



Northumberland

County Council

Your ref:

Our ref:

Enquiries to: Nichola Turnbull

Email: nichola.turnbull@northumberland.gov.uk

Tel direct: 01670 622617

Date: 17 October 2022

Dear Sir or Madam,

Your attendance is requested at a meeting of the **PETITIONS COMMITTEE** to be held in **CONFERENCE ROOM 2 - COUNTY HALL** on **THURSDAY, 27 OCTOBER 2022** at **2.00 PM**.

Yours faithfully

Rick O'Farrell
Interim Chief Executive

To Petitions Committee members as follows:-

R Dodd (Chair), B Flux (Vice-Chair), C Ball, L Bowman, T Cessford, J Reid, A Scott, M Swinburn and C Taylor



Rick O'Farrell, Interim Chief Executive
County Hall, Morpeth, Northumberland, NE61 2EF
T: 0345 600 6400
www.northumberland.gov.uk



AGENDA

PART I

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

1. MEMBERSHIP AND TERMS OF REFERENCE

9 members (4:3:1 Ind Gp, 1 LD)

Quorum – 3

Chair: R. Dodd

Vice Chair: B. Flux

Conservative	Labour	Independent Group	Liberal Democrat	Green Party	In Non-Grouped
R. Dodd	C. Ball	C. Taylor	J. Reid		
T. Cessford	L. Bowman				
B. Flux	A. Scott				
M. Swinburn					

Terms of Reference

To consider those petitions of a corporate or county wide nature which do not fall within the remit of the local area councils, planning and other regulatory committees (petitions about planning or licensing applications may not be considered), and to make appropriate recommendations to full Council, the Cabinet, or other committees, or on matters delegated to officers depending upon the subject matter. The Committee can also consider petitions about local issues in exceptional circumstances when agreed by the Chair.

The relevant Cabinet member and division member(s) are invited to attend as non-voting members.

2. APOLOGIES FOR ABSENCE

3. MINUTES

(Pages 1
- 10)

Minutes of the meeting of the Petitions Committee, held on 26 January 2022, as circulated, to be confirmed as a true record and signed by the Chair.

4. DISCLOSURE OF MEMBERS' INTERESTS

Unless already entered in the Council's Register of Members' interests, members are required where a matter arises at a meeting;

- a. Which **directly relates to** Disclosable Pecuniary Interest ('DPI') as

set out in Appendix B, Table 1 of the Code of Conduct, to disclose the interest, not participate in any discussion or vote and not to remain in room. Where members have a DPI or if the matter concerns an executive function and is being considered by a Cabinet Member with a DPI they must notify the Monitoring Officer and arrange for somebody else to deal with the matter.

- b. Which **directly relates to** the financial interest or well being of a Other Registrable Interest as set out in Appendix B, Table 2 of the Code of Conduct to disclose the interest and only speak on the matter if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain the room.
- c. Which **directly relates to** their financial interest or well-being (and is not DPI) or the financial well being of a relative or close associate, to declare the interest and members may only speak on the matter if members of the public are also allowed to speak. Otherwise, the member must not take part in discussion or vote on the matter and must leave the room.
- d. Which **affects** the financial well-being of the member, a relative or close associate or a body included under the Other Registrable Interests column in Table 2, to disclose the interest and apply the test set out at paragraph 9 of Appendix B before deciding whether they may remain in the meeting.
- e. Where Members have or a Cabinet Member has an Other Registerable Interest or Non Registerable Interest in a matter being considered in exercise of their executive function, they must notify the Monitoring Officer and arrange for somebody else to deal with it.

NB Any member needing clarification must contact monitoringofficer@northumberland.gov.uk. Members are referred to the Code of Conduct which contains the matters above in full. Please refer to the guidance on disclosures at the rear of this agenda letter.

REPORT OF THE INTERIM EXECUTIVE DIRECTOR OF PLANNING AND LOCAL SERVICES

5. PETITION AGAINST ON-GOING PLANNING ISSUES OF PEDESTRIAN SAFETY AND ACCESS TO LOCAL SERVICES AT ARCOT MANOR/THE FAIRWAYS, CRAMLINGTON (Pages 11 - 16)

To acknowledge the petition received from residents of Arcot Manor/The Fairways in respect of on-going planning issues and to agree the Council's response.

6. NEXT MEETING

The next meeting will take place on Thursday, 26 January 2023 at 2.00 p.m.

