

Local Government Act 1972

Borough of North Tyneside

20 July 2017

At the meeting of the Council of the Borough of North Tyneside duly convened and held on Thursday 20 July 2017 at 6.00 pm in The Chamber at Quadrant at which a quorum of Members were present, that is to say: -

Present

Councillor C Davis (In the Chair)
N Redfearn (Elected Mayor)

Councillor J Allan
Councillor A Arkle
Councillor A Austin
Councillor K Barrie
Councillor G Bell
Councillor L Bell
Councillor K Bolger
Councillor K A Clark
Councillor D Cox
Councillor S L Cox
Councillor N Craven
Councillor EN Darke
Councillor L Darke
Councillor S Day
Councillor D Drummond
Councillor P Earley
Councillor R Glindon
Councillor S Graham
Councillor I Grayson
Councillor M A Green
Councillor M Hall
Councillor E F J Hodson
Councillor Janet Hunter
Councillor John Hunter

Councillor M Huscroft
Councillor N J Huscroft
Councillor C Johnson
Councillor K Lee
Councillor F Lott
Councillor W Lott
Councillor G Madden
Councillor M Madden
Councillor P Mason
Councillor P McIntyre
Councillor D McMeekan
Councillor L Miller
Councillor T Mulvenna
Councillor A Newman
Councillor P Oliver
Councillor K Osborne
Councillor J O'Shea
Councillor A Percy
Councillor C B Pickard
Councillor M Reynolds
Councillor L Spillard
Councillor J Stirling
Councillor M Thirlaway
Councillor J Walker
Councillor J A Wallace

C21/07/17 Public Questions

1. Question to the Elected Mayor by Mr Bones of North Shields

Do you think it acceptable that none of the CCTV ran by the police in North Shields town centre is operational and why has this been allowed to happen and is this going to be the ongoing case?

The Elected Mayor replied as follows:

As you know the cameras are owned and maintained by Northumbria Police. I am aware that the cameras have had some technical difficulties which our Security Team has reported to the Police for action. I'm also aware that engineers have been working to identify and fix the problem.

Can I suggest that any further details about the outstanding repairs should be sought from Northumbria Police.

Mr Bones asked the following supplementary question:

I've got a response from Northumbria Police and they say it's due to the technical difficulties but there is no current strategy or time as to when the cameras are going to be done and then just go back to the Council. It says due to the technical issues the remaining operational cameras have been off-line for a period of time. Several engineers have attempted to repair the system; however, at present the fault has not been identified, but they are in conversation with the Council. There is no time or anything to say when that will be done.

The Elected Mayor replied as follows:

All I can say is we are in contact with the Police, but we will pick this up with them and will get back to you as to what's happening as soon as we can.

2. Question to the Elected Mayor by Mr Brockbank of Whitley Bay

As the Council votes on the Local Plan tonight, what specific assurances can the Mayor give to residents of Monkseaton that there will be no increased risk of flooding in existing homes, no extra pressure on road infrastructure and properly resourced local services, such as schools, to cope with the influx of new residents?

Councillor C B Pickard replied on behalf of the Elected Mayor as follows:

The issues you have raised have been addressed in the Plan and will be contained later in the debate this evening when we go to adopt the Local Plan. However I think we should give credit to the Monkseaton councillors, Councillors Ian Grayson, Naomi Craven and Davey Drummond, who have over the time span of this process constantly challenged myself and Councillor Harrison to ensure these issues were kept at the forefront of our considerations. They have worked hard to ensure the best interests of the residents of Monkseaton and North Tyneside were addressed. Council will consider the adoption of the Local Plan later tonight where it is recommended for approval. Securing sustainable development, including the issues you have raised, are fundamental aspects of the future spatial strategy for the Borough.

In relation to flood prevention, the Council with its partners are investing £4.7 million in flood risk reduction schemes and much of this is spent in the Monkseaton area. The £1.2 million Fairfield Green scheme has just been completed and schemes at Briar Vale and Wellfield will commence shortly.

The Local Plan will require that a new development includes drainage infrastructure. In the independent inspector's report he specifically says the Murton strategic site flood risk is a significant local concern following the storm event of Thunder Thursday in 2012. The frequency and intensity of such climate related incidents are projected to increase, but I am satisfied that various strategic flood risk works takes this into account. The absence of objections from the Environment Agency, Northumbrian Water and other authorities provides additional confidence that the surplus and foul water can be drained from this site.

