



# Annual Council

**North Tyneside Council**

**To All Members of the Annual Council**

Date Not Specified

You are hereby summoned to attend the Meeting of the Annual Council of the Borough of North Tyneside to be held in **Chamber - QE at 6.00 pm on Thursday, 16 May 2019** for the transaction of the following business.

**Agenda**  
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1. **To Elect the Chair of the Council for the 2019/20 Municipal Year**
2. **To Elect the Deputy Chair of the Council for the 2019/20 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-registerable interests that have been granted to you in respect of any matters appearing on the agenda.

Members of the public are entitled to attend this meeting and receive information about it.

North Tyneside Council wants to make it easier for you to get hold of the information you need. We are able to provide our documents in alternative formats including Braille, audiotape, large print and alternative languages.

For further information please call 0191 643 5358.

**Contact Officers**

**David Brown (0191) 643 5358**

**Paul Wheeler (0191) 643 5318**

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Please complete the Declarations of Interests card available at the meeting and return it to the Democratic Services Officer before leaving the meeting.

6. **Minutes of the Meeting of the Council held on 21 March 2019 (previously circulated)**
7. **Municipal Elections - 2 May 2019 - Return of Councillors** **1 - 2**
8. **Address by the Elected Mayor including Cabinet Composition and Delegation Scheme** **3 - 6**
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
11. **Annual Review of the Constitution** **7 - 10**  
  
To consider proposed amendments to the Constitution and associated documents.
12. **Annual Appointments** **11 - 22**  
  
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 2019/20 Municipal Year.
13. **Annual Report of Overview and Scrutiny 2018/19** **23 - 36**  
  
To consider a summary report of the work undertaken by the various scrutiny committees during 2018/19.
14. **Annual Report of Standards Committee 2018/19** **37 - 54**  
  
To consider a report which summarises the work undertaken by the Standards Committee during 2018/19.
15. **Chair's Announcements (if any)**

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16. **Mayor's Announcements (if any)**

17. **Common Seal**

The Common Seal of the Council will be affixed to all deeds.

**Yours faithfully**



**Chief Executive**

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**North Tyneside Council**  
**Report to Council**  
**16 May 2019**

Return of Councillors  
Elected – 2 May 2019

**MUNICIPAL ELECTIONS – 2 MAY 2019**

**RETURN OF COUNCILLORS ELECTED BY POLL TAKEN BY SECRET BALLOT**

<b>WARD</b>	<b>NAME</b>
Battle Hill	Julie Cruddas
Benton	Janet Hunter
Camperdown	Ray Glindon
Chirton	Alan Percy
Collingwood	Martin Rankin
Cullercoats	Ken Barrie
Howdon	John Harrison
Killingworth	Erin Parker-Leonard
Longbenton	Karen Clark
Monkseaton North	Paul Richardson
Monkseaton South	David Drummond
Northumberland	Andrew Newman
Preston	Matt Wilson
Riverside	Wendy Lott
St Mary's	Leslie Miller
Tynemouth	Lewis Bartoli
Valley	Carole Burdis
Wallsend	Matthew Thirlaway
Weetslade	Muriel Green
Whitley Bay	John O'Shea

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## Annual Council Meeting – 16 May 2019

### Membership of the Cabinet and responsibility for functions

This document sets out the Cabinet membership, the portfolios of each member of the Cabinet and their key areas of responsibility.

#### The Cabinet

The Cabinet will consist of 9 Councillors and the Elected Mayor, as shown below.

<b>Cabinet Member</b>	<b>Cabinet Portfolio</b>	<b>Key Areas of Responsibility</b>
Norma Redfearn	Elected Mayor	Overall Strategic Policy Direction  National and Regional Engagement  Leadership within the North of Tyne Combined Authority  Devolution  Leadership of the North Tyneside Strategic Partnership  Law and Democracy
Councillor Bruce Pickard	Deputy Mayor	Delivery and presentation of Strategic Policy Direction  Regeneration, Planning, Business and Economic Development  Digital and Customer Services  Human Resources  Delivery of the Efficiency Programme (including the Capita Partnership)  Delivery of the Investment Programme
Councillor Ray Glindon	Cabinet Member responsible for Finance and Resources	Finance  Assets and Property  Audit, Assurance and Risk  Commercials and Supply Chain  Delivery of the Efficiency Programme (including the Engie Partnership)  Delivery of the Investment Programme

<b>Cabinet Member</b>	<b>Cabinet Portfolio</b>	<b>Key Areas of Responsibility</b>
Councillor Gary Bell	Cabinet Member responsible for Adult Social Care	Adult Social Care and Safeguarding Carers Champion Older People's Champion
Councillor Sarah Day	Cabinet Member responsible for Culture, Sport and Leisure	Culture and Tourism Leisure and Sport Cycling Champion
Councillor Margaret Hall	Cabinet Member responsible for Health and Wellbeing	Health and Wellbeing Joint Strategic Needs Assessment and Health and Wellbeing Strategy Public Health
Councillor Steve Cox	Cabinet Member responsible for Housing	Housing Strategy Housing Management Housing Investment Affordable Homes Programme
Councillor Carl Johnson	Cabinet Member responsible for Environment and Transport	Environmental Sustainability Environmental Services Plastic Free North Tyneside Transport and Infrastructure (including the Capita Partnership) Air Quality
Councillor Carole Burdis	Cabinet Member responsible for Community Safety and Engagement	Engagement and Communications Community Safety and Tackling Anti-Social Behaviour Customer Experience and Customer Journey (including Support to Members) Public Protection (including Capita Partnership) Emergency Planning and Business Continuity
Councillor Peter Earley	Cabinet Member responsible for Children, Young People and Learning	Children, Young People and Learning Safeguarding Employment and Skills



## **Delegation of Executive Decision Making to Cabinet Members**

I have agreed to delegate the following decisions to Cabinet Members in 2019/20:

- a) approving the Authority's response to government consultation papers;
- b) approval of service specific plans;
- c) debt write off up to £50,000 in relation to Council Tax, Business Rates, Sundry Debts and Housing Benefit Overpayments (Cabinet Member with responsibility for Finance and Resources);
- d) to approve responses to regional strategies that impact on the Borough;
- e) to determine Traffic Regulation Orders where any objections are not withdrawn (Cabinet Member with responsibility for Environment and Transport);
- f) to consider any objections received, but not withdrawn, in relation to the proposed construction of road humps (Cabinet Member with responsibility for Environment and Transport);
- g) to approve any proposals directly related to the delivery of objectives in the approved Our North Tyneside Plan;
- h) to approve the Member Development Programme (Deputy Mayor)
- i) to consider any applications received for discretionary relief for Council Tax or Business Rates, considered only when exceptional circumstances apply, as set out in the Policy for the awarding of local taxation discretionary relief (Cabinet Member with responsibility for Finance and Resources).
- j) Debt write off between £3,000 and £50,000 in respect of current and former Council house tenant arrears and write off of credit balances between £3,000 and £10,000 associated with untraceable former tenants (Cabinet Member with responsibility for Housing)

Executive decision making on other matters not listed above will, except in exceptional (urgent) circumstances, be taken by Cabinet collectively.