7. 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:		Date of meeting:	
Meeting:			
Item to which your interest relates:			
Nature of Interest i.e. either disclosable pecuniary interest (as defined by Table 1 of Appendix B to the Code of Conduct, Other Registerable Interest or Non-Registerable Interest (as defined by Appendix B to Code of Conduct) (please give details):			
Are you intending to withdraw from the meeting?		Yes - <input type="checkbox"/>	No - <input type="checkbox"/>

Registering Interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in **Table 1**) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8. Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a relative or close associate; or
- c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well- being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. ‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the councillor’s knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body

	<p>where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <ul style="list-style-type: none"> i. the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or ii. if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
--	--

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - i. exercising functions of a public nature
 - ii. any body directed to charitable purposes or
 - iii. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

This page is intentionally left blank

NORTHUMBERLAND COUNTY COUNCIL

PETITIONS COMMITTEE

At a meeting of the **Petitions Committee** held on Wednesday, 26 January 2022 at 2.00 p.m.

PRESENT

Councillor R. Dodd
(Chair, in the Chair)

MEMBERS

Ball, C.
Cessford, T.
Flux, B.

Gallacher, B.
Reid, J.
Wallace, A.

CABINET MEMBERS

Horncastle, C
Pattison, W.
Riddle, J.

Community Services
Adults' Wellbeing
Local Services

OFFICERS IN ATTENDANCE

N. Bradley
D. Laux
R. Murfin

N. Snowdon

N. Turnbull

Service Director – Adult Care
Head of Technical Services
Interim Executive Director of
Planning and Local Services
Principal Programme Officer
(Highways Improvement)
Democratic Services Officer

Councillor Jones was also in attendance.

6. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Flux and Wearmouth.

7. MINUTES

RESOLVED that the minutes of the meeting of the Petitions Committee held on Thursday, 28 October 2021, as circulated, be confirmed as a true record and signed by the Chair.

Ch.'s Initials.....

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

8.1 Petition from Hexham Living Wage Group

The Petitions Committee were requested to acknowledge the petition received from Hexham Living wage Group which asked that the Council increase their subsidy for care services so that care workers could be paid a Real Living Wage. (A copy of the report is enclosed with the signed minutes).

Pat Devlin, the lead petitioner, addressed the Committee and made the following comments:

- Hexham Living Wage Group had focused on the Real Living wage after the weekly clap for NHS and care staff and experiences shared by a member of the group regarding care workers potentially dangerous hours worked to make ends meet.
- They welcomed the Cabinet report and proposals to offer an increased subsidy to care providers conditional on payment of the Real Living Wage as a minimum remuneration.
- They recognised the national problem of retention and recruitment of care staff and that Northumberland was leading the way in its response, which:
 - Recognised the value of care work through increased remuneration for all over 18 years old base on cost of living calculations, particularly vital in the coming year.
 - Registering the evidence of accredited real Living Wage employers which demonstrated that payment of the Real Living Wage led to improved retention of staff, increased motivation and performance levels and reduction absences due to sickness.
- The Council should ensure that its procurement policy reflect a preference that contractors pay as a minimum the Real Living Wage, even it not made essential criteria.
- The petition demonstrated public support, and many were incredulous that care workers were not already paid more than the Real Living Wage. Collection of signatures during the pandemic had been difficult and the 822 signatures had been collected during brief time slots in 5 towns and villages. If circumstances had allowed a wider approach, the level of support would have been overwhelming.
- They had demonstrated their ability to be a channel of communication with members of the public, care workers and care providers and sought an ongoing role in the proposed review of the process.

Neil Bradley, Service Director – Adult Care, confirmed that officers and the lead members for Adult Social Care had been considering the issue when the petition had been received as they had been experiencing problems with retention and recruitment, particularly in home care. They were pleased that Cabinet had supported the proposals which he confirmed needed to be ratified by Full Council in February as part of the agreement of the Council's budget.

He also commented that:

- Despite the comments within the petition in relation to NCC fee levels being lower than other local authorities, officers had not seen strong evidence that higher fees in other areas had led to higher wages, which was why option C had been recommended in the report to Cabinet.
- The petition had specifically referred to carers pay rates, and the affordability of applying the increase to a wider range of employees within care services was being reviewed as part of the implementation.
- Officers would be happy to consult and engage with Hexham Living Wage group in any future review.

