

Local Government Act 1972

Borough of North Tyneside

24 January 2013

(Reconvened to 30 January 2013)

At the reconvened meeting of the Council of the Borough of North Tyneside duly convened and held on Wednesday 30 January 2013 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 M J Huscroft
Councillor A Arkle	Councillor N J Huscroft
Councillor A Austin	Councillor C Johnson
Councillor K Barrie	Councillor D W Lilly
Councillor G Bell	Councillor G Madden
Councillor B Burdis	Councillor M Madden
Councillor W Caithness	Councillor P Mason
Councillor K A Conroy	Councillor Mrs P McIntyre
Councillor D Corkey	Councillor J McLaughlin
Councillor A Cowie	Councillor A McMullen
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 Grayson	Councillor N Redfearn
Councillor M A Green	Councillor D Sarin
Councillor J L L Harrison	Councillor L A Spillard
Councillor S Hill	Councillor J J Stirling
Councillor E Hodson	Councillor A Waggott-Fairley
Councillor Janet Hunter	Councillor J I Walker
Councillor John Hunter	Councillor Mrs J A Wallace
Councillor M Huscroft	

C119/01/13 Chair's Remarks

The Chair announced that this was the reconvened meeting of Council following the adjournment of the Council meeting held on 24 January 2013.

The remaining agenda items to be considered at this reconvened meeting were items 5 to 17 as listed on the previously circulated agenda.

In relation to Item 12 – Local Council Tax Support Scheme – an addendum report on the Scheme had been circulated for the reconvened Council meeting. The report to Cabinet of 28 January 2013, which contained full details of the options considered, was attached as Appendix 1 to the addendum report.

C120/01/13 Apologies

Apologies for absence were received from Councillors P Brooks, D McGarr, L Miller, J Munby, M Rankin and G Westwater.

C121/01/13 Declarations of Interest

The following declarations of interest were made:

Councillor E N Darke: Item 14 – Education Capital Investment – Longbenton Voluntary Aided Schools – Chair of St Stephen's RC, Primary School Governor.

C122/01/13 Local Council Tax Support Scheme

At its meeting on 24 January 2013, following determination of the level of certain Council Tax exemptions and discounts to be awarded in 2013/14, the Council had agreed that Cabinet consider further options for providing a local Council Tax Support Scheme.

Accordingly an addendum report was submitted which set out the options considered by Cabinet at its meeting on 28 January 2013 and referred to Council for consideration and determination Cabinet's recommendations in respect of a Council Tax Support Scheme that would replace Council Tax Benefit from 1 April 2013. The report to Cabinet of 28 January 2013, which contained full details of the options considered, was attached as Appendix 1 to the addendum report

It was moved by Councillor Mrs J A Wallace and seconded by Councillor D Lilly that:

'Council

- (1) Considers the options for a Council Tax Support Scheme as set out in Paragraph 1.6 of the Cabinet report dated 28 January 2013 at Appendix 1; and
- (2) Agrees the Council Tax Support Scheme described in Option 4 as the Local Council Tax Support Scheme for North Tyneside with effect from 1 April 2013.'

In accordance with Council Procedure Rule 12(25), a closure motion was moved by Councillor J Stirling and seconded by Councillor J O'Shea as follows:

"the question be now put."

The closure motion, on being put to the meeting, was approved by 38 votes to 9 votes.

The motion, on being put to the meeting, was unanimously approved.

C123/01/13 Programme of Council and Committee Meetings 2013/14

The Council received a report detailing the draft programme of meetings of the Council and its Committees for the 2013/14 municipal year.

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

“Council:

- (1) agrees the programme of meetings for 2013/14, as set out in Appendix A to the report;
- (2) authorises each individual committee to determine the commencement time of its meetings for 2013/14 at their first meetings of the year; and
- (3) agrees that the meetings of the full Council proposed for 25 July 2013, 28 November 2013 and 13 March 2014 be those at which questions will be taken from members of the public.’

