



Council

North Tyneside Council

To All Members of the Council

Wednesday, 14 September 2022

You are hereby summoned to attend the Meeting of the Council of the Borough of North Tyneside to be held in **Chamber - Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY at 6.00 pm on Thursday, 22 September 2022** for the transaction of the following business.

Agenda
Item

Page(s)

1. **Apologies**
2. **To receive any Declarations of Interest**

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

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

You are also invited to disclose any dispensation from the requirement to declare any registerable and/or non-registerable interests that have been granted to you in respect of any matters appearing on the agenda.

3. **Minutes of the meeting held on 21 July 2022** **3 - 20**
4. **Motions** **21 - 26**

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

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 5318.

**Agenda
Item**

Page(s)

5. **Audit Committee - Appointment of co-opted member** **27 - 32**

To seek to appoint the Chair of the Audit Committee and to appoint a new independent co-opted member to serve as Deputy Chair of the Audit Committee.

6. **Request for Dispensation pursuant to Section 85 of the Local Government Act 1972** **33 - 38**

To seek to grant a dispensation in respect of Councillor Muriel Green, under Section 85(1) of the Local Government Act 1972.

7. **Chair's Announcements**

To receive any announcements by the Chair of Council.

8. **Elected Mayor's Announcements**

To receive any announcements by the Elected Mayor.

Yours faithfully



Chief Executive

Local Government Act 1972

Borough of North Tyneside

Thursday, 21 July 2022

At the meeting of the Council of the Borough of North Tyneside duly convened and held on Thursday, 21 July 2022 at 6.00 pm in the Council Chamber, Quadrant East, 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 Bones	Councillor B Burdis
Councillor C Burdis	Councillor K Clark
Councillor D Cox	Councillor J Cruddas
Councillor E Darke	Councillor C Davis
Councillor S Day	Councillor D Drummond
Councillor L Ferasin	Councillor M Fox
Councillor S Graham	Councillor T Hallway
Councillor J Harrison	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 J Mudzingwa	Councillor T Mulvenna
Councillor M Murphy	Councillor T Neira
Councillor A Newman	Councillor R O'Keefe
Councillor J O'Shea	Councillor E Parker-Leonard
Councillor A Percy	Councillor S Phillips
Councillor B Pickard	Councillor M Rankin
Councillor P Richardson	Councillor W Samuel
Councillor O Scargill	Councillor J Shaw
Councillor M Thirlaway	Councillor J Walker
Councillor J Wallace	Councillor G Westwater
Councillor M Wilson	

Apologies: Councillor L Bartoli, Councillor G Bell, Councillor L Bell, Councillor N Craven, Councillor M Green, Councillor M Hall and Councillor Janet Hunter

C18/22 Minute Silence

A minute's silence was observed in respect of the passing of former Councillor Joseph Bell who had represented Seatonville Ward from 2002 until 2004.

C19/22 Public Questions

1. Question to the Elected Mayor from Laurie Zebik of Forest Hall

Why is the SEND school provision in North Tyneside so incredibly low, especially nursery placements? There are 3 special schools in the Borough and the need is much higher. Why is more investment not being put into this? Our children deserve more than this. Their needs and education are currently not met. We as parents should not have the added stress and worry of finding a suitable school place in an already challenging and stressful situation. Our children and families are pushed aside constantly.

Also why is the 'local offer' predominantly charities? Why don't the council use more funding to offer support and activities for SEND children, adults and their families. It's extremely difficult to attend events to start with and the lack of accessibility and inclusion isolates us further. SEND families bottom of the pile again like we are worthless citizens. The Borough is appalling for support and opportunities. The council need to stop relying on good will and the work of charities and support all of their residents, not brush issues under the carpet.

Councillor Steven Phillips responded on behalf of the Elected Mayor as follows:

Thank you for the question

First of all, I want to be clear that as Cabinet Member and with the Officer Team we work hard to support families in the Borough to ensure all of our young people reach their full potential.

And that we realise every young person is different and every family and carer has a different experience.

However, I would like to make three points in response.

First, our aim across the Borough is that families, schools and the Council work together to make sure that, where needs can be met, children and young people in the Borough are educated in local, inclusive, mainstream provision. All the evidence suggests that this produces the best outcomes.

Second, where needs cannot be met, we aim to have the right provision. And, while I understand individual circumstances might be difficult, school provision is not low and investment has gone into this area.

Across our Additionally Resourced Provision and 5 Special Schools - since October 2017 for example, places have risen from 543 to 720 in October 2021 - a 25% increase.

That investment and approach was recognised in our recent Joint CQC/Ofsted Inspection.

Finally, this is a national issue. Demand for support for children and young people with

additional needs is rising across the country and the Government has had to initiate a national programme to cope with the associated costs. In North Tyneside, last year, we spent nearly £32m on these services.

I understand this is an issue about which people feel strongly. Who would not want the very best for their children? As a Council we do use all the resource at our disposal and do provide a full range of services.

I am sure you understand but in line with the SEND Code of Practice 2015 Local Authorities must publish a Local Offer, setting out in one place information about provision they expect to be available across education, health and care for children and young people with SEND.

The Local Offer has two purposes:

- (a) to provide clear, comprehensive, and accessible information about provision and how to access it; and
- (b) to make provision more responsive by directly involving children and young people with SEND in the development and review of those services.

By its very nature that includes a range of services offered by others.

In the last year the Local Authority has worked with our SEND Youth Forum, Parent Carer Forum and partners to review and update our Local Offer.

We are always aiming to improve our Local Offer and we always welcome feedback.

There is the facility to leave this feedback on the North Tyneside's Local Offer website.

To conclude with two practical examples.

As a result of this feedback the Local Authority has started a review of short breaks and activities in the borough.

A working group has been set up which includes our brilliant Parent Carer Forum.

They are currently going through an exercise of engagement and consultation with parents and carers, our SEND Youth Forum, and stakeholders across education, health, and care.

This will tell us what children, young people and their families need in the borough, and we expect to have a new framework of providers and additional services as we head into the spring of 2023.

Alongside this is our Holiday Activity and Food (HAF) programme, which has commissioned holiday activities for this summer, including those for children and young people with SEND. You can find out more about this on the Local Offer website.

Laurie Lebik asked the following supplementary question:

A lot of schools have wraparound care, where there is no provision for children going to specialist schools. What will you do to provide wraparound care for children who are attending specialist schools and during holiday times?

Councillor S Phillips responded as follows:

With regards to my response information was provided with regards to services available for holiday provision. In terms of wraparound care a written response will be provided.