Any decisions taken by Cabinet Members will have to comply with many of the same good governance requirements that will apply to collective decision-making by Cabinet, namely:

- Publication on the Forward Plan
- Presentation of a written report to the Cabinet Member - the report to be in the same format as current Cabinet reports including reference to legal and financial implications background papers, etc.
- Publication of a record of the decision and availability for call in within specific deadlines.

**Norma Redfearn, Elected Mayor**

**16 May 2019**

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## North Tyneside Council Report to Council 16 May 2019

<p><b>ITEM 11</b></p> <p>Annual Review of the Constitution</p>
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**Portfolio(s):** Elected Mayor

**Cabinet Member(s):** N Redfearn

**Report from Service**

**Area:** Law and Governance

**Responsible Officer:** Bryn Roberts, Head of Law and Governance (Tel: (0191)6435339)

**Wards affected:** All

**PART 1**

**1.1 Executive Summary:**

This report is the result of the annual review of the Constitution and associated documents undertaken by the Monitoring Officer. The report contains recommendations on proposed amendments to the main Constitution and Officer Delegation Scheme to ensure that they continue to be fit for purpose and provide a framework which ensures the efficient discharge of the Authority's business by allowing for decision making at the appropriate level.

**1.2 Recommendation(s):**

It is recommended that Council approve the proposed changes to the Constitution and Officer Delegation Scheme set out in Appendix 1 to this report and refer the approved changes to the Elected Mayor for her consent in accordance with Article 15 of the Constitution.

**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 12 April 2019.

**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 In accordance with Article 16 of the Constitution, the Monitoring Officer has a key role in reviewing the operation of the Constitution and in making recommendations to Council on

ways in which it could be amended to ensure that it achieves its purpose as set out in Article 1.

- 1.5.2 Council will recall that an in depth review of the main Constitution was undertaken in 2013 and further changes to the Constitution have been approved at each of the last five Annual Council meetings.
- 1.5.3 As part of the current review the Senior Management Team and Members of the Council were requested to submit any proposed amendments to the Constitution and associated documents.
- 1.5.4 The Constitution Task Group has considered the proposed changes to the Constitution and Officer Delegation Scheme that have been received for consideration as part of the annual review, and those changes that have been approved by the Task Group are attached as Appendix 1 to the report.
- 1.5.5 The Constitution and associated documents will continue to be kept under review and updated to reflect any changes in the organisational structure of the Council or any legislative changes. The Council has previously authorised the Head of Law and Governance, in consultation with the Chair of the Constitution Task Group, to make such changes when the power remains unaltered and these need not be reported to Council.

## **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:**

- 1.7.1 Option 1 is recommended for the following reasons:
- 1.7.2 The proposals presented to Council have been scrutinised by the Constitution Task Group, which is the Authority's consultative body for any changes to the Constitution and its associated documents and are the recommendations of the Monitoring Officer, who has a duty under Article 16 of the Constitution to monitor and review the Constitution.

## **1.8 Appendices:**

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

## **1.9 Contact officers:**

Bryn Roberts, Head of Law and Governance (Tel. 643 5339)  
Dave Brown, Law and Governance (Tel: 643 5358)  
Janice Gillespie, Head of Resources (Tel.6435701)

## **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's Constitution  
North Tyneside Council's Officer Delegation Scheme  
Papers submitted to Constitution Task Group on 18 April 2019

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

There are no financial implications arising from the proposed changes to the Constitution and Officer Delegation Scheme that can not be absorbed within existing budgets. Any printing costs of the revised documents will be met from existing budgets.

### **2.2 Legal**

The annual review of the Constitution documents, 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 and Governance 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 to the Constitution and Officer Delegation Scheme are set out in Appendix 1 to this report.

### **2.3 Consultation/community engagement**

All Members of the Council and the Senior Management Team were invited to put forward proposed changes to the Constitution documents.

The Constitution Task Group has considered the documentation in detail. Any specific consultation/community engagement implications arising from the proposed changes to the Constitution and Officer Delegation Scheme are set out in Appendix 1 to this report.

### **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 to the Constitution and Officer Delegation Scheme 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, in line with the Authority's Interpreting and Translation Policy.

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

## 2.6 Risk management

To mitigate the risks associated with using an out of date Constitution and Officer Delegation Scheme the proposed amendments set out in Appendix 1 to this report should be approved.

Any specific risk management implications arising from the proposed changes to the Constitution and Officer Delegation Scheme 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 to the Constitution and Officer Delegation Scheme 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 to the Constitution and Officer Delegation Scheme 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
- Head of Service
- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Monitoring Officer
- Head of Corporate Strategy and Customer Service

## North Tyneside Council Report to Council 16 May 2019

<p><b>ITEM 12</b></p> <p><b>Annual Appointments 2019/20</b></p>
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<b>Portfolio(s):</b> Elected Mayor	<b>Cabinet Member(s):</b> N Redfearn
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<b>Report from Service Area:</b>	<b>Law and Governance</b>	
<b>Responsible Officer:</b>	<b>Bryn Roberts, Head of Law and Governance</b>	<b>Tel: (0191) 6435339</b>
<b>Wards affected:</b>	<b>All</b>	

### 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 2019/20 Municipal Year.

#### 1.2 Recommendation(s):

It is recommended that Council:

1. approve the appointment of committees/sub committees for the 2019/20 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 Head of Law and Governance of their respective groups' nominations of members to each committee/sub committee by 12 noon on Friday 17 May 2019;
3. approve the appointment of chairs and deputy chairs of committees/sub committees for the 2019/20 municipal year, as set out in paragraph 1.5.3.1 of the report;
4. approve the appointment of Mr Kevin Robinson and Mr Malcolm Wilkinson as the two co-opted members on the Audit Committee for a further two year period;
5. note the appointment of Reverend Michael Vine as the Church of England Diocesan representative and 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 2019/20 Municipal Year; and
7. approve the appointment of representatives to serve on outside bodies that do not exercise executive functions for the 2019/20 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 12 April 2019.

