

# Local Government Act 1972

## Borough of North Tyneside

Thursday, 25 July 2019

At the meeting of the Council of the Borough of North Tyneside duly convened and held on Thursday, 25 July 2019 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 W Lott (Chair)

Councillor J Allan	Councillor A Austin
Councillor G Bell	Councillor T Brady
Councillor S Brockbank	Councillor J Cassidy
Councillor D Cox	Councillor S Cox
Councillor N Craven	Councillor E Darke
Councillor L Darke	Councillor C Davis
Councillor S Day	Councillor D Drummond
Councillor P Earley	Councillor R Glindon
Councillor S Graham	Councillor J Harrison
Councillor John Hunter	Councillor C Johnson
Councillor J Kirwin	Councillor K Lee
Councillor F Lott	Councillor G Madden
Councillor M Madden	Councillor T Mulvenna
Councillor A McMullen	Councillor M Hall
Councillor J Mole	Councillor A Newman
Councillor J O'Shea	Councillor P Oliver
Councillor K Osborne	Councillor A Percy
Councillor S Phillips	Councillor B Pickard
Councillor M Rankin	N Redfearn
Councillor M Reynolds	Councillor W Samuel
Councillor M Thirlaway	Councillor J Walker
Councillor J Wallace	Councillor L Bartoli
Councillor L Miller	Councillor P Richardson
Councillor M Wilson	

**Apologies:** Councillor L Bell, Councillor B Burdis, Councillor C Burdis, Councillor K Clark, Councillor M Green, Councillor Janet Hunter, Councillor N Huscroft, Councillor P McIntyre, Councillor J Stirling, Councillor F Weetman, Councillor K Barrie, Councillor J Cruddas and Councillor E Parker-Leonard

### **C19/19      Minute's Silence**

A minute's silence was observed in respect of the passing of former Councillor Julia Macaulay who had represented Collingwood Ward from 2004 to 2011.

**C20/19 Public Questions**

**1. Question to the Elected Mayor by Ms Graham of North Shields**

As part of the government's strategy to clean up the high street (in an announcement made on 16 March this year) £35,844.00 was allocated to North Tyneside Council from central government.

The government's intention was that councils, in partnership with existing community groups, will be able to use this one-off funding to support volunteers.

As a resident of North Tyneside with a keen interest in the environment, I would like to know how the council intends to use this extra funding.

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

Thank you for this question.

While we welcome this funding, it is important to note that this is a relatively small amount of money. Therefore in my role as Cabinet Member for Environment and Transport, I have been working closely with the officer team to develop options to maximise the impact of this grant, at the same time developing more of a community-led approach to cleaning up our high streets.

Some of the initiatives we are looking at include:

- Purchasing two new state of the art mobile CCTV cameras so that we can work with communities to monitor litter hotspots in and around our town centres.
- Purchasing tools such as litter pickers, gloves and brushes for those volunteers who are keen to get involved in clean ups.
- Working with schools on an exciting new project involving the design and implementation of unique litter and recycling bins for our town centres.
- Promoting positive behaviours and educating communities on environmental issues which are important to them such as littering, dog fouling and fly tipping.

I hope this gives you a feel for some of the initiatives we'll be introducing with this funding.

**2. Question to the Elected Mayor by Mr Wynn of North Shields**

Why is North Tyneside Council not making provision for electric charging points to be installed in council run independent living apartments? I asked this question of the housing officer 6 months ago and was told nothing was planned for this. The government is banning petrol and diesel cars in 2035; surely steps should be taken now to install charging points so that residents can start planning for electric cars only?

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

I would like to thank Mr Wynn for this very important question.

This Council is certainly committed to expanding the provision of public Electric Vehicle (EV) charging points to support the shift to electric vehicles. In fact we are currently working with other authorities in the North East to examine bidding opportunities and other potential means to expand EV infrastructure.