2. Question to the Elected Mayor from Mark Lee of Wallsend

Why is it that money seems to be there for 'areas of contemplation' paving, but apparently not for clearing paths from fallen and overhanging/leaning trees in Woodland paths in Rising Sun Country Park?

There is one woodland path in particular that has a tree decorated in memory of a loved one. It has been blocked off since storm Arwen. Locals are walking around the fallen trees, but it's not exactly safe as there are trees leaning against other trees, which in my opinion could fall at any time.

Councillor S Graham responded on behalf of the Elected Mayor as follows:

Thank you for this question. We recognise the importance of trees and the many benefits they bring to the borough. We currently manage and maintain approximately 140,000 trees which are spread across the borough in places such as streets, open spaces, parks, housing estates, school grounds and cemeteries.

During Storm Arwen and the 6 subsequent storms, we suffered unprecedented levels of damage to our tree stock and over recent months, our tree teams have been working hard to put this right.

With regards to the Rising Sun Country Park, I can report that a tree survey has been carried out as part of a woodland management plan for the park which has identified 50 trees on this path that require maintenance works. And as soon as the bird nesting season is over, we will be carrying out this work.

Public safety also remains a total priority for us and we have safety restrictions in place to manage access to certain areas of the park and we will ensure these remain in place until works are complete.

I hope this reassures you of the work plans we have in place for managing the trees at the Rising Sun Country Park and they will be addressed as soon as we are able whilst protecting the bird population.

Thank you again for raising this question with me.

The Chair had agreed that a single response be provided to questions 3-5 below:

3. Question to the Elected Mayor from Penny Remfry of Whitley Bay

In order to meet the Council's 2030 zero net carbon target residents will have to reduce their domestic energy use considerably. What measures have the Council taken to provide the workforce and other support needed to enable residents to retrofit their homes in order to do this?

4. Question to the Elected Mayor from Alan Steele of Tynemouth

In 2019 the Council declared a 'Climate Emergency' and last year brought their Carbon Net Zero target for the borough and authority forward to 2030. In pursuance of these targets the council committed to produce an updated 'Climate Emergency Action Plan' in 2022. What progress has been made on this, when will it be published and how will local residents and groups have an input into it?

What governance arrangements are the Council putting in place to oversee the implementation of the revised Action Plan?

5. Question to the Elected Mayor from Ian Appleby of Cullercoats

In response to bringing forward the net Carbon Zero Target for the borough to 2030 last year, the Council committed itself as part of its "Our North Tyneside Plan" to produce a renewed Climate Emergency Action Plan in 2022 detailing how it intended to achieve the target.

It is now half way through the year. What progress, if any, has been made on this, when will the Action Plan be published and how will local residents and groups have an input into it?

What governance arrangements, including the Climate Emergency Board's membership and meetings held to date, are the Council putting in place to oversee the implementation of the revised Action Plan and communicate this important work to the public in an open and transparent way?

Councillor S Graham responded on behalf of the Elected Mayor as follows:

I am pleased to receive three questions from members of the public on the Council's Carbon Net-Zero 2030 policy commitment, something which is of great importance to the Mayor and Cabinet.

The timing of the questions is excellent; I am delighted to be able to tell you that Cabinet will receive the Carbon Net-Zero 2030 Action Plan at its meeting on Monday August 1st in a couple of weeks' time.

I would like to respond to the questions by explaining how engaging with residents and stakeholders has shaped the development of our action plan, then provide some details of the work we have already done to improve the energy efficiency of housing in the Borough, and the work we will do going forwards which is included in our action plan.

As a listening Council, the Mayor and Cabinet take great pride in engaging with residents and stakeholders in the shaping of our policies and plans.

The Carbon Net-Zero 2030 Action Plan has been shaped through a range of engagement activities;

- Our Residents Survey asked a number of climate related questions for the first time ever.
- We also worked with the North of Tyne Combined Authority to run our first ever Citizens

Assembly on climate change.

- These two new climate activities were particularly helpful in shaping our Action on Climate Change behavioural change campaign, which I am sure you will have seen across the Borough in recent weeks. Additionally, they have supported key strategic project development, such as establishing the business case for a large-scale housing retrofit programme.
- The Mayor and Cabinet are committed to listening to our young people in shaping our policies and plans and we have worked closely with the Young Mayor and young people's representatives in shaping the action plan.
- We have also worked with a number of large employers in the Borough to test our plan and share best practice, particularly through our 'Call for Evidence' day that we hosted during COP26. I'm pleased to tell you that this event has led to the creation of a Borough-wide outward facing Climate Emergency Board which will focus on reducing emissions from the business sector.
- Further engagement through our Residents Magazine, social media channels and future Residents Surveys will continue to shape our campaign and action plan.

Based on the views expressed during these engagement activities we have developed our action plan.

It is important that appropriate governance arrangements are in place and the development of the action plan has been overseen by the internal Council's Carbon Net-Zero 2030 Board, which I chair and is made up of senior officers from across the organisation. The board meets monthly and has coordinated the development of 150 actions that seek to reduce emissions across a number of key themes such as travel, waste, the Council's portfolio of buildings, vehicles and street lights, and of course housing.

This approach cuts across every aspect of Council delivery of services.

Over the past 15 years a range of low carbon and energy efficiency measures have been installed across our council owned homes:

- All cavity walls and lofts have been insulated.
- The majority of our Council homes have high efficiency condensing boilers and double glazing.
- 1500 homes have Solar PV.
- Non-traditional homes have benefitting from external wall insulation works; and,
- North Tyneside Living homes have all been upgraded to meet BREEAM 'Excellent' rating.

Because of this work we are a top performer when compared to the national averages for the energy efficiency rating of our homes. But the work does not stop there; we will see a further 17,000 measures installed through to 2030 spending over £32m.

All new affordable homes built by the Council from 2023 will no longer use gas to heat our new build homes and we will introduce low-carbon alternatives, this is two years ahead of the Governments Future Homes Standard that comes into force from 2025.

Our private households have benefitted through our innovative North Tyneside Warm Zone partnership installing energy efficiency measures in over 20,000 homes. The Council has also secured £8m in grant funding to install further energy efficiency and generation measures in around 900 private homes.

Through our Green Skills work we are looking at how we can invest in the local workforce to ensure we have the right skills to continue to install and maintain new green technologies in homes across the borough.

Our residents have asked for more information about how they can reduce their carbon footprint and our communications plan will continue to provide the information residents need to support on our collective journey to net zero.

However, we recognise that this journey is not always affordable for our households so we will continue to lobby for the financial support they need to retrofit their homes.

