

Local Government Act 1972

Borough of North Tyneside

19 January 2017

At the meeting of the Council of the Borough of North Tyneside duly convened and held on Thursday 19 January 2017 at 6.00 pm in The Chamber at Quadrant at which a quorum of Members were present, that is to say: -

Present

Councillor D McGarr (In the Chair)
N Redfearn (Elected Mayor)

Councillor A Austin	Councillor N J Huscroft
Councillor K Barrie	Councillor C Johnson
Councillor G Bell	Councillor K Lee
Councillor L Bell	Councillor F Lott
Councillor K Bolger	Councillor W Lott
Councillor J Cassidy	Councillor G Madden
Councillor K A Clark	Councillor M Madden
Councillor D Cox	Councillor P Mason
Councillor S L Cox	Councillor Mrs P McIntyre
Councillor N Craven	Councillor D McMeekan
Councillor EN Darke	Councillor A McMullen
Councillor L Darke	Councillor T Mulvenna
Councillor C Davis	Councillor A Newman
Councillor S Day	Councillor P Oliver
Councillor D Drummond	Councillor K Osborne
Councillor P Earley	Councillor J O'Shea
Councillor R Glendon	Councillor A Percy
Councillor S Graham	Councillor C B Pickard
Councillor I Grayson	Councillor M Rankin
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 Mrs J A Wallace
Councillor M Huscroft	Councillor F Weetman

C59/01/17 Presentation of Whitley Bay Town Cup

The Chair announced that the Whitley Bay Town Cup for 2016 had been awarded to Mrs A Scott and the ladies of Hartley House and Village Court involved in organising fundraising coffee mornings that had been provided to support local charities.

Mrs Scott, accompanied by her grandson Andrew, accepted the award on behalf of everyone involved and responded appropriately by thanking the Council for the award.

C60/01/17 Minute's Silence

A minute's silence was observed in respect of the death of former Councillor John Ross.

C61/01/17 Apologies

Apologies for absence were received from Councillors J Allan, A Arkle, B Burdis, C Burdis, P Brooks, L Miller and M Reynolds.

C62/01/17 Declarations of Interest

The following declarations of interest were made:

Item 5 – Council Tax Discounts 2017/18 (Minute C65/01/17 refers)

Councillor D Cox – registerable personal interest – she had a second property in the Borough which was not her main home.

Councillor S L Cox – registerable personal interest – he had a second property in the Borough which was not his main home.

Councillor Janet Hunter – non-registerable personal interest – a relative in receipt of discount for property during refurbishment.

Councillor F Lott – non-registerable personal interest

Councillor W Lott – non-registerable personal interest

Councillor D McGarr – registerable personal interest – he had a second property in the Borough which was not his main home.

Councillor P McIntyre – registerable personal interest – she had a beneficial interest in property in the Borough.

Councillor J Stirling – registerable personal interest – he had a beneficial interest in property in the Borough.

Councillor J Wallace – registerable personal interest – she had a beneficial interest in property in the Borough

There were no dispensations in relation to registerable personal interests reported.

C63/01/17 Minutes

Resolved that the minutes of the Council meeting held on the 24 November 2016 be taken as read, confirmed and signed by the Chair.

C64/01/17 Motions

Motion signed by Councillors J O'Shea, A Newman and M Rankin

It was moved by Councillor J O'Shea and seconded by Councillor A Newman that:

Residents are concerned at the reduction in NHS services in the Borough and the outcome of the Sustainability and Transformation Plan (STP). The Council requests the Mayor and Cabinet to consider conducting an urgent review on the reduction in NHS services and the implications of the STP on North Tyneside. The outcome of the review to be reported to the next ordinary council meeting.

The Motion, on being put to the meeting, was approved by 48 votes to 0 votes.

C65/01/17 Council Tax Discounts 2017/2018

[Councillors D Cox, S L Cox, Janet Hunter, D McGarr, P McIntyre, J Stirling and J Wallace withdrew from the meeting for the duration of the discussion and voting on this item.

Councillor C Davis, Deputy Chair, in the Chair for this item.]

Council received a report which detailed the options that had been considered by Cabinet in relation to the level of Council Tax Discounts for empty homes effective from April 2017. The report also set out the results of a consultation exercise that had been undertaken on the proposal that had been agreed by Cabinet.

