



North Tyneside Council

Council – Supplemental Agenda

To All Members of the Council

Wednesday, 10 July 2024

You are hereby summoned to attend the Meeting of the Council of the Borough of North Tyneside to be held in **Chamber – Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY** at 6.00 pm on **Thursday, 18 July 2024** for the transaction of the following business.

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Five valid Motions on Notice, signed by at least three Members of the Council, have been received for consideration at this meeting.

Yours faithfully

Chief Executive

If you need us to do anything differently (reasonable adjustments) to help you access our services, including providing this information in another language or format, please contact democraticsupport@northtyneside.gov.uk.

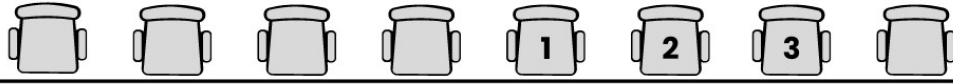
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Agenda Annex

Cllr Steve Cox

Cllr Nigel Huscroft

Electoral Officer Norman Redfearn



Cllr Liam Bones **53**

Cllr John Johnsson **54**

Cllr Jay Bartoli **55**

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Cllr Lewis Bartoli **57**

Cllr Ian McAlpine **58**

Cllr Claire McGinty **59**

Cllr Ollie Scargill **60**

4 Cllr Peter Earley

5 Cllr Janet Hunter

6 Cllr John Harrison

7 Cllr Karen Clark

8 Cllr Julie Cruddas

9 Cllr Willie Samuel

10 Cllr Anthony McMullen

11 Cllr Matthew Thirlaway

12 Cllr Sandra Graham

13 Cllr Carl Johnson

14 Cllr Hannah Johnson

15 Cllr Steve Phillips

16 Cllr Eddie Darke

17 Cllr Joan Walker

18 Cllr Martin Murphy

19 Cllr Davey Drummond

20 Cllr Sarah Day

21 Cllr Julie Day

22 Cllr Tom Bailey

23 Cllr Andrew Spowart

24 Cllr Andy Newman

25 Cllr James Webster

26 Cllr Josephine Mudzingwa

27 Cllr Louise Marshall

28 Cllr Ian Grayson

29 Cllr Tricia Neira

30 Cllr Andy Holdsworth

31 Cllr Joe Kirwin

32 Cllr John O'Shea

33 Cllr Jane Shaw

34 Cllr Jim Montague

35 Cllr Linda Darke

36 Cllr Pat Oliver

37 Cllr Linda Bell

38 Cllr Louise Bell

39 Cllr Tommy Mulvenna

40 Cllr Kristin Nott

41 Cllr Brian Burdis

42 Cllr Rebecca O'Keefe

43 Cllr Bruce Pickard

44 Cllr Joanne Sharp

45 Cllr Paul Bunyan

46 Cllr Bryan Clark

47 Cllr Sarah Burtenshaw

48 Cllr Charlie Gray

49 Cllr Tracey Hallway

50 Cllr Wendy Lott

51 Cllr Frank Lott

52 Cllr Liz McMullen

Cllr Judith Wallace **61**

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GUIDANCE NOTES ON THE COUNCIL RULES OF PROCEDURE AND INTERESTS FOR MEMBERS

This brief guidance note is produced to assist Members on some of the issues that are likely to arise during meetings of full Council.

Chairing of Council (Paragraph 17 of the Rules)

When the Chair stands, raises their hand or indicates using any other agreed means for the meeting to stop during a debate, any Member speaking at the time must stop and be seated. The meeting must be silent. If necessary, the microphones in the Chamber will be silenced at the Chair's discretion.

The Chair's interpretation of the Rules (Paragraph 21 of the Rules)

The ruling of the Chair of the Council as to the interpretation or application of the any of the Rules of Procedure, or as to any proceedings of the Council, shall not be challenged at any meeting of the Council. The ruling of the Chair will be given following such consultation with the Monitoring officer as is necessary.

Personal Explanation (Paragraph 12 (7) of the Rules)

A Member may make a personal explanation. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate. **The ruling of the Chair on the admissibility of a personal explanation will be final.** When making a point of personal explanation, Members must await the conclusion of the relevant Member's speech.

Point of Order (Paragraph 12 (28) of the Rules)

A Member may raise a point of order at any time. The Chair will hear them immediately. A point of order may only relate to an alleged breach of the Rules of Procedure or the law. The Member must indicate the Rule or law which they consider has been broken, and how they consider it to have been broken. The ruling of the Chair on the matter will be final.