The Climate Emergency Action Plan will be refreshed annually, and a performance update will be provided to Cabinet each year detailing key achievements and progress made. This will be available on the Council's website.

I am very proud of the work that has been carried out to date and look forward to receiving the ambitious action plan next month at Cabinet.

Penny Remfry asked the following supplementary question:

With respect to retrofit issue, there is a high proportion of private landlords in North Tyneside. What plans the Council has to encourage landlords to retrofit or in other ways to reduce the carbon emissions of their properties.

Councillor S Graham responded as follows:

Thank you for the additional question and there is a hope through the climate change behavioural change website and additional information that is being published that people will see there is help available. The new climate change webpage will be a useful source of information for residents and provide tips to reduce energy consumption, available grants for home energy systems and links to the government endorsed impartial energy advice service in addition to frequently asked questions section to how to get solar power and air source heat pumps into homes.

We understand that it will be expensive for some and that more grant funding will be required and the Council will lobby the Government for funding. There is additional help through our housing service to help private landlords and providing them of any grants available to them.

Ian Appleby asked the following supplementary question:

Scope of the plan as well as carbon reduction measures will it also include mitigation and adaptation measures, individual welfare as we see increasing number of people suffering with the effect of climate anxiety. Will there also be a commitment making information about the that the Climate Emergency Board and the Carbon Net Zero 2030 Board public by publishing the minutes of these meetings.

Councillor S Graham responded as follows:

There will be a commitment to provide information to who sits on the Climate Emergency Board and the Carbon Net Zero 2030 Board and publish the minutes of meeting.

In relation to climate anxiety, it is hoped that the detailed information from the ongoing campaign will relieve anxieties. Such as the planting of 9000 tree to the northeast community forest that will aid the absorption of carbon, in addition to the many measure that will be detailed in the action plan, which will be published on the Council website in early August.

6. Question to the Elected Mayor from Andrew Macardle of Forest Hall

Youth Services have been reduced significantly over recent years.

The Conservative Government's choice - and let us be clear that it was a choice - to adopt a policy of austerity has reduced funding over the last ten years. The pandemic meant that many surviving services were closed. We are now facing a cost-of-living crisis, meaning that many families are struggling to meet basic living expenses.

As a result, it is children and young people who are deprived of services and activities that previous generations had enjoyed.

There is a strong argument that the lack of opportunity, lack of structured environment - coupled with a desperation for a distraction from the current hardships - have led to a rise in anti-social behaviour, as we have seen on the metro, on our high streets and with fires started in a number of our parks and woodland across the Borough.

It is important to note that this is not to blame those anti social behaviours on young people, merely to highlight the link between lack of opportunities afforded and the space left for chaos.

In order to provide that opportunity, providing services for young people, what plans do North Tyneside Council have to invest in youth services - particularly services offered at no cost to families who are currently struggling.

Councillor S Phillips responded on behalf of the Elected Mayor as follows:

In terms of plans that the Council has for these services. There is a developing Universal offer for young people across the authority, mainly delivered through Community and Voluntary sector organisations. Some of these sessions are offered free and some at very low cost (e.g.£2). In addition to these groups, the Early Help service offers a range of more targeted groups all of which are free. This includes the Early Help Drug Alcohol Service (EHDAS) providing education sessions in schools and colleges, which are well attended. They also offer one to one work with young people.

Early Help staff work jointly with Project VITA (a Community Protection scheme with Police) with an aim to reduce anti-social behaviour in the community. The Early Help Drug and Alcohol staff go out with Community Protection to offer outreach support and engage young people and divert them back into more positive activities, such as discos at the Allen Memorial, roller discos, activities on Amberley field, boxing coaching and curb side sports etc. Staff are able to engage positively with young people who maybe using drugs and/or

alcohol to offer education and harm minimisation, this is generally well received and the young people can engage with activities and ideas as to how they can support each other to keep each other safe.

We are currently working on recommencing the Young Civics Course, similar to the Duke of Edinburgh Award, it's a 6 week programme aiming to support young people to develop new skills. It is run by Early Help staff in partnership with schools and includes modules for planning an expedition and supporting the local community with volunteering, for example, in the past we have taken groups of young people to volunteer in Elderly Residential units or go litter picking.

We also have the Forest School in Shiremoor Children's Centre, which offers sessions teenage young carers, during school holiday periods. We also have Young Carers using the Children's Centres several evenings per week at Shiremoor and Howden. We are in the process of rebranding our Children's Centres to become Family Hubs promoting more of an inclusive and welcoming environment for all age groups.

We recently met with RISE North-East to explore how we could work together to offer activities to young people encouraging them to become more active, addressing inequalities within our local communities and supporting them with their mental well-being. This is work in progress but will strengthen our free to access, targeted offer to young people.

We are also working in conjunction with schools and leisure to support the Bike for Health Programme and a Play Street initiative.

C20/22 To receive any Declarations of Interest

Declarations of interest were reported as follows:

Councillor L Bones – Item 6 Motion 2 - non-registerable personal interest that he is a member of a relevant lobby group.

Councillor O Scargill – Item 6 Motion 1 - non-registerable personal interest, he recently completed a educational placement at Northumbria Healthcare Trust.

Councillor J Harrison – Item 6 Motion 1 - non-registerable personal interest, he is a Public Governor of Northumbria NHS Foundation.

Councillor K Clark – Item 6 Motion 1 - non-registerable personal interest, is a Co-opted Governor on the NHS Foundation Trust.

Councillor M Thirlaway – Item 8 – Storm Arwen Task & Finish Group Report - non-registerable personal interest as he has a relation employed by the Authority.

C21/22 Minutes of the meeting held on 19 May 2022

Resolved that the minutes of the Council meeting held on 19 May 2022 be taken as read, confirmed and signed by the Chair.

C22/22 Return of Councillor Elected - Camperdown Ward By-Election 14 July

2022

The Council received the return of the Councillor elected for the Camperdown Ward following the by-election held on 14 July 2022.

The Chair welcomed Councillor Peter Earley to the Council.

C23/22 Motion 4

It was moved by the Councillor E Darke and seconded by Councillor P Earley that:

North Tyneside Council thanks former Councillor Jim Allan for his many years of service to the Council. Jim was a Councillor over 30 years representing Wallsend, Valley, and the Camperdown wards during his time. He held many positions within the Council over the years including Deputy Mayor and Leader of the Labour Group while in opposition. We wish Jim the best of health for the future.

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

C24/22 Appointment of Officer under Section 151 of the Local Government Act 1972

The Council received a report seeking approval under Section 151 of the Local Government Act 1972 to make arrangements for the proper administration of its financial affairs and to ensure that one of its officers has responsibility for the administration of those affairs.