However, I think it's important to highlight the EV charging infrastructure required to achieve this shift cannot be the sole responsibility of the Council. Whilst we will continue to expand our public charging estate, we expect individual residents and tenants living in the borough who are making the shift to electric vehicles to ensure that domestic charging arrangements are considered at the point of vehicle purchase.

This will also require the vehicle owner to pay for the electricity they use to charge their vehicle.

I do know that the government offer a grant, which is available from the Office for Low Emission Vehicles towards the cost of purchasing and installing a home charging point. I believe up to £500 is available. I'm sure your electric vehicle dealer will be able to point you in the right direction.

In relation to our North Tyneside Independent Living schemes where car parking is of a shared nature, we are more than happy to work with tenants to explore potential solutions for the location of their charging points.

We will continue to explore options to support the introduction of public charging points across the Borough as we are well aware the demand for electric vehicle charging points will continue to increase.

**C21/19            To receive any Declarations of Interest**

Councillor S Graham declared a registerable personal interest in relation to item C25/07/19 - 2018/19 Annual Financial Report - as she has a family member who works for Ernst and Young, the Authority's external auditors

**C22/19            Minutes of the meeting held on 16 May 2019 (previously circulated)**

Resolved that the minutes of the Annual Council meeting held on 16 May 2019 be confirmed and signed by the Chair.

**C23/19            2018/19 Annual Financial Report**

A report was considered seeking Council's approval of the 2018/19 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 S Kenny from Ernst and Young, the Authority's external auditors, who presented the Audit Results Report.

This was the first year that the Authority's audit had been undertaken by Ernst and Young. The audit of the 2018/19 accounts was substantially complete and an unqualified audit opinion on the financial statements and value for money conclusions was expected to be

issued. The Audit Results Report in respect of the 2018/19 Annual Financial Report had been presented to the Audit Committee on 24 July 2019. No material errors had been identified in the financial statements.

A number of disclosure errors had been identified during the audit and the majority had been corrected and were reflected in the Annual Financial Report. The significant adjustments required related to the following items and were described in more detail in the Audit Results Report:

- (a) the removal of trust schools from the Authority's balance sheet;
- (b) changes required to IAS19 pension liabilities following the recent McCloud judgement;  
and,
- (c) the revised valuation for Newcastle International Airport.

It was noted that the adjustments did not impact on the Authority's reserves and balances.

Members were given the opportunity to ask questions of Mr Kenny and Councillor Glindon, which were responded to appropriately.

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

- (1) the Audit Results Report, submitted by the Authority's external auditors Ernst and Young, be approved and the draft Letter of Management Representation be agreed;  
and
- (2) the 2018/19 Audited Annual Financial Report be approved.

The Motion, on being put to the meeting, was approved by 43 votes to 5 votes.

## **C24/19          Climate Emergency Declaration**

Cabinet had received a progress report in June 2019 on the Authority's Low Carbon Plan, which summarised the progress being made to reduce the carbon footprint of the Authority and the Borough. Whilst Cabinet had recognised excellent progress was being made against original targets and had paid credit to the leadership shown on this issue by the Youth Council, they had requested that a Climate Emergency should be declared by Full Council along with the steps the Authority proposed to take in response to this emergency.

A report was considered by Council which set out the national and international context in tackling climate change and outlined local policy and performance.

It was moved by the Councillor C Johnson and seconded by Councillor J Kirwin that:

Council:

- (1) notes the significant progress made to date by the Authority in reducing carbon dioxide emissions;
- (2) agrees that the Authority:
  - a. declares a climate emergency;
  - b. seeks to halve the Authority's and the Borough's carbon footprint by 2023, four years ahead of the current target; and
  - c. commits that itself and the Borough will be carbon neutral by 2050 in line with the national target;

