

Local Government Act 1972

Borough of North Tyneside

28 September 2017

At the meeting of the Council of the Borough of North Tyneside duly convened and held on Thursday 28 September 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 A Arkle	Councillor C Johnson
Councillor A Austin	Councillor K Lee
Councillor K Barrie	Councillor F Lott
Councillor G Bell	Councillor W Lott
Councillor L Bell	Councillor M Madden
Councillor K Bolger	Councillor P Mason
Councillor B Burdis	Councillor D McGarr
Councillor J Cassidy	Councillor P McIntyre
Councillor K A Clark	Councillor A McMullen
Councillor D Cox	Councillor T Mulvenna
Councillor S L Cox	Councillor A Newman
Councillor N Craven	Councillor P Oliver
Councillor EN Darke	Councillor J O'Shea
Councillor L Darke	Councillor A Percy
Councillor D Drummond	Councillor C B Pickard
Councillor P Earley	Councillor M Rankin
Councillor R Glindon	Councillor M Reynolds
Councillor M A Green	Councillor L Spillard
Councillor J L L Harrison	Councillor M Thirlaway
Councillor E F J Hodson	Councillor A Waggott-Fairley
Councillor Janet Hunter	Councillor J Walker
Councillor John Hunter	Councillor J A Wallace
Councillor M Huscroft	Councillor F Weetman
Councillor N J Huscroft	

C34/09/17 Apologies

Apologies for absence were received from Councillors J Allan, C Burdis, S Day, S Graham, I Grayson, M Hall, G Madden, D McMeekan, L Miller and J Stirling.

C35/09/17 Declarations of Interest

The Chair invited the Monitoring Officer to advise Members in relation to the Motion on NJC Pay.

Members were informed that for this Motion there was not a requirement to make declarations under the Member Code of Conduct if Members had family members working for the Authority.

Members were further advised that if they did have a relative working for the Authority and in the interest of transparency it would be appropriate to make the meeting aware either at this point in the meeting or if speaking to the Motion, at that time.

Councillors A Arkle, G Bell, L Bell, B Burdis, R Glindon, M Madden, D McGarr, M Rankin and L Spillard informed the meeting that they had family members working for the Authority.

Councillor D Drummond informed the meeting that he was an employee of the Fire Authority and was subject to NJC pay scales.

C36/09/17 Minutes

Resolved that the minutes of the Council meeting held on 20 July 2017 be taken as read, confirmed and signed by the Chair.

C37/09/17 Motions

(i) Motion 1 signed by Councillors R Glindon, I Grayson and M Hall

It was moved by Councillor P Earley and seconded by Councillor A Percy that:

MND Charter

This Council recognises that, whilst it is Northumbria Health Care Trust that commissions support for people with neurological conditions, including Motor Neurone Disease (MND), many decisions about services used by residents with MND, such as social care, housing adaptations and support for carers, are made here at local authority level.

This Council therefore requests Cabinet to consider the adoption of the Motor Neuron Disease (MND) Charter, which sets out the care and support that people living with MND and their carers deserve and should expect.

Cabinet is also requested to promote the Charter within the borough and make it available to all councillors, council staff, partner organisations and health and social care professionals who deliver services for the Council. This will serve to raise awareness of

MND and demonstrate what good care looks like for those living with this devastating disease. It will also assist the Council, working closely with Northumbria Health Care Trust positively to influence the quality of life for local people with MND and their carers living in our community.

Charter

The MND charter is a statement of respect, care and support that people living with MND and their carers deserve and should expect:

The right to an early diagnosis and information.
The right to access quality care and treatments.
The right to be treated as individuals and with dignity and respect.
The right to maximise their quality of life.

Carers of people with MND have the right to be valued, respected, listened to and well-supported.