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

Council:

- (a) note the recommended change to discount levels, set out as option 2, in paragraph 1.6.1 of the report, which is being proposed to Council by Cabinet following its meeting on 12 December 2016 ; and
- (b) agree option 2 to be the Authority's Council Tax discount level for empty homes to take effect from 1 April 2017.

The motion, on being put to the meeting, was agreed by 42 votes to 3 votes.

C66/01/17 Council Tax Support Scheme 2017/ 2018

Council received a report which detailed the options that had been considered by Cabinet for having a Local Council Tax Support Scheme in place for North Tyneside for the financial year 2017-18.

The report also set out the results of a consultation exercise that had been undertaken on three possible options for the scheme in 2017-18.

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

Council:

- (1) note the recommended scheme, as set out as option 2 in paragraph 1.6.1 of the report which is being proposed to Council by the Cabinet following its meeting on 12 December 2016; and
- (2) agree this scheme as the Council Tax Support Scheme for North Tyneside with effect from 1 April 2017.

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

C67/01/17 Programme of Meetings 2017/18

The Council received a report which presented the proposed programme of meetings for the 2017/18 municipal year.

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

Council:

- (1) Agree the programme of meetings for 2017/18, as set out in Appendix A to the report; and
- (2) Agree that the meetings of the full Council proposed for 20 July 2017, 23 November 2017 and 18 January 2018 be those at which questions will be taken from members of the public.

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

C68/01/17 Common Seal

Resolved that the Common Seal be affixed to all deeds and documents required for carrying into effect the various decisions of the Council made since its last meeting.

C69/01/17 Chair's Announcements

The Chair provided the Council an update on his nominated charity "Out of Sight". The charity supports children for North Tyneside that have visual impairment and severe disabilities. He highlighted a recent article in the VODA News magazine that detailed the work the charity undertakes.

The project named Chloe's Den was based on Amble Links Holiday Park and the aim of the charity was to raise £45,000 to provide a fully accessible caravan that would provide respite facilities.

The Chair thanked Council staff and a number of organisations for their generosity in attaining the £45,000 target. He informed Council that he was honoured to be opening the facility later in the month.

The Chair wished all a Happy New Year.

C70/01/17 Mayor's Announcements

The Elected Mayor wished everyone a Happy New Year.

The Elected Mayor expressed her thanks to the frontline staff of the Authority and Capita Highways team that worked to protect the coastline, business and resident properties during the recent high tides and winds.

She read comments received by a business that praised the Authority and staff for their help. Particular reference was made to staff members Michael Keenleyside and Marcus Jackson for the information and help given to protect their business property.

She reminded the Council that businesses pay Business Rates and rent to the Authority and stated that the Authority would always do its best to help businesses and its residents when in dire circumstances.

She praised staff for all their positive work and asked senior officers to ensure Council's thanks were passed on to them.

C71/01/17 Questions by Members of the Council

1. Question to the Elected Mayor by Councillor K Lee

Since being elected in May I have been overwhelmed at the number of Cullercoats residents that have contacted me to ask for my support to make our borough cycling friendly and to promote the benefits of cycling and walking to enable a healthy lifestyle. Considering the very high obesity statistics in our borough (presently over 70 %) does the Mayor agree that we should work with our local cycling, sporting, community initiatives and health institutions, in order to reduce obesity in the borough, and to publicise her policies to ensure that North Tyneside is a healthier and cycling friendly borough.

The Elected Mayor replied:

Thank you for your question.

Yes, I absolutely agree with you and can tell you that lots of people share your views having been approached by a number of cycling clubs, parents with young children and schools who want to actively encourage children to cycle to school. The situation with parking outside of schools is also quite worrying.

I agree that we should be working with local cycling, sporting, community and health institutions in order to promote healthy living and reduce the obesity levels in the borough. The improvement of the health and wellbeing of our residents and reducing obesity is of course a high priority.

We are very proud of our award winning Active North Tyneside programme which works with partners, communities and groups to successfully target those who are inactive as part of our approach to improving health and reducing obesity and we did receive a national award for that programme.