- (3) notes that Cabinet will receive an update report within six months; and
- (4) requests the Elected Mayor to instruct the Head of Environment, Housing and Leisure, in consultation with the Cabinet Member for Environment and Transport, to:
- a. publish an annual report on the Authority's website that details performance against carbon reduction targets;
  - b. include young people in the development, delivery and review of actions, ensuring that they have a voice in shaping the future;
  - c. work with partners across the Borough and region to deliver this new goal through all relevant strategies and plans;
  - d. call on Central Government to provide powers and resources to reduce carbon emissions;
  - e. ensure that all strategic decisions, budgets and approaches to planning decisions are in line with this climate emergency declaration; and
  - f. ensure that the Authority's Senior Leadership Team embed carbon reduction work across the Authority and take responsibility for reducing, as rapidly as possible, the carbon emissions resulting from the Authority's activities.

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

#### **C25/19 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.

#### **C26/19 Chair's Announcements**

The Chair announced the charities she would be supporting during her tenure and asked for Members' support, these being the Great North Air Ambulance and Operation Veteran.

She had attended a number of award ceremonies, such as football, Rotary Club and badminton presentations. She made particular reference to her attendance at the Friendship Games held in the twin town of Oer-Erkenschwick in Germany. She paid credit to the young competitors who had represented both North Tyneside and the UK and had competed against teams from Germany, Slovenia, Poland and Serbia.

The Chair encouraged Members to attend Citizenship Ceremonies, and she made special mention of the award of the British Empire Medal to an 85 year old lady from Wallsend who had worked tirelessly for over 25 years going into school to read with the children

#### **C27/19 Elected Mayor's Announcements**

The Elected Mayor began by thanking everyone who had participated in the recent Peer Review Challenge. The Peer Review Team had included the Chief Executive of Salford City Council, the Director of Finance and Performance and Procurement of West Sussex County Council, the Director of Regeneration and Growth at Sandwell Metropolitan Council, the Chief Executive of Blackpool Coastal Housing and LGA Programme Manager and the Elected Mayor and Leader of Doncaster Metropolitan Council who had provided some useful pointers about what the Authority should think about next.

She looked forward to receiving the final report that would help in planning for the future and its findings would be shared with Members in the near future.

The Elected Mayor congratulated the following who had all received the Queens Award for Voluntary Service:

- Walking With North Tyneside
- The Volunteers at St. Bernadette's Church, North Shields
- The Friends of Red House Ramblers and
- Collingwood Bowling Club

She acknowledged this was a fantastic achievement for those organisations and hoped that their efforts would inspire many more people across North Tyneside.

The Elected Mayor reported that seven of the borough's parks had made it onto this year's list of Green Flag Award winners, which had been announced on 16 July by Keep Britain Tidy, and she thanked the staff who worked so hard to maintain these standards. The Rising Sun Country Park, Benton Quarry Park, Marden Quarry Nature Reserve, Killingworth Lakeside Park, Wallsend Parks and Northumberland Park had again been recognised as being among the nation's finest parks and green spaces.

The Mouth of the Tyne Festival had again been a resounding success and had sold out in record time. More than 100,000 people had attended the festival, bringing an estimated £1 million boost for the local economy. The Elected Mayor thanked everybody who had been involved in making the festival such a success.

The prestigious Tour of Britain Cycle Race would be passing through the Borough on 9 September and many schools, businesses and residents were eager to be involved. The Elected Mayor thanked the Cabinet Member for Culture and Leisure, Councillor Day and officers who had organised 17 cycling events across the borough over the summer.

The Elected Mayor finally reported that since the last Council meeting, the Spanish City had won an award for the Best Change of Use of an existing building and had been shortlisted for a Best Commercial Project and Best Public Service Building.

## **C28/19            Questions by Members of the Council**

### **1. Question to the Elected Mayor by Councillor S Brockbank**

Given the flooding on Bromley Avenue in my ward in mid-June, does the Elected Mayor share the concerns of residents about the increased pressure on infrastructure of the proposed development in the Local Plan?