An amendment was moved by Councillor C Gambling and seconded by Councillor J Allan, that:

‘the matter be deferred until the Council meeting on 14 March 2013 to enable further work to be undertaken to avoid clashes of meetings wherever possible.’

The motion, as amended, on being put to the meeting, was approved by 38 votes to 7 votes.

C124/01/13 Response to Council Motion on Distribution of Widening Horizons Magazine

A report was submitted in response to the following Motion that had been approved at the meeting of the Council held on 29 November 2012:

“This Council requests that the Council’s Monitoring Officer looks to determine whether the distribution of “the Widening Horizons December Issue” during an election period in November, across the borough was in accord with the Council’s protocols and guidance on the use of council resources during any election period. A report on the conclusions be presented to a future Council Meeting.”

The Monitoring Officer presented the report to the Council.

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

“Council notes the content of the report and endorses the actions identified in paragraph 1.5.8 of the report.”

The motion, on being put to the meeting, was approved by 47 votes to 0 votes.

C125/01/13 Response to Council Motion on Council Housing Green Fund

A report was submitted in response to the following Motion that had been approved at the meeting of the Council held on 25 October 2012:

“This Council notes that Cabinet has recently considered a report on the use of the "Green Fund" and approved the proposals and recommendations to install Voltage Optimisers. This Council therefore requests that the Cabinet reconsider their decision in light of the evidence available and then to submit a report to full Council for consultation, prior to any contracts being entered into, whether this technology is good value for money and will deliver meaningful energy savings for tenants.”

As a consequence of the above motion Cabinet had reconsidered and re-affirmed its earlier decision at its meeting on the 10 December 2012. A copy of the report was attached in Appendix 1.

The report was provided to Council for consultation prior to any contracts being entered into, as requested in Council’s motion of 25 October 2012.

During discussions a Member queried the position nationally in relation to voltage smoothing and requested details to be circulated to all Members. The Cabinet Member for Housing confirmed that a written response would be provided.

It was moved by Councillor P Mason and seconded by Councillor E Hodson that:

“Council:

- (1) notes that Cabinet at its meeting on 10 December 2012 reconsidered its decision in respect of use of the Housing Green Fund to install Voltage Optimisers, and resolved to reaffirm its decision of 8 October 2012 in this regard; and
- (2) notes the report to Cabinet dated 10 December 2012 at Appendix 1, detailing the further analysis around the proposals in respect of Voltage Optimisers, which formed the basis of Cabinet’s reconsideration of the matter.”

The motion, on being put to the meeting, was unanimously approved.

C126/01/13 Consultation Protocol for Telecom Operators and Schools

The Council received a report which was provided pursuant to a Motion agreed by Council on 25 October 2012, and sought to obtain Council’s approval to adopt for the purposes of considering proposals for Telecommunication Masts, a protocol in the form of an Advice Note regarding consultation by Telecommunication Operators in relation to the submission of planning applications for Telecommunication Masts and Notifications under the Prior Approval procedures for development provided by Part 24 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

In addition, the report provided information, as requested in the Council motion of 25 October 2012, on phone mast applications and whether or not they met the consultation zone criterion referred to in the Motion.

It was moved by Councillor D Lilly and seconded by Councillor Mrs J A Wallace that:

“Council adopts the Telecommunications Advice Note attached at Appendix 1 to the report for the purposes of considering submissions by Telecommunication Operators for planning applications for Telecommunication Masts and Notifications for Masts under Part 24 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).”

The motion, on being put to the meeting, was approved by 54 votes to 0 votes.

C127/01/13 Community Lettings Policy

A report was submitted in response to the following Motion that had been approved at the meeting of the Council held on 29 November 2012:

‘This Council expresses its dissatisfaction at the cancellation of the PSA event at Wallsend Town Hall on 16 October and the attempt to cancel a subsequent meeting of the Labour Party, apparently based upon a community lettings policy of North Tyneside Council, because they were classified as being political.