Councillor Wendy Pattison, Portfolio Holder for Adult Care, acknowledged the work of care staff and supported the payment of the Real Living Wage to employees in that sector.

Members of the Petitions Committee commented that:

- The petitioner was thanked for bringing the issue to the Council's attention. Officers were also thanked for the work that had been undertaken.
- Care workers provided an essential service, and members were extremely pleased with the Cabinet decision, particularly for their dedication during the pandemic.
- It had been particularly useful to see a range of options and scenarios as it gave an insight into alternatives, and it would be useful to see this in other committee reports.
- Organisations operated as private business and could not be compelled by the Council to pay the Real Living Wage, however they would not attract the higher fee. Some of the companies operated nationally and regionally, and as not all local authorities were adopting the same practice as Northumberland, it could be difficult for them to operate different pay rates between care homes in adjacent areas. There would also be difficulties in charging different fee rates for similar quality of care at different homes if one accepted the premium and was paying the Real Living Wage and another didn't.
- The Council needed to use its influence in procurement processes to ensure that were paid fairly in order to retain good quality staff.
- The care service was a competitive industry and looked at the cheapest rates.
- The premium was to be paid to care providers who agreed to pay the real Living wage across Northumberland and all care services.

RESOLVED that the Petitions Committee noted that the objectives of the petition were consistent with recommendations made by the cabinet which were to be included in the proposed budget for 2022/23 to be considered by the Council at its budget meeting in February 2022.

9. REPORT OF THE SERVICE DIRECTOR - LOCAL SERVICES

9.1 Petition - Community Campaign to Amend the Use of Military Road B6318 Junction of A68 to Heddon on the Wall

The Petitions Committee were requested 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. (A copy of the report is enclosed with the signed minutes).

Andrew Clayton, the lead petitioner, addressed the Committee and highlighted two main concerns:

- Their primary concern was the safety of the community, the different road users and visitors who supported many businesses along the wall.
- In 2019 approximately £1 billion had been generated by Northumberland tourism and many businesses were thriving due to this in tough economic times. 7,000 visitors had made the pilgrimage along Hadrian's Wall with 30,000 having completed the central section along the Military Road. The number of visitors was expected to double to during the Hadrian's wall festival in 2022.
- Tourists who had supported the petition had made comments about not repeating the walk due to the trucks and comparing it to a racetrack.
- Traffic should be encouraged to use the alternative route which would only take one minute longer. Use of A routes would promote visitors and enable communities to live happier, healthier lifestyles.
- They were grateful that road surveys were being organised at Two Hoots/Robin Hood/Heddon road surveys, particularly as 2 Harlow Hill residents incurred life threatening injuries in June 2021. That accident was not shown in the accident summary within the report, and they therefore had concerns regarding the accuracy of the accident data shared.
- They referred to video footage of HGV's crossing double white lines at Harlow Hill and an email from the Council which referred to area being dangerous. He suggested that as the village now had more than 20 residences, the road should have a 30mph limit in accordance with a Department of Transport circular.
- Residents were awaiting the results of the road survey carried out at Halton Shields in December 2021. They were concerned that the figures would not be a true reflection of use over the year given the freezing conditions.
- The second issue they wished to highlight was HGV use of the road which saved 1 minute compared to using the safer A68 and A69 roads. That route was more fuel efficient and less disturbing to local communities.
- He queried whether Members understood the volume of HGV traffic using the B road and made reference to the planning permission at Barrasford Quarry for 300 trucks per day, 290 days of the year which equated to 174,000 HGV trips to and from the quarry. It operated 24 hours per day and equaled one HGV every 2.4 minutes.

- It was difficult for residents to sleep with HGVs driving less than 3 metres away and noise levels above the maximum limits advised by the Health and Safety Executive.
- They appreciated the intention to educate hauliers, however this had already been attempted.
- Councillor Sanderson had raised the issue in 2019/20.
- Despite Tarmac agreeing not to use the road at night on 11.08.2021, it had continued to be used.
- PC Wilkinson had visited Barrasford Quarry on the 11.10.2021 to educate the hauliers. Video evidence demonstrated that this had been ignored and Tarmac had confirmed trucks had sped through Harlow Hill on 14.10.2021, only a few days after the Police visit. Further video evidence had been provided which showed multiple examples of dangerous driving in a 30-minute period one evening.
- Quarry traffic was 90% of the HGV problem and he requested that action be taken to save lives and communities who had helped reinvigorate rural villages and encourage visitors to return to the county.

