

# Local Government Act 1972

## Borough of North Tyneside

Thursday, 19 May 2022

At the meeting of the Annual Council of the Borough of North Tyneside duly convened and held on Thursday, 19 May 2022 at 6.00 pm in Chamber - Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY at which a quorum of Members were present, that is to say: -

### Present

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

Councillor L Arkley	Councillor K Barrie
Councillor G Bell	Councillor L Bell
Councillor L Bones	Councillor B Burdis
Councillor C Burdis	Councillor K Clark
Councillor D Cox	Councillor N Craven
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 M Green	Councillor M Hall
Councillor T Hallway	Councillor J Harrison
Councillor Janet Hunter	Councillor John Hunter
Councillor V Jamieson	Councillor H Johnson
Councillor C Johnson	Councillor C Johnston
Councillor J Kirwin	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 J O'Shea
Councillor R O'Keefe	Councillor A Percy
Councillor E Parker-Leonard	Councillor B Pickard
Councillor S Phillips	Councillor P Richardson
Councillor M Rankin	Councillor O Scargill
Councillor W Samuel	Councillor M Thirlaway
Councillor J Shaw	Councillor J Wallace
Councillor J Walker	Councillor G Westwater

**Apologies:** Councillor L Bartoli, Councillor F Lott, Councillor W Lott and Councillor M Wilson

The following nomination was received for the Office of Chair of the Council for the ensuing year:

Nominee	Proposer	Seconder
Councillor P Oliver	Councillor Janet Hunter	Councillor M Thirlaway

The nomination was approved by 48 votes to 0 votes.

**Resolved** that Councillor P Oliver be, and is hereby elected, Chair of the Council for the ensuing year and until the acceptance of Office by a successor.

### **C2/22 Declaration of Acceptance of Office - Chair**

The Chair made the formal declaration of acceptance of Office in pursuance of the Local Government Act 1972.

(Councillor P Oliver in the Chair).

### **C3/22 Election of Deputy Chair**

The following nomination was received for the Office of Deputy Chair of the Council for the ensuing year:

Nominee	Proposer	Seconder
Councillor B Burdis	Councillor T Mulvenna	Councillor W Samuel

The nomination was approved by 48 votes to 0 votes.

**Resolved** that Councillor B Burdis be, and is hereby elected, Deputy Chair of the Council for the ensuing year and until the acceptance of Office by a successor.

### **C4/22 Declaration of Acceptance of Office – Deputy Chair**

The Deputy Chair made the formal declaration of acceptance of Office in pursuance of the Local Government Act 1972.

### **C5/22 Vote of thanks to retiring Chair**

A vote of thanks for the retiring Chair, Councillor D Drummond, was moved by Councillor N Craven and seconded by Councillor W Samuel.

In the position of Chair of Council, Councillor Drummond had been an effective Chairman that was firm but fair. During his time in office, he has demonstrated he had great pride in his role and this acknowledged his commitment to the community in North Tyneside. This had been evident with his support and participation to the Armed Forces, Holocaust and

Workers Memorials, in addition to his work supporting his charities SPARCS, a charity that provided a range of accessible and affordable activities for autistic people and those with related conditions and their families within the local community and the Cat and Dog Shelter

**C6/22            Declarations of Interest**

There were no Declarations of Interest reported.

**C7/22            Minutes**

**Resolved** that the minutes of the Council meeting held on 17 March 2022 be taken as read and confirmed and signed by the Chair.

**C8/22            Municipal Elections - 5 May 2022 - Return of Councillors**

The Council received the following return of Councillors elected on 5 May 2022.

<b>WARD</b>	<b>NAME</b>
Battle Hill	Steven Phillips
Benton	Josephine Mudzingwa
Camperdown	Lisa Ferasin
Chirton	Rebecca O'Keefe
Collingwood	Olly Scargill
Cullercoats	Willie Samuel
Howdon	Tricia Neira
Killingworth	Val Jamieson
Longbenton	Joan Walker
Monkseaton North	Joe Kirwin
Monkseaton South	Martin Murphy
Northumberland	Linda Bell
Preston	Cath Davis
Riverside	Bruce Pickard
St Mary's	Pam McIntyre
Tynemouth	Sarah Day
Valley	Brian Burdis
Wallsend	Louise Marshall
Weetslade	Michelle Fox
Whitley Bay	Margaret Hall

The Chair welcomed the newly elected and re-elected Members.