### 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 2019/20

1.5.1.1 The Council is requested to appoint committees/sub committees for the 2019/20 municipal year as listed below.

<b>Committee/Sub-Committee</b>	<b>No of Seats</b>
Overview, Scrutiny and Policy Development Committee	15
Adult Social Care, Health and Wellbeing Sub-Committee	12
Children, Education and Skills Sub-Committee	12
Culture and Leisure Sub Committee	12
Economic Prosperity Sub-Committee	12
Environment Sub-Committee	12
Finance Sub-Committee	7
Housing Sub Committee	12
Appointments and Disciplinary Committee	7
Audit Committee	9 (7 elected/2 independent)
Licensing Committee	15
Planning Committee	11
Regulation and Review Committee	18
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 are contained in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 as amended.

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 The Council composition is 52 Labour members (including the Elected Mayor), 7 Conservative members, 1 Liberal Democrat member and 1 Independent member.

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

1.5.2.6 Nomination of Committee Members

The leaders of the political groups are requested to inform the Head of Law and Governance 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 17 May 2019.

### 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 2019/20 municipal year as set out below.

	<b>Committee/Sub Committee</b>	<b>Chair</b>	<b>Deputy Chair</b>
1.	Overview, Scrutiny and Policy Development Committee		
2.	Adult Social Care, Health and Wellbeing Sub-Committee		
3.	Children, Education and Skills Sub-Committee		
4.	Culture and Leisure Sub-Committee		
5.	Economic Prosperity Sub-Committee		
6.	Environment Sub-Committee		
7.	Finance Sub-Committee		
8.	Housing Sub-Committee		
9.	Health and Wellbeing Board		
10.	Licensing Committee		
11.	Planning Committee		
12.	Regulation and Review Committee		
13.	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 Kevin Robinson currently serves as Chair of the Committee, with Mr Malcolm Wilkinson serving as Deputy Chair.

1.5.3.4 In accordance with the Audit Committee's terms of reference, the terms of office of Messrs Robinson and Wilkinson are due to expire in September 2019. The appointment of co-opted members is a matter reserved to the full Council, on the recommendation of the Chief Executive (and Section 151 Officer if the post holder is other than the Chief Executive). It is considered that Messrs Robinson and Wilkinson are suitably skilled and experienced persons who are knowledgeable in audit matters and have enhanced the work of the Audit Committee since their initial appointment in September 2013. The Council is therefore requested to approve the appointment of Mr Robinson and Mr Wilkinson for the next two year period.

### 1.5.4 Church representatives on Overview, Scrutiny and Policy Development 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 Stephen Fallon as the Roman Catholic Diocesan representative on the Overview, Scrutiny and Policy Development 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 2019/20 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 (to follow).

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

### **1.9 Contact officers:**

Dave Brown – Law and Governance	Tel: 643 5358
Claire Emmerson – Resources	Tel. 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:

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 2 May 2019

## **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 2019/20 budget for Law and Governance.

## 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 2019-20 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
- Head of Service
- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Monitoring Officer
- Head of Corporate Strategy and Customer Service

## Appointments to Outside Bodies not exercising executive functions 2019/20

Body	Information	Appointments/ Nominations 2018/19	Appointments/ Nominations 2019/20
<p>Association of North East Councils Resources Task and Finish Group</p> <p>The 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, etc.</p>	<p>2 Representatives must be elected. Annual Appointments (NOTE: Can appoint substitutes. Do not need to be specified)</p> <p><b>Meetings</b>            Venue County Hall, Durham            Frequency as required            Time            Day</p>	<p>1. Councillor R Glindon            Substitute:            Councillor B Pickard</p> <p>2. Councillor A McMullen            Substitute:            Councillor D Cox</p>	<p>1.            Substitute:</p> <p>2.            Substitute:</p>
<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>1 Representative. Need not be elected but it is recommended that they are. Substitutes are permitted. Annual Appointment.</p> <p><b>Meetings</b>            Venue Union Jack Club, London            Frequency Quarterly            Time            Day varies</p>	<p>1. Councillor D McMeekan</p>	<p>1.</p>

<b>Body</b>	<b>Information</b>	<b>Appointments/ Nominations 2018/19</b>	<b>Appointments/ Nominations 2019/20</b>
<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>2 Nominees. Need not be elected. Substitutes are <u>not</u> permitted.</p> <p>Four year appointments.</p> <p><b>Current appointments expire end of April 2019</b></p> <p>The Council cannot change its nominees once they have been accepted by the organisation for the term of office.</p> <p><b>Meetings</b></p> <p>Venue #</p> <p>Frequency Bi-annually</p> <p>Time #</p> <p>Day #</p>	<p>1. Councillor D McMeekan</p> <p>2. Councillor S Graham</p>	<p>1.</p> <p>2.</p>
<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>4 Representatives must be elected. Annual Appointments.</p> <p><b>Meetings</b></p> <p>Venue Annual Conference and London</p> <p>Frequency Twice yearly</p> <p>Time</p> <p>Day</p>	<p>1. Mrs N Redfearn, Elected Mayor</p> <p>2. Councillor T Mulvenna</p> <p>3. Councillor Janet Hunter</p> <p>4. Councillor CA Burdis</p>	<p>1.</p> <p>2.</p> <p>3.</p> <p>4.</p>

<b>Body</b>	<b>Information</b>	<b>Appointments/ Nominations 2018/19</b>	<b>Appointments/ Nominations 2019/20</b>
<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>1 Representative. Need not be elected. Annual Appointment.</p> <p><b>Meetings</b> Venue Newcastle Airport Frequency Quarterly Time 2.30pm (1½ hours duration) Day</p>	<p>1.Councillor M A Green</p>	<p>1.</p>
<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>1 Representative. Annual Appointment.</p> <p><b>Meetings</b> Venue Various around the North East region Frequency Twice per year Time Day</p>	<p>1.Councillor S Cox</p>	<p>1.</p>
<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>3 Representatives must be elected. 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><b>Meetings</b> Venue Gateshead Frequency Twice per year Time Day</p>	<p>1.Councillor C Burdis 2. Councillor J O'Shea 3.Councillor CB Pickard</p>	<p>1. 2. 3.</p>

<b>Body</b>	<b>Information</b>	<b>Appointments/ Nominations 2018/19</b>	<b>Appointments/ Nominations 2019/20</b>
<p>North Tyneside Citizens Advice Bureau</p> <p>To provide advice and information to the people of North Tyneside.</p>	<p>1 Representative – the Cabinet Member for Community Engagement/Community and Voluntary Sector is appointed by virtue of office. Annual Appointment.</p> <p><b>Meetings</b>            Venue            Within North Tyneside            Frequency       4 - 5 times per year            Time               5.30pm            Day</p>	<p>1.Councillor C Burdis</p>	<p>1.</p>
<p>North Tyneside Surface Water and Drainage Partnership</p> <p>Aim is to bring together a range of organisations to improve how the borough prepares for and deals with future flooding.</p>	<p>1 Representative – the relevant Cabinet Member Annual Appointment.</p> <p><b>Meetings</b>            Venue            Quadrant            Frequency       Quarterly            Time            Day</p>	<p>1.Councillor C Burdis</p>	<p>1.</p>
<p>North Tyneside Veterans Committee</p> <p>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.</p>	<p>1 Elected Representative.</p> <p><b>Meetings</b>            Venue            Quadrant, North Tyneside            Frequency       Every 2 months            Time               2.00pm            Day                Monday</p>	<p>1.Councillor G Bell</p>	<p>1.</p>