It was moved by Councillor M Rankin and seconded by Councillor C Johnson that:

The appointment of Mr Jon Richie to be the Authority's Chief Finance Officers/Section 151 Officer with effect from 8 August 2022.

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

C25/22 Motion 1

It was moved by Councillor M Rankin and seconded by Councillor W Samuel that:

North Tyneside Council believes that all NHS hospital staff should be entitled to free parking in hospital car parks. Over the last two years NHS hospital staff have rose to the challenge and helped defeat covid. The Conservative Government are happy to praise and clap for NHS hospital staff but fail to support them when it really matters.

The decision, by the Conservative Government, to rescind free parking for NHS hospital staff is a disgrace and is a dangerous message that they are unimportant now the pandemic is coming to an end. Our NHS hospital staff should be appreciated and supported at all times, not just during times of crisis.

North Tyneside Council calls on the Elected Mayor to write to the Secretary of State for Health and Social Care demanding the Government acts to ensure all NHS hospital staff are

entitled to free parking in hospital car parks.

The motion, on being put to the meeting, was approved by 49 votes to 1 votes.

C26/22 Motion 2

It was moved by Councillor M Thirlaway and seconded by Councillor H Johnson that:

Conversion Therapy Ban

North Tyneside Council notes that there are already fourteen countries with some form of national ban on LGBT+ conversion therapy, as well as many other states, cities, and provinces. We also note that NHS England has stated that all forms of conversion therapy are unethical and potentially harmful.

We believe conversion therapy poses a danger to LGBT+ people and is an affront to human dignity. We are, therefore, dismayed that, despite committing to an LGBT+ conversion ban in 2018, the Conservative Government has persistently failed to legislate such a ban and have subsequently placed LGBT+ people at significant risk of harm.

We are equally dismayed that the Conservative Government's proposed conversion therapy ban does not include gender identity and believe that any ban must protect trans and non-binary people.

North Tyneside Council calls on the Elected Mayor to write to the Prime Minister asking him to finally prioritise and legislate a conversion therapy ban that includes gender identity.

A recorded vote on the Motion, was requested by two Members present.

Votes for the Motion,

N Redfearn, Elected Mayor and Councillors L Bones, B Burdis, C Burdis, K Clark, D Cox, J Cruddas, E Darke, C Davis, S Day, D Drummond, P Earley, L Ferasin, M Fox, S Graham, T Hallway, J Harrison, John Hunter, V Jamieson, C Johnson, H Johnson, C Johnston, J Kirwin, F Lott, W Lott, G Madden, L Marshall, A McMullen, J Montague, J Mudzingwa, T Mulvenna, M Murphy, T Neira, A Newman, P Oliver, R O'Keefe, J O'Shea, E Parker-Leonard, N Percy, S Phillips, B Pickard, M Rankin, P Richardson, W Samuel, O Scargill, J Shaw, M Thirlaway, J Walker and M Wilson.

Votes against the Motion

Abstentions

Councillors L Arkley, K Barrie, P McIntyre, J Wallace and G Westwater.

The motion, on being put to the meeting, was approved by 49 votes and 5 Abstentions.

C27/22 Motion 3

It was moved by Councillor Carl Johnson and seconded by Councillor Andy Newman that:

Honesty, integrity, and respect matter in politics.

In the previous two election cycles we've seen acts of dishonesty, deception, and often a lack of respect shown to fellow candidates. This Council therefore calls upon the Elected Mayor to write to all political parties who stood candidates in the 2022 local elections in North Tyneside calling on them to pledge to;

- To always make it clear on election literature which party it is from
- To not abbreviate the name of your political party on an imprint
- To not impersonate local media to use as a party-political platform
- To always ensure postal vote sign-ups are sent direct to the council
- To make clear on any social media account which political party is behind it
- To treat other candidates with respect
- To not impersonate another political party on literature
- To uphold the highest standards of integrity which the public expect from us

A recorded vote on the Motion, was requested by two Members present.

Votes for the Motion,

N Redfearn, Elected Mayor and Councillors L Arkey, K Barrie L Bones, B Burdis, C Burdis, K Clark, D Cox, J Cruddas, E Darke, C Davis, S Day, D Drummond, P Earley, L Ferasin, M Fox, S Graham, T Hallway, J Harrison, John Hunter, V Jamieson, C Johnson, H Johnson, C Johnston, J Kirwin, F Lott, W Lott, G Madden, L Marshall, P McIntyre, A McMullen, J Montague, J Mudzingwa, T Mulvenna, M Murphy, T Neira, A Newman, P Oliver, R O'Keefe, J O'Shea, E Parker-Leonard, N Percy, S Phillips, B Pickard, M Rankin, P Richardson, W Samuel, O Scargill, J Shaw, M Thirlaway, J Walker, J Wallace and G Westwater and M Wilson.

The motion, on being put to the meeting, was approved by 54 votes to 0 votes.

C28/22 Motion 5

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

North Tyneside Council notes:

- The Dutch-style roundabout at Rake Lane has caused significant disruption over the last few months to local residents
- The total cost of the scheme was £1.5 million

North Tyneside Council believes:

- £1.5 million could, and should, have been spent on alternative proposals for active travel

North Tyneside Council asks the Mayor to:

- Reassure residents that every roundabout in North Tyneside will not become a Dutch-style roundabout
- Ensure all future cycling schemes have the support of local residents by putting them to a local referendum

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

Under North Tyneside Council notes:

Add the following wording at the end of bullet point 1 – “while it was being constructed”

Add the following wording at the end of bullet point 2- “which was funded and agreed by the Conservative government including the standards of design they required”.

Delete the following wording;

“North Tyneside Council believes:

- £1.5 million could, and should, have been spent on alternative proposals for active travel”

Under North Tyneside Council asks the Mayor to:

Delete the wording – “have the support of local residents by putting them to a local referendum” and replace with “are subject to full public consultation with local residents”.

The amendment, on being put to the meeting, was approved by 46 votes to 8 votes.

The substantive motion, on being put to the meeting, was approved by 50 votes with 4 abstentions.

C29/22 Appointment of Independent Persons

Council received a report that sought approval to re-appoint one current holder of the role of Independent Person and to appoint two new Independent Persons to that role for a period of four years.

It was moved by the Elected Mayor and seconded by Councillor G Westwater that:

Council appoint Dr Stuart Green, Mrs Kerry Roffe and Mr Daniel John Entwisle as the Authority’s Independent Persons pursuant to the requirements of the Localism Act 2011 for a period of four years to 31 July 2026.