**C9/22 Address by the Elected Mayor including Cabinet Composition and Delegation Scheme**

The Cabinet would 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 Carl Johnson	Deputy Mayor	Delivery and presentation of Strategic Policy Direction Regeneration and Economic Development Corporate Strategy (including Customer Service) Planning and Strategic Transport Culture, Tourism and Events Delivery of the Investment Programme
Councillor Martin Rankin	Cabinet Member responsible for Finance and Resources	Finance, ICT and HR Audit, Assurance and Risk Asset and Property Management Procurement and Supply Chain (including the Capita and Equans Partnerships) Delivery of the Investment Programme
Councillor Anthony McMullen	Cabinet Member responsible for Adult Social Care	Adult Social Care and Safeguarding Carers Champion Older People's Champion
Councillor Hannah Johnson	Cabinet Member responsible for Inclusion, Employment and Skills	Inclusive Economy Strategy Equality and Diversity Strategy Employment and Skills
Councillor Karen Clark	Cabinet Member responsible for Public Health and Wellbeing	Health and Wellbeing Joint Strategic Needs Assessment and Health and Wellbeing Strategy Public Health Tackling Socio-Economic Inequalities

Councillor John Harrison	Cabinet Member responsible for Housing	Housing Strategy Housing Management Housing Investment Affordable Homes Programme
Councillor Sandra Graham	Cabinet Member responsible for Environment	A Green North Tyneside Waste Management Environmental and Local Transport Services (including roads, pavements, parking, and the Capita Partnership) Cycling Champion Sport, Leisure and Libraries
Councillor Carole Burdis	Cabinet Member responsible for Community Safety and Public Protection	Community Safety and Tackling Anti-Social Behaviour Public Protection (including Capita Partnership) Emergency Planning and Business Continuity Community and Voluntary Sector
Councillor Steven Phillips	Cabinet Member responsible for Children, Young People and Learning	Education Safeguarding and Children's Services Young People's Champion

Details of the Mayor's proposed approach to managing executive decision making, which included her delegation scheme of executive decision making to Cabinet Members, were also circulated.

- 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 representations received in relation to the proposed construction of road humps and thereafter determine if road humps should be installed (Cabinet Member with responsibility for Environment and Transport);
- g) to consider any representations received in relation to proposals to establish a pedestrian crossing and thereafter determine if a pedestrian crossing should be established (Cabinet Member with responsibility for Environment and Transport);
- h) to approve any proposals directly related to the delivery of objectives in the approved Our North Tyneside Plan;
- i) to approve the Member Development Programme (Deputy Mayor);
- j) 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);
- k) 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); and
  - l) to approve the appointment of representatives to serve on those outside bodies that exercise executive functions (Elected Mayor).

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.

#### **C10/22            Leaders of Political Groups**

1. It was reported that N Redfearn, Elected Mayor had been appointed as Leader of the Labour Group.
2. It was reported that Councillor G Westwater had been appointed as Leader of the Conservative Group.

#### **C11/22            Deputy Leaders of Political Groups**

1. It was reported that Councillor C Johnson had been appointed as Deputy Leader of the Labour Group
2. It was reported that Councillor L Arkley had been appointed as Deputy Leader of the Conservative Group.

#### **C12/22            Annual Review of the Constitution**

The Council received a report on the annual review of the Constitution and associated documents undertaken by the Monitoring Officer.

The report contained recommendations on proposed amendments to the Authority's Code of Conduct for Elected Members and Co-opted Members ("the Code of Conduct") and Arrangements for Dealing with Allegations of Breaches of the Code of Conduct for Members and Co-opted Members ("the Local Arrangements), Contract Standing Orders and Officer Delegation Scheme.

The annual review of the Constitution and associated documents ensured that they

continued to be fit for purpose and provided a framework that ensured the efficient discharge of the Authority's business by allowing for decision making at the appropriate level.