I am pleased to be able to report that along with our partners we continue to deliver the national standard 'Bikeability' cycle training to school children in the borough. This helps to equip our young people with the skills to travel independently for everyday cycling.

As a result of these initiatives, and others, cycling in the Borough has trebled over the last ten years. In fact the Council is currently developing a Cycling Strategy to build on this progress which will in turn help to publicise this important area of work.

I am happy to say that North Tyneside is a cycling and walking friendly Borough and we will ensure that we continue to promote the activities and more importantly look for opportunities to work with other organisations to encourage our residents to cycle and walk as a means to improve health and wellbeing and turn North Tyneside into a truly cycling friendly Borough.

2. Question to the Elected Mayor by Councillor E Hodson

There is damaging disruption to train travel in the South of England resulting from a dispute about train safety and the roles of drivers and guards. It is reported that this dispute is to be expanded into other UK rail networks.

Could the Mayor clarify her view as to the safety of Metro trains under the sole control of drivers and where no guards are employed? Could she also clarify whether her views are those of the Combined Authority, as well?

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

As Councillor Hodson will be aware, the Metro was purpose-built in 1980 and was designed from the outset for the Metrocars to be under the sole control of drivers. I am pleased to say that the Metro system since then has an excellent safety record which is regulated by the same safety authorities as the rest of the UK rail industry. Through this process we are entirely satisfied that driver-only operation is safe.

For those Members who aren't already aware the Metro is managed by Nexus on behalf of the North East Combined Authority, which is overseen by the Tyne and Wear Sub-Committee. Of course the safety of our passengers and efficiency of the Metro system is a prime concern for all concerned.

I think that it is important that we recognise that people living in North Tyneside benefit from the most frequent train services outside of London, they also enjoy some of the cheapest fares in the country on one of the safest systems. With trains running up to nine times an hour from some stations at peak times and no less than five times per hour during the day from others. The trains also run four times an hour at evenings and weekends right through until midnight.

Councillor Hodson asked the following supplementary question:

I'm pleased the Mayor is confident in the safe operation of Metro trains which operate without guards and I agree with her. Can she confirm she and her combined authority colleagues will seek to ensure her trade union friends do not import their south of England dispute into our Metro system?

Councillor Harrison replied as follows:

The business of the leaders and the NECA is the business of the Metro to ensure that the system is running safely and efficiently and it would only be right and proper that they do make sure that happens.

To give advice or to involve themselves with other systems in other areas around the country would not be appropriate and I don't think this is what the leadership would want to do. Their business is the Metro within our area of the North East and clearly they are doing a good job to ensure that we provide that service.

3. Question to the Elected Mayor by Councillor E Hodson

Some time ago Nexus Director General's personal assistant issued a letter in which it was stated that Messrs Deutsche Bahn's contract for the operation of the Metro was to be terminated and operation returned to Nexus staff. However, it was under instruction from Gordon Brown's Labour government that the Metro operating contract should undergo competitive tendering before £700m was invested in its upgrading. Messrs Deutsche Bahn won that contract.

Could the Mayor clarify the future operating responsibility for the Metro and will any changes affect the upgrade programme, now about half completed?

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

As the councillor knows this ends in March 2017 although Nexus has the right to extend the contract for a further two years and along with the support of the other leaders of NECA has chosen not to exercise this option.

For the two financial years 2017/18 and 2018/19 Nexus will manage and operate the Metro, that is the trains and the stations. It is true to say Nexus and the operator and more so Nexus are dissatisfied with the structure, financial operation and performance. In short the contract is not delivering the outcomes for passengers. For too long now passengers have been let down by Deutsche Bahn.

During the time of its operation Nexus will recommend a future operating model to the North East Combined Authority as part of its programme to seek £1 billion of investment in Metro, including the procurement of new trains.

I am pleased to be able to report that the ongoing £350m Metro modernisation programme, which is being carried out by Nexus and began in 2010 will not be affected and is still on schedule to be completed by 2021.

This gives an opportunity for Nexus to actually provide a continuous service and one that will meet the standards required for the people in our area.

Councillor Hodson asked the following supplementary question:

Will Nexus be required to undertake another competitive tendering exercise before they take over and will the Combined Authority require Nexus to achieve any defined contractual standards of performance as required by the original tendering exercise?

