

## Local Government Act 1972

### Borough of North Tyneside

27 November 2014

At the meeting of the Council of the Borough of North Tyneside duly convened and held on Thursday 27 November 2014 in The Chamber at Quadrant at which a quorum of Members were present, that is to say:

#### Present

Councillor T Mulvenna (In the Chair)  
N Redfearn (Elected Mayor)

Councillor J M Allan	Councillor M J Huscroft
Councillor A Arkle	Councillor N J Huscroft
Councillor Mrs A Austin	Councillor F Lott
Councillor K Barrie	Councillor G Madden
Councillor G Bell	Councillor M Madden
Councillor B Burdis	Councillor P Mason
Councillor C Burdis	Councillor P McIntyre
Councillor W Caithness	Councillor J McLaughlin
Councillor J Cassidy	Councillor L J Miller
Councillor K A Conroy	Councillor Mrs S E Mortimer
Councillor S L Cox	Councillor P Oliver
Councillor EN Darke	Councillor D Ord
Councillor L Darke	Councillor K Osborne
Councillor C Davis	Councillor J O'Shea
Councillor P Earley	Councillor C B Pickard
Councillor R Glindon	Councillor J Pickard
Councillor S Graham	Councillor M Reynolds
Councillor I Grayson	Councillor D Sarin
Councillor M A Green	Councillor L A Spillard
Councillor M Hall	Councillor J Stirling
Councillor J L L Harrison	Councillor A Waggott-Fairley
Councillor Janet Hunter	Councillor J I Walker
Councillor John Hunter	Councillor Mrs J A Wallace
Councillor M Huscroft	Councillor G C Westwater

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

**C52/11/14 Public Questions**

**1. The following question was asked by Mrs B Peters of Whitley Bay:**

Subject: Avenue Public House

When is this eye sore going to be demolished? We were told it was going to be demolished at the end of July?

The Elected Mayor replied as follows:

Like you Mrs Peters, and so many other residents, I want to see these eyesores demolished and our work in Whitley Bay move quickly.

The demolition of The Avenue has been complicated by the fact that it requires the agreement of two adjoining owners whose properties are linked to the building. It has therefore been necessary for all parties to employ surveyors to agree appropriate party wall treatments once the building has been demolished. This has been difficult because of the age of all of the buildings concerned.

The Council now has the full agreement of one owner in place and is finalising party wall details with the surveyor acting on behalf of the other owner. The building will be demolished as soon as the Council has the full agreement of both owners.

**2. The following question was asked by Mr B Peters of Whitley Bay:**

Subject: Oxford Street

When will the other half of the road in Oxford Street be repaired? The pot holes are a disgrace?

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

Oxford Street was partly resurfaced a number of years ago. The older section is approaching the point where resurfacing is required.

The Council are finalising plans for next year and Oxford Street will be considered along with all other streets in the borough. Our plans will be finalised and shared in February 2015 ready for the start of the financial year.

I acknowledge his frustration, so in the meantime, I have instructed officers to bring the next inspection forward, which was due in January, and report to me. I will write to Mr Peters following this inspection to provide details of the outcome of the inspection.

**C53/11/14 Apologies**

Apologies for absence were received from Councillors L Bell, D Corkey, S Day, E Hodson, C Johnson, D Lilly, W Lott and D McGarr.

## **C54/11/14 Declarations of Interest and Dispensations**

The following declarations of interest were made:

### Item 5 – Motion 2

Councillor D Ord – non-registerable personal interest – his brother-in-law was a Fire Fighter directly affected by the Motion.

The following dispensations were disclosed:

### Item 5 – Motion 2

Councillor C Burdis -- dispensation granted - registerable personal interest in respect of appointment by the Authority to the Tyne and Wear Fire and Rescue Authority.

Councillor S Mortimer – dispensation granted - registerable personal interest in respect of appointment by the Authority to the Tyne and Wear Fire and Rescue Authority.

## **C55/11/14 Minutes**

**Resolved** that the minutes of the Council meeting held on 23 October 2014 be taken as read and confirmed and signed by the Chair.