Body	Information	Appointments/ Nominations 2018/19	Appointments/ Nominations 2019/20
<p>Northumberland, Tyne &amp; Wear and North Durham Sustainability and Transformation Plan Joint Health Scrutiny Committee</p> <p>The Committee was established in 2017 to enable the respective local authorities to jointly respond to any consultation in relation to the STP and any associated proposals for substantial developments and variations to health services.</p>	<p>3 Elected Representatives and 3 substitutes – must be non-executive Members</p> <p><b>Meetings</b></p> <p>Venue Gateshead</p> <p>Frequency Bi-monthly (initially) / As and when</p> <p>Time tbc</p> <p>Day tbc</p>	<p>1.Councillor M Thirlaway 2.Councillor K Clark 3.Councillor N Craven</p> <p>Substitutes: 1.Councillor M A Green 2.Councillor T Mulvenna 3.Councillor L Spillard</p>	<p>1. 2. 3.</p> <p>Substitutes: 1. 2. 3.</p>
<p>Percy Hedley School Governors Board</p> <p>Charity providing services for children and adults with cerebral palsy, sensory, speech, language and communication difficulties.</p>	<p>1 Representative. Need not be elected. Annual Appointment. Substitutes are permitted.</p> <p><b>Meetings</b></p> <p>Venue tbc</p> <p>Frequency Monthly</p> <p>Time 6.00pm</p> <p>Day Monday</p>	<p>1.Councillor G Bell</p>	<p>1.</p>
<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>4 Representatives must be elected. 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><b>Meetings</b></p> <p>Venue Quadrant</p> <p>Frequency: Once or twice per term</p> <p>Time 4.15pm</p> <p>Day</p>	<p>1.Councillor P Earley (Chair) 2.Councillor G Bell 3.Councillor M Thirlaway 4.Councillor L Bell</p>	<p>1. (Chair) 2. 3. 4.</p>

## APPOINTMENTS LAST FOR MORE THAN A YEAR – FOR INFORMATION

Body	Information	Appointments/ Nominations 2019/20
<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>4 Representatives. Need not be Elected Substitutes are <u>not</u> permitted. Three year appointments expire May 2020.</p> <p><b>Meetings</b></p> <p>Venue            Quadrant, North Tyneside</p> <p>Frequency      Twice yearly</p> <p>Time              Afternoon</p> <p>Day                Varies</p>	<ol style="list-style-type: none"> <li>1. Councillor P Oliver</li> <li>2. Mr I R Grayson</li> <li>3. Councillor Janet Hunter</li> <li>4. Councillor S Day</li> </ol>
<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 10 Nominees. Need not be elected. Three year appointments expire May 2021. 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> <p><b>Meetings</b></p> <p>Venue            Quadrant, North Tyneside</p> <p>Frequency      AGM, as and when required</p> <p>Time</p> <p>Day</p>	<ol style="list-style-type: none"> <li>1. Councillor John Hunter</li> <li>2. Councillor G Madden</li> <li>3. Councillor T Brady</li> <li>4. Councillor L Bell</li> <li>5. Mrs M Nolan (Non elected)</li> <li>6. Mr G Partis (non elected)</li> <li>7. Ms L Harvey (non elected)</li> <li>8. Councillor L Spillard</li> <li>9. Ms M Heal (non elected)</li> <li>10. Councillor T Mulvenna</li> </ol>

## North Tyneside Council Report to Annual Council 16 May 2019

<p><b>ITEM 13</b></p> <p>Overview and Scrutiny Annual Report 2018/19</p>
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**Portfolio(s):** Elected Mayor

**Cabinet Member(s):** Norma Redfearn

**Report from Service Area:** Law and Governance

**Responsible Officer:** Bryn Roberts,  
Head of Law and Governance

**Tel:** (0191) 643 5339

**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 2018/19, 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):

Council is requested to note and receive the Overview and Scrutiny Annual Report 2018/19.

#### 1.3 Forward Plan:

This report first appeared on the Forward Plan that was published on 5 April 2019.

#### 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 Overview and Scrutiny Annual Report 2018/19

1.5.1 At the end of each municipal year a report is produced which summarises the activities and performance of scrutiny over the last year and sets out the approach to the development of the work programme for the year ahead.

1.5.2 Attached at Appendix A is the Overview and Scrutiny Annual Report 2018/19. The report particularly 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. The report also highlights the process in place for the development of the 2019/20 work programme, including the involvement of stakeholders in order to develop a work programme that will deliver a timely contribution to policy development across the Council.

1.5.3 The report was considered and agreed by the Overview, Scrutiny and Policy Development Committee on 4 March 2019.

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

## **1.6 Decision options:**

The following decision options are available for consideration by Council:

### Option 1

To note and receive the Overview and Scrutiny Annual Report for 2018/19.

### Option 2

To refer the Overview and Scrutiny Annual Report for 2018/19 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 reason:

The Annual Report of the Overview, Scrutiny and Policy Development Committee for 2018/19 provides a record of the work of the Committee over the past year.

## **1.8 Appendices:**

Appendix A - Overview and Scrutiny Annual Report for 2018/19.

## **1.9 Contact officers:**

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

## **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 2018/19.

## **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 4 March 2019, 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**

