

Local Government Act 1972

Borough of North Tyneside

Thursday, 24 November 2022

At the meeting of the Council of the Borough of North Tyneside duly convened and held on Thursday, 24 November 2022 at 6.00 pm in Chamber - Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY at which a quorum of Members were present, that is to say: -

Present

Councillor P Oliver (Chair)
N Redfearn (Elected Mayor)

Councillor L Arkley	Councillor L Bartoli
Councillor G Bell	Councillor L Bell
Councillor L Bones	Councillor D Cox
Councillor N Craven	Councillor E Darke
Councillor C Davis	Councillor D Drummond
Councillor P Earley	Councillor L Ferasin
Councillor M Fox	Councillor S Graham
Councillor M Hall	Councillor T Hallway
Councillor J Harrison	Councillor Janet Hunter
Councillor V Jamieson	Councillor C Johnson
Councillor H Johnson	Councillor C Johnston
Councillor F Lott	Councillor W Lott
Councillor G Madden	Councillor L Marshall
Councillor P McIntyre	Councillor A McMullen
Councillor J Montague	Councillor J Mudzingwa
Councillor T Mulvenna	Councillor M Murphy
Councillor R O'Keefe	Councillor J O'Shea
Councillor E Parker-Leonard	Councillor S Phillips
Councillor B Pickard	Councillor P Richardson
Councillor W Samuel	Councillor O Scargill
Councillor J Shaw	Councillor M Thirlaway
Councillor J Walker	Councillor J Wallace
Councillor G Westwater	Councillor M Wilson

Apologies: Councillor K Barrie, Councillor B Burdis, Councillor C Burdis, Councillor K Clark, Councillor J Cruddas, Councillor S Day, Councillor M Green, Councillor John Hunter, Councillor J Kirwin, Councillor T Neira, Councillor A Newman, Councillor A Percy and Councillor M Rankin

C48/22 Public Questions

1. Question to the Elected Mayor from Ms S Bennett from Whitley Bay

It is widely known that St. Mary's Island car parks are hotspots for anti-social and illegal

behaviour throughout the evening and night. The 24-hour vehicle access sees a night time increase in activities such as:

- Gathering of cars.
- “Dogging” (the practice of watching or engaging in exhibitionist sexual activity in a public place).
- Racing of cars both up and down reserve road and around the carparks. “Donutting” (where a driver revs the engine hard and puts the car into a spin with tyre rubber burning).
- Continuous and synchronized blaring of horns.
- Deliberate hard revving of car exhausts and other exhaust noise enhancing effects.
- Blatant use of drugs.
- Playing loud music.
- Littering.
- Urinating and defecating.
- Use of offensive language.
- Intimidating behaviour to visitors and volunteers working on site.

It is not uncommon to have all of these activities occurring in a single evening. St. Mary’s Island Nature Reserve is a place where people should be able to enjoy the peace and quiet of the natural environment and a place where wildlife is afforded protection from disturbance which surely puts these activities in conflict with the very ethos of a Nature Reserve.

We are aware that Northumbria police have carried out operation Dragoon in conjunction with the DVLA and North Tyneside Council is proposing possible controls on certain activities. However, neither are intended to be a long-term solution to tackling the widespread anti-social behaviour I have mentioned.

As this behaviour has been going on for some time my question is - Does NTC intend to address the problem of night-time anti-social behaviour on the nature reserve and if so how and when?

Councillor responded on behalf of the Elected Mayor as follows:

Thank you for your question. We know that anti-social behaviour is a key concern for our residents, as it is for every councillor in this chamber.

The Elected Mayor has established a multi-agency Taskforce earlier this year that promotes a problem-solving approach to anti-social behaviour. As well as having cross-party support, it includes a range of partners such as, Northumbria Police, Nexus, VODA, the Business Forum and Newcastle United Foundation. The Taskforce has been well-supported by all.

I am pleased that the recent data the group has been reviewing shows a significant downward trend and we will keep going with our collective efforts to solve anti-social behaviour.

The council is working in partnership with police colleagues and is listening to their views on how we work together to manage the car parks and surrounding public spaces.

