

Local Government Act 1972

Borough of North Tyneside

21 March 2019

At the meeting of the Council of the Borough of North Tyneside duly convened and held on Thursday 21 March 2019 at 6.00 pm 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 Allan	Councillor C Johnson
Councillor A Austin	Councillor J Kirwin
Councillor G Bell	Councillor K Lee
Councillor L Bell	Councillor F Lott
Councillor T Brady	Councillor W Lott
Councillor S Brockbank	Councillor G Madden
Councillor B Burdis	Councillor M Madden
Councillor C Burdis	Councillor D McMeekan
Councillor J Cassidy	Councillor A McMullen
Councillor K Clark	Councillor J Mole
Councillor D Cox	Councillor A Newman
Councillor S L Cox	Councillor P Oliver
Councillor EN Darke	Councillor K Osborne
Councillor L Darke	Councillor J O'Shea
Councillor C Davis	Councillor A Percy
Councillor S Day	Councillor S Phillips
Councillor D Drummond	Councillor C B Pickard
Councillor P Earley	Councillor M Rankin
Councillor R Glindon	Councillor M Reynolds
Councillor S Graham	Councillor W Samuel
Councillor M A Green	Councillor L Spillard
Councillor M Hall	Councillor J Stirling
Councillor J L L Harrison	Councillor M Thirlaway
Councillor E F J Hodson	Councillor A Waggott-Fairley
Councillor Janet Hunter	Councillor J I Walker
Councillor John Hunter	Councillor J Wallace
Councillor N J Huscroft	Councillor F Weetman

C78/03/19 Apologies

Apologies for absence were received from Councillors K Bolger, P Brooks, N Craven, P Mason and P McIntyre.

C79/03/19 Declarations of Interest

There were no declarations of interest or dispensations reported.

C80/03/19 Minutes

Resolved that the minutes of the Council meetings held on 17 January, 7 and 21 February 2019, be taken as read, confirmed and signed by the Chair.

C81/03/19 Motions

It was moved by Councillor C Johnson and seconded by Councillor A Newman that:

We, the proposers of this Motion note that:

- 14 million people, a fifth of the population, live in poverty - four million of them are more than 50% below the poverty line, and 1.5 million are destitute, unable to afford basic essentials.
- The UN Special Rapporteur on Extreme Poverty and Human Rights, Philip Alston, visited the UK in November, including the North East. At the end of his mission, Professor Alston concluded: *“The costs of austerity have fallen disproportionately upon the poor, women, racial and ethnic minorities, children, single parents, and people with disabilities. The changes to taxes and benefits since 2010 have been highly regressive, and the policies have taken the highest toll on those least able to bear it. The experience of the United Kingdom, especially since 2010, underscores the conclusion that poverty is a political choice.”*
- That North Tyneside Council has a strong record of ensuring people’s social and economic rights are met.

We recognise that:

Everyone is entitled to the right to education, adequate housing, healthcare, food, social security and a decent standard of living, and everyone has the right to hold the government and other public authorities to account for the decisions that affect them.

North Tyneside Council calls upon the Mayor:

- To express support for local campaigns and activities that defend and promote social rights.
- To write to the Chancellor of the Exchequer and the Secretary of State for Work and Pensions outlining the impacts of austerity on local residents and urging them to a) assess the cumulative impact of tax and spending decisions since 2010, b) prioritise the reversal of particularly regressive measures, including the benefit freeze and c) restore the link between social security entitlements and the cost of living.

- To write to the Prime Minister urging her to commence the socio-economic duty of the Equality Act 2010.

The Motion, on being put to the meeting, was approved by 52 votes to 0 votes, with 4 abstentions.

C82/03/19 Pay Policy Statement 2019/20

Council gave consideration to the Pay Policy Statement 2019/20 that provided information on the Authority's approach to the pay and grading of its workforce including in particular Chief Officers.