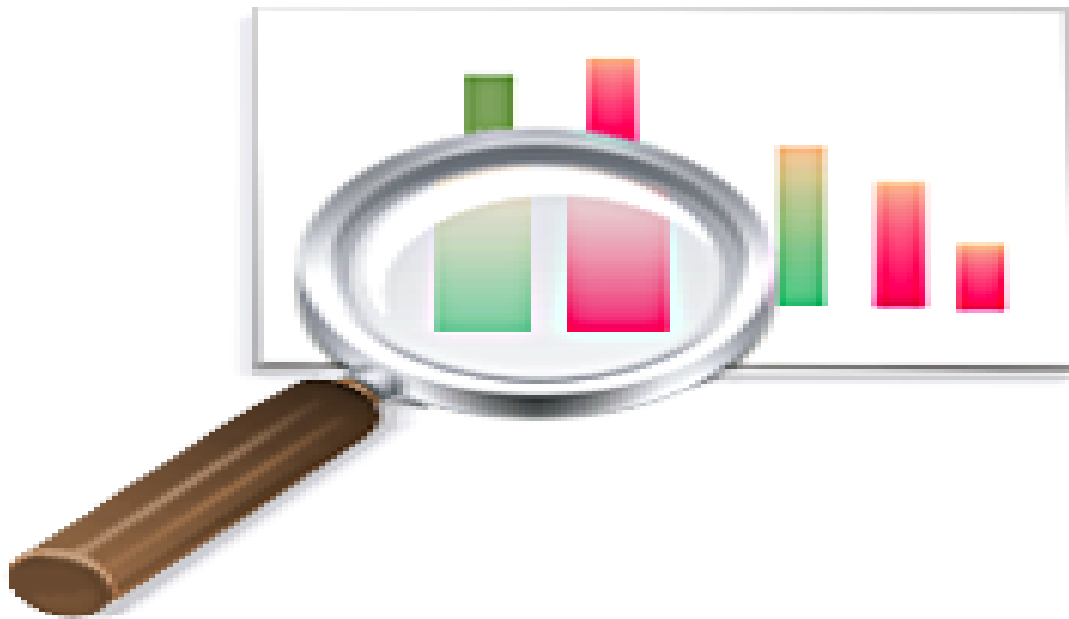
There are no crime and disorder issues arising from this report.

### **2.8 Environment and sustainability**

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

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# Overview and Scrutiny Annual Report 2018/19



**Date:** March 2019

**Author:** Overview, Scrutiny and Policy Development Committee



# Introduction

Welcome to the Overview and Scrutiny Annual Report 2018-19.

This report gives a summary of the work of Overview and Scrutiny over the year and highlights some of the achievements made and areas where scrutiny has had an impact on policy development.

The report also sets out the process for the development of the 2019/20 work programme.

## 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.

Over recent years there has been an emphasis on promoting and developing the policy development role of overview and scrutiny. Throughout 2018/19 this has continued, and policy reviews have been undertaken with links to the priorities within the 'Our North Tyneside Plan' and the 'Creating a Brighter Future' Programme.

## We have been a 'critical friend'

The Overview, Scrutiny and Policy Development Committee and its sub-committees have continued to fulfil the important role of being a critical friend to Cabinet, providing challenge, particularly on budget and performance issues.

A Budget and Council Plan Study Group was established and this provided an opportunity for Scrutiny members to undertake a thorough review of the detailed budget proposals and business case information put forward by Cabinet. The Study Group produced a report and conclusions which were subsequently reported to the Overview, Scrutiny and Policy Development Committee and Cabinet as part of the budget-setting process.

The Finance Sub-committee has continued to examine the Council's budget monitoring position on a bi-monthly basis, including the forecast outturn positions for the General Fund, the Housing Revenue Account and the Investment Plan. Budget management reports have been developed to bring together financial and relevant performance information. This has allowed the Sub-committee to consider the financial information in the context of the policy priorities in the 'Our North Tyneside



Plan'. Members have also continued to review the red risks associated with the Business and Technical Partnerships, and monitored the impact of welfare reform changes.

### *Overview, Scrutiny & Policy Development Committee: Review of the Capita Partnership*

The Overview Scrutiny & Policy Development Committee established a sub-group to undertake a review of the partnership with Capita in relation to the delivery of the Authority's technical services. The aim of the review was to gain a clearer understanding of the partnership with Capita, how it was operating, and whether the service delivered to the Authority and residents was meeting the levels specified at inception.

The group held a number of meetings with officers from both the Council and Capita, and considered detailed information on specific aspects of the contract. The group developed nine recommendations and these have been reported to Cabinet. These included recommendations to make information about the contract more open and accessible; to develop the oversight role of Members via Scrutiny, including consideration of reports from the Partnering Boards and the involvement of scrutiny in the baseline exercises at years 5, 8 and 12 years; to increase the level of enforcement activity by the Council; recommendations linked to the Local Plan, including opportunities to maximise income through promoting expertise to other authorities; and the development of oversight and contingency planning in relation to the Capita business. The Cabinet accepted all nine recommendations and these will be implemented going forward.

### *Critical Friend Challenge: The Effectiveness of Collaborative Working in North Tyneside*

The Children, Education and Skills Sub-committee set up a sub group to examine the effectiveness of collaborative working across agencies to ensure that each agency understood each other's responsibilities and shared information efficiently, and that the Authority was meeting its obligations.

The sub group met with the Independent Chair of the North Tyneside Safeguarding Children Board; representatives of the North Tyneside Clinical Commissioning Group; social workers and front line staff in Children's Services; Northumbria Police; and senior managers within the Health, Education, Care and Safeguarding Service.

The sub group completed its evidence gathering in December 2018 and published its report with eight recommendations in March 2019. The sub group concluded that overall the Authority had very good collaborative working relationships with its statutory partners, its neighbouring local authorities and internally. The trusting relationships developed between organisations, services and officers allowed for

criticisms to facilitate improved services and actions, and provided assurance that it was unlikely that an issue would be allowed to fall between any gaps. That there was some scope for improvement was reflected in the recommendations, but in a challenging environment, with competing demands, the sub group felt satisfied that collaborative working was providing benefit to the Authority and the balance between collaborative working and ensuring the service for North Tyneside residents was the best it could be was right, and the effort taken to achieve this balance was not to be underestimated.

## **We have also focused on policy development**

Some examples of the policy development work undertaken during 2018/19 are:

### *SMG Europe Sub-group - Culture and Leisure Sub-committee*

The Culture and Leisure Sub-Committee agreed, as part of its 2018-19 work programme, to establish the SMG Europe Sub Group to carry out an examination of the Operating Agreement relating to the Playhouse, Whitley Bay, and specifically to consider the break point of the Agreement by either party giving nine months' notice to expire on 31 December 2019. The focus of the study was to examine the current operating agreement with the SMG Europe Operator to run the Playhouse until 31 December 2024. The outcomes are intended to support the Cabinet Member for Culture, Sport and Leisure in deciding policy objectives, taking these considerations into account. The work is on-going.

### *Retail and Town Centre Sub-group – Economic Prosperity Sub-committee*

The Deputy Mayor, Councillor Bruce Pickard, suggested that the Economic Prosperity Sub-Committee could usefully investigate the future role and nature of town and retail centres. Councillor Pickard posed the question that if the Council were to regenerate its town and retail centres, how could it develop sustainable retail models in the light of the growth of online shopping? In response the sub-committee appointed a sub-group to examine the topic and to formulate recommendations as to how the Council might shape its regeneration plans to develop and support sustainable retail and town centres in North Tyneside. This work is ongoing.