Council therefore requests that the Chief Executive considers the implications and operation of any such policy, and reviews the two matters referred to above, and reports back to a future Council meeting, on

- i) the existence of such a community lettings policy
- ii) the availability of the policy to elected members, council staff, and members of the public
- iii) his review of the two matters referred to.’

The Chief Executive presented the report to the Council.

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

“Council approves the recommendations set out in Section 6 of the main report attached as Appendix A.”

During the discussion, and in response to Members’ queries, the Monitoring Officer undertook to provide a briefing note to all Members on the legal position in relation to the use of Council resources for political purposes.

An amendment was moved by Councillor J Allan and seconded by Councillor J Stirling that:

‘The Chief Executive establishes an all-party working group, with political balance, to consider a draft protocol on the use of Council resources for political purposes and report back to a future Council meeting.’

Following further discussion and clarification, the mover of the amendment, with the consent of the seconder, altered the amendment as follows:

‘The Constitution Task Group be requested to consider a draft protocol on the use of Council resources for political purposes and report back to Full Council.’

The amendment, on being put to the meeting, was approved by 43 votes to 9 votes.

The motion, as amended, on being put to the meeting, was approved by 43 votes to 8 votes.

C128/01/13 Council Strategic Plan and 2012/13 Budget – Implementation Plan

The Council received a report which detailed the progress 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 A Wallace that:

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

The motion, on being put to the meeting, was approved by 15 votes to 0 votes.

C129/01/13 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.

C130/01/13 Exclusion Resolution

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

C131/01/13 Education Capital Investment – Longbenton Voluntary Aided Schools

[N.B. Councillor E N Darke withdrew from the meeting for the duration of the discussion and voting on this item.]

The Council received a report on the proposals to establish the new build St Stephen’s Roman Catholic and St Bartholomew’s Church of England Primary Schools on the former Goathland Primary School site in Longbenton and to seek Council’s approval of unsupported borrowing to support the delivery of the project.

It was moved by Councillor D Lilly and seconded by Councillor Mrs J A Wallace that:

“Council approves unsupported borrowing, as set out in the report, to bridge the identified funding gap, in advance of securing capital receipts, to assist with the delivery of the project.”

An amendment was moved by Councillor R Glendon and seconded by Councillor J Stirling that:

“(1) Whilst the Council fully supports this project, the report be deferred until the Council meeting on 14 March 2013, pending confirmation of the funding contribution from

- the Diocesan Authorities and details of costs of furnishings and equipment for the new building; and
- (2) A letter be sent to the two head teachers expressing the Council's full support for the project."

Two Members present requested a recorded vote on the amendment in accordance with Council Procedure Rule 13 (5).

Votes for the amendment

Councillors J M Allan, A Arkle, G Bell, B Burdis, W Caithness, K Conroy, D E Corkey, A Cowie, S L Cox, L Darke, C Davis, S Day, C A Gambling, R Glindon, S Graham, I Grayson, M A Green, J L L Harrison, S Hill, Janet Hunter, John Hunter, C Johnson, F Lott, G Madden, M L Madden, A McMullen, A Normand, P Oliver, K Osborne, C B Pickard, J Pickard, N Redfearn, L A Spillard, J J Stirling, A Waggott-Fairley and J I Walker.

Votes against the amendment

Mrs L Arkley, Elected Mayor, Councillors A Austin, K Barrie, M Finlay, E Hodson, M Huscroft, M J Huscroft, N J Huscroft, D Lilly, P Mason, P McIntyre, J McLaughlin, Mrs S Mortimer, D Ord, D Sarin and Mrs J A Wallace.

[N.B. Councillors E N Darke, J O'Shea and T Mulvenna were not present at the time the vote was taken].

The amendment, on being put to the meeting, was approved by 36 votes to 16 votes.

The motion, as amended, on being put to the meeting, was approved by 35 votes to 16 votes.