Members Conduct (Council Rule of Procedure – Paragraph 17)

When a Member wishes to speak at full Council they must indicate their request by raising their hand or by any other agreed means. If more than one Member indicates a wish to speak, the Chair will ask one to speak and the others must remain silent until they are invited to address the meeting, unless they wish to make a point of order or a point of personal explanation. When a Member is speaking they may stand or sit to address the meeting.

If a Member persistently disregards the ruling of the Chair by behaving improperly or offensively or deliberately obstructs business, the Chair may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.

If the Member continues to behave improperly after such a motion is carried, the Chair may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as the Chair thinks necessary.

Disturbance by the Public (Council Rules of Procedure -Paragraph 19)

If a member of the public interrupts proceedings, the Chair will warn the person concerned. If the person continues to interrupt, the Chair will order their removal from the meeting room.

If there is a general disturbance in any part of the meeting room open to the public, the Chair may call for that part to be cleared.

Procedural Advice

If any Member requires clarification on a procedural point in the Rules of Procedure, then they are encouraged to contact the Monitoring Officer or one of his team as soon as possible after receipt of the Council agenda and reports. Any advice will be given in confidence.

Advice of Interests

If any Member requires advice on whether or not they need to declare an interest in an item of business to be discussed at a meeting of Council, then members are encouraged to contact the Monitoring Officer or one of his team as soon as possible after receipt of the Council agenda and reports. Any advice will be given in the strictest confidence.

North Tyneside Council

Report to Council

18 July 2024

Motions

Notice has been received of the following motions from Members of the Council to be put to the Council meeting.

Motion 1

Support for Structural Issues in Schools

Proposer: Cllr Liam Bones

Seconder: Cllr Dave Lilly

Signed by Cllr John Johnsson, Cllr Ian McAlpine, Cllr Claire McGinty, Cllr Lewis Bartoli, Cllr Jay Bartoli, Cllr Dr Olly Scargill

Council notes with concern the news of structural issues unrelated to RAAC at four local schools, and specifically the significant financial impact this issue will have on the Council's budget without central government support.

Council wishes to express its gratitude to Council officers who have reacted quickly and worked diligently to ensure disruption to teaching has been minimised.

Council asks the Mayor to write to the new Secretary of State for Education, requesting an urgent meeting to discuss the issue and explore how funding from central government can be secured to address these structural problems.

Council asks the Mayor to ensure that the cabinet member provides an update report on the situation and financial implications at each meeting

of the Overview & Scrutiny Co-ordination & Finance Committee until these issues are fully resolved.

Legal Implications

There are no direct legal implications for the Authority arising from this motion.

In accordance with the provisions of the Local Government Act 2000 and the Regulations made thereunder, the matters that are the subject of this motion fall under the responsibility the Mayor and Cabinet (the executive of the Authority) to determine and act upon.

Financial Implications

There are no direct financial implications associated with the motion.

Motion 2

Motion to Address Cycling safety concerns in Tynemouth

Proposed by: Cllr. Lewis Bartoli,

Seconded by Cllr Ian McAlpine

Signed by Cllr Liam Bones, Cllr John Johnsson, Cllr Dr Olly Scargill, Cllr Claire McGinty, Cllr Dave Lilly, Cllr Jay Bartoli.

This Council notes with concern:

1. The recent evidence from London regarding the safety risks associated with floating bus stops, as reported by BBC News and the Evening Standard. Advocacy groups, including Age UK London and Disability Rights UK, have highlighted incidents where pedestrians, especially those who are blind or visually impaired, have been endangered by these designs. Safety concerns from other areas where floating bus stops have been implemented suggest a need for caution. It is imperative to ensure that such designs do not compromise the safety of our most vulnerable residents.
2. The installation of a floating bus stop in Tynemouth as part of the new cycle path initiative by the Labour-run North Tyneside Council. Given the concerns raised in other areas, it is crucial to assess the local impact thoroughly before proceeding with similar infrastructure.
3. There have also been several reports of near misses with cyclists at the newly designed junction at the top of the South Ramp to Longsands, video footage of which has been provided to officers.

This Council requests:

1. That the Mayor asks officers to look at the possibility of one of the mobile CCTV cameras which the Council already owns being relocated to the site of the new floating bus stop in Tynemouth to monitor its impact on pedestrians, cyclists, and overall safety.
2. That the Mayor asks officers to conduct a review of the junction at the top of the South Ramp to Longsands which has already seen several near misses with cyclists and cars. Once the review is

complete Council asks the Cabinet member to provide a report to the Overview & Scrutiny Co-ordination & Finance Committee.