### *Direct provision of Social Care – Adult Social Care, Health and Wellbeing Sub-committee*

Members of the Adult Social Care, Health and Wellbeing Sub-committee had a particular interest in the quality of social care provision in the borough and the role of the Council in supporting good quality provision. In relation, to this the Sub-committee scrutinised work undertaken by the authority to assess the viability and risks of delivering home care services via an alternative delivery model, and also on-going work to strengthen the home care market through revised commissioning arrangements and operating models. This work is on-going.

## *Review of the Lettings Policy – Housing Sub-committee*

The Housing Sub-committee has, over two meetings, considered the proposed changes to the Council's Lettings Policy (for North Tyneside properties). Members expressed concern at some of the proposals being brought forward as part of the review and asked officers to evidence more clearly the reasoning behind the changes. Due to the feedback from Housing Sub-committee, some of the initial proposals had been re-evaluated and withdrawn. After lengthy discussions with officers and the relevant Cabinet Member, the sub-committee still had reservations about some of the proposed changes and expressed these in writing to the Cabinet Member. The sub-committee asked to be kept informed of the outcome of consultation with other groups and the final proposals that would be submitted to Cabinet for approval.

## **Monitoring Role**

Whilst helping to develop new policies and assisting in the review of others, scrutiny has also invested time in monitoring the development and delivery of existing plans and policies to ensure that the best quality services are delivered to residents and visitors of North Tyneside.

Some examples of the plans and policies that have been monitored throughout the year include:

*Service Delivery and Performance - Overview, Scrutiny and Policy Development Committee* and its sub-committees have continued to receive monitoring reports on service delivery and performance across the Council. Scrutiny Members have also had the opportunity to comment on various policies and strategies prior to submission to Cabinet for approval.

*Northumbria Healthcare Foundation Trust: Annual Quality Account* - The Adult Social Care, Health and Wellbeing Sub-committee received a presentation from the Trust on the Quality Account 2017/18. The Sub-committee welcomed the opportunity to submit a statement for inclusion in the published document covering views on the Trust's performance over the year as set out in the Quality Account and the priorities identified by the Trust for 2018-19.

*Safeguarding* – the Adult Social Care, Health and Wellbeing Sub-committee received the Safeguarding Adults Board Annual Report and Action Plan at its meeting in November 2018. The sub-committee did not make any formal recommendations on the report, but Members did highlight some areas around the format of the Annual report to be fed back to officers. They also highlighted some issues to be raised with the board around incidences of financial abuse of

vulnerable adults in relation to door step lending, and raising awareness of safeguarding issues with the public.

*Update on the Adaptations and Loan Equipment Service* – The Adult Social Care, Health and Wellbeing Sub-committee considered the work of the Equipment Service and had an opportunity to view some of the adaptation equipment available to loan through the service. Members noted the significant positive change that the service can have to the quality of people's lives.

*Attainment of Free School meals/Pupil Premium pupils* - The Children, Education and Skills Sub-committee received its annual update on the attainment and progress of young people across the borough and focussed on the attainment of looked after children and the attainment of those in receipt of Free School meals/Pupil Premium pupils to monitor the effectiveness of the support and challenge programme of the FSM/PP programme to ensure comparable progress to those not in receipt of FSM. The sub-committee was pleased to note this year was the strongest performance for the looked after cohort at GCSE and the attainment gap was now in line with national at -27% and improved from last year's gap of -34%.

*The Employment and Skills Strategy* - The Children, Education and Skills Sub-committee received an updated Employment and Skills Strategy in January 2019 on how it was going to deliver the Ready for Work and Life element of the Our North Tyneside Plan.

*Signs of Safety* - After the introduction of Signs of Safety, a practice model for children in need of a statutory assessment, by North Tyneside and its partner agencies in 2017 the Children, Education and Skills Sub-committee monitored its implementation and adoption across the Authority.

*Construction project* – the Housing Sub-committee has received updates on the Construction project, which has overseen the transfer of construction, housing repairs and maintenance services to the direct management of the council. Members have followed progress with the arrangements to transfer staff and the consultation that has taken place around this. The sub-committee also considered the technology that would be used in logging and responding to repairs, and logistics in terms of fleet and work wear and accommodation for staff. The sub-committee will continue to monitor the progress of the Construction Project going into the new municipal year and look at the impact on performance and customer satisfaction.

*Active North Tyneside Annual Report* - The Culture and Leisure Sub Committee received the Active North Tyneside Annual Report 2017-18 which presented the work undertaken to demonstrate progress against delivery of performance of Active North Tyneside during the past 12 months. The Sub Committee also considered the Local Swim Project, a Sport England pilot to carry out research at a local level to see what was behind this decline and look at interventions to try to reverse the trend. The Authority was initially given £25,000 to carry out research and received a further £198,000 to deal with issues highlighted from the research carried out, the interventions subsequently introduced and the impact this has had; an Arts Council funded initiative to support engagement with the arts/culture with young people and the Tyne and Wear Archives & Museums as the local delivery body for the Authority; and North Tyneside Council's tourism and events programme and plans for future activity 'Developing a Tourism Offer'. The Sub Committee would also monitor the work of the Culture Health and Wellbeing Delivery Group, initiated by the North Tyneside Health and Wellbeing Board, to deliver its objective to "reduce social isolation and increase cultural engagement across the population of North Tyneside to improve health and wellbeing"; and the outcomes in the Arts Council England document 'Shaping the Next Ten Years'.

The Chairs and Deputy Chairs have met bi-annually to share information on ideas and topics for review, to identify issues where services could be improved for residents, and to avoid any potential areas of duplication.

## **Achievements**

### *Recommendations*

During 2018-19, four in-depth reviews were completed and responses received from Cabinet; including one which was complete towards the end of 2017-18 and a response received in June 2018. As a result 20 recommendations have been considered by Cabinet, with a further eight recommendations recently submitted and under consideration. Cabinet accepted all 20 recommendations and has responded to the recommendations setting out how implementation will be taken forward. The Overview, Scrutiny and Policy Development Committee and the sub-committees will continue to monitor implementation of these recommendations and the subsequent outcomes on the delivery of services.

## Engagement and partnership working

A key role of overview and scrutiny is to promote issues of concern to the public and, where appropriate, consult with residents and service users on scrutiny investigations to be taken forward.

Scrutiny has continued to work closely with its partners, maintaining positive relationships and sharing key information, particularly in relation to health bodies and policing issues.

Representatives of the Clinical Commissioning Group, Northumbria Healthcare Foundation Trust, Healthwatch, and NHS England have all been in attendance at various meetings to share information and maintain key links with Members.

The Housing sub-committee is designated as the crime and disorder committee and has met with the Police and Crime Commissioner, Vera Baird in relation to the delivery of priorities contained within the Police and Crime Plan.

