



North Tyneside Council

Council

To All Members of the Council

Wednesday, 12 July 2023

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, 20 July 2023** for the transaction of the following business.

<u>Agenda</u> <u>Item</u>	<u>Page(s)</u>
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| 1. Public Questions | 3 - 4 |
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Two valid questions have been received from members of the public for this meeting.

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| 2. Apologies | |
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| 3. To receive any Declarations of Interest | |
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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

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requirement to declare any registerable and/or non-registerable interests that have been granted to you in respect of any matter appearing on the agenda.

4. **Minutes of the meeting held on 18 May 2023 (Annual & Extraordinary Meetings)** 5 - 24

5. **Motions** 25 - 30

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

6. **Request for Dispensation pursuant to Section 85 of the Local Government Act 1972** 31 - 36

To seek to grant a dispensation in respect of Councillor John Hunter, 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.

9. **Questions by Members of the Council** 37 - 38

Three valid questions on notice have been received for a response at this meeting.

Yours faithfully



Chief Executive

North Tyneside Council Report to Council 20 July 2023

Title: Questions by Members of the Public

Notice has been received of the following questions from members of the public to be put to the Council meeting.

1. Question to the Elected Mayor from Mr Appleby of Cullercoats

In May, Capita Plc was subject to a major data breach, the second this year.

Can you confirm what exposure the council, it's employees, residents and other stakeholders have suffered due to breaches at Capita (in this or any previous incident), and what known losses or damages have been incurred?

As one of the Councils key contractors, this is obviously something of great concern, and represents an on-going risk. Can you confirm what is the extent of data Capita manages on the council's behalf, either directly or via partners or intermediaries (such as pension funds), and whether the council is satisfied that existing contractual and technical safeguards are sufficient?

2. Question to the Elected Mayor from Mr Steele of Tynemouth

As part of my concerns about NTC's progress towards making North Tyneside carbon net-zero by 2030 can you tell me what policies, procedures and training the council has in place to prevent vehicles (particularly council vehicles) from idling (to improve air quality) and pavement parking (to improve active travel)?

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Agenda Item 4

Local Government Act 1972

Borough of North Tyneside

Thursday, 18 May 2023

At the meeting of the Annual Council of the Borough of North Tyneside duly convened and held on Thursday, 18 May 2023 at 6.00 pm in Chamber - Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY at which a quorum of Members were present, that is to say: -

Present

Councillor B Burdis (in the Chair)
N Redfearn (Elected Mayor)

Councillor L Arkley	Councillor L Bartoli
Councillor L Bones	Councillor B Burdis
Councillor C Burdis	Councillor S Burtenshaw
Councillor N Craven	Councillor D Cox
Councillor S Cox	Councillor E Darke
Councillor C Davis	Councillor S Day
Councillor D Drummond	Councillor P Earley
Councillor M Fox	Councillor M Hall
Councillor T Hallway	Councillor J Harrison
Councillor Janet Hunter	Councillor S Graham
Councillor I Grayson	Councillor A Holdsworth
Councillor V Jamieson	Councillor C Johnson
Councillor H Johnson	Councillor J Johnsson
Councillor C Johnston	Councillor J Kirwin
Councillor F Lott	Councillor W Lott
Councillor L Marshall	Councillor P McIntyre
Councillor I McAlpine	Councillor A McMullen
Councillor J Montague	Councillor J Mudzingwa
Councillor T Mulvenna	Councillor M Murphy
Councillor A Newman	Councillor T Neira
Councillor P Oliver	Councillor R O'Keefe
Councillor J O'Shea	Councillor S Phillips
Councillor B Pickard	Councillor W Samuel
Councillor O Scargill	Councillor J Shaw

Councillor M Thirlaway
Councillor J Wallace

Councillor J Walker
Councillor M Wilson

Apologies: Councillor G Bell, Councillor L Bell, Councillor K Clark, Councillor J Cruddas, Councillor John Hunter, Councillor E Parker-Leonard and Councillor A Spowart

C1/23 To Elect the Chair of the Council for the 2023/24 Municipal Year

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

Nominee	Proposer	Seconder
Councillor B Burdis	Councillor T Mulvenna	Councillor F Lott

The nomination was approved by 46 votes to 7 votes.

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

C2/23 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 B Burdis in the Chair).

C3/23 To Elect the Deputy Chair of the Council for the 2023/24 Municipal Year

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

Nominee	Proposer	Seconder
Councillor S Cox	Councillor I Grayson	Councillor P Earley

The nomination was approved by 44 votes to 7 votes.

Resolved that Councillor S Cox be, and is hereby elected, Deputy Chair of the

Council for the ensuing year and until the acceptance of Office by a successor.

C4/23 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.

C5/23 Vote of thanks to retiring Chair and Chair's Consort

A vote of thanks for the retiring Chair, Councillor P Oliver, was moved by Councillor Janet Hunter and seconded by Councillor P Earley.

In the position of Chair of Council, Councillor Oliver had been an excellent Chair who has conducted Council meetings with professionalism. During her time in office, she has demonstrated a great pride in her role and has worked hard to promote both the Council and the community in North Tyneside. This has been evident in her participation in over 100 events and in representing North Tyneside at some important and emotional events over the year, including the Platinum Jubilee Celebrations, the proclamation of the new Sovereign, and a Service of Commemoration for the late monarch, Queen Elizabeth II. In addition, her work supporting her charity, True Colours Theatre, a charity that offers performing arts classes to children and young people of all abilities, providing a caring, warm and welcoming environment to allow children to grow in confidence without fear of judgement or stigma.

C6/23 To receive any Declarations of Interest and Notification of any Dispensations Granted

There were no Declarations of Interest reported.

C7/23 Minutes of the Meeting of the Council held on 16 March 2023

Resolved that the minutes of the Council meeting held on 16 March 2023 be taken as read and confirmed and signed by the Chair.

C8/23 Municipal Elections – 4 May 2023 – Return of Councillors

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

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WARD	NAME
Battle Hill	Julie Cruddas
Benton	Janet Hunter
Camperdown	Steven Cox
Camperdown	Tracy Hallway
Chirton	Matthew Thirlaway
Collingwood	John Johnsson
Cullercoats	Andrew Spowart
Howdon	John Harrison
Killingworth	Erin Parker-Leonard
Longbenton	Karen Clark
Monkseaton North	Andy Holdsworth
Monkseaton South	David Drummond
Northumberland	Andrew Newman
Preston	Matthew Wilson
Riverside	Wendy Lott
St Mary's	Ian McAlpine
Tynemouth	Lewis Bartoli
Valley	Carole Burdis
Wallsend	Ian Grayson
Weetslade	Sarah Burtenshaw
Whitley Bay	John O'Shea

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

C9/23 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.

Cabinet Member	Cabinet Portfolio	Key Areas of Responsibility
Dame Norma Redfearn DBE	Elected Mayor	Overall Strategic Policy Direction National and Regional Engagement

		<p>Leadership within the North of Tyne Combined Authority</p> <p>Devolution and development of the new Mayoral Combined Authority</p> <p>Leadership of the North Tyneside Strategic Partnership</p> <p>Law and Governance</p>
Councillor Carl Johnson	Deputy Mayor	<p>Delivery and presentation of Strategic Policy Direction</p> <p>Regeneration and Economic Development</p> <p>Corporate Strategy (including Customer Service)</p> <p>Planning and Strategic Transport</p> <p>Culture, Tourism and Events</p> <p>Delivery of the Investment Programme</p> <p>Community and Voluntary Sector</p>
Councillor Anthony McMullen	Cabinet Member responsible for Finance and