

Local Government Act 1972

Borough of North Tyneside

27 September 2012

At the meeting of the Council of the Borough of North Tyneside duly convened and held on Thursday 27 September 2012 in The Chamber at Quadrant at which a quorum of Members were present, that is to say: -

Present

Councillor F Lott (In the Chair)

Mrs L Arkley (Elected Mayor)

Councillor J M Allan	Councillor C Johnson
Councillor A Arkle	Councillor D W Lilly
Councillor A Austin	Councillor G Madden
Councillor G Bell	Councillor M Madden
Councillor P Brooks	Councillor P Mason
Councillor B Burdis	Councillor D McGarr
Councillor W Caithness	Councillor Mrs P McIntyre
Councillor K A Conroy	Councillor J McLaughlin
Councillor D Corkey	Councillor A McMullen
Councillor A Cowie	Councillor L J Miller
Councillor S Cox	Councillor Mrs S E Mortimer
Councillor E N Darke	Councillor T Mulvenna
Councillor L Darke	Councillor A Normand
Councillor C Davis	Councillor P Oliver
Councillor S Day	Councillor D Ord
Councillor M Finlay	Councillor K Osborne
Councillor C A Gambling	Councillor J O'Shea
Councillor R Glindon	Councillor C B Pickard
Councillor S Graham	Councillor J Pickard
Councillor I R Grayson	Councillor M G Rankin
Councillor M A Green	Councillor N Redfearn
Councillor J L L Harrison	Councillor D Sarin
Councillor S Hill	Councillor L A Spillard
Councillor E Hodson	Councillor J J Stirling
Councillor Janet Hunter	Councillor A Waggott-Fairley
Councillor John Hunter	Councillor J I Walker
Councillor M Huscroft	Councillor Mrs J A Wallace
	Councillor G Westwater

C61/09/12 Apologies

Apologies for absence were received from Councillors K Barrie, N J Huscroft and J Munby.

C62/09/12 Declarations of Interest

The following declarations of interest were made:

Item 4 – Motion 4: Merger of Priory Primary School and Kings School, Tynemouth

Councillor P Brooks – non-registerable pecuniary interest – child at Kings School, Tynemouth

Councillor P McIntyre – non-registerable pecuniary interest – child at Kings School, Tynemouth

Councillor K Osborne – non-regiserable pecuniary interest – child at Kings School, Tynemouth

C63/09/12 Minutes

The Chair announced that a correction was required to the Minutes of the meeting held on 4 July 2012. The correction was as follows:

In Minute C29/07/12, to replace Councillor F Lott with Councillor J Allan as the proposer of the Chair of the Governance Committee.

Resolved that subject to the above correction, the minutes of the meeting held on 4 July, the reconvened meeting on 26 July and the scheduled meeting on 26 July 2012, be taken as read and confirmed and signed by the Chair.

C64/09/12 Motions

- (i) **A Motion with notice, signed by Mrs L Arkley, Elected Mayor and Councillors J Allan, N J Huscroft and Mrs J Wallace was submitted for consideration by Council**

The Chair informed Council that Newcastle City Council had passed a resolution in which it asked all local authorities in the North East to make representations to Government to support the retention of the Royal Regiment of Fusiliers. He suggested that the Motion before Council be altered by replacing the word 'City' with the word 'Region'.

The Council agreed.

It was moved by Mrs L Arkley, Elected Mayor, and seconded by Councillor J M Allan that:

"Council expresses concern at the impact on the Region of proposals to abolish the 2nd Battalion of The Royal Regiment of Fusiliers.

Council acknowledges the professionalism of all our armed services personnel, that may even see troops make the ultimate sacrifice.