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

Thank you, I'll deal with the issues raised by the question.

First of all, flooding is taken very seriously by the Council and in addition to the two major flood alleviation schemes just completed at Fairfield Green and Briarville, Officers have sound contingency plans in place to deal with these issues.

The Local Plan is underpinned by a comprehensive strategic flood risk assessment. Specifically, flooding on the Murton Gap site was considered in our Local Plan and the inspector stated 'flood risk is a significant local concern following the storm event of Thunder Thursday. The frequency and intensity of such climate related incidents are projected to

increase but I'm satisfied that the various strategic flood risk work takes this into account. The absence of objections from the Environment Agency, Northumbrian Water and other authorities provides additional confidence that surface and foul water can be appropriately drained from this site'.

Additionally, as I'm sure Councillor Brockbank is aware, planning applications are required to provide a detailed flood risk assessment that is reviewed by the Environment Agency, Northumbrian Water and the Council before any planning permission is granted for development.

I fully understand the residents' concerns and I am confident this Council has put in place through the Local Plan policy framework the right policies to ensure their concerns will be addressed, that developer proposals are progressed and the developers are required through the planning process to provide full flood mitigation measures on their site.

If we now look to address the Local Plan because Councillor Brockbank has consistently tried to make political capital by statements that he is against the Local Plan. I had at first put this down to naivety; however he has had this situation explained a number of times yet he continues with his misleading simplified slogans of opposition to the Local Plan but as yet failed to answer how he would resolve the disastrous consequences of following his policy.

Let me reiterate what those consequences are. First of all the Local Plan is a requirement of his Conservative Government and if we don't have a plan we will be subject to government intervention. No plan means developers can submit planning applications at will and in the past a number of proposals which were not supported by the Council were allowed on appeal. Do you honestly believe that developers would not welcome this situation and pile in with unrestricted development plans for Murton Gap possibly increasing from 3000 to what developers originally wanted - 5000 houses - on that particular site?

Your policy replacing the Local Plan and your published statement to oppose all building on Murton Gap site will require you to find sites for an additional 6592 houses above the present number. I explained this at a past Council meeting how that was arrived at. If you preserved the green belt then there are two alternative strategies, either to build on brownfield sites or on the greenfield sites.

Does he propose that the extra 6592 houses will be built on brownfield sites? If he does then he could not have read the plan he proposes to get rid of because the Government Inspector stated 'the Council has undertaken a thorough exercise which has considered a vast array of brownfield sites including those suggested in representations. Where suitable and achievable for housing they are already accounted for in the Plan. There is no compelling evidence that a significant brownfield site has been overlooked. The finite capacity of brownfield sites in North Tyneside would not meet all the housing, employment and service needs over the period to 2032. Consequently, this would not be a reasonable alternative spatial strategy, therefore green land is required'.

So if you rule out brownfield sites and still take out Murton Gap, where will the greenfield sites be for the additional 6592 houses? Once again he won't provide any alternatives and he won't tell us or the residents of the borough where he proposes to build these houses.

Once again the government inspector states 'the spatial strategy of the Plan seeks to secure sustainable development to meet the identified development needs while simultaneously protecting the green belt and significant areas of identified green

infrastructure. Given the character and relatively small size of the Borough, balancing these factors is not without challenges but it also means that there are few, if any, reasonable alternatives to the spatial strategy’.

So if there are fewer alternative ways to protect the green belt, and Councillor Brockbank has failed to identify a single alternative site for his additional 6592 houses, then he must be considering building on the green belt.

The consequences of this would be in the words of the government inspector, ‘I am not persuaded that any alternative sizable green belt options are available that would not harmfully result in unrestricted urban sprawl, coalescence of settlements or encroachment into the countryside’.

So I’ll finish by saying the alternative is clear, support our Local Plan to give us the tools to control development and protect the green belt or go with the political posturing of the Conservatives and end up with uncontrolled development and unrestricted urban sprawl.

