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Northumberland County Council

Your ref:

Our ref:

Enquiries to: Nichola Turnbull

Email: nichola.turnbull@northumberland.gov.uk

Tel direct: 01670 622617

Date: Tuesday, 18 January 2022

Dear Sir or Madam,

Your attendance is requested at a meeting of the **PETITIONS COMMITTEE** to be held in **MEETING SPACE - BLOCK 1, FLOOR 2 - COUNTY HALL** on **WEDNESDAY, 26 JANUARY 2022 at 2.00 PM.**

Yours faithfully

A handwritten signature in black ink.

Daljit Lally
Chief Executive

To Petitions Committee members as follows:-

R Dodd (Chair), B Flux (Vice-Chair), C Ball, T Cessford, B Gallacher, J Reid, M Swinburn, A Wallace and R Wearmouth

Any member of the press or public may view the proceedings of this meeting live on our YouTube channel at <https://www.youtube.com/NorthumberlandTV>. Members of the press and public may tweet, blog etc during the live broadcast as they would be able to during a regular Committee meeting.

Members are referred to the risk assessment, previously circulated, for meetings held in County Hall. Masks should be worn when moving round but can be removed when seated, social distancing should be maintained, hand sanitiser regularly used and members requested to self-test twice a week at home, in line with government guidelines.



Daljit Lally, Chief Executive
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AGENDA

PART I

It is expected that the matters included in this part of the agenda will be dealt with in public.

1. APOLOGIES FOR ABSENCE

2. MINUTES

(Pages 1 - 4)

Minutes of the meeting of the Petitions Committee, held on 28 October 2021, as circulated, to be confirmed as a true record and signed by the Chair.

3. DISCLOSURE OF MEMBERS' INTERESTS

Unless already entered in the Council's Register of Members' interests, members are required to disclose any personal interest (which includes any disclosable pecuniary interest) they may have in any of the items included on the agenda for the meeting in accordance with the Code of Conduct adopted by the Council on 4 July 2012, and are reminded that if they have any personal interests of a prejudicial nature (as defined under paragraph 17 of the Code Conduct) they must not participate in any discussion or vote on the matter and must leave the room.

N.B. Any member needing clarification must contact the Legal Services Manager at monitoringofficer@northumberland.gov.uk. Please refer to the guidance on disclosures at the rear of this agenda letter.

REPORT OF THE EXECUTIVE DIRECTOR OF ADULT SOCIAL CARE AND CHILDREN'S SERVICES

4. PETITION FROM HEXHAM LIVING WAGE GROUP

(Pages 5 - 24)

To inform the Committee of a petition received from the Hexham Living Wage Group.

REPORT OF THE SERVICE DIRECTOR - LOCAL SERVICES

5. PETITION - COMMUNITY CAMPAIGN TO AMEND THE USE OF MILITARY ROAD B6318 JUNCTION OF A68 TO HEDDON ON THE WALL

(Pages 25 - 48)

To acknowledge receipt of the petition received by Democratic Services regarding a community campaign to amend the use of the B6318 Military Road from its junction with the A68 at Stagshaw Roundabout to Heddon-on-the-Wall.

REPORT OF THE INTERIM EXECUTIVE DIRECTOR OF PLANNING AND LOCAL

SERVICES

- 6. PETITION AGAINST INAPPROPRIATE DEVELOPMENT IN BEADNELL** (Pages 49 - 56)

To acknowledge the issues raised in the petition received from residents of Beadnell in respect of inappropriate development and to agree the Council's response.

- 7. NEXT MEETING**

The next meeting will take place on Thursday, 28 April 2022 at 2.00 p.m.

- 8. URGENT BUSINESS (IF ANY)**

To consider such other business as, in the opinion of the Chair, should, by reason of special circumstances, be considered as a matter of urgency.

IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:

- Declare it and give details of its nature before the matter is discussed or as soon as it becomes apparent to you.
- Complete this sheet and pass it to the Democratic Services Officer.

Name (please print):

Meeting:

Date:

Item to which your interest relates:

Nature of Registerable Personal Interest i.e either disclosable pecuniary interest (as defined by Annex 2 to Code of Conduct or other interest (as defined by Annex 3 to Code of Conduct) (please give details):

Nature of Non-registerable Personal Interest (please give details):

Are you intending to withdraw from the meeting?

1. Registerable Personal Interests – You may have a Registerable Personal Interest if the issue being discussed in the meeting:

- a) relates to any Disclosable Pecuniary Interest (as defined by Annex 1 to the Code of Conduct); or

- b) any other interest (as defined by Annex 2 to the Code of Conduct)

The following interests are Disclosable Pecuniary Interests if they are an interest of either you or your spouse or civil partner:

(1) Employment, Office, Companies, Profession or vocation; (2) Sponsorship; (3) Contracts with the Council; (4) Land in the County; (5) Licences in the County; (6) Corporate Tenancies with the Council; or (7) Securities - interests in Companies trading with the Council.

The following are other Registerable Personal Interests:

(1) any body of which you are a member (or in a position of general control or management) to which you are appointed or nominated by the Council; (2) any body which (i) exercises functions of a public nature or (ii) has charitable purposes or (iii) one of whose principal purpose includes the influence of public opinion or policy (including any political party or trade union) of which you are a member (or in a position of general control or management); or (3) any person from whom you have received within the previous three years a gift or hospitality with an estimated value of more than £50 which is attributable to your position as an elected or co-opted member of the Council.

2. Non-registerable personal interests - You may have a non-registerable personal interest when you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are, or ought reasonably to be, aware that a decision in relation to an item of business which is to be transacted might reasonably be regarded as affecting your well being or financial position, or the well being or financial position of a person described below to a greater extent than most inhabitants of the area affected by the decision.

The persons referred to above are: (a) a member of your family; (b) any person with whom you have a close association; or (c) in relation to persons described in (a) and (b), their employer, any firm in which they are a partner, or company of which they are a director or shareholder.

3. Non-participation in Council Business

When you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are aware that the criteria set out below are satisfied in relation to any matter to be considered, or being considered at that meeting, you must : (a) Declare that fact to the meeting; (b) Not participate (or further participate) in any discussion of the matter at the meeting; (c) Not participate in any vote (or further vote) taken on the matter at the meeting; and (d) Leave the room whilst the matter is being discussed.

The criteria for the purposes of the above paragraph are that: (a) You have a registerable or non-registerable personal interest in the matter which is such that a member of the public knowing the relevant facts would reasonably think it so significant that it is likely to prejudice your judgement of the public interest; **and either** (b) the matter will affect the financial position of yourself or one of the persons or bodies referred to above or in any of your register entries; **or** (c) the matter concerns a request for any permission, licence, consent or registration sought by yourself or any of the persons referred to above or in any of your register entries.

This guidance is not a complete statement of the rules on declaration of interests which are contained in the Members' Code of Conduct. If in any doubt, please consult the Monitoring Officer or relevant Democratic Services Officer before the meeting.

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Agenda Item 2

NORTHUMBERLAND COUNTY COUNCIL

PETITION COMMITTEE

At a meeting of the **Petition Committee** held on Thursday, 28 October 2021 at 2.00 p.m.

PRESENT

Councillor R. Dodd
(Chair, in the Chair)

MEMBERS

Ball, C.	Gallacher, B.
Cessford, T.	Reid, J.
Flux, B.	Wallace, A.

OFFICERS IN ATTENDANCE

N. Easton	Public Transport Manager
N. Turnbull	Democratic Services Officer

1. MEMBERSHIP AND TERMS OF REFERENCE

The Membership and Terms of Reference, as agreed by Council at the meeting on 26 May 2021, had been circulated for information.

RESOLVED that the Petition Committee's membership and terms of reference, as agreed by Council on 26 May 2021, be noted.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Swinburn, Ploszaj and Wearmouth.

3. MINUTES

RESOLVED that the minutes of the meeting of the Petitions Committee held on Wednesday, 30 July 2020, as circulated, be confirmed as a true record and signed by the Chair.

Ch.'s Initials.....

4. REPORT OF THE EXECUTIVE DIRECTOR OF REGENERATION & EXECUTIVE DIRECTOR OF ADULT SOCIAL CARE AND CHILDREN'S SERVICES

4.1 Petition Requesting a Review of Arrangements for Non-Statutory Transport to Schools

The Petitions Committee were requested to acknowledge the petition received requesting a review of arrangements for non-statutory transport to schools for rural communities and to agree the Council's response. (A copy of the report is enclosed with the signed minutes).

The Democratic Services Officer read out the wording of the petition. It was confirmed that the Lead Petitioner had been invited to the meeting, but she had been unable to attend.

Neil Easton, the Public Transport Manager provided a summary of the report and key issues. He explained that following receipt of a number of queries identifying issues with the 688 service timetable, which covered Hexham, Allendale and Allenheads, the route had been included as part of a wider review undertaken of Hexham based services, prior to receipt of the petition.

Discussions had been held with Go North East which had resulted in a number of alterations to services which had come into effect on 24 July 2021, prior to the start of the 2021/22 academic year. Changes to the 688 service included all journeys extending through to Allenheads to enable students to use the service to access educational establishments in Hexham.

Whilst the service was not free, an under 19 single journey costs £1.20 or an under 19 student weekly saver ticket was available for £12, which was extremely competitive when compared with journeys on other public transport providers elsewhere in the county. He added that the service was one of many which would not operate without financial support from the Council. No complaints had been received following changes to the 688 timetable.

The Public Transport Manager confirmed that wider discussions were being held with operators to improve public transport in rural communities. As a result of the Covid-19 pandemic and impact on bus passenger numbers, weekly meetings were being held with local bus operators to assess whether services met need.

Members of the Petitions Committee commented that:

- The Committee provided an opportunity for issues to be discussed more thoroughly at a dedicated meeting, to allow engagement with residents who had concerns and enable issues to be addressed.
- They were delighted that officers had been proactive and had resolved the difficulties identified with the 688 service which enabled students to travel between Allenheads and Hexham at the beginning and end of the school day.

- Information be included in future reports regarding implications, particularly procurement, carbon reduction etc.
- The current price of fuel, which was extremely high, was likely to lead to a switch to public transport and assist in reducing individuals carbon footprint.

In response to questions from Committee the following information was provided:-

- The £12 student saver was a 5-day ticket. There was also a separate 7-day ticket.
- The issue with the 688-bus service. Had addressed the issue that had been raised within this petition. However, it was acknowledged that accessibility was an issue across the county. When officers were made aware of an issue, they would determine the scale of the problem and whether action was warranted, particularly when on a supported service. They would lobby the operator if on a commercial route.
- Partnership working was particularly good with operators at the present time given the challenges presented by covid-19 and support the public transport sector was receiving from both local and national government. It was hoped that this would continue.

Members were satisfied that the issues raised in the petition had been addressed.

RESOLVED that:

- (a) The issues raised in the petition, be noted.
- (b) The changes to the 688-service timetable made in conjunction with Go North East to address the concerns highlighted in the petition, be noted.
- (c) The ongoing regional work on the establishment of an enhanced bus partnership and the associated funding and network improvement opportunities arising from the initiative, be noted.

5. DATE OF NEXT MEETING

The next meeting would be held on Wednesday 26 January 2022 at 2.00 p.m.

CHAIR _____

DATE _____

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PETITIONS COMMITTEE

Date: 26 January 2022

Petition from Hexham Living Wage Group

Report of the Executive Director of Adult Social Care and Children's Services

Cabinet Member: Councillor Wendy Pattison, Adult Wellbeing

Purpose of report

To inform the Committee of a petition received from the Hexham Living Wage Group.

Recommendations

The Committee is recommended:

1. **To note that the objectives of this petition are consistent with recommendations made by the Cabinet which will be included in the proposed budget for 2022/23 to be considered by the Council at its budget meeting in February**
2. **To consider whether it wishes to make any recommendations to the Council budget meeting**

Link to Corporate Plan

This report is relevant to the “Living” and “Thriving” priorities in the Corporate Plan.

Key issues

1. The petition asks the Council to allocate additional funding to care providers on condition that they use it to pay the “Real Living Wage” to care workers.
2. The Cabinet report included as an appendix to this report proposes an approach which would achieve this objective, which the Cabinet has endorsed.