Whilst understanding the need to achieve budget savings across the MOD, we call on the Secretary of State and Chief of the General Staff to recognise:

- Proposals announced on 5 July fall short on strategic context at a time when new threats are emerging and weak and failing states outnumber strong ones by two to one putting at risk sustainable military utility.
- Proposals put a strain on 15,000 Military Reservists and companies that employ them, if they are to fill the gap left by 20,000 fewer troops and 37 fewer Army units.
- Newcastle and the wider North East is a key recruiting ground for local Fusiliers. Removing the Battalion will impact severely on job, training and life skills opportunities for local men and women at a time when the North East is suffering from the highest rate of unemployment in England. It may also increase the call on Council and other public services who support unemployed people.
- Veterans returning home bring with them a vast range of skills, knowledge and experience and Newcastle and the North East will suffer from this loss.

Council therefore resolves:

- To write to the Secretary of State expressing strong concern about the impact of disbandment on the Region now and in the future.
- That Members of Council sign e-petition 35724 and raise awareness of the damaging impact of these proposals in local communities.
- Local people, businesses and partner organisations also be asked to join with us and sign e-petition 35724 to trigger a full debate in Parliament and reverse this disbandment, given the potential impact on Reservists."

The Motion, on being put to the meeting, was unanimously agreed.

(ii) A Motion with notice, signed by Councillors J Allan, C Gambling, N Redfearn, J O'Shea and T Mulvena was submitted for consideration by Council

It was moved by Councillor J O'Shea and seconded by Councillor D Corkey that:

"This Council is concerned about the time it is taking to produce the Core Strategy. In order to progress the development of the Core Strategy the Council refers to the Overview and Scrutiny Committee a request to bring forward, by no later than 24 January 2013, recommendations to be forwarded to Cabinet to assist it to finalise the initial proposals for the Core Strategy."

The Motion, on being put to the meeting, was approved by 44 votes to 0 votes.

(iii) A Motion with notice, signed by Councillors J Allan, C Gambling, N Redfearn, J O'Shea and T Mulvena was submitted for consideration by Council

It was moved by Councillor J Stirling and seconded by Councillor B Caithness that:

"This Council notes that some councils are considering how to limit the support that they give to the development of sustainable energy sources within their administrative areas and this will impact on the development of the renewable energy industry.

This Council supports efforts by North of Tyne Local Economic Partnership to attract business to the North Bank of the Tyne Enterprise Zone. The Council believes that North Tyneside Council and other councils in the region are important 'drivers' to attract renewable energy investors. We believe that the Enterprise Zone will benefit the whole region and therefore the region should co-operate and support and not seek to undermine the growth of the renewable energy sector.

This Council calls on the Elected Mayor to write to all the MPs who are signatories to the attached letter expressing this Council's dismay and concern over the potential impact of their letter* to the Prime Minister dated 30 January 2012 published in the Telegraph newspaper which if supported would also undermine the growth of the renewable energies sector and so the growth of the North Bank LEP. “

*Letter to the Prime Minister dated 30 January 2012 published in the Telegraph Newspaper:

As Members of Parliament from across the political spectrum, we have grown more and more concerned about the Government's policy of support for on-shore wind energy production. In these financially straightened times, we think it is unwise to make consumers pay, through taxpayer subsidy, for inefficient and intermittent energy production that typifies on-shore wind turbines. In the on-going review of subsidy for renewable energy subsidies, we ask the Government to dramatically cut the subsidy for on-shore wind and spread the savings made between other types of reliable renewable energy production and energy efficiency measures. We also are worried that the new National Planning Policy Framework, in its current form, diminishes the chances of local people defeating unwanted on-shore wind farm proposals through the planning system. Thus we attach some subtle amendments to the existing wording that we believe will help rebalance the system. Finally, recent planning appeals have approved wind farm developments with the inspectors citing renewable energy targets as being more important than planning considerations. Taken to its logical conclusion, this means that it is impossible to defeat applications through the planning system. We would urge you to ensure that planning inspectors know that the views of local people and long established planning requirements should always be taken into account.

Yours sincerely,

Signed by 106 MPs.”