Councillor Brockbank asked the following supplementary question

I would invite you to look at comments by residents in Bromley Avenue who have been affected by this. Could I invite the Cabinet member to depart from the scripted speech for a change and respond to those residents who have been on to me in droves, to give 100% guarantee the next time there is a downpour in Bromley Avenue that they will not be subject to flooding. A simple question yes or no?

Councillor Pickard responded as follows:

Once again there are two different issues because I thought you would have done your homework and found out from the officers what the problems are in Bromley Avenue.

I have already stated that the significant action that would be taken on the site would not have an effect on Bromley Avenue because all the off flow from that site would be contained within the development needed. At the moment the reason it is flooding is because the water is coming straight off the site. But even when it gets there, there would still be an issue in the surrounding area because of historical development in that particular area.

And I could perhaps invite you to meet with the officer responsible and try and find out the facts of the case before you start winding people up and giving false hope.

## **2. Question to the Elected Mayor by Councillor L Miller**

Will the Elected Mayor join me in welcoming the opening of a brand new, state of the art Ambulatory Care Centre at the Northumbria Specialist Emergency Care Hospital, thus enhancing the first class NHS provision our residents already receive?

Councillor M Hall responded on behalf of the Elected Mayor as follows:

Of course we are delighted to welcome the opening of the new purpose built, state of the art Ambulatory Care Centre at the Northumbria Specialist Emergency Care Hospital.

The Ambulatory Care Centre will allow North Tyneside residents to have timely access to urgent care services, which will hopefully alleviate the demand placed on the emergency



department. Just in case anyone is not familiar with the name ambulatory care it just means you're able to get there to the centre by your own resources.

However, many of our residents do not feel that they receive first class NHS provision and still have lots of concerns, which are shared with the Cabinet and myself. There is no A & E provision in North Tyneside and our residents have to go to either A & E in Newcastle at the Royal Victoria Infirmary (RVI) or Cramlington at the Northumbria Specialist Emergency Care Hospital.

What we do not welcome are the long waits some residents have to see a GP. Often the reason why people resort to attend A & E and urgent care departments is because they cannot get access to their GPs.

It is hoped however, that the new centre will enable 150 patients each day to be assessed, treated and discharged home on the same day basis, avoiding unnecessary admission to hospital. Their care will be delivered in a purpose built building that has been designed to be a relaxed and comfortable environment for patients.

Whilst struggling with waiting lists to keep to an 18 week standard, delays in ambulance handovers and over 4 hour waits in A&E, Northumbria Healthcare got an outstanding CQC rating. The staff in the hospital are rated against the best in the country. All the staff are dedicated to giving the best service.

I end this answer by hoping that no one here has to use its wonderful facilities especially this summer.

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

Can the Elected Mayor assure me that when a school is oversubscribed, the address of every applicant is properly verified before any places are granted?

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

Yes I can confirm that in 2014, during our administration, a system was introduced to verify the addresses of applicants for schools that are oversubscribed against Council Tax records. If there are any discrepancies with the records the Local Authority writes out to parents to request that they provide supplementary documentation to prove that they are residing at the address on their application form.

Such supplementary documentation can include household bills, driving licence and payslips.

Of course if Councillor Wallace or indeed any other Councillor has concerns about instances of fraudulent misuse of the admissions system they should report that to the admissions team.

Councillor Wallace asked the following supplementary question:

As many children in my ward within the catchment area of Whitley Lodge First School didn't get places at their first, second or third choice school, and I understand that this has happened in other wards in previous years, does that verification extend to all the neighbouring schools which parents may have selected so that all those choices are verified or all those applicants are verified and how many cases of fraudulent applications have

been detected this summer?

Councillor Earley responded as follows:

It extends to those schools that are oversubscribed and in terms of the number of cases where there were allegations raised that is less than 5.