Petition from Hexham Living Wage Group

BACKGROUND

1. The petition

- 1.1 The Council was presented in October 2021 with a petition organised by the Hexham Living Wage Group, which read as follows:

We call on Northumberland County Council to increase their subsidy for care services so that Care Workers can be paid the Real Living Wage

Northumberland County Council currently pays a lower rate of subsidy for residential care than other North East local authorities and this is cited by care providers as the reason for non payment of the Real Living Wage

Care in the Community organisations have also cited low levels of subsidy as the reason for their non payment of the Real Living Wage

Care workers say they have to work as many additional hours as they can get just to make ends meet. They struggle to find time for training and miss quality time with family. They have no collective voice because they have no time to organise

We are calling on NCC to increase their subsidy to both residential and community care providers conditional on the payment of the Real Living Wage as a minimum for all their employees

We have clapped for our Care Workers, now let's ACT for them and give them a Real Living Wage.

- 1.2 The paper petition had circa 800 signatures. There was also an electronic petition on the Change.org website (viewable at www.tinyurl.com/RLWpetition), which as at 5 January 2022 had 1109 signatures, though many of these were from outside Northumberland, and only 79 provided a Northumberland postcode.
- 1.3 The petition arrived too late to be considered at the October meeting of this Committee.

2. Comments

- 2.1 The Cabinet considered on 11 January the report included as an appendix to this item, which addressed the main issue raised by the petition, and set this in the context of wider concerns about recruitment and retention of care workers. The Cabinet decided to recommend to the Council that it should include in its 2022/3 budget funding for implementing option C in the report, which would offer care providers funding to pay "Real Living Wage" rates.
- 2.2 If the Council accepts the budget to be recommended by the Cabinet, the main objective sought by the petitioners will be achieved. The Committee may wish to make its own recommendation to the Council on this point.

- 2.3 On one point raised by the petitioners, the Cabinet report provides information which appears to cast doubt on the connection which they have drawn between current pay rates in care homes and the fee rates paid to care home operators. While the data collected by Skills for Care referred to in paragraph 2.2 of the Cabinet report may not be wholly reliable, being based on a survey which not all providers complete, there do not appear in 2020/21 to have been substantial differences between pay rates for care workers in care homes in Northumberland and pay rates elsewhere in the region, though the petitioners are correct that the fee rates paid by the Council to operators of care homes for older people are significantly lower than those paid by some neighbouring local authorities.
- 2.4 This difference in fees will in part reflect differences between local authorities' assessments of their local care home markets, but may also be influenced by history. Legal challenges to fee levels set by local authorities in the region early in the last decade were successful in some cases, and though the challenges were made on procedural grounds, they were followed by increases in fees. Northumberland successfully defended in the High Court and the Court of Appeal its approach to setting fees, and while the Council has subsequently significantly increased the fees that it offers, particularly for residents with dementia, it has continued to adopt a rigorous approach when assessing the evidence about what fee levels are necessary to ensure that the sector is sustainable.

IMPLICATIONS ARISING OUT OF THE REPORT

Policy	See the Cabinet report attached as an appendix
Finance and value for money	The budget to be presented to the Council's February budget-setting meeting will include the cost of adopting Option C in the Cabinet report.
Legal	See the Cabinet report
Procurement	See the Cabinet report
Human Resources	None
Property	None
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	See the Cabinet report
Risk Assessment	See the Cabinet report
Crime & Disorder	None
Customer Considerations	See the Cabinet report
Carbon reduction	None

Health and wellbeing	See the Cabinet report
Wards	All

BACKGROUND PAPERS

Petition submitted by Hexham Living Wage Group.

Report sign off.

Authors must ensure that officers and members have agreed the content of the report.

	Full name of officer
Monitoring Officer/Legal	Suki Binjal
Executive Director of Finance & S151 Officer	Jan Willis
Executive Director	Cath McEvoy-Carr
Chief Executive	Daljit Lally
Portfolio Holder(s)	Wendy Pattison

Author and contact details

Report Author: Stephen Corlett – Senior Manager (Policy)

Phone: (01670) 62 3637

Email: Stephen.Corlett@northumberland.gov.uk



CABINET

Date: 11 January 2022

Workforce issues in commissioned care services

Report of the Executive Director of Adult Social Care and Children's Services

Cabinet Member: Councillor Wendy Pattison, Adult Wellbeing

Purpose of report

To inform the Cabinet of current recruitment and retention issues affecting the care providers from which the Council commissions adult social care services, and to set out measures which could be adopted to address this.

Recommendations

Cabinet is recommended:

1. To consider whether to adopt the proposal which appears as option C in this report, which would in effect bring forward by two years for most care workers in Northumberland the national target for the National Living Wage of setting it at two thirds of median earnings, by funding care providers to pay the "Real Living Wage"
2. If Option C is adopted, to delegate to the Executive Director of Adult Social Care and Children's Services the authority to make detailed decisions about the issues listed in Section 8 of this report, in consultation with the Director of Finance and the Cabinet Member for Adult Wellbeing

Link to Corporate Plan

This report is relevant to the "Living" and "Thriving" priorities in the Corporate Plan.

Key issues

1. In Northumberland, as elsewhere, most care services for adults are delivered by independent sector providers, and the primary means by which the council meets its adult social care duties is commissioning care services from the independent sector. Pay rates for care workers are generally only slightly higher than the rate of the national living wage (NLW). Skills for Care have recently published an estimate that in 2020/21 average hourly pay for care workers in Northumberland was £8.90, at a time when the NLW rate was £8.72.
2. Recruitment and retention of care workers at these rates has become increasingly challenging in recent years, particularly in parts of the county where employment rates

are high and there is competition from sectors such as hospitality, tourism and retail which are offering better pay.

3. In the last few months, these difficulties have become much more acute, affecting many care services but particularly homecare services providing support through regular visits to the homes of older people and others who are ill or disabled. There is an unprecedentedly high number of people for whom council officers cannot quickly arrange the care that they need to live safely and with dignity in their own homes. It is unclear how far this is a temporary consequence of the reopening of the economy after lockdowns and how far there may be a longer term change in attitudes towards care work.
4. The Government announced on 3 November details of a time-limited funding scheme intended to assist with care workforce recruitment and retention in the period up to March 2022. The allocation to Northumberland is £1.03m. Because of the timing of the announcement, decisions about its use will have to be taken rapidly for there to be any realistic prospect of it making an impact during this winter. Officers' view is that the most effective way to use time-limited funding to address immediate problems is to target all or most of it into the payment of retention bonuses for existing staff in the most fragile care sectors, and possibly conditional bonuses for staff recruited from outside the care sector. Officers are working up plans for this in discussion with providers..
5. The Government's announced policy is that by 2024 the rate of the National Living Wage will reach two thirds of median earnings. There is now a strong case for bringing that date forward for care workers, both to recognise the pressures that they have been under during the Covid pandemic and to address the current recruitment and retention issues. On the assumption that additional local funding would only be required for two full financial years, it would be possible for the council to fund the cost of this from reserves which it has set aside to meet the costs for adult social care of the aftermath of the pandemic. To ensure that additional funding was used to improve pay rates, the recommended approach would be to offer all providers of commissioned services a variation to their current contracts which would add a requirement that they must pay their care workers at least a specified minimum hourly rate, in return for a proportionate increase to the element in their funding which is currently linked to the national living wage. The proposal is that the minimum rate would be set at the level of the "Real Living Wage", though the variation would be drafted in such a way that the Council would have an opportunity when setting each subsequent year's budget to decide whether it could afford to continue to set it at this level.
6. There is also a separate current issue, locally and nationally, about the recruitment and retention of nurses to work in nursing homes, partly because there are too few qualified nurses available to fill the number of vacancies, and partly because of the NHS's increased need for nurses. The council is prohibited by law from providing direct financial support with the costs of any care that must be provided by registered nurses. Officers are in discussion with the clinical commissioning group about whether there are local steps that could be taken.

Workforce issues in commissioned care services

BACKGROUND

1. Pressures on the care workforce

- 1.1 Care services for adults are currently facing an unprecedented workforce crisis, locally and nationally. At the time of preparing this report, there had since throughout this autumn been 160-200 people at any one time who had been assessed as needing a care service to support them at home, but for whom none of the home care providers with which the council contracts was able to provide a service, because they had no staff available. These are predominantly older people, many of whom have recently been hospitalised because of a health crisis or accident. Some have had to live temporarily in a care home, though they do not need that level of care and would prefer to return to their own homes. Others have refused the offer of care home accommodation and remained in hospital, increasing pressures on the NHS at what is already a very difficult time for hospital services. Some are being supported temporarily by staff from the council's Short-Term Support Service, an expensive specialist service whose normal function is to work intensively with people to reduce their need for long-term care. Others have chosen to go home without the support they have been assessed as needing, accepting risks which could normally have been avoided, or placing demands on family members which are likely to be unsustainable.
- 1.2 There were already before the Covid pandemic issues about the ability of care providers to recruit and retain care workers, particularly in some rural areas. But previously in the most difficult periods the list of care plans which could not be fulfilled would at worst be about a quarter of the current level. The immediate problem is clearly associated with the reopening of the economy after the long period of lockdowns and other restrictions. At the start of April, the number of care workers reported by the home care services based in Northumberland which accept referrals from the Council was 1553. By 1 October, the reported number had fallen to 1393. Most of this fall took place after "freedom day" in July. Care providers in the areas of the county most visited by tourists were particularly hard hit, and have told us that workers who they had recruited from hospitality backgrounds during the peak periods of the pandemic were now returning in substantial numbers to their previous occupations. One large provider of home care has told us that they have faced competition from other employers who offer cash incentives to join the organisation as well as higher wages once employed. Along with falling numbers of staff, there has been a corresponding drop in the availability of care. In April, 7.4% of all referrals for home care could not immediately be met by a care provider; in September the proportion was almost 32%.
- 1.3 "Mainstream" home care services were the first to become unable to meet an increasing proportion of referrals, but problems are also now emerging in other care sectors. In care homes for older people, the issue was initially masked by low occupancy levels resulting from resident deaths in the first two waves of the pandemic and a reduction in the number of people willing to consider a care home placement, but the number of care workers appears to have fallen, though less steeply than in-home care, and it is now becoming increasingly difficult to arrange placements even in homes with vacancies. Care homes are also having difficulty for different reasons in recruiting and retaining nurses. This reflects a national

shortfall in the number of qualified nurses available for work, an issue which may become still more difficult as the NHS expands services as part of the programme to catch up with the backlog created by the pandemic.

- 1.4 Other more specialist services are also now starting to face difficulties, though they have not so far experienced reductions in workforce numbers on the same scale as the worst-affected home care providers. In general, these services have always found staff recruitment and retention easier than home care services, since they are usually able to offer more predictable hours of work and more consistent levels of income, but they do not appear to be immune from current problems. Agencies providing temporary staff, who are ordinarily the means by which care providers cover staff shortages and emergencies, are now becoming unable to supply staff in sufficient numbers. There are now also serious recruitment and retention difficulties affecting people who elect to employ their own care workers through a “direct payment” from the local authority.
- 1.5 A further anticipated source of pressure on care workforce numbers is the impact of mandatory vaccination requirements. At present this requirement is in force only for care home staff – from 11 November, care homes have been in breach of their registration conditions if workers in contact with residents have not had both doses of an approved Covid vaccine (with some exemptions, and a period of grace for staff awaiting confirmation of exemption). While there are obvious reasons for this policy, there are also reasons for concern. The proportion of care workers in homes in Northumberland who have not been vaccinated is lower than in many areas (7%, compared to a national average of 11%), so this is expected to have rather less of an impact than in some other parts of the country, but it will still create significant additional challenges for services that are already under strain. The Government is proposing from 1 April 2022 to extend this policy to home care staff (and NHS workers); the impact of this, in services which are already unable to meet all needs, could be very serious. In early December, the proportion of home care workers who have been double vaccinated was 87.5% in Northumberland, compared to 76% nationally and 84% regionally. These figures are likely to improve if mandatory vaccination is introduced, but it currently seems likely that existing difficulties in arranging care will increase, unless offset by other changes. We are not aware of any evidence yet available about the impact of mandatory vaccination on recruitment and retention.

2. Pay rates and local authority fees

- 2.1 There are a number of possible reasons for current workforce difficulties, potentially including changes in attitudes towards care work as a result of the pandemic, and in some parts of the country, though probably not in Northumberland, reduced numbers of workers from countries in the European Union. But an obvious factor at present is the gap between the hourly rates paid to care workers and the rates paid in other sectors of the economy which are also currently facing workforce shortages, such as retail and hospitality.
- 2.2 We do not have comprehensive information about pay rates for care workers. Skills for Care, an employer-led national organisation which works in partnership with the Department of Health and Social Care, collects detailed data about employees in care services, though response rates to its surveys are below 50% nationally for care services registered with the Care Quality Commission. The table below shows

their estimates of hourly rates of pay for basic grade care workers in registered care services during 2020/21, at a time when the National Living Wage was £8.72.