In relation to transport and infrastructure, developers will be required by the Local Plan to deliver new roads and junction improvements, provide appropriate public transport which could include a new Metro station and expand our cycling and walking infrastructure. Once again here the Inspector looked at four particular issues. Firstly is the site inherently sustainable? Secondly is the site ready to connect to the public networks? The third aspect is the capacity and ability of the strategic road network and the fourth and final strand is the local highway network.

In conclusion, he stated bringing these various strands together 'I am satisfied that at a strategic planning level the transport impacts of the proposed scale of development at Murton would be acceptable. They are deliverable and viable packages of transport infrastructure both on and off site to secure modal shift, provide quality transport choices and ensure there will be no severe residual impacts on highway safety'.

In relation to local services, developers will be required to make appropriate provision for schools and other local services such as health care and public space. Once again the local inspector, in paragraph 266 on infrastructure, goes on to say the Plan has been prepared in consultation with key stakeholders to identify the infrastructure necessary to support the development proposed including the delivery responsibilities and timing. I am satisfied that the identified infrastructure has been robustly costed and realistically accounted for from potential funding streams.

Additionally, those specific IDPs for the two strategic sites, there is a good understanding of funding and delivering specific infrastructure relating to these two sites.

The Local Plan will allow us to manage and control the development that will inevitably take place in the Borough. The alternative is to remain at risk of speculative planning applications which reduce our ability to manage our infrastructure requirements harming the long term future of North Tyneside.

Mr Brockbank asked the following supplementary question:

Given the real anxieties and concerns of local residents, given the initial consultation period for the Plan was held over Christmas was the shortest possible period of consultation allowed, how can the Mayor envisage actively providing support to local residents in the form of a contingency plan should the Local Plan lead to yet more flooding in the area and unmanageable stresses on local infrastructure?

Councillor Pickard replied as follows:

Without going through the whole report, I can comment that the Inspector congratulated North Tyneside on its plans and the way it consulted the public. I think there were up to 10,000 responses, and the fact that it had allowed plenty of time for consultation and he concluded that nobody could reasonably suspect that they hadn't had the chance to have their issues raised.

The flood issue that I talked about was specific to the Murton site, but the Plan itself also covers the flood risk assessments that have to take place across the whole of the Borough and these are done in consultation with the relevant authorities – the Water Authority and any builders or developers in place.

We also have in case of emergency a well tried and tested plan for officers to respond to emergencies and not just the Council. There is an emergency planning committee that also includes the fire service, ambulance, health and police that respond in any emergencies.

C22/07/17 Apologies

Apologies for absence were received from Councillors P Brooks, B Burdis, C Burdis, J Cassidy, J L L Harrison, D McGarr, A McMullen, A Waggott-Fairley and F Weetman.

C23/07/17 Declarations of Interest

There were no declarations of interest or dispensations in relation to registerable personal interests reported.

C24/07/17 Minutes

Resolved that the minutes of the Annual Council meeting held on 18 May 2017 be taken as read, confirmed and signed by the Chair.

C25/07/17 Presentation – NEXUS Update

Tobyn Hughes, Managing Director, Nexus was welcomed to the meeting and gave a presentation on Nexus services in North Tyneside, particularly in relation to the Metro.

He outlined the strategy that had been agreed by the Leadership Board to deliver Metro Futures, the 'Metro and Local Rail Strategy' which had triggered two work streams: to renew the life-expired train fleet and to prepare for system expansion.

He also referred to significant Metro reinvigoration works in North Tyneside, the implications of the Bus Services Act 2017 and ticketing arrangements across the Nexus services.

Members were given the opportunity to ask questions which were responded to appropriately.

The Elected Mayor referred to a meeting of the North East Combined Authority held on 19 July at which the seven Leaders had agreed to write to the Secretary of State for Transport to highlight the difficulties the region would face if the funding for the new fleet/depot upgrade was not made available, and she indicated that a copy of the letter would be sent to all Members of the Council.

Mr Hughes was thanked for his presentation.

