



North Tyneside Council

Annual Council

To All Members of the Annual Council

Wednesday, 10 May 2023

You are hereby summoned to attend the Meeting of the Annual 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 May 2023** for the transaction of the following business.

Agenda
Item

Page(s)

1. To Elect the Chair of the Council for the 2023/24 Municipal Year
2. To Elect the Deputy Chair of the Council for the 2023/24 Municipal Year
3. Vote of thanks to retiring Chair and Chair's Consort
4. Apologies
5. To receive any Declarations of Interest and Notification of any Dispositions Granted

You are invited to declare any registerable and/or non-registerable interests in matters appearing on the agenda, and the nature of that interest. You are also invited to disclose any dispensation in relation to any registerable and/or non-

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registerable interests that have been granted to you in respect of any matters appearing on the agenda.

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| 6. | Minutes of the Meeting of the Council held on 16 March 2023 | 1 – 12 |
| 7. | Municipal Elections – 4 May 2023 – Return of Councillors | 13 – 14 |
| 8. | Address by the Elected Mayor including Cabinet Composition and Delegation Scheme | |

9. **Leaders of Political Groups**

To receive verbal reports as to the appointment of leaders of the individual political groups.

10. **Deputy Leaders of Political Groups**

To receive verbal reports as to the appointment of deputy leaders of the individual political groups.

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| 11. | Annual Review of the Constitution | 15 – 104 |
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To consider proposed amendments to the Constitution and associated documents.

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| 12. | Annual Appointments | 105 – 126 |
|-----|----------------------------|-----------|

To consider the appointment of committees/sub-committees; the allocation of seats on committees/sub- committees to Political Groups; the appointment of chairs and deputy chairs of committees/sub-committees; and the appointment of representatives to serve on outside bodies that exercise non-executive functions for the 2023/24 Municipal Year.

To consider a summary report of the work undertaken by the various scrutiny committees during 2022/23.

To consider a report which summarises the work undertaken by the Standards Committee during 2022/23.

16. Mayor's Announcements (if any)

Yours faithfully

Pullerz

Chief Executive

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Local Government Act 1972

Borough of North Tyneside

Thursday, 16 March 2023

At the meeting of the Council of the Borough of North Tyneside duly convened and held on Thursday, 16 March 2023 at 6.00 pm in Chamber - Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY at which a quorum of Members were present, that is to say: -

Present

Councillor P Oliver (Chair)
N Redfearn (Elected Mayor)

Councillor L Arkley	Councillor K Barrie
Councillor L Bartoli	Councillor G Bell
Councillor L Bones	Councillor B Burdis
Councillor C Burdis	Councillor D Cox
Councillor N Craven	Councillor J Cruddas
Councillor E Darke	Councillor C Davis
Councillor D Drummond	Councillor P Earley
Councillor S Graham	Councillor M Hall
Councillor T Hallway	Councillor J Harrison
Councillor Janet Hunter	Councillor John Hunter
Councillor V Jamieson	Councillor C Johnson
Councillor H Johnson	Councillor C Johnston
Councillor J Kirwin	Councillor F Lott
Councillor W Lott	Councillor G Madden
Councillor L Marshall	Councillor P McIntyre
Councillor A McMullen	Councillor J Montague
Councillor T Mulvena	Councillor M Murphy
Councillor A Newman	Councillor R O'Keefe
Councillor J O'Shea	Councillor E Parker-Leonard
Councillor S Phillips	Councillor B Pickard
Councillor W Samuel	Councillor O Scargill
Councillor J Shaw	Councillor M Thirlaway
Councillor J Wallace	Councillor G Westwater
Councillor M Wilson	

Apologies: Councillor L Bell, Councillor K Clark, Councillor S Day, Councillor L Ferasin, Councillor M Fox, Councillor M Green, Councillor J Mudzingwa, Councillor T Neira, Councillor A Percy, Councillor M Rankin, Councillor P Richardson and Councillor J Walker

C80/22 To receive any Declarations of Interest

Declarations of interest were reported as follows:

Councillor L Bartoli – Disclosable Pecuniary Interest – Item 5 Motion 4 – wife is Chief Operating Officer of Northumbria Healthcare Trust. Cllr Bartoli indicated that he would leave the meeting for this item.

Councillor L Bones – Personal Interest – Item 6 – family member is employee of North Tyneside Council.

Councillor D Cox – Personal Interest – Item 6 – family member is employee of the Council.

Councillor J Cruddas – Personal Interest – Item 6 – family member is employee of the Council.

Councillor J Harrison – Registerable Interest and Dispensation – Item 5 – Motion 4 – Council Governor of Northumbria NHS Trust.

Councillor W Lott – Personal Interest – Item 6 - family member is employee of North Tyneside Council.

Councillor F Lott - Personal Interest – Item 6 - family member is employee of North Tyneside Council.

Councillor M Murphy – Disclosable Pecuniary Interest – Item 6 – wife is employee of North Tyneside Council.

Councillor W Samuel – Disclosable Pecuniary Interest - Item 5 – wife is employee of the North Tyneside Council.

Councillor O Scargill – Personal Interest – Item 5 – Motion 4 – as a medical student has had placements with Northumbria NHS Trust.

Councillor M Thirlaway – Personal Interest – Item 6 – family member is employee of North Tyneside Council.

C81/22 Minutes of the meeting held on 19 January 2023.

Resolved that the minutes of the Council meeting held on 19 January 2023 be confirmed and signed by the Chair.

C82/22 Minutes of the meeting held on 16 February 2023.

Resolved that the minutes of the Council meeting held on 16 February 2023 be confirmed and signed by the Chair.

C83/22 Motion 1

It was moved by Councillor R O'Keefe and seconded by Councillor E Parker Leonard that:

North Tyneside council notes:

That shift work is becoming increasingly common in many industries and often includes late night working, often working after most public transport has finished for the evening.

Many shift workers are increasingly worried about their safety travelling to and from work at night.

The work our Police and Crime Commissioner has done into trying to address residents' concerns with safety. Including the safer transport app, attracting funding from the Government and investment into the multi-agency security team.

North Tyneside council believes:

Unite the unions Get Me Home Safely campaign, which calls on employers to take all reasonable steps to ensure workers can get home safely from work at night, is greatly needed and should be supported.

The weakness of enforcement of the law against sexual assault, including up-skirting on public transport is appalling and only 2% of victims go on to report sexual harassment on public transport.

North Tyneside council:

Asks the Licensing committee to explore the possibility of putting a condition in place on licensed premises which requires them when opening late to provide free and safe transport home for their staff.

Calls upon the Mayor to write to NEXUS and the private bus operators to introduce more late night services to get shift workers to and from work.

Write to the Government to ask them to extend the £2 fare offer for buses beyond the end of June and to also provide funding to allow metro to continue the £2 offer which Tyne and Wear councils funded for the first 3 months of the year.

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

C84/22 Motion 2

This Motion was withdrawn.

C85/22 Motion 3

It was moved by Councillor L Bartoli and seconded by Councillor C Johnston that:

During the Authority's recent budget setting process there was a commitment to have 100 new litter bins across the Borough which should be welcomed because keeping the area

clean should always be a top priority for the Authority.

Unfortunately, the extra bins will only help solve the problem of litter if they are regularly emptied, maintained and the area around the bin cleared. Bins can fill up quickly, particularly in the popular tourist locations and can be damaged for a variety of reasons. Providing a simple system for allowing the public to report bins being full or damaged will help the Authority respond quickly and effectively.

Council requests the Mayor to consider introducing a scheme similar to that used by Glasgow City Council and Cheshire West and Chester Council by using existing technology to assist with this reporting process. The scheme would: -

- Attach unique QR code stickers to the bins which can be scanned with a smartphone and will identify the exact location of the bin.
- Link this to the Authority's "Report It" section on its website and if possible provide information on when the bin is next due to be emptied – this will avoid the need to report a bin that is due to be emptied the same or next day.

Residents can then report bins that are damaged, need emptying or the area around them cleaned.

An amendment was moved by Councillor S Graham and seconded by Councillor C Johnson that:

- Amends the first sentence of paragraph 4 to insert 'Council Thanks the Mayor for already having plans in place to introduce' and delete 'requests the Mayor to consider introducing'
- Adds a final paragraph to read 'Council requests the Mayor write to all members updating them on the progress council have made since they started to look into this during the last financial year.'

The amended motion therefore read:

During the Authority's recent budget setting process there was a commitment to have 100 new litter bins across the Borough which should be welcomed because keeping the area clean should always be a top priority for the Authority.

Unfortunately, the extra bins will only help solve the problem of litter if they are regularly emptied, maintained and the area around the bin cleared.

Bins can fill up quickly, particularly in the popular tourist locations and can be damaged for a variety of reasons.

Providing a simple system for allowing the public to report bins being full or damaged will help the Authority respond quickly and effectively.

Council thanks the Mayor for already having plans in place to introduce a scheme similar to that used by Glasgow City Council and Cheshire West and Chester Council by using existing technology to assist with this reporting process. The scheme would: -

- Attach unique QR code stickers to the bins which can be scanned with a smartphone and will identify the exact location of the bin.
- Link this to the Authority's "Report It" section on its website and if possible, provide information on when the bin is next due to be emptied – this will avoid the need to report a bin that is due to be emptied the same or next day.

Residents can then report bins that are damaged, need emptying or the area around them cleaned.

Council requests the Mayor write to all members updating them on the progress council have made since they started to look into this during the last financial year.

The amendment, on being put to the meeting, was agreed unanimously.

The amended substantive motion, on being put to the meeting, was agreed unanimously.

C86/22 Motion 4

(Councillor L Bartoli left the meeting for this item)

It was moved by Councillor L Bones and seconded by Councillor O Scargill that:

NHS healthcare is at the top of residents' priorities and the Government are committed to reducing NHS waiting lists, with over £3 billion extra per year to help tackle the backlog caused by the Covid-19 pandemic. However locally residents are still forced to travel out of North Tyneside to access 24-hour emergency care, which is particularly difficult for residents that do not drive.

North Tyneside Council believes that our residents would receive better healthcare provision within the borough if 24-hour accident and emergency care was re-instated at Rake Lane and the walk-in centre at Battle Hill reopened.

North Tyneside Council notes that it was a conscious decision taken by the NHS trust to relocate these services out of the Borough.

North Tyneside Council asks the Mayor to :

- Write to the NHS Trust asking them to set up a taskforce, with local authority involvement, to improve access to emergency care in North Tyneside, with a particular focus on restoring 24-hour accident and emergency at Rake Lane and walk-in services at Battle Hill
- Write to the Secretary of State for Health to commend the additional investment that has been given to clear the NHS waiting lists, and outline our priorities for returning these two care services to North Tyneside.

An amendment was moved by Councillor W Samuel and seconded by Councillor C Johnson that:

- Paragraph 1 - That 'and the Government are committed to reducing NHS waiting lists, with over £3 billion extra per year to help tackle the backlog caused by the

Covid-19 pandemic.’ be removed from the first sentence and the following sentence be added to the end of the paragraph ‘This is compounded by the consistent failure of ambulances to respond within target times for call outs including heart attacks and strokes and having to waste valuable time queuing to discharge their patients to A&E.

- Paragraph 2 – the following be added: ‘and if the Conservative Government provided the resources to allow this to happen.’
- Paragraph 3 be amended to read: North Tyneside Council notes that it was a conscious decision taken by Northumbria Healthcare Trust to relocate these services out of the Borough and to refuse to reverse that decision despite repeated requests.
- To add at paragraph 4 – ‘It is widely accepted by experts that to deal with the ever-increasing number of the population over 65 that NHS spending should rise every year at inflation +4 percent as it did during the last Labour Government, The Conservative Government have only done this once in their 13 years in power.’
- Paragraph 6 – to delete ‘commend the additional investment that has been given to clear the NHS waiting lists, and’ and add ‘and to ask him to provide the resources to do it.’

The amended motion therefore read:

NHS healthcare is at the top of residents’ priorities. However locally residents are still forced to travel out of North Tyneside to access 24-hour emergency care, which is particularly difficult for residents that do not drive. This is compounded by the consistent failure of ambulances to respond within target times for call outs including heart attacks and strokes and having to waste valuable time queuing to discharge their patients to A&E.

North Tyneside Council believes that our residents would receive better healthcare provision within the borough if 24-hour accident and emergency care was re-instated at Rake Lane and the walk-in centre at Battle Hill reopened and if the Conservative Government provided the resources to allow this to happen.

North Tyneside Council notes that it was a conscious decision taken by Northumbria Healthcare Trust to relocate these services out of the Borough and to refuse to reverse that decision despite repeated requests.

It is widely accepted by experts that to deal with the ever-increasing number of the population over 65 that NHS spending should rise every year at inflation +4 percent as it did during the last Labour Government, The Conservative Government have only done this once in their 13 years in power.

North Tyneside Council asks the Mayor to : -

- Write to the NHS Trust asking them to set up a taskforce, with local authority involvement, to improve access to emergency care in North Tyneside, with a particular focus on restoring 24-hour accident and emergency at Rake Lane and walk-in services at Battle Hill.
- Write to the Secretary of State for Health to outline our priorities for returning these two care services to North Tyneside and to ask him to provide the resources to do it.

The amendment, on being put to the meeting was approved by 40 votes to 7.

A recorded vote on the amended substantial motion was requested by two members

present:

Votes for the motion:

Dame N Redfearn, Elected Mayor and Councillors L Arkley, K Barrie, G Bell, L Bones, B Burdis, C Burdis, D Cox, N Craven, J Cruddas, E Darke, C Davis, D Drummond, P Earley, S Graham, M Hall, T Hallway, J Harrison, Janet Hunter, John Hunter, V Jamieson, C Johnson, H Johnson, C Johnston, J Kirwin, F Lott, W Lott, G Madden, L Marshall, A McMullen, J Montague, T Mulvenna, M Murphy, A Newman, P Oliver, R O'Keefe, E Parker-Leonard, J O'Shea, S Phillips, B Pickard, W Samuel, O Scargill, J Shaw, M Thirlaway, J Wallace, G Westwater and M Wilson.

Votes against the Motion:

None

The motion was agreed by 47 votes to 0.

C87/22 Motion 5

It was moved by Councillor O Scargill and seconded by Councillor L Bones that:

Local Plan Motion

As reported in the Guardian earlier this year, many local authorities across the country have paused their housebuilding plans following the government's decision to drop mandatory targets. Like Dorset Council, who announced they would be delaying the implementation of their Local Plan last year.

North Tyneside Labour's plan to build 3,000 houses at Rake Lane is incredibly unpopular with local residents, with many raising serious concerns about the impact on traffic congestion (especially in such close proximity to the Dutch-style roundabout), local healthcare services and school places – as well as the environmental impact on the loss of our green space.

Council notes that several local authorities across the country have paused their housebuilding plans. Council believes the Local Plan is unpopular with local residents, and new homes should be built in appropriate locations, protecting green space at the murton gap.

Council agrees to undertake the preparation of a new Local Plan once a revised NPPF has been published. Council requests the revised local plan explores the possibility to remove the Murton Gap strategic site from the Local Plan, protecting our green space and aligning with residents views.

An amendment was moved by Councillor C Johnson and seconded by Councillor S Graham that:

- Amended paragraph 1
- Removed paragraph 2 and 3.
- Added new paragraphs as paragraphs 2,3 and 4:

- Added additional wording to paragraph 4; and
- Removed the final paragraph.

The amended motion read:

'As reported in the Guardian earlier this year, Council notes many local authorities who were already preparing new plans following the government's proposal to drop mandatory targets. Like Dorset Council, who do not have an adopted Local Plan, who announced they would be delaying the implementation of their Local Plan last year.

Council notes that the North Tyneside local plan as adopted and agreed by the Conservative Secretary of State cannot be scrapped and will continue to be the document upon which planning decisions are made until a new plan is formed.

Council notes that many authorities who do not have adopted, up to date plans are seeing developers running riot, building on the greenbelt, not building enough affordable housing, not getting the required infrastructure agreed because of the lack of an up to date adopted local plan.

Council notes that while the Conservative Government have announced planning reforms this is not the first time, they have promised to empower local residents in their decision making on planning which have ultimately failed and it is this which had led to the council having to include sites like the Murton gap in the its plan.

Council agrees to undertake the preparation of a new local plan once a revised NPPF has been published and the Levelling Up and the Regeneration Bill becomes an Act of Parliament.

Council requests that the new local plan reviews the need to include all developable sites in the borough including Murton Gap to see which sites to include in the new local plan to meet the Conservative Government's house building target which is likely to be at least 800 homes a year.'

A recorded vote on the amendment was requested by two Members present:

Votes for the Motion:

Dame N Redfearn, Elected Mayor and Councillors G Bell, B Burdis, C Burdis, D Cox, N Craven, J Cruddas, E Darke, C Davis, D Drummond, P Earley, S Graham, M Hall, T Hallway, J Harrison, Janet Hunter, John Hunter, V Jamieson, C Johnson, H Johnson, J Kirwin, F Lott, W Lott, G Madden, L Marshall, A McMullen, J Montague, T Mulvenna, M Murphy, A Newman, P Oliver, R O'Keefe, E Parker-Leonard, J O'Shea, S Phillips, B Pickard, W Samuel, J Shaw, M Thirlaway and M Wilson.

Votes against the Motion:

Councillors L Arkley, K Barrie, L Bartoli, L Bones, C Johnston, P McIntyre, O Scargill, J Wallace and G Westwater,

The amendment was agreed by 40 votes to 9 votes.

The amended substantive motion, on being put to the meeting, was agreed by 40 votes to 9 votes.

C88/22 North Tyneside Council Pay Policy 2023/24

Council received a report which set out the Pay Policy statement for 2023/24.

It was moved by the Elected Mayor and seconded by Councillor C Johnson that:

Council approves the Pay Policy statement for 2023/24 and authorises publication of the Pay Policy.

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

C89/22 Designation of Monitoring Officer and Amendment of the Officer Delegation Scheme

Council received a report about the designation of the Authority's Monitoring Officer, in the light of the appointment of Mr Stephen Ballantyne as the Head of Law, and necessary changes to the Officer delegation scheme.

It was moved by the Elected Mayor and seconded by Councillor C Johnson that Council:

- Designate Stephen Ballantyne as the Monitoring Officer for the Authority with effect from 1 April 2023;
- Agree that authority be given to the Head of Law to exercise the functions set out in the Appendix to this report with effect from 1 April 2023 and that the Officer Delegation Scheme be amended accordingly, and
- Agree that the Head of Law be authorised to make the consequential amendments to the Authority's Constitution and associated documents.

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

C90/22 Review of Allocation of Seats to Political Groups

Council received a report setting out the review of the allocation of seats to political groups following notification of the formation of a new political group, the Independent Group.

It was moved by the Elected Mayor and seconded by Councillor C Johnson that Council:

- Approve the revised allocations of seats to political groups as shown in the Appendix to the report;
- Agree that the leaders of the political groups will inform the Monitoring Officer of their respective group's nominations of Members to each of the Committees of the

Authority by 12 noon on Friday 17 March 2023.

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

C91/22 Chair's Announcements

The Chair announced that she had recently attended:

- The funeral of veteran Brian Turner of Forest Hall branch of the British Legion
- An award ceremony for Ukrainian adult learners;
- A Citizenship ceremony.

C92/22 Elected Mayor's Announcements

The Elected Mayor thanked those Councillors who will be standing down ahead of the election in May for their hard work, and wished them well for the future.

Members had an opportunity to address the meeting if they wished.

The following Councillors addressed the meeting:

Councillor K Barrie

Councillor L Arkley

Councillor C Johnson

Councillor G Westwater

Councillor J Kirwin

Councillor E Parker Leonard

C93/22 Questions by Members of the Council

1. Question to the Elected Mayor by Councillor L Bones

Can the mayor please explain whether or not she thinks spending over £26,000 on a new Council logo is a good use of taxpayers money?

The Elected Mayor responded as follows:

I can assure Council that £26k has not been spent on a new council logo.

As part of our comprehensive programme to improve customer service we have invested in a range of changes to our external communications to meet digital accessibility standards and to improve consistency. This will also enable our residents to better recognise Council services through a consistent approach.

This has included designs for improvements to our website, leaflets, posters other external communications and the development of a fully digital version of our current council logo.

I am pleased to be able to report that this investment was able to be made using the extra revenue generated through the sale of advertising space across the borough.

Investing in this way ensures that we can improve our full range of communications to our customers and deliver a better service for our residents.

Again, £26k has not been spent on a new council logo alone as suggested by Councillor Bones.

Councillor L Bones asked the following supplementary question:

A recent Freedom of Information request confirmed that £26K was spent on the new logo so the Elected Mayor's response is misleading to members of the public and this chamber. The £26K spent on the logo comes after spending £50k on an advertising campaign to promote climate change. This is despite the Mayor having a communications team of approximately 10 people which costs over £500k to this authority. Why doesn't the Mayor have confidence in her communications team to put together these campaigns and logos – why is she spending tens of thousands of pounds going to external companies?