There is an action plan that covers the nature reserve which includes visiting the lighthouse

car park. As part of this plan:

- The Community Protection and Security teams regularly monitor and patrol the island and surrounding areas using mobile CCTV vehicle(s)
- Where we do witness acts of anti-social behaviour such as littering and noise disturbance, we ourselves will take enforcement action
- Wardens operating our CCTV vehicle will report any illegal activity to Northumbria Police and share footage to enable enforcement action
- In addition, our Security control room will report speeding vehicles directly to the police captured on the fixed CCTV camera covering the approach to the lighthouse via the links road A183
- The Project Vita team have also added the Lighthouse car park to their list of hotspots.

As Chair of the North Tyneside Anti-Social Behaviour Taskforce I will ensure that full consideration is given to what further reasonable steps could be taken to minimise anti-social behaviour in that area and address the perceptions of anti-social behaviour.

Ms Bennett asked the following supplementary question:

I'd be interested to know what is considered reasonable steps to tackle such anti-social behaviour.

Councillor C Johnson responded as follows:

Reasonable steps will be anything that could be reasonably taken to stop the initial anti-social behaviour happening. The task force will consider this issue in particular and will take any steps necessary to tackle this behaviour.

2. Question to the Elected Mayor from Mr A Steele of Tynemouth

In the recent review of the council's Local Plan (North Tyneside Local Plan Five Year Review 2022 - Summary report) there are several references to the Plan not keeping up to date with national policy developments.

Despite this, the review considers that the Plan does not 'give rise to serious conflicts or omissions' and is 'broadly aligned [and] flexible enough' not to require review.

Considering this, and referencing sections 3 & 4, particularly around the Plan's commitments to housing - eg 'Presumption in favour of sustainable development', 'Affordable housing', 'Biodiversity net gain', 'Tree lined streets' - and the connection between these elements of housing and the council's commitment to the 'promotion of sustainable development ... and tackling climate change',

Why has the council allowed developments with low environmental and design standards to be agreed or considered (eg developments at the Trinity Church and Tynemouth Station sites) saying 'while we would always like to see all new buildings developed with enhanced sustainability measures beyond those required by Building Regulations, it is not for the Council to impose such additional measures through the planning process' when other councils are doing exactly that?

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

The Local Plan sets out a sustainable spatial strategy for development which, among other matters, seeks to reduce the need to travel, protect natural assets and provides positive policy support for the local production of energy from low carbon and renewable sources. It does not contain any specific policy on emissions standards as this was not supported by national policy at the time of its adoption.

In reviewing the plan this year, it was recognised climate change is an issue which has come into even greater focus, not least with this Council declaring a Climate Change Emergency in 2019. The improvements in construction techniques and energy efficiency already achieved, mean new homes are substantially more energy efficient than much of the existing stock in North Tyneside. Retrofitting existing housing stock remains a substantial challenge but this is outside planning control.

However, the Local Plan remains relevant in terms of existing and emerging legislation and that it continues to ensure that new development is of the highest possible standard.

Whilst it currently remains a legislative option for an energy emissions policy to be introduced into any replacement Plan, the 2022 uplift to Building Regulations (expected to achieve a 30% reduction in carbon emissions), the soundness of the spatial strategy and the clear advice on the promotion of sustainable development and tackling climate change mean the Plan continues to support the goals of the Climate Change Emergency. Its policies make a strong and achievable response to climate change while striking a balance between sustainability and economic objectives.

In terms of how the government has progressed its zero carbon homes proposals, since this time a consultation document The Future Homes Standard 2019 has set out proposals regarding energy efficiency to be achieved through building regulations. It clarified that the planning system would not likely to have a role to set energy efficiency standards and that as in the provisions of the Planning and Energy Act, which allowed Local Planning Authority's (LPA's) that set reasonable standards would be revoked.

There will be annual reviews of the plan and, although the Government expects it will become increasingly less likely LPAs will need to set local energy efficiency standards to achieve a net zero goal as other legislative changes continue to drive further improvements, we will ensure the Plan continues to support our target for a zero carbon borough.

Mr Steele asked the following supplementary question:

Mr Steele indicated that he missed the full answer to his original question, however stated the building developments that have been going on and looking at plans. I can't find any indication of high environmental standards, no solar panels, no windmills, no air or ground source heating. If the answer to the original question was there is a cost to those things.