The Motion, on being put to the meeting, was approved by 44 votes to 13 votes.

(iv) A Motion with notice, signed by Councillors J Allan, C Gambling, N Redfearn, J O'Shea and T Mulvena was submitted for consideration by Council

[Councillors P Brooks, P McIntyre and K Osborne withdrew from the meeting for the duration of the discussion of this item.]

It was moved by Councillor I Grayson and seconded by Councillor C Davis that:

“This Council is concerned about the very recent announcement by the Department of Education on the agreed merger of Priory Primary School and Kings School, Tynemouth and the creation of an Academy. The Council requests that all relevant information concerning the decision of the Secretary of State is sought as soon as possible and that

the Strategic Director of Children, Young People and Learning be requested to provide a report to the next meeting of the full Council to enable full debate on the matter to take place. Further that the Council requests assurances that any final decision by the Secretary of State on the creation of an Academy is not made pending formal consultation with the Council in relation to the impact of these proposals on North Tyneside Schools.”

During the discussion, Mrs L Arkley, Elected Mayor, informed the Council that she had written to the Secretary of State to express concerns about this proposal along the lines set out in the motion and that she was happy to supply a copy of the letter to all Members. She had also requested a meeting with the Chief Executive of the Woodard Trust and the Strategic Director of Children, Young People and Learning regarding the merger and invited the Group Leaders to attend the meeting.

In response to a Member’s query, the Strategic Director of Children, Young People and Learning undertook to submit a report to the Outside Bodies Committee to be held on 24 October 2012 regarding the appointment of Local Education Authority Governors in the context of the issues arising from the motion.

The Motion, on being put to the meeting, was unanimously agreed.

(v) A Motion with notice, signed by Councillors J Allan, C Gambling, N Redfearn, J O’Shea and T Mulvenna was submitted for consideration by Council

It was moved by Councillor M Rankin and seconded by Councillor S Cox that:

“This Council requests that the Mayor investigates why there has been a delay in extending the yellow lines parking restrictions in the Abbots Way Housing Estate within the Collingwood Ward, which has been an ongoing matter for nearly twelve months. Council would welcome a report back from the Mayor at the next meeting of Council on her findings.”

The Motion, on being put to the meeting, was unanimously agreed.

(vi) A Motion with notice, signed by Councillors J Allan, C Gambling, N Redfearn, J O’Shea and T Mulvenna was submitted for consideration by Council

It was moved by Councillor N Redfearn and seconded by Councillor B Pickard that:

“This Council is concerned at the introduction of charges for access to the people’s network internet access at Libraries.

The Council calls on the Mayor to reconsider the introduction of charges, and to maintain free access, as it will have a detrimental effect on the most deprived sections of the community, many who have to use the internet for access to information and applications for employment.”

In response to a Member’s query, the Cabinet Member for Community and Regulatory Services undertook to provide a written response to all Members on the anticipated income to be received by the Council following the introduction of the charges.

The Motion, on being put to the meeting, was approved by 40 votes to 12 votes.

(vii) A Motion with notice, signed by Councillors J Allan, C Gambling, N Redfearn, J O'Shea and T Mulvenna was submitted for consideration by Council

It was moved by Councillor N Redfearn and seconded by Councillor B Pickard that:

"This Council is concerned at the introduction of a £20 charge for the collection of the brown garden waste bins. We believe this will have a detrimental effect upon recycling in North Tyneside and may end up costing more in terms of collection and environmental impact than it will realise in income.

The Council calls on the Mayor to reconsider the decision to implement the charge and to maintain free collection for this service."

In response to a Member's query, the Chair requested that a written response be provided to all Members giving details of the costs associated with administering the charge.

The Motion, on being put to the meeting, was approved by 45 votes to 1 vote.

[At this point the Chair announced a short adjournment.]

