of the agenda items as they involve exempt information as defined in paragraphs 1 to 7 of Schedule 12a of the Local Government Act 1972.

Minute no.	Item	Exempt category nos.	“public interest” test - reason for exempting
12-15	11-13	3	The report contains information which if published could affect the business affairs of persons named in the report.

12. New Harton Quay Office – The Glassworks

Submitted: Report of the Corporate Director Regeneration and Environment

This report, which was presented by Councillor Anglin, Leader Member Regeneration and Economy sought approval to confirm the appointment of Muse Developments to bring forward the Harton Quay site as offices, under the terms of the 2013 Development Agreement, within which this site is listed as one to be developed in partnership with Muse.

Resolved: That (a) the appointment of Muse Developments to bring forward the Harton Quay site as offices, under the terms of the 2013 Development Agreement, within which this site is listed as one to be developed in partnership with Muse be confirmed; (b) approval be given to expenditure relating to design, technical and other fees in excess of £250,000 and (c) delegated authority be given to the Corporate Director Regeneration and Environment, in consultation with the Corporate Director Business and Resources, the Lead Member Regeneration and Economy, and also the Lead Member Resources and Innovation, to make any future appointments in line with the above recommendations and within the approved budget.

Reasons for decision:

- *To enable timely progression and delivery of the new office building at Harton Quay.*

- *To meet timescales required to draw down the full NE-LEP funding grant.*
- *To deliver value for money and a building that will demonstrate outstanding Environmental credentials which will set it apart from other new office developments being brought forward at the current time.*
- *To enhance South Tyneside and in particular Holborn Riverside's reputation of delivering high quality commercial facing developments which aims to attract significant new investment to the Borough.*
- *To support the ongoing regeneration of South Shields and vitality in the Town Centre.*

13. Award of Contract for the Demolition of Tyne Dock Flats

Submitted: Report of the Corporate Director Regeneration and Environment

This report, which was presented by Councillor Walsh, Lead Member Housing and Transport sought approval to award the contract for phase 1 – Demolition of Tyne Dock Flats.

The Options set out in the report are:

Option 1 – to approve the award of the contract as detailed in the report.

Option 2 – to request a further tender process be carried out.

Option 3 – put the scheme on hold or cancel.

Resolved: That (a) approval be given to award the contract for the Phase 1 Demolition of Tyne Dock Flats to MGL Demolition and (b) delegated authority be given to the Corporate Director Regeneration & Environment, in consultation with the Lead Member Housing and Transport, to award the Phase 2 Demolition contract at the appropriate time

Reasons for decision: To enable re-development of the site, as set out within the original cabinet report for housing renewal of the site on 18 April 2018.

14. Award of Contract for the full refurbishment an extension of Foxden

Submitted: Report of the Corporate Director Regeneration and Environment

This report, which was presented by Councillor Smith, Leader Member Children, Young People and Families sought approval to the award of a contract for the full refurbishment and extension of Foxden.

The Options set out in the report are:

Option 1 – to approve the award of the contract as detailed in the report.

Option 2 – to request a further tender process be carried out.

Option 3 – put the scheme on hold or cancel.

Resolved: That the contract for the full refurbishment and extension to Foxden be awarded to Birch Tree Northern Limited.

Reasons for decision: To ensure the scheme can continue and construction begin, enabling an improved facility to serve the Borough.