Changes to the Pay Policy Statement during the past 12 months were detailed in the statement and related to the North Tyneside Senior Pay Scales; the Pay Multiple and the Pay and Grading Structure for 'Green Book' employees. The Pay and Grading Structure had been re-aligned due to the changes to the National Pay Spine brought in as part of the two year 2018/19 National Joint Council (NJC) for Local Government Services Pay Agreement. The changes to the Pay Model had been subject to consultation and verification by the Trades Unions.

The Authority had a statutory duty to publish the Pay Policy Statement on its website following its approval by Full Council.

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

Council approves the Pay Policy Statement for 2019/20 including the re-aligned Pay and Grading Structure and authorises publication of the Pay Policy Statement on the Authority's website.

The Motion, on being put to the meeting, was approved by 56 votes to 0 votes.

C83/03/19 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.

C84/03/19 Chair's Announcements

The Chair referred to the recent attendance by the Deputy Chair and the Elected Mayor at an inauguration event for static defibrillators. The mother and stepfather of Paul Gardner from North Shields, who had tragically died at the aged of 24 years following a swimming accident, had set about to raise money for life-saving defibrillators in Paul's honour. Through their fund raising six defibrillators had been placed in the local community, and it was hoped to continue to install more in the coming months.

The defibrillators were sited at Crusoe's; Riley's Fish Shack; YMCA Nursery; Fish Quay; Royal Quays; and Royal Quays Marina.

The Chair commended the family and stated that a letter of appreciation would be sent to them on behalf of the Council.

The Chair announced that five Members of the Council were not seeking re-election at the Local Elections in May 2019. The Members were Councillors Brooks, Hodson, Mason,

Spillard and Waggott-Fairley. The Chair offered those present an opportunity to address the Council meeting.

The Chair congratulated Sarah Hunter, daughter of Councillor Janet Hunter, in leading the England women's rugby team to the 6 nations trophy at the weekend,

The Chair also gave details of activities to raise funds for his charity including a Pies, Peas and Prosecco event in the Park (Northumberland Park) and the Grand Raffle big draw. He also thanked the Head of Law and Governance and his staff for raising money for the charity through a team cake baking event.

C85/03/19 Elected Mayor's Announcements

The Elected Mayor praised the Chair of Council for his charitable work to raise funds that had ensured all schools in North Tyneside had defibrillators.

She took the opportunity to thank the retiring councillors for all their hard work over the years and wished them well in the future.

She stated that it had been another challenging 12 months through the continued requirement to find efficiency savings; however, the Council had continued to be ambitious for its residents.

The Mayor offered her huge thanks to all officers of the Authority who continued to provide an excellent service and stated residents and businesses were reliant on them every day of the year to deliver its services. She stated that it was through their work that the Authority's ambitious plans had been delivered.

C86/03/19 Questions by Members of the Council

1. Question to the Elected Mayor by Councillor S Brockbank

Would the Mayor look again at the Authority's Local Plan and follow the example of Northumberland County Council's Conservative Group and re-examine the proposals?

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

No. North Tyneside is in a very different position to Northumberland. We have a Local Plan that has been agreed by full Council and of course your own Conservative Government.

The North Tyneside Local Plan was adopted by this Council in July 2017. This followed extensive public engagement, rigorous review and improvement during its preparation stages and an independent examination by a Planning Inspector appointed by the Conservative Secretary of State.

Production of the Local Plan wasn't a local decision. There is a legislative requirement to have a development plan in place. Local Planning Authorities who do not have an up to date plan in place can be subject to Conservative Government intervention.

The situation in Northumberland County Council was an emerging Core Strategy which had reached submission draft stage and been submitted for examination and was withdrawn by the Council prior to its examination.

I am also aware that in March 2018 the Conservative Secretary of State wrote to Northumberland County Council, to express concern at their lack of progress on making a plan and warning that intervention may follow.