3. That local groups, including those representing blind and visually impaired residents, be contacted for their comments and feedback on the new bus stop design. Feedback from affected local groups will provide valuable data to make informed decisions regarding future infrastructure projects.
4. That no further floating bus stops of this type be constructed until a comprehensive assessment of the current installation's impact is completed, with all findings presented to the Council for review. This ensures a cautious and well-informed approach to public transport infrastructure development, prioritising the safety and well-being of all residents.

Legal Implications

There are no direct legal implications for the Authority arising from this motion. However, the use of CCTV cameras as suggested in the motion is regulated and all use would have to be in accordance with relevant guidance and regulations.

In accordance with the provisions of the Local Government Act 2000 and the Regulations made thereunder, the matters that are the subject of this motion fall under the responsibility the Mayor and Cabinet (the executive of the Authority) to determine and act upon.

Financial Implications

There are no direct financial implications associated with the motion, with the proposed activity being accommodated within existing resources.

Motion 3

Recycling Centre Appointments

Proposed by: Cllr. Liam Bones

Seconded by Cllr Ian McAlpine

Signed by Cllr John Johnsson, Cllr Claire McGinty, Cllr Dr Olly Scargill, Cllr Claire McGinty, Cllr Dave Lilly, Cllr Jay Bartoli.

Council Notes:

- During the COVID-19 pandemic, the North Tyneside Recycling Centre transitioned to an appointment-based system to reduce busy periods and mitigate the spread of the virus.
- This system remains in place despite calls from some residents to revert to a first-come, first-serve basis.

Council Believes:

- Restricting access to the recycling centre and making it less convenient for some residents may increase fly-tipping rates as residents struggle to secure appointments.
- The appointment system has been beneficial for some residents, providing a more predictable and orderly process.
- However, there is a significant portion of residents that find the appointment system restrictive and inconvenient.

Council Requests:

1. The Mayor to work with officers to establish a hybrid system that incorporates appointments during peak hours (e.g., mornings) and a first-come, first-serve basis during off-peak hours (e.g., afternoons and weekends). This approach aims to improve accessibility for all residents and reduce fly-tipping across the borough.
2. The Mayor to explore potential funding streams for additional mobile CCTV units to be deployed at fly-tipping hotspots throughout the borough.
3. The Mayor look at the feasibility of beginning negotiations with Newcastle City Council to give residents in the North West of North

Tyneside access to Brunswick Household Waste site. Council believes this will be more convenient for residents and reduce carbon emissions by reducing the distance residents have to travel.

4. The Mayor to report back to the Council within six months on the implementation progress and effectiveness of the hybrid system and progress on securing funding for new CCTV units.

Legal Implications

There are no direct legal implications for the Authority arising from this motion.

In accordance with the provisions of the Local Government Act 2000 and the Regulations made thereunder, the matters that are the subject of this motion fall under the responsibility the Mayor and Cabinet (the executive of the Authority) to determine and act upon.

Financial Implications

There are no direct financial implications associated with the motion. The proposed work would help to identify the relevant financial implications associated with a change to the current arrangements.

Motion 4

Motion - Unadopted Roads

Proposed by Cllr. Olly Scargill,

Seconded by Cllr Jay Bartoli,

Signed by Cllrs Liam Bones, John Johnsson, Dave Lilly, Claire McGinty, Lewis Bartoli, Ian McAlpine.

Forsyth Street is an unadopted road in New York, North Tyneside. It is a small street, just 84 metres long, but is in a worse condition than perhaps any road in North Tyneside. The Council have also installed warning signs to indicate how dangerous this road is.

Instead of resurfacing roads in our estates, the Council chose to resurface the road in the Tyne Tunnel trading estate that cars cannot use. They've also refused to open this road up to cars to ease congestion.

Council asks the Mayor to look at possible ways to secure the full resurfacing of Forsyth Street by the end of 2024.

Council also asks the Mayor to work with the Highways team to look at opening High Flatworth to all motorists by the end of 2024 to alleviate congestion.

Dr Olly Scargill

Councillor for Collingwood ward

Legal Implications

A preliminary review of the proposals contained in the motion has been undertaken. Further legal work would be necessary should the Authority wish to proceed with any of the proposals contained in the motion.

In relation to Forsyth Street, Council should note that the road is not an adopted road and therefore is not maintained by the Authority. However, the footpath and streetlighting adjoining the properties are adopted and so are maintained by the Authority.