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

C30/22 Storm Arwen Task & Finish Group report

Council received a report that provided the findings of the Storm Arwen Task & Finish Group. The group undertook a review following a Council Motion was debated at its meeting on the 20 January 2022.

Councillor B Burdis who was a member of the Storm Arwen Task & Finish Group presented the findings.

It was moved by Councillor C Johnson and Seconded by Councillor Sand Graham that:

Council notes the findings of the Storm Arwen Task and Finish group and agree to refer the report to Cabinet for its consideration.

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

C31/22 Chair's Announcements

The Chair informed the meeting of some of the events she had attended since the last meeting, these included:

- The Falklands War remembrance service.
- The unveiling of the special reflection spaces that had been created in five areas across North Tyneside connecting the borough's 30-mile waggonway network. The areas were places for people to remember the loved ones that were lost during the coronavirus pandemic, offering a space to reflect on the impact the pandemic.
- The unveiling of a stained-glass window dedicated to the contribution of key workers during the pandemic by the pupils at Coquet Park First School in Whitley Bay.

The Chair also informed that her chosen charity was True Colour Theatre.

True Colours Theatre is an inclusive theatre school for children and young people that live in the North East of England. They create a space for children and young people where they can experience performing arts in an inclusive, non-judgemental, and nurturing environment.

C32/22 Elected Mayor's Announcements

The Elected Mayor congratulated newly elected Councillor Peter Earley on his return to the Council as Councillor for Camperdown.

She also expressed her gratitude to all those involved in the planning and operation of the recent Mouth of the Tyne Festival. The Elected Mayor informed that the event had attracted over 100 thousand visitors and the Authority had received very good feedback from those who attended.

The Elected Mayor gave further thanks to all those officers who would be working to provide services and support to families over the school summer break.

C33/22 Questions by Members of the Council

1. Question to the Elected Mayor by Councillor Linda Arkley

Is the Elected Mayor looking at the high levels of Anti-Social Behaviour in Cullercoats? As a matter of urgency will she meet with me to discuss the steps to be taken, to ensure the safety of residents and visitors?

Councillor Elected Mayor responded on behalf of the Elected Mayor as follows:

I am totally committed to keeping our residents and visitors safe and I take the issue of ASB very seriously, working closely with colleagues in Northumbria Police and also with the

PCC, Kim McGuiness.

In 2019 following reports of ASB on Cullercoats Bay and a review of how we manage our public open spaces, a joint approach with Northumbria Police was agreed and “Operation Coast Watch” became our annual plan for tackling ASB and associated environment issues such as littering.

Operation Coast Watch runs from spring through to the autumn, is a 7-day week operation, and is flexible depending on the weather forecast, we jointly review this according to what is happened and allows for extra resource and patrols in our high footfall areas when the weather is warm.

Then we activate and increase patrols. Police colleagues work jointly with our community protection team to patrol the open public spaces in the borough. They share the resource and plan individual operations depending upon need, intelligence and over the summer they engage with the residents and visitors and are on hand to respond quickly to anti-social behaviour. Police officers have the power to issue dispersal orders to those engaged in anti-social behaviour.

Both the Council’s Community protection team and police officers can issue fixed penalty notices on the spot for any irresponsible use of alcohol in our public open spaces including beaches and issues around environmental crime such as littering.

As part of Operations Coast Watch in the joint work with the PCC, we work closely with Nexus focussing on the Metro stations at the coast the coast including Cullercoats metro stations where the multi-agency teams are deployed to address ASB and also tackle underage alcohol use.

A new additional mobile and fixed CCTV monitoring is now a key part of the Coast Watch approach together with the joint work with the local community group Cullercoats Collective. They share their intelligence around large groups gathering, share the use of illegal substances, underage alcohol consumption and littering.

This collaboration working with them and taking this approach to tackle anti-social behaviour and environmental crime has made a difference.

Officers met with the Cullercoats Collective in February 2022 to begin planning the approach to the summer. The community group was pleased with how the operation ran in 2021 and have committed to providing support during this summer period.

Working together has worked, collectively both Northumbria Police and the Community Protection Team have seen a reduction in reported anti-social behaviour incidents over the last three summer periods and these have been attributed to a combination of increased visibility and quick enforcement action.

The most recent figures have shown a 42% decrease in reported incidents in 2021 compared to 2022 and 32% decrease in 2019.

We have clear evidence that this approach works, and I know that Council officers have very recently offered to meet with you to discuss the work we are doing in your ward and the impact it is having. I have also asked my Cabinet Lead Member for Community Safety, Cllr Carole Burdis to meet with you and the other Ward Members, including officers to discuss

these issues further and I will also attend.

Councillor L Arkley asked the following supplementary question:

We recognise that there are some outstanding issues and residents have requested if there is any further funding available to be used to increase patrols to tackle the issue in this area

Councillor Elected Mayor responded as follows:

I can assure you all considerations will be discussed to what additional resources are available at the meeting when arranged.

2. Question to the Elected Mayor by Councillor George Westwater

Anti-Social Behaviour seems to be an increasing problem across the Borough. Can the Elected Mayor confirm that all possible steps are being taken, working with other public bodies, to combat the problem and what new measures are being implemented?

Councillor C Johnson responded on behalf of the Elected Mayor as follows:

As the Elected members I know how important it is to tackle the issues of ASB for our residents, our communities, our visitors and our businesses across the borough. This issue is a priority for the Council working closely with our PCC, Kim McGuinness and Police colleagues.

There has been an increase in ASB in our public spaces since early spring this year, but this is a national trend and it's not just an isolated issue within North Tyneside.

We responded immediately and our Community Protection Team and Police colleagues were very proactive, working closely to share intelligence and develop joint operational plans.

50% of our Community Protection resource is focussed on reducing ASB and additional staff have also been recruited to increase visibility and to have a wider presence during the spring and summer months. The team deliver a 7-day week service from 6am until 9pm and include community protection officers, environmental enforcement wardens and marshals. . New and additional mobile and fixed CCTV is also in place providing essential surveillance and enabling early intervention.

Together with the Police we have RAG rated, 52 open public spaces across the borough and have an action plan for each. This has helped to identify hotspot areas including but not limited to those on the coast and has assisted with our co-ordinated approach.

We have a range of different measures in place to tackle anti-social behaviour including Coast Watch, the award-winning project VITA which has funding for a further year to engage young people and offer diversionary activities. Operational respect takes prompt joint action with the police to stop issues escalating as well as using police powers to disperse large groups and arrest offenders.