C26/07/17 Presentation on the Ofsted Inspection of Children's Services

Jacqui Old, Head of Health, Education, Care and Safeguarding and Richard Burrows, Chair of the North Tyneside Safeguarding Children Board were welcomed to the meeting and they gave a presentation on the recent Ofsted inspection of the Authority's services for children in need of help and protection, children looked after and care leavers and of the effectiveness of the North Tyneside Safeguarding Children Board.

Ofsted had judged the overall effectiveness of children's services in North Tyneside to be 'Good'. This overall judgment was based on the following findings:

- the experiences and progress of children who need help and protection were judged to be 'Good';
- the experiences and progress of children looked after and achieving permanence were judged to be 'Good';
- adoption performance was judged to be 'Good';
- the experiences and progress of care leavers was judged to be 'Outstanding'; and
- leadership, management and governance was judged to be 'Good'.

This placed North Tyneside Council within the top ten performing Children's Services within the country. Within the North East Region, of the eleven local authorities to be inspected to date, North Tyneside was the top performing Children's Services.

The recommendations made by Ofsted following the inspection and the action plan that was in place to address those issues were outlined.

The overall effectiveness of the North Tyneside Safeguarding Children's Board (NTSCB) had also been judged to be 'Good'. A comparison with the graded judgments of the 130 other Safeguarding Children's Boards that had been inspected to date by Ofsted had established that the Board was one of 43 graded 'Good' within the country. Only a third of Boards had been graded 'Good'. Within the North East Region, of the ten Local Safeguarding Children's Boards to be inspected to date, the NTSCB was one of only three graded 'Good'.

Members were given the opportunity to ask questions which were responded to appropriately.

Ms Old and Mr Burrows were thanked for their presentation.

C27/07/17 Motions

Motion signed by Councillors A Newman, F Lott and C B Pickard

It was moved by Councillor A Newman and seconded by Councillor F Lott that:

Put The public back into transport

Britain's public transport system is becoming a national embarrassment. Our railway network is now the most expensive in Europe – whilst taxpayers and passengers get a bad deal. The east coast railway was brought into public ownership in 2009 after the collapse of the operating company, and during its time in public ownership operated at a substantial profit. In 2014, the Government, ignoring the advice of many organisations, including the RMT privatised the line. However, it has been recently reported that the franchise is in

severe financial difficulties. What is clear is that this is the third private operator to run the vital East Coast line into the ground and report losses. Rather than waiting for the inevitable financial collapse the east coast railway should be brought back into public ownership immediately.

We therefore ask the Mayor to write to the Secretary of State for Transport, Chris Grayling, outlining our support for returning the east coast line to public ownership, and to discuss with the NECA to get regional support for this proposal.

The Motion, on being put to the meeting, was approved by 44 votes to 7 votes.

C28/07/17 Adoption of the North Tyneside Local Plan

A report was submitted requesting full Council to adopt the North Tyneside Local Plan and North Tyneside Local Plan Policies Map, following completion of an Examination in Public by an independent Planning Inspector.

The report outlined the steps taken during the preparation of the Local Plan. It also gave details of the Examination of the Local Plan, the Inspector's Report and Modifications, both major and minor, to the Local Plan. The report also outlined next steps following adoption of the Local Plan by the Council.

It was moved by Councillor C B Pickard and seconded by Councillor F Lott that:

- (1) the recommendations of the independent Inspector in his Report to the Authority to make Main Modifications to the Local Plan be noted;
- (2) the recommendation of Cabinet at its meeting of 12 June 2017 be received;
- (3) the Local Plan and the Local Plan Policies Map, including the Main and Minor Modifications, be adopted; and
- (4) approval be given to the publication of the Local Plan Adoption Statement.

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

Votes for the Motion

N Redfearn, Elected Mayor, Councillors J M Allan, A Arkle, G Bell, L Bell, K Bolger, K Clark, D Cox, S L Cox, N Craven, EN Darke, L Darke, C Davis, S Day, D Drummond, P Earley, R Glindon, S Graham, I Grayson, M A Green, M Hall, Janet Hunter, John Hunter, C Johnson, K Lee, F Lott, W Lott, G Madden, M Madden, D McMeekan, T Mulvenna, A Newman, P Oliver, K Osborne, J O'Shea, A Percy, C B Pickard, M Reynolds, L Spillard, J Stirling, M Thirlaway and J I Walker

Votes against the Motion

Councillors A Austin, K Barrie, E Hodson, M Huscroft, P Mason, P McIntyre, L Miller and J Wallace

Abstentions

Councillor N J Huscroft

The Motion, on being put to the meeting, was approved by 42 votes to 8 votes, with 1 abstention.