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

(ii) Motion 2 signed by Councillors B Pickard, C Burdis and P Earley

It was moved by Councillor B Pickard and seconded by Councillor K Bolger that:

NJC PAY

North Tyneside Council notes that:

- On average, across the country, NJC basic pay has fallen by 21% in real terms since 2010
- NJC workers had a three-year pay freeze from 2010-2012 and have received only 1% pay increase annually since then
- NJC pay is the lowest in the public sector
- Differentials in pay grades are being squeezed and distorted by bottom-loaded NJC pay settlements needed to reflect the increased Statutory National Living Wage
- North Tyneside Council introduced the North Tyneside Living Wage in 2017 (Matching the Living Wage Foundation rate) to provide those on lower wage rates with a fair and decent rate of pay.
- The likelihood of rising inflation following the vote to leave the European Union will worsen the current public sector pay inequality.

This Council therefore supports the claim that NJC Council and school workers are justified in seeking a pay rise above 1%, and calls for the immediate end of public sector pay cap. NJC pay cannot be allowed to fall further behind other parts of the public sector.

This Council also welcomes the joint review of the NJC pay spine to remedy the turbulence caused by bottom-loaded pay settlements.

Council further notes the drastic ongoing cuts to local government funding and calls on the Government to provide additional resources to ensure local authorities can fund a decent pay rise for NJC employees and the pay spine review.

This Council invites the Elected Mayor to:

- Write to the LGA asking it to make urgent representations to Government to fund the NJC claim and the pay spine review;
- Write to the Prime Minister and Chancellor seeking additional resources to fund a decent pay rise and the pay spine review;
- Write to local NJC union representatives to convey support for a decent pay rise and the immediate end of public sector pay cap.

The Motion, on being put to the meeting, was approved by 43 votes to 4 votes.

C38/09/17 2016/17 Annual Financial Report

A report was considered seeking full Council's approval of the 2016/17 Audited Annual Financial Report in accordance with Section 9 (2) of the Accounts and Audit Regulations 2015.

Councillor R Glindon, Cabinet Member for Finance and Resources, welcomed Mr G Davies and Ms D Harold from Mazars. Mr Davies presented the Audit Completion Report.

The audit of the 2016/17 accounts had concluded and an unqualified audit opinion had been given on both the financial statements and value for money conclusions.

Members were given the opportunity to ask questions of Mr Davies, which were responded to appropriately.

In moving the report, Councillor R Glindon referred to the decision of Cabinet at its meeting held on 27 September 2017 not to extend the contract with Kier North Tyneside from April 2019. This had no impact on the financial aspects of the accounts, but would be added to the note as part of the 2017/18 forward look by the Head of Finance.

It was moved by Councillor R Glindon and seconded by Councillor A McMullen that:

- (a) the Audit Completion Report, submitted by the Authority's external auditors Mazars, be approved and the draft Letter of Management Representation be agreed; and
- (b) the 2016/17 Audited Annual Financial Report be approved.

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

C39/09/17 Change to Constitution – Planning Committee Membership

A report was received that detailed a proposal to reduce the membership of the Planning Committee, as set out in the Committee's terms of reference contained in the Constitution, from 15 Members to 11 Members.

The political balance of the Committee with the revised number of seats would be 9 seats allocated to the Labour Group and 2 seats allocated to the Conservative Group. The revised quorum for the Committee would be 3 (currently 4).

It was moved by the Elected Mayor and seconded by Councillor F Lott that:

the proposed change to the Constitution to reduce the membership of the Planning Committee from 15 to 11 Members be approved and the change be referred to the Elected Mayor for her consent in accordance with Article 15 of the Constitution.

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

C40/09/17 Northumberland, Tyne and Wear and North Durham Sustainability and Transformation Plan Joint Health Scrutiny Committee

Council was asked to consider the establishment of a Joint Committee under the provisions of the Health and Social Care Act 2012, involving all authorities affected by the Northumberland, Tyne and Wear and North Durham Sustainability and Transformation Plan (STP), and any associated service review proposals, and to appoint three representatives, together with named substitutes, onto the Joint Committee.