The Elected Mayor responded as follows:

The question from Councillor Bones was 'can the mayor please explain whether or not she thinks spending over £26,000 on a new Council logo is a good use of taxpayers money?'. I explained how the money was spent and what it was spent on. Contrary to what has been said and been published I will repeat that this Council has not spent £26K on a new logo.

2. Question to the Elected mayor by Councillor M Thirlaway

Will the Elected Mayor explain what impact the Government's decision not to award Levelling up funding will have on the Wallsend Masterplan and the North Shields Masterplan?

Councillor C Johnson responded as follows:

We were obviously very disappointed with the Government's response to the Levelling Up Fund bids as there were strong cases for investment in Wallsend and North Shields Fish Quay, which would have supported some of our most deprived communities.

Without securing this funding, Nexus and the Council will need to identify alternative funding to replace the North Shields Ferry landing which is in need of replacement by 2025.

For Wallsend, we are still committed to delivering on our ambitions; creating a town that our residents and businesses can be proud to call home, and that visitors from all over want to come and enjoy.

We know what a positive difference our investment has made in other parts of the borough, and how much the regeneration of Wallsend means to our local residents and businesses – so we will continue to explore avenues to secure the funding we need to make these plans a

reality. A bid to the Heritage Lottery Fund was submitted in February to support our proposals for Segedunum and how we can maximise its potential as a visitor attraction.

Almost £2m of grant funding for Wallsend town centre has already been secured from the North of Tyne Combined Authority's Town and High Streets Innovation Programme to help us fund events, support for businesses, shop front grants and improved walking and cycling routes in Wallsend. We are now developing these initiatives and will shortly be launching the shop front grants scheme for businesses in the town centre.

We have also completed our engagement on the draft Wallsend Masterplan, the feedback is now being assessed and a report seeking approval of the final Masterplan is due to be considered by Cabinet in May.

Councillor M Thirlaway asked the following supplementary question:

Even without the Levelling Up funding is North Tyneside Council still committed to the regeneration of Wallsend and North Shields.

Councillor C Johnson responded as follows:

A disgraceful decision from the government that has got worse since. The Levelling Up department has a £2.5 billion underspend but couldn't find £4 million to give to North Tyneside.

Absolutely we are very nearly there on North Shields with various different projects that are progressing as we speak. We are still committed to moving the ferry landing to Western Quay.

We are also completely committed to delivering the Wallsend Masterplan. This is not the first time we have been knocked back by this government and I'm sure it won't be the last, but hopefully there will be a Labour government soon. But we will ensure we deliver the Wallsend Masterplan in full.

North Tyneside Council

Report to Council

18 May 2023

Title: Return of Councillors Elected – Municipal Elections 4 May 2023

WARD	NAME
Battle Hill	Julie Cruddas
Benton	Janet Hunter
Camperdown	Steven Cox
Camperdown	Tracy Hallway
Chirton	Matthew Thirlaway
Collingwood	John Johnsson
Cullercoats	Andrew Spowart
Howdon	John Harrison
Killingworth	Erin Parker-Leonard
Longbenton	Karen Clark
Monkseaton North	Stephen Holdsworth
Monkseaton South	David Drummond
Northumberland	Andrew Newman
Preston	Matthew Wilson
Riverside	Wendy Lott
St Mary's	Ian McAlpine

Tynemouth	Lewis Bartoli
Valley	Carole Burdis
Wallsend	Ian Grayson
Weetslade	Sarah Burtenshaw
Whitley Bay	John O'Shea

North Tyneside Council

Report to Council

Date: 18 May 2023

Title: Review of the Constitution

Portfolio(s): Elected Mayor	Cabinet Member(s): Dame Norma Redfearn, Elected Mayor
Report from Service Area: Resources	
Responsible Officer: Jon Ritchie, Director of Resources (Tel: 0191 643 6476)	
Wards affected: All	

PART 1

1.1 Executive Summary:

This report summarises the outcomes of the latest review of the Constitution and associated documents.

The review of the Constitution and associated documents ensures that these aspects of the Authority's governance arrangements remain up to date and fit for purpose.

1.2 Recommendation(s):

It is recommended that Council:

- a) approves the proposed changes to the Constitution set out in **Appendix 1** to this report;
- b) refers the approved changes to the Elected Mayor for her consent in accordance with Article 16 of the Constitution, other than those changes relating to Scrutiny Committees;
- c) notes that changes to the Constitution relating to the operation of Scrutiny Committees are approved by full Council under

recommendation (a) above and under Article 16 of the Constitution do not therefore require the additional consent of the Elected Mayor.

1.3 Forward Plan:

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 10 March 2023.

1.4 Council Plan and Policy Framework

This report supports all aspects of the Authority's operations and therefore all priorities in the Council Plan.

1.5 Information:

- 1.5.1 The Authority's Constitution is reviewed at least annually to ensure that this is kept up to date and reflects any required changes.
- 1.5.2 In accordance with established arrangements for review of the Constitution, any changes which are proposed to the Constitution and its associated documents are considered by the Constitution Task Group. Any changes agreed by the Constitution Task Group following its review of such proposals are then submitted to a meeting of full Council for formal approval.
- 1.5.3 The proposed amendments to the Constitution in May 2023 are summarised in **Appendix 1** to this report. These amendments reflect legal requirements with which the Authority must comply, or good practice which has been identified / recommended to the Authority. Proposed amendments include establishing a maximum term of office for co-opted members on the Authority's Audit Committee; restructuring the Authority's Scrutiny arrangements, following a recommendation to this effect from the Centre for Governance and Scrutiny; introducing electronic voting in Council meetings, at the discretion of the Chair; and the inclusion of a list of 'proper officers' in future versions of the Constitution, so that there is clarity with regard to which 'proper officer' discharges those functions that must be discharged by a 'proper officer' in accordance with local government legislation.
- 1.5.4 The proposed amendments to the Officer Delegation Scheme reflect changes which have been made to the organisation of the Authority's staff during 2022/23; provide clarification relating to requirements of various aspects of legislation; and bring the administration of write off procedures up to date.

- 1.5.5 Having considered proposals for amendments to the Constitution and associated documents as part of this latest review, the Constitution Task Group has approved those changes summarised in **Appendix 1** to this report; and agreed that these proposed changes should progress to full Council for decision in accordance with the recommendations set out in 1.2 above.
- 1.5.6 The Constitution and associated documents will continue to be kept under review and updated to reflect any changes in the organisational structure of the Authority, and any legislative or governance changes which may occur over time; and proposed to Constitution Task Group before decision by full Council in the usual way. During 2023/24, the Head of Governance will arrange in-year meetings of the Constitution Task Group as necessary, to ensure that the Constitution and associated documents can be updated in a timely way.

1.6 Decision options:

The following decision options are available for consideration by Council:

Option 1 – Accept all of the recommendations and proposals

Option 2 – Make amendments to the recommendations; or

Option 3 – Reject some or all of the recommendations

Option 1 is the recommended option.

1.7 Reasons for recommended option:

Option 1 is recommended for the following reasons:

- 1.7.1 The proposals presented to Council have been considered in detail by the Constitution Task Group, which is the Authority's consultative body for any changes to the Constitution and its associated documents. These changes are also recommended to Council by the Monitoring Officer, who currently has a duty under Article 16 of the Constitution to monitor and review the Constitution.

1.8 Appendices:

Appendix 1 – Proposed changes to Constitution and Officer Delegation Scheme approved by the Constitution Task Group

1.9 Contact officers:

Jon Ritchie, Director of Resources – tel. (0191) 643 6476

Allison Mitchell, Head of Governance – tel. (0191) 643 5720

Stephen Ballantyne, Head of Law (Monitoring Officer) – tel. (0191) 643 5466

1.10 Background information:

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

Papers considered by Constitution Task Group on 25 April 2023

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

There are no financial implications arising from the proposed changes set out in **Appendix 1**, other than the potential for a slight reduction in the total number (and corresponding value) of Special Responsibility Allowances payable. This reduction would flow from the proposed restructuring of the Authority's scrutiny committees set out in Appendix 1. Any such changes to Special Responsibility Allowances will be reported separately to full Council in accordance with Section 18 of the Local Government and Housing Act 1989, following review by the Independent Remuneration Panel in due course.

2.2 Legal

The review of the Constitution documents at least annually, including a review of the 'local choice' elements of the Policy Framework, is required by the Constitution. The changes that have been proposed are necessary to enable the Authority to carry out its duties and responsibilities in an appropriate and timely manner. The Head of Law (Monitoring Officer) has been fully consulted in the drafting of this document and all proposed changes comply with current legislation.

Any specific legal implications arising from the proposed changes are set out in full in Appendix 1 to this report.

Any changes to the Constitution and its associated documents can only be approved by full Council.

2.3 Consultation/community engagement

2.3.1 Internal Consultation

The review of the Constitution and associated documents was published on the Forward Plan in March 2023. Proposals for change were received from service areas throughout the Authority and also from some elected members, and considered in full by the Constitution Task Group.

2.3.2 External Consultation/Engagement

There has been no external consultation in relation to the proposed changes to the Authority's Constitution as set out in the report and Appendix 1.

2.4 Human rights

The contents of the report comply with the Human Rights Act 1998.

Any specific human rights implications arising from the proposed changes are set out in Appendix 1 to this report.

2.5 Equalities and diversity

Copies of the Constitution documents in alternative formats and languages can be made available upon request.

Any specific equalities and diversity implications arising from the proposed changes are set out in Appendix 1 to this report.

2.6 Risk management

To ensure that the Constitution and associated documents are fit for purpose, and reflect required changes to ensure that the governance framework of the Authority is up to date and can function effectively, Appendix 1 to this report should be approved.

Any specific risk management implications arising from the proposed changes are set out in Appendix 1 to this report.

2.7 Crime and disorder

Any specific crime and disorder implications arising from the proposed changes are set out in Appendix 1 to this report.

2.8 Environment and sustainability

Any specific environment and sustainability implications arising from the proposed changes are set out in Appendix 1 to this report.

Officers and Members are encouraged to access the revised documents electronically to minimise the number of paper copies produced.

PART 3 – SIGN OFF

- Chief Executive ☐
- Director(s) of Service ☐
- Mayor/Cabinet Member(s) ☐
- Chief Finance Officer ☐
- Monitoring Officer ☐
- Assistant Chief Executive ☐

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Constitution and Associated Documents – Proposed Changes

	Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
	Part 3.5 - Terms of Reference of Council and Committees 2. Audit Committee General Information	2. The two co-opted members of the Audit Committee will fulfil the roles of Chair and Deputy Chair of the Committee. The term of office for the co-opted members of the Audit Committee will be two years. The appointment of coopted members is a matter reserved to the full Council, on the recommendation of the Chief Executive and Section 151 Officer.	2. The two co-opted members of the Audit Committee will fulfil the roles of Chair and Deputy Chair of the Committee. The term of office for the co-opted members of the Audit Committee will be two years, with the term of office limited to a maximum of 10 years. The appointment of coopted members is a matter reserved to the full Council, on the recommendation of the Chief Executive and Section 151 Officer.
		Reason for proposed change: To ensure to foster independent decision-making, reduce familiarity and to mitigate conflicts of interest that may arise.	
		Implications of proposed change: <ul style="list-style-type: none"> Finance and other resource implications: 	

- **Legal implications:**

There are no legal implications, and this is in line with the term of office given to the Authority's Independent Persons appointed under the Localism Act 2011.

- **Consultation/Engagement undertaken (internal and external):**

- **Human Rights implications:**

- **Equalities and Diversity implications:**

There are no equality and diversity implications'

- **Risk Management implications:**

- **Crime and Disorder implications:**

- **Environment and Sustainability implications:**

Proposed by: John Barton
Service Area: Legal Services
Contact Tel. No:

Head of Service sign-off:
 (please insert a cross in the box)

X

Constitution and Associated Documents – Proposed Changes

	Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
	<p>Part 4.11 Public Access to Information Rules of Procedure</p> <p>2. Notices of Meeting</p>	<p>2. Notices of Meeting</p> <p>The Authority will give at least five clear working days notice, or as soon as is practicable, of any meeting by posting the details of the meeting at Quadrant, The Silverlink North, Cobalt Business Park. Copies will also be posted at Customer Service Centres, Whitley Bay Customer First Centre, North Shields Customer First Centre and Wallsend Customer First Centre. Notices will also be posted on North Tyneside Council's website (www.northtyneside.gov.uk). Meetings may however, in exceptional circumstances, be held with less than five clear working days notice.</p> <p>3. Access to information before meetings. The Authority will usually make copies of the agenda and reports available to the public for inspection at Quadrant, The Silverlink North, Cobalt Business Park, at least five clear working days before the meeting. Copies can also be inspected at the other places listed above and on North Tyneside</p>	<p>2. Notices of Meeting</p> <p>The Authority will give at least five clear working days notice, or as soon as is practicable, of any meeting by posting the details of the meeting will be posted on North Tyneside Council's website (www.northtyneside.gov.uk). A notice posting details of the meeting will also be displayed at Quadrant, Silverlink North, Cobalt Business Park. Meetings may however, in exceptional circumstances, be held with less than five clear working days notice.</p> <p>3. Access to information before meetings. The Authority will usually make copies of the agenda and reports available to the public for inspection at Quadrant, The Silverlink North, Cobalt Business Park, at least five clear working days</p>

	<p>Council's website. North Tyneside Council Constitution Part 4.11 Public Access to Information Rules of Procedure Version 26: April 2023 189 If an item of business is subsequently added to the agenda, the revised agenda will be open to inspection from the time the item is added to the agenda. Where a meeting is held with less than five clear working days notice being given, copies of the agenda and reports will be available to public inspection from the time the meeting is convened.</p>	<p>before the meeting. Copies can also be inspected at the other places listed above and on North Tyneside Council's website.</p> <p>If an item of business is subsequently added to the agenda, the revised agenda will be open to inspection from the time the item is added to the agenda. Where a meeting is held with less than five clear working days notice being given, copies of the agenda and reports will be available to public inspection from the time the meeting is convened.</p>
	<p>Reason for proposed change:</p> <p>Reducing the need to display hard copy notices and agenda (saving resources) at all. Customer service buildings. The Local Government Act 1972 in relation to Council meetings requires the "posting" of a public notice "at some conspicuous place or places", and such other manner as the Authority thinks "desirable" for giving notice of the meeting. The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 relating to Cabinet meetings requires a notice of meeting to be "displayed at the offices of the relevant local authority" and on the Authority's website.</p>	
<p>Implications of proposed change:</p> <ul style="list-style-type: none"> • Finance and other resource implications: • Legal implications: 		

	<ul style="list-style-type: none"> • Consultation/Engagement undertaken (internal and external): • Human Rights implications: • Equalities and Diversity implications: There are equality implications as due to their protected characteristics not everyone can access information via the website or travel to Quadrant to view the documents, the Authority would need to be able to make reasonable adjustments to enable access. • Risk Management implications: • Crime and Disorder implications: • Environment and Sustainability implications:
	Proposed by: John Barton Service Area: Legal Services Contact Tel. No:
	Head of Service sign-off: (please insert a cross in the box) <div data-bbox="779 1066 898 1123" style="display: inline-block; border: 1px solid black; padding: 2px 10px; text-align: center;">X</div>

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Constitution and Associated Documents – Proposed Changes

	Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
	<p style="text-align: center;">Part 4 , Section 13.5</p>	<p>If two Members present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot. Notwithstanding the above, at Budget Council meetings, a recorded vote will be taken on any motion or amendment relating to the budget and level of Council Tax to be levied.</p>	<p>If two Members present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down and entered into the minutes. A demand for a recorded vote will override a demand for a ballot.</p> <p>Notwithstanding the above, at Budget Council meetings, a recorded vote will be taken on any motion or amendment relating to the budget and level of Council Tax to be levied.</p> <p>At the discretion of the Chair, any recorded vote can be taken using the electronic voting system in the Council Chamber, when available, or by verbal roll call if the electronic voting system is unavailable.</p>
		<p>Reason for proposed change:</p> <p>To allow for correct and purposeful operation of the electronic voting system that is to be deployed in the council chamber</p>	

Implications of proposed change (to be completed by officers):

- **Finance and other resource implications:**

- **Legal implications:**

Paragraph 39 of Part VI of Schedule 12 of the Local Government Act 1972 states that subject to the provisions of any enactments, all questions coming or arising before a local authority shall be decided by a majority of the members of the authority **present and voting** thereon at a meeting of the authority. A record clearly needs to be taken of the number of members voting for, against or abstaining on any questions put.

There is no legal reason why that cannot be an electronic (digital) vote as long as the votes are accurately recorded by the digital system and the system can show the votes for, against or abstentions in the same way of a show of hands would achieve.

There is a requirement under the Local Authorities (Standing Orders) (England) Regulations 2001 that immediately after any vote is taken at a budget decision meeting of the Authority there must be **recorded in the minutes of the proceedings** of that meeting the **names of the persons** who cast a vote for the decision or against the decision or who abstained from voting. As long as the digital system can record the names of those voting for, against or abstaining on a budget decision then the Regulations will have been complied with.

There is no need to have a named vote at the budget setting meeting as long as the names of those voting in a particular way can be recorded in the minutes immediately after the vote is taken.

- **Consultation/Engagement undertaken (internal and external):**

- **Human Rights implications:**

- **Equalities and Diversity implications:**

The usability of the electronic voting system is straight forward for all users including by members with a range of disabilities or conditions. Users of the voting system would be trained in its use. Alternative voting options would be used if the system is unavailable.

- **Risk Management implications:**
- **Crime and Disorder implications:**
- **Environment and Sustainability implications:**

Proposed by: Councillor Anthony McMullen

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Constitution and Associated Documents – Proposed Changes

	Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
	Article 5.2	<p>The Chair will ensure that as far as possible Council meetings provide a forum for debate of matters of concern to the local community and, in particular, provide opportunities for the Cabinet to be held to account by other councillors.</p>	<p><i>“The Chair will impartially preside over meetings of the Council and in doing so will seek to ensure that the business is transacted efficiently and with due regard to the rights of councillors, officers and the interests of the community.”</i></p>
		<p>Reason for proposed change:</p> <p>To reflect established practice within meetings, in line with legal advice received.</p>	

Implications of proposed change (to be completed by officers):

- **Finance and other resource implications:**

- **Legal implications:**

Article 5 of the Constitution deals with “Chairing the Council” and amongst other things sets out the responsibilities of the Chair. It includes the following: -

“The Chair will preside over meetings of the Council and in doing so will seek to ensure that the business is transacted efficiently and with due regard to the rights of councillors, officers and the interests of the community.” and

“The Chair will ensure that as far as possible Council meetings provide a forum for debate of matters of concern to the local community and, in particular, provide opportunities for the Cabinet to be held to account by other councillors.”

The Chair will be responsible for upholding and promoting the purposes of the Constitution and in consultation with the Monitoring Officer, to interpret the Constitution where necessary.

There is no legal reason why the Constitution cannot be amended so that the first paragraph of section 2 of Article 5 “Council Meetings” reads as follows: -

*“The Chair will **impartially** preside over meetings of the Council and in doing so will seek to ensure that the business is transacted efficiently and with due regard to the rights of councillors, officers and the interests of the community.*

- **Consultation/Engagement undertaken (internal and external):**

- **Human Rights implications:**

- **Equalities and Diversity implications:**
There are no equality and diversity implications'
- **Risk Management implications:**
- **Crime and Disorder implications:**
- **Environment and Sustainability implications:**

Proposed by: Constitution Task Group on 25 April 2023 (modifying an alternative suggestion submitted to the Task Group)

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Constitution and Associated Documents – Proposed Changes

	Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
	Part 10	Part 10 Constitution provides a Management Structure Chart	Include a full list of the Authority’s Proper Officers
		Reason for proposed change: To provide clarity of responsibility	
Implications of proposed change: <ul style="list-style-type: none">Finance and other resource implications:Legal implications:<p>A ‘Proper Officer’ is an Officer appointed by the Authority to discharge a particular function as defined by section 270(3) of the Local Government Act 1972. It would provide clarity to specify those senior officers in the Authority who are appointed as proper officers where the law requires there to be a ‘proper officer’.</p>Consultation/Engagement undertaken (internal and external):			

	<ul style="list-style-type: none"> • Human Rights implications: • Equalities and Diversity implications: There are no equality and diversity implications' • Risk Management implications: • Crime and Disorder implications: • Environment and Sustainability implications:
	Proposed by: Allison Mitchell / John Barton Service Area: Head of Governance / Legal Services Contact Tel. No:
	Head of Service sign-off: (please insert a cross in the box) <div data-bbox="779 916 900 973" style="border: 1px solid black; display: inline-block; padding: 2px 10px; margin-left: 10px;">X</div>

Constitution and Associated Documents – Proposed Changes

	Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
	Part 3.5 – Terms of Reference of Council and Committees (Scrutiny Committees)	Please see attached – Appendix A	Please see attached – Appendix B
		<p>Reason for proposed change:</p> <p>Overview, Scrutiny and Policy Development (OS&PD) Committee met on 21st March 2023 and agreed that changes to the number and structure of Scrutiny Committees would be proposed to Constitution Task Group, in anticipation of recommending these changes to Annual Council in May 2023. This followed an external review of the Council’s Scrutiny functions undertaken by the Centre for Governance and Scrutiny during 2022.</p> <p>That external review was reported in full to OS&PD and the review recommended (amongst other matters) that the number of Scrutiny committees should be reduced and restructured to make these more focused, efficient and better positioned to discharge the Scrutiny role. OS&PD has proposed to reduce the number of committees from 8 to 6; replace Overview, Scrutiny and Policy Development Committee with an Overview and Scrutiny Co-ordination and Finance Committee (which would subsume the role of the current Finance Sub-committee); and align the remaining 5 sub-committees with the themes in the Council Plan (Caring, Thriving, Family Friendly, Green and Secure).</p> <p>Appendix B attached reflects these proposals and realigns the existing Terms of Reference for the current Scrutiny Committees to the proposed new structure of Scrutiny Committees. None of the existing Terms of Reference have been omitted / deleted – all are retained but have been</p>	

aligned against the proposed new Committees / Committee structure.