Councillor Harrison replied as follows:

Yes. It was written in that if the contract was not extended between 2017/19 there would be a further tendering exercise that would give the opportunity for others to actually tender within that. It is hoped that we would be able to deliver services which will actually satisfy the government. Yes there will be an opportunity when we come to 2019 for that tendering exercise.

4. Question to the Elected Mayor by Councillor E Hodson

Could the Mayor and her Combined Authority colleagues clarify progress with the upgrading of the Metro system and how this is resulting in its improved performance and reliability for travellers?

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

The modernisation programme has included major investment in North Tyneside, including:

- i. the renewal of all track and trackbeds, which will be completed through to South Gosforth this Summer; and
- ii. significant station improvements – including at North Shields and Benton, where lifts were installed for the first time, as well as refurbishments at several other stations including Wallsend and Tynemouth.

During the time of the modernisation programme we will see the renewal of all overhead lines, remaining structures and technology including radio systems and train management technology.

The improvements so far have improved the accessibility standards of stations and have reduced incidents of track and infrastructure failure significantly.

The modernisation programme included refurbishment of Metro trains and action to deal with frame corrosion, both of which have extended the life of the Metro fleet.

Councillor Hodson asked the following supplementary question:

When and how will we return to the good standard of operation we used to enjoy at the commencement of Deutsche Bahn management and before the upgrading began?

Councillor Harrison replied as follows:

By bringing the Metro back in house was to ensure that the in house team would meet those standards and deliver them. It's a challenge for them to do that, but it's true to say that poor performance since Deutsche Bahn had them has been a fluctuating one. We need to have a performance that maintains 87.2% standard and ensure that's delivered in a more frequent way. The modernisation of the track and infrastructure will help the

performance; so we'll see less flooding on the track, less erosion on the rails, the power system will be able to deliver the electricity, and we'll see real time information for passengers. I acknowledge a lot of work is needed and a plan is in place to deliver modernisation until 2021. Work is going on and we have an opportunity to meet the challenge of delivering a service fit for the people of our area.

5. Question to the Elected Mayor by Councillor K Barrie

Following a question by Mrs Glynis Barrie at Council on 23rd July 2015 regarding the poor performance of the Tyne and Wear Metro system, she was assured in the reply by Councillor Harrison that a quarterly review would take place. Could full details be given of when the promised reviews took place and the outcomes presented to full Council?

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

Thank you for your question. Firstly can I say that in my answer to Council on 23 July 2015 regarding the Council's responsibility for the Metro I agreed that it was important that a quarterly update was given and that it was for this reason that the Combined Authority were setting up a Tyne and Wear Sub-Committee who would be looking at the performance of the Metro system on a quarterly basis. Not forgetting that NECA is the Governing body for the Metro and not the Council.

This position was also clarified in an email to your colleague Ed Hodson by the Elected Mayor on 10 December 2015 which was prior to Nexus attending the Council meeting on 21 January 2016 where they provided all Members of the Council with an update on the major modernisation works on the metro in North Tyneside.

As you will be aware, this update also provided all Members the opportunity to ask questions of Nexus in relation to their performance.

These regular reviews are undertaken and are reported to the Transport North East (Tyne and Wear) Sub-Committee [TWSC], which I chair, the reports of which are publicly available.

The TWSC will agree a new performance review process with Nexus before they take direct control of Metro operations in April. As you would expect, this information will be scrutinised and made publically available.

6. Question to the Elected Mayor by Councillor A Austin

Can the Elected Mayor explain why the Freedom of Information disclosure log is no longer available on the Council's website?

The Elected Mayor replied as follows:

Thank you for your question. Could I first of all say that I wasn't aware that the Freedom of Information Disclosure Log was no longer available on the Council's website until I received your question.

It has therefore come as a surprise to me. This is perhaps something which should have been raised with the service area directly once you noticed that this was unavailable so that it could have been addressed.

However, following a discussion with officers I understand that the Freedom of Information Disclosure Log was stopped to make way for a newly designed public facing web page that would reflect the upcoming changes in data protection legislation and make the site and the Disclosure Log more user friendly. I understand that this transition to the new platform should be completed by the end of February 2017.