Some quotes from that letter are:

“LOCAL PLAN INTERVENTION

I am writing today as a result of the Council’s persistent failure over many years and under different administrations, to get a Local Plan in place.”

“I note that your Council has made some progress since my letter of 16 November but I remain concerned that the draft Northumberland Local Plan will not be published for consultation until winter 2018 and then, following examination, will not be adopted until summer 2020.”

“I will continue to monitor your progress closely and any further significant delays will cause me to have considerable doubt as to whether your Council is doing everything that is necessary in connection with the preparation of its Local Plan. I will not hesitate to consider how to use the full range of powers Parliament has given me to ensure that a Plan is in place.”

Not having a Plan not only risks government intervention, it also means developers can submit planning applications at will, without any strategic context and in my opinion, in the present house building climate, it would be foolhardy for a local authority not to have an adopted development strategy which is exactly what the Local Plan is.

By having an up to date, adopted plan, approved by this Council, has removed the risk of being disadvantaged by speculative and unplanned development proposals as was the case when a number of proposals which were not supported by the Council were allowed on appeal during 2011-15.

It is naive in the extreme to think we can just state that we are going to review the plan and that would bring a halt to the whole process. In fact the existing Local Plan would remain in place until a new plan is adopted.

Any new plan would be required to increase our average annual housing requirement, and we would be required to identify more land in a new Local Plan for housing development.

You have to understand that, in terms of housing requirements, the current Local Plan establishes that the Borough must plan for an overall average of 790 dwellings per annum between 2011 and 2032.

If the Authority were to review its Local Plan at this time, it would be required to follow the Conservative government’s new policy on meeting housing needs and apply the Conservative government’s estimate. For 2019 that assessment identifies that North Tyneside would be required to plan for an annual requirement of 817 new homes per year. This is 27 more homes per year than our current Local Plan. So if the new plan started immediately you would need to identify land to accommodate an additional 378 houses compared to our plan.

However, the naivety gets worse. Any Local Plan is also required to plan for a period of at least 15 years from adoption. If adoption of a new plan were to be achieved in say 2021

this would mean we would need to plan for an extra four years of growth (beyond the current Local Plan period of 2032) to 2036.

This would mean identifying how an additional 3,268 houses could be delivered by way of additional site allocation for the extra 4 years alone; a grand total of 3,592 houses over the total time of a new plan.

It may be ok in Northumberland with an area of 5,013 km², of which 97% is classed as rural, and is sparsely populated compared to our area at 82 km²; less than 2% of that area of Northumberland.

Therefore by suggesting that we look at alternative proposals Councillor Brockbank will have to tell us where those additional replacement sites would be.

However, if we go by his published statements in the press recently to oppose all building on the Murton Gap site he would be required to find sites for an additional extra 3,000, making a grand total of 6,592 additional housing sites that would have to be found in North Tyneside.

I believe that by his misunderstanding of the position, he is in danger of misleading the public and he should either identify the sites for the additional 6,592 houses or admit he is only raising this as an unachievable demand designed entirely for political purposes.

Councillor S Brockbank asked the following supplementary question:

I think the Cabinet member has misunderstood the purpose of the question, by his response. Given the wide ranging consultation engaged in by Northumberland County Council which led to a radically different set of proposals from Labour's core strategy, can the Mayor recognise that the residents of Monkseaton South are rightly angered that they feel another Local Authority has had the opportunity to re-consult on an unpopular plan and in North Tyneside that is just not the case?

Councillor B Pickard responded as follows:

Once again you're not listening; your question said to reconsider our plan. Our plan has been agreed by your government. To reconsider the plan has to start the whole consultation again but has to be under the new higher figures. You cannot start the consultation on the basis of lower figures and that's why I said your misunderstanding is putting forward a demand that cannot be met. You know that and for you to say that we can open it up again and reduce the numbers is just false. It cannot be done under the instructions of your own Conservative government.