I think cost to the credibility of the Councils zero carbon targets, the cost to the residents of the houses, the cost to people who are going to live in their houses in terms of energy bills when we're facing a cost-of-living crisis and the cost of retro fitting the houses and not to mention the cost to the planet, which I think it intolerable.

I wondered is that something the Council is happy to be dealing with?

Councillor C Johnson responded as follows:

It's good to hear Mr Steele supports all the things the next Labour Government will introduce to make houses efficient as possible.

In regard to Mr Steele's response. My response was certainly not about cost, we have standards that we want to be as high as possible, energy efficiency standards through the planning process. We always try and work to gain them.

The national plan and policy framework as introduced has a viability assessment introduced for every development in North Tyneside. With the viability assessment, that is when developers will often use that opportunity to run down their standards of environmental efficiency in buildings.

That is a statutory process the Conservative Government has set out and that we have to follow in terms of energy efficiency standards and in terms of viability process that is where we often fall down.

If the viability system is not met. Then that is when we have the opportunity to try and remove them, which I don't think should be there and hopefully that is something a Labour Government in the future will solve.

Mr Steele will be really glad to note, however, that we are building our first zero carbon building in North Tyneside, which is nearly complete. The new North Shields Bus Interchange will be a zero carbon building and when the Council is directly control in the building something, we will always strive to make it to the highest possible standard as possible.

C49/22 To receive any Declarations of Interest

Declarations of interest were reported as follows:

Councillor C Johnson – Registerable personal interest and dispensation - Item 6 Motion 1 - Member of the Tyne and Wear Fire and Rescue Authority

Councillor Janet Hunter – Registerable personal interest and dispensation – item 6 Motion 1 – Member of the Tyne and Wear Fire and Rescue Authority

Councillor D Drummond – Registerable personal interest – Item 6 Motion 1 – Employed by the Tyne and Wear Fire and Rescue Authority

Councillor L Bartoli – Registerable personal interest – Item 6 Motion 6 – Landlord of a property with a restaurant (No interest in the business)

Councillor O Scargill – Non-Registerable personal interest – Item 6 Motion 7 – trained within the North East and North Cumbria ICS

Councillor T Mulvenna - Registerable personal interest – Item 6 Motion 7 – Member of the Joint Overview and Scrutiny Committee for the North East & North Cumbria Integrated Care System and North and Central Integrated Care Partnerships

Councillor J O'Shea – Registerable personal interest – Item 6 Motion 7 – Member of the Joint Overview and Scrutiny Committee for the North East & North Cumbria Integrated Care System and North and Central Integrated Care Partnerships

C50/22 Minutes of the meeting held on 22 September 2022.

Resolved that the minutes of the Council meeting held on 22 September 2022 be taken as read, confirmed and signed by the Chair.

C51/22 Minutes of the meeting held on 3 November 2022.

Resolved that the minutes of the Council meeting held on 3 November 2022 be taken as read, confirmed and signed by the Chair.

C52/22 Report of the Independent Remuneration Panel

Council considered the recommendation of the Independent Remuneration Panel in relation to the Members' Allowances Scheme for 2023/24.

The Panel recommended that the Members' Allowances Scheme for 2023/24 remains unchanged and the allowance be increased in line with the median pay point of the annual pay award for employees working under the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service, a £7.07% increase.

The Chair thanked the Panel for their work and report.

It was moved by the Councillor C Johnson and seconded by Councillor S Graham that:

Council approve that the Members Allowance Scheme remains unchanged for 2023-24 and allowances set at the 2022-23 level remain for 2023-24.

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

C53/22 Motion 1

It was moved by Councillor C Johnson and seconded by Councillor W Samuel that:

North Tyneside Council notes that the Home Office and His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) have recognised the magnificent work Tyne and Wear Fire and Rescue Service.

The Fire Authority's budget for 2022/23 was set in February 2022 based on estimates that price inflation and wage growth would both be in the region of 2% to 3% in 2022/23. These were not unrealistic assumptions as they reflected the Government's own forecasts for inflation in 2022 and 2023, the Latest figure is above 10%

The local government and firefighter pay award for 2022/23 have yet to be resolved. This was already going to be difficult when pay was forecast to rise by around 2.5% The Fire Authority had, through careful budget management made provision for a 3% pay rise however this will no longer cover the potential pay demands now faced.

Council recognises that the financial challenge of inflation comes on top of the enormous pressures faced by the Fire Authority after a decade of Government austerity.