At this point, the press and public were re-admitted to the meeting.

C132/01/13 Chair's Announcements

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

MacMillan Coffee Mornings
Alickadoos Lunch at Rockcliff Rugby Club
Age Takes Centre Stage launch at Whitley Bay Playhouse
Visit to Wideopen Air Cadets
State of the Area Event
Day 8 Productions Pink Gala in aid of Breast Cancer
North Shields Sea Cadets presentations
World Mental Health Centre
Poppy Appeal Launch – Wallsend Forum
Poppy Appeal Reception
Wallsend Boys Club 10th Annual Dinner]
Trafalgar Day toast to Admiral Collingwood
Unveiling of Anne Frank Plaque at the Rising Sun

The big green Question time Eco Debate
Twin Town Reception for visitors from Halluin
Whitley Bay Pantomime Society Presentations
Poppy auction at Whitley Bay Comrades Club
Remembrance Services at Wallsend and Whitley Bay
Service to celebrate 150 years of Tynemouth RNLI
Tony Blair Sports Foundation
Whitley Bay Rotary Club Dinner – presentation of Civics Cups
Age takes Centre Stage Luncheon – on behalf of the Council, the Chair expressed thanks to former Councillor David Charlton who was standing down after many years as the champion of Age Takes Centre Stage
Visit of Chinese students and teachers from Fuchan, near Hong Kong
Citizenship ceremonies
Unveiling the new public art at Gregg's Bakery
Learning Disabilities Carol Service at Christ Church
North Shields Victorian Market
Port of Tyne Reflect Photography and Film Awards
Queen's Award for Industry (International Trade) to Integrated Display System Ltd
Hilda Barker's 100th birthday celebration at the Pioneer Club, Annitsford
Holocaust Memorial Day Services
North Tyneside Disability Forum Variety Show

The Chair also congratulated Councillors Carole Gambling and Brian Burdis on their recent betrothal.

He also informed Council that Councillor Janet Hunter's daughter, Sarah Hunter, would captain the England Women's Rugby Team in the six nation's championships on Saturday and conveyed the Council's congratulations to her.

C133/01/13 Elected Mayor's Announcements

The Mayor expressed her appreciation to the many Council staff who had responded to the challenges of the heavy snows in recent weeks and for keeping the main routes across the borough safe for motorists and pedestrians.

The Mayor had opened the recently refurbished Battle Hill Multi-Use Community Centre, which offered high quality facilities for local residents of all ages, particularly children and young people. The Centre was a welcome further addition to the ongoing regeneration of the Battle Hill area. It replaced the former Battle Hill Bowls Pavilion and Boxing Club, which had been left derelict by fire in 2010.

The Mayor informed Council that major refurbishment work had also recently been completed at John Spence Community High School. The work had been carried out to improve the fabric of the school building, to ensure it remained a fit-for-purpose and high quality learning environment.

The £772,000 investment was part of a five year programme by the Council to deliver significant improvements to at least 33 of its school buildings across the borough, with £8 million allocated in the first year for the most urgent jobs.

The Mayor announced that the £1.1million programme to replace ageing lifts in the Council's sheltered accommodation schemes was now complete. 15 lifts in 14 sheltered

schemes had been renewed as part of a phased programme of replacements that had started in June 2012. They had been due for replacement through the Quality Homes for Older People PFI initiative. However, due to a rising number of lift breakdowns last year, the Mayor had announced that the lift replacements would be removed from the PFI initiative to enable work on them to start early.

In addition to the major investment programmes the Mayor referred to other initiatives that would be welcomed by residents, including the go-ahead for a medieval garden in Northumberland Park funded from the SITA Trust; and the partnership with the anti-racism charity, Show Racism the Red Card, which used football stars to teach youngsters about the dangers of racism.

The Mayor also announced that she had welcomed Ford Component Manufacturing Company to North Tyneside earlier today. She hoped that moving into this manufacturing facility with the continued capital investment programme, Ford would drive their business forward and continue to expand.

