

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 _____