C65/09/12 2011/12 Annual Financial Report

The Council received a report which sought the Council's approval of the 2011/12 Audited Annual Financial Report in accordance with Section 8 (3) of the Accounts and Audit (England) Regulations 2011.

Mrs L Arkley, Elected Mayor, welcomed Mr S Nicklin, the Council's District Auditor, who was in attendance to present the Audit Commission's Annual Governance Report.

It was moved by moved by Mrs L Arkley, Elected Mayor and seconded by Councillor Mrs J Wallace that:

'Council

- (1) approve the Audit Commission's Annual Governance Report and agree the draft Letter of Management Representation and proposed action plan; and
- (2) approve the 2011/12 Audited Annual Financial Report.'

The Motion, on being put to the meeting, was unanimously agreed.

C66/09/12 Changes to Polling Places

The Council received a report which sought approval to change the location of two polling places as follows:

Current location

Shiremoor Primary School
Monkhouse Primary School

Proposed location

Shiremoor Community Centre
Marden Residents Association

The report also sought approval to grant delegated authority to the Returning Officer to agree future changes to polling places, and report such changes to full Council.

It was moved by Mrs L Arkley, Elected Mayor and seconded by Councillor Mrs J A Wallace that:

“Council agree

- (1) the alternative locations for the polling places in Valley and Cullercoats wards as set out in Appendix A to the report; and
- (2) other than in relation to any formal review of polling places, delegated authority be granted to the Returning Officer, to identify and agree future changes to polling places, in consultation with Ward Members in whose wards the places are located, and to report any such changes to the next ordinary meeting of Council.”

The Motion, on being put to the meeting, was unanimously agreed.

C67/09/12 Appointment of Independent Person

The Council received a report which requested Council to agree the appointment of Mrs Stella Gardner as a second Independent Person pursuant to the requirements of the Localism Act 2011.

A CV for Mrs Gardner was circulated at the meeting.

It was moved by Mrs L Arkley, Elected Mayor and seconded by Councillor Mrs J Wallace that:

“Council note the content of the report and appoint Mrs Stella Gardner as Independent Person pursuant to the requirements of the Localism Act 2011.”

The Motion, on being put to the meeting, was unanimously agreed.

C68/09/12 Risks of Outsourcing

The Council received a report following a motion approved by Council on 26 July 2012 that sought an opportunity for Council to consider and debate an analysis of the risks of outsourcing.

It was moved by Councillor Mrs J Wallace and seconded by Mrs L Arkley, Elected Mayor that:

“Council

- (1) note the risks of outsourcing set out in the report; and
- (2) note the approach taken to risk management during procurement of the packages and the planned approach to managing ongoing risk.”

An amendment was moved by Councillor J Allan and seconded by Councillor J O’Shea that:

“A further report be submitted back to full Council detailing the risk management implications associated with the business and technical packages; the documentation considered by Cabinet in the decision making process relating to the procurement process for the two packages; and the implications to the Council of decisions being taken without the full documentation being available to decision makers.”

The Motion, as amended, on being put to the meeting, was approved by 44 votes to 12 votes.

C69/09/12 Pay Fair Campaign

A report was received for consideration by Council in relation to the work of the Fair Pay Campaign with particular consideration for linkages to plans for Regional and Localised public sector pay, pursuant to the motion approved by Council on 4 July 2012.

It was moved by Mrs L Arkley, Elected Mayor and seconded by Councillor Mrs J Wallace that:

“Council notes the information in this report.”

The Motion, on being put to the meeting, was unanimously agreed.

C70/09/12 Living Wage

The Council received a report pursuant to the Motion agreed by the Council at its meeting on 4 July 2012, in relation to investigating paying Council employees the Living Wage as a minimum, and to advise Council of the outcome of a pay audit of all full-time and part-time employees that had been conducted to assist in establishing the financial, legal and human resources implications associated with implementing the Living Wage.