## **C56/11/14 Motions**

### **(i) Motion signed by Councillors M Huscroft, M J Huscroft, N J Huscroft and D Ord:**

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

“This Council calls upon the Elected Mayor, during the current budgetary process, to address the problems outlined in the Highway Asset Management Plan (HAMP) 2012-2017 and considerably increase funding for roads and pavement repairs, in order to meet the needs and concerns of the residents of North Tyneside.”

The motion, on being put to the meeting, was defeated by 13 votes to 35 votes.

### **(ii) Motion signed by Councillors B Pickard, L Spillard and J Harrison:**

[Note: Councillor D Ord withdrew from the meeting and took no part in the discussion or voting on this item].

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

“North Tyneside Council notes:

- The Coalition Government’s plans to increase firefighter pension contributions and raise the retirement age of all firefighters to 60;
- The recent breakdown in talks between the Government and unions on this issue; and

- The subsequent national 4 day fire strike that took place between 31 October and 3 November 2014 that strike action on this issue has been avoided in Wales, Scotland and Northern Ireland.

Council believes:

- That firefighters across Tyne and Wear do a brave and heroic job putting at risk their own lives to protect our residents;
- That firefighters should be rewarded for this service to the public with a fair pension settlement upon retirement;
- That the current Coalition Government plan to force all firefighters to remain in active service to the age of 60 will put at risk the personal safety and mental wellbeing of firefighters and jeopardise the safety of the public; and
- That if devolved Governments in Wales, Scotland and Northern Ireland have negotiated a fairer deal, then the Coalition Government can achieve the same for England.

Council therefore requests the Mayor:

- To write to the Fire Minister urging her to enter into urgent negotiations with the Fire Brigade Union in England with a new offer over pension contributions; and
- To write to Members of Parliament representing constituencies within the Tyne and Wear area to urge them to support Early Day Motion 454 (tabled at the Labour Party's Shadow Secretary of State for Communities and Local Government) which calls on the annulment of the Conservative/Liberal Democrat Government's Firefighters' Pension Scheme (England) Regulations 2014."

The motion, on being put to the meeting, was approved by 36 votes to 0 votes.

### **C57/11/14 Ebola Virus**

The Council received a report which provided a briefing for Members in relation to the North East and local response to the Ebola Virus.

A national exercise to test preparedness for Ebola had taken place on 11 October 2014. The plan was for the first four confirmed cases of Ebola to be treated at the Royal Free Hospital in London, with the Royal Victoria Infirmary, Newcastle acting as a "surge centre" to take a further two confirmed cases if necessary. Arrangements were in place for the North East Ambulance Service Hazardous Area Response Team to transport confirmed cases as necessary.

Locally, Public Health England (PHE) was working with NHS England and local authority Directors of Public Health through the Local Health Resilience Partnerships (LHRPs) to ensure that plans were as robust as possible. PHE had existing strong partnership arrangements with the NHS, local authorities and ports covering all aspects of public health and infection control. Additional arrangements had been set up alongside these to ensure all information and guidance relating to Ebola was shared widely among partners, including setting up workshops and planning exercises.

Any decision to screen at Newcastle Airport would be made following guidance from Public Health England. Additional measures had been agreed between Tyne Port Health Authority and PHE in relation to Port of Tyne.

Advice on Ebola had been circulated to childcare and educational settings in August 2014. Guidance had also been issued by PHE to all healthcare settings, including GPs and hospitals in the Borough with regard to recognition of Ebola symptoms, reporting to PHE and appropriate response.

The implications for the Authority included appropriate staff taking part in PHE and Resilience Forum exercises; working with multi-agencies in line with national guidance; liaising with partners in preparing an appropriate media response and drafting communications plans for managing public order; also giving appropriate safety advice on the use of buildings and premises including the decontamination of public places.

It was moved by Councillor L Spillard and seconded by Councillor J Harrison that:

“Council notes the report and potential implications for the Authority and wider community.”

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

### **C58/11/14 Independent Reviews of Adult Social Care Led Services**

The Council received a report which outlined the findings from two recent Independent Reviews of the Authority’s Adult Social Care led functions. The reviews had been undertaken as part of continuous service improvement activity and formed part of the Authority’s ‘Creating a Brighter Future’ Programme, under the Cared for Safeguarded and Healthy work stream.