In addition to this proactive joint action with police colleague in April the Elected Mayor asked the Deputy Mayor and me as Cabinet Lead for Community Safety to establish a North Tyneside Anti-social Behaviour Task Force that works with the senior leadership team, the

Chief Superintendent Mark Hall and Superintendent Sam Rennison. The purpose of the task group is to ensure that we have a joined-up approach to tackling anti-social behaviour and associated crime across the borough, aligned with the priorities of the PCC Kim McGuinness and in a way that builds public confidence. This approach will help develop a shared understanding of the issues and inform practical action and to focus on the areas with the highest prevalence of anti-social behaviour including the coast. I do stress this isn't just the coast, there are pockets everywhere, the public transport system and our open spaces.

The Task Force had its first meeting in June. It was well supported by a range of partners including the office of the PCC, Tyne and Wear Fire and Rescue, Northumbria Police, the Business Forum, secondary schools, Nexus, the Youth Justice Service and the Young Mayor. There are four elected Members are also part of the task force and the key priorities emerge from that first meeting and the taskforce will continue to meet every four to six weeks to review its effectiveness of the joint actions.

Councillor G Westwater asked the following supplementary question:

As a member of the anti-social behaviour group, I was a little concerned with Nexus decision not to renew the CCTV monitoring contract for metro stations within the borough, with no arrangement to be in place. Can you inform Council when we will have a reliable CCTV surveillance again and how the Council failed to ensure a seamless move to the new arrangements?

Councillor C Burdis asked C Johnson to respond in his capacity of the Chair of the Joint Transport Committee as follows:

It was a very great concern to me as well. I can confirm there is CCTV across the whole network in North Tyneside. The issue is accessing the CCTV live. Following the meeting I immediately met with Martin Kearney to ensure we get live access very soon.

This page is intentionally left blank

North Tyneside Council Report to Council 22 September 2022

Title: Motions

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

Motion 1 signed by Councillor Lewis Bartoli, Christopher Johnston and Linda Arkley

Installation and staffing of barriers at Tynemouth and Cullercoats Metro stations

Over the last few years the residents of Tynemouth and Cullercoats have had to suffer increasing levels of antisocial behaviour as visitor numbers to our coast have increased. This has ranged from vandalism and criminal damage to knife attacks and assaults and our residents have been left to pick up the mess. Our swimmers and dog walkers are met each morning with bottles, cans and used barbecues strewn across our beaches. Much of this antisocial behaviour comes via our Metro system and what is perceived by many as free travel to and from the coast. Those that wish to come and cause trouble do not even need to pay the price of a ticket. The Council believes that installing ticket barriers that are manned at strategic times would assist in deterring and monitoring those who wish to come and cause antisocial behaviour. The Council therefore ask The Mayor to write to Nexus requesting that:

1. They install ticket barriers on Tynemouth and Cullercoats Metro Station before Summer 2023 to assist in reducing ASB at the coast.
2. These barriers are manned by Nexus staff at strategic times to be agreed between the Police, Nexus and the Council when levels of antisocial behaviour are high.

Motion 2 signed by Councillor Olly Scargill, Liam Bones and Chris Johnston

Engagement with the Police and Crime commissioner

Anti-social behaviour has been a huge problem for residents across North Tyneside. It consistently appears in their top three priorities, but while some progress has been made with projects across the borough there is still a lot yet to be tackled.

As elected members we all need to work together to tackle the issue of crime and anti-social behaviour in North Tyneside. This includes the Police and Crime Commissioner.

In order to tackle Anti-social behaviour in this area North Tyneside Council asks the Mayor:

- Ask the PCC to fully review and evaluate Police numbers in North Tyneside in light of the serious increase in anti-social behaviour
- To request that the PCC meets with both groups on this Council every six months to allow members to raise specific concerns
- Invite the PCC to give an update on progress on her policing priorities annually to Full Council, and take questions from members on the update

Motion 3 signed by Councillor Willie Samuel, Michelle Fox and Andrew Newman

Council notes that proposed increase in the Ofgem energy cap will cause untold hardship to residents in North Tyneside and will result in residents being plunged into fuel poverty as well as impacting household budgets. Many of our residents, adults and children face a choice between heating and eating this winter in the face of eye watering increases in fuel prices and inflation.

The action of the Conservative Government is not sufficient setting a cap at £2500 will mean many families continue to struggle and businesses and charities will close because of this. The Conservative plan will rather than taxing unexpected excess profits of energy companies will disgracefully borrow to bail on the record profit making energy companies.

We commend North Tyneside Council for the action it is taking to try and mitigate these issues.

We firmly believe that the cap should be frozen at £1,971 per year and that this can be paid for by a combination of windfall taxes on energy companies and other measures. This will have the added benefit of reducing projected inflation rates. Council asks the elected mayor to write to the Chancellor of The Exchequer to ask that the price cap is frozen at £1,971 per year and this is paid for by a windfall tax on unexpected excess profits of the energy companies.

Council also asks that the Mayor publicises as widely as possible all of the available information and help the Council has on offer to help with the Conservative cost of living crisis.

Motion 4 signed by Councillor Andy Newman, Willie Samuel and Sandra Graham

End the practice of discharging sewage into waterways

Water companies continue to make huge of profits whilst continuing to dump raw sewage into our waterways. In 2020 water companies made £2.8 billion of collective profits whilst at the same time discharging raw sewage 400,000 times.

It's clear that the water companies will not stop this practice and invest in the urgently needed upgrades to the water system until forced to do so. We therefore believe it's time to completely ban sewage discharges in the UK.

Therefor we ask the mayor to write to the new Prime Minister and Secretary of State for Environment, Food and Rural Affairs outlining this councils support for a total ban on sewage discharge by water companies.

Motion 5 signed by Councillor Carl Johnson, Julie Cruddas and Matthew Thirlaway

The south-east of England, the most affluent region in Britain outside London, last year received almost twice as much money as the north-east from the government's levelling up fund aimed at boosting deprived areas.

Various Conservative levelling up funds have refused to back North Tyneside including the levelling up fund and towns fund, which instead of being available to North Tyneside was made available to often more affluent and often Conservative voting areas.

Child poverty continues to rise in the North East and 11 in 30 children in a school class are now facing child poverty.

We call on the Mayor to:

- Write to the Prime Minister urging action on child poverty in the North East and to set out an action plan on how the Conservative government will tackle child poverty.
- Urge the Prime Minister to fund both of our £20 million levelling up bids for North Shields and Wallsend.