Various pieces of work this year have involved engagement with service users and partner organisations and this has been highlighted throughout this report.

### *Retail and Town Centre Sub-group*

The Retail and Town Centre's Sub-group has sought input from a range of interested parties to feed into the review. From a business perspective, the group has met with representatives of the Whitley Bay, Wallsend and North Shields Chambers of Trade, The Crown Estate, New River, owners of the Forum and the Beacon Centre, and representatives from the Royal Quays. In addition, the Sub-group considered information from the Youth Council and representatives of the Youth Council attended a meeting of the Sub-group to share their views on young people and the future of town centres.

### *Reducing litter through education – Environment Sub-committee*

The Sub-committee considered a suggestion from a member of the public in relation to reducing the amount of money spent on doing ad-hoc litter picks outside schools and instead spend the money on the provision of education to stop the litter being dropped in the first place.

## **Future Scrutiny**

Preparation for the development of the 2019-20 overview and scrutiny work programmes is under consideration. The Chairs and Deputy Chairs will be discussing possible areas for review in order to prioritise topics for scrutiny during 2019-20. Elected Members, senior officers and the public will be encouraged to suggest topics that scrutiny could usefully investigate.

All suggestions received will be considered by individual sub-committees at the beginning of the new municipal year in order to develop work programmes for the year ahead. Some reviews will carry forward from this year. When prioritising topics, consideration will be given to whether the issue is timely and whether there is potential to have a positive impact on Council policy.

For 2018/19 the Council agreed a slightly reduced timetable of scrutiny meetings in line with financial pressures impacting on all areas of the organisation. This is continuing into 2019/20 and the committees will be looking at how they can work more efficiently, while ensuring that important issues are scrutinised effectively.

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## North Tyneside Council Report to Annual Council 16 May 2019

### ITEM 14

Standards Committee -  
Annual Report 2018/19

Portfolio(s): Elected Mayor

Cabinet Member(s): Mrs N Redfearn

Report from Service Area: Law and Governance

Responsible Officer: Bryn Roberts,  
Head of Law and Governance

Tel: (0191) 643 5339

Wards affected: All

### PART 1

#### 1.1 Executive Summary

To submit the Standards Committee's Annual Report for 2018/19.

#### 1.2 Recommendation(s)

Council is requested to note and receive the Standards Committee's Annual Report 2018/19.

#### 1.3 Forward Plan

This report first appeared on the Forward Plan that was published on 18 April 2019.

#### 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 Standards Committee Annual Report 2018/19

##### 1.5.1 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 2018/19 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 report highlights the ways in which the Standards Committee has influenced and shaped policy and the promotion and maintenance of ethical standards of conduct by the Elected Mayor, Councillors, Co-opted Members and church and parent governor representatives.

The Committee will consider its work programme for the new municipal year 2019/20 at its first meeting of the new municipal year in June 2019.

### **1.5.2 Decision options**

The following decision options are available for consideration by Council:

#### Option 1

To note and receive the Annual Report of the Standards Committee for 2018/19.

#### Option 2

To refer the Annual Report of the Standards Committee for 2018/19 back to the Standards Committee for further consideration.

Option 1 is the recommended option.

### **1.6 Reasons for recommended option**

Option 1 is recommended for the following reason:

The Annual Report of the Standards Committee for 2018/19 provides a record of the work of the Standards Committee over the past year.

### **1.7 Appendices**

Appendix 1 - Standards Committee Annual Report 2018/19.

### **1.8 Contact officers**

Stephen Ballantyne – Legal Manager – Governance and Employment, Law and Governance – Tel: (0191) 643 5329.

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

Claire Emmerson – Senior Manager Financial Strategy and Planning – Tel: (0191) 643 8109.

### **1.9 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 to appoint Independent Persons.

### **2.3 Consultation/community engagement**

#### **2.3.1 Internal Consultation**

The Standards Committee at its meeting on 20 March 2019 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  X
- Head of Service  X
- Chief Finance Officer  X
- Monitoring Officer  X
- Head of Corporate Strategy and Customer Service  X

### The Standards Committee Work/Action Plan up to 31 March 2019

This Action Plan was monitored by the Committee at each meeting.

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
1. Monitor the operation of the new Members' Code of Conduct.	To ensure that it is operating effectively	Ongoing	Following the receipt of the Committee on Standards in Public Life's report a full review will be undertaken in the new municipal year.
2. To review the Authority's Local Arrangements for dealing with Complaints under the Code of Conduct.	To ensure that the Authority's Local Arrangements meet the requirements and expectations of the Members and the relevant legislation.	Ongoing	Following the receipt of the Committee on Standards in Public Life's report a full review will be undertaken in the new municipal year.
3. To continue to develop an ongoing programme of meetings with invited guests, including the Elected Mayor, the Chief Executive, Senior Leadership Team, Group	To develop a dialogue between the Committee, and members and appropriate Officers relating to ethical governance and ethical standards.	Ongoing	The Chair of Council was invited to attend the Committee's meeting in March 2019.  The Authority's new

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.			Monitoring Officer was also in attendance.
4. To invite Chairs of Standards Committees from other Authorities in the region to attend Committee meetings.	To provide an opportunity to understand ethical governance and standards issues in other Authorities.	Ongoing	To be arranged in consultation with Monitoring Officers in neighbouring authorities in the new municipal year.
5. 6 monthly regional meeting of the Chairs and Deputy Chairs of Standards Committees and Independent Persons be arranged in consultation with other regional authorities	To provide an opportunity to share knowledge and best practice.	First meeting by October 2018 and second meeting by 31 March 2019	To be arranged in consultation with Monitoring Officers in neighbouring authorities.  This action will be brought forward in the Action Plan for 2019/20.
6. To promote the development of all Members by: <ul style="list-style-type: none"> <li>seeking the attendance of Regulatory Committee Members (including the Standards Committee) at relevant Committees at</li> </ul>	To assist the Authority to fulfil its statutory duty to promote and maintain high standards of conduct.	By March 2019	This action will be brought forward in the Action Plan for 2019/20.