The Constitution Task Group had considered the proposed changes received for consideration as part of the latest annual review, and the changes had been approved by the Task Group.

The Constitution and associated documents would 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 had previously authorised the monitoring officer, in consultation with the Chair of the Constitution Task Group, to make such changes when the power remained unaltered and these did not need to be reported to Council.

It was moved by Councillor C Johnson and seconded by Councillor E Darke to:

approve the proposed changes to the Constitution set out in Appendix 1 to the report and refer the approved changes to the Elected Mayor for her consent in accordance with Article 16 of the Constitution, with the inclusion of the following additional amendments:

(a) In relation to Contract standing orders

Add the wording "in consultation with the relevant Cabinet Member" to new section 21 (7) to read,

" (7) Any extension to a contract shall be agreed in writing by the Chief Executive, Assistant Chief Executive or Directors of Service in consultation with the relevant Cabinet Member."

(b) In relation to the Officer Delegation Scheme

- 1) That all delegations that were held by the Director of Law and Governance be held by the Assistant Chief Executive.
- 2) That delegations EHL82 to EHL101 and EHL117 to EHL123 that related to Gambling, Alcohol and Sex Establishment Licensing be delegated to the Director of Regeneration and Economic Development, rather than the Director of Public Health.

The motion, on being put to the meeting, was approved by 56 votes to 0 votes.

## **C13/22          Annual Appointments 2022/23**

The Council was requested to consider the appointment of committees and sub committees, Chairs and Deputy Chairs of those committees/sub committees, the allocation of seats to political groups on those committees/sub committees, the appointment of co-opted members on the Audit Committee and the appointment of representatives to serve on outside bodies that exercised non-executive functions for the 2022/23 Municipal year.

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

1. The following committees/sub committees be appointed for the 2021/22 municipal year on the basis of the number of seats indicated

<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

2. The allocation of seats on committees and sub committees, and also the Constitution Task Group and the Members Support Group, and the monitoring officer be informed of nominations of members to each by 12 noon on Friday 20 May 2022.

<b>Council Composition Committee</b>	<b>Total seats</b>	<b>Labour</b>	<b>Conservative</b>
Overview and Scrutiny	15	13	2
Finance Sub Committee	7	6	1
Economic Prosperity Sub Committee	12	10	2
Adult, Social Care, Health and Well Being Sub Committee	12	10	2
Children, Education and Skills Sub Committee	12	10	2
Culture and Leisure Sub Committee	12	10	2
Environment Sub Committee	12	10	2
Housing Sub Committee	12	10	2
Audit Committee	7	6	1
Licensing Committee	15	13	2
Planning Committee	11	9	2
Regulation and Review Committee	18	15	3
Appointments and Disciplinary Committee	7	6	1



Standards Committee	9	8	1
<b>Totals</b>	<b>161</b>	<b>136</b>	<b>25</b>

3. the following nomination of chairs and deputy chairs of committees/sub committees for the 2022/23 municipal year be approved:

Committee/Sub Committee	Chair	Deputy Chair
Overview, Scrutiny and Policy Development Committee	Janet Hunter	Margaret Hall
Adult Social Care, Health and Wellbeing Sub-Committee	Joe Kirwin	Michelle Fox
Children, Education and Skills Sub-Committee	Jim Montague	Rebecca O'Keefe
Culture and Leisure Sub-Committee	Julie Cruddas	Jane Shaw
Economic Prosperity Sub-Committee	Matt Wilson	Joan Walker
Environment Sub-Committee	Davey Drummond	Martin Murphy
Finance Sub-Committee	Debbie Cox	Naomi Craven
Housing Sub-Committee	Andy Newman	Erin Parker-Leonard
Health and Wellbeing Board	Karen Clark	John O'Shea
Licensing Committee	Matthew Thirlaway	Wendy Lott
Planning Committee	Willie Samuel	Paul Richardson
Regulation and Review Committee	Tommy Mulvenna	John Hunter
Standards Committee	Frank Lott	Tracy Hallway

4. In accordance with the Authority's practice, the Elected Mayor is Chair of the Appointments and Disciplinary Committee.
5. 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.
6. In accordance with the Audit Committee's terms of reference, the terms of office of Mr Robinson and Mr Wilkinson are due to expire in September 2023. 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 Mr Robinson and Mr 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.