	Non-residential	Care homes with nursing	Other care homes
Northumberland	£8.89	£8.81	£8.87
North East	£9.13	£8.83	£8.91
England	£9.44	£9.07	£9.05

- 2.3 We do not know whether the providers which have responded to the survey in each area are typical, so we cannot be sure how reliable these figures are, but if taken at face value they suggest that the relationship of pay levels to the fees paid by local authorities is not a simple one. The Council pays lower fees for care home placements than most other local authorities in the North East, but the figures suggest that this makes little difference to the pay rates for care workers. According to a recently published report by the national Home Care Association¹, which uses data from a freedom of information request which asked about rates paid in April 2021, the Council pays the highest average hourly rate for home care of any local authority in the North East, but the Skills for Care survey results seem to show that pay rates are significantly below the regional average.
- 2.4 One obvious possible explanation of this would be that the geography of Northumberland means that delivering care in people's homes requires substantially more travel time than in most other parts of the region. The fees paid to providers by the Council are higher in rural areas outside south-east Northumberland, and much higher in the most sparsely populated areas of the North Pennines and the National Park. Care homes are likely to be less affected by geographical differences, because the service is provided at a single location.

3. The Workforce Recruitment and Retention Fund

- 3.1 One immediate opportunity to reduce the risk of further loss of care workers to other better paid employment was offered by a Government grant, initial details of which were published in early November. The Council's initial allocation from the Workforce Recruitment and Retention Fund was £1.03m, intended to fund schemes which will support the health and care system during this winter, either by increasing the number of care workers recruited or by retaining existing workers in the care sector. The funding must be spent on activity carried out before the end of March 2022.
- 3.2 A similar grant was made available in the previous winter, at a time when there were fewer reasons for concern about an immediate prospect of losing existing staff to other jobs. The previous grant was also announced on a shorter timescale, requiring it to be spent between mid January and the end of March, and had more restrictive conditions, requiring it to be spent on creating "additional" capacity. While it was not wholly obvious what should be regarded as "additional" capacity in services which rely heavily on part-time workers whose hours vary depending on

¹ *The Home Care Deficit 2021 – available at www.tinyurl.com/ukhca2021*

needs, the conditions appeared to rule out the possibility of using the funding simply to reward care workers for continuing to carry out demanding and essential work in difficult times. In Northumberland, the 2021-2 grant was used to pay for a mixture of recruitment initiatives (few of which were likely to have an impact until after the end of the winter, even if successful), and the costs of overtime and use of agency staff.

- 3.3 The new grant was announced with less restrictive conditions and was made available at a time when retaining the existing workforce is clearly a critical objective. The Chief Executive has therefore determined, after consulting with the Leader, that the main use of the grant this winter should be to offer retention bonuses to be paid after the end of March to workers in mainstream home care services who continue to work in the service throughout the winter. This was enacted via delegated decision on 10th December 2021.
- 3.4 Restricting the scheme to home care workers was felt to be necessary, to ensure that the level of the retention bonuses is high enough to be a significant incentive, at a time when other job opportunities may pay significantly higher hourly rates, or offer other special incentives. Payments are likely to vary depending on the number of hours worked by each person, but our initial estimate is that for workers providing a substantial level of care it may be offered possible to offer a bonus in the range £500-£1000.
- 3.5 On 10 December, the Government announced in a press release that it was proposing to increase substantially the value of the workforce grant – adding a further £300m to the initial national grant value of £162.5m – which if the extra grant is distributed on the same basis would mean an additional sum of £1.9m for Northumberland. At the time of preparing this report, full details of the conditions attached to this additional grant had not yet been published, though it appeared that they would be more permissive than the initial grant conditions. It is likely that decisions about its use will again need to be taken urgently, before the date of the Cabinet meeting.

4. The National Living Wage and the Real Living Wage

- 4.1 In the longer term, the central issue appears to be pay levels. As the table following paragraph 2.2 above illustrates, the hourly rates paid to care workers in independent sector services remain close to the statutory minimum, which for most workers is the National Living Wage.
- 4.2 Many national commentators on social care have suggested that low pay is one of the main problems for the sector. Among recent publications:
 - a) The Care Quality Commission, in its report on *The State of Care* published in October 2021 cited figures for growing numbers of unfilled vacancies for care workers and called for “higher overall levels of pay to increase the competitiveness of the market, and good terms and conditions to ensure employers can attract and retain the right people. The alternative is that the sector will continue to lose staff to the retail and hospitality industries. This will lead to reduced capacity and choice, and poorer quality care for the people who rely on social care – resulting in a ripple effect across the wider health and care system that risks becoming a tsunami of unmet need across all sectors, with increasing numbers of people unable to access care”.
 - b) The Low Pay Commission, the statutory body responsible for making recommendations to the Government about the National Living Wage said in its

October 2021 formal letter to the Government setting out its recommendations for 2022/3² that “The Commission has noted on multiple occasions the need for additional support for the social care sector to enable it to fulfil its ambitions to pay workers a decent wage. This need has only become more urgent.”

- 4.3 The Government’s Spending Review published on 27 October confirmed that it remains their ambition to increase the rate of the National Living Wage to two thirds of median earnings by 2024, “provided economic conditions allow”. The 6.6% increase to the National Living Wage announced in the Spending Review was estimated by the Low Pay Commission when recommending that figure to be slightly below the increase required to progress along an even path towards this objective; a policy adopted because of uncertainties about the data and caution about a larger increase in current economic circumstances, but the Commission’s recommendations were based on the assumption that the 2024 target would remain in place.
- 4.4 It is also now the Government’s declared policy to move towards a high skill, high wage economy, with pressure on wage rates in other traditionally low-paid sectors seen as a positive sign of movement in that direction. The government’s plans for adult social care, as initially described in the *Building Back Better* document published in early September, emphasise an intention to invest in higher levels of training for care staff, as a means of addressing workforce issues; while higher pay is not explicitly mentioned, it is hard to see how investment in training without improved pay could be expected to make care work more attractive, except possibly as a transitional area of work for people expecting to move into other roles, for instance in the NHS, once they can demonstrate experience and qualifications; and it seems unlikely that that would be a sufficient basis for achieving a lasting increase in the number of people working in social care roles.

The “Real Living Wage”

- 4.5 A petition recently submitted to the Council urges it to fund a policy in which care workers pay rates would be based on the “Real Living Wage” rather than the statutory minimum.
- 4.6 The Real Living Wage is an hourly rate of pay arrived at on a different basis from the National Living Wage. The main basis for setting figures for the National Living Wage since its introduction in 2016 has been the objective of increasing it to a target proportion of median earnings. Initially the target was 60% of median earnings, and the Low Pay Commission projected that that target would be achieved by the rate which it set in 2020-21. The recommendations for subsequent years have been based on the new target of reaching two thirds of median earnings by 2024. The Real Living Wage figures are set on the basis of a comparison with the cost of achieving “an acceptable standard of living, as determined through research with members of the public”. Because earnings typically increase by more than prices, and because of the introduction of the National Living Wage, and then the increase in its target level, the two different “living wage” figures have been moving closer together.
- 4.7 The new rate of the Real Living Wage is announced each year at about the same time as the new rate of the National Living Wage, in November. The Foundation advises that “Employers should implement the rise as soon as possible and within 6

² Available at <https://www.gov.uk/government/publications/minimum-wage-rates-for-2022>

months”, so that all employees of an accredited Real Living Wage employer should be receiving the new rates by May of the following year. It is therefore possible, and probably common, for an employer to meet these requirements by introducing payments at the recommended level from the beginning of April in the year following the announcement, at the same time that the new rate of the National Living Wage is introduced. Confusingly, however, the Foundation’s website describes a new rate announced in November 2021 as the “2020/21” rate, whereas the National Living Wage rate which may be introduced at the same time is described as the “2021/2” rate.

- 4.8 On the reasonable basis that the two rates announced at about the same time are both in effect recommendations for pay in the following financial year, the proportion by which the real living wage is greater than the national living wage has fallen from 18.1% in 2013/14 to 6.6% in the current financial year, and will fall further to 4.2% in 2022/3. The “2021/2” rate of the real living wage, to be implemented by May 2022, is £9.90, while the National Living Wage rate from April 2022 will be £9.50.
- 4.9 The case for an increase in pay to match the Real Living Wage is in part an ethical one about fair treatment of a predominantly female workforce who provide an essential public service, and in part an urgent practical issue about how to ensure that the Council remains able to meet its core statutory duties towards older and disabled people.
- 4.10 On the assumption that the two “living wage” figures will converge by 2024, the estimated cost of care workers in commissioned services being paid at Real Living Wage rates up until the point when there is no longer a significant difference could be managed within the medium term financial plan through use of reserves, without an impact on the revenue savings requirements. Since neither the 2024 target nor future local government finances are wholly predictable, this proposal might have to be implemented in a manner which left open the possibility that the Council could reduce the minimum pay level which it funded if current assumptions significantly changed. But on any assumptions, an early improvement in the comparative financial attractiveness of care work is one of the most promising measures open to the Council to address the current workforce issues.

5. Options

- 5.1 The Council has a number of options:

- a) Take no immediate decision, in the hope that immediate workforce issues will turn out to be a short-term consequence of the disruption caused by Covid, and that the situation will rapidly become more normal, with a retention bonus paid from the Workforce Recruitment and Retention Fund reducing the immediate pressures in home care, the service area where intervention is most clearly urgent;
- b) Increase the fees paid to providers, particularly the fees paid for home care services as the sector most in difficulty, and leave it to providers to decide what combination of pay increases and other initiatives would best enable them to improve service availability;
- c) offer providers an uplift to the fees in their current contracts in return for a contractual commitment to paying their workers at least a minimum rate set at a higher level than the National Living Wage, whether set at the level of the Real Living Wage or at some other figure.

Option A: no immediate decision

- 5.2 The strongest argument for taking no immediate steps to bring about an increase in care workers' rates of pay is that it is at present particularly hard to assess whether the severe pressures being faced by care providers, and the increases in pay for other groups of historically low paid workers which are currently making recruitment and retention of care workers exceptionally difficult, are temporary consequences of the extraordinary circumstances of the pandemic, or whether they are the beginning of a "new normal".
- 5.3 The strongest argument *against* deferring decisions is that the current situation is unsafe. Older people are staying in hospital for longer than they need to, or are staying in care homes when they could go home if support was available; and in both cases they are likely to be becoming physically de-conditioned and less able to maintain their independence when they do go home. Those who choose to go home without formal support may be at risk of harm, and their families may be taking on unsustainable responsibilities.
- 5.4 While it would be desirable to allocate at least part of the Council's adult social care reserve to supporting long-term changes in the pattern of services, such as the development of "extra care" accommodation to reduce the need for residential care, it would be difficult to justify doing so at the expense of doing everything reasonably possible to meet immediate needs and the Council's adult social care statutory duties.

Option B: Increase fees without conditions

- 5.5 On this option, fees paid to some or all care providers would be increased above the current contractual level to an amount consistent with care worker wages being increased to a target level, and it could be made clear that this was the basis of the calculation. However no obligation to increase wages would be imposed on providers in return for the additional payments.
- 5.6 The argument in favour of this option is that there could be other, potentially more effective, ways in which additional funding could be used to improve the availability of services. For instance in the rural areas where it is hardest to recruit local care workers, it might possibly be more effective to introduce an arrangement in which staff living elsewhere are paid to travel to where care is needed, and paid while they remain in the locality between visits. Alternatively, in any area of the county guaranteed hours, bringing in a more predictable income, might be a more attractive proposition for some potential recruits to care work than higher hourly rates. Providers may be best placed to judge which of these approaches would work best in their specific circumstances.
- 5.7 There are two main arguments against this:
 - a) One is that there is limited evidence that increasing fees would necessarily lead to a general improvement in the terms and conditions of staff. The figures in the table following paragraph 2.2 seem to show that in care homes, at least, higher fees paid by local authorities elsewhere in the north-east seem to have made little difference to staff pay – and given the practical constraints on the working patterns of staff working shifts in a care home, it does not seem likely that there will have been substantial differences in other aspects of staff terms and conditions. Comparisons are more difficult for home care, because there are more possible ways in which additional funding can be used other than

increasing hourly rates.