The redesigned disclosure log will include easier ways to search for responses to freedom of information requests, including the ability to search by subject matter and keywords. This will hopefully improve the service to residents and increase transparency in relation to information held by the Authority.

Until the new Disclosure Log is available I have asked officers to reinstate the current data log and I trust that you are aware of how to obtain any information you require as you have access as a Member of this Council to the relevant officers. I know that everyone that has asked for information has been responded to and if you wish to know who it is I'm sure you can go to the right officer and find out the information you wish to seek, otherwise I hope you understand what has happened.

Councillor Austin asked the following supplementary question:

I was actually appraised of this recently by residents who tried to access this over several months. It's been the case as I understand that it's been out of action for up to a year which is a very long gap between an old site being decommissioned and a new site not having started yet.

Those same residents expressed the view that a Freedom of Information disclosure log which for a lengthy period of time has refused to disclose anything suggests the administration may have had something to hide.

Can the Mayor appreciate that residents might as a result feel that her policy of transparency may have been reversed?

The Elected Mayor replied as follows:

If any resident or Member of the Council has asked me about it I wouldn't be sitting in Council asking those questions. I would be knocking on the door of officers to ask why it has happened.

I find it absolutely amazing that you did nothing about it, since they are your residents that came to you. How amazing is that. You have made aspersions about this Council hiding things.

Anybody can knock on my door and I'll answer any questions and I would bring any officer to the table to answer any question. To think we are trying to hide something after all a disclosure log on the website is an optional activity which we as a Council have provided to the members of the borough.

I find it amazing that you as a councillor have not got the nous to go and find out what had happened.

7. Question to the Elected Mayor by Councillor L Miller

Could the Elected Mayor arrange that the cameras on Lynn Road would allow taxis to use the road without attracting a penalty, as currently the re-routing required is leading to additional cost and delay for residents?

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

To put this into proportion before I answer the question, we are investing over £7 million on the A1058, the Coast Road and the rationale behind that is to ensure that we not only meet future demands as it's one of our busiest roads – around 45,000 vehicles use that route and we are projecting seeing that increase to around 51,000 on a daily basis. Also, on the safety side when we looked at the statistics this was on the national records there were 154 collisions on the road over a 5 year period including a fatality, so clearly there is something that we needed to do about that. We all know it's a complicated junction but at Billy Mill we needed to develop a traffic management arrangement which would minimise congestion while construction work took place and ensure a safe working environment for those working there and those who may need to cross that road.

To explain how this works, each time a bus approaches the junction from Lynn Road, the temporary traffic lights all turn to red to allow the bus through. Our traffic modelling shows that the junction can cope with this level of traffic. Unfortunately if we extended this to private hire vehicles and taxis this would cause traffic flow problems on the main route.

Extensive consultation and engagement throughout the scheme's development has been carried out including discussions with local residents, the bus companies and the private hire and taxi trade. We have explained to the trade that, in order to keep traffic moving through the works, it was not possible to allow their cars to use the bus gate, which is of course a temporary restriction until the works are complete.

8. Question to the Elected Mayor by Councillor L Miller

Is the Billy Mill road alteration scheme running to schedule and to budget, and when will it be completed?

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

As I mentioned in my response to the last question, we know roads and pavements are our residents' number one priority, which is why we have secured over £20m of additional investment to improve safety, journey times, cycling and to support our local economy.

The road works at Billy Mill commenced on 11 July 2016 and have a contract completion date of May 2017. I am pleased to be able to report that to date, these works are currently being delivered on time and on budget.

I'll give an assurance to this Council that we're going to see if we can try and get it done before May 2017 although this would rely on other events such as the weather, but we're on time and on budget.

We don't underestimate the importance of completing these works as quickly as possible to make our roads safer and improve journey times for our residents, businesses and

visitors. Therefore I will continue to work with officers to identify ways of completing this work ahead of schedule.

I am pleased to be able to inform Members that the Eastbound A1058 Coast Road lane restrictions on the approach to Billy Mill junction were removed before Christmas. This means that road users are now able to use all 3 lanes on that approach, which should help improve traffic flows and reduce delays.

The regular e-bulletin, 'Your Coast Road Updates', will continue to issue regular updates to Council Members and the public as the works progress through to completion.