Council urges the Government to appreciate that the Fire and Rescue sector cannot resolve the current difficulties without national Government support.

Council calls upon The Elected Mayor in conjunction with all Tyne and Wear Council Leaders to write to the appropriate Government Minister, to seek additional financial support to allow Tyne and Wear Fire and rescue service to continue operating as a high level, give our fire fighters and service staff a decent pay rise and combat skyrocketing inflation, as a matter of urgency.

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

C54/22 Motion 2

This Motion was withdrawn.

C55/22 Motion 3

It was moved by Councillor E Parker Leonard and seconded by Councillor J Mudzingwa that:

Women Against State Pension Inequality (WASPI) Women

In the 1995 Pensions Act, the Government increased State Pension age for women from 60 to 65, with a further increase to 66 in the 2011 Pensions Act.

The change was not properly communicated to 3.8m women born in the 1950s until 2012, giving some women only one year's notice of a six year increase in their anticipated retirement age.

Council notes that

- The conclusion of the All-Party Parliamentary Group on State Pension Inequality for Women, states that women born in the 1950s have suffered a gross injustice, affecting their emotional, physical and mental circumstances, in addition to causing financial hardship.
- A swift resolution is needed to address this ongoing injustice as this cohort of woman are dying waiting for compensation.
- This injustice has not only had a profound effect on the individuals involved but on the wider community in North Tyneside and on local government and public sector finances

Council believes WASPI women affected need a one-off compensation payment in align with the recommendations of the All-Party Parliamentary Group on State Pension Inequality for Women

Council calls upon The Elected Mayor, Norma Redfearn to write to the local Members of Parliament and to the Secretary of State for Work and Pensions to outline the effects of the injustice to 1950s women, their family's and on the communities in North Tyneside and to seek their support for an immediate compensation package.

The motion, on being put the meeting, was approved by 40 votes with 7 abstentions.

C56/22 Motion 4

It was moved by Councillor E Darke and seconded by Councillor C Johnson that:

The Elections Act 2022 made significant changes to participation in elections in this country which have the potential to disenfranchise voters.

North Tyneside Council calls on the Returning Officer to write to every household to inform them of the significant changes in the Elections Act.

An amendment was moved by Councillor L Bones and seconded by Councillor O Scargill as follows:

The Elections Act 2022 made significant changes to participation in elections in this country which have the potential to disenfranchise voters.

North Tyneside Council calls on the Returning Officer to write to every household using language provided by the Electoral Commission to ensure neutrality, to inform them of the significant changes in the Elections Act.

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

C57/22 Motion 5

It was moved by Councillor C Johnston and seconded by Councillor L Bartoli that:

At the Council meeting held in November 2021, Councillors were assured that the Borough's war memorials were 'looked after all year round' and the Council's own website proudly claims 'The duty of looking after our war memorials is one that we take extremely seriously. Our staff routinely inspect, repair, and maintain our memorials..., We also conduct full condition surveys at regular intervals. This gives us a condition profile of each memorial so that we can identify where further work and investment might be needed.'

Following this meeting, Councillors and residents from Tynemouth have monitored the condition of the two war memorials on Tynemouth Green. Prior to their annual deep cleaning in the run-up to Remembrance Day 2022, both memorials were covered in algae with moss and weeds growing between the block paving and were still strewn with the decaying poppies of 2021's event. In order to ensure that the Council takes its responsibility to look after our war memorial seriously, we ask the Mayor to commit to:

1. Publish a schedule of cleaning for all of the Borough's war memorials at least four times per year.
2. Maintain a record of work undertaken at each memorial, including cleaning and remedial repairs, that can be accessed by Councillors.
3. Invite Councillors and resident groups to monitor the condition of the memorials before and after cleaning or any repairs.
4. Establish a programme for the respectful removal of poppies at an appropriate time following each Remembrance Day Parade.
5. Affix appropriate signage near each war memorial providing a telephone contact for

residents to report damage or disrepair.

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

C58/22 Motion 6

It was moved by Councillor L Bones and seconded by Councillor L Bartoli that:

Restaurant Week

North Tyneside has some of the best restaurants in the North East, with many award winning eateries being joined by new start ups in recent years. Neighbouring authorities like Newcastle and South Tyneside organise annual or bi-annual restaurant weeks as a way to boost the local tourism economy and show off local businesses in the area. Newcastle Restaurant Week is one of the North East's most popular leading food events, which celebrates some of the very best restaurants in the city.