The proposed actions detailed in Section 1.5.3 of the report were based on the feedback from the Use of Resources Review. The proposed actions detailed in Section 1.5.5 of the report were based on the feedback from the Adult Safeguarding Peer Review. The actions would be taken forward as part of service planning and the Cared for Safeguarded and Healthy work stream.

It was moved by Councillor L Spillard and seconded by Councillor A Waggott-Fairley that:

“Council notes the findings from the Use of Resources and the Adult Safeguarding Peer Reviews.”

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

### **C59/11/14 Child Sexual Exploitation**

The Council received a report which presented the work being undertaken to protect the Borough’s children and young people from sexual exploitation. The report sets out in detail North Tyneside’s response to recommendations from the Jay Report into the handling of child sexual exploitation in Rotherham.

North Tyneside Council’s safeguarding services had carried out a review of work to prevent sexual exploitation practice, following the publication of the Jay Report. The review had shown that child sexual exploitation was well understood in North Tyneside and taken seriously by frontline professionals and senior leaders. Strong partnership

arrangements were in place and were continuing to be strengthened to ensure the Authority was able to address the issue of child sexual exploitation effectively. The key themes emerging from the Jay Report for North Tyneside were summarised in the report.

Reviews, audits and engagement with partner agencies, frontline professionals and communities had not identified any evidence or concerns about systematic, widespread or organised child sexual exploitation within the borough. Operation Sanctuary and the associated investigations into child sexual exploitation in Tyneside had not identified any victims in North Tyneside to date. The local authority and its partners were not complacent however, and were working collaboratively to protect children and young people from sexual exploitation.

Further details on the current position in North Tyneside and corresponding actions were outlined in Appendix A.

Safeguarding Services would carry out a further review of provision in light of recommendations made by the Casey Inspection and the Government Independent Inquiry into sexual abuse, and would report findings to the appropriate forums, so that they could be assured the Authority was compliant with the recommendations. This would include reporting to Council, Cabinet and the Children, Education and Skills Sub-Committee. The North Tyneside Safeguarding Children Board and Safeguarding Adult Board would work together to look at the implications for both adults and children.

It was moved by Councillor I Grayson and seconded by Councillor M Madden that:

“Council:

- (1) notes the existing work to protect children and young people from sexual exploitation; and
- (2) approves the proposed actions for further strengthening arrangements to protect children and young people from sexual exploitation in North Tyneside.”

An amendment was moved by Councillor J Wallace and seconded by Councillor P Mason that:

“the wording in paragraph 1.6 “Decision Options”, Option 1 (the recommended option) be amended from:

“Approve the proposed actions for strengthening child exploitation”; to

“Approve the proposed actions for strengthening arrangements to protect children and young people from sexual exploitation.”

The mover of the motion accepted the amendment with agreement of both the seconder and the meeting.

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

## **C60/11/14 Report of the Independent Remuneration Panel**

The Council received a report of the Independent Remuneration Panel setting out the Panel's recommendations in relation to the Members' Allowances Scheme for the 2015/16 Municipal Year. In particular, it made recommendations regarding the level of the Basic Allowance; the level of Special Responsibility Allowance to be attached to the position of Chair and Deputy Chair of the new scrutiny sub committees appointed at the Annual Council meeting; and the level of allowance attached to the role of Independent Person (Standards Committee).

The Chair welcomed Mr John Anderson, Chair of the Independent Remuneration Panel, to the meeting and invited him to present the report of the Panel. The Panel had made the following recommendations for Council's consideration:

- (1) the level of basic allowance for elected members be increased to £9,759 from the start of the 2015/16 municipal year, to bring it to the average figure for the LA7 authorities;
- (2) the index link between members' allowances and the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service (Green Book) annual pay award should be continued for a further 4 years;
- (3) the Panel be authorised to give further consideration to the level of special responsibility allowances as part of the next review of the Members' Allowances Scheme;
- (4) the allowance for the Independent Person remains at £1,000;
- (5) the Independent Person be permitted to claim a financial loss payment necessarily suffered for attendance at a meeting of the Standards Committee in relation to a review hearing at a daily rate of £30 for attendance up to 4 hours and £60 for attendance of over 4 hours;
- (6) a special responsibility allowance of £2,100 be attached to the position of Chair of the:
  - Culture and Leisure Sub-committee
  - Economic Prosperity Sub-committee
  - Environment Sub-committee
  - Housing Sub-committee; and
- (7) a special responsibility allowance of £1,473 be attached to the position of Deputy Chair of the:
  - Culture and Leisure Sub-committee
  - Economic Prosperity Sub-committee
  - Environment Sub-committee
  - Housing Sub-committee

The Chair thanked the Panel for the report.

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

“Council approves all of the recommendations of the Independent Remuneration Panel in relation to the amendments to the Members’ Allowance Scheme.”

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

### **Votes for the Motion**

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

### **Votes against the Motion**

Councillors A Austin, K Barrie, M Huscroft, M J Huscroft, P Mason, P McIntyre, Mrs J McLaughlin, L Miller, Mrs S Mortimer, D Ord, D Sarin, Mrs J Wallace and G Westwater.

### **Abstentions**

Councillor N J Huscroft.

The motion, on being put to the meeting, was approved by 36 votes to 13 votes, with 1 abstention.

At this point, the Chair requested Councillor D Ord to leave the meeting due to the Chair’s concerns regarding Councillor Ord’s improper behaviour during consideration of this item.

### **C61/11/14 Change to Polling Place**

A report was received which requested Council to agree to the transfer of the polling place in Polling District CD in Longbenton ward from Longbenton Community College to the Community Building at St Bartholomew’s and St Stephen’s Primary Schools, Goathland Avenue, Longbenton as the College was due to undergo major refurbishment and the site would not be accessible to use as a polling station by May 2015.

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

‘Council agrees the alternative location for the polling place in Polling District CD in Longbenton ward as set out in the Appendix to the report.’

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



### **C62/11/14 Code of Conduct for Members – Review of the Authority’s Local Arrangements**

The Council received a report which presented the work of the Standards Committee to review the Authority’s Local Arrangements for dealing with Complaints under the Code of Conduct for Members and Co-opted Members.

It was moved by Councillor F Lott and seconded by Councillor J O’Shea that:

‘Council:

- a) notes the findings and recommendations of the Standards Committee and its Working Group in relation to the Authority’s Local Arrangements;
- b) agrees to the amendments to the Local Arrangements set out in bold in the body of the report; and
- c) adopts the revised terms of reference for the Standards Sub-Committee at Appendix 3.

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

### **C63/11/14 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.

### **C64/11/14 Chair’s Announcements**

The Chair advised Council of some interesting civic events that had occurred since the last meeting, including:

- The Tim Lamb Ball had been very well supported by businesses across the area. The Chair thanked the Authority’s partner Cofely, Collingwood Insurance, the High Sheriff of Tyne and Wear, Councillors from North Tyneside Council and the Chair of Northumberland County Council. He also thanked the MP for North Tyneside, Mary Glindon, and Councillor P Mason who had donated prizes for the event, and also his family for their support. Pathways4all and the Tim Lamb Centre had raised over £41,000 on the night.
- Raffle tickets were available for sale at £2 per strip for the Christmas raffle, all proceeds going to the Chair’s charity.
- The 125<sup>th</sup> anniversary of the Showmen’s Guild at which the Council had been praised for its work to resolve issues around the Fairs across the Borough, in particular the one at the Links at Easter.
- The Chair had opened the Christmas Extravaganza at the Benton ASDA store, again a number of people present complimented the Council on its services.

- The Chair had presented awards to four of the Borough's students from Whitley Bay and Monkseaton High Schools on behalf of the Whitley Bay Rotary Club. The Chair thanked Whitley Bay Rotary Club for their hospitality.
- The Chair had the honour of chairing the Extraordinary meeting of the Youth Council, and thanked everyone who had attended and participated.

### **C65/11/14 Mayor's Announcements**

No announcements were reported on this occasion.