The road is not registered at the Land Registry so it is not possible to determine who the land where the road is situated is owned by. In addition, the Authority's own property asset records indicate that the road is not owned by the Authority.

The Title information at the Land Registry that is available does not detail any obligations that have been imposed upon the owners of the properties on Forsyth Street to maintain or contribute towards the maintenance of road on Forsyth Street.

The Authority may decide to agree to resurface the road despite its non-adoption status however, without following due legal process, the highway will remain unadopted and in private unknown ownership. The Authority would be under no obligation to maintain the road even if it did decide to resurface the road.

The Authority has the power under the Highways Act 1980 to adopt highway with the agreement of the owner of the road or, where the owner is unknown, the power to adopt highway once works have been undertaken to bring the road up to an adoptable standard.

Should the Authority consider it appropriate, it may use its powers under Section 205 of the Highways Act 1980 to undertake works to the road to bring it up to an adoptable standard.

The Authority may require the cost of those works to bring the road up to an adoptable standard to be borne by the owners of the properties within

the street. The Authority would need to follow a process of advertising its decision via a public notice and obtaining the consent of all properties in the street to such works and the apportionment of any costs to be sought from property owners.

In relation to High Flatworth, the traffic restriction on High Flatworth from its junction at Orion Way, Tyne Tunnel Trading Estate to Osprey Drive, Silverlink Retail Park was implemented by a Traffic Regulation Consolidation Order in 2014. The Order, as amended, permits access only to certain classes of vehicles such as buses, taxis and emergency vehicles.

In order for the road to be opened up to other vehicles, the existing Consolidation Order would need to be varied by a Traffic Regulation Order prior to which the Authority would need to advertise its intention to make such an order and have regard to any representations made by residents.

In accordance with the provisions of the Local Government Act 2000 and the Regulations made thereunder, the matters that are the subject of this motion fall under the responsibility the Mayor and Cabinet (the executive of the Authority) to determine and act upon.

Financial Implications

There are no direct financial implications arising from the motion asking for a review to consider the matter. However, there would be financial costs to implement any subsequent changes, which cannot be quantified at present. Any potential investment would need to be considered and prioritised as part of the Authority's existing capital allocations for transport schemes within the Investment Plan, which would be at the expense of other works already planned within the programme.

Motion 5

Motion to Request a Financial Stability Report for North Tyneside Council

Proposer: Cllr Lewis Bartoli

Seconder: Cllr Dr Olly Scargill

Signed by Cllr Liam Bones, Cllr John Johnsson, Cllr Ian McAlpine, Cllr Claire McGinty, Cllr Dave Lilly, Cllr Jay Bartoli.

This Council notes with concern the recent low ranking in the financial section of the Office for Local Government (Oflog) report, which placed North Tyneside at 302nd out of 317 councils in finance and 235th overall as reported in the Times on 30 April 2024. As representatives of our community, it is imperative that we ensure transparency and financial robustness to maintain the trust and confidence of our residents.

Ministers set up Oflog last summer to provide “authoritative and accessible” performance data to support improvement in local government. Oflog measures councils across 27 categories in five main areas: waste management, corporate and finance, adult social care, planning, and roads.

Therefore, this Council resolves to request a report from the S.151 Officer addressing the following points:

- An analysis of the reasons behind North Tyneside’s low financial ranking in the recent Oflog report, including a comparison with similarly sized councils and identification of specific areas where our financial performance falls short.
- An outline of the current measures in place to ensure the financial stability and sustainability of North Tyneside Council, as well as the steps being taken to improve financial management and efficiency within the council’s operations.
- An assessment of potential financial risks and how they are being mitigated, alongside long-term financial strategies and plans to prevent future declines in financial performance.
- Information on any external support or audits the council is receiving or planning to ensure financial best practices, along with outcomes of recent audits and steps taken in response to audit recommendations, should be included.

The requested report should be presented at the next Council meeting for questions and discussion.

The low financial ranking has raised concerns among residents and councillors about the financial health of North Tyneside Council. This report will provide a clear understanding of the underlying issues, highlight the steps being taken to address them, and ensure that the Council is on a path to financial robustness and stability.

By approving this motion, North Tyneside Council demonstrates its commitment to transparency, financial responsibility, and the wellbeing of its residents. We must work collectively to address the challenges and reassure our community of our financial health and stability.

Legal Implications

There are no direct legal implications for the Authority arising from this motion.

Financial Implications

There are no direct financial implications associated with the motion.

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