C29/07/17 Procurement and Appointment of Local (External) Auditor

The Council received a report regarding a new requirement under the Local Audit and Accountability Act 2014 for all local authorities to procure and appoint their own external auditor from 2017/18 onwards.

The appointment had to comply with all relevant procurement laws and the decision on the appointment must be made by full Council, consulting and taking into account the advice of an independent Auditor Panel convened for the purpose of evaluating and recommending the choice of local (external) auditor to the Council.

The report outlined the outcomes of a collaborative procurement exercise for a local (external) auditor undertaken jointly by North Tyneside Council, Newcastle City Council and Northumberland County Council; the recommendation of the independent Auditor Panel that Ernst and Young be appointed by full Council as North Tyneside Council's external auditor for the period 1 April 2018 to 31 March 2023; and that this procurement would be likely to deliver significant financial savings for all three Authorities involved in this collaborative procurement. The appointment of Ernst and Young had been approved by both Newcastle City Council and Northumberland County Council.

It was moved by Councillor R Glindon and seconded by Councillor C B Pickard that:

- (1) the outcomes from the collaborative procurement exercise for a local (external) auditor undertaken between North Tyneside Council, Newcastle City Council and Northumberland County Council be noted; and
- (2) the recommendation of the independent Auditor Panel be endorsed, and approval be given to the selection and appointment of Ernst Young as the Authority's local (external) auditor from 1 April 2018 to 31 March 2023.

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

C30/07/17 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.

C31/07/17 Chair's Announcements

The Chair highlighted two events that she and her consort had recently attended – the Friendship Games in Slovenia and the volunteer commendation awards.

The Chair had been accompanied at the Friendship Games by some young people from North Tyneside who had admirably represented the Borough, and everyone involved had enjoyed the community spirit of the event.

In relation to the volunteer commendation awards, the Chair paid tribute to those people who unselfishly gave their time and effort to help others.

C32/07/17 Mayor's Announcements

The Elected Mayor did not have any announcements to make.

C33/07/17 Questions by Members of the Council**1. Question to the Elected Mayor by Councillor E Hodson**

In correspondence the Mayor has revealed that she supports Officer recommendations to build an energy from waste plant in Howdon, adjacent to the regional sewerage works. This plant will burn household waste imported from other Authorities at a rate of more than 500 tonnes per day. This will cause some stresses for North Tyneside residents. In particular, incoming truckloads of waste, outgoing truckloads of dust and ash, the disposal of effluent cleansing liquids and solids, plant noise and health threatening smoke emitted from the chimney.

Does the Mayor know of any advantages that will accrue to North Tyneside citizens as a result of this plant?

The Elected Mayor replied as follows:

Firstly, I would like to make it very clear that I have not supported this officer recommendation in any correspondence. You must have misinterpreted what is said in the letter. The decision to allow the planning permission for this energy from waste plant in Howdon was made by the Planning Committee of which I am not a member.

As a member of the Planning Committee yourself you will know that, on 20 March 2017, it independently made the decision to allow the development of the plant in Howdon. You know that there is no way the Mayor can interfere in that decision. This was a democratic decision by the Committee. If we believe in a democratic process then we have to accept the decision made by that Committee. However, I personally still have a number of reservations about the suitability of this facility in this area.

The regulations around the plant will have to ensure that this facility is covered by an environmental permit to protect the environment and human health. For example addressing the emissions to air, land and water; energy management; waste; the consumption of materials; noise, vibration and odour; and the prevention of accidents. Although the Environment Agency is responsible for issuing and monitoring these permits, I have asked officers to keep me informed of progress on this matter.

In terms of the advantages to residents it will be up to the developer to justify any advantages not me. I can only refer to the developers' Section 106 Agreement which states it will provide 100 apprenticeships during the construction phase and the first 13 operational years of the plant. It also suggests that there will be a number of jobs created as a result of the plant. However, as I have said, it will be up to the developer to justify the advantages to the residents, and up to the Planning Enforcement Officers to ensure that this commitment is delivered.