Implications of proposed change:

- **Finance and other resource implications:**

As the number of committees is proposed to reduce, there will be an anticipated reduction in direct costs as fewer Scrutiny Chairs will be needed (with a corresponding reduction in the number of allowances paid); and a reduction in indirect / opportunity costs as fewer committees will need to be serviced each year.

- **Legal implications:**

None. The proposed changes will not impact the responsibilities for Scrutiny set out in the Local Government Act 2000.

- **Consultation/Engagement undertaken (internal and external):**

The Centre for Governance and Scrutiny engaged widely with the Elected Mayor and elected members (Overview & Scrutiny Committee Chairs; other elected members serving on Scrutiny committees; Political Group Leaders; elected members from all political groups (non-members of Scrutiny); Chairs of other Committees); co-opted members of Scrutiny; and officers (the Democratic Services Team, Chief Executive and Senior Leadership Team). The report was published as part of the OS&PD agenda on 21 March 2023 and discussed in detail in that meeting of OS&PD.

- **Human Rights implications:**

None

- **Equalities and Diversity implications:**

Scrutiny Terms of Reference refers to conducting in-depth investigations and seeking to involve communities. When conducting scrutiny reviews and in-depth investigations, scrutiny should undertake equality impact assessments prior to undertaking their investigations, which would capture affected and diverse communities in North Tyneside.

- **Risk Management implications:**

None

- **Crime and Disorder implications:**

	<p>None</p> <ul style="list-style-type: none"> Environment and Sustainability implications: No direct implications. The functions of the current Environment Scrutiny Sub-Committee are proposed to be fulfilled by the new Green Scrutiny Sub-Committee.
	<p>Proposed by: Allison Mitchell, Head of Governance Service Area: Governance Contact Tel. No: 5720</p>
	<p>Head of Service sign-off: (please insert a cross in the box)</p> <div data-bbox="779 572 898 632" style="border: 1px solid black; display: inline-block; padding: 2px 10px;">X</div>

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Part 3.5 - Terms of Reference of Council and Committees Version 26: April 2023

Overview, Scrutiny and Policy Development

Overview, Scrutiny and Policy Development Committee Membership – 15
(plus 2 parent governor and 2 church representatives)

Quorum – 4

Terms of Reference

The Overview, Scrutiny and Policy Development Committee will: Scrutiny Functions

1. In relation to the delivery of the Council Plan, back office services, workforce development, customer satisfaction and community engagement:
 - a) scrutinise relevant budget monitoring and performance management information;
 - b) contribute to the decision making process by examining key policy issues and making reports and recommendations on them to the Elected Mayor, Cabinet and or other relevant decision makers prior to decisions being made;
 - c) conduct in-depth investigations in relation to topics of interest and concern to communities in North Tyneside,
 - d) seek to involve communities in its work and reflect their views and concerns;
 - e) present evidence based recommendations to the Elected Mayor, Cabinet and partner organisations to support them in the formulation of their future plans, strategies and decision making; and
 - f) monitor the impact of its reports and recommendations on service improvement.
2. On an annual basis, co-ordinate and undertake the challenge of the Cabinet's budget and strategic planning proposals (see Part 4.7 - Budget and Policy Framework Rules of Procedure).
3. Consider any issues referred to it under a 'Councillor Call for Action'.
4. Where a petition has requested it, require a relevant senior officer to appear before it to give evidence (see Part 5 - Petitions Scheme).
5. Review the steps that the Authority has taken in response to a petition in accordance with the Authority's petitions scheme (see Part 5 - Petitions Scheme).
6. Review or scrutinise decisions made by the Elected Mayor, Cabinet or Cabinet Members but not implemented and to recommend that the decision be reconsidered or to arrange for the review to be undertaken by the Council

(see Part 4.9 - Call In Rules of Procedure). North Tyneside Council
Constitution Part 3.5 - Terms of Reference of Council and Committees
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7. Receive an annual report from the Elected Mayor on the Cabinet's priorities for the coming year.

Co-ordinating Functions

8. Co-ordinate the formulation and delivery of the overview, scrutiny and policy development work programme, setting out a programme of work for itself and its sub-committees.

9. Review the effectiveness of the Authority's overview, scrutiny and policy development arrangements and, if necessary, make recommendations to Council on the appointment of its sub-committees.

10. Make recommendations to Council on the appointment of co-opted members and their term of office.

11. Where matters fall within the remit of more than one sub-committee the Committee will decide which of these will take the lead responsibility for such matters.

12. Consider requests from the Council or the Cabinet to examine and report on particular issues and in doing so decide on the method and timetable for responding to such requests.

13. Consider and either approve or reject any reports and recommendations made by a sub-committee for submission to Cabinet, Council, an individual or outside organisation unless: a) in exceptional circumstances, the Chair and Deputy Chair of the Overview, Scrutiny and Policy Development Committee agree otherwise; or

b) the report and recommendations arise from the Finance Subcommittee's scrutiny of performance management and revenue and capital budget monitoring information and any proposals that impact upon the Authority's revenue or capital budgets (See Finance Subcommittee's terms of reference below). In these circumstances the report and recommendations of the Finance Sub-committee will be reported to the next meeting of the Overview, Scrutiny and Policy Development Committee for information.

14. Consider any policy or legislative changes that will impact on the development of the overview, scrutiny and policy development function.

15. Oversee the Authority's involvement in external overview, scrutiny and policy development activity, including the regional scrutiny network.

16. Oversee and promote public involvement in the overview, scrutiny and policy development process.

17. To receive any nominations for the award of Freedom of the Borough and make recommendations as appropriate, in accordance with the adopted Freedom of the Borough procedure, to Annual Council.

18. Identify any training, development and support for members carrying out their overview, scrutiny and policy development functions.

19. Liaise with the Elected Mayor, Cabinet, the Authority's senior management team, the Audit Committee and partner organisations to ensure the committee and its sub-committees have appropriate access to relevant information and support.

20. Approve the contents of an annual report summarising the performance of the overview, scrutiny and policy development arrangements over the previous year together with its proposed work programme for the year ahead for submission to the Annual Council meeting.

2. Adult Social Care, Health and Wellbeing Sub-committee Membership – 12

Quorum – 3

Terms of Reference

In relation to adult care, community services, health and wellbeing, mental health and emotional wellbeing, healthy lifestyles, welfare of vulnerable adults, older people, access to health services, benefits, independent living, personalisation, financial inclusion, public health and carers, the Adult Social Care, Health and Wellbeing Sub-committee will:

1. Scrutinise relevant budget monitoring and performance management information.
2. Contribute to the decision making process by examining key policy issues and making reports and recommendations on them to the Elected Mayor, Cabinet and or other relevant decision makers prior to decisions being made.
3. Conduct in-depth investigations in relation to topics of interest and concern to communities in North Tyneside.
4. Seek to involve communities in its work and reflect their views and concerns.
5. Present evidence based recommendations to the Elected Mayor, Cabinet and partner organisations to support them in the formulation of their future plans, strategies and decision making.
6. Monitor the impact of its reports and recommendations on service improvement.
7. On an annual basis undertake the challenge of the Cabinet's budget and strategic planning proposals (see Part 4.7 - Budget and Policy Framework Rules of Procedure).
8. Discharge the Authority's powers of review and scrutiny on such health related matters as designated within the Health and Social Care Act 2012 and associated regulations.
9. Discharge the Authority's powers of referral to the Secretary of State in relation to proposals for reconfiguration of health services.
10. Unless in exceptional circumstances where the Chair and Deputy Chair of the Overview, Scrutiny and Policy Development Committee agree otherwise, submit any

reports and recommendations to the Overview, Scrutiny and Policy Development Committee prior to submission to Cabinet, Council, an individual or outside organisation.

3. Children, Education and Skills Sub-committee

Membership – 12 (plus 2 parent governor and 2 church representatives)

Quorum – 3

Terms of Reference

In relation to schools, adult education, work based learning, 14-19 skills, safeguarding, child protection, early years, children's centres, youth offending, preventative services, substance misuse services, looked after children, youth services and play, Connexions, children's health and wellbeing and vocational learning, the Children, Education and Skills Sub-Committee will:

1. Scrutinise relevant budget monitoring and performance management information.
2. Contribute to the decision making process by examining key policy issues and making reports and recommendations on them to the Elected Mayor, Cabinet and or other relevant decision makers prior to decisions being made.
3. Conduct in-depth investigations in relation to topics of interest and concern to communities in North Tyneside.
4. Seek to involve communities in its work and reflect their views and concerns.
5. Present evidence based recommendations to the Elected Mayor, Cabinet and partner organisations to support them in the formulation of their future plans, strategies and decision making.
6. Monitor the impact of its reports and recommendations on service improvement.
7. On an annual basis undertake the challenge of the Cabinet's budget and strategic planning proposals (see Part 4.7 - Budget and Policy Framework Rules of Procedure).
8. Unless in exceptional circumstances where the Chair and Deputy Chair of the Overview, Scrutiny and Policy Development Committee agree otherwise, submit any reports and recommendations to the Overview, Scrutiny and Policy Development Committee prior to submission to Cabinet, Council, an individual or outside organisation.

4. Culture and Leisure Sub-committee Membership – 12

Quorum – 3

Terms of Reference In relation to parks and open spaces, sport and leisure, libraries, arts development, heritage strategy, community centres and voluntary sector support, the Culture and Leisure Sub-Committee will:

1. Scrutinise relevant budget monitoring and performance management information.

2. Contribute to the decision making process by examining key policy issues and making reports and recommendations on them to the Elected Mayor, Cabinet and or other relevant decision makers prior to decisions being made.
3. Conduct in-depth investigations in relation to topics of interest and concern to communities in North Tyneside.
4. Seek to involve communities in its work and reflect their views and concerns.
5. Present evidence based recommendations to the Elected Mayor, Cabinet and partner organisations to support them in the formulation of their future plans, strategies and decision making.
6. Monitor the impact of its reports and recommendations on service improvement.
7. On an annual basis undertake the challenge of the Cabinet's budget and strategic planning proposals (see Part 4.7 - Budget and Policy Framework Rules of Procedure).
8. Unless in exceptional circumstances where the Chair and Deputy Chair of the Overview, Scrutiny and Policy Development Committee agree otherwise, submit any reports and recommendations to the Overview, Scrutiny and Policy Development Committee prior to submission to Cabinet, Council, an individual or outside organisation.

Economic Prosperity Sub-committee Membership – 12
Quorum – 3
Terms of Reference

In relation to economic development, planning, business and enterprise, the transport network, highways and road safety, town centres, inward investment and tourism, the Economic Prosperity Sub-Committee will:

1. Scrutinise relevant budget monitoring and performance management information.
1. Contribute to the decision making process by examining key policy issues and making reports and recommendations on them to the Elected Mayor, Cabinet and or other relevant decision makers prior to decisions being made.
2. Conduct in-depth investigations in relation to topics of interest and concern to communities in North Tyneside.
3. Seek to involve communities in its work and reflect their views and concerns.
4. Present evidence based recommendations to the Elected Mayor, Cabinet and partner organisations to support them in the formulation of their future plans, strategies and decision making.
5. Monitor the impact of its reports and recommendations on service improvement.
6. On an annual basis undertake the challenge of the Cabinet's budget and strategic planning proposals (see Part 4.7 - Budget and Policy Framework Rules of Procedure).
7. Unless in exceptional circumstances where the Chair and Deputy Chair of the Overview, Scrutiny and Policy Development Committee agree otherwise, submit any reports and recommendations to the Overview, Scrutiny and Policy Development Committee prior to submission to Cabinet, Council, an individual or outside organisation.

6. Environment Sub-committee

Membership – 12

Quorum – 3

Terms of Reference In relation to the environment, energy use, climate change, flood risk management and waste management, the Environment Sub-committee will:

1. Scrutinise relevant budget monitoring and performance management information.
2. Contribute to the decision making process by examining key policy issues and making reports and recommendations on them to the Elected Mayor, Cabinet and or other relevant decision makers prior to decisions being made.
3. Conduct in-depth investigations in relation to topics of interest and concern to communities in North Tyneside.
4. Seek to involve communities in its work and reflect their views and concerns.
5. Present evidence based recommendations to the Elected Mayor, Cabinet and partner organisations to support them in the formulation of their future plans, strategies and decision making.
6. Monitor the impact of its reports and recommendations on service improvement.
7. On an annual basis undertake the challenge of the Cabinet's budget and strategic planning proposals (see Part 4.7 - Budget and Policy Framework Rules of Procedure).
8. Unless in exceptional circumstances where the Chair and Deputy Chair of the Overview, Scrutiny and Policy Development Committee agree otherwise, submit any reports and recommendations to the Overview, Scrutiny and Policy Development Committee prior to submission to Cabinet, Council, an individual or outside organisation.

7. Finance Sub-committee Membership – 7

Quorum – 3

Terms of Reference

1. Undertake scrutiny of revenue and capital budget, and related performance management monitoring information, and any proposals that impact upon the Authority's revenue or capital budgets, and make recommendations, as appropriate, including recommendations for internal audit investigations, to the Cabinet and/or Overview, Scrutiny and Policy Development Committee.
2. Review the effectiveness of arrangements for budget monitoring within the Authority and report, as appropriate, to the Overview, Scrutiny and Policy Development Committee.
3. Liaise with the Authority's external auditors in relation to the budget monitoring processes and any other financial matters.

4. Undertake specific reviews to examine the Authority's arrangements for ensuring the efficient and effective use of financial resources and then report its findings, along with any recommendations, to the Overview, Scrutiny and Policy Development Committee. In carrying out such reviews, the Subcommittee must have regard to any key objectives contained in the Budget or Council Plan.

5. Examine and challenge how the Authority is using its resources to deliver positive outcomes for local people in a way that provides value for money.

8. Housing Sub-committee Membership – 12

Quorum – 3

Terms of Reference

In relation to housing and community safety, the Housing Sub-Committee will:

1. Scrutinise relevant budget monitoring and performance management information.
2. Contribute to the decision making process by examining key policy issues and making reports and recommendations on them to the Elected Mayor, Cabinet and or other relevant decision makers prior to decisions being made.
3. Conduct in-depth investigations in relation to topics of interest and concern to communities in North Tyneside.
4. Seek to involve communities in its work and reflect their views and concerns.
5. Present evidence based recommendations to the Elected Mayor, Cabinet and partner organisations to support them in the formulation of their future plans, strategies and decision making.
6. Monitor the impact of its reports and recommendations on service improvement.
7. On an annual basis undertake the challenge of the Cabinet's budget and strategic planning proposals (see Part 4.7 - Budget and Policy Framework Rules of Procedure).
8. Undertake the overview, scrutiny and policy development responsibilities in respect to crime and disorder issues as set out in the Police and Justice Act 2006 and associated regulations, including any crime and disorder issues referred to it as a 'Councillor Call for Action'.
9. Unless in exceptional circumstances where the Chair and Deputy Chair of the Overview, Scrutiny and Policy Development Committee agree otherwise, submit any reports and recommendations to the Overview, Scrutiny and Policy Development Committee prior to submission to Cabinet, Council, an individual or outside organisation

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Part 3.5 - Terms of Reference of Council and Committees

1 Overview and Scrutiny Co-ordination and Finance Committee

Membership – 15 (plus 2 parent governor and 2 church representatives)

Quorum – 4

Terms of Reference

The **Overview and Scrutiny Co-ordination and Finance Committee** will:

Overall Scrutiny Functions

1. In relation to the delivery of the Council Plan, back office services, workforce development, customer satisfaction and community engagement:
 - a) scrutinise relevant budget monitoring and performance management information;
 - b) contribute to the decision making process by examining key policy issues and making reports and recommendations on them to the Elected Mayor, Cabinet and or other relevant decision makers prior to decisions being made;
 - c) conduct in-depth investigations in relation to topics of interest and concern to communities in North Tyneside,
 - d) seek to involve communities in its work and reflect their views and concerns;
 - e) present evidence based recommendations to the Elected Mayor, Cabinet and partner organisations to support them in the formulation of their future plans, strategies and decision making; and
 - f) monitor the impact of its reports and recommendations on service improvement.
2. On an annual basis, co-ordinate and undertake the challenge of the Cabinet's budget and strategic planning proposals (see Part 4.7 - Budget and Policy Framework Rules of Procedure).
3. Consider any issues referred to it under a 'Councillor Call for Action'.
4. Where a petition has requested it, require a relevant senior officer to appear before it to give evidence (see Part 5 - Petitions Scheme).
5. Review the steps that the Authority has taken in response to a petition in accordance with the Authority's petitions scheme (see Part 5 - Petitions Scheme).
6. Review or scrutinise decisions made by the Elected Mayor, Cabinet or Cabinet Members but not implemented and to recommend that the decision be reconsidered or to arrange for the review to be undertaken by the Council (see Part 4.9 - Call In Rules of Procedure).

7. Receive an annual report from the Elected Mayor on the Cabinet's priorities for the coming year.

Finance Scrutiny Functions

8. Undertake scrutiny of revenue and capital budget, and related performance management monitoring information, and any proposals that impact upon the Authority's revenue or capital budgets, and make recommendations, as appropriate, including recommendations for internal audit investigations, to the Cabinet and/or ~~Overview, Scrutiny and Policy Development Committee~~.
9. Review the effectiveness of arrangements for budget monitoring within the Authority and report, as appropriate, to the ~~Overview, Scrutiny and Policy Development Committee~~ **Cabinet**.
10. Liaise with the Authority's external auditors in relation to the budget monitoring processes and any other financial matters.
11. Undertake specific reviews to examine the Authority's arrangements for ensuring the efficient and effective use of financial resources and then report its findings, along with any recommendations, to the ~~Overview, Scrutiny and Policy Development Committee~~ **Cabinet**. In carrying out such reviews, the Subcommittee must have regard to any key objectives contained in the Budget or Council Plan.
12. Examine and challenge how the Authority is using its resources to deliver positive outcomes for local people in a way that provides value for money.

Co-ordinating Functions

13. Co-ordinate the formulation and delivery of the overview, scrutiny and policy development work programme, setting out a programme of work for itself and its sub-committees.
14. Review the effectiveness of the Authority's overview, scrutiny and policy development arrangements and, if necessary, make recommendations to Council on the appointment of its sub-committees.
15. Make recommendations to Council on the appointment of co-opted members and their term of office.
16. Where matters fall within the remit of more than one sub-committee the Committee will decide which of these will take the lead responsibility for such matters.
17. Consider requests from the Council or the Cabinet to examine and report on particular issues and in doing so decide on the method and timetable for responding to such requests.

18. Consider and either approve or reject any reports and recommendations made by a sub-committee for submission to Cabinet, Council, an individual or outside organisation unless in exceptional circumstances, the Chair and Deputy Chair of the ~~Overview, Scrutiny and Policy Development Committee~~ **Overview and Scrutiny Co-ordination and Finance Committee** agree otherwise.

~~b) the report and recommendations arise from the Finance Subcommittee's scrutiny of performance management and revenue and capital budget monitoring information and any proposals that impact upon the Authority's revenue or capital budgets (See Finance Subcommittee's terms of reference below). In these circumstances the report and recommendations of the Finance Sub-committee will be reported to the next meeting of the Overview, Scrutiny and Policy Development Committee for information.~~

Policy Development Functions

19. Consider any policy or legislative changes that will impact on the development of the overview, scrutiny and policy development function.
20. Oversee the Authority's involvement in external overview, scrutiny and policy development activity, including the regional scrutiny network.
21. Oversee and promote public involvement in the overview, scrutiny and policy development process.
22. To receive any nominations for the award of Freedom of the Borough and make recommendations as appropriate, in accordance with the adopted Freedom of the Borough procedure, to Annual Council.
23. Identify any training, development and support for members carrying out their overview, scrutiny and policy development functions.
24. Liaise with the Elected Mayor, Cabinet, the Authority's senior management team, the Audit Committee and partner organisations to ensure the committee and its sub-committees have appropriate access to relevant information and support.
25. Approve the contents of an annual report summarising the performance of the overview, scrutiny and policy development arrangements over the previous year together with its proposed work programme for the year ahead for submission to the Annual Council meeting.