Neil Snowdon, Principal Programme Officer (Highways Improvement), confirmed that:

- Accident data in the previous 5 years had been analysed. Police were aware of concerns in those areas and enforcement activity was regularly carried out at Harlow Hill. Halton Shields was included within their Operation Modero database.
- The speed survey at Halton Shields would need to be repeated in the near future as the equipment had been damaged and the information was incomplete.
- Once the speed surveys were completed, investigatory work would be carried out at the specified junctions to see where signage and road markings could be potentially improved after also considering the cause factors at the person injury accidents.
- It was acknowledged that there may have been more accidents which had not involved injuries to individuals and had therefore not been recorded.
- Quarries needed to adhere to planning conditions and further communication would be carried out by colleagues to remind them of requirements.
- Classified speed surveys would be able to provide data on the types of vehicles using the routes and speed of HGV traffic.

Councillor Jones, the local member for the Ponteland West ward which covered the majority of the area and expressed her support for the petition. She commented that there had been a number of new houses built, small developments and barn conversions at Harlow Hill and Halton Shields in recent years and the impact of the road may not have been considered by planning. More families were now living along the road. Work by the Council in the past had included reduced speed limits at Harlow Hill, additional signage, road markings and traffic calming measures as well as working with the police, Historic England on the possibility of interactive speed indicators and more planned at Halton Shields. The latter needed to be consulted due to

the proximity of Hadrian's Wall. Whilst there were not many residences in the vicinity of Matfen Piers, it was also a busy junction and safety measures should be considered. Due to the size of lorries, it was frightening when they passed close to pedestrians who did not feel safe. It was a major road and measures to protect residents needed to be considered.

Councillor John Riddle, Portfolio Holder for Local Services agreed that safety was of paramount importance. He commented that the Military Road was part of the strategic road network and a diversionary route if there were an incident on the A69. He agreed that it was timely to look at the speed limit at Harlow Hill as there were more residential properties at that location. He had already requested that signage at the Matfen Piers junction be reviewed. He added that he could see both sides of the argument regarding preferred routes as he was the former holder of an HGV licence there were advantages of not driving roads with steep inclines with a heavily laden wagon. He would therefore not support the proposal that the road only be used for access for HGV vehicles.

Members of the Petitions Committee commented that:

- Several commented on their familiarity with the Military Road and the junctions identified and expressed surprise that the Matfen junction had not been included.
- There used to be more quarries in the area; including Mootlaw which had been one of the largest in Europe and was currently mothballed.
- Planning permission for quarries was granted with operational conditions, such as routing agreements, which would be reviewed and checked to see if they needed to be clarified with operators.
- The speed survey at Halton Shields be rearranged quickly.
- Speed monitoring cameras were effective in slowing traffic down and raising awareness.
- Several of the members expressed sympathy as they experienced similar problems in their own wards.
- It took one minute longer to go via the A68 and A69.
- There was speculation whether there a bonus or target for HGV drivers to achieving a certain number of journeys per shift.
- It would appear to be the perception of speed, rather than actual speed, which appeared to be the issue.
- HGVs contained tachographs which monitored speed which the police or traffic commissioner would be able to review. Information submitted by the lead petitioner had led to a review of some incidents by the company who had confirmed that the individual responsible had exceeded the speed limit and no longer worked for them.
- Regular discussions were held between planning colleagues and quarry operators and the speed of HGVs would be brought to their attention.
- Following the speeds surveys and investigation, it was suggested that a report be considered by scrutiny. This would be considered by the Chairmen's Group.

RESOLVED that the Petitions Committee note the contents of the report, acknowledge receipt of the petition and supported the following proposed actions:

- a) Further speed surveys be undertaken at the locations highlighted to identify traffic speeds.
- b) Further investigation 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 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 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 be held with main haulage users in the area to encourage use of the A68 / A69 route.

10. REPORT OF THE INTERIM EXECUTIVE DIRECTOR OF PLANNING AND LOCAL SERVICES

10.1 Petition Against Inappropriate Development in Beadnell

The Petitions Committee were requested 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. (A copy of the report is enclosed with the signed minutes).