The Mayor referred to the Welfare Reform Task and Finish Group that she had announced at the Council meeting on 24 January 2013, and stated that she would be writing to Group Leaders for nominations.

C134/01/13 Members' Questions

1. **The following question was asked of the Elected Mayor by Councillor M Finlay**

“Could the Mayor please tell the Council what discussions, if any, she is having with Northumbria Water about replacing the outdated Victorian Sewerage System throughout North Tyneside?”

The Elected Mayor replied as follows:

“Flood risk management is a high priority of mine. As Members will be aware I set up a multi agency Flooding Task and Finish Group to deal with the issues around flooding and the risk of flooding. Northumbrian Water was represented at this group.

Cabinet agreed the recommendations from the Task and Finish Group earlier this month. Work is now ongoing to implement those recommendations and to continue the close working with key partners, such as Northumbrian Water and the Highways Agency.

The Council is working with Northumbrian Water as they develop their programme of sewer improvements, which is aimed at increasing drainage capacity and reducing flooding.

In addition I am pleased to be able to inform Members that Cabinet has already agreed to earmark additional funding needed to help deliver the improvements, including £188,000 from current Area Forums budgets.

My draft budget proposals for 2013/14 will also allocate £4.75 million towards flooding improvements in the next financial year to address the recommendations of the Flooding Task and Finish Group.

The Council will continue to work with its partners to maximise the benefits of public money available to deliver any improvement schemes to prevent the risk of flooding.”

2. The following question was asked of the Elected Mayor by Councillor M Huscroft

“Can the Mayor please tell the Council how many culverts there are in North Tyneside?

Will she also tell us what work is being carried out to ensure that they are all cleared of debris and running freely?”

The Elected Mayor replied as follows:

‘There are 129 culverts in North Tyneside. 69 of these are maintained by the Council. The remaining culverts are maintained by other agencies such as the Highways Agency who have their own cleansing regimes.

North Tyneside’s culverts are subject to a routine cleansing schedule. Each culvert is checked and the grille cleared every 2, 6 or 12 months depending on the strategic importance of the culvert to keep them free from debris and running freely.’

Councillor M Huscroft asked the following supplementary question:

“Can we continue to review the culverts and cleansing schedules given recent experience of flooding in North Tyneside?”

The Elected Mayor replied as follows:

‘Yes I would accept that suggestion’.

3. The following question was asked of the Elected Mayor by Councillor M J Huscroft

“The Mayor will be aware of New River’s proposals to allow 3 hours free parking in its car parks.

Will she consider extending the current 2 hours free parking in all Council car parks to 3 hours?”

The Elected Mayor replied as follows:

‘I remain committed to supporting our local town centres and understand their importance to local people and the wider economy.

To do this, I’ve established a Retail Centres Task Group, which is a partnership between the public and private sectors to deliver the town centre initiatives, such as

holding a series of innovative events to encourage people into our local towns. We have been supported in this work by £100,000 of national government funding.

Regarding parking, the current approach aims to encourage a high turnover of the limited parking that we have available whilst accommodating the parking demands of the majority of visitors to the town centres. We talked with the Chamber of Trade when developing this approach and believe that it is still working well.

I am aware you are also interested in what New River have proposed and we will need to have that discussion with them.”

Councillor M J Huscroft asked the following supplementary question:

“As a professional private sector company, New River have indicated that 3 hours is a reasonable time. Does the Mayor think we as a Council, in order to assist all town centres, should also extend free parking to 3 hours?”

The Elected Mayor replied as follows:

‘At present 2 hours seems reasonable to the Chambers of Trade, but we will speak to New River.’

4. **The following question was asked of the Elected Mayor by Councillor N J Huscroft**

“Will the Mayor agree that until the Core Strategy is in place developers will continue to put in planning applications for greenfield sites in North Tyneside?