~~2-Adult Social Care, Health and Wellbeing Sub-committee Membership~~ **Caring Sub-Committee**

Membership – 12

Quorum – 3

Terms of Reference

In relation to adult care, community services, health and wellbeing, mental health and emotional wellbeing, healthy lifestyles, welfare of vulnerable adults, older people, access to health services, benefits, independent living, personalisation, financial inclusion, public health and carers, the **Caring** Sub-committee will:

1. Scrutinise relevant budget monitoring and performance management information.
2. Contribute to the decision making process by examining key policy issues and making reports and recommendations on them to the Elected Mayor, Cabinet and or other relevant decision makers prior to decisions being made.
3. Conduct in-depth investigations in relation to topics of interest and concern to communities in North Tyneside.
4. Seek to involve communities in its work and reflect their views and concerns.
5. Present evidence based recommendations to the Elected Mayor, Cabinet and partner organisations to support them in the formulation of their future plans, strategies and decision making.
6. Monitor the impact of its reports and recommendations on service improvement.
7. On an annual basis undertake the challenge of the Cabinet's budget and strategic planning proposals (see Part 4.7 - Budget and Policy Framework Rules of Procedure).
8. Discharge the Authority's powers of review and scrutiny on such health related matters as designated within the Health and Social Care Act 2012 and associated regulations.
9. Discharge the Authority's powers of referral to the Secretary of State in relation to proposals for reconfiguration of health services.
10. Unless in exceptional circumstances where the Chair and Deputy Chair of the ~~Overview, Scrutiny and Policy Development Committee~~ **Overview and Scrutiny Co-ordination and Finance Committee** agree otherwise, submit any reports and recommendations to the ~~Overview, Scrutiny and Policy Development Committee~~ **Overview and Scrutiny Co-ordination and Finance Committee** prior to submission to Cabinet, Council, an individual or outside organisation.

3 ~~Children, Education and Skills Sub-committee~~ **Family Friendly Sub-Committee**

Membership – 12 (plus 2 parent governor and 2 church representatives)

Quorum – 3

Terms of Reference

In relation to schools, adult education, work based learning, 14-19 skills, safeguarding, child protection, early years, children's centres, youth offending, preventative services, substance misuse services, looked after children, youth services and play, Connexions, children's health and wellbeing and vocational learning, the **Family Friendly** Sub-Committee will:

1. Scrutinise relevant budget monitoring and performance management information.
2. Contribute to the decision making process by examining key policy issues and making reports and recommendations on them to the Elected Mayor, Cabinet and or other relevant decision makers prior to decisions being made.

3. Conduct in-depth investigations in relation to topics of interest and concern to communities in North Tyneside.
4. Seek to involve communities in its work and reflect their views and concerns.
5. Present evidence based recommendations to the Elected Mayor, Cabinet and partner organisations to support them in the formulation of their future plans, strategies and decision making.
6. Monitor the impact of its reports and recommendations on service improvement.
7. On an annual basis undertake the challenge of the Cabinet's budget and strategic planning proposals (see Part 4.7 - Budget and Policy Framework Rules of Procedure).
8. Unless in exceptional circumstances where the Chair and Deputy Chair of the ~~Overview, Scrutiny and Policy Development Committee~~ **Overview and Scrutiny Co-ordination and Finance Committee** agree otherwise, submit any reports and recommendations to the ~~Overview, Scrutiny and Policy Development Committee~~ **Overview and Scrutiny Co-ordination and Finance Committee** prior to submission to Cabinet, Council, an individual or outside organisation.

~~4 Culture and Leisure Sub-committee Membership~~ **Thriving Sub-Committee**

Membership – 12

Quorum – 3

Terms of Reference In relation to economic development, planning, business and enterprise, parks and open spaces, sport and leisure, libraries, tourism, arts development, heritage strategy, community centres and voluntary sector support, the **Thriving Sub-Committee** will:

1. Scrutinise relevant budget monitoring and performance management information.
2. Contribute to the decision making process by examining key policy issues and making reports and recommendations on them to the Elected Mayor, Cabinet and or other relevant decision makers prior to decisions being made.
3. Conduct in-depth investigations in relation to topics of interest and concern to communities in North Tyneside.
4. Seek to involve communities in its work and reflect their views and concerns.
5. Present evidence based recommendations to the Elected Mayor, Cabinet and partner organisations to support them in the formulation of their future plans, strategies and decision making.
6. Monitor the impact of its reports and recommendations on service improvement.
7. On an annual basis undertake the challenge of the Cabinet's budget and strategic planning proposals (see Part 4.7 - Budget and Policy Framework Rules of Procedure).
8. Unless in exceptional circumstances where the Chair and Deputy Chair of the ~~Overview, Scrutiny and Policy Development Committee~~ **Overview and Scrutiny Co-ordination and Finance Committee** agree otherwise, submit any reports and recommendations to the ~~Overview, Scrutiny and Policy Development Committee~~ **Overview and Scrutiny Co-ordination and Finance Committee** prior to submission to Cabinet, Council, an individual or outside organisation.

~~Economic Prosperity Sub-committee Membership~~

Membership – 12

~~Quorum – 3~~

~~Terms of Reference~~

~~In relation to economic development, planning, business and enterprise, the transport network, highways and road safety, town centres, inward investment and tourism, the Economic Prosperity Sub-Committee will:~~

- ~~1. Scrutinise relevant budget monitoring and performance management information.~~
- ~~1. Contribute to the decision making process by examining key policy issues and making reports and recommendations on them to the Elected Mayor, Cabinet and or other relevant decision makers prior to decisions being made.~~
- ~~2. Conduct in-depth investigations in relation to topics of interest and concern to communities in North Tyneside.~~
- ~~3. Seek to involve communities in its work and reflect their views and concerns.~~
- ~~4. Present evidence based recommendations to the Elected Mayor, Cabinet and partner organisations to support them in the formulation of their future plans, strategies and decision making.~~
- ~~5. Monitor the impact of its reports and recommendations on service improvement.~~
- ~~6. On an annual basis undertake the challenge of the Cabinet's budget and strategic planning proposals (see Part 4.7 – Budget and Policy Framework Rules of Procedure).~~
- ~~7. Unless in exceptional circumstances where the Chair and Deputy Chair of the Overview, Scrutiny and Policy Development Committee agree otherwise, submit any reports and recommendations to the Overview, Scrutiny and Policy Development Committee prior to submission to Cabinet, Council, an individual or outside organisation.~~

~~5 Environment Sub-committee~~ **Green Sub-committee**

~~Membership – 12~~

~~Quorum – 3~~

~~Terms of Reference~~

In relation to the environment, energy use, climate change, **carbon reduction**, flood risk management and waste management, **transport and the transport network, highways and road safety, safe walking and cycling**, the **Green** Sub-committee will:

1. Scrutinise relevant budget monitoring and performance management information.
2. Contribute to the decision making process by examining key policy issues and making reports and recommendations on them to the Elected Mayor, Cabinet and or other relevant decision makers prior to decisions being made.
3. Conduct in-depth investigations in relation to topics of interest and concern to communities in North Tyneside.
4. Seek to involve communities in its work and reflect their views and concerns.

5. Present evidence based recommendations to the Elected Mayor, Cabinet and partner organisations to support them in the formulation of their future plans, strategies and decision making.
6. Monitor the impact of its reports and recommendations on service improvement.
7. On an annual basis undertake the challenge of the Cabinet's budget and strategic planning proposals (see Part 4.7 - Budget and Policy Framework Rules of Procedure).
8. Unless in exceptional circumstances where the Chair and Deputy Chair of the ~~Overview, Scrutiny and Policy Development Committee~~ **Overview and Scrutiny Co-ordination and Finance Committee** agree otherwise, submit any reports and recommendations to the ~~Overview, Scrutiny and Policy Development Committee~~ **Overview and Scrutiny Co-ordination and Finance Committee** prior to submission to Cabinet, Council, an individual or outside organisation.

~~6 Housing Sub-committee~~ **Secure Sub-committee**

Membership – 12

Quorum – 3

Terms of Reference

In relation to housing and community safety, **inequalities, equality and diversity** the **Secure** Sub-Committee will:

1. Scrutinise relevant budget monitoring and performance management information.
2. Contribute to the decision making process by examining key policy issues and making reports and recommendations on them to the Elected Mayor, Cabinet and or other relevant decision makers prior to decisions being made.
3. Conduct in-depth investigations in relation to topics of interest and concern to communities in North Tyneside.
4. Seek to involve communities in its work and reflect their views and concerns.
5. Present evidence based recommendations to the Elected Mayor, Cabinet and partner organisations to support them in the formulation of their future plans, strategies and decision making.
6. Monitor the impact of its reports and recommendations on service improvement.
7. On an annual basis undertake the challenge of the Cabinet's budget and strategic planning proposals (see Part 4.7 - Budget and Policy Framework Rules of Procedure).
8. Undertake the overview, scrutiny and policy development responsibilities in respect to crime and disorder issues as set out in the Police and Justice Act 2006 and associated regulations, including any crime and disorder issues referred to it as a 'Councillor Call for Action'.
9. Unless in exceptional circumstances where the Chair and Deputy Chair of the ~~Overview, Scrutiny and Policy Development Committee~~ **Overview and Scrutiny Co-ordination and Finance Committee** agree otherwise, submit any reports and recommendations to the ~~Overview, Scrutiny and Policy Development Committee~~

Overview and Scrutiny Co-ordination and Finance Committee prior to submission to Cabinet, Council, an individual or outside organisation

Constitution and Associated Documents – Proposed Changes

Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
Page 44, Section 10	Areas of responsibility: <ul style="list-style-type: none">• Facilities and Fair Access• Commissioning• Strategic Investment and Property• Commercial and Procurement• Community and Voluntary Sector Liaison (This bullet to be moved to Assistant Chief Executive page)	Areas of responsibility: <ul style="list-style-type: none">• Catering, Cleaning and Fair Access• Commissioning• Strategic Investment and Asset Management• Commercial and Procurement• Education and Inclusion Review
	Reason for proposed change: Introduction of the Education and Inclusion Review Project. Changes in structure resulting in the transfer of the Community & Voluntary Sector Liaison to the Participation and Engagement Team in Corporate Strategy	
Implications of proposed change: <ul style="list-style-type: none">• Finance and other resource implications: N/A• Legal implications: There are no legal implications to this proposed change.		

- **Consultation/Engagement undertaken (internal and external):** Consultation was carried out with the relevant services, employees and Cabinet Members before any transfer of roles and responsibilities was carried out.
- **Human Rights implications:** N/A
- **Equalities and Diversity implications:** N/A
- **Risk Management implications:** N/A
- **Crime and Disorder implications:** N/A
- **Environment and Sustainability implications:** N/A

Proposed by: Mary Nergaard
Service Area: Commissioning & Asset Management
Contact Tel. No: 0191 643 8091

Director of Service sign-off:
 (please insert a cross in the box)

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Constitution and Associated Documents – Proposed Changes

	Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
	<p><u>Officer Delegation Scheme</u></p> <p>Page 76 LG53 – Regulation of Investigatory Powers Act (RIPA) 2000.</p>	<p>To act as the Authority's Senior Responsible Officer under the Regulation of Investigatory Powers Act (RIPA) 2000 and be responsible for maintaining effective procedures on behalf of the Authority under this Act. Such procedures to include the appointment of authorising officers, the maintenance of a list of authorising officers, the maintenance of a register of authorisations and ensuring appropriate training provision. A report to be submitted to Cabinet annually on the operation of a RIPA policy and to the Regulation and Review Committee at least annually on the Authority's use of the powers.</p>	<p>To move LG53 to the delegations that sit with the Director of Resources.</p>
		<p>Reason for proposed change:</p> <p>The Senior Responsibility Officer role has been given to the Director of Resources.</p>	

Implications of proposed change:

- **Finance and other resource implications:**

There are no financial implications.

- **Legal implications:**

The Authority is required to have a Senior Responsibility Officer (SIRO) under the Regulation of Investigatory Powers Act 2000. Following the reorganisation of the Senior Management Structure of the Authority, the role of SIRO now sits with the Director of Resources and not, as was previously the case, the Director of Law and Governance.

- **Consultation/Engagement undertaken (internal and external):**

Senior managers have been consulted on this proposed change to the ODS.

- **Human Rights implications:**

There are no human rights implications.

- **Equalities and Diversity implications:**

There are no equalities or diversity implications.

- **Risk Management implications:**

There is a requirement to have a SIRO. That officer has responsibility for implementing and managing information risks within the Authority.

- **Crime and Disorder implications:**

There are no crime and disorder implications.

- **Environment and Sustainability implications:**

There are no implications.

Proposed by: John Barton
Service Area: Legal Services
Contact Tel. No: 6435354

Head of Service sign-off:
 (please insert a cross in the box)

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Constitution and Associated Documents – Proposed Changes

	Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
	Officer Delegation Scheme LG 23	<p>LG 23 - To exercise discretion, in consultation with the Director of Resources, to settle court and tribunal proceedings or any other potential proceedings.</p>	<p>LG 23 - To exercise discretion, in consultation with the Director of Resources (and subject to the approvals set out below, as appropriate), to settle court and tribunal proceedings or any other potential proceedings.</p> <p>In relation to any employment contract settlement involving a Special Severance Payment the following applies: -</p> <ul style="list-style-type: none"> • Payments of £20,000 and above, but below £100,000, require consultation with the Director of Resources and the approval of the Chief Executive and the Elected Mayor before exercising discretion and making any such payment. • Payments below £20,000 require consultation with the Director of Resources before exercising discretion and making any such payment. <p>Reason for proposed change: The proposed change reflects the Statutory guidance on the making and disclosure of Special Severance Payments by local authorities in England published by the Department for Levelling Up, Housing and Communities in May 2022. The proposed change reflects the process which</p>

	the government expects to be followed before a Special Severance Payment is approved.
<p>Implications of proposed change:</p> <ul style="list-style-type: none"> • Finance and other resource implications: • Legal implications: <p>Under section 3 of the Local Government Act 1999 the Authority must make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. In fulfilling those duties, the Authority must under section 3(4) of the 1999 Act have regard to “any guidance issued by the Secretary of State. The Guidance published in May 2022 is such Guidance and therefore must be considered by the Authority in relation to the process of approval before the making of Special Severance Payments.</p> • Consultation/Engagement undertaken (internal and external): • Human Rights implications: • Equalities and Diversity implications: <p>There are no equality and diversity implications’</p> • Risk Management implications: • Crime and Disorder implications: 	

- **Environment and Sustainability implications:**

Proposed by: Stephen Ballantyne
Service Area: Legal Services
Contact Tel. No:

Head of Service sign-off:
(please insert a cross in the box)

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Constitution and Associated Documents – Proposed Changes

	Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
	R18	<p>The following officers have delegated powers to write off bad debts as indicated:</p> <p>a) For sundry debts- Team Leader Sundry Income Collections up to £250. A schedule must be signed by the Senior Client Manager for Revenues and Benefits.</p> <p>b) For local taxation debts – Corporate Debt Manager up to £250. A schedule must be countersigned by the Senior Client Manager for Revenues and Benefits.</p> <p>c) For sundry and local taxation debts – Corporate Debt Manager up to £1500. A schedule must be countersigned by the Senior Client Manager for Revenues and Benefits.</p> <p>d) For sundry and local taxation debts with a value of over £1500 but under £3000, these must be authorised by the Senior Client Manager for Revenues and Benefits and countersigned by the Director of Resources.</p>	<p>The following officers have delegated powers to write off local taxation debts and sundry debts as indicated:</p> <p>a) For sundry debts and local taxation debts – the Revenues Advisor can write off up to £50.00.</p> <p>b) For Sundry debts and local taxation debts –Revenues Operations Manager can write off up to £375.00.</p> <p>c) For sundry and local taxation debts – with a value of £375 up to £2,500 Revenues Operations Manager and a schedule must be countersigned by the Senior Client Manager for Revenues and Benefits.</p> <p>d) For sundry and local taxation debts with a value of over £2,500 but under £4,500, these must be authorised by the Senior Client Manager for Revenues and Benefits and countersigned by the Director of Resources.</p>

	R19	<p>Write off for bad debts between £3,000 and £50,000 requires approval from the Cabinet Member with responsibility for finance. Write off for bad debts above £50,000 requires a Cabinet decision.</p> <p>The following officers have delegated powers to write off bad debts as indicated:</p> <ul style="list-style-type: none"> a) For housing benefit overpayments of up to £250 a schedule should be completed, and these should be authorised by the Benefit Manager and countersigned by the Senior Client Manager for Revenues and Benefits. b) For housing benefit overpayments of up to £1500 these should be authorised by the Benefit Manager and countersigned by the Senior Client Manager for Revenues and Benefits. c) For housing benefit overpayments with a value of over £1500 but under £3,000 these must be 	<ul style="list-style-type: none"> e) For sundry and local taxation debts with a value of between £4,500 and £50,000 requires approval from the Cabinet Member with responsibility for finance. f) For sundry and local taxation debts with a value of above £50,000 requires Cabinet approval. g) Debts for sundry and local taxation of levels up to £50,000 that cannot be legally pursued. A separate schedule of cases must be completed and signed by the relevant officer at the appropriate level advised above. <p>The following officers have delegated powers to write off bad debts for Housing Benefit as indicated:</p> <ul style="list-style-type: none"> a) For Housing Benefit overpayments of up to £375 a schedule should be completed, and these should be authorised by the Benefit Manager and countersigned by the Senior Client Manager for Revenues and Benefits. b) For Housing Benefit overpayments of up to £2,500 these should be authorised by the Benefit Manager and countersigned by the Senior Client Manager for Revenues and Benefits. c) For Housing Benefit overpayments with a
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		<p>authorised by the Senior Client Manager for Revenues and Benefits and countersigned by the Director of Resources.</p>	<p>value of £2,500 and over but under £4,500 these must be authorised by the Senior Client Manager for Revenues and Benefits and countersigned by the Director of Resources.</p> <p>d) For Housing Benefit debts with a value of between £4,500 and £50,000 requires approval from the Cabinet Member with responsibility for finance.</p> <p>e) Debts for Housing Benefit up to £50,000 that cannot be legally pursued. A schedule of cases must be completed and signed by the relevant officer at the appropriate level advised above.</p> <p>Where signatures or authorisations are referred to this will be in electronic form.</p>
		<p>Reason for proposed change:</p> <p>1) To improve processes that will reduce staff time, paper waste and reduce carbon emissions, a more electronic process has been agreed with Audit to allow the Service to use write off schedules across all levels of debt and also the use of electronic authorisation via email.</p> <ul style="list-style-type: none"> Where debt is part of arrangements that the LA cannot legally recover, this debt will be included in a schedule of write offs for statutory write off, officers will still authorise write off debts at agreed 	

	<p>levels.</p> <ul style="list-style-type: none"> • For all other debts a schedule will be created as non-statutory write offs, officers will still authorise write off debts at agreed levels. • Schedules will be emailed to appropriate officers for their write off electronic authorisation and each write off will be given a code as to the reason for write off. <p>This will reduce paper, which will help towards the authority's journey to Zero Carbon emission and speed up the process and reduce officer time.</p> <p>3. Increased Write Off Levels</p> <p>As the current write off levels no longer represent the value they did in 2002 when write off levels was agreed, the proposal is to increase these amounts by the cumulative amount of CPI since 2002. On the bank of England's calculator this equates to an average of around 2.1% per year:</p> <ul style="list-style-type: none"> • £250 is now updated and rounded to £375 • £1,500 is now updated and rounded to £2,500 • £3,000 is now updated and rounded to £4,500
	<p>Implications of proposed change:</p> <ul style="list-style-type: none"> • Finance and other resource implications: Reduce staff time by improving processes, paper and printing which will save money on reduced stationary costs. • Legal implications: There are no legal implications. If the Director of Resources as the Authority's Section 151 Officer (Chief Finance Officer) considers the proposed changes to the financial limits set out above to be appropriate then subject to formal approval by Council

to the proposed change to the ODS there is no legal reason why those changes cannot be made.

- **Consultation/Engagement undertaken (internal and external).**
Consultation has taken place with Audit, Director of Finance and Resources and Lead Member for Finance and Resources.
- **Human Rights implications:**
There are no Human Rights Implications.
- **Equalities and Diversity implications:**
There are no equality and diversity implications.
- **Risk Management implications:**
Audit have been consulted and there are no risks identified.
- **Crime and Disorder implications:**
There are no crime and disorder implications.
- **Environment and Sustainability implications:**
This will reduce carbon emissions as we are removing and printing from the process.