This page is intentionally left blank

North Tyneside Council Report to Council Date: 22 September 2022

Title: Audit Committee - Appointment of co-opted member

Portfolio: Finance and Resources	Cabinet Member: Councillor Martin Rankin
Report from Service Area: Resources Directorate	
Responsible Officer: Jon Ritchie, Director of Resources	(Tel: (0191) 643 6476)
Wards affected: All	

PART 1

1.1 Executive Summary:

The purpose of the report is to appoint the Chair of the Audit Committee and to appoint a new independent co-opted member to serve as Deputy Chair of the Audit Committee.

1.2 Recommendations:

It is recommended that Council:

- (1) Appoint Mr Malcolm Wilkinson as the non-voting Chair of the Audit Committee for a 2-year term; and
- (2) Appoint Dr Stuart Green as the non-voting Deputy Chair of the Audit Committee for a 2-year term.

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 17 August 2022.

1.4 Council Plan and Policy Framework

This report does not relate directly to any of the themes, programmes or projects contained in the 2021-2025 Our North Tyneside Plan:

1.5 Information:

1.5.1 Background

- 1.5.2 On 21 January 2010, the Council approved proposals to establish a politically balanced Audit Committee and to appoint two co-opted members to the Committee who would fulfil the roles of Chair and Deputy Chair. The Co-opted members would serve for a two-year term.
- 1.5.3 In 2013, following an advertisement and recruitment process, Mr Kevin Robinson and Mr Malcolm Wilkinson were appointed as the two co-opted members, Mr Robinson has fulfilled the role of Chair of the Committee with Mr Wilkinson as the Deputy Chair.
- 1.5.4 Mr Robinson has now resigned from his positions as co-opted member and Chair of the Audit Committee. As a result, there is now a vacancy. The Council is recommended to appoint the existing co-opted member and Deputy Chair, Mr Malcolm Wilkinson, as the Chair of the Committee. Mr Wilkinson has over 8 years' experience serving on the Audit Committee, has chaired meetings effectively in Mr Robinson's absence and has brought his own professional experience and expertise to the operation of the Committee. Mr Wilkinson has indicated that he is willing to fulfil the role of Chair.
- 1.5.5 As a result of Mr Robinson's resignation, a recruitment process to seek a suitably skilled and experienced person who is knowledgeable in audit matters and likely to enhance the work of the Audit Committee has been carried out. Dr Stuart Green has been identified as a suitable candidate to carry out the role of Deputy Chair of the Audit Committee. He has a wealth of professional experience in audit and accounting.
- 1.5.6 Council will be aware that Dr Green is currently one of three Independent Persons appointed by the Authority whose views are sought, and taken into account, by the Authority in relation to any Code of Conduct complaint received by the Monitoring Officer. Should any potential conflicts of interest arise in relation to his role as Deputy Chair and co-opted member of the Audit Committee, he would not take part in any Code of Conduct activity. As Dr Green would be a non-voting co-opted member of the Audit Committee it has been confirmed that there are no issues under the provisions of the Localism Act 2011 that would preclude him undertaking both roles.

1.6 Decision options:

The following decision options are available for consideration by Council:

Option 1

Appoint Mr Wilkinson as the Chair of the Audit Committee and Dr Green as Deputy Chair of the Audit Committee

Option 2

Appoint either Mr Wilkinson or Dr Green as the Chair of the Audit Committee

Option 3

Do not appoint to the role of Chair of the Audit Committee and to the role of Co-opted member of the Audit Committee.

Option 1 is the recommended option.

1.7 Reasons for recommended option:

Option 1 is recommended because Mr Wilkinson has sufficient experience serving on the Audit Committee and chairing meetings. He has indicated that he is willing to undertake the role. If Mr Wilkinson were not appointed Chair, he would remain Deputy Chair and a process to recruit a Chair of the Audit Committee would be required.

Dr Green has been identified as a suitable candidate to be a co-opted member of the Audit Committee and to fulfil the role of Deputy Chair. Both the Chief Executive and the Section 151 Officer are in agreement that Dr Green would be a suitable appointment. If Dr Green was not appointed as a co-opted member, a new recruitment process would be required.

1.8 Appendices:

None.

1.9 Contact officers:

Richard Dunlop, Interim Head of Internal Audit and Risk Management, Tel. (0191) 643 5738

Marc Oldham, Acting Group Assurance Manager, Internal Audit and Risk Management, Tel. (0191) 643 5711

Dave Parkin, Democratic Support Officer, Law and Governance, Tel. (0191) 643 5316

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

1.10 Background information:

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

(1) North Tyneside Council Constitution 2022, [constitution](#).

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

The Council agreed in March 2010 that a special responsibility allowance be paid to the independent Chair of the Audit Committee, currently £1,111.00 per year, based on one third of the special responsibility allowance of the Chair of a major committee. Further, a special responsibility allowance for the independent Deputy Chair of the Audit Committee, currently £777.00 per annum, should be one third of the special responsibility allowance of the Deputy Chair of a major committee.

There are no additional financial implications arising from this report as all costs are covered by existing budgets.

2.2 Legal

There is no legal requirement for Local Authorities to have an audit committee, though this and the appointment of co-opted members is recommended practice from the Chartered Institute of Public Finance and Accountancy (CIPFA). Allowances payable to the Chair and Deputy Chair are in accordance with the Local Authorities (Members Allowances) (England) Regulations 2003.

The Authority is required under the Localism Act 2011 (the 2011 Act) to have arrangements in place for dealing with complaints made against Members and Co-opted Members of the Authority and as part of those arrangements it must appoint at least one “independent person” whose views are taken into account before any decision is taken in relation to such complaints.

The 2011 Act sets out who cannot be an “independent person” for the purposes of the Standards regime. Those excluded from being an independent person are co-opted members of the Authority. However, the 2011 Act defines a “co-opted member” for the purposes of the Standards regime as being a person who is not a member of the Authority but who is a member of the committee/sub-committee and who is entitled to vote. As stated in the report, Dr Green is not entitled to vote on any question that falls to be decided by the Audit Committee or any Audit Sub-Committee and therefore he cannot be a “co-opted member” for the purposes of the 2011 Act and can therefore continue to be an independent person for the purposes of the Authority’s Code of Conduct arrangements.

2.3 Consultation/community engagement

Mr Wilkinson has been consulted on the proposal to appoint him as Chair. Both the Chief Executive and the Section 151 Officer have been consulted

2.4 Human rights

There are no human rights issues arising from this report.

2.5 Equalities and diversity

The advertisement and recruitment process in relation to the vacant co-opted member's position was carried out in accordance with the requirements of the Equality Act 2010.