- b) The other argument against this approach is that past experience suggests that the immediate result might be a period of turbulence, in which providers facing immediate concerns about recruitment and retention might initially increase wage rates, and as a result attract workers currently employed by other care providers to transfer to them. In the medium term, this might, at least in some parts of the county, result in a general wage increase and make care work more attractive in comparison with working in non-care sectors, but the immediate consequence for service users might be disruption and turnover in the staff supporting them. There might also initially be little incentive for providers to focus on attracting new workers from outside the existing care workforce.

Option C: offer a fee uplift directly linked to a higher minimum wage

- 5.8 On this option, all care providers, or all providers of specified types of service, would be offered additional funding specifically in return for signing a contract variation under which they would agree to pay all care workers at least a minimum hourly rate. It would be possible to add some further requirements about minimum staff terms and conditions, though it might be desirable to avoid being over-prescriptive, so as to allow providers to make their own judgements about how best to offer an attractive package which also enables them to provide a reliable and flexible service.
- 5.9 The minimum hourly rate could be either specifically the Real Living Wage or a figure set by the Council – this issue is discussed further in section 7 below.
- 5.10 One argument in favour of this option is that it would make it possible for there to be an orderly transition to higher wages. This would reduce the potential risk under option B of creating instability if the wages paid by different providers diverged, though it would remain possible that some providers would decline to accept the contract variation, for instance because providers operating in multiple local authority areas had concerns about paying differing rates in neighbouring local authority areas. It would encourage a focus on recruiting new workers from outside the care sector, rather than attracting workers already working in other care services, and might improve perceptions of working in the care sector generally.
- 5.11 This would also be the option that would go furthest to meet with what appears to be a widespread public view that it is unfair for care workers to be paid little more than the statutory minimum, at a time when the pandemic has made it particularly apparent how demanding their work can be.
- 5.12 The main argument against this option, when weighing it against option B, is that it would be significantly more complex to implement. The main complications are discussed below; officers' advice is that they are not sufficiently serious to rule this option out, though Members do need to be aware of them if minded to approve this option.

6. How Option C would work

- 6.1 The council's current usual practice is to increase fees in each year by applying the percentage uplift in the National Living Wage to an assumed proportion of the total cost of the service which is linked to pay – for instance this is 80% of the total fee for most non-residential services, and approximately two thirds of the total fee for care homes for older people (the precise proportion varies slightly depending on the needs of the service user and the quality of the service). In the case of the contract

with care homes for older people, which is the single biggest contract for care services, this approach is formally set out in the contract; in other cases, the contract does not prescribe a specific formula, but with some exceptions, for instance for the most specialist services, the approach taken in recent years has generally followed a formula based on a percentage split between the National Living Wage and general inflation.

- 6.2 The recommended approach if option C is adopted is to offer providers a contract variation which would add to their fees by increasing the uplift to the element of the fee which is usually pegged to the National Living Wage so that it also included the percentage difference between the National Living Wage and a higher local minimum wage rate, initially set at the level of the Real Living Wage. The variation would also require the provider to pay its care workers at least this higher minimum wage rate. The variation would be drafted in such a way that the Council would have the option when setting its budget in each financial year to reconsider whether it could still afford to set the local minimum rate at the level of the Real Living Wage.
- 6.3 The intention would be for this to remain an optional element of the contract, which providers were free to decline without contractual consequences other than not receiving the additional payments. There is room for legal doubt about whether it would be lawful for the Council to exclude any provider from a procurement, or terminate their contract, because they were not paying their workers a local minimum wage, and the proposed approach would avoid the risk of challenge on those grounds, as well as recognising that some providers operating across multiple local authorities might find it difficult to adopt a different pay structure in Northumberland.
- 6.4 Officers' recommendation is that a variation on these lines should if possible be offered to almost all care providers commissioned by the Council. Workforce issues currently appear to be greater in some services than others, with home care services facing the greatest challenge. However specialist services are now reporting increased difficulty, so the impact may have been felt sooner in home care services because even in more normal times those generally have higher staff turnover rates. If the Council funded increased wages in some kinds of care service and not in others, the result might be to transfer the workforce problems to a different part of the system.

7. Costs

- 7.1 For most care workers, the Real Living Wage in 2022/3 will be 4.2% higher than the National Living Wage. For reasons explained above, our assumption is that the two figures will continue to move closer together, and the reduction in the gap for next year is consistent with the two figures converging by 2024/5, though this cannot be guaranteed since the methods by which the two figures are calculated are fundamentally different.
- 7.2 Based on the rates set for 2022/3, our initial upper estimate of the net additional cost in that year of making the offer described above, if all providers accepted the offer, is £3.4m, after taking account of an estimated £300K of increased income from charges to service users who are assessed as able to pay the full cost of their service. There would also be an additional cost of £1.35m to Northumberland Clinical Commissioning Group, since the same terms would apply to the fees paid for NHS continuing healthcare services arranged by the Council. These figures are

likely to be higher than the actual cost would be, because we would not expect all care providers to accept the offer, for reasons discussed in Section 8 below.

- 7.3 The table below shows the impact on Adults Social Care inflation across the 4 years of the current MTFP if the proposal was accepted and implemented. It should be noted that the cost of bringing forward this pay inflation to 22/23 potentially reduces inflation pressure in future years, thus offsetting part of the cost over the cycle of the current MTFP.

	2022/23	2023/24	2024/25	2025/26	Total
	£m	£m	£m	£m	£m
Inflation currently in MTFP	6.8	6.6	6.1	6.4	26.0
Revised inflation based on RLW	10.2	6.6	5.3	5.6	27.7
Increase/(Decrease)	3.4	0	-0.8	-0.9	1.7

- 7.4 If the cost of making an offer based on the Real Living Wage was judged to be unaffordable, alternative options would include an offer based on an intermediate rate set locally in line with a judgement of affordability, or possibly differential offers to different care sectors, depending on the level of current workforce pressures in each sector. Indicative figures for the cost of an offer based on the Real Living Wage in different categories of service are shown in the table below.

Category of service	Net extra cost to the Council in 2022/3
Home care	£925K
Care homes	£1.6m
Independent supported living schemes	£525K
Care workers employed through direct payments	£200K
Other commissioned services	£125K

- 7.5 On the assumption that the rates of the two versions of the “living wage” will converge further, and that the difference between them will disappear by 2024/5 if the National Living Wage is then equivalent to two thirds of median earnings, the additional financial costs to the Council and the NHS in 2023/4 might be expected to be about half those in 2022/3, and there would be expected to be no additional cost in subsequent years. If these assumptions turned out to be incorrect, either because the Government used the “emergency brake” to defer the 2024 target in the light of economic circumstances, or because the assumptions underlying the Real Living Wage were revised in a way which meant that it remained significantly higher, the Council would be able to review the level of the minimum wage rate which it offered to fund.

7.6 Another option for the Council is to go beyond the Real Living Wage to make an even more significant statement to stimulate the care workforce at this point. The difficulty with this is that there is no guarantee that a certain level of increase in minimum pay would lead to a guaranteed increase in applications/employees within the sector. Another 0.5% increase in the wage rate to £10.40 would cost around £400k to give an idea of scale.

8. Some issues

8.1 There are a number of issues which will need to be considered further if option C is agreed.

- a) **Charges.** Because the Council's charging policy is based on service users paying the full cost of their services if they can afford to do so, some of the cost of an increased fees would be borne by service users. In practice this would primarily affect older people with savings above the capital limit (currently £23,250). In past consultations about charges, some service users have told us that they would not object to paying more if they were confident that the money was being used to increase care workers pay, though this may not be a universal view. There would be a particular complication if some providers declined to accept the contract variation, since under the council's current policy this would mean that users of their services would pay lower charges than others receiving the same level of care. It would be important at an early stage in implementation of a change to explore with providers how likely it is that this will be a significant issue.
- b) **Workers other than care workers.** In care homes and other building-based care services, some of the staff employed may have little no involvement in direct care – for instance they may work in cleaning, kitchen or administrative posts. Some care providers also have separate headquarters staff. Some services may also use agency staff. Decisions would need to be made, following discussions with providers, about which workers precisely the commitment should apply to.
- c) **Direct payment recipients.** Currently, the Council recommends to people who opt to receive a direct payment and employ personal assistants to provide their care an hourly rate of £9.78 – higher than both versions of the “living wage”. This rate reflects the special nature of the role, and is possible because the overall cost remains lower than the cost of commissioned homecare – this is because of the reduced overhead costs. Officers' initial view is that it would be desirable to maintain the differential between this rate and the minimum rate for other care workers, to minimise the risk of unintended disruption. Direct payment recipients are currently experiencing significant issues with recruitment of personal assistants, in much the same way as home care agencies.
- d) **Other special cases.** There are a variety of other special cases, in which either people's care plans include services other than personal care, or care is provided in a way which does not fall within the scope of National Living Wage/Minimum Wage legislation.

8.2 The recommendation is that decisions about these and other issues of detail should be delegated to officers, in consultation with the Cabinet member.

IMPLICATIONS ARISING OUT OF THE REPORT

Policy	The proposed arrangement would address serious concerns about the ability of current care services in Northumberland to meet needs. It would also have wider benefits for a low paid group of workers living in Northumberland.
Finance and value for money	Our current estimate is that option C would have a net cost of £3.4m in 2022/3, and around half of that sum in 2023/4, if all providers took up the offer – and our expectation is that some might not do so. The additional cost over the entire period of the MTFP is projected to be £1.7m compared to current assumptions. The cost to Northumberland clinical commissioning group is estimated on the same basis at £1.45m in 2022/3, and would again be expected to reduce by half in the following year, with no long-term additional cost. Since the costs would arise only for a two-year period, it would be possible to cover them from reserves rather than an addition to the recurrent budget, and the proposed mechanism would make it possible to adjust the local minimum wage rate if the assumptions underlying this calculation turned out to be incorrect.
Legal	The Council is not in general permitted to impose requirements about staff wage rates or terms and conditions as a condition for awarding a contract. However we believe that the proposed mechanism is lawful, because providers which declined the offer would not be denied contracts.
Procurement	The proposed mechanism would be separate from the procurement process for awarding contracts, though it would be included in new contracts as an optional clause not relevant to procurement decisions.
Human Resources	The proposal would have no implications for the Council's workforce, though care providers would have to consider a variety of HR issues before deciding whether to accept the offer of additional fees in return for a commitment to pay a higher minimum wage.
Property	No implications identified.

Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	{ We will consider the need for an EIA during discussions about this proposal }
Risk Assessment	The suggested mechanism would allow the Council to review the level of the minimum wage rate supported by enhanced fees in future budget rounds, if unexpected developments make it unaffordable to hold the rate at the level of the Real Living Wage.
Crime & Disorder	No implications identified.
Customer Considerations	The proposal would increase the charges payable by service users assessed as able to pay the full cost. There is some evidence that an increase directly linked to improved pay for care workers might be more acceptable to service users than increases seen as means of making savings in Council budgets.
Carbon reduction	No implications identified.
Health and wellbeing	A core objective of the proposal would be to address current difficulties in providing the care people need to maintain their health, safety and dignity.
Wards	All

BACKGROUND PAPERS

There are no background documents for this report within the meaning of the Local Government (Access to Information) Act 1985.

Report sign off.

Authors must ensure that officers and members have agreed the content of the report.

	Full name of officer
Monitoring Officer/Legal	Suki Binjal
Executive Director of Finance & S151 Officer	Jan Willis
Executive Director	Daljit Lally
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PETITIONS COMMITTEE DATE: 26TH JANUARY 2022

PETITION – COMMUNITY CAMPAIGN TO AMEND THE USE OF MILITARY ROAD B6318 JUNCTION OF A68 TO HEDDON ON THE WALL

Report of: Service Director - Local Services, Paul Jones

Cabinet Member: John Riddle

Purpose of report

To acknowledge receipt of the petition received by Democratic Services regarding a community campaign to amend the use of the B6318 Military Road from its junction with the A68 at Stagshaw Roundabout to Heddon-on-the-Wall.

Recommendations

It is recommended that the Petitions Committee note the content of this report, acknowledge receipt of the petition and support the proposed actions.

Link to Corporate Plan

How - “We want to be efficient, open and work for everyone”

Enjoying - “We want you to love where you live”

Connecting - “We want you to have access to the things you need”

Key Issues

1. A petition has been received following a community campaign to improve road safety and restrict HGV usage on the B6318 Military Road from its junction with the A68 at Stagshaw Roundabout to Heddon-on-the-Wall.
2. The petition states:- “We are calling on the community and visitors from the A68 Stagshaw Roundabout to Heddon on the Wall to support our request to improve road safety on the B6318.”
3. The petition requests that reduced speed limits are introduced along with improved signage, distinctive road markings, restricted overtaking and for HGV and quarry wagons to be restricted to access only.
4. The petition was signed by a total of 179 signatories.

Background

The Petition

The County Council has received a petition relating to road safety concerns on the B6318 Military Road on the section between the A68 at Stagshaw Roundabout and Heddon-on-the-Wall. The lead petitioner's cover note states that:-

"Over the past few years, I have been involved in highlighting the issues of the Military road (B6318) between Heddon on the Wall and the Stagshaw Roundabout with A68. Speaking to other members of the community they have also raised concerns over the past 20 years but no action has been taken.

We therefore enclose a petition signed by every home along the fore-mentioned road, concerned motorists, equestrians, pedestrians and tourists walking Hadrian's wall. Without exception every citizen has raised three concerns: -

1. Safety of the road within villages and hamlets
2. Vehicles driving at excess speeds
3. Volume of HGV use along a B-road saving 1 minute on a journey vs. the advised signposted and safer route of the A68/A69

The attached petition is proof of the serious and unified nature of the request and we plead our elected leaders and business leaders to take action based on the will of the entire community.

1. Improved road safety
2. Speed camera's to be installed
3. Change the road to "HGV access only" unless an emergency

Based on the changes requested together we will improve the health of those living along the road, save citizens' lives and enforce the already advised HGV route

Petition results

Written petition = 117

Online petition = 62, Northumberland County Council – Petitions (Community campaign to amend the use of Military Road B6318)

Total petition results = 179".

The written petition itself asked people to identify whether they supported "Access Only to HGV Traffic on Military Road B6318 Yes / No" and "Improved Road Safety Yes / No" together with leaving their comments. See Appendix 1

Further information was provided from the Lead Petitioner setting out concerns at the various lengths along the route and suggested changes. This can be seen at Appendix 2

Accident Data

The Petition stated that there had been “an estimated 16 serious accidents over the last 2-3 years between the roundabout A68/B6318 and Heddon on the Wall”.

The length of the B6318 from the A68 Heddon on the Wall is 15km or 9.3 miles. According to accident data supplied from the North East Regional Road Safety Resource from Police records of injury accidents, there were 17 injury accidents in the period 2019 to 2021, of which 8 involved serious injury. There were 27 total casualties in this period, of which 10 were serious and 17 slight according to Police records (note the higher figure recorded for ‘casualties’ is due to the potential for a single accident to result in injuries being sustained to more than one person, for example if two vehicles are involved both of which have passengers that sustain injuries).

For the 5 year period 2017 to 2021, there were 27 injury accidents of which 12 involved serious injuries (including 1 fatal accident in 2018). There were 41 total casualties in this 5 year period, of which 1 was fatal, 13 were serious and 27 slight according to Police records.

Police records only identify injury accidents and data is not available for any damage only incidents.

Current Situation with Areas of Concern Identified in Petition

Harlow Hill

We are already aware of speeding concerns raised by residents at Harlow Hill. This has been a site identified for Police mobile camera enforcement as a speed concern site for a number of years. The existing 40mph speed limit is regularly enforced by one of Northumbria Police’s mobile camera vans. A scheme to improve signs and road markings was also implemented at Harlow Hill in 2018/19. It appears that traffic is in general conforming with the 40mph limit, though it is acknowledged that the petition is requesting a 30mph limit.

Colleagues in the Road Safety Unit at the police have informed the County Council that each time they receive a complaint for Harlow Hill they increase visits temporarily. However, they have also confirmed that they detect very few offences there and don’t recall an HGV being detected speeding through the village above the limit. They suggest that it is probably more a perception of HGV speed and associated noise at that location.

Halton Shields

Speeding concerns have already been raised by residents living in Halton Shields, a speed survey is planned however this issue has also been passed onto the Road Safety Unit of Northumbria Police. The police in partnership with all Local Authorities in the force area have recently developed a new enforcement strategy, known as Operation Modero which will assist the police with dealing with this type of issue. Halton Shields is already included in the Operation Modero database, and the location will be considered for further investigation and any appropriate action which may be deemed necessary.

It should be noted that the police don’t currently have any designated enforcement sites on any National Speed Limit section of the Military Road in this area.

Robin Hood Inn, Two Hoots Junction and Approach to Heddon on the Wall

Following the receipt of this petition, speed surveys will be arranged at the Robin Hood Inn, at Two Hoots Junction and within the 40mph section on the approach to Heddon-on-the-Wall to assess actual speed of traffic. Speeding concerns have never been previously raised at the Two Hoots Junction, and it is some years since a survey was completed in the vicinity of the Robin Hood Inn.

General speeding

With regards to the requests for reduced speed limits, the County Council currently has no plans for such works on this length of road. The aforementioned speed surveys will provide information on actual vehicle speeds to assess whether there is a speeding problem which needs to be addressed further. Any change in speed limits need to comply with DfT Circular 01/2013 Setting Local Speed Limits, and in particular length and number of frontages in villages.

Comments about average speed cameras are noted. To date we don't have any of these on the County's road network, although we are currently looking into their feasibility and whether a pilot scheme could be taken forward in the future at an appropriate location somewhere in the County. However, average speed cameras would generally need a consistent speed limit on the road over a considerable distance.

For information, based on previous speed surveys which have been undertaken across the County when issues relating to excessive HGV speeds have been raised, we have found that HGVs are complying with speed limits and that perceptions of HGV speeding have not been confirmed by data. HGVs should only be travelling at a maximum speed of 50mph on this route even when they are travelling on a derestricted speed limit. Obviously, when travelling through locations where a lower speed limit is in force, such as Harlow Hill, this speed limit should be adhered to.

While we sympathize with the concerns raised in the petition, it would not be possible to implement double white lines to prevent overtaking as visibility is adequate. Double white lines are already in place where it has been considered unsafe to carry out such manoeuvres.

HGV Traffic from Quarries

From a Planning perspective, the quarries in the area have planning conditions controlling vehicle movements. These will generally cover the approved access point onto the public highway from the sites that vehicles are required to use, the number of vehicle movements into and out of the site in a given period of time (normally a maximum daily number and an average over a given period of time), and the times of the day that the vehicles are allowed to enter and exit the site.

In some circumstances the planning conditions will control the direction vehicles are permitted to turn when leaving the site (e.g. All vehicles shall turn right upon exiting the site) but that is as far as they go in terms of controlling vehicle routeing. We cannot use planning conditions to control vehicle routeing outside of the site as the conditions can only apply to the red line boundary of the site. In some circumstances, and where a particular issue is identified, a legal agreement may be used to control vehicle routeing beyond the

site boundary but such a legal agreement can only be used where it is needed to make the site acceptable in planning terms. In addition, an operator could have a voluntary agreement to cover vehicle routeing but this would not necessarily be controlled by the planning permission for the quarry.

In relation to this petition, there are two quarries that are likely to be the principal contributors to the movements of heavy goods vehicles along this section of the Military Road. These are Barrasford Quarry and Swinburne Quarry, which are located over 8 miles north of Corbridge and are accessed directly from the A68. Vehicles could also be associated with Keepershield Quarry (located to the north of Humshaugh and accessed from the B6320) and Divethill Quarry (located west of Great Bavington and accessed from the B6342 between the A68 and A696). Each of these quarries have planning conditions as described above and do not have anything to control movements elsewhere on the highway network.

When the Council receive a planning application for a quarry, matters relating to vehicle movements and highways matters are considered and assessed in consultation with NCC in its role as the highway authority. National Highways would be consulted where relevant. The main matters that are considered include whether the proposal includes a safe and suitable access to the public highway, the suitability of the roads for heavy good vehicles and network capacity. It may be difficult to address issues elsewhere on the highway network where these are not directly related to the development and where it can be demonstrated safe and suitable access to the core road network. For example, vehicles from Barrasford have access to the A68 which can be used to get to the A69 and the strategic road network. Also all vehicle movements from the site do not necessarily go in this direction. When looking at proposals for minerals extraction, it must be noted that minerals can only be extracted where they occur which limits where these developments can be located.

The policy in the Northumberland Minerals Local Plan (Policy EP18) would be used to assess the effects of such proposals on the road network and the effects on local communities. This policy will be replaced by policies in the emerging Local Plan if it is found sound following the examination. The most relevant policies are Policy MIN 1 (Environmental criteria for assessing minerals proposals) and Policy TRA 2 (The effects of development on the transport network). The most applicable parts of these policies are provided below:

Policy TRA 2:

- 1. All developments affecting the transport network will be required to:*
 - a. Provide effective and safe access and egress to the existing transport network;*
 - b. Include appropriate measures to avoid, mitigate and manage any significant impacts on highway capacity, congestion or on highway safety including any contribution to cumulative impacts;*
 - c. Minimise conflict between different modes of transport, including measures for network, traffic and parking management where necessary;*

- d. Facilitate the safe use of the network, including suitable crossing points, footways and dedicated provision for cyclists and equestrian users where necessary;*
- e. Suitably accommodate the delivery of goods and supplies, access for maintenance and refuse collection where necessary; and*
- f. Minimise any adverse impact on communities and the environment, including noise and air quality.*

Policy MIN 1:

1. Proposals for mineral extraction will be supported where the applicant can demonstrate that any adverse effects on local communities and the environment are acceptable.

2. In considering applications, appropriate weight will be given to potential effects on:

... g. The capacity and suitability of the transport network, including numbers of movements, site access arrangements, and impacts on non-motorised users – The transport of minerals using rail and water is encouraged and where road transport is proposed applicants will be required to demonstrate that transport by rail or water is not practicable or feasible;

From a Highways perspective, the B6318 is identified as a part of the Resilient Road Network that maintain economic activity and will be prioritised to be kept open in times of severe weather. As such it is expected that this route would be able to take HGV traffic, and as noted in the petition the B6318 is a diversionary route should there be issues with the A69. Given this it would not seem appropriate to restrict HGV use on the B6318 to “for access only”. If such a restriction were to be considered, this would need to be in the form of a 7.5t weight restriction along its length. Given the difficulties of HGV vehicles being able to turn around on other roads which join the B6318, this would also mean having to impose weight restrictions on these adjoining roads such as the B6321, C342, B6309 etc. And this would have an impact on the wider network. Any restriction to allow HGV use for access only would be a traffic movement offence which would require enforcement by the police and would be very difficult to enforce.

Therefore, whilst having sympathy with the view that where possible through HGV traffic should use the A68 and A69 rather than the B6318, it is felt more appropriate to try to achieve this through voluntary means and advisory signage. Further consideration could be given to strengthening existing advisory HGV signage and further dialogue could be held with main haulage users in the area.

Proposed actions

In light of the numerous concerns raised it is proposed the following actions would be taken.

A) Further speed surveys will be undertaken at the locations highlighted to identify traffic speeds.

B) Further investigation will be carried out regarding the causes of the injury accidents along this route over the last five years to better understand and evaluate any potential patterns in contributory factors.

C) Consideration will be given to any potential signage and road marking improvements which may assist in alleviating the road safety concerns raised depending on the outcome of the investigations outlined in A) and B) above.

D) Consideration will also be given to strengthening existing advisory signage for HGVs to try to further encourage use of the A68 / A69 for through HGV traffic. Further dialogue will be held with main haulage users in the area to encourage use of the A68 / A69 route.

Implications

Policy	The response to the issues raised in this petition is consistent with LTP Policies.
Finance and value for money	Any improved signage / road markings to be considered for funding through the Rural Roads Safety Improvements allocation in the 2022/23 Local Transport Plan.
Legal	None
Procurement	None
Human Resources	None
Property	None
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	None
Risk Assessment	n/a
Crime & Disorder	Driving at excessive speeds and also non-compliance with weight restrictions are both offences which are only enforceable by the police.

Customer Consideration	Petition identifies excessive speeds and HGV traffic affecting quality of life of residents along this route
Carbon reduction	n/a
Wards	Ponteland West, Ponteland South with Heddon, Corbridge, Bywell

Background papers:

Written Petition – Appendix 1

Additional Information from Lead Petitioner – Petition Template – Appendix 2

Report sign off

Chief Executive	Daljit Lally
Finance Officer	N/A
Monitoring Officer/Legal	N/A
Human Resources	N/A
Procurement	N/A
I.T.	N/A
Director	Rob Murfin
Portfolio Holder(s)	John Riddle

Author and Contact Details

Neil Snowdon – Principal Programme Officer (Highways Programme Team)

Community campaign to amend the use of Military Road B6318,

Junction of A68/B6318 to Heddon on the Wall

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Petition summary and background	<p>We are calling on the community and visitors from the A68 Stagshaw Roundabout to Heddon on the Wall to support our request to improve road safety on the B6318. We are asking for reduced speed limits, improved signage, distinctive road markings, restricted overtaking and for HGV and quarry wagons to be restricted to access only.</p> <p>We have raised concerns with our local councillor, MP, Northumbria Police, Highways Improvement Team, Planning department and Area Transport manager at Tarmac in relation to safety concerns for all vehicles and HGV's driving at night and driving dangerously.</p> <p>HGV Usage</p> <p>Due to the volume of Quarry HGV's driving the Military Road B6318 especially at night and as stipulated within the planning permission requirements for quarry usage within "Northumberland's mineral local plan 2020"</p> <p>3.41 should not transport material along minor roads which would cause unacceptable disturbance to local communities and the environment</p> <p>3.42 If these effects would have direct impacts on local communities and could not be ameliorated to an acceptable degree through planning conditions then the minerals operation should not be permitted.</p> <p>Safety concerns</p> <p>Due to an estimated 16 serious accidents over the last 2-3years between the roundabout A68/B6318 and Heddon on the Wall and increased residents now living along the military road B6318 we are petitioning to introduce new speed limits as shown in Figure1.</p>
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to Amend the use of the Military Road

Total physically signed 117. All signatures request improved road safety and HGV's to be limited to access only.

Appendix to Petition 26/9/21 – Changes to Military road B6318

Figure 1 – Requested Changes to speed Limits



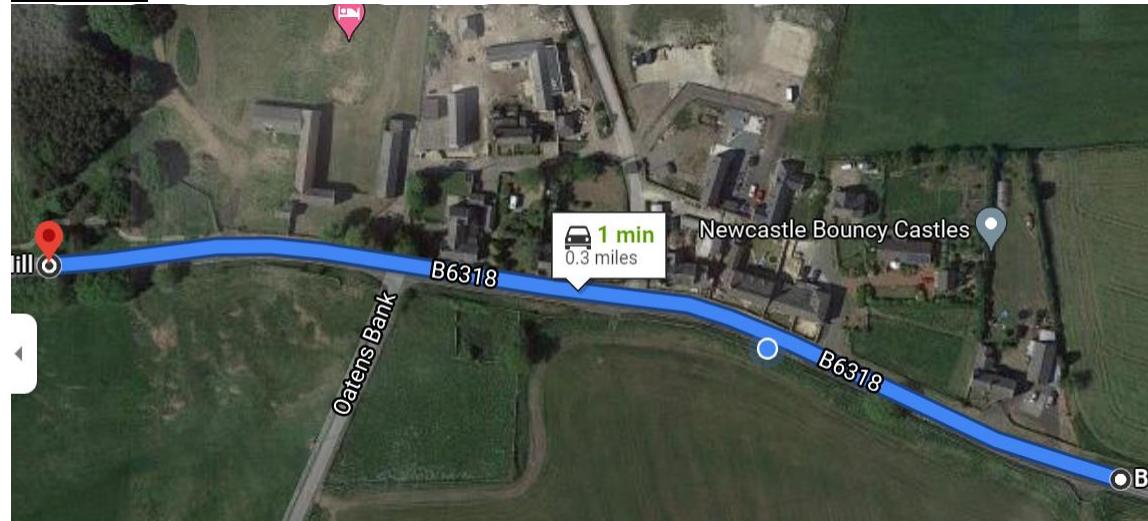
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Figure 2 - Police Hot Spot Map for Accidents [Microsoft Power BI](#)



Harlow Hill Site Plan – Post Code NE15 0QD

Figure 3

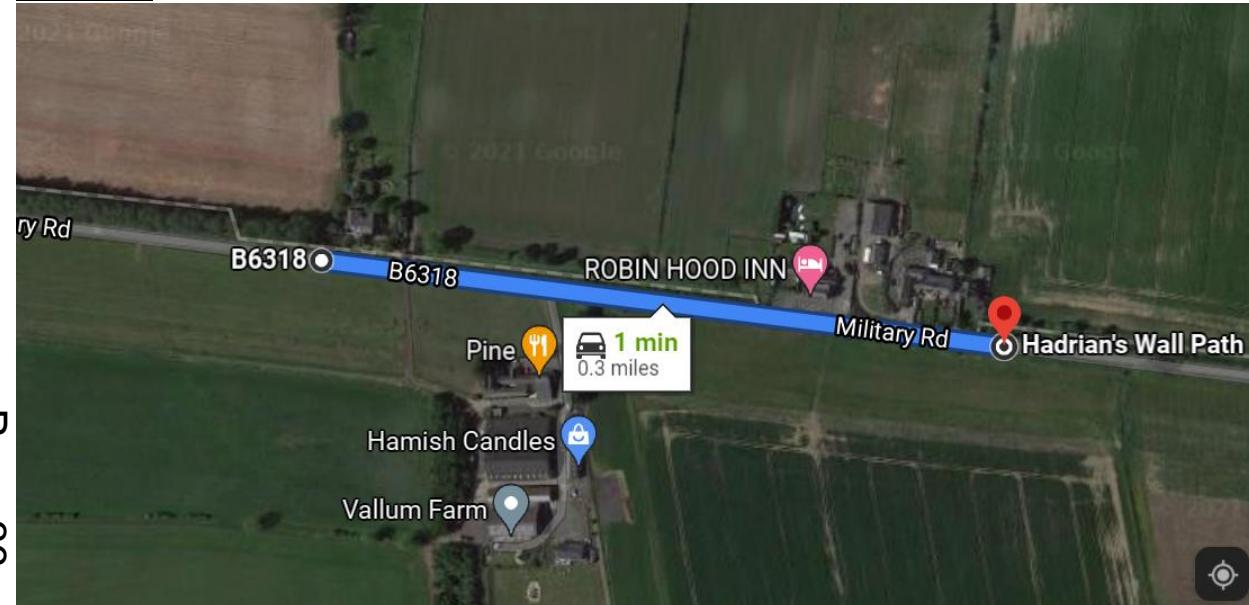


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Location	Harlow Hill
Residences	23
Number of Access Points to B6318	5
Distance of Reduced Speed Section	800m
Mixed Use	Vehicles, Cyclist, Horse Riders, (Walkers 10,000/Year <1m from Road)
DB Recorded at residence building	85 DB
Recorded accidents	June 21, Nov 21 - Serious Accidents
Other info	Blind access to Oatens bank and South Barn. Footpath less than 0.5m wide in places, Business access to stables, Storage facility to many business's and Harlow Hill holiday rentals, Village recently expanded to over 20 residents
Changes Needed	Reduction from 40mph to 30mph

Military Rd, East Wallhouses, Newcastle upon Tyne NE18 0LL – Vallum & Robin Hood Inn

Figure 4



Location	East Wall Houses
Residences	7
Number of Access Points to B6318	8
Distance of Reduced Speed Section	600m
Mixed Use	Vehicles, Cyclist, Horse Riders, (Walkers 10,000/Year <1m from Road)
Recorded accidents	See Police Dashboard - Fatality 2019
Other info	Robin Hood Inn, Vallum Farm, Pine, Cork Blimey, On Point Nutrition, Hamish Candles, Vallum Gym
Changes Needed	Reduction from 60mph to 40mph

Halton Shields, Military Road Corbridge NE45 5PZ

Figure 5



Location	Halton Shields
Residences	11
Number of Access Points to B6318	6
Distance of Reduced Speed Section	400m
Mixed Use	Vehicles, Cyclist, Horse Riders, (Walkers 10,000/Year <1m from Road)
Recorded accidents	See Police Dashboard
Other info	Hadrian's Wall Cross point
Changes Needed	Reduction from 60mph to 40mph

Two Hoots Heddon-on-the-Wall, Newcastle upon Tyne NE15 0JB

Figure 6

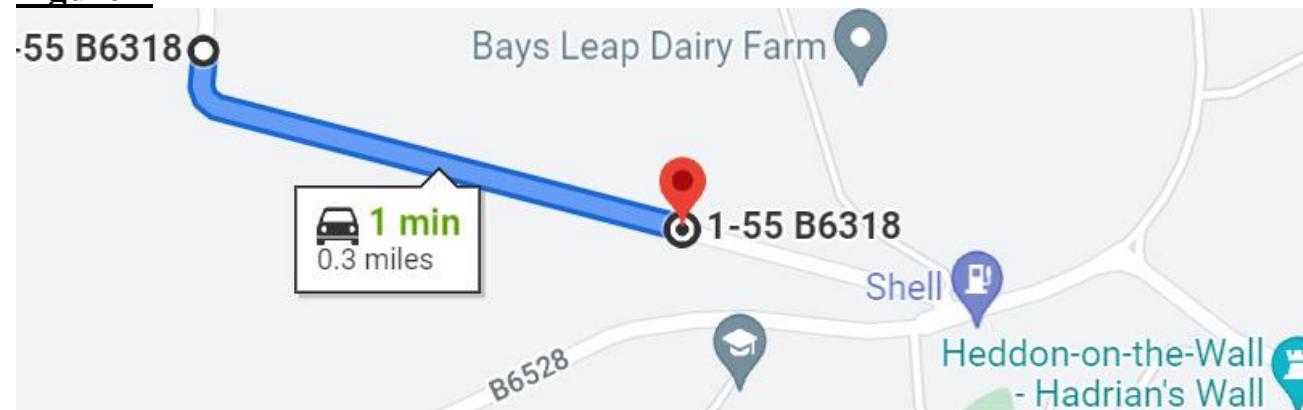


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Location	Two Hoots Junction
Residences	3
Number of Access Points to B6318	2
Distance of Reduced Speed Section	800m
Mixed Use	Vehicles, Cyclist, Horse Riders, (Walkers 10,000/Year <1m from Road)
DB Recorded at residence building	85 DB (Calibration Reference)
Recorded accidents	See Police Dashboard - June 21, Nov 21 - Serious Accidents. Notorious accident hot spot along the military road
Other info	Entry into Military road used as cut through from A69, Limited visibility due to bends and traffic travelling at high speed
Changes Needed	Reduction from 60mph to 40mph

Heddon-on-the-Wall, Newcastle upon Tyne NE15 0JB

Figure 7



Location	Heddon on the Wall
Residences Effected	21
Number of Access Points to B6318	24
Distance of Reduced Speed Section	400m
Mixed Use	Vehicles, Cyclist, Horse Riders, (Walkers 10,000/Year <1m from Road)
Recorded accidents	See Police Dashboard
Other info	Part of village in 30mph zone, part of village in 40mph zone
Changes Needed	Reduction from 40mph to 30mph

Impact on speed limit changes

Based on reduced speed changes requested along B6318 journey times would be increased by less than 1 minute.

Figure 8

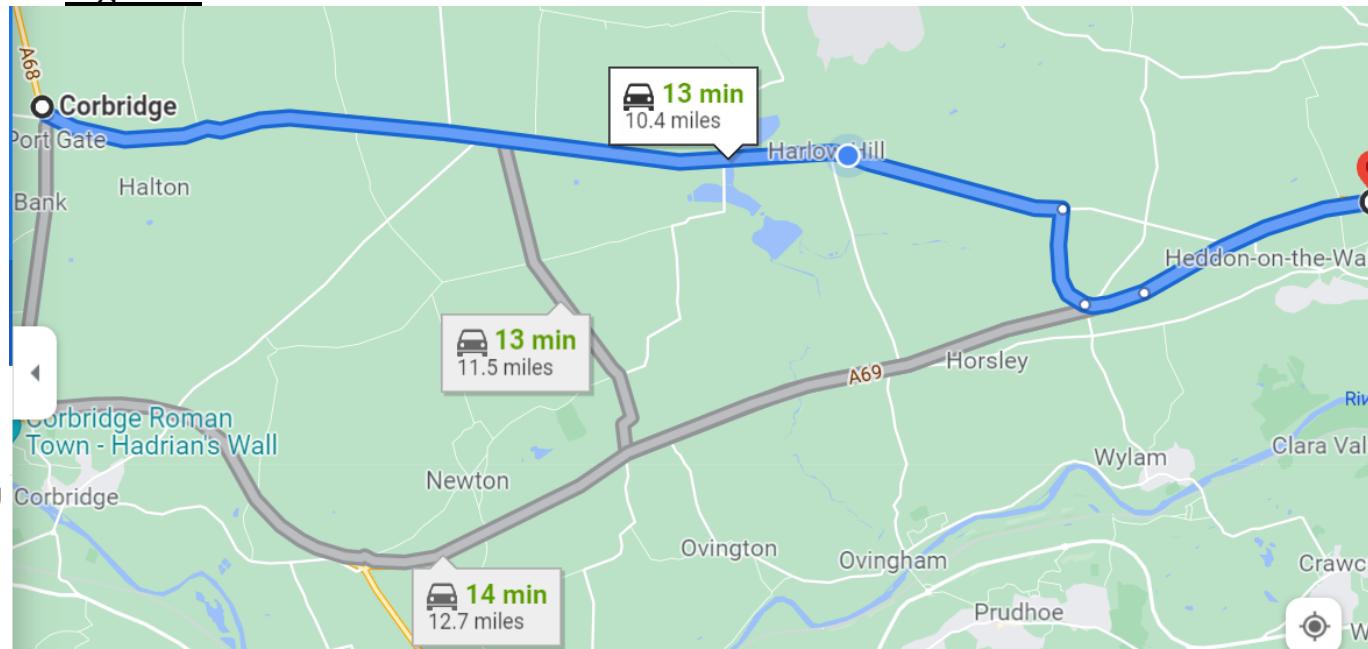
Impact Journey Times	Length (km)	Length (m)	Current Speed	New Speed	Journey Time increase (min)
Harlow Hill	0.6	0.38	40	30	0.06
East Wall Houses	0.6	0.38	60	40	0.12
Halton Shields	0.4	0.25	60	40	0.08
Two Hoots	0.8	0.50	60	40	0.17
Heddon	0.4	0.25	40	30	0.08
					0.52

HGV's
As a community we understand the strategical importance of the road to act as a diversion route for A69 closures however the current route is being used instead of the A68/A69 which by design is more suitable to HGV traffic. The impact on residents along the military road from a quarry planning prospective has not been taken into account and with up to 300 loads per day (i.e. 600 truck trips using the road a day from quarry permitted prospective traffic alone) it is causing unnecessary stress to our community and removing our legitimate right to enjoy the place we live. In addition to this HGV's sound levels especially at evenings are above the recommended safe limit stipulated by HSE (reference end of appendix) not to mention the safety concerns of HGV's taking longer to stop vrs cars through village locations and the immediate danger to the communities children (ie Bus stops located along the road) and normal use. As a community we are requesting the road use is changed to "HGV access only" to ensure business's along the road can be supported but HGV's using the road as a shortcut are halted. If the A69 closes and diversions are set up any signage showing HGV access only can be "hooded" during the process to allow traffic to flow smoothly.

HGV Alternative Routes –

Military Road B6318 (B-road) being used as a short cut for Traffic between A68 & A69

Figure 9



Quote

"I have stopped our vehicles from using the military road to Barrasford quarry and seen improved fuel consumption via the A68/A69 route, in addition we have seen no increased times for deliveries"

Correspondence address: David Blakelock - North East Concrete, High Street, Newburn, Newcastle Upon Tyne, England, NE15 8LN

As a director of North East concrete who's vehicles had used the military road previously you can see there is no negative impact from a commercial prospective and only increased efficiency, cost saving and positive environmental impact from using the already advised route of the A68/A69.

HGV Use B6318 - Advisory Boards A68 South Bound at Portgate Roundabout

Figure 10

Advisory signs currently being ignored at the roundabout of A68 south bound and military road.



Speed Camera's

As a community we are not trying to address the marginal issues in regards to speed but the racing culture which has become a very real issue along the road. Based on the length of the road we would suggest the most cost effective solution is to apply average speed camera at the two most used entry and exists of the road. Portgate round-a-bout and Two hoots junction of military road. By addressing the speed issue we will have a permanent deterrent for speeding motorists.

Figure 11

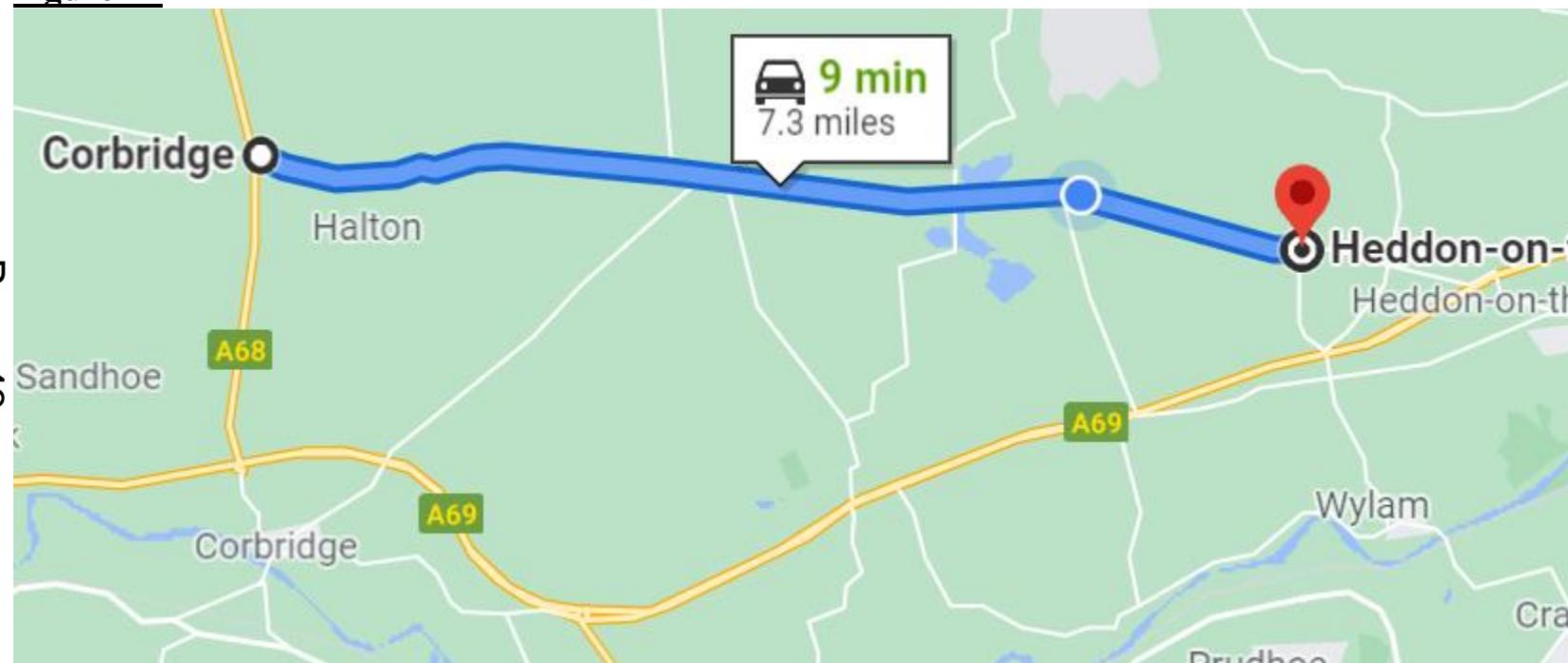


Figure 12 – Extracts from Setting Speed Limits (See References below)

SECTION 3: THE UNDERLYING PRINCIPLES OF LOCAL SPEED LIMITS

Key points

The Highways Agency is responsible for determining speed limits on the trunk road network. Local traffic authorities are responsible for determining speed limits on the local road network.

It is important that traffic authorities and police forces work closely together in determining, or considering, any changes to speed limits.

The full range of speed management measures should always be considered before a new speed limit is introduced.

The underlying aim should be to achieve a 'safe' distribution of speeds. The **key factors that should be taken into account in any decisions** on local speed limits are:

- **history of collisions**, including frequency, severity, types and causes;
- **road geometry and engineering** (e.g. bends, junctions, barriers);
- presence of **vulnerable road users**;
- **road function**;
- **existing traffic speeds**; and
- **road environment**, including level of road-side development and possible impacts on residents (e.g. severance, noise, or air quality).

Figure 13 – Extracts from Setting Speed Limits (See References below)

SECTION 7: RURAL SPEED MANAGEMENT

Key points

The national speed limit on the rural road network is 60 mph on single carriageway roads and 70 mph on dual carriageways.

Rural dual carriageways with segregated junctions and facilities for vulnerable road users would generally be suitable for 70 mph limits. However, a lower limit may be appropriate if, for example, a collision history indicates that this cannot be achieved safely.

In 2010, 68% of road deaths in Britain occurred on rural roads, and 49% of road deaths occurred on single rural carriageway roads subject to the National Speed Limit of 60 mph limit.

The speed limit on single carriageway rural roads should take into account the history of collisions, the road's function, existing mean traffic speed, use by vulnerable road users, the road's geometry and engineering, and the road environment including level of road-side development.

It is government policy that a 30 mph speed limit should be the norm in villages. It may also be appropriate to consider 20 mph zones and limits in built-up village streets.

It is recommended that the minimum length of a village speed limit should be 600 metres. However, traffic authorities may lower this to 400 metres, and in exceptional circumstances to 300 metres.

Figure 14 – Extracts from Setting Speed Limits (See References below)

Table 2 Speed limits for single carriageway roads⁶ with a predominant traffic flow function

Speed limit (mph)	Where limit should apply:
60	Recommended for most high quality strategic A and B roads with few bends, junctions or accesses.
50	Should be considered for lower quality A and B roads that may have a relatively high number of bends, junctions or accesses. Can also be considered where mean speeds are below 50 mph, so lower limit does not interfere with traffic flow.
40	Should be considered where there are many bends, junctions or accesses, substantial development, a strong environmental or landscape reason, or where there are considerable numbers of vulnerable road

Figure 15– Extracts from Setting Speed Limits (See References below)

7.3 VILLAGES

119. Fear of traffic can affect people's quality of life in villages and it is self-evident that villages should have comparable speed limits to similar roads in urban areas. It is therefore government policy that a 30 mph speed limit should be the norm in villages.

120. Traffic Advisory Leaflet 01/04 (DfT, 2004) sets out policy on achieving lower speed limits in villages, including a broad definition of what constitutes a village. For the purpose of applying a village speed limit of 30 mph, a definition of a village can be based on the following simple criteria relating to frontage development and distance:

- 20 or more houses (on one or both sides of the road); and
- a minimum length of 600 metres.

121. If there are just fewer than 20 houses, traffic authorities should make extra allowance for any other key buildings, such as a church, shop or school.

Figure 16 – Accidents highlighted within the stretch of road

<https://www.chroniclelive.co.uk> › ... › Northumberland ::

Motorcyclist fighting for life in hospital after collision with van

28 Aug 2021 — Police are investigating the collision on the B6318 **Military Road** near ... following a serious **crash** involving a van in Northumberland.

<https://www.chroniclelive.co.uk> › ... › Northumberland ::

Driver taken to hospital with serious injuries after two-vehicle ...

19 Jun 2021 — The incident happened on the B6318 **Military Road** at around 6.50pm on ... with serious injuries after two-vehicle **crash** in Northumberland.

<https://www.hexham-courant.co.uk> › news › 17999845... ::

Police appeal after cyclist in near-miss accident on Military Road

29 Oct 2019 — POLICE are appealing for witnesses after a cyclist was knocked off his bike on the **Military Road**, near Albermarle Barracks.

<https://www.northumberlandgazette.co.uk> › ... › Crime ::

Police appeal for help after reports of dangerous driving on ...

6 Aug 2020 — Shortly before 3pm on July 26, officers stopped a vehicle that had allegedly been driving dangerously on the B6318 **Military Road** between the ...

<https://www.facebook.com> › northumbriapolice › photos ::

Northumbria Police - Military Road now closed east from ...

10 Jul 2018 — **Military Road** now closed east from Stagshaw roundabout due to **accident**. **Traffic** being diverted to the A69.

References

[Setting local speed limits \(publishing.service.gov.uk\)](#)

[Northumberland County Council - Northumberland Local Plan - Draft Plan for Regulation 18 Consultation - 11. Managing Natural Resources \(objective.co.uk\)](#)

Police - North East England Road User Casualty Dashboard 2016-26/9/21

[Daily noise exposure ready-reckoner \(hse.gov.uk\)](#)

Google maps.



COMMITTEE: PETITIONS COMMITTEE

DATE: 26th January 2022

PETITION AGAINST INAPPROPRIATE DEVELOPMENT IN BEADNELL

Report of Rob Murfin, Interim Executive Director of Planning and Local Services
Cabinet Member: Cllr Colin Horncastle

Purpose of report

To acknowledge the issues raised in the petition received from residents of Beadnell in respect of inappropriate development and to agree the Council's response.

Recommendations

The Petitions Committee is recommended to note:

- The issues raised in the petition
- the explanation of the role of planning and how planning decisions are made
- the inherently controversial nature of planning
- the matters the Planning Service will be refining including the new Validation List and following the adoption of the new Local Plan, including a new Northumberland Design Guide.

Link to Corporate Plan

The issues raised in the petition and the Council's response to the petition are indirectly relevant to priorities included in the Northumberland County Council Corporate Plan 2020-2021 as follows:

- 'how' - The Council faces tough decisions that will not be universally popular. These are not taken lightly and the council pledges to listen and consider views
- 'enjoying' - the Council wants to protect and improve quality places, but also make sure that the places where people live, work and play continue to evolve and grow whilst retaining and deepening their appeal.

Key issues

The residents of Beadnell have submitted a petition raising a series of concerns pertaining to planning decisions for residential extensions, and demolitions and rebuilds. The petition has been signed by 198 residents, which is cited as representing over two thirds of the resident population.

In summary, the residents consider a number of planning applications have been permitted in the village, which represent ill-judged and inappropriate developments. They are considered to have had a negative impact on the lives, privacy enjoyment of residents, and a detrimental effect on the character of the village.

The Council takes the matters raised very seriously. This report outlines how decisions are currently made and why, and where relevant identifies some matters which we will look to pursue to improve and refine the planning decision-making process.

Background

1. Beadnell is a village on the north Northumberland Coast. It is within the Northumberland Coast AONB (Area of Outstanding Natural Beauty), best known for its sweeping sandy beaches, rolling dunes, rocky headlands and isolated islands, and host to numerous nationally and internationally important designated sites.
2. An important local issue within the AONB is the proliferation of second and holiday homes. In Beadnell Parish, this is recognised to be a particular issue, with data suggesting in excess of 50% of homes have no usual residents.
3. Recognising this issue, the North Northumberland Coast Neighbourhood Plan, which includes the Beadnell Parish, restricts the use of new market housing to ensure that each new dwelling is occupied only as a principal residence.
4. The petition refers to specific planning applications which the signatories consider to represent examples of 'ill-judged' planning approvals. To quote the petition, these are as follows:
 - *21/00685/FUL 4 The Haven – privacy, overlooking and amenity issues caused by large rear dormer window. The AONB and Parish Council objected and despite being in the Conservation Area the Conservation Officer was not consulted.*
 - *19/04822/FUL 28 Harbour Road – overlooking, overshadowing, overbearing causing loss of amenity, privacy, light to all the neighbours. Objected to by the AONB and Parish Council.*
 - *19/04801/VARYCO Street Lights on Access Road to Kilns Estate – damage dark sky quality, residents' amenity, negative impact on wildlife. Such excessive lighting inappropriate for a village and unnecessary. Objected to by AONB and Parish Council.*
 - *17/01269/FUL 7 Longstone Close – subdivision of residential garden against NPPF, harmful to character of the area, negative impact on neighbouring amenity, very minimal private garden space. Not supported by AONB or Parish Council.*
5. In preparing this report these cases have been reviewed in respect of the issues raised in the petition. This has been valuable in reflecting and considering any lessons to be learned. However, this report does not seek to go over the details of each individual case. The Planning Officers reports relating to each of the above scheme's account for the considerations which informed the planning decisions. Details of which are publicly available via the Council's public access website. Instead, this report focusses on the actions the petitioners request that the Council address. The following takes each of the suggested action points in turn and sets out the Council's response.
6. **The Petition requests that when there is a demolition/rebuild or extension being considered the neighbours Human Rights should be foremost and be protected as they bought their houses as seen.**

7. The Council acknowledges that planning decisions can impact on 'Human Rights' and particularly in reference to the 'right to private and family life'. This is often covered and discussed in Planning Officers reports.
8. As reflected in such reports, the right to private and family life are an integral part of planning decisions. However, they may have to be balanced with competing interests and rights of individuals. They are to be respected but cannot be guaranteed and have to be weighed up against all other material considerations. The Planning System cannot be used to "freeze" a community at the point in time when one or more residents purchase a property "as seen". Communities should not be viewed as a fixed backdrop to a property purchase, as the needs of communities and individuals change and evolve over time. The role of the planning system is to prevent change which becomes harmful.
- 9. The petition acknowledges that people have a reasonable right to develop their properties, but new builds and extensions should be designed to have minimal negative impact on surrounding homes in the area**
10. As reflected in the North Northumberland Coast Neighbourhood Plan, it is apparent that the community recognises the need to promote sustainable development in a positive way.
11. The Council agrees that design of new build development and extensions is key to ensure developments integrate effectively into their surroundings and minimise negative impacts on surrounding homes and residential amenity.
12. Helpfully, the government has recently made changes to national planning policy to put greater emphasis on design. Creating high quality buildings and places is fundamental to what the planning and development process should achieve. In support of this agenda, a new National Design Guide and National Model Design Code have been published. These can be used to guide planning decisions.
13. The Council wishes to embrace this renewed emphasis on design and is keen to produce a Northumberland Design Guide, and potentially more local level design guides in the future. In acknowledgment of the matters raised in the petition, the Council will look to see how best to address the key issues experienced by Beadnell in respect of residential / household developments. This may well involve specific advice to address achieving good design in the likes of household extensions, small infill development and other similar forms of development. To this end, the Council has recently engaged in national training on producing design guides, so it has access to learning, resources and sharing best practice approaches between local authorities across the Country.
- 14. The petition states that Council must ensure that a balance is maintained but not for the benefit of one to the detriment of many.**
15. Planning for the good of 'society' or communities rather than individuals at the very core of the planning system. The Council delivers a planning service which achieves such a balance. Nevertheless, it must be acknowledged that there will always be planning policies or developments which have adverse impacts. Planning is about balancing up many different considerations, harms and benefits in the pursuit of 'sustainable development'. Planning is acknowledged to be consistently and inherently controversial and the Planning service is committed to balancing the competing material planning considerations and detailing those considerations within the officer reports. I cannot be the case that because a neighbour does not like what is proposed by another neighbour that there can be or perceived to be a "right of veto".

16. More credence given to objections made specially those of the AONB and Parish Council.

17. Planning law prescribes circumstances where local planning authorities are required to consult specified bodies prior to a decision being made on an application. In addition to the statutory consultees, local planning authorities need to consider whether there are planning policy reasons to engage other consultees who, whilst not designated in law, are likely to have an interest in a proposed development. Now that the neighbourhood plan is formally 'made', it becomes part of the statutory development plan. Consequently, decisions on whether or not to grant planning permission in the North Northumberland Coastal Area neighbourhood area will need to be made in accordance with the plan, unless material considerations indicate otherwise.

18. In all the applications cited within the petition the officer within their report has considered the comments from consultees and statutory consultees and has made their decision taking account of the AONB comments and the consultation response from the Parish Council

19. The AONB Management Plan and the Neighbourhood Plan should take greater priority in planning decisions than they do at the moment

20. The North Northumberland Coast Neighbourhood Plan is part of the statutory development plan and in line with national policy it takes precedence over existing non-strategic policies in a local plan covering the neighbourhood area, (where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently).

21. The Northumberland Coast AONB Management Plan formulates the Council's policy for the management of the AONB and for the carrying out of the Council's functions in relation to it. The Council has a wide range of functions that could or do affect the AONB; including as the local planning authority in the determination of planning applications.

22. Both the Neighbourhood Plan and AONB Management Plan are afforded **significant** and relevant weight in the determination of planning applications the details and weight given to the Plans are discussed in the officer report.

23. The Council should ensure that planning officers include all relevant consultees, such as the AONB, Conservation Officer, Public Health, Flooding, Environmental Health in the decision-making process.

24. After a local planning authority has received a planning application, it will undertake a period of consultation where views on the proposed development can be expressed. The formal consultation period will normally last for 21 days, and the local planning authority will identify and consult a number of different groups.

25. There is a semi-automated system in place whereby upon validation of planning applications they are consulted with relevant departments including conservation, the AONB partnership, public protection, highways, and others, and in many instances external consultees also. The system ensures that any consultation can be directed appropriately, and unnecessary consultation avoided. There is however additional back up arrangements for case officers to flag up applications to consultees if they feel they are relevant, depending on the specifics of an application.

26. There can be instances where consultees do not respond to a consultation. However, these are rare exceptions. Nevertheless, the Planning Service continually works to improve systems and processes and this matter will be raised with relevant teams to consider any potential improvements or fixes. The new Validation Checklist should assure greater constituency in which consultees are consulted on specific types of applications or circumstances.
- 27. Where a planning application becomes controversial in the village a more senior experienced officer should take the lead and not delegate to a junior or student**
28. Planning Applications are assigned to planning officers who become the 'case officer' for any given application. There are staff at various different levels within the department, including more junior staff, but nonetheless qualified officers. For quality assurance purposes, case officer reports are always checked and signed off by a senior officer. Those senior officers and team managers have a good overview of developments in a settlement and in the wider area.
- 29. Planning Guidance is not black and white but shades of 'grey' so is subject to interpretation by individual planning officers who are not taking into account the effects of their decisions are having on residents and the aesthetics of the village**
30. Planning Guidance could well be described as 'shades of grey'. The courts are endlessly debating the specifics of individual cases and how to interpret and apply policy and legislation. However, there are some very clear parameters within which planning decisions must be made. Foremost, planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
31. The Council has been working to develop a new statutory development plan, the Northumberland Local Plan. Together with proposed guidance on design it is hoped the Plan will provide a clear, up to date and comprehensive framework against which consistent and robust decisions can be made.
- 32. The Planning Department should have a list of documents they require when a planning application is submitted. These should show plans shows the relationship between existing houses as the new build, such as roof heights, boundaries etc.**
33. The Planning Department has what is called a 'validation check list' which is as the petition suggests, a list of information requirements to be submitted alongside a planning application. It includes the Validation Checklist is currently under review and has been out for consultation following a recent updating exercise. It is expected that the revised Validation Checklist will be published on the Council's website early 2022. The revised checklist will provide greater certainty regarding information an applicant is expected to provide when they submit their planning applications and will provide greater certainty and reassurance to the public and other stakeholders.
- 34. The Planning Department should consider planning applications as more than 'tick boxes' exercises as there are people who have to live with their decisions.**

35.The determination of planning applications in Northumberland is not viewed as a tick box exercise. The Planning Officer report demonstrates the level of detail which is considered by the Planning Officer in making their decision.

Implications

Policy	Planning decisions are made in the context of national and local level planning policies. The report discusses the North Northumberland Coast Neighbourhood Plan and a new emerging Northumberland Local Plan, against which future planning decisions are expected to be made. It also refers to proposed future planning guidance on design.
Finance and value for money	There are no finance and value for money considerations.
Legal	The determination of planning applications is governed by planning and associated legislation including the Town and Country Planning Act 1990
Procurement	There are no direct procurement considerations.
Human Resources	None significant
Property	
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	An Equalities Impact Assessment is not considered necessary given the proposals included in this report
Risk Assessment	N/A
Crime & Disorder	N/A
Customer Consideration	The response set out in this report has been prepared in response to customer concerns. It seeks to respond to the matters raised and where appropriate seek improvements.

Carbon reduction	Climate change is inherently part of the planning system however, the specific matters raised in the petition do not directly influence carbon reduction.
Health and Wellbeing	N/A
Wards	Beadnell

Background papers

Planning Applications ref: 21/00685/FUL 19/04822/FUL 19/04801/VARYCO 17/01269/FUL

Report sign off

Authors must ensure that officers and members have agreed the content of the report:

	Full Name of Officer
Monitoring Officer/Legal	S Binjal
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