Proposed by: Tracy Hunter
Service Area: Finance (Revenues and Benefits)
Contact Tel. No:

Head of Service sign-off:
 (please insert a cross in the box)

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Constitution and Associated Documents – Proposed Changes

	Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
	Part 3.7 –Officer Delegation Scheme	DPH 54 to 69	Move into Delegations under Director of Housing and Property Services to become HP31-46
		Reason for proposed change: Building Control has moved from Capita into Housing & Property Services Directorate	
Implications of proposed change: <ul style="list-style-type: none">• Finance and other resource implications: None• Legal implications: There are no legal implications to this proposed amendment.• Consultation/Engagement undertaken (internal and external): Consultation between Director of Public Health and Director of Housing and Property Services			

	<ul style="list-style-type: none"> • Human Rights implications: None • Equalities and Diversity implications: None • Risk Management implications: None • Crime and Disorder implications: None • Environment and Sustainability implications: None
	Proposed by: Peter Mennell Service Area: Housing & Property Services Contact Tel. No:
	Head of Service sign-off: Peter Mennell <input data-bbox="835 951 954 1010" type="checkbox"/> (please insert a cross in the box)

Constitution and Associated Documents – Proposed Changes

	Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
	HP20 HP21	<p>HP20 In consultation with the Director of Resources, write off irrecoverable debt due from former tenants in compliance with the Authority’s write off policy. The following officers have delegated powers to write off former tenant rent arrears owed to the Authority:</p> <p style="padding-left: 40px;">a) Former tenant rent arrears of up to £250 should be authorised by the Team Leader Debt Recovery and Direct Debit and countersigned by the Welfare Reform and Income Manager.</p> <p style="padding-left: 40px;">b) Former tenant rent arrears with a value between £250 and £1,500 should be authorised by the Team Leader Debt Recovery and Direct Debit and countersigned by the Housing Operations Manager.</p> <p style="padding-left: 40px;">c) Former tenant rent arrears with a value over £1,500 but under £3,000 must be authorised by the Assistant Chief Executive or relevant Director of Service and countersigned by the Director of Resources.</p>	<p>HP20 In consultation with the Director of Resources, write off irrecoverable debt due from former tenants in compliance with the Authority’s write off policy. The following officers have delegated powers to write off former tenant rent arrears owed to the Authority:</p> <p style="padding-left: 40px;">a) Former tenant rent arrears of up to £375 should be authorised by the Team Leader Debt Recovery and Direct Debit and countersigned by the Housing Neighbourhood Manager.</p> <p style="padding-left: 40px;">b) Former tenant rent arrears with a value between £375 and £2,245 should be authorised by the Team Leader Debt Recovery and Direct Debit and countersigned by the Head of Housing Management</p> <p style="padding-left: 40px;">c) Former tenant rent arrears with a value over £2,245 but under £4,490 must be authorised by the Assistant Chief Executive or relevant Director of Service and countersigned by the Director of Resources.</p>

	<p>d) Write off of bad debts between £3,000 and £50,000 must be authorised by the Assistant Chief Executive or relevant Director of Service, countersigned by the Chief Finance Officer and approved by the Cabinet Member with responsibility for Housing.</p> <p>e) Write off of bad debts over £50,000 must be authorised by the Assistant Chief Executive or relevant Director of Service, countersigned by the Chief Finance Officer and approved by Cabinet.</p> <p>All write-offs will be evidenced by the appropriate paperwork, signed by the appropriate officer, countersigned by the manager/Cabinet Member as above.</p> <p>The above levels of write-off also apply to Bankruptcy/Debt Relief Order/Individual Voluntary Arrangement/Sundry Debts (for example rechargeable repairs)/Statute barred court costs where appropriate</p> <p>HP21</p>	<p>d) Write off of bad debts between £4,490 and £50,000 must be authorised by the Assistant Chief Executive or relevant Director of Service, countersigned by the Chief Finance Officer and approved by the Cabinet Member with responsibility for Housing.</p> <p>e) Write off of bad debts over £50,000 must be authorised by the Assistant Chief Executive or relevant Director of Service, countersigned by the Chief Finance Officer and approved by Cabinet.</p> <p>All write-offs will be evidenced by the appropriate paperwork, signed by the appropriate officer, countersigned by the manager/Cabinet Member as above.</p> <p>For write-off due to Bankruptcy/Debt Relief Order/Individual Voluntary Arrangement/Sundry Debts (for example rechargeable repairs)/Statute barred court costs where appropriate a schedule of debts is only required, signed off by the relevant officer for the appropriate level of debt.</p>
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	<p>In consultation with the Director of Resources, write off irrecoverable debt due from current tenants in compliance with the Authority's write off policy. The following officers have delegated powers to write off irrecoverable current tenant rent arrears owed to the Authority:</p> <ul style="list-style-type: none"> a) Current tenant rent arrears of up to £250 should be authorised by the Neighbourhood Team Leader and countersigned by the Neighbourhood Manager. b) b) Current tenant rent arrears with a value between £250 and £1,500 should be authorised by the Neighbourhood Team Leader and countersigned by the Housing Operations Manager. c) Current tenant rent arrears with a value over £1,500 but under £3,000 must be authorised by the Assistant Chief Executive or relevant Director of Service and countersigned by the Director of Resources. d) d) Write off of bad debts between £3000 and £50,000 must be authorised by the Assistant Chief Executive or relevant Director of Service, countersigned by the Chief Finance Officer and approved by the Cabinet Member with 	<p>HP21</p> <p>In consultation with the Director of Resources, write off irrecoverable debt due from current tenants in compliance with the Authority's write off policy. The following officers have delegated powers to write off irrecoverable current tenant rent arrears owed to the Authority:</p> <ul style="list-style-type: none"> a) Current tenant rent arrears of up to £375 should be authorised by the Neighbourhood Team Leader and countersigned by the Neighbourhood Manager. b) Current tenant rent arrears with a value between £375 and £2,245 should be authorised by the Neighbourhood Team Leader and countersigned by the Housing Neighbourhoods Services Manager. c) c) Current tenant rent arrears with a value over £2,245 but under £4,490 must be authorised by the Assistant Chief Executive or relevant Director of Service and countersigned by the Director of Resources. d) d) Write off of bad debts between £4490 and £50,000 must be authorised by the Assistant Chief Executive or relevant Director of Service, countersigned by the Chief
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		<p>responsibility for Housing, e) Write off for bad debt over £50,000 must be authorised by the Assistant Chief Executive or relevant Director of Service, countersigned by the Chief Finance Officer and approved by Cabinet.</p> <p>All write offs will be evidenced by the appropriate paperwork, signed by the appropriate officer, countersigned by the manager/cabinet member as above.</p> <p>The above levels of write off also apply to Bankruptcy/Debt Relief Order/Individual Voluntary Arrangement/ Sundry Debts (for example rechargeable repairs) / Statute barred Court costs when appropriate.</p>	<p>Finance Officer and approved by the Cabinet Member with responsibility for Housing,</p> <p>e) Write off for bad debt over £50,000 must be authorised by the Assistant Chief Executive or relevant Director of Service, countersigned by the Chief Finance Officer and approved by Cabinet.</p> <p>All write offs will be evidenced by the appropriate paperwork, signed by the appropriate officer, countersigned by the manager/cabinet member as above.</p> <p>For write offs due to Bankruptcy/Debt Relief Order/Individual Voluntary Arrangement/ Sundry Debts (for example rechargeable repairs) / Statute barred Court costs when appropriate a schedule of debts is only required signed off by the relevant officer for the appropriate level of debt</p>
		<p>Reason for proposed change:</p> <p>As the current write off levels no longer represent the value they did in 2002, the proposal is to increase these amounts by the cumulative amount of CPI since 2002. On the bank of England's calculator this equates to an average of 2.1% per year:</p> <ul style="list-style-type: none"> • £250 is now valued at *£374 	

	<ul style="list-style-type: none"> • £1,500 is now valued at *£2,245 • £3,000 is now valued at *£4,491 <p>*Rounded down to the nearest pound. These values have subsequently been rounded to the nearest £5 for ease of use.</p>
<p>Implications of proposed change:</p> <ul style="list-style-type: none"> • Finance and other resource implications: Reduce staff time by improving processes, paper and printing which will save money on reduced stationary costs. • Legal implications: There are no legal implications to the proposed amendments to the ODS. • Consultation/Engagement undertaken (internal and external): as part of the bigger write offs process which includes Council Tax. Consultation has taken place with Audit, Director of Finance and Resources and Lead Member for Finance and Resources • Human Rights implications: There are no Human Rights Implications • Equalities and Diversity implications: There are no equality and diversity implications • Risk Management implications: Audit have been consulted and there are no risks identified as part of the overall increase including Council Tax write offs 	

- **Crime and Disorder implications:** There are no crime and disorder implications
- **Environment and Sustainability implications:** This will reduce carbon emissions as we are removing and printing from the process

Proposed by: Housing and Property Services
Service Area: Housing
Contact Tel. No:

Head of Service sign-off: Toby Hartigan-Brown
 (please insert a cross in the box)

x

Constitution and Associated Documents – Proposed Changes

Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
3.4 Responsibility for Executive Functions and the Elected Mayor’s Delegation Scheme – 3. Authority delegated to individual Cabinet Members	e) to determine Traffic Regulation Orders where any objections are not withdrawn (Cabinet Member with responsibility for Environment)	e) to consider any objections to Traffic Regulation Orders which are received and not withdrawn and thereafter to determine whether the Traffic Regulation Order should be made, should be made with modifications or should not be made (Cabinet Member with responsibility for Environment)
	Reason for proposed change: To clarify wording and enable decisions taken by the Cabinet Member on this matter to be implemented promptly	
Implications of proposed change: <ul style="list-style-type: none">Finance and other resource implications: Minor saving on officer time anticipated		

	<ul style="list-style-type: none"> • Legal implications: Amendment provides clarification of wording and responsibilities within the Delegation Scheme • Consultation/Engagement undertaken (internal and external): Internal – with Legal colleagues • Human Rights implications: No relevant implications • Equalities and Diversity implications: There are no equality and diversity implications. • Risk Management implications: Reduced risk of challenge to decision owing to increased clarity of delegation and process • Crime and Disorder implications: No relevant implications • Environment and Sustainability implications: No relevant implications
	<p>Proposed by: Andrew Flynn</p> <p>Service Area: Regeneration and Economic Development</p> <p>Contact Tel. No: 0191 643 6083</p>
	<p>Head of Service sign-off: (please insert a cross in the box)</p> <div style="display: inline-block; border: 1px solid black; padding: 2px 10px; margin-left: 20px;">X</div>

Constitution and Associated Documents – Proposed Changes

Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
Officer Delegation Scheme – 9. Director of Regeneration and Economic Development	RED15 – To approve the making of Traffic Regulation Orders where there are no objections and the issue of Notices under the Road Traffic Regulation Act 1984.	<p>RED## – To take all steps up to and including the making, variation and/or revocation of all types of Traffic Regulation Orders where there are no objections.</p> <p>RED## – In relation to proposals for road humps where there are no objections, to take all steps up to and including determining whether road humps should be installed with or without modifications to the proposal.</p> <p>RED## – In relation to proposals for pedestrian crossings where there are no objections, to take all steps up to and including determining whether a pedestrian crossing should be established with or without modifications to the proposal.</p>
	Reason for proposed change: To clarify wording and enable decisions on this matter to be implemented promptly	
Implications of proposed change: <ul style="list-style-type: none">Finance and other resource implications: Minor saving on officer time anticipated		

	<ul style="list-style-type: none"> • Legal implications: Amendment provides clarification of wording and responsibilities within the Delegation Scheme • Consultation/Engagement undertaken (internal and external): Internal – with Legal colleagues • Human Rights implications: No relevant implications • Equalities and Diversity implications: No relevant implications • Risk Management implications: Reduced risk of challenge to decision owing to increased clarity of delegation and process • Crime and Disorder implications: No relevant implications • Environment and Sustainability implications: No relevant implications
	<p>Proposed by: Andrew Flynn</p> <p>Service Area: Regeneration and Economic Development</p> <p>Contact Tel. No: 0191 643 6083</p>
	<p>Head of Service sign-off: (please insert a cross in the box)</p> <div data-bbox="779 1142 898 1201" style="border: 1px solid black; padding: 2px; display: inline-block;">X</div>

Constitution and Associated Documents – Proposed Changes

Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
Officer Delegation Scheme – 9. Director of Regeneration and Economic Development	RED28 t) – In consultation with the Assistant Chief Executive to deal with all matters in relation to any proposal to close or divert highways, footpaths and bridleways in accordance with sections 116, 117, 118, 119, 119A and section 25 & 26 (creating footpaths, bridleways and restricted byways).	RED## #) – In consultation with the Head of Law to deal with all matters in relation to any proposal to close or divert highways, footpaths and bridleways in accordance with sections 116, 117, 118, 118ZA, 118A, 118B, 118C, 119, 119ZA, 119A, 119B, 119C, 119D, 119E and section 25 & 26 (creating footpaths, bridleways and restricted byways).
	Reason for proposed change: To reflect the provisions of the relevant legislation	
Implications of proposed change: <ul style="list-style-type: none">Finance and other resource implications: Minor saving on officer time anticipatedLegal implications: Amendment provides clarification of wording within the Delegation SchemeConsultation/Engagement undertaken (internal and external): Internal – with Legal colleagues		

	<ul style="list-style-type: none"> • Human Rights implications: No relevant implications • Equalities and Diversity implications: There are no equality and diversity implications. • Risk Management implications: Reduced risk of challenge to decision owing to increased clarity of delegation and process • Crime and Disorder implications: No relevant implications • Environment and Sustainability implications: No relevant implications
	<p>Proposed by: Andrew Flynn</p> <p>Service Area: Regeneration and Economic Development</p> <p>Contact Tel. No: 0191 643 6083</p>
	<p>Head of Service sign-off: <input checked="" type="checkbox"/></p> <p>(please insert a cross in the box)</p>

Constitution and Associated Documents – Proposed Changes

	Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
	<p>Officer Delegation Scheme</p> <p>Section 9</p> <p>Director of Regeneration and Economic Development</p> <p>RED12 a)</p> <p>Page 34</p>	<p>Determine applications, notifications, consultations, discharge of conditions, screening and scoping requests, enforcement and all other matters within the terms of the Planning Committee (please see Part 3.5 of the Constitution) and in respect of High Hedge complaints under Part 8 of the Anti-Social Behaviour Act 2003, subject to the exceptions specified below:</p> <p>a) Applications (other than those for the discharge and variation of conditions and extensions of time not including the discharge of reserved matters) for major development as defined for the purposes of the government PS2 statistical return i.e.:</p> <ul style="list-style-type: none"> • residential development of 10 or more dwellings or, where numbers not specified, the site area is more than 0.5 hectares; • other development where the floor space is 1000 sq metres or more or the site is 1 hectare or more; and • where a major development is subject to a change of use, it will be classed as a 	<p>Determine applications, notifications, consultations, discharge of conditions, screening and scoping requests, enforcement and all other matters within the terms of the Planning Committee (please see Part 3.5 of the Constitution) and in respect of High Hedge complaints under Part 8 of the Anti-Social Behaviour Act 2003, subject to the exceptions specified below:</p> <p>a) Applications (other than those for the discharge and variation of conditions and extensions of time not including the discharge of reserved matters) for major development as defined for the purposes of the government PS2 statistical return i.e.:</p> <ul style="list-style-type: none"> • residential development of 10 or more dwellings or, where numbers not specified, the site area is more than 0.5 hectares; • other development where the floor space is 1000 sq metres or more or the site is 1 hectare or more; and • where a major development is subject to a change of use, it will be classed as a major development and not as a change of use. <p>and where the Authority has received an objection from any statutory consultee or</p>

		major development and not as a change of use.	representations arising from the statutory consultation.
		Reason for proposed change: The current delegation has the effect of requiring all planning applications falling within the definition of 'major' to be reported to the Planning Committee for determination, even when no objections have been received from statutory consultees and no representations have been received as a result of the statutory consultation period. This leads to a number of uncontentious planning applications having to be presented to Committee only for the Committee to approve the officer recommendation without presentation or discussion. In order to minimise officer and member time in preparing and considering reports on these applications it is proposed that the Director be authorised to determine them in future. This is consistent with the approach adopted in many neighbouring local authorities. Should the Director consider that an application should be determined by the Planning Committee the matter would be reported to the Chair of the Committee to decide.	
Implications of proposed change: <ul style="list-style-type: none">Finance and other resource implications: The proposed change to the Officer Delegation Scheme will reduce the amount of time officers and members spend in preparing and considering reports on uncontentious planning applications and will provide a more efficient and streamlined process.Legal implications:			

	<p>The Planning Committee and the Director of Regeneration and Economic Development both exercise the Authority's power to determine applications for planning permission under Sections 70(1)(a) and (b) and 72 of the Town and Country Planning Act 1990.</p> <ul style="list-style-type: none"> • Consultation/Engagement undertaken (internal and external): The Chair of the Planning Committee, Councillor Samuel, has indicated that he agrees with the proposed change. • Human Rights implications: There are no human rights implications. • Equalities and Diversity implications: There are no equalities and diversity implications. • Risk Management implications: The risks associated with the revised delegation remain unchanged. • Crime and Disorder implications: There are no crime and disorder implications. • Environment and Sustainability implications: There are no implications in terms of the environment or sustainability.
	<p>Proposed by: Michael Robson Service Area: Governance Contact Tel. No: 643 5359</p>
	<p>Head of Service sign-off: (please insert a cross in the box)</p> <div style="display: inline-block; border: 1px solid black; padding: 2px 10px;">x</div>

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Constitution and Associated Documents – Proposed Changes

	Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
	<p>Officer Delegation Scheme</p> <p>Section 9</p> <p>Director of Regeneration and Economic Development</p> <p>RED12 i)</p> <p>Page 35</p>	<p>Determine applications, notifications, consultations, discharge of conditions, screening and scoping requests, enforcement and all other matters within the terms of the Planning Committee (please see Part 3.5 of the Constitution) and in respect of High Hedge complaints under Part 8 of the Anti-Social Behaviour Act 2003, subject to the exceptions specified below:</p> <p>i) Applications classified as major or minor developments (as defined for the purposes of the government PS2 statistical return) where a Councillor, applicant or other person with a material planning interest has, within the statutory publicity period or prior to the determination of the application, requested in writing that the application be determined by Planning Committee and has also given substantial reasons why the application should be determined by Planning Committee and not under the Officer Delegation Scheme.</p>	<p>Determine applications, notifications, consultations, discharge of conditions, screening and scoping requests, enforcement and all other matters within the terms of the Planning Committee (please see Part 3.5 of the Constitution) and in respect of High Hedge complaints under Part 8 of the Anti-Social Behaviour Act 2003, subject to the exceptions specified below:</p> <p>i) Applications classified as major or minor developments (as defined for the purposes of the government PS2 statistical return) where a Councillor, applicant or other person with a material planning interest has, within the statutory publicity period or prior to the determination of the application, requested in writing that the application be determined by Planning Committee and has also given reasons as to why the application is so significant or contentious that it. should be determined by Planning Committee and not under the Officer Delegation Scheme and that request has been accepted by the Chair and/or Deputy Chair of the Planning Committee.</p>

		<p>Reason for proposed change:</p> <p>Sometime ago paragraph RED12 j) was amended to establish a test that any request for an application to be referred to the Planning Committee had to demonstrate that the matter was so significant or contentious as to warrant consideration by the Committee. This established consistency with the test applicable to requests for speaking rights at Planning Committee.</p> <p>This proposal amends paragraph RED12 i), which applies to applications classified as major and minor, so that it is consistent with paragraph RED12 j), which applies to householder applications, and the Speaking Rights Scheme.</p>
	<p>Implications of proposed change:</p> <ul style="list-style-type: none"> • Finance and other resource implications: There are no financial or resource implications. • Legal implications: The Planning Committee and the Director of Regeneration and Economic Development both exercise the Authority's power to determine applications for planning permission under Sections 70(1)(a) and (b) and 72 of the Town and Country Planning Act 1990. • Consultation/Engagement undertaken (internal and external): None. • Human Rights implications: There are no human rights implications. • Equalities and Diversity implications: There are no equalities and diversity implications. • Risk Management implications: 	

	<p>The risks associated with the revised delegation remain unchanged.</p> <ul style="list-style-type: none"> • Crime and Disorder implications: There are no crime and disorder implications. • Environment and Sustainability implications: There are no implications in terms of the environment or sustainability.
	<p>Proposed by: Michael Robson Service Area: Governance Contact Tel. No: 643 5359</p>
	<p>Head of Service sign-off: (please insert a cross in the box)</p> <div style="display: inline-block; border: 1px solid black; padding: 2px 10px;">x</div>

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Constitution and Associated Documents – Proposed Changes

	Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
	<p>Part 3.5 Terms of Reference of Council and Committees</p> <p>5 – Regulation and Review Committee</p>	<p>3. Licensing Committee Membership – 15 Quorum – 4</p> <p>5. Regulation and Review Committee Membership – 18 Quorum – 5</p>	<p>3. Licensing Committee Membership – 12 Quorum – 3</p> <p>5. Regulation and Review Committee Membership – 12 Quorum – 3</p>
		<p>Reason for proposed change:</p> <p>The current size of the Licensing Committee and Regulation and Review Committee is not in line with other committees on the Council and the rationale for the present size of the Licensing Committee and Regulation and Review Committee is unclear. It would be proportionate to reduce the Committee sizes for Licensing and Regulation and Review in line with other important committees, such as Scrutiny Sub-Committees, which currently have (and are proposed to continue with) a membership of 12 and a quorum of 3. This will promote greater efficiency and effectiveness, whilst still allowing political balance requirements to be properly applied.</p> <p>It is further proposed that these committees should wherever possible take place in the evening, to enable as many members of the committees as possible (including those who have commitments during the day) to participate in the work and decision making of these committees.</p>	

Implications of proposed change:

- **Finance and other resource implications:**

None

- **Legal implications:**

Licensing

Section 6(1) of the Licensing Act 2003 states that the Authority must establish a licensing committee consisting of at least ten, but no more than fifteen members of the Authority. It is therefore a matter for the Authority to determine the size of the Committee. All matters relating to the Licensing Act 2003 are Council functions, including the establishment of the Licensing Committee.