What measures does she intend to take to prevent this?”

The Elected Mayor replied as follows:

“Thank you for this question on this important issue. My aim is to have a Core Strategy in place as soon as possible.

However, even if we had a Core Strategy in place the Council can not stop developers from submitting applications.

While the current Core Strategy is under development the Council must continue to consider the National Planning Policy Framework, which requires it to apply a presumption in favour of sustainable development when determining development proposals. This includes greenfield sites.

I hope the Overview and Scrutiny Committee soon completes its work through its Core Strategy Task Group and reports back to Council.”

Councillor N J Huscroft asked the following supplementary question:

“What is the timescale?”

The Elected Mayor replied as follows:

'It will depend on how long it takes Overview and Scrutiny Committee and the Task Group to carry out their work.'

5. The following question was asked of the Elected Mayor by Councillor D Sarin

"Can the Mayor tell me what success there has been in reducing energy consumption in Council premises?"

The Elected Mayor replied as follows:

"Thank you for this question and the opportunity to inform Council of the good work and indeed successful progress we are making in this very important area.

Our programme of reducing energy consumption and carbon emissions has resulted in a 10% reduction in our carbon emissions in 2011/12 through:

- A reduction in gas consumption of 16%
- A reduction in electricity consumption of 7%
- A reduction in diesel consumption of 5%
- A reduction in water consumption of 24%

Reducing energy consumption is a challenge facing all of us that if successful brings both financial and carbon savings. I am sure Members will agree we are very much leading the way in North Tyneside.

- Street Lighting – monthly data has not been received, however the full year end projection is a 1% reduction against 11/12

I think if this trend in consumption continues this would result in a 5% increase in carbon emissions against 2011/12."

6. The following question was asked of the Elected Mayor by Councillor Mrs S Mortimer

"Can the Mayor update us on the success of the installation of solar panels on the roofs of Council houses in the Borough?"

The Elected Mayor replied as follows:

"I am delighted to be able to update Council on this excellent scheme that will save our own tenants around £5m in energy costs.

Working with EON we have delivered one of the largest social housing Solar PV installation projects in the UK, resulting in a saving for our own Council tenants.

Between September 2011 and March 2012, we installed over 14,100 panels to 1,503 Council homes, enough panels to cover a football pitch the size of St James' Park 3 ½ times over.

The solar panels will result in a significant reduction to our carbon footprint, saving a total of 40,775 tonnes of Carbon dioxide over the next 25 years.

The project will also generate income to the Council of around £2m for a “Green Fund” which we will use to support further initiatives to reduce tenants’ energy costs.

As you know from the report to tonight’s Council we intend to install voltage optimisers to 468 homes utilising the money from the Green Fund over the next two years.

This will help tenants save a further £1.2m in their energy costs and reducing CO² emissions by 2,400 tonnes over the next 25 years.”

7. The following question was asked of the Elected Mayor by Councillor K Barrie

“How many gullies have been cleaned in North Tyneside since the heavy rain at the end of June 2012, and is this an increase on the usual number?”

The Elected Mayor replied as follows:

“Between the end of June and the end of December 2012 the Council have cleaned approximately 10,800 gullies.

Yes, this is an increase on the usual number.

The increase on the previous year reflects the findings of the Flooding Task and Finish Group.

This includes adding additional resources into gully cleansing.”

8. The following question was asked of the Elected Mayor by Councillor A Austin

“What steps are being taken to ensure that public utilities properly repair and reinstate the roads and pavements when they have carried out works?”

The Elected Mayor replied as follows:

“Capita Symonds has expanded the existing Council street works team to provide resources to protect the Council’s highway asset. The Partnership with Capita has increased staffing levels enabling 100 % of the utility excavations in the borough to be inspected whilst they are being carried out and at subsequent stages after completion.

They are also carrying out new techniques at different stages of the process to make sure the reinstatements are structurally sound.

With the investment from Capita I have every confidence that our road network will be improved.”