North Tyneside has so far had sporadic success with the same concept, with the last restaurant week being held before the Covid-19 pandemic. Since then many new eateries have opened their doors and with the cost of living on the rise our local businesses could really do with a boost. North Tyneside Council is uniquely placed to bring together leading groups such as the Business Forum and the LEP to create an event similar in scale and success to that of Newcastle Restaurant Week.

North Tyneside Council therefore asks the Mayor and Cabinet to:

- begin work to introduce a Council-organised restaurant week in North Tyneside next spring as part of the wider culture and leisure offer
- offer free parking in council run car parks during restaurant week to encourage visitors to our borough
- Work with Nexus to reduce ticket prices for those travelling on the metro to visit our local restaurants in that week
- Use Council social media to advertise the event across the borough

An amendment was moved by Councillor C Johnson and seconded by Councillor Samuel that:

The first bullet point be amended to read: 'Work with already established partners to introduce a restaurant week in North Tyneside next spring as part of the wider culture and leisure offer'

Bullet point three be amended to read: Explore with Nexus to reduce ticket prices for those travelling on the metro to visit

An additional bullet point to be added to read: 'Review restaurant week 2023 and consider whether it would be more advantageous to have it organised by the council in future years.'

The amended motion therefore read:

Restaurant Week

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- Work with already established partners to introduce a restaurant week in North Tyneside next spring as part of the wider culture and leisure offer
- offer free parking in council run car parks during restaurant week to encourage visitors to our borough
- Explore with Nexus to reduce ticket prices for those travelling on the metro to visit our local restaurants in that week
- Use Council social media to advertise the event across the borough
- Review restaurant week 2023 and consider whether it would be more advantageous to have it organised by the council in future years.

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

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

C59/22 Motion 7

It was moved by Councillor O Scargill and seconded by Councillor L Bones that:

IVF - INVITRO FERTILISATION

Access to NHS IVF funding in England varies according to your postcode, with the number of cycles and access criteria traditionally being determined by local Clinical Commissioning Groups, now Integrated Care Systems.

In accordance with the NICE (National Institute for Health and Care Excellence) guidelines, in North Tyneside women under 40 years old who have been trying to conceive for 2 years are offered 3 rounds of IVF. However, they face the added barrier of not being offered any rounds if one person in the relationship has a child from a previous relationship.

This is despite NICE guidance stating that IVF treatment is more effective in women who have previously been pregnant and/or had a live birth.

Council notes residents in North Tyneside are not able to access IVF treatment if one partner in the relationship has a child from a previous relationship.

Council believes this policy is dated and the criteria for IVF should match the reasonable standards set out by NICE and established by other ICSs.

Council asks the Mayor to write to the North East and North Cumbria ICS, asking to review

this policy and remove this section from their IVF access criteria.

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

C60/22 Appointment of Senior Coroner

Council received a report which invited the Council to confirm the appointment of the new Senior Coroner for North Tyneside following a recent recruitment process.

It was moved by the Elected Mayor and seconded by Councillor Carl Johnson that:

Council appoint Ms Georgina Nolan as the new Senior Coroner for North Tyneside.

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

C61/22 Chair's Announcements

The Chair of Council made the following announcement that she had:

- Presented Awards at the North Tyneside Adult Learning Awards
- Attended with the Elected Mayor at the unveiling of a Blue Plaque in Tynemouth celebrating Naval Architect Susan Mary Old who designed the floating vessels used during the D Day Landings in 1944.
- Presented the Spirit of North Tyneside Awards to Wheelchair Beach Access
- Lay wreaths at Killingworth, Wallsend and Whitley Bay during the well-attended Armistice week.
- Attended the State of the Area

The Chair announced that she intended not to send Christmas Cards this year with the funds to be used instead to provide food for the local foodbank and as it was the last Council meeting of the year the Chair wished all present a very happy and healthy New Year.

C62/22 Elected Mayor's Announcements

The Elected Mayor announced that in response to remarks made earlier in the meeting, she wanted to be clear and clarify that no decision had been made in relation to Council Tax levels.