Regulation and Review

Under section 101 of the Local Government Act 1972 full Council can arrange for the discharge of its functions by a Committee or Sub-Committee. Full Council has determined that the Authority's functions relating to taxi/private hire licensing and the other matters included in the Terms of Reference of the Regulation and Review Committee should be discharged by the Committee on its behalf.

- **Consultation/Engagement undertaken (internal and external):**
- **Human Rights implications:**
- **Equalities and Diversity implications:**
There are no equality and diversity implications'
- **Risk Management implications:**

	<ul style="list-style-type: none">• Crime and Disorder implications: • Environment and Sustainability implications:
	Proposed by: Cllr Carl Johnson Service Area: Contact Tel. No:
	Head of Service sign-off: (please insert a cross in the box) <input type="checkbox"/>

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Constitution and Associated Documents – Proposed Changes

	Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
	<p>Section 10. Director of Commissioning and Asset management.</p> <p>Page49, CAM54</p>	<p>CAM54 Minor land sales (up to £10,000) – approval to declare surplus to the Authority’s requirements and to terms of disposal of land for garden, garage, conservatory, porch or similar use as extensions to privately owned dwelling houses or for leasehold enfranchisements.</p>	<p>CAM54 to be changed to:</p> <p>“Minor land sales -approval to declare surplus to the Authority’s requirements and to the terms of disposal of land up to the value of £20,000.”</p> <p>New Item to be created as CAM55:</p> <p>“Leasehold Enfranchisements – approval to declare surplus to the Authority’s requirements and to the terms of disposal of properties held under residential ground leases where freeholds can be acquired by tenants through rights established under the Leasehold Reform Act 1967.”</p> <p>NB: All subsequent numbers from the current CAM55 to CAM74 to be increased by 1 to become CAM56 to CAM75</p>
		<p>Reason for proposed change:</p> <ol style="list-style-type: none"> 1. The split in the delegation is required because the current delegation covers leasehold enfranchisements. This is where the owner of a residential property that is subject to a ground lease with the Council can acquire the freehold through rights established under the Leasehold Reform Act 1967. There is a set statutory calculation that is followed when the freehold value is assessed and in cases where there is limited time left on the lease, 	

	<p>this may be in excess of the amount set under the Minor Land delegation.</p> <p>2. The amount linked to minor land sales as £10k has been set for many years. Our view is that £20k would now be a more appropriate level for non-strategic land and property sales. Those which may be less than £20k and which are considered as strategic can be considered under delegation CAM58 which generally covers strategic sales and acquisitions that are referred to the Strategic Property Group for prior consideration.</p>
<p>Implications of proposed change:</p> <ul style="list-style-type: none"> Finance and other resource implications: There are no new finance and other resource implications created by this change. Legal implications: All land and property disposals will continue to be completed in compliance with the Authority's financial regulations and applicable legislation. Consultation/Engagement undertaken (internal and external): The change has been provisionally agreed in consultation with the Director of Commissioning and Asset Management. It is not considered that any external consultation is required. Human Rights implications: There are no Human Rights implication associated with this requested change to the Officer Delegation Scheme Equalities and Diversity implications: There are no equality and diversity implications associated with this requested change to the Officer Delegation Scheme Risk Management implications: There are no risk management implications associated with this requested change to the Officer Delegation Scheme Crime and Disorder implications: 	

	<p>There are no crime and disorder implications associated with this requested change to the Officer Delegation Scheme</p> <ul style="list-style-type: none"> Environment and Sustainability implications: There are no environmental and sustainability implications associated with this requested change to the Officer Delegation Scheme.
	<p>Proposed by: Niall Cathie, Strategic Property Manager Service Area: Commissioning & Asset Management Contact Tel. No: 07897 436413</p>
	<p>Head of Service sign-off: (please insert a cross in the box)</p> <div data-bbox="779 571 900 632" style="border: 1px solid black; width: 54px; height: 38px; display: flex; align-items: center; justify-content: center;">X</div>

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North Tyneside Council

Report to Council

18 May 2023

Title: Annual Appointments 2023/24

Portfolio(s): Elected Mayor	Cabinet Member(s): Dame N Redfearn DBE
Report from Service Area: Governance	
Responsible Officer: Allison Mitchell, Head of Governance	Tel: (0191) 6435720
Wards affected: All	

PART 1

1.1 Executive Summary:

The Council is requested to approve the appointment of committees/sub committees, the appointment of chairs and deputy chairs of those committees/sub committees, the allocation of seats to the political groups on those committees/sub committees and the appointment of representatives to serve on outside bodies that exercise non-executive functions for the 2023/24 Municipal Year.

1.2 Recommendation(s):

It is recommended that Council:

1. approve the appointment of committees/sub committees for the 2023/24 municipal year and determine the number of seats for each committee as set out in paragraph 1.5.1.1 of the report;

2. approve the allocation of seats on committees/sub committees to political groups represented on the Council, and agree that the leaders of the political groups inform the Monitoring Officer of their respective groups' nominations of members to each committee/sub committee by 12 noon on Friday 19 May 2023;
3. approve the appointment of chairs and deputy chairs of committees/sub committees for the 2023/24 municipal year, as set out in paragraph 1.5.3.1 of the report;
4. note the continued appointment of Mr Malcolm Wilkinson and Dr Stuart Green as the two co-opted members on the Audit Committee;
5. note the appointment of Reverend Michael Vine as the Church of England Diocesan representative and Mr Stephen Fallon as the Roman Catholic Diocesan representative on the Overview, Scrutiny and Policy Development Committee; and consider and determine whether or not it is appropriate to appoint any representative of other faiths/denominations to serve on the committee;
6. note that the Elected Mayor will appoint at least one Councillor onto the Health and Wellbeing Board for the 2023/24 Municipal Year; and
7. approve the appointment of representatives to serve on outside bodies that do not exercise executive functions for the 2023/24 municipal year, as set out in Appendix 2 to this report.

1.3 Forward Plan:

Twenty-eight days' notice of this report has been given and it first appeared on the Forward Plan that was published on 10 March 2023.

1.4 Council Plan and Policy Framework

This report has no direct relevance to the Our North Tyneside Plan priorities.

1.5 Information:

1.5.1 Appointment of Committees/Sub Committees 2023/24

- 1.5.1.1 Following an external review of the Council's Scrutiny functions undertaken by the Centre for Governance and Scrutiny during 2022, the recommendations from the review were reported in full to the Overview, Scrutiny & Policy Development Committee on 21 March 2023. In summary, it was recommended that the number of Scrutiny committees should be reduced and restructured to provide increased focus, to be more efficient and better positioned to discharge the Authority's Scrutiny function.

In its review of the Constitution, the Constitution Task Group considered the proposal to reduce the number of committees from 8 to 6; replacing Overview, Scrutiny and Policy Development Committee with an Overview and Scrutiny Co-ordination and Finance Committee and to align the remaining 5 sub-committees with the themes in the Council Plan (i.e. Caring, Thriving, Family Friendly, Green and Secure). The proposal is detailed in the Annual Council meeting agenda item 11 Annual Review of the Constitution.

The Council is requested subject to the agreement to the changes to the constitution to appoint committees/sub committees for the 2023/24 municipal year as listed below.

Committee/Sub-Committee	No of Seats
Overview and Scrutiny Co-ordination and Finance Committee	15
Caring Sub-Committee	12
Family Friendly Sub-Committee	12
Green Sub Committee	12
Secure Sub-Committee	12
Thriving Sub-Committee	12
Appointments and Disciplinary Committee	7
Audit Committee	9 (7 elected/2 independent)
Licensing Committee	12
Planning Committee	11
Regulation and Review Committee	12
Standards Committee	9
Health and Well Being Board	See section 1.5.1.2

- 1.5.1.2 The Council established a Health and Wellbeing Board with effect from 1 April 2013 in accordance with the requirements of the Health and Social Care Act 2012.

As the Authority operates executive arrangements, the Elected Mayor may instead of or in addition to making a nomination of at least one councillor onto the Board, be a member of the Board.

It is a matter for the Elected Mayor to nominate at least one Councillor onto the Board. The Authority's Constitution currently states that the membership of the Board will comprise five councillors to be nominated by the Elected Mayor.

The rules relating to the allocation of committee seats according to the political balance of the Council do not apply to the membership of the Board.

1.5.2 Allocation of Seats to Political Groups

- 1.5.2.1 The rules and requirements for securing political balance on committees and sub-committees appointed by Local Authorities where applicable are contained in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 as amended. It should be noted however that the rules relating to political balance do not apply to the Licensing Committee (or its sub-committees) established under the Licensing Act 2003.
- 1.5.2.2 The general effects of the balance rules on the Council are that it is under a duty to:
- (i) ensure that the membership of those bodies covered by the rules reflects the political composition of the Council as far as practicable;
 - (ii) allocate seats on these bodies to the political groups in proportion to their numerical strength on the Council as far as practicable;
 - (iii) accept a nomination made by the groups for the filling of seats allocated to them;
 - (iv) review the allocation of seats to political groups at or as soon as practical after the Annual Council Meeting and at certain other specified times.

1.5.2.3 Section 15 of the Local Government and Housing Act 1989 requires the following principles to be applied in determining the allocation of committee seats to political groups:

- a) that not all the seats on the committee are allocated to the same political group;
- b) that the majority of the seats on the committee are allocated to a particular political group if that group has a majority of the authority's membership;

Having first satisfied a) and b) above then:

- c) the total of all seats on ordinary committees shall be allocated to the groups in proportion to their respective political strengths on the Council.

Once a), b) and c) above have been satisfied then:

- d) the number of seats on other affected bodies (sub-committees/other bodies) shall also be allocated to the political groups in proportion of their respective political strengths on the Council.

1.5.2.4 Section 16(1) of the Local Government and Housing Act 1989 requires that, where a group has expressed its wishes as to the names of members to fill its allocated seats, Council is under a duty to give effect to those group wishes.

1.5.2.5 The Council composition is 52 Labour members (including the Elected Mayor), 7 Conservative and 2 Independent Group members.

1.5.2.6 Details of the allocation of seats to political groups on committees will follow.

1.5.2.7 Nomination of Committee Members

The leaders of the political groups are requested to inform the Monitoring Officer of their respective groups' nominations of members to each of the above committees and sub committees, and also the Constitution Task Group and the Members Support Group, by 12 noon on Friday 19 May 2023.

1.5.3 Appointment of Chairs and Deputy Chairs of Committees/Sub Committees

- 1.5.3.1 The Council is requested to appoint Chairs and Deputy Chairs to its various Committees/Sub Committees for the 2023/24 municipal year as set out below.

	Committee/Sub Committee	Chair	Deputy Chair
1.	Overview and Scrutiny Co-ordination and Finance Committee		
2.	Caring Sub-Committee		
3.	Family Friendly Sub-Committee		
4.	Green Sub Committee		
5.	Secure Sub-Committee		
6.	Thriving Sub-Committee		
7.	Health and Wellbeing Board		
8.	Licensing Committee		
9.	Planning Committee		
10.	Regulation and Review Committee		
11.	Standards Committee		

- 1.5.3.2 In accordance with the Authority's practice, the Elected Mayor is Chair of the Appointments and Disciplinary Committee.
- 1.5.3.3 The Authority's Constitution requires that the two co-opted members of the Audit Committee shall fulfil the roles of Chair and Deputy Chair of the Committee. Mr Malcolm Wilkinson currently serves as Chair of the Committee, with Dr Stuart Green serving as Deputy Chair.
- 1.5.3.4 In accordance with the Audit Committee's terms of reference, the terms of office of Mr Wilkinson and Dr Green are due to expire in September 2025.
- 1.5.4 Church representatives on Overview and Scrutiny Co-ordination and Finance Committee**
- 1.5.4.1 The Council is requested to note the appointment of Reverend Michael Vine as the Church of England Diocesan representative and Mr. Stephen

Fallon as the Roman Catholic Diocesan representative on the Overview and Scrutiny Co-ordination and Finance Committee. The Council is also requested to consider and determine whether or not it is appropriate to appoint any representative of other faiths/denominations to serve on the Committee.

1.5.5 Appointment of Representatives to serve on Outside Bodies exercising non-executive functions

1.5.5.1 The Council is requested to appoint representatives to serve on those outside bodies which do not exercise executive functions for the 2023/24 municipal year, as set out in Appendix 2 to this report.

1.6 Decision options:

The recommendations contained in this report are based on constitutional or legislative requirements. If more than one nomination is received for any position, a vote will be held with the nominee receiving the highest number of votes being appointed to the position.

1.7 Reasons for recommended option:

To ensure that the Council makes the various appointments set out in the report in accordance with the Authority's Constitution and the relevant legislation and that the necessary arrangements can be made to convene the meetings of the Authority.

1.8 Appendices:

Appendix 1: Allocation of seats on committees/sub-committees to political groups represented on the Council.

Appendix 2: List of Outside Bodies exercising non-executive functions.

1.9 Contact officers:

Allison Mitchell, Head of Governance Tel. 643 5720

Stephen Ballantyne, Head of Law and Monitoring Officer Tel. 643 5329

Claire Emmerson – Resources Tel. 643 8109

Paul Wheeler, Democratic Services Manager (Interim) Tel. 643 5318

1.10 Background information:

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

Local Government and Housing Act 1989

Local Government (Committees and Political Groups) Regulations 1990 and amendment Regulations

The Local Government and Public Involvement in Health Act 2007

North Tyneside Council Constitution

Results of Local Elections 4 May 2023

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

Allowances for the committee/sub-committee chairs and deputy chairs are included in the 2023/24 budget for within the Resources Directorate.

2.2 Legal

This report fulfils the requirement of the Authority's Constitution to appoint committees/sub committees and representatives to outside bodies that exercise non-executive functions at the Annual Council Meeting. Section 15 of the Local Government and Housing Act 1989 specifies the principles to be applied in determining the allocation of committee seats to political groups.

2.3 Consultation/community engagement

The group leaders have been consulted on the allocation of seats on each committee/sub-committee for the 2023/24 Municipal Year.

2.4 Human rights

The contents of the report are consistent with the requirements of the Human Rights Act 1998.

2.5 Equalities and diversity

There are no equalities and diversity implications arising directly from this report.

2.6 Risk management

As the recommendations are procedural and a recognised part of the business of the Annual Council meeting, no further risk assessment has been undertaken.

2.7 Crime and disorder

There are no direct crime and disorder implications arising from this report.

2.8 Environment and sustainability

There are no direct environment and sustainability implications arising from this report.

PART 3 – SIGN OFF

- Chief Executive ☒
- Director(s) of Service ☒
- Mayor/Cabinet Member(s) ☒
- Chief Finance Officer ☒
- Monitoring Officer ☒
- Assistant Chief Executive ☒

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Appointments to Outside Bodies (not exercising executive functions) 2023/24

Body	Information	Appointments/ Nominations 2022/23	Appointments/ Nominations 2023/24
<p>Association of North East Councils Resources Task and Finish Group</p> <p>This group has had a role for a number of years in considering the implications of Government finance policy, local government finance settlements, finance-related consultations and responses.</p>	<p>Two representatives; must be elected members; appointed annually; substitutes may be appointed, and do not need to be specified.</p>	<p>1. Cllr Anthony McMullen</p> <p>(Substitute: Cllr Tommy Mulvenna)</p> <p>2. Councillor Willie Samuel</p> <p>(Substitute: Councillor Naomi Craven)</p>	<p>1.</p> <p>2.</p>

Body	Information	Appointments/ Nominations 2022/23	Appointments/ Nominations 2023/24
<p>British Destinations</p> <p>Aims to work with members and national partners to foster and provide the support that enables them to maintain, develop and grow the social and economic contributions made by tourism and the visitor economy to local communities and to the UK as a whole.</p>	<p>One representative. Need not be an elected member, but it is recommended that they are.</p> <p>Substitutes are permitted.</p> <p>Annual Appointment.</p>	<p>1. Councillor Willie Samuel</p>	<p>1.</p>

Body	Information	Appointments/ Nominations 2022/23	Appointments/ Nominations 2023/24
<p>Joint Overview and Scrutiny Committee for the North East and North Cumbria Integrated Care System and North and Central Integrated Care Partnership</p> <p>A Joint Health Scrutiny Committee (“the Joint Committee”) comprising Durham County Council; Gateshead Council; Newcastle City Council; North Tyneside Council; Northumberland County Council; South Tyneside Council and Sunderland City Council (“the constituent authorities”) established for the purposes of formal consultation by the relevant NHS Bodies in relation any proposed formal consultation in relation to the establishment of an Integrated Care System for the North East and North Cumbria.</p>	<p>Three elected members and three substitutes – must be non-executive members. Must be non-executive members.</p>	<p>1. Councillor John O’Shea 2. Councillor Joe Kirwin 3. Councillor Judith Wallace</p>	<p>1. 2. 3.</p> <p>Substitutes:</p> <p>1. 2. 3.</p>

Body	Information	Appointments/ Nominations 2022/23	Appointments/ Nominations 2023/24
<p>Local Government Association Assembly</p> <p>The Association provides for consultation as to the common interests of member authorities and for the discussion of matters relating to local government.</p>	<p>Four representatives, who must be elected members. Annual Appointments.</p>	<p>1. Norma Redfearn, Elected Mayor 2.Councillor Carl Johnson 3.Councillor Janet Hunter 4.Councillor Carole Burdis</p>	<p>1. 2. 3. 4.</p>
<p>Newcastle Airport Consultative Committee</p> <p>Aims to provide an effective forum to discuss all matters concerning the development and operation of the airport which have an effect on its users and the surrounding community</p>	<p>One representative. Need not be elected member. Annual Appointment.</p>	<p>1. Councillor Michele Fox</p>	<p>1.</p>

Body	Information	Appointments/ Nominations 2022/23	Appointments/ Nominations 2023/24
<p>North East Migration Partnership Members Forum</p> <p>To provide a forum for feedback on issues of significance that furthers the objectives of the Migration Partnership and its work and develop and foster political interest and knowledge on asylum and refugee issues.</p>	<p>One representative. Annual Appointment.</p>	<p>1. Councillor John Harrison</p>	<p>1.</p>

Body	Information	Appointments/ Nominations 2022/23	Appointments/ Nominations 2023/24
<p>North East Regional Employers Organisation</p> <p>Aim is to advise, support and represent member authorities in human resource management, management practice and industrial relations.</p>	<p>Three representatives who must be elected members.</p> <p>Annual Appointments from July to July An employee of (a) an organisation represented on the Trade Unions' side of the Joint Council; or (b) a local or joint authority or admitted body and whose conditions of employment are within the scope of the Joint Council cannot be appointed as an employers' representative on the organisation.</p>	<p>1. Councillor Carl Johnson 2. Councillor Carole Burdis 3. Councillor Matthew Thirlaway</p>	<p>1 2 3</p>

Body	Information	Appointments/ Nominations 2022/23	Appointments/ Nominations 2023/24
North Tyneside Citizens Advice Bureau To provide advice and information to the people of North Tyneside.	One representative – the Cabinet Member for Community Engagement/Community and Voluntary Sector is appointed by virtue of office. Annual Appointment.	1. Councillor C Burdis	1.
North Tyneside Veterans Committee The Committee was established in 1997 and assists voluntary and community groups with ceremonial events; the protection of war memorials and offers assistance on welfare matters to ex-service people.	One elected Representative.	1. Councillor Andy Newman	1.