<p>neighbouring authorities;</p> <ul style="list-style-type: none"> <li>encouraging the extension of filming of meetings to include the Planning Committee; and</li> <li>the provision of training on relevant ethical standards issues.</li> </ul>			
<p>7. 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.</p>	<p>To ensure all members receive information on ethical governance, ethical standards to minimise risk of unwitting breaches of the Code of Conduct.</p>	<p>By January 2019</p>	<p>This action will be brought forward in the Action Plan for 2019/20.</p>
<p>8. To seek the further promotion with all Members of the Authority's e-learning training on the use social media.</p>	<p>To assist all Member in the use of social media.</p>	<p>By September 2018</p>	<p>Being undertaken as a part of the Authority's Member Development Programme</p>
<p>9. Continue production of Annual Standards Committee Report</p>	<p>Presentation of Annual Report of the work of the Committee during the previous 12 months.</p>	<p>By end of each municipal year.</p>	<p>Completed.</p>
<p>10. To provide training to the Independent Persons on</p>	<p>To ensure that the Authority's Independent Persons</p>	<p>October 2018.</p>	<p>This action will be brought forward in the</p>

<p>their role, this to include invitations to relevant training for Members.</p>	<p>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>Action Plan for 2019/20.</p>
<p>11. To update where necessary and recirculate the pocket guide to the Code of Conduct and the requirements in relation to interests to all Members.</p>	<p>To assist Members in how the Code of Conduct applies to them.</p>	<p>September 2018</p>	<p>Completed.</p>



# Standards Committee



## Annual Report 2018/19



# 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 2018/19.

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.

To achieve this, the Committee has worked closely with the Council's Monitoring Officer to ensure that the principles of good governance and ethical standards remain central to the business of the Authority and instil public confidence in those elected to public office.

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 of Chair of the Standards Committee.

Councillor M Rankin  
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 2018 to March 2019 together with background information regarding the standards regime established within North Tyneside Council. All references to 2018/19 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 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 that a complaint can be reasonably resolved informally and will discuss this option with the complainant and subject member where appropriate.

In September 2018 the duties of the Monitoring Officer transferred on an interim basis from the former Head of Law and Governance to the Senior Manager-Legal Services. Following the appointment of Mr Bryn Roberts as the new Head of Law and Governance, the duties of the Monitoring Officer transferred to Mr Roberts in February 2019.

### 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(E) 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 2018/19**

In 2018/19 the Standards Committee comprised the following Members: Councillors Brian Burdis; Eddie Darke; Janet Hunter; Carl Johnson; Karen Lee (Deputy Chair); Frank Lott; Paul Mason; Bruce Pickard; and Martin Rankin (Chair).

### **5. The Authority's Independent Persons**

In July 2018, the terms of appointment of the Authority's two Independent Persons, Mr George Clark and Ms Stella Gardner, came to an end.

A full recruitment exercise to the roles of Independent Person was commenced in early May/June 2018. Eleven applications were received as a result of the formal recruitment process. Following a shortlisting process, four candidates, including the current holders of the roles of Independent Person, were interviewed as a part of the selection process. The interviews were conducted by the Elected Mayor, the Chair of the Standards Committee and Councillor Paul Mason, supported by the Head of Law and Governance. The selection panel identified three suitable candidates.

In July 2018 Council agreed proposals to increase the number of Independent Persons to three; to implement a maximum ten year term of office for an Independent Person; and to appoint Mr Clark, Ms Gardner and Dr Stuart Green to the roles of Independent Person for a period of four years until 31 July 2022.

## 6. Committee and Sub-Committee Meetings in 2018/19

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

The Work Programme/Action Plan for 2018/19 is attached at Appendix 1 to this report and is commented upon further in paragraph 10 below.

The Standards Committee met on 3 occasions in 2018/19. The following meetings took place:

- 19 July 2018
- 29 November 2018
- 20 March 2019

The Sub-Committee met on the 19 December 2018 and 17 January 2019 to consider applications for dispensations under the Code of Conduct.

The Sub-committee also met on 7 September 2018 for a complaints hearing, and on 28 February 2019 to consider an investigation report into a complaint where no breach of the code was found.

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

During 2018/19, 15 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 2012/2013.

**Table1**

Local Assessment Decisions	No action	Informal resolution	Referred for Investigation	Total
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 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 2018/19, 2 complaints were referred for investigation, one of which is complete and one is currently being progressed.

The Sub-committee considered two investigation reports. One related to a complaint referred for investigation in 2018/19. In that case the committee determined that there had been a breach of the Code of Conduct for Members. In relation to the other investigation report, it concluded that there was inadequate evidence to support a finding that there had been a failure to comply with the code of conduct.

## **10. Review of Standards Committee Work Programme and Action Plan for 2018/19**

The Standards Committee's Work Programme/Action Plan for 2018/19 is attached at Annex 1. Matters of particular note are summarised below.

The Standards Committee met on 3 occasions during the year. At each meeting the Committee monitored its Action Plan. The matters undertaken include:

### **A. Review of Code of Conduct and Local Arrangements**

The Standards Committee had to consider as a part of its Work Programme for 2018/19 whether any changes were necessary to the Code of Conduct for Members and the Local Arrangements for dealing with complaints under the Code of Conduct. It was agreed that a sub-group be established to undertake this work and following the recent publication in January 2019 of the Committee of Standards in Public Life's Review: Ethical Standards in

Local Government (see below), it is proposed that the review of the Code of Conduct and Local Arrangements be considered in the new municipal year.

A Pocket Guide to the Code of Conduct for Members' and the requirements in relation to interests was developed and approved by the Standards Committee for circulation to all Members' to assist in how the Code applied to them.

## **B. Dialogue with Members and Officers**

The Standards Committee has responsibility for the Authority's statutory duty for promoting and maintaining high standards of conduct by elected Members and co-opted Members of the Council. During 2018/19 invited guests included the Chair of the Council, Councillor Mulvenna and the newly appointed Head of Law and Governance, Mr Bryn Roberts, who gave their perspective on the promotion of high ethical governance and standards. The invitation has also been extended to regional Chairs of Standards Committees, responses are awaited.

## **C. Committee of Standards in Public Life Review: Ethical Standards in Local Government**

The Committee considered a report by the Committee of Standards in Public Life's recent review of Ethical Standards in Local Government. The Committee published its report in January 2019. This review was intended to provide assurance that the current framework, particularly since the Localism Act 2011, is conducive to promoting and maintaining the standards expected by the public.

A number of risks (impacting across local government) have been identified in the report including:

- The current rules around conflict of interest, gifts and hospitality are said to be inadequate; and
- The increased complexity of local government decision making is said to be putting governance under strain.

The report calls for more robust safeguards to strengthen a locally determined system and calls upon local authorities to ensure they develop and maintain organisational cultures which are supportive of high ethical standards.

The introduction of a power of suspension and a refreshed model code of conduct are recommended together with strengthening the role of the Independent Person and providing a right of appeal to the LGO for suspended councillors. It is also said that greater transparency is required on how complaints are assessed and decided to avoid reliance on internal party discipline and provide reassurance to the public.

A full copy of the report is available at: [Ethical Standards Report](#)

The report was submitted to the Standards Committee for its consideration.

## **11. Conclusion**



The Committee continues to be busy and as this report demonstrates has dealt with a variety of matters in the past year. 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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