2.6 Risk management

A risk assessment has not been undertaken in connection with this matter. The consequences of not appointing Mr Wilkinson as Chair and Dr Green as Deputy Chair are set out in paragraph 1.7.

2.7 Crime and disorder

There are no crime and disorder implications arising directly 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
- Director(s) of Service X
- Mayor/Cabinet Member(s) X
- Chief Finance Officer X
- Monitoring Officer X
- Assistant Chief Executive X

This page is intentionally left blank

North Tyneside Council Report to Council Date: 22 September 2022

Title: Request for Dispensation pursuant to Section 85 of the Local Government Act 1972

Portfolio(s): Elected Mayor	Cabinet Member(s): Mrs N Redfearn, Elected Mayor
Report from Service Area:	Law and Governance
Responsible Officer:	Jacqueline Laughton Assistant Chief Executive
Wards affected:	Weetslade
	Tel: (0191) 643 5724

PART 1

1.1 Executive Summary:

The Chief Executive has received a request for a dispensation to be considered in respect of Councillor Muriel Green, under Section 85(1) of the Local Government Act 1972, based on medical grounds. This report recommends that full Council agrees such a dispensation for Councillor Green for a period up to and including 7 May 2023.

1.2 Recommendation(s):

It is recommended that Council:

- (1) Agrees a grant of dispensation for Councillor Muriel Green pursuant to Section 85(1) of the Local Government Act 1972, for a period up to and including 7 May 2023, and approves Councillor Green's non-attendance at meetings of the Authority in that period on medical grounds; and
- (2) Agrees that the best wishes of the Council are conveyed to Councillor Green at this time.

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 25 August 2022.

1.4 Council Plan and Policy Framework

This report does not align directly to any of the priorities in the Council Plan, but is required to ensure compliance with the relevant legislation (Local Government Act 1972) in relation to a request for a dispensation which has been received.

1.5 Information:

Background

- 1.5.1 Section 85(1) of the Local Government Act 1972 requires each elected member of a local authority to attend at least one meeting of the authority within a six month consecutive period, in order to continue as an elected member of that authority. Should an elected member fail throughout a period of six consecutive months from the date of his or her last attendance to attend any meeting of the authority, he or she shall (unless the failure was due to some reason approved by the authority before the expiry of that period) cease to be a member of the authority.
- 1.5.2 Under this legislation the authority is able to approve a period of non-attendance for an elected member where there are reasons for so doing. This approval must be granted by the authority before the expiry of the six month consecutive period since the elected member's last attendance at any meeting of the authority, in order to ensure that the elected member in question does not cease to be a member of the authority. Approval cannot be conferred retrospectively, and must be agreed within the six month period since the member's last attendance at a meeting.
- 1.5.3 Councillor Muriel Green (one of three councillors representing Weetslade ward) has unfortunately had a period of ill-health and due to medical reasons was last able to attend a meeting of the authority on 19 May 2022 (Annual Council).
- 1.5.4 The Chief Executive has received a request for Council to consider approving an extension to the usual six month attendance rule for Councillor Green, enabling Councillor Green to remain in office until she is able to resume normal duties.
- 1.5.5 Council can only consider this request before the end of the relevant six month period, i.e. by 18 November 2022.
- 1.5.6 Accordingly, the meeting of full Council on 22 September 2022 is the last scheduled Council meeting within the six month period at which approval can be sought for an extension of the time limit for non-attendance at meetings of the Authority. If approval to any extension is not therefore agreed at this meeting, Councillor Green would, under Section 85(1) of the Local Government Act 1972, cease office as a North Tyneside Councillor after 18 November 2022.
- 1.5.7 It is therefore recommended that further to the request made to the Chief Executive, Council approves a grant of dispensation for Councillor Green pursuant to Section 85(1) of the Local Government Act 1972, for a period up to and including 7 May 2023 (the last day of Councillor Green's current term of office), on medical grounds. This would not prevent Councillor Green from returning to meetings at any time before that date should her health allow.

1.6 Decision options:

The following decision options are available for consideration by Council:

Option 1

Council agrees to approve a dispensation on medical grounds under Section 85(1) of the Local Government Act 1972 for Councillor Green, approving Councillor Green's non-attendance at meetings of the Authority for a period up to and including the last day of Councillor Green's current term of office (7 May 2023).

Option 2

Council does not agree to grant such a dispensation to Councillor Green for non-attendance at meetings of the Authority.

Option 1 is the recommended option.

1.7 Reasons for recommended option:

Option 1 is recommended for the following reasons:

- (a) It is considered that Councillor Green's reasons for being unable to attend a meeting of the Authority at the current time are entirely valid and proper, relating to medical grounds. The recommendations set out in this report seek to manage the specific circumstances which have arisen in a fair way, and ensure compliance with the requirements of the above-referenced legislation
- (b) Agreement to a dispensation as outlined above would cease the automatic consequence of the legislation (i.e. Councillor Green ceasing to be a councillor after 18 November 2022), should for medical reasons Councillor Green not be able to attend a meeting of the Authority on or before 18 November 2022
- (c) Should Council decide not to approve a dispensation for Councillor Green, she would cease to be a member of the Authority after 18 November 2022 and a vacancy would arise on the Council's membership.

1.8 Appendices:

None

1.9 Contact officers:

Allison Mitchell, Senior Manager: Governance (telephone (0191) 643 5724)

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:

- (1) Local Government Act 1972, Section 85(1) – *Vacation of office by failure to attend meetings* (see [here](#))

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

There are no direct financial implications to the proposals set out in this report. Agreement of the recommendations would not incur any additional costs to the authority.

2.2 Legal

The requirements of Section 85 of the Local Government Act 1972 are set out in the main body of this report.

2.3 Consultation/community engagement

The request for a dispensation for the elected member has been discussed with the member's Group Leader, who is supportive of the proposal.

2.4 Human rights

There are no specific human rights implications arising from this report.

2.5 Equalities and diversity

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

2.6 Risk management

Should the dispensation as set out in this report be agreed, the elected member's ward councillor duties will continue to be undertaken by her fellow Weetslade councillors. The Committees to which the elected member has been appointed in 2022/23 have sufficient members to ensure that business can continue to be discharged during the temporary absence of one member.

Should the elected member lose office, through failure to attend for a six month period, the disqualification cannot be overcome by the member subsequently resuming attendance nor can retrospective approval be sought for an extension in time. This would result in a vacancy on the Council which may result in attendant administration and cost.

2.7 Crime and disorder

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

2.8 Environment and sustainability

There are no 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

This page is intentionally left blank