Body	Information	Appointments/ Nominations 2022/23	Appointments/ Nominations 2023/24
<p>Standing Advisory Council on Religious Education</p> <p>Statutory body which advises on matters concerned with religious worship and on religious education to be given.</p>	<p>Four representatives who must be elected members. Annual Appointments including appointment of Chair of SACRE, previously made by the Council's former Education Committee in line with current constitution of SACRE.</p>	<p>1. Councillor Steven Phillips (Chair)</p> <p>2. Councillor Val Jamieson</p> <p>3. Councillor Matthew Thirlaway</p> <p>4.Councillor Josephine Mudzingwa</p>	<p>1.</p> <p>2.</p> <p>3.</p> <p>4.</p>

Body	Information	Appointments/ Nominations 2022/23	Appointments/ Nominations 2023/24
<p>Wallsend Charitable (Victor Mann) Trust</p> <p>To promote the welfare and comfort of and provide housing accommodation for the elderly poor inhabitants of the former Borough of Wallsend.</p>	<p>Up to ten nominees. Need not be elected members. Three year appointments, with current appointments expiring June 2024. Nominees should ideally be from the area of the former borough of Wallsend and have an interest in the welfare of the elderly residents of that area.</p>	<ol style="list-style-type: none"> 1. Councillor John Hunter 2. Councillor Wendy Lott 3. Councillor Julie Cruddas 4. Councillor Gary Madden 5. Councillor Jim Montague 6. Nigel Huscroft 7. Lesley Spillard 8. TBC 9. TBC 10. TBC 	

Body	Information	Appointments/ Nominations 2022/23	Appointments/ Nominations 2023/24
<p>Cullercoats Education Trust</p> <p>To promote the education, including social and physical training of persons resident in the area comprising the ecclesiastical parishes of St Paul and St George, Cullercoats.</p>	<p>Two Nominees. Need not be elected members. Substitutes are <u>not</u> permitted.</p> <p>Four-year appointments.</p> <p>Current appointments expire May 2023</p> <p>The Council cannot change its nominees once they have been accepted by the organisation for the term of office.</p>	<p>1.Councillor W Samuel 2.Councillor S Graham</p>	<p>1. 2.</p>

Body	Information	Appointments/ Nominations 2022/23	Appointments/ Nominations 2023/24
<p>Kettlewell Education Foundation</p> <p>Makes grants to young people to help with academic and vocational studies as well as those interested in music and the arts and have special talents in sport.</p>	<p>Four representatives. Need not be Elected members. Substitutes are <u>not</u> permitted.</p> <p>Three-year appointments expire May 2023.</p>	<p>1. Councillor P Oliver</p> <p>2. TBC</p> <p>3. Councillor Janet Hunter</p> <p>4. Councillor Sarah Day</p>	

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North Tyneside Council

Report to Annual Council

18 May 2023

Title: Overview and Scrutiny Annual Report 2022/23

Portfolio(s): Elected Mayor	Cabinet Member(s): Dame Norma Redfearn DBE
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Report from Service Area: Governance

Responsible Officer: Allison Mitchell (Tel: (0191) 643 5720)
Head of Governance

Wards affected: All

PART 1

1.1 Executive Summary:

The Authority's Constitution requires the Overview and Scrutiny Annual Report to be received at the Annual Council Meeting each year. Accordingly, the Annual Overview and Scrutiny Report for 2022/23, which provides a summary of work of the Authority's overview and scrutiny function over the previous year, is attached as Appendix A.

1.2 Recommendation(s):

It is recommended that Council receive and note the Overview and Scrutiny Annual Report 2022/23.

1.3 Forward Plan:

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 14 April 2023.

1.4 Council Plan and Policy Framework

This report does not relate directly to any of the themes/programmes/projects in the
Our North Tyneside Plan.

1.5 Information:

1.5.1 Background

1.5.2 At the end of each municipal year a report is produced to summarise the activities and performance of overview and scrutiny over the year.

1.5.3 Attached at Appendix A is the Overview and Scrutiny Annual Report 2022/23. The report highlights the involvement of scrutiny in policy development and sets out some of the achievements of the Overview, Scrutiny and Policy Development Committee and its sub-committees through the various pieces of work undertaken during the year.

1.5.4 The report was considered and agreed by the Overview, Scrutiny and Policy Development Committee on 13 March 2023.

1.5.5 Members are recommended to receive and note the report as attached.

1.6 Decision options:

The following decision options are available for consideration by Council:

Option 1

To receive and note the Overview and Scrutiny Annual Report for 2022/23.

Option 2

To refer the Overview and Scrutiny Annual Report for 2022/23 back to the Overview, Scrutiny and Policy Development Committee for further consideration.

Option 1 is the recommended option.

1.7 Reasons for recommended option:

Option 1 is recommended for the following reasons:

The Annual Report of the Overview, Scrutiny and Policy Development Committee for 2022/23 provides a record of the work of the Committee over the past year.

1.8 Appendices:

Appendix: Overview and Scrutiny Annual Report for 2022/23.

1.9 Contact officers:

Allison Mitchell, Head of Governance – Tel: (0191) 643 5720

Joanne Holmes, Democratic Services – Tel: (0191) 643 5315

Claire Emmerson, Head of Finance – Tel: (0191) 643 8109

1.10 Background information:

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

- North Tyneside Council Constitution
- Reports and Minutes of Overview, Scrutiny and Policy Development Committee and its sub committees 2022/23.

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

There are no financial implications arising from this report.

2.2 Legal

The report is submitted in accordance with the Authority's constitutional requirement for the Annual Overview and Scrutiny Report to be received at the Annual Council meeting.

2.3 Consultation/community engagement

2.3.1 Internal Consultation

The Overview, Scrutiny and Policy Development Committee, at its meeting on 13 March 2023, considered and approved the Annual Report and referred it to this Annual Council meeting.

2.3.2 External Consultation/Engagement

There has been no external consultation in relation to the Annual Report as it relates to the internal governance of the Authority.

2.4 Human rights

There are no human rights issues arising from this report.

2.5 Equalities and diversity

There are no equalities and diversity issues arising from this report.

2.6 Risk management

There are no risk management issues arising from this report.

2.7 Crime and disorder

There are no crime and disorder issues arising from this report.

2.8 Environment and sustainability

There are no environment and sustainability issues arising from this report.

Overview and Scrutiny Annual Report 2022-23



Date: March 2023

Author: Overview, Scrutiny and Policy Development Committee



Introduction

Welcome to the Overview and Scrutiny Annual Report 2022-23.

This report provides an overview of the work of the Overview, Scrutiny and Policy Development Committee, and Sub-committees during 2022-23.

Scrutiny members have welcomed a return to greater normality following the disruption experienced during Covid. Scrutiny Committees have been able to revert to their usual meeting cycle and to focus their attention on a wider range of topics and priorities than has been possible in recent years.

Over this year, Scrutiny has had a continued focus on policy development, and this has included a small number of scrutiny reviews contributing to the main themes and objectives set out in the Council Plan:

- ☒ A thriving North Tyneside
- ☒ A secure North Tyneside
- ☒ A family friendly North Tyneside
- ☒ A caring North Tyneside
- ☒ A green North Tyneside
- ☒ Working together

Scrutiny has also continued to play an important role in scrutinising the recovery of services post-Covid, and in the context of the 'cost of living crisis'.

The role of Overview and Scrutiny

The role of overview and scrutiny is to provide a 'critical friend' challenge to the Cabinet (and other decision makers), whilst also assisting in the development of key policies and plans.

Overview, Scrutiny and Policy Development involves councillors of all political parties, as leaders of their communities, examining the delivery of services and influencing decision makers to ensure that they meet the needs, and improve the lives, of people in North Tyneside. It does this by:

- a) reviewing and challenging the impact of decisions and actions taken by the Elected Mayor, Cabinet and partner organisations;
- b) carrying out investigations into services and policy areas of interest and concern to communities in North Tyneside;
- c) involving communities in its work and reflecting their views and concerns; and
- d) supporting and assisting the Elected Mayor, Cabinet and partner organisations in the formulation of their future plans, strategies and their decision making by making evidence-based recommendations to them on how services can be improved.

Update from the Overview, Scrutiny and Policy Development Committee

The Overview, Scrutiny and Policy Development Committee has undertaken a full programme of work across the municipal year.

Engagement with the Executive is important, and the Committee has continued its custom to seek the attendance of Cabinet Members to its meetings where items within their portfolio are discussed. The relationship with the Executive and scrutiny works well in this respect and Cabinet Members are regular attendees. This includes the Elected Mayor who attended the November 2022 meeting to address the Committee and set out her priorities for the year.

It has considered the 2023/2027 Financial Planning and Budget Process, including the associated Engagement Strategy, and continued to scrutinise the Efficiency Savings Programme 2022/23, receiving regular progress updates. It continues to monitor performance update reports with respect to the partnership with Capita.

The Committee has scrutinised proposals for the new performance measures following the refresh of the Our North Tyneside Plan in line with the Council's policy framework. The Committee made a number of comments to feed into the development of the plan and engagement strategy, including

- Ensuring that a comprehensive engagement process is in place and that no individuals or groups were missed, and in particular to ensure the views of young people and economically disadvantaged groups were sought.
- To consider including reducing mortality rates as a priority in the plan within the Secure North Tyneside theme.
- To ensure increased integration across the Council and Partners in relation to the Environment.
- To consider how the Our North Tyneside Plan would be eventually marketed, with a priority on action towards environment net-zero.

Overview, Scrutiny & Policy Development

Committee: Budget Scrutiny

The Overview, Scrutiny and Policy Development Committee again established a Budget Sub-group to conduct its important role of being a critical friend to Cabinet and providing challenge to the budget.

The membership of the Budget Sub-group was opened to non-executive members from both parties with eight members participating in the budget scrutiny.

The Sub-group met on two occasions. A full day session was held on the 1 December 2022, where the Assistant Chief Executive, Director of Resources and Senior Officers presented the 2023-2027 Cabinet's Initial Budget proposals including an update on engagement activities. A report was produced and reported to the OS&PD Committee on 16 January 2023.



A further meeting of the Budget Sub-group took place on the 31 January 2023 to consider Cabinet's final proposals, following the receipt of the Government Settlement, and a report was produced for consideration at the Cabinet meeting 6 February 2023. Both reports were then received at the council budget meeting on 16 February 2023.



Storm Arwen Sub-group

At its meeting 20 January 2022 Council debated a Motion in relation to the weather event known as Storm Arwen.

Following debate it was agreed that the Elected Mayor would; “Launch a cross party inquiry into the handling of Storm Arwen by North Tyneside Council, including what work is outstanding and what lessons can be learned, and report back to full Council before the end of the municipal year”.

The Elected Mayor made a request that a review be undertaken by the Overview, Scrutiny and Policy Development Committee (OS&PD) and it was agreed that OS&PD would establish a Task and Finish group to review the Storm Arwen weather event.

All non-executive members were canvased to be part of the Group, and 8 members took up the opportunity to be involved. The agreed approach for the review was through two focussed sessions, which took place on 16 and 23 May 2022.

On the completion of its work a report was presented at the Council meeting 21 July 2022, where Council decided to refer the report to Cabinet for its consideration as it has the responsibility to implement any changes to the Authority’s Emergency Planning arrangements.

At its meeting 23 January 2023 Cabinet accepted all recommendations and gave delegated authority to the Director of Public Health to address the recommendations made by the Storm Arwen Task & Finish Study Group via the Emergency Planning Leadership Group (EPLG).

Update from the Scrutiny Sub-committees

Finance Sub-committee

The Finance Sub-committee has continued to examine the Council's Financial Management Reports on a regular basis, including monitoring the forecast outturn positions for the General Fund, the Housing Revenue Account and the Investment Plan. It has continued to receive update information of the effects of Welfare Reform and on the Business and Technical Partnership Risks.

The Sub-committee has also requested and received information on the operation of the Poverty Intervention Fund, Section 106 Funding and the High Needs Block of the Dedicated Schools Grant.

Adult Social Care, Health and Wellbeing Sub-committee

Over the year, the Sub-committee has considered reports and presentations on a range of topics, including:

- The Council's Autism Strategy;
- The Better Care Fund;
- Availability and Access to NHS dentistry services in North Tyneside;
- Adult Social Care;
- A report from the Cabinet Member for Health and Wellbeing on progress against the Health Inequalities Plan;
- The role of the NHS in addressing Health Inequalities.

- Safeguarding Adults Board Annual Report
- Northumbria Healthcare Foundation Trust Quality Account
- Commissioning of mental health services

The Sub-committee have had a particular interest over the year on Adult Social Care and home care services. During 2021-22 a Study Group established by the Sub-committee completed a review of home care provision in the borough and submitted several recommendations to Cabinet. The Cabinet Member for Adult Social Care attended a meeting of the Sub-committee to present the Cabinet's response to the recommendations, and the Sub-committee has requested updates on the implementation of the recommendations.

The Sub-committee has also continued to monitor progress with the joint home care pilot underway with Northumbria NHS Healthcare Trust, and has received a presentation from Northumbria Healthcare Trust on Care Northumbria, a new domiciliary care service established by the Trust.



Regional Health Scrutiny

Some Members of the Sub-committee are also representatives on the Joint Overview and scrutiny committee for the North-East & North Cumbria Integrated Care System and North and Central Integrated Care Partnerships, which was established to scrutinise the development of the North-East and North Cumbria Integrated Care System. These members have provided regular updates to the Sub-committee following meetings of this joint Committee.

Northumbria Healthcare Foundation Trust: Annual Quality Account


The Sub-committee welcome the opportunity to submit the annual statement to Northumbria Healthcare Foundation Trust for inclusion in the published Quality Account for 2022-23.



This will cover views on the Trust's performance over the year as set out in the Quality Account and the priorities identified by the Trust for 2023-24.

Economic Prosperity Sub-committee

During 2022–23 the Economic Prosperity Sub-Committee has:

- examined the Council's approach to develop a local cycling and walking infrastructure plan and to create low traffic neighbourhoods. Members commented on the criteria to be used in prioritising cycling and walking infrastructure projects for investment and in selecting areas to become low traffic neighbourhoods.
- 
- met with Councillor Carl Johnson, Deputy Mayor and Cabinet Member with responsibility for strategic transport, to review the state of public transport services in North Tyneside and to examine the actions being taken by the North East Joint Transport Committee (JTC) to deliver the North East Transport Plan.
 - met with Councillor Hannah Johnson, Cabinet Member with responsibility for Inclusion, Employment and Skills, to examine the Cabinet's overarching approach to building a more inclusive North Tyneside, particularly using the local economy as a route to make that happen.
 - considered the ways in which the Authority engages with the local business community, particularly through the North Tyneside Business Forum, and how this has evolved given the increasingly challenging economic conditions. This enabled members to gain a better understanding of the pressures facing local businesses and how the Authority can help to support them.



- continued to monitor how the Authority is supporting the development of the Borough's town centres. The sub-committee commented on the proposals contained within the Ambition for Wallsend as part of the consultation on the masterplan.
- Regularly monitored data to provide an indication of the state of the economy in North Tyneside. The data has included the numbers of people claiming Universal Credit, the number of employments furloughed, the town centre vacancy rate, the number of job advertisements, new business start-ups, the number of companies in distress, out of work benefit claimants, levels of earnings and qualifications within the population and the number of apprenticeships.

Housing Sub-committee

The Housing Sub-committee has reviewed a number of issues over the year, including:

- Monitoring progress on the delivery of affordable homes;
- Examining the main changes emerging from the Housing White Paper and the work to be undertaken to prepare for the changes;
- Collaborating with Environment Sub-committee to examine plans for the decarbonisation of housing stock;
- Identifying support available to tenants and residents in dealing with the cost-of-living crisis;
- The plans for a refreshed approach to Tenant Engagement;

- The works being undertaken to reduce the number of derelict properties within the borough; and

An update on Homes for Ukraine

- Met with Cllr John Harrison, Cabinet Member for Housing to discuss key priorities for the service.

Spotlight Review

The Sub-committee has continued to fulfil its role of scrutinising crime and disorder related matters. A small Sub-group was established to undertake a spotlight review of the support available to victims of anti-social behaviour. As part of this work, members met with some victim support volunteers to hear first-hand of the role that they play. The conclusions of this short study, along with some practical recommendations on making improvements to the service provided, have been shared with the relevant Cabinet Member.



Environment Sub-committee

In view of the Authority's decision to be Carbon Net Zero by 2030 the Sub-committee decided to examine each of the workstreams of the Carbon Net Zero Action Plan

to monitor progress made in delivering carbon reductions. This year the Sub-committee has examined how the Authority planned to decarbonise its fleet and how nature based solutions, carbon offsetting and in setting formed part of the Carbon Net Zero Plan.



As it was 10 years since 'Thunder Thursday' and the other severe flooding events that had occurred in the Borough the Sub-committee took the opportunity of revisiting the action taken by the Authority and its partners to address surface water flooding in the Borough and to reassure itself that the systems in place remained fit for purpose. The Sub-committee also reminded itself of some of the flood alleviation schemes

that had been delivered and how these had successfully prevented a large number of households and businesses being inundated with flood water in the intervening years.

The Sub-committee considered the delivery of the Newcastle and North Tyneside Biodiversity Action Plan as it related to North Tyneside and examined the role of various community groups in improving the biodiversity of the Borough. The Sub-committee also considered the impact that the requirement for Biodiversity Net Gain as set out in the Environment Act 2021 would have on increasing biodiversity through the planning process.

The Sub-committee considered how dog fouling, littering, flytipping and graffiti adversely impacted on the appearance of the Borough. It examined the steps taken by the Authority to deal with the issue including regular street cleansing, the provision of additional litter and dog fouling bins, the provision of advice and education and finally by appropriate enforcement action.



Finally, the Sub-committee met with Councillor Sandra Graham, Cabinet Member responsible for the Environment to review the actions taken in relation to the environment and the delivery of the Carbon Net Zero Action Plan.

Culture and Leisure Sub-committee

During the year, the Sub-committee has considered reports and presentations on a range of topics and visited a number of facilities and locations in the Borough in relation:

- An update on the consultation initiated by the Authority with Ward Councillors, partners across the cultural sector, businesses, and the community, with a view to establishing a cultural compact for North Tyneside. Also, a steering group initiated to develop the compact as part of the process of developing a Cultural Strategy for the period to 2030, in line with the strategy timescale of Arts Council England.

Work had been undertaken by Iain Watson OBE (former Director of Tyne and Wear Archives and Museums (TWAM)) and Catherine Hearne (former CEO Helix Arts) in order to gain feedback on the key issues for cultural activity as seen by a range of partners from across the Borough, in the light of new developments and new challenges within the sector. An indication of themes emerging from the conversations to date was provided with a selection of creative businesses/individuals in Whitley Bay, North Shields, Wallsend and Longbenton. These included equal access and confidence, local identity, discomfort, and invigorating cultural ambition.

- Following the reports to Cabinet in May 2019 on Community Hubs and again in February 2021 as part of the wider customer services programme. The idea of a hub was a one stop shop for the community offering not only advice and information, but services and activities that met the needs of locals. It was proposed there would be six main physical access points across the Borough connecting people with community assets and services, providing services, and coordinating and connecting with other 'spoke hubs, to support the ambitions of the Our North Tyneside Plan.
- Following the report to Cabinet of 26 November 2018, An Ambition for North Tyneside, a programme of masterplans was initiated to address issues of regeneration and redevelopment across North Tyneside.

The development of a North Shields Cultural Quarter has evolved from the successful bid to Historic England to create a Heritage Action Zone (HAZ) and the investment through the North of Tyne Combined Authority (NTCA) to create a Cultural and Creative Zone (CCZ), within broadly co-terminus boundaries. A meeting at The Exchange and a walk around Howard Street was arranged to help members visualise what was planned.



- At its meeting on 28 March 2022, Cabinet received a report which set out a set of policy priorities for Wallsend Town Centre. These policy priorities were developed with the Deputy Mayor and following engagement with the Ward Councillors for Battle Hill, Howdon, Northumberland and Wallsend and were to inform a Masterplan for Wallsend which is identified as a priority in Our North Tyneside Plan 2021–2025.

The priorities were; to improve the quality of the housing offer in Wallsend; making the town centre and the neighbourhoods around it great places to visit and live; and about making sure Wallsend residents are connected to good jobs by using the full range of tools, including adult education

services and apprenticeships and the transport infrastructure around the town to make sure people in the community, who need it, are supported to improve their life chances. The draft Masterplan proposed fourteen interventions that would deliver the three policy priorities for Wallsend, as identified by Cabinet.



- At the forthcoming March 2023 meeting, the new Director of the TWAM, Keith Merrin, is due to present progress on the work of the Museums, primarily around Segedunum and Stephenson's Steam Railway.

Children, Education and Skills Sub-committee

The Children, Education and Skills Sub-committee has considered a range of matters over the year including:

- An overview of the Prevent Duty and how the Authority was complying with the overall statutory duty and how this linked to those services responsible for children, education and skills.
- The activities of the Safeguarding and Children's Services in meeting the corporate parenting responsibilities of the Council during the Covid Pandemic.
- Ofsted Focused Visit to the Council's arrangements for the 'front door' through the Multi-Agency Safeguarding Hub (MASH) and Social Work Assessment Teams.
- North Tyneside Special Educational Needs and Disability (SEND) Inclusion Strategy and the High Needs Recovery Plan
- Children in Care, Care Leavers and Safeguarding
- Elective Home Education
- Ambition for Education Plan

The Sub-committee continued to review children and young people's mental health, the universal mental health offer to train staff and pupils from North Tyneside schools in mental health awareness and the work of the Mental Health Support Teams in schools.