7. The Council is requested to note the appointment of Reverend Michael Vine as the Church of England Diocesan representative and Mr. Stephen Fallon as the Roman Catholic Diocesan representative on the Overview, 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.
8. The Council is requested to appoint representatives to serve on those outside bodies which do not exercise executive functions for the 2022/23 municipal year, as set out in Appendix 2 to this report.

An amendment was moved by Councillor L Bones and seconded by Councillor C Johnston as follows:

Alternative nominations for Chairs and Deputy Chairs of committees/sub committees for the 2022/23 municipal year:

- i. Chair for Overview, Scrutiny & Policy Development Committee proposed Councillor Liam Bones and
- ii. Deputy Chair of Children, Education & Skills sub-committee proposed Councillor Christopher Johnston.

The amended Motion, on being put to the meeting, was defeated 48 votes to 3 votes.

The substantive motion, on being put to the meeting, was approved by 48 votes to 0 votes.

## **C14/22          Annual Report of Overview and Scrutiny 2021/22**

The Council received the Annual Scrutiny Report that provided a summary of the work of the Overview, Scrutiny and Policy Development Committee and its sub committees during 2021-22.

The Chair of the Overview, Scrutiny and Policy Development Committee for 2021/22, Councillor Janet Hunter presented the report that highlighted the involvement of scrutiny in policy development and the achievements of the Overview, Scrutiny and Policy Development Committee and its sub-committees through the various pieces of work undertaken during the year.

This included an on-going role in scrutinising the response of the local authority and partner agencies to the changing circumstances of the pandemic throughout the year and plans for the continued recovery and future development of services for North Tyneside residents.

Training from the Local Government Association had been provided to Scrutiny Chairs and Deputy Chairs, with additional local authority financial training being available to all members.

Scrutiny had also had involvement in the review of the Authority's Scrutiny processes conducted by the Centre of Public Governance to evaluate how to be more effective, make any improvements and follow good scrutiny practice. It was stated that once the report of the review was received, further training would be provided to scrutiny members to ensure they had the skills, knowledge and confidence to be a good critical friend.

Councillor Janet Hunter thanked the Elected Mayor, members, co-opted members, officers, and representatives of partner organisations for their support and contributions to the scrutiny process over the past year.

The Council received the report

### **C15/22          Annual Report of Standards Committee 2021/22**

Councillor Carl Johnson presented the Annual Report of Standards Committee for the 2021/22 municipal year.

The report set out the work undertaken by the Standards Committee and its Sub-Committee over the year.

The Committee had met on 3 occasions and dealt with a variety of matters which are detailed in the Work Programme for 2021/22 at Annex 1 to the report. In addition, the Standards Sub-committee met on 3 occasions.

Over the last year, the Standards Committee set up a working group to complete a review the Code of Conduct and the Local Arrangements for Dealing with Complaints under the Code of Conduct. As a result, a revised Code of Conduct and Local Arrangements and were recommended to Council on the basis that they will ensure that good governance and ethical standards continue to reflect best practice.

The Committee would consider its work programme for 2022-23 at its first meeting of the new municipal year in June 2022.

The Annual Report was considered by the Standards Committee at its meeting on 7 April 2022.

Council received the report.

### **C16/22          Chair's Announcements (if any)**

The Chair thanked the Council for the privilege on being appointed Chair of Council and stated that she would do her best to be worthy of the role.

Once all arrangements had been finalised she would provide information to the charities that she intended to support in the coming year.

**C17/22 Mayor's Announcements (if any)**

The Elected Mayor expressed her delight of the news that following a recent inspection from Ofsted, Norham High School had been rated 'good' in all areas.

The Mayor stated that the rating was the result of major improvements that had been made at Norham High School over the past four years and that the school was once again a great place for local children to learn and thrive.

She praised the new Head Teacher, the staff, governors, parents and council staff for their work and commitment to providing the best possible education.

The Elected Mayor also congratulated the new Leader and Deputy Leader of the Conservative group and stated she looked forward to working with them in the coming year.