The Joint Committee would be the vehicle through which the respective local authorities would respond jointly to any consultation in relation to the STP and any associated proposals for substantial developments and variations to health services.

In response to Members' queries, assurances were given by the Elected Mayor that all Council members would be kept informed of any proposed changes to health care in the Borough.

It was moved by the Elected Mayor and seconded by Councillor B Pickard that:

- (1) the establishment of a Joint Health Scrutiny Committee, as set out in the report, be endorsed;
- (2) the proposed draft protocol and terms of reference of the proposed Joint Health Scrutiny Committee, as set out at Appendix A of the report, be endorsed;
- (3) the Head of Law and Governance be authorised, in consultation with the Head of Finance, Chief Executive and Elected Mayor, to propose any revisions to the final protocol, terms of reference and associated matters for consideration by the Joint Committee; and
- (4) Councillors M Hall, G Bell and I Grayson be appointed as the Authority's three representatives on the Joint Committee, with Councillors N Craven, M Thirlaway and K Clark being appointed as substitutes.

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

C41/09/17 Chair of Adult Social Care, Health and Wellbeing Sub Committee

Council received a report seeking the appointment of a Chair of the Adult Social Care, Health and Wellbeing Sub Committee for the remainder of the 2017/18 Municipal Year as the current Chair, Councillor Gary Bell, had been appointed as a Cabinet Member with effect from 1 October 2017.

It was moved by Councillor B Pickard and seconded by Councillor A Newman that:

the appointment of Chair of the Adult Social Care, Health and Wellbeing Sub Committee for the remainder of the 2017/18 Municipal Year be deferred until the Council meeting on 23 November 2017.

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

C42/09/17 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.

C43/09/17 Chair's Announcements

The Chair announced that her Charity Walk would be taking place on Saturday 30 September at 10am starting at The Linskill Centre, North Shields. She encouraged anyone who was interested to register and join the walk that would raise money for:

- Maggie's – supporting anyone with cancer and their family & friends
- Living at Home Scheme
- North Tyneside YMCA

C44/09/17 Mayor's Announcements

The Elected Mayor made no announcements.

C45/09/17 Questions by Members of the Council

1. Question to the Elected Mayor by Councillor K Barrie

Can the Mayor tell me what the procedure is for the inspection and maintenance of the Navigation Beacon at the entrance to Cullercoats Harbour and when it is carried out?

The Elected Mayor replied as follows:

Yes, the Navigation Mast and Beacons are inspected on an annual basis each October by Trinity House (Navigation Directorate) who has responsibility for the inspection of all Navigational Masts shown on the Admiralty Chart.

However, I am very disappointed to learn from Councillor Karen Lee and Members of the Cullercoats Harbour Working Group that the leading Beacon Mast, which is a major navigational aid for the harbour and aids approach to the harbour during low light levels and unfavourable weather conditions, was damaged sometime ago and has not been carried out by Capita's Asset Management Team as they considered it a non-essential repair. This has now been brought to my attention and I have asked that this be treated with priority. I understand that the repair has now been ordered with a local contractor and the repair is planned for completion this month.

2. Question to the Elected Mayor by Councillor K Barrie

Can the Mayor tell me if North Tyneside Council have purchased any private or council housing in the North Tyneside area, how many and the total cost?

The Elected Mayor replied as follows:

The Council asked the North Tyneside Trading Company (Development) Limited, who is owned by the Authority, to undertake a programme to help it to deliver affordable homes across the borough and to support the delivery of the affordable homes programme which aims to provide 3,000 new homes by 2024.

The Trading Company has purchased two homes from the open market for a total purchase price of £212,450 to be able to let at affordable rent levels.

The Company is also currently in the process of considering a further five more homes across the borough. It is the Council's intention to continue with this purchasing strategy which not only helps to deal with issues of rehousing but also builds the asset base of the company.