In July 2022 the Sub-committee met with the Deputy Headteacher at Spring Gardens Primary School who had taken part in the initial mental health pilot and discussed how the understanding of mental health had significantly improved in the school.

In September 2022 the Sub-committee met with the Deputy Director of Commissioning, NHS North East and North Cumbria Integrated Care Board (ICB) and received an update on the whole system work being undertaken in relation to children and young people's mental health and emotional wellbeing in the Borough. There was discussion on the waiting time for specialist Child and Adolescent Mental Health Services (CAMHS) which was approximately six to eight weeks and the significant challenges in the system around the workforce and being unable to fill staffing gaps.

The Committee continued to monitor work undertaken in 2022 around children's exploitation including: Missing, Slavery, Exploitation (both criminal and sexual) and Trafficked (MSET) and an overview of the current cohort of children and young people at risk of exploitation and the interventions being completed with them.

Chairs and Deputy Chairs

The Chairs and Deputy Chairs of all the Committees/Sub-committee have met on two occasions this year to consider the work of the Scrutiny Committee/Sub-committees.

The Chairs and Deputies received some introductory training about scrutiny with a particular focus on those new to the scrutiny chairing role. They also undertook focus group discussions on scrutiny priorities for the year ahead.

Future Scrutiny

Preparation for the development of the 2023-24 overview and scrutiny work programmes is under consideration. The Chairs and Deputy Chairs usually have a role in discussing possible areas for review in order to prioritise topics

for scrutiny during 2023–24. Elected Members, senior officers and the public are encouraged to suggest topics that scrutiny could usefully investigate.

When prioritising topics, Scrutiny Committee's give consideration as to whether the issue is timely and whether there is potential to have a positive impact on Council policy.

Regional Scrutiny

Scrutiny members are part of the Regional Scrutiny Network coordinated via NEREO. This is a forum for representatives from all north-east local authorities and the North of Tyne Combined Authority to discuss any changes or issues in relation to scrutiny and to share best practice. Members have attended meetings of the Network over the year, supported by Democratic Services, with meetings mainly taking place via Teams.

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North Tyneside Council

Report to Annual Council

Date: 18 May 2023

Title: Standards Committee Annual Report: 2022/23

Portfolio(s): Elected Mayor	Cabinet Member(s): Dame Norma Redfearn DBE
Report from Service Area: Legal	
Responsible Officer: Stephen Ballantyne, Head of Law and Monitoring Officer (Tel: (0191) 643 5329)	
Wards affected: All	

PART 1

1.1 Executive Summary:

To submit the Standards Committee's Annual Report for 2022/23.

1.2 Recommendation(s):

It is recommended that Council note and receive the Standards Committee's Annual Report for 2022/23.

1.3 Forward Plan:

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 14 April 2023.

1.4 Council Plan and Policy Framework

This report does not relate directly to any of the themes/programmes/projects in the Our North Tyneside Plan.

1.5 Information:

1.5.1 Background

The Standards Committee is responsible for:

- the promotion of ethical standards within the Authority,
- helping to secure adherence to the Members' Code of Conduct,
- monitoring the operation of the Code within North Tyneside,
- promoting and reviewing the Whistleblowing Policy for Members,
- reviewing complaints made against Members in respect of alleged breaches of the Members' Code of Conduct and conducting hearings following investigation; and
- determining complaints made against Councillors in respect of alleged breaches of the Code of Conduct.

The Standards Committee Annual Report 2022/23 is attached at Appendix 1.

The report provides further background information regarding the Standards Committee and sets out the work undertaken by the Committee and its Sub-Committee over the municipal year.

The Committee will consider its work programme for the new municipal year 2023/24 at its first meeting of the new municipal year in June 2023.

1.6 Decision options:

The following decision options are available for consideration by Council:

Option 1

To note and receive the Annual Reports of the Standards Committee for 2022/23.

Option 2

To refer the Annual Report of the Standards Committee for 2022/23 back to the Standards Committee for further consideration.

Option 1 is the recommended option.

1.7 Reasons for recommended option:

Option 1 is recommended for the following reason:

The Annual Report of the Standards Committee for 2022/23 provides a record of the work of the Standards Committee over the past year.

1.8 Appendices:

Appendix 1: Standards Committee Annual Report 2022/23.

1.9 Contact officers:

Stephen Ballantyne – Head of Law and Monitoring Officer – Tel: (0191) 643 5329

John Barton – Law and Governance – Tel: (0191) 643 5354

Joanne Holmes – Democratic Services Officer – Tel: (0191) 643 5315

Claire Emmerson, Head of Finance – Tel: (0191) 643 8109

1.10 Background information:

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

- The Localism Act 2011.
- The Code of Conduct for Members and Co-opted Members.

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

There are no financial implications arising from this report.

2.2 Legal

The Localism Act 2011 places a statutory duty on the Authority to promote and maintain high standards of conduct by its elected and co-opted Members and adopt a Code dealing with the conduct that is expected of Members and Co-opted Members when they are acting in that capacity. It also requires the Authority to appoint at least one Independent Person whose views are sought

and taken into account before it makes a decision on how a complaint should proceed.

2.3 Consultation/community engagement

2.3.1 Internal Consultation

The Standards Committee at its meeting on 8 April 2023 considered and approved the Annual Report and referred it to this Council meeting.

2.3.2 External Consultation/Engagement

There has been no external consultation in relation to the Annual Report as it relates to the internal governance of the Authority.

2.4 Human rights

There are no human rights issues arising from this report.

2.5 Equalities and diversity

There are no equalities and diversity issues arising from this report.

2.6 Risk management

There are no risk management issues arising from this report.

2.7 Crime and disorder

There are no crime and disorder issues arising from this report.

2.8 Environment and sustainability

There are no environment and sustainability issues arising from this report.

PART 3 – SIGN OFF

- Chief Executive ☒
- Director(s) of Service ☒
- Mayor/Cabinet Member(s) ☒
- Chief Finance Officer ☒
- Monitoring Officer ☒
- Assistant Chief Executive ☒

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Standards Committee



Annual Report 2022–23

Chair's Foreword

As Chair of the Standards Committee, I am pleased to present the Committee's Annual Report, which outlines the work undertaken by the Committee in 2022-23.

The Standards Committee remains committed to working with and supporting Members of the Council to ensure that they respect the Code of Conduct and uphold the standards expected of those in public life.

Over the last year, the Standards Committee has been working to implement the revised Code of Conduct and the Local Arrangements for Dealing with Complaints under the Code of Conduct. The revised documents were approved by Council in 2022 and are intended to ensure clarity and provide more guidance in support of good governance and high ethical standards and to reflect best practice.

In addition, I would like to welcome our two new Independent Persons, Mr Dan Entwisle and Mrs Kerry Roffe, who were appointed in July 2022, together with the re-appointment of Dr Stuart Green for a further 4-year term. They have already played an important role in assisting and advising on individual complaints under the Code of Conduct and in assisting the Standards Committee in support of high standards.

I would like to thank all of the Committee Members, the Independent Persons and Officers who I have worked with over this last year in relation to my role as Chair of the Standards Committee.

Councillor F Lott
Chair of the Standards Committee

1. Standards Committee

1. Introduction

At the end of each municipal year the Standards Committee submits for the consideration of Council an annual report summarising the work the Committee has carried out during the previous year.

This report comprises the Annual Review covering the period April 2022 to March 2023, together with background information regarding the standards regime established within North Tyneside Council. All references to 2022-23 in the report refer to this time period.

2. Background Information

The Code of Conduct for Elected Members and Co-opted Members ('the Code' or 'The Code of Conduct')

The Localism Act 2011 requires the Authority to have a Code of Conduct. In 2012 North Tyneside Council ("the Authority") adopted a code which sets out the conduct that is expected of elected and co-opted members of the Authority when they are acting in that capacity. The Code was developed regionally between Cumbria, Durham, Gateshead, Newcastle, North Tyneside, North Yorkshire, Northumberland, South Tyneside and Sunderland councils. The Code of Conduct was revised and adopted by Council in May 2022 to reflect best practice as set out in the new Model Code of Conduct recently published by the Local Government Association.

The Code applies whenever a member (a) conducts the business of the Authority (including the business of their office as an elected member or co-opted member) or (b) acts, claims to act or gives the impression they are acting as a representative of the Authority.

'Co-opted member' means any person who is a member of any committee or sub-committee of the Authority with a right to vote but who is not one of its elected members.

The Code is intended to be consistent with Nolan's Seven Principles of Public Life and should be read in the light of those principles, namely that Authority Members will act with selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

The Monitoring Officer

The Monitoring Officer holds a statutory role and is responsible for promoting and maintaining high standards of conduct and for reporting any actual or potential breaches of the law and maladministration to the full Council and/or to the Cabinet (as set out in s.5(1) of the Local Government and Housing Act 1989).

The Monitoring Officer and their team administer the local arrangements for addressing complaints made under the Code of Conduct.

The Monitoring Officer's role includes the assessment and review of every complaint received under the Code of Conduct. Following consultation with the Authority's Independent Persons and consideration of the initial comments of the subject member the Monitoring Officer decides whether the complaint will be investigated. The decision will be based on whether the allegation, if proved, would constitute a failure to observe the Code of Conduct and the application of the Authority's adopted assessment criteria.

The Monitoring Officer may also consider whether a complaint could be reasonably resolved informally and will discuss this option with the complainant and subject member where appropriate.

Independent Persons

The Authority has appointed three Independent Person(s) who are invited to attend all meetings of the Standards Committee. The appointment of Independent Persons is determined by a meeting of Full Council.

The Independent Person(s) must be consulted by the Authority before it makes a decision on a matter that has been referred to it for investigation. They can also be consulted by the Authority in respect of a code of conduct complaint at any other stage and can also be consulted by a member or co-opted member of the Authority against whom a complaint has been made.

The Independent Persons do not form part of a quorum but may be invited to attend where considered appropriate by the Sub-Committee.

The Standards Committee

The Standards Committee is responsible for the promotion of ethical standards within the Authority, helping to secure adherence to the Code, monitoring the operation of the Code, promoting and reviewing the Whistleblowing Policy for Members, and conducting hearings following investigation and determining complaints made under the Code.

The Standards Committee's terms of reference are set out in Part 3, Paragraph 3.5(D) of North Tyneside Council's Constitution (the Constitution).

The Committee and its Sub-Committee conduct proceedings in accordance with:

- Article 9 of the Constitution; and
- the Authority's Local Arrangements for dealing with complaints under the Code of Conduct for Members

The Standards Sub-Committee

The Standards Sub-Committee receives and considers reports from Investigating Officers in relation to allegations of breaches of the Code.

Where a Final Report from an Investigating Officer recommends a finding that there is no breach of the Code, the Sub-Committee determines whether to accept the report; refer the report back to the Investigating Officer if it is considered incomplete; or refer the report to a hearing in accordance with the Authority's Local Arrangements for dealing with complaints under the Code of Conduct for Members.

Where a Final Report from an Investigating Officer recommends a finding that there has been a breach of the Code the Sub-Committee undertakes a hearing in accordance with the Authority's Local Arrangements for dealing with complaints under the Code.

The Standards Sub-Committee is responsible for granting dispensations to the Elected Mayor, Members and Co-opted Members from requirements relating to interests set out in the Code.

The Sub-Committee also has responsibility for undertaking such further functions of the Standards Committee as may be delegated to the Sub-Committee in respect of the handling of complaints against the elected Mayor, elected Members or Co-opted Members.

3. Training for Standards Committee Members

Initial and refresher training for Members serving on the Standards Committee of the Authority is important to ensure the probity and credibility of the Authority's decision making processes. Members are required to undertake basic training through the Authority's member induction programme, on election or re-election, before they can serve on the Standards Committee. This training includes the duties and responsibilities of the Standards Committee.

Other than in exceptional circumstances, as determined in each case by the Monitoring Officer in consultation with the Mayor and Group Leaders, any Member who has not undertaken the training will not continue to serve on the Committee.

Training is also provided for the Independent Persons appointed by the Authority in order to ensure they are able to carry out their role.

4. Standards Committee Membership 2022-23

In 2022-23 the Standards Committee comprised the following Members: Councillor Frank Lott (Chair), Councillor Tracy Hallway (Deputy Chair), Councillor Lewis Bartoli, Councillor Brian Burdis, Councillor Debbie Cox, Councillor Eddie Darke, Councillor Janet Hunter, Councillor Wendy Lott, and Councillor Willie Samuel.

5. The Authority's Independent Persons

The Authority has three Independent Persons who were appointed in July 2022 for a period of four years. The Independent Persons are Mr Dan Entwisle, Dr Stuart Green and Mrs Kerry Roffe.

6. Committee and Sub-Committee Meetings in 2022-23

At the start of each year the Standards Committee usually agree its Work Programme/Action Plan for the year, which is then monitored at meetings throughout the year.

The Sub-committee agreed a Work Programme/Action Plan for 2022-23 at its meeting in June 2022. An update on the Work Programme/Action Plans is attached at Appendix 1 to this report and is commented upon further in paragraph 10 below.

The Standards Committee met on 4 occasions in 2022-23. The dates of these meetings were:

- 9 June 2022
- 7 December 2022 – Complaints Hearing
- 8 March 2022 – Complaints Review
- 6 April 2023

The Standards Sub-Committee met on the following occasions during 2022-23:

- 7 February 2023 – to consider applications for dispensations under the Code of Conduct.
- 8 March 2023 – to consider a complaints Investigation report.

7. Complaints under the Code of Conduct for Members and Co-opted Members

During 2022-23, 23 complaints of potential breaches of the Code of Conduct were received.

Table 1 below details how each complaint was dealt with on assessment and provides details of the previous years to 2012-13.

Table1

Local Assessment Decisions	No action	Informal resolution	Referred for Investigation	Total
2022-23	18	0	5	23
2021-22	12	0	2	14
2020-21	3	1	0	4
2019-2020	13	4	0	17
2018-2019	10	3	2	15
2017-2018	6	2	1	9
2016-2017	4	1	0	5
2015-2016	15	0	0	15
2014-2015	13	1	10	24
2013-2014	0	0	1	1
2012-2013	11	5	1	17

8. Reviews of Initial Assessment Decisions

If a complainant is dissatisfied with an initial assessment decision they may seek a review. Reviews are undertaken by the Monitoring Officer in consultation with the Independent Persons and the Chair of the Standards Committee.

In 2022/23 there were 6 requests for a review of the initial assessment. Following the review, the original decision was upheld in each case. In addition, there was a request for a review following the outcome of a Complaints Hearing. In this circumstance the review is undertaken by an Independent Person from a neighbouring authority. Following the review the original decision was upheld.

In 2021/22 there were 3 requests for a review of the initial assessment. Following the review, the original decision was upheld in each case.

In 2020/21/ there were 0 requests for a review of the initial assessment decision.

In 2019/20 there were 0 requests for a review of the initial assessment decision.

In 2018/19 there were 4 requests for a review of the initial assessment decision. Following the review, the original decision was upheld in each case.

In 2017/18 there were no requests for the review of the initial assessment decision.

In 2016/17 there was 1 request made for the review of the initial assessment decision. Following the review, the original decision was upheld.

In 2015/16, 1 request was made for a review of the initial assessment. Following the review, the original decision was upheld.

In 2014/15, 6 requests were made for a review of the initial assessment. Following the reviews, the original decisions were upheld.

In 2012/13 and 2013/14 there were no requests for the review of the initial assessment decision.

9. Decisions on complaints following investigation

During 2022-23 there were 5 complaints referred for investigation and an external investigator has been appointed to investigate these complaints in each case.

To date one investigation report has been received.

In addition, the final report from the Investigating Officer in relation to a complaint referred in 2021-22 was received. The report was considered by the Standards Committee at a hearing in December 2022 and the findings of the Investigating Officer that the Councillor had breached one aspect of the Code of Conduct was upheld. The Councillor subsequently asked for the findings of the Standards Committee to be reviewed by an Independent Person from a neighbouring authority. This review upheld the decision of the Standards Committee. The outcome of the review was noted by the Standards Committee and the findings in relation to this complaint confirmed.

10. Review of Standards Committee Work Programme and Action Plan for 2022-23

The Standards Committee's Work Programme/Action Plan for 2022-23 is attached at Annex 1. Matters of particular note are summarised below.

A. Implementation of the Amended Code of Conduct and Local Arrangements

In May 2022, an amended Code of Conduct and amended Local Arrangements for Dealing with Complaints received under the Code of Conduct were agreed. This followed a review by a working group of the Standards Committee. During the year, the new Code of Conduct and Local Arrangements have been implemented and a new two-stage process of assessment criteria is in place for assessing whether complaints should be referred for investigation.

B. Recruitment of Independent Persons

In July 2022 the four-year term of appointment of the Independent Persons, Mr George Clark, Ms Stella Gardner and Dr Stuart Green came to an end.

A full recruitment exercise to fill the three roles was commenced in early June 2022. Following the recruitment process Dr Stuart Green was reappointed for a further 4 year term, and Mrs Kerry Roffe and Mr Dan Entwisle were appointed as new Independent Persons, also for a four year term of office.

Mr George Clark and Ms Stella Gardner had completed a maximum period of 10 years in the role of Independent Person, and therefore were required to stand down from the role when their term of office ended. The Standards Committee would like to thank Mr Clark and Ms Gardner for their outstanding contribution to the promotion and maintenance of high standards of conduct by Members and Co-opted Members in North Tyneside.

C. Member Training

Training has been provided for all Council Members on standards matters, including ethical governance, ethical standards issues including arrangements with respect to the Code of Conduct; granting of dispensations, the use of social media and declarations of interests. This has been particularly important this year given a relatively high number of new Members elected to the Council in May 2022.

11. Conclusion

The Committee's aim is to continue to develop and maintain the Authority's ethical governance framework for the benefit of the Authority and ultimately local people. The Committee is looking forward to the next year.

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The Standards Committee Work/Action Plan up to 31 March 2023

The Standards Committee is responsible for the Authority's statutory duty to promote and maintain high standards of conduct by the Elected Mayor, Councillors and Co-opted Members. The Committee has worked to discharge this duty by undertaking the following actions:

Action	Why	By When	Progress
To implement the revised Code of Conduct and the revised Local Arrangements for Dealing with Complaints Against Councillors, including the two stage assessment criteria for Code of Conduct complaints, which were agreed in May 2022.	<p>A Working Group of Members of the Standards Committee undertook a review of the Code of Conduct and Local Arrangements for Dealing with Complaints during 2022 in line with best practice advise published by the LGA.</p> <p>A revised version of the documents were agreed by Council in May 2022 and have been in place since.</p>	May 2022	Completed

<p>To undertake a recruitment process to appoint Independent Persons as the term of office for the current Independent Persons comes to an end, and to make recommendations to Council.</p>	<p>To ensure that at least one (and up to three) Independent Persons are in place, in line with the requirements of the Localism Act 2011.</p>	<p>31 July 2022</p>	<p>Completed</p> <p>3 Independent Persons recruited and in place from 31 July 2022.</p>
<p>To extend a meeting invitation to guests and to seek topics of conversation from those guests in relation to ethical governance and standards. This could include the Elected Mayor, the Chief Executive, Senior Leadership Team, Group Leaders, the Chair and Deputy Chair of Council and the Chairs of the Overview and Scrutiny Committee and the Planning Committee and other Regulatory Committees.</p>	<p>To develop a dialogue between the Committee, and members and appropriate Officers relating to ethical governance and ethical standards.</p>	<p>Ongoing</p>	<p>Ongoing.</p>

To invite Chairs of Standards Committees from other Authorities in the region to attend Committee meetings and to seek opportunities to attend Standards Committee meetings in neighbouring authorities.	To provide an opportunity to understand ethical governance and standards issues in other Authorities.	Ongoing	Ongoing
To review training available to all Council Members on ethical governance, ethical standards issues including arrangements with respect to the Code of Conduct; granting of dispensations, the use of Social Media and declaring interests.	To ensure all members receive information on ethical governance, ethical standards to minimise risk of unwitting breaches of the Code of Conduct.	Ongoing	Recent training has included an additional element on social media. Following positive feedback there is an intention to continue to include information on social media in future training sessions.
Continue production of Annual Standards Committee Report	Presentation of Annual Report of the work of the Committee during the previous 12 months.	By end of each municipal year.	Completed

<p>To provide training to the Independent Persons on their role, this to include invitations to relevant training for Members.</p>	<p>To ensure that the Authority's Independent Persons understand their role in relation to ethical governance and the Code of Conduct for Members as well as the disciplinary procedures for Statutory Officers.</p>		<p>Completed</p> <p>Training has been provided to all new Independent Persons on commencement of the role.</p>
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