2. Question to the Elected Mayor by Councillor F Lott

Following nearly three years of construction works and many years of campaigning by North East Councils before that, the A19-A1058 Coast Road junction, which has seen 1800 people employed, who have collectively worked one million hours, is approaching completion.

Would the Mayor join with me in congratulating Highways England, their main contractors - the Sisk Lagan Joint Venture and the numerous sub-contractors, who have all played their part in delivering one of the largest civil engineering projects ever seen in our borough - the A19/Coast Road/Silverlink Underpass - on time and in budget?

Moreover, they are to be congratulated on the way in which they have engaged with the communities of North Tyneside and the wider region and thanked for their contributions to numerous charities.

Councillor C Johnson responded on behalf of the Elected Mayor as follows:

I am happy to join Councillor Lott in congratulating the Highways England, Sisk Lagan the main contractor and every sub-contractors who worked on site for their excellent work on this important project. The Silverlink Junction has been a congestion hotspot for many years, it is very pleasing to see the improvement work nearing completion. The new junction will greatly assist the travelling public and will also improve access to the nearby business parks. The scheme, however, is complemented by the numerous other major highway projects the Council has successfully delivered across the Borough over the last 5 years.

North Tyneside Council, with Highways England money and our Council's cash investment has seen over £150million worth of investment in our highway network. We have all felt the impacts of the disruption this level of investment brings and I think we should thank everyone for their patience right across the Borough during the works. These works will see significant improvements to transport journeys in North Tyneside and roads across the borough.

Works that have already been completed have seen improvements. One of the works that has been completed has not seen the level of improvements but will once a neighbouring authority completes their roadworks. Once this happens traffic flows will improve right across the borough.

In relation to the construction of the Silverlink junction scheme, I too have been impressed, in particular how the Highways England team has carried out its community engagement. They have been to schools offering career advice, engaged with local residents consistently and donated to local projects. They have also been very environmentally friendly and won awards. They have recycled more road, ground and every other product than any other highway scheme currently in the United Kingdom and the earth at the Silverlink will be used at Testos overpass. Benton Quarry received all the old road surface that has been dug up and numerous charities have benefited from donations from the scheme. It has been fantastic for the environment - normally it would all go to landfill, but instead it's being used, which totals approximately 80,000 cubic tonnes of produce that has not gone to landfill, but gone to local projects around the North East.

I am sure we are all looking forward to seeing the new junction become fully operational next month and the huge benefits it will bring to North Tyneside.

3. Question to the Elected Mayor by Councillor D Drummond

Labour Councillors in Monkseaton South have worked with Council Officers, Northumbrian Water and the local community for many years to help deliver flood alleviation schemes across the ward to reduce flood risk as highlighted in the News Guardian (Feb 19th 2019), that was caused by extreme weather such as Thunder Thursday 28th June 2012.

Would the Elected Mayor pass on our thanks to officers for completion of this essential work and reassure residents that this Council will continue to work with them on such issues proactively and quash the rumour mill, scaremongering and half truths the

opposition and their associated groups have spread about flood risk being increased by housing, without taking professional advice from responsible authorities including Northumbrian Water and the Environment Agency?

Councillor C Burdis responded on behalf of the Elected Mayor as follows:

I am delighted to join Councillor Drummond and his colleagues and the Elected Mayor in thanking officers for successfully delivering another important flood mitigation scheme; a scheme that reduces the risk of flooding for hundreds of homes in Monkseaton South and the wider borough.

We all know the devastating effect that Thunder Thursday had on our communities back in June 2012 and I am proud of how we have responded.

Firstly by identifying all of the affected areas and prioritising flood mitigation schemes appropriate to the risk.

This Monkseaton South scheme is one of many across the whole borough which has seen us, along with partner agencies, invest over £15million over the last 5 years reducing the risk of flooding to many hundreds of homes in all four quarters of the borough.