Before moving on, I would again like to reiterate that at no point in time have I indicated my support or otherwise to this plant. That is not in my brief as the Mayor of this Borough.

Councillor Hodson asked the following supplementary question:

Given that the proposed energy from waste plant will be a significant development to the Borough and for residents, did the Mayor and her Cabinet and the senior management team give consideration to it?

The Elected Mayor replied as follows:

I think I have answered that. At the end of the day I knew it was taking place, but it's not my place to have an opinion on that. It goes to the Planning Committee, that is their responsibility. I can not take part in any decision made by a Planning Committee

2. Question to the Elected Mayor by Councillor E Hodson

In the recent Mayoral election the Mayor's manifesto detailed her determination to maintain the Council's weekly collection and disposal of household waste. However the proposed energy from waste plant in Howdon will receive household waste from neighbouring Authorities that is two weeks, 3 weeks or even 4 weeks old.

How will the Mayor maintain her manifesto undertaking in the light of the age of this imported waste?

The Elected Mayor replied as follows:

This is the fifth year running that we have managed to maintain weekly collections and there are no plans in the budget to change this.

We already have a contract in place in relation to waste disposal and this will not change as a result of the facility at Howdon or neighbouring authorities' waste disposal arrangements. At the end of our contract with SUEZ, which is currently in place until 2022, the Council will go through the usual competitive tendering process and any future decisions on our longer-term waste strategy will be taken based on what is best for the borough and informed by listening to our residents and their needs.

Councillor Hodson asked the following supplementary question:

I think that the Mayor perhaps does not appreciate that the waste coming in will almost certainly be at least two weeks old and perhaps older. It will have all the problems of smells, hygiene and health problems that we objected to for their own waste. I just wonder how she squares that with her manifesto undertaking?

The Elected Mayor replied as follows:

I understand that the waste that comes in is sealed. All this was answered at the Planning Committee. All these questions were raised with the experts and I have to take the advice of the experts and have already told you that I still have concerns about it and I hope they will be addressed as time goes on. I can not change the decision made by the Planning Committee. You were there, you were part of it. If you are saying to me that it wasn't a right decision or it wasn't a fair decision or it wasn't a proper process then I will investigate, but as far as I am concerned, all those things that had to be covered were covered at the Planning Committee.

3. Question to the Elected Mayor by Councillor W Lott

Council accepted a motion at its meeting on 19th January 2017 and a further report at the meeting on the 23rd March 2017, regarding residents' concerns at the NHS provision in North Tyneside.

Can the Mayor update the Council on what has happened with the proposed new North Tyneside urgent care 24 hour provision, and comment on the extension of the early closure of the existing urgent care cover at Rake Lane Hospital.

The Elected Mayor replied as follows:

Like all of you here today, I am indeed disappointed with how this has developed.

Members will know the Clinical Commissioning Group has reviewed urgent care services in North Tyneside as it believes they must change because they are confusing for people and do not make the best use of NHS funding.

I am disappointed and I continue to hear worries from residents. I wrote to the Clinical Commissioning Group on 28 March 2017 highlighting residents' concerns in relation to urgent care provision. Although their response originally suggested that a new 24 hour care system would be introduced from 1 October 2017, I now understand that the CCG has announced this week that the procurement exercise has resulted in no contract award being made and that the current contracts will be extended to ensure continuity of service while the Clinical Commissioning Group reviews its options.

In terms of the reduced opening hours on the existing Rake Lane site, it is disappointing that Northumbria Health Care Foundation Trust has decided to maintain the shortened opening until 30 September 2017.

This goes against the assurance that the reduced hours were a temporary arrangement to deal with winter demand. It is therefore quite worrying and disappointing news and goes against the assurances that were given about the temporary nature of this reduction in hours. This together with the uncertainty about the procurement exercise securing a replacement is only adding to the concerns and confusion of the residents of North Tyneside.

I can assure Members that I will continue to pay close attention to this matter and I have asked officers and members of the Cabinet to ensure that our concerns are brought to the highest level in the Health Service locally.

We must as a Council do the best for our residents. I am concerned because that is not what we were promised when we supported the Cramlington set-up.