### **C66/11/14 Questions by Members of the Council**

#### **1. Question to the Elected Mayor by Councillor D Ord:**

The Buddle Arts Centre has been largely abandoned, but recently signs have appeared pointing out that there is a requirement for Permit parking restricted to the Buddle have been erected. Why is there a requirement for permit parking there please?

Councillor F Lott replied on behalf of the Elected Mayor as follows:

'There are no permit parking arrangements in the former Buddle Arts Centre car park.

The Council intends to lease parts of the centre to various different users and there are currently leases pending with a number of interested parties.

One such party appears to have been attempting to restrict access to the car park by use of their own signs and barriers. They have been informed they have no authority to do this and they have been asked to remove a rope which had been placed across the entrance to the car park. Officers revisited the site on the morning of 19 November and confirmed that no illegal signs or barriers were present. However, officers will continue to monitor the situation.'

#### **2. Question to the Elected Mayor by Councillor D Ord:**

Could the Mayor inform us of all expressions of interest in the old Wallsend Library Building?

Councillor F Lott replied on behalf of the Elected Mayor as follows:

'The Council has received five expressions of interest in the former Library site.

The first is for childcare and nursery use. The second is for use as a baby and pre school friendly cafe and community space. The third is for a community arts and studio space. The fourth is for a classic car museum. The fifth is from a company working with two other organisations that may have an interest in the building. No details of proposed uses are available at this stage.

The Library has not been marketed yet. Part of the building is to be used as a welfare facility by Kier North Tyneside in connection with the construction of new affordable homes at Alexandra Street. By using the building for this purpose there will be a considerable cost saving to the Council on the build contract because it avoids the need to hire a temporary building for this purpose.

During this period of use, the building will be marketed so that a suitable end user can be identified and potentially be in a position to take over occupation of the property when Kier NT vacate it.'

### **3. Question to the Elected Mayor by Councillor D Ord:**

A lot of very good work has been carried out in Wallsend Parks over the past few years. Can the Mayor please tell me what progress has been made on repairing the Vinery Wall in Wallsend Hall Grounds which has been causing concern amongst residents?

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

'The collapsed wall is a heritage feature and requires sensitive restoration. As a result, a pre-application for funding to restore and reconstruct was submitted to the Heritage Lottery Fund and in July this year, we were given approval to proceed to a full application. Subsequently the project is now identified on the Council's Heritage Lottery Fund project priority list.

The Regeneration and Bidding Team are currently developing a bid for submission to HLF before the end of March 2015, under the 'Our Heritage' grant programme. We expect to hear notification of a decision on the outcome of this bid within eight weeks of submission. This would mean that the works would therefore commence during the summer 2015.'

### **4. Question to the Elected Mayor by Councillor J Wallace:**

Will the Elected Mayor explain her policy on employing consultants, and tell me how much has been spent in this way in 2013-14 and thus far in the current year?

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

'The Council does not have a specific policy on the use of Consultants in the HR sense.

What we do have in place is a process to manage each request to fill a vacant post on the staffing establishment whether on a permanent or temporary basis. This would include a request to bring in someone over and above the establishment.

Each request has to be supported by a business case to fill and signed off by the relevant Head of Service.

Any requests are logged and presented to the Chief Executive and Head of Human Resources on a weekly basis to be reviewed and evaluated against the business case.

A report is produced for the monthly change meetings with the trades unions on Agency Workers. Any Consultants being used to cover a job role within the Council would be reported to this meeting. There has been no reported use of consultants to this meeting since the departure of the Interim Chief Executive in November 2013.

Having looked at the spend on organisations and individuals classified as consultants, prior to 2013/14 the cost ranged from £5 million to £1.6 million. In the first year of the current Mayor, 2013/14, the cost was £855,663.07 and so far this year the cost has been £525,142.75, so there has been a significant reduction.

Councillor Wallace asked the following supplementary question:

“Can the Mayor tell me why it was necessary to award a contract for consultants in July for £45,000 for a project that began in June for a Marketing Consultant for marketing and branding? Contract Standing Orders were waived for this.”

Councillor Pickard, on behalf of the Elected Mayor, undertook to provide a written response to the supplementary question to all Members.

On closing the meeting the Chair wished everyone best regards for Christmas.