We will of course continue to work with our partner agencies such as Northumbrian Water and the Environment Agency through our North Tyneside Surface Water and Drainage Partnership to proactively tackle flooding risks across the borough.

In fact right now there is a £6million flood mitigation scheme on site in the Killingworth area. Killingworth Lake currently drains into the public sewer system which overloads during storms and can cause flooding. The scheme involves removing the surface water by diverting the lake through a new culvert to an open watercourse at West Moor. The scheme also involves the creation of a large dry storage area on the south side of the lake. This will fill up during times of major storms then slowly drain back into the lake once the storm has passed. All these works will dramatically reduce the risk of flooding to homes and infrastructure.

In Briar Vale a £800,000 scheme has just been completed to reduce the risk of flooding to houses in the Briar Vale area. The works in this area involved building a large dry storage basin next to the properties and a new sewer to connect it to a culvert on Rake Lane. The basin intercepts run-off from the fields in Murton and sends it to Marden Quarry via the new sewer we've installed. The water previously hit the Briar Vale area causing flooding.

On Beach Road, Northumbrian Water has recently started a major scheme to reduce the risk of flooding to properties in Preston Village and Preston Grange. The work involves installing shallow basins in the wide grass verge at Beach Road which will again intercept and hold back water during storms.

Developers are required to undertake detailed flood risk assessment for all new housing developments and evidence that any new housing will not increase the likelihood of flooding in the area.

The Council is fully committed to working with developers and drainage partners at the planning stage and will ensure that flood risk is kept at an absolute minimum and certainly no higher than the greenfield equivalent.

4. Question to the Elected Mayor by Councillor K Lee

With graduate debt running at £50,000 upwards, there has been growing concern about the cost of going to university and an awakening realisation that this spend may not represent value for money.

Fees in the UK are among the highest in the world and students question if there will be a return on such a huge investment in terms of future graduate earnings.

Would you agree with me that every child deserves the right to education and that this should not depend on your ability to pay for private education, student fees or tuition, but that free education is our children's right? Would you also agree with me that the current government educational policy is destroying our children's future?

Councillor P Earley responded on behalf of the Elected Mayor as follows:

Yes, I would absolutely agree that all young people deserve the right to a free, well-funded and good quality education and that this should not depend on the ability to pay for either private education, tuition or student fees.

As elected members we should all be passionate about our local education system and despite the cuts imposed on us by Central Government, we're doing everything we can in North Tyneside to support our schools to help our children to develop and fulfil their full potential to prepare them so they can lead fulfilling lives after leaving school and enjoy access to good employment and career opportunities.

Whilst there is always more work to be done, in particular to ensure our young people leave school with the best possible exam grades, I am proud to say that we continue to be one of the highest performing Authorities in the region in terms of our educational standards. For the academic year 2017/18 out of a cohort of nearly 2000 year 11 pupils, some 98% went into further education, employment or training and of those 97% continue to participate in learning in some form. That figure included those young people who took up apprenticeships, which North Tyneside continues to support and which increasingly provides a valuable alternative career route to higher education. At 1.9%, which equates to 37 of our young people, North Tyneside continues to have the lowest NEET rate in the region.

However, maintaining this level of performance continues to be a real challenge for our schools, with the significant 'real terms' reduction in funding that we've seen.

Members will, I'm sure, have seen recent stories from around the country about Head teachers going into their schools during the holidays to clean because budget reductions have forced them to cut cleaning costs. There are other equally shocking stories of schools closing early in order to save on running costs.

I also understand that recently a school in the Prime Minister's own constituency asked parents for donations of essential items including blue-tac, sellotape, stationery and even toilet paper. However, concerns about primary and secondary school funding of our education system extend beyond into further education. As the questioner points out students in higher education on completion of their studies in England now, according to the Institute for Fiscal Studies, have average debt in the region of £50,000 and more worryingly those from lower income families leave higher education with the highest debts.