Following a review of the cost associated with building properties it was determined that the most cost effective and quickest way was to buy property from the open market and offer them for rent. This is not using Council funds, I have to stress that. The funding of these purchases is via a grant from the Authority, of the Section 106 Town and Country Planning Act and can only be used for affordable housing.

North Tyneside Trading Company has also delivered 13 new affordable homes to rent in Camperdown, in which priority was given to local residents.

The homes will be let at an affordable rent, which is 80% of the current market rent level for the type, size and location of the property.

3. Question to the Elected Mayor by Councillor P Mason

North Tyneside Council is currently in discussions with developers who wish to build thousands of houses in the borough. Many of these homes will be sold as leasehold tying buyers to onerous payments of ground rents. The Communities Secretary said he wants to put a stop to this "unjust" and "unnecessary" practice.

Would the Mayor ensure that Council Officers broach this subject with the developers?

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

This is a national issue and unfortunately the Council does not have powers to control whether developers sell new homes as freehold or leasehold. However, I do share Councillor Mason's concerns about this national issue. No resident should be subject to any unfair practices. I would therefore urge Councillor Mason to lobby the Government requesting this change.

In the meantime I have asked officers to provide me with the detail of the extent of this practice in North Tyneside and that they highlight our concerns with house builders involved in the delivery of new homes in the Borough.

Should officers uncover that this practice is widespread in North Tyneside I will ask the Elected Mayor to write to the Government Minister to ask for legislation to be introduced to control this issue.

Councillor Mason asked the following supplementary question:

There is a possibility that the Council's Trading Company could build houses to sell. Could the Mayor confirm that they would be sold freehold?

Councillor J Harrison replied as follows:

If they build homes it would be up to the Company to decide that but it would generally be more towards freehold.

4. Question to the Elected Mayor by Councillor M Huscroft

Can the Mayor please inform the Council what action is being taken to bring the former Buddle School more recently, Buddle Arts Centre, back into full use and what programme of repairs has been scheduled?

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

To date, the former Buddle Arts Centre remains vacant and is subject to negotiations for a lease of the property to the Tyne and Wear Building Preservation Trust.

This transfer is currently at contract discussions stage and a draft lease has been prepared by the Council's Legal Team.

The building is in a poor condition and the Council is currently working with the Trust to ensure the building is used moving forward. We are in the process of agreeing the scope of works required with the Trust to bring the building up to a safe and operational state.

It remains the responsibility of the Tyne and Wear Building Preservation Trust to bring the building up to an operational standard as part of the proposed transfer. This will form part of the lease agreement.

I understand that the Trust is looking to secure the necessary funding to allow them to carry out repairs to bring the building back into use.

Councillor M Huscroft asked the following supplementary question:

Could Council Members be kept informed to what is happening with this?

Councillor B Pickard responded as follows:

Yes, I will ensure you will be sent the details once the lease has been signed.

5. Question to the Elected Mayor by Councillor N Huscroft

I have recently reported some gullies which have appeared to be completely blocked.

Can the Mayor please advise Council members how often routine inspections of gullies take place? And also how often periodic reviews of where and how often these inspections take place are carried out.

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

There are just over 40,000 gullies across the borough, which cover over 899km on the highway network. It takes around 18 months to complete a full cycle of gully cleansing. During this period every gully in the borough is inspected and emptied at least once.

Any blockages that are reported in between inspections are attended to on an ad-hoc basis.

The Council has invested an additional £4.75m into flood risk reduction work. This investment has included the purchase of two new high tech gully cleansing vehicles. The vehicles are equipped with smart technology which measures the amount of silt in the gully pots and determines how often they actually need to be emptied.

For the past 12 months these new vehicles have been carrying out their cleaning regime and gathering additional data. The data collected will allow us to move towards a revised and improved risk-based operation ensuring the most efficient gully cleansing regime which will be the best use of our resources.

In relation to the two Members' enquires that Councillor Huscroft has raised I understand that one gully has been inspected and a works order raised to deal with the blockage and the other is due to be complete by 9 October 2017 in line with the 30 working days of the work being raised.