It was moved by Mrs L Arkley, Elected Mayor and seconded by Councillor Mrs S Mortimer that:

“Council

- (1) notes the information contained in this report and agrees that further work is undertaken to consider the fuller implications of implementing the Living Wage; and
- (2) agrees that a report on progress is brought back to Council within 3 months.”

The Motion, on being put to the meeting, was unanimously agreed.

C71/09/12 Council Strategic Plan and 2012/13 Budget – Implementation Plan

The Council received a progress report on the delivery of items in the Budget 2012/13 and Council Strategic Plan 2012/15 – Implementation Plan.

It was moved by Mrs L Arkley, Elected Mayor and seconded by Councillor Mrs J Wallace that:

“Council notes the progress in implementing the Council Strategic Plan 2012/15 and Budget 2012/13.”

In response to a Member's comment about items 30 and 31 in the Implementation Plan, it was confirmed that the creation of Ward Forums with devolved budgets and the creation of a Ward Community Budget were matters falling under the responsibility of Cabinet.

The Motion, on being put to the meeting, was approved by 12 votes to 0 votes.

C72/09/12 Common Seal

Resolved that the Common Seal be affixed to all deeds and documents required for carrying into effect the various decisions of the Council made since its last meeting.

C73/09/12 Chair's Announcements

The Chair informed Council that since the last meeting he had attended events and functions at various places. These had included:

Key Enterprises

North Tyneside Disability Forum Annual Meeting

Royal Marine (Tyne) Reserve

North Tyneside in Bloom

Whitley Bay Film Festival – screening a film called 'Across the Universe'

C74/09/12 Elected Mayor's Announcements

The Mayor congratulated Phil Scott, Head of Environmental Services, and his team following their recent Chartered Institute of Waste Management Award for best overall local authority in the national Clean Britain Awards. The Team had also received a Gold Award as the best in the medium sized population category and retained the highest five-star rating secured last year.

She thanked residents, Council officers and partners at Northumbria Police and Tyne and Wear Fire and Rescue for pulling together to tackle the problems caused by heavy rain and high winds this week. She would take all of the information gathered and her experiences from the day to the next Flooding Task Group meeting. She also thanked those members and partners who had recently joined the Group. She had written to all residents in the borough affected by flooding to reassure them that the Council were working hard to ensure that the borough was as resilient as it could be.

The Mayor announced that plans had been approved for a £50 million factory in Wallsend to manufacture parts for offshore wind turbines. The facility was expected to create up to 800 new jobs. Improving the local economy by growing the manufacturing sector and providing long-term job opportunities were two of her highest priorities, and the development of this new facility in the heart of the borough, would bring both. She referred to the approval given to the plans for the development of Wallsend and that progressing the regeneration plans for Wallsend town centre had been one of her biggest priorities.

She informed the Council that despite the challenges of the current global and national economies, North Tyneside had maintained its strong position and had the least number of people on Job Seekers Allowance than anywhere else in Tyne and Wear.

The Mayor referred to the news of the creation of an independent State funded academy based on a merger between Priory Primary and Kings School, Tynemouth. She assured Members that the first she had heard about this was when she had been contacted prior to the issue of the press release. There had been no prior consultation with council officers. She had written to the Department of Education to complain about this lack of consultation given the potential impacts on school places in the borough. Her commitment remained to continue the Council's excellent working relationships with schools across the borough to ensure all its children could achieve their very best.

The Mayor made reference to working with the Council's new partners Balfour Beatty for the Business Package and Capita Symonds for the Technical Package, both of whom were committed to not only improving Council services, but also investing in the borough. This would support the creation of further jobs and apprenticeships by developing North Tyneside as a centre of excellence for their business in the region and nationally. These measures would bring investment in services and deliver benefits for the wider community and economy.

C75/09/12 Questions by Members of the Council

At this point, the Chair announced that, in accordance with Procedure Rule 10 (13) (d) of the Council's Constitution, responses to the questions submitted by Members of the Council would be provided to all Members in writing.