So, even if they go into high earning jobs after graduating, they will still be worse off than their counterparts from higher income backgrounds.

As the shadow minister for higher education has said the government must decide if they believe a lifetime of debt and a tax on aspiration is the best way to fund our higher education system. My view is that we need to move back to a publicly funded education system and at the very least restore maintenance grants to help students from low income households to meet their living costs.

Here in North Tyneside, we'll continue to work with our schools to minimise the impact of this Government's policy and funding decisions and ensure we offer a wide range of further education, apprenticeships and employment opportunities for all of our young people regardless of their ability to pay.

In conclusion, I agree that all children and young people deserve the right to a good education and one that is not dependent on their ability to pay for private education, tuition fees or service student loans.

Given recent reports that several universities are on the verge of bankruptcy, current government policy is not only saddling many of our young people with the prospect of crippling lifelong debt, but also risks the very future of our higher education system itself.

5. Question to the Elected Mayor by Councillor D McMeekan

In spite of very clear presentations, and additional briefing notes being circulated to all Elected Members, confirming the position on financial reserves, a number of opposition candidates are still misrepresenting North Tyneside Council's financial position to residents, with regard to the true level of financial reserves held and the ability to use them to balance our General Revenue Budget.

For the avoidance of any further doubt will the Mayor agree to undertake the following:

1. Make a further statement to this chamber confirming the true level of reserves, and issue an unequivocal press release through all available channels confirming same.
2. Where clear evidence of the misrepresentation of this information is brought to her attention, request a written explanation from the relevant Group Leader as to why this has been allowed to happen. The Mayor is requested to also reserve the right to name any candidates in any press releases who are found to be guilty of such misrepresentations.
3. Confirm that she will report any members of this chamber (present or future) who mislead residents on this important matter to the Standards Committee for future investigation.

Councillor R Glendon responded on behalf of the Elected Mayor as follows:

I am glad to have the opportunity to clarify again the position on our Reserves and Balances as I am aware of a number of misrepresentations done either by mistake or by design that may be misleading members of the public.

The true situation for Reserves and Balances as at 31 March 2018 is:

In terms of our reserves, included in the statement of accounts at the end of 2017/18 was the figure of £100.395m of Reserves. Of those £13.457m related to capital and cannot be used for revenue purposes. Also included in this figure was £28.903m relating to the Housing Revenue Account, which absolutely cannot be used for the General Fund. This left just over £58million of General Fund Reserves and Balances. This was made up of:

- £3.356m in School Balances which cannot be used for General Fund purposes
- £6.804m General Fund Balances – this is needed for unforeseen events
- £2.765m Grant Reserves that have to be spent on specific things or paid back to the relevant grant funders
- £26.617m which were ring-fenced reserves for things like our PFI contracts where we have to manage the cash we get from central government over the life time of the agreement

This left £18.492m of reserves in respect of the General Fund. Of this, £4.019m was a Change Reserve. The Change Reserve is there to support the Authority through change and is to support change projects over the next four years

The final balance of £14.470m is the Strategic Reserve. This amount is judged by our S151 Officer, as required in law, to be available to the Authority to manage risk. The risks that we know of, which are relevant to this figure, are regularly considered by Cabinet.

So, that's £4m Change Reserve and £14m Strategic Reserve – a one-off total of £18m in the context of £120m of Government cuts for an organisation that has a turnover of almost half a billion pounds.

I am happy to provide my answer in writing and, again a breakdown of our Reserves and Balances for all Members.

In terms of the rest of the Councillor's question:

As Elected Members, we all have a responsibility to act in line with the Principles of Public Life, established by the Nolan Committee on Standards in Public Life. This is incorporated in North Tyneside's Code of Conduct for Elected Members. I am sure all Members are familiar with these Standards and the Code.

Should any Member have evidence that the Code of Conduct has been breached I am equally sure they would raise the matter through the appropriate channels.