Joan Brown, the lead petitioner, addressed the Committee and commented:

- Beadnell was a close-knit community of 300 permanent residents.
- The petition had been started in response to residents' concerns regarding planning approvals which were having a detrimental effect on people's lives and the character of the village.
- They welcomed comments in the report that the matters raised would be taken seriously to identify where improvements could be made in the planning decision making process.
- The Council needed to commit to the production of a Northumberland Design Guide and set a target date for its production.
- They did not think that in practice planning decisions in Beadnell followed the method outlined in the report. Specifically, that policies in Neighbourhood Plans should be afforded significant and relevant weight in the determination of planning applications and discussed within the officers report. The planning report for 4 The Haven made no reference to the Neighbourhood Plan. It was wrong that it should be given no consideration as Neighbourhood Plans were statutory documents and part of planning law. The Conservation Officer had also not been consulted despite the development being in a Conservation Area.

- In the examples identified within the petition, AONB and Parish Council input had been ignored. The purpose of consultation was queried if it carried no weight.
- Not enough emphasis was placed on local knowledge. If weight was not given to the comments of the Parish Council and the AONB, the planning officers should be assigned specific geographic areas so they could become familiar with them, their history and development pressures.
- They requested that:
 - The Neighbourhood Plan be included in all planning decisions for Beadnell.
 - The appropriate consultees are always consulted.
 - More weight be given to comments from the AONB and Parish Council who had local knowledge.
 - A target date be set for the production and implementation of the Northumberland Design Guide.
- Residents be given an opportunity to bring their comments about the report to the attention of the Interim Executive Director of Planning and Local Services and arrangements be made to do this.

Rob Murfin, Interim Executive Director of Planning and Local Services, responded by setting out a few guiding principles for the determination of planning applications.

- The planning system had to balance individual rights, against community, public and third-party rights.
- There was sometimes a presumption by residents that applications were approved as fait accompli despite comments. It should be recognised that as a binary decision making system, applicants also often complained that too much emphasis was placed on parish council, neighbour and consultee comments.
- He would be happy to meet residents to discuss individual cases.
- Views of residents or parish councils were never ignored; however, officers might not agree with them.
- Communities changed over time. There needed to be an assessment of demonstrable harm to character, location, privacy or amenity. This included the wider harm and benefit of climate change and affordable housing and broader view of harm versus benefit.
- Significant weight was attached to the views of the AONB, parish councils and Neighbourhood Plans. Appeals had been won on the basis of Neighbourhood Plan policies where applications had been refused and appealed.
- The Local Plan or Neighbourhood Plan did not give an automatic series of refusals or approvals. The weight to be given to policies and whether they were relevant in a particular case had to be assessed. Neighbourhood Plans deserved to be given their full statutory weight, but other material issues also had to be considered.
- Relevant statutory consultees including Public Protection, the Environment Agency and the Local Lead Flood Authority could not be compelled to make comments, however, where they did, significant weight was placed

on them. If they had an objection on a fundamental principle which was material, it would go to committee for a decision.

- The authority was dealing with almost 6,000 planning applications each year. To manage workloads, consultees would be consulted where their views were needed and case officers had been empowered to deal with more applications which may previously have been referred to the Conservation Team in a Conservation Area. It was confirmed that they would be consulted where there was a significant development or if it affected a listed building.
- A 2-stage process was adopted to ensure all recommendations of a junior officer were reviewed by a senior officer.
- Planning guidance was not black and white and required that the harm and balance of an application be assessed. The planning process looked for improvements in schemes and increasing design standards with consultation carried out several times, if required. These were driven by consultee views, officer experience and responses made by parish council or neighbour comments.
- A new validation list of information required when a planning application was submitted had recently been approved by Cabinet and would be updated again when the Local Plan was adopted and would focus more heavily on design issues.
- RM regularly attended Town and Parish Council meetings and NALC training sessions and confirmed that he would be happy to meet with the residents.
- The National Design Code would give local planning authorities more leverage to secure better quality design in all forms of development. It would be beneficial for communities to also develop their own design guides in order that it be set out how design be improved and used when making a decision to refuse an application. Discussions had been held with central government and neighbouring authorities how this could best be implemented. A timescale would be published for the creation of a Northumberland Design Guide, and other supplementary guidance on tourism, health and climate change, when the Northumberland Local Plan was formally adopted.
- The planning profession had been seeking more powers to seek better quality design. The message within the Planning for Beauty Agenda published in 2021 would provide powers to local authorities to refuse applications where design did not meet the standards that were required, based on an objective position within a design guide.
- Planning decisions could not be made on the basis of non-material considerations, however establishing what was meant by character would be incorporated with a design guide.

