

Local Government Act 1972

Borough of North Tyneside

23 January 2014

At the scheduled meeting of the Council of the Borough of North Tyneside duly convened and held on Thursday 23 January 2014 immediately following the Extraordinary meeting in the Chamber at Quadrant at which a quorum of members were present, that is to say:

Present

Councillor Janet Hunter (In the Chair)
N Redfearn (Elected Mayor)

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

In attendance via Skype in a non-voting capacity: Councillor J Munby

C102/01/14 Apologies

Apologies for absence were received from Councillors J Allan, P Brooks, D Corkey, J Pickard and A Normand.

C103/01/14 Declarations of Interest and Dispensations

Item 8 – Statement of Licensing Policy

The following declarations of interest were made:

Councillor A McMullen – registerable personal interest – he was a personal licence holder

There were no dispensations in relation to registerable personal interests reported.

C104/01/14 Minutes

Resolved that the minutes of the Council meeting held on 28 November 2013 be taken as read and confirmed and signed by the Chair.

C105/01/14 Motions

(i) Motion with notice, signed by Councillors D Ord, M Finlay, M J Huscroft, N J Huscroft and M Huscroft

It was moved by Councillor D Ord and seconded by Councillor N J Huscroft that:

“This Council requests the Elected Mayor to urgently review the apparent decision to close Wallsend Town Hall and transfer the current service for Looked After Children to Quadrant.”

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

Votes for the motion

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, L Miller, Mrs S Mortimer, D Ord, D Sarin, Mrs J Wallace and G Westwater.

Votes against the motion

Norma Redfearn, Elected Mayor, Councillors A Arkle, G Bell, B Burdis, C Burdis, W Caithness, K Conroy, A Cowie, S Cox, E Darke, L Darke, C Davis, S Day, R Glindon, S Graham, I Grayson, M Green, J Harrison, S Hill, Janet Hunter, John Hunter, C Johnson, F Lott, W Lott, G Madden, M Madden, D McGarr, A McMullen, T Mulvenna, P Oliver, K Osborne, J O’Shea, B Pickard, M Rankin, L Spillard, J Stirling, A Waggott-Fairley and J Walker.

The motion, on being put to the meeting, was defeated by 38 votes to 17 votes.

C106/01/14 Council Tax Support Scheme 2014-15

The Council received a report which detailed the options for having a Local Council Tax Support Scheme in place for North Tyneside for the financial year 2014-15.

It was moved by Councillor R Glindon and seconded by Councillor J O'Shea that:

“Council:

- a) notes the recommended scheme set out in paragraph 1.6.2 of the report which is being proposed to Council by Cabinet following its meeting on 25 November 2013; and
- b) agrees this scheme as the Local Council Tax Support Scheme for North Tyneside with effect from 1 April 2014.”

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

C107/01/14 Upgrade and Refurbishment of Tynemouth Crematorium, Preston Cemetery

The Council received a report seeking approval for unsupported borrowing of up to £2.772 million to support the upgrade and refurbishment of Tynemouth Crematorium, which included the provision of replacement cremators as a result of legislative changes and existing facilities reaching the end of their operational life.

In response to Members' queries, the Cabinet Member for Housing and Environment gave an undertaking that Whitley Bay Crematorium would remain in operation and improvements to this facility would be carried out at the appropriate time; and that further details relating to the likely reduction in gas consumption and increase in electricity associated with operating the new cremators at Tynemouth Crematorium would be circulated to all Members of the Council.

It was moved by Councillor J Harrison and seconded by Councillor C Davis that:

“Council approves the upgrade and refurbishment of facilities and provision of new cremators at Tynemouth Crematorium to a maximum cost of £2.927 million, and the associated unsupported borrowing of up to £ £2.772 million.”

The motion, on being put to the meeting, was approved by 42 votes to 0 votes.

C108/01/14 Review of Polling Places and Polling Districts

The Council received a report which presented the Returning Officer's final proposals in respect of the Review of Polling Places and Polling Districts as set out in Appendix 1 to the report, and approval to publish its findings by 31 January 2015.

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

“Council:

- (a) notes the representations received and approves the Returning Officer’s final proposals in respect of the Review of Polling Places and Polling Districts, as set out in Appendix 1 to the report;
- (b) authorises the Returning Officer to publish the Review of Polling Places and Polling Districts as agreed by Council at Quadrant, The Silverlink North, Cobalt Business Park, NE27 0BY, in at least one place within the constituencies and on its website.

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

C109/01/14 Statement of Licensing Policy 2014-2019

The Council received a report which had been prepared following a recent review of the Authority’s Statement of Licensing Policy. The Authority (as a Licensing Authority) was obliged by virtue of section 5 of the Licensing Act 2003 (the Act) to have a Statement of Licensing Policy and to keep the Policy under review. Recent important legislative changes and the requirement to ensure that the Policy broadly reflected the Statutory Guidance issued by Government had led the Policy to be reviewed and updated. The Policy would provide guidance as to how the Authority as Licensing Authority would exercise its functions under the Act.

This updated Statement of Licensing Policy, if adopted by Council, would come into effect on 23 January 2014.

It was moved by Councillor J Harrison and seconded by Councillor C Burdis that:

“Council:

- (a) approves the draft Statement of Licensing Policy appearing at Appendix 1 to the report, including the proposed delegations set out in Appendix 1 to the Policy document;
- (b) approves the Cumulative Impact Policy for the Whitley Bay area as delineated in the map appended to the Policy; and
- (c) instructs officers to undertake further work in relation to the Tynemouth area and consult as appropriate on whether or not there should be a Cumulative Impact Policy introduced in that area in due course.

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

C110/01/14 Programme of Meetings 2014/15

The Council received a report which presented the proposed programme of meetings for the 2014/15 municipal year.

It was moved by N Redfearn, Elected Mayor and seconded by Councillor J O’Shea that:

“Council:

- (1) agrees the programme of meetings for 2014/15, as set out in Appendix A to the report; and
- (2) agrees that the meetings of the full Council proposed for 24 July 2014, 27 November 2014 and 12 March 2015 be those at which questions will be taken from members of the public.”

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

C111/01/14 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.

C112/01/14 Chair’s Announcements

The Chair advised Council that a Holocaust Memorial Ceremony would be held in Quadrant at 10.00 am on Monday 27 January 2014, and all were welcome to attend.

C113/10/14 Mayor’s Announcements

The Mayor advised Council she had no announcements on this occasion.

C114/01/14 Questions by Members of the Council

Council was advised that in addition to the questions received from Members for this meeting as detailed in the Agenda, two urgent questions had also been received which had been circulated to all Members and these would be dealt with first.

Urgent questions:

1. Urgent Question to the Elected Mayor by Councillor Mrs J Wallace:

The Chair of Council had accepted the urgent question received from Councillor Wallace for the following reasons:

- ‘1. That the acquisition of this crane and its costs have come to light when the Council’s budget has no provision for such expenditure and there are significant budget pressures now, as the Council enters the final quarter of the financial year.
2. The Council’s budget proposals indicate savings of £64 million.
3. This matter has not been mentioned during briefings on the Swan’s site/North Bank to the Strategic Leadership Group.

4. The meeting of the Strategic Leadership Group, scheduled for last Thursday, was cancelled at short notice.'

"Can the Elected Mayor tell us where the money came from to purchase the crane, currently standing idle on the former Swans' site (North Bank of the Tyne), for which an initial payment of £500,000 has been made and where the money will come from for the second payment of £400,000?"

The Elected Mayor replied as follows:

"I am delighted to answer this question so that we might get to the truth of the matter.

I'm surprised that Councillor Wallace would ask this question given that she was the Cabinet Member for Finance when the Council entered first into a licence agreement with Jupiter Offshore Services on 17 April 2013.

Just so Members understand the background to this issue, this decision was subsequently challenged by Judicial Review in the High Court and the Council entered into a settlement agreement in relation to the Judicial Review on 18 June 2013.

It was because of this Judicial Review of the previous decision by the former administration that it was agreed that the Council would terminate the licence and undertake an open and transparent procurement process to appoint a quay operator for the Council, including craneage services.

This was to ensure development of the site was not delayed due to a lengthy and costly legal exercise.

The Council entered into a separate settlement agreement with Jupiter Offshore Services in September 2013 to terminate their licence and to acquire the crane intended to be used at the site, which will be needed for businesses to operate successfully in this particular area.

It is hoped that up to 1,000 jobs will be created as a result of the investment in the site.

The initial payment of £500,000 for the crane, which was made to Jupiter Offshore Services in October 2013, is funded through receipts from the sale of land on the Swans site to W.D. Close who is at that site now. A further payment of £200,000 was paid on 29 November 2013 upon confirmation that the crane was in full working order. The final payment of £200,000 will only be paid to Jupiter Offshore Services upon satisfactory installation of the crane which they are required to carry out. The installation will take place following completion of site infrastructure improvements, including works to the quay edge. These works are expected to be completed later in 2014.

In the meantime, work is continuing on the major infrastructure works to the Swans site, with substantial construction work due to begin this Spring."

Councillor Wallace asked the following supplementary question:

"Would the Mayor acknowledge that the previous Mayor and Cabinet received proper legal and professional advice before making their decision in 2013? Also what steps are being taken to protect the crane from rusting?"

The Elected Mayor replied as follows:

“All I know about the crane and development of the site I have answered honestly and based on the advice that I have been given by officers.”

2. Urgent Question to the Elected Mayor by Councillor J O’Shea:

The Chair of Council had accepted the urgent question received from Councillor O’Shea for the following reasons:

‘The newsletter has been circulated over the weekend of 17-19 January in a number of wards in the Whitley Bay area. Many teachers and parents have seen the newsletter and it has had a destabilising and worrying impact on the school community.’

“Can the Mayor clarify the position regarding the school provision review in light of the recent Conservative In Touch newsletter distributed across parts of the Borough?”

Councillor I Grayson replied on behalf of the Elected Mayor as follows:

“I think it’s important that this question is addressed because the leaflet has caused much distress.

Can I firstly just remind Council that school surplus places were well above the Audit Commission recommendations of 10% surplus places and increasing. The previous administration did nothing to resolve those problems and we heard earlier tonight of their failure to act on a number of matters.

The numbers of surplus school places increased as a result of the Secretary of State’s decision to agree to the creation of an additional state funded secondary school by the conversion of Kings School to an academy with Priory Primary School. This was supported by the local Tories, exacerbating the situation.

The current administration is up front and honest and we are not secretive about the need to review school provision. Contrary to information currently being circulated in the Borough, North Tyneside Council can reassure the Borough’s parents, teachers and governors that no recommendations have been made in the ongoing review of its education system.

Action we have taken includes the following:

- The Group Leaders were briefed prior to the publication of the Cabinet report
- Meetings held with head teacher representatives
- Meetings held with secondary head teachers
- Meetings held with individual head teachers
- Consultations with teacher representatives
- Meetings held with area groups of head teachers.

More meetings are planned, including meeting with the Principal, Chair and Vice-Chair of Tyne Met College and with representatives of the Learning Trust.

Schools are invited to submit their views about the issues we face.

In all of these actions, we have been open and transparent, working collaboratively and inclusively, and building the trust and confidence of head teachers.

We will establish some principles on the feedback received and will continue to work very closely with our schools to come forward with sustainable proposals for the future of our children.

We will agree a way forward with head teachers between March and June 2014, and we will ensure that consultation with all interested parties will take place on emerging options.

This leaflet is unhelpful, unsettling, disruptive and misleading. It is a scurrilous political leaflet that has caused a lot of upset and worry.”

Councillor O’Shea asked the following supplementary question:

“Are you aware of the views of parents and head teachers about this damaging newsletter?”

Councillor Grayson replied as follows:

“Yes, I have been contacted by head teachers and parents. Head teachers have reported to me that teachers have become very worried about their jobs and their futures. This has put the schools in a very difficult position.

I believe parents have been contacting schools asking if the schools are closing, and that middle school head teachers were so worried they held an emergency staff meeting to reassure staff that there were no closures.

The leaflet has had a very unsettling and destabilising impact. It is disruptive, unhelpful and deliberately misleading. Middle school head teachers had an emergency meeting as they were concerned about the effect on the school community this misleading leaflet may have on their schools – staff may look for new jobs and parents may move their children. The leaflet has no regard for the school community and the local Tories have not spoken to head teachers nor have they thought about any potential consequences. They have produced it out of political self interest and are using children’s education as a political football. This is public scaremongering of the worst order.”

Questions by Members of the Council

1. Question to the Elected Mayor by Councillor G Bell:

“Can the Mayor confirm that the decision to publish the full availability of sites in the Local plan was based on a recommendation from an All Party working group?”

Councillor J Harrison replied on behalf of the Elected Mayor as follows:

“Yes, the decision to consult an all potential development sites in North Tyneside was a decision of the Local Plan Sub-group, a sub-group of Overview and Scrutiny Committee involving all political parties.”

Councillor Bell asked the following supplementary question:

“How many responses has the Council received as part of the consultation exercise and can the Cabinet Member inform Council if this consultation exercise was carried out on a borough wide basis?”

Councillor Harrison replied as follows:

“I’m delighted to be able to report that a total of 928 individuals / organisations have formally responded to the plan making some 6,550 separate comments.

Yes, the consultation exercise was carried out on a borough wide basis. The Elected Mayor and Cabinet take the issue of consulting on issues like the Local Plan with residents very seriously. That is why the Council firstly informed residents about their proposals in the Autumn edition of its residents’ magazine, which was sent to every home in the borough.

A summary leaflet was also delivered to every home in the borough between 4 and 15 November 2013 setting out the 110 potential development sites and requesting views.

This information was also supplemented by more than 20 public meetings, eight weekday and Saturday drop-in sessions held across the borough during November and December to enable residents to ask questions or make comment in relation to the draft proposals. The details of these sessions were advertised in the Winter edition of the residents’ magazine which was also delivered to every household in the borough.”

2. Question to the Elected Mayor by Councillor B Caithness:

“Can the Mayor confirm that we do not own the Whitley Bay Ice-Rink and have no plans to develop the site?”

Councillor J Harrison replied on behalf of the Elected Mayor as follows:

“Yes, I can confirm that the Council does not own the Ice Rink and has no plans for its development. If I can refer you to the previous answer I gave Council, the Elected Mayor and Cabinet have informed residents of all 110 potential sites that had been identified in the Local Plan. The Ice Rink Site first came to our attention in 2008 when Northumberland Estates submitted the site along with a wider area, not entirely within its ownership, for consideration as a future potential development site.”

Councillor Caithness asked the following supplementary question:

“Can the Cabinet Member agree or confirm if concerns about the plans for the site should be addressed to Northumberland Estates or the Duke of Northumberland?”

Councillor Harrison replied as follows:

“Yes, that would be the right and proper place.”

3. Question to the Elected Mayor by Councillor S Graham:

Can the Mayor inform the Council of the date that she found out about the failed HLF bid for the restoration of the Dome submitted by the previous Conservative Mayor?

The Elected Mayor replied as follows:

“Yes, it was 23 May 2013.

On taking up office on 7 May 2013, I requested a regeneration briefing from officers involving our local MPs. It was at this meeting and I was somewhat dismayed to discover that the Heritage Lottery Fund bid had been unsuccessful and that the future of the Dome was at a stand still.”

Councillor Graham asked the following supplementary question:

“When did North Tyneside Council receive the news of the unsuccessful bid?”

The Elected Mayor replied as follows:

“I now understand that the former Elected Mayor, Mrs Linda Arkley, Graham Haywood, the then Chief Executive and officers of the Regeneration Team were notified of the unsuccessful bid on 27 March 2013. A formal letter outlining the reasons for rejection was received by the Council on 9 April 2013 from the Heritage Lottery Fund.

It was following the discovery of this information that I asked residents for their views on the future of the Dome and to show their support for a further bid to the Heritage Lottery Fund. This resulted in an overwhelming show of public support for the restoration of the Dome. More than 700 people gave their views and offered their support towards the bid.

I have to say that it was due to the overwhelming public support that the Council was able to resubmit a bid in August 2013 and was successful in securing £3.7 million of Heritage Lottery Funding for the Dome and Spanish City.”

4. Question to the Elected Mayor by Councillor S Day:

Can the Mayor give an assurance that she will ensure that further consultation will take place with the residents and businesses in Tynemouth on the new licensing policy?

The Elected Mayor replied as follows:

“Yes, I can give you an assurance. As Members will be aware from the earlier report this evening officers will be instructed to undertake a comprehensive 12 week consultation exercise on the new Licensing Policy. This is in the light of the responses from the Tynemouth residents and businesses, etc.”

5. Question to the Elected Mayor by Councillor J Allan:

“Can the Mayor advise the Council when the toilets on Saville Street, North Shields were closed?”

The Elected Mayor replied as follows:

"I'm sure Councillor Sarin will be interested in this as he raised it in the News Guardian.

I can confirm that Saville Street toilets were closed in July 2013 following a decision by the previous administration, which I understand was part of the Toilet Strategy introduced by the former Cabinet Member for Environment in 2012. I can now inform Members that as a result of the concerns raised with me by residents' about the closure I have instructed officers to look at the reopening of the accessible toilet on Saville Street on a Sunday. An inspection of the toilet is currently being undertaken to identify any improvement works required to facilitate this. This will allow a temporary measure, until discussions have taken place with the new owners of the Beacon Centre regarding plans for improving the shopping centre and provision of new customer toilets.

I will endeavour to do my best to ensure they are open as long as necessary."

6. Question to the Elected Mayor by Councillor N J Huscroft:

"Will the Elected Mayor confirm that the new Customer Service Centre in Wallsend will: -

1. Be fully staffed and that staffing levels will be sufficient to deal with all residents/tenants' transactions and enquiries without long delays.
2. Also, will be able to deal with the various service transactions that residents/tenants require including all Housing Enquiries, Benefits etc.?"

Councillor E Darke replied on behalf of the Elected Mayor as follows:

"The answer is yes."

7. Question to the Elected Mayor by Councillor M Finlay:

"We look forward to the opening of Wallsend's new Joint Service Centre. Please can you tell us what the upper floor of the building will be used for?"

Councillor E Darke replied on behalf of the Elected Mayor as follows:

"I understand that the upper floor of the building was part of the original Wallsend Customer First Centre acquisition. However, as the previous administration had not made any plans for the use of this area we are now having to consider various options for the use of this place."

Councillor Finlay asked the following supplementary question:

"Can the Cabinet Member confirm it will not be used for the Looked After Children Service?"

Councillor Darke replied as follows:

"It could be, but we are looking at various options."