Councillor Colin Horncastle, Portfolio Holder for Community Services, commented on the complexity of the planning decision process which was not an exact science of views and policies. The new Northumberland Local Plan will include a design guide to assist all parties. Decisions were made by professional officers or committee following consultation with the AONB and parish councils which may have their own priorities. Committee members were trained and had many years of experience. In his role, he had no

knowledge of procedures which were not carried out properly and had full confidence in the council's planning system, officers and planning committees and endorsed the recommendations.

Members of the Petitions Committee commented that:

- A Neighbourhood Plan should not be created to prevent development but provide guidance on what was desired.
- There were 155 councils in the Northumberland Association of Parish Councils which had benefitted from an excellent training programme provided by the Interim Executive Director of Planning and Local Services which enabled Parish and Town Councillors to have a better understanding of issues.
- Beadnell was a victim of its reputation as a desirable place to live in Northumberland. The local representative for Beadnell had been vocal in the issues that the area faced. It was inevitable that not all parties would be pleased with a planning decision.
- There was a responsibility to ensure that the characteristics of these towns and villages were protected and perhaps a review of planning rules to ensure that local residents were not priced out of the market by second home ownership.
- Other locations, such as the village of Medburn, were experiencing similar problems .
- Officers were working behind the scenes on the problem of second homes and lack of affordable homes in coastal and other rural locations.

Members of the Committee noted that the Interim Executive Director of Planning and Local Services had confirmed that he would meet with the residents of Beadnell.

RESOLVED that the Petitions Committee noted:

- a) The issues raised in the petition.
- b) The explanation of the role of planning and how planning decisions were made.
- c) The inherently controversial nature of planning.
- d) 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.

11. **DATE OF NEXT MEETING**

The next meeting would be held on Thursday 28 April 2022 at 2.00 p.m.

CHAIR _____

DATE _____



Northumberland
County Council



Northumberland
County Council

COMMITTEE: PETITIONS COMMITTEE

DATE: 27th October 2022

PETITION AGAINST ON-GOING PLANNING ISSUES OF PEDESTRIAN SAFETY AND ACCESS TO LOCAL SERVICES AT ARCOT MANOR/THE FAIRWAYS, CRAMLINGTON

Report of Rob Murfin, Interim Executive Director of Planning and Local Services

Cabinet Member: Cllr Colin Horncastle

Purpose of report

To acknowledge the petition received from residents of Arcot Manor/The Fairways in respect of on-going planning issues 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 actions the Planning Service will undertake to resolve all outstanding matters

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 2020-2024 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 Arcot Manor/The Fairways have submitted a petition raising a series of concerns pertaining to connectivity from these residential areas to the town centre and neighbouring areas. The residents feel that they have no safe point to cross a very busy road and no pedestrian or cycle access to local services.
- The only access onto the housing estate is via Fisher Lane where residents, including the elderly and school children, are expected to cross a very busy 50mph road to access bus services into Cramlington and Blyth and from Newcastle. The residents consider that the design of the roundabout is poor with cars often exceeding the speed limit and driving dangerously and there are no road signs advising road users of the crossing point.
- The residents have stated that in order to access local services, they are expected to walk 1/3 mile stretch of road where cars can travel at 50mph before they reach a footpath at Northumberlandia and access the footpath and cycle network by crossing 70mph carriageway on the A1068 on Fisher Lane. The residents believe this has left many of them isolated.
- The residents are requesting immediate action to prevent injury or loss of life as a result of not creating adequate infrastructure to a growing development, which currently has over 300 occupied properties. They also request safer crossing points together with appropriate signs and a temporary or permanent footpath giving residents access to local services. The petition contains 292 names.
- 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 the Council will look to pursue to improve and refine the planning decision-making process.

Background

1. Arcot Manor/The Fairways is located on land to the south and West of Beacon Lane, Cramlington.
2. A series of planning applications have been received pertaining to development across this site. The site in question was granted outline planning permission in 2016 and was for the development of up to 1600 dwellings (excluding flats over A1/A2 units), two form entry primary school, a new local centre comprising convenience store (Use Class A1), medical centre (Use Class D1), public house (Use Class A4) other ancillary local centre uses (Use Classes A1/A2/D1) and flats over A1/A2 units (Use Class C3) and associated infrastructure and landscaping. All matters reserved except access (for the avoidance of doubt access meaning to the site, with access arrangements within each phase reserved).
3. The 1600 units were to be spread across the south west sector of Cramlington spanning a number of years for completion.
4. The Arcot Manor/The Fairways site comprises 400 units as part of Phase 1, which is still under construction. Around 300 dwellings are now occupied.
5. As part of the planning permission, a Section 106 was agreed which secured affordable housing, education land and education contributions, a local centre, community sports funding, local school funding and funding highways and connectivity.

6. To date, £50,000 has been paid to fund local community sports activities in the south west of Cramlington and £147,500 has been paid to fund and maintain 3 x local junior sports pitches within Cramlington.
7. As with all S106 agreements, there are trigger points by which certain actions are to take place or funding is to be submitted to the Council. In this case, for the sport contributions a further £147,500 is due to be paid on completion of the 540th dwelling (2023-24) and the final £147,400 due on completion of the 860th dwelling (2026).
8. In relation to highways and connectivity £383,000 has been paid in relation to improvements to Beacon Lane (re- surfacing with a bound surface and lighting); improvements to Beaconhill Green (new 3m wide footpath/cycleway with lighting to link with existing footpath/cycleway beneath A1172); an improved link from Beacon Lane to Beaconhill Primary School (new section of 3m wide footpath/cycleway with lighting to create a more direct crossing of existing park, increase width of existing sections of footpath from 2-3m and upgrade to existing lighting).
9. The design of these highway works is currently well underway.
10. £250,000 for Education has been paid and the first healthcare payments are pending and the triggers for the remainder financial contributions have not yet been reached.

MATTERS TO BE ACTIONED

The Petition expresses an urgency to see a safer crossing point together with appropriate signs and a temporary or permanent footpath giving residents access to local services.

11. 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.
12. The Council agrees that the connectivity of new developments to nearby facilities is key in ensuring developments integrate effectively into their surroundings and minimise negative impacts on surrounding homes and residential amenity.
13. The Government maintains a strong focus on a greater emphasis on design, and creating high quality places, which is supported in the National Design Guide and National Model Design Code. These can be used to guide planning decisions.
14. 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 the residents of Arcot Manor/The Fairways in respect of connectivity. It may well involve specific advice from experts to achieve this.
15. To address the concerns of the residents, the Highways Development Management Team (HDM) has been in discussion with Persimmon Homes, the local area Councillor and planning officers to explore potential remedies.
16. A number of factors have, however, been identified which will hinder that process. With regards to the proposed pedestrian link between the development and Beacon Lane, this cannot be installed for approximately 3 years due to the construction works being undertaken and some of the land being privately owned. For safety reasons, this cannot be developed at this point. Alongside this, the planning permission stipulates that no more than 800 of the

dwellings shall be occupied prior to the establishment of a continuous route from Fisher Land to Beacon Lane. The developer is not obliged to fulfil that stipulation any earlier.

17. Notwithstanding this, the issues raised by the residents remain a serious concern and the Council are willing to assist with addressing these as soon as possible. HDM are now seeking measures to influence the delivery of highways connections sooner than the agreed trigger points listed above. In addition to the areas of work already underway (point 8 above) HDM are also committed to addressing the points of signage, safer crossing points and potential for any temporary footpaths as an interim measure. Persimmon Homes have equally agreed to expedite these timings where possible and will continue to engage with the planning officers and HDM in respect of the delivery of the pedestrian routes.
18. Involved officers of the Council will keep the residents informed of progress and would suggest key contacts within the Council and the residents/local area councillor are established to enable this process to flow as positively as possible.

19. **Recommendations**

- The Petitions Committee is recommended to note: The issues raised in the petition
- The explanation of the role of planning
- The actions the Planning Service will undertake to resolve all outstanding matters.

Implications

Policy	Planning decisions are made in the context of national and local level planning policies. The report discusses the new Northumberland Local Plan, against which future planning decisions are expected to be made.
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	Cramlington West

Background papers:

Planning Applications ref: 15/00901/OUTES

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
Relevant Executive Director	Rob Murfin
Chief Executive	Rick O'Farrell
Portfolio Holder(s)	Cllr Colin Horncastle

Author and Contact Details

Rob Murfin
Rob.murfin@northumberland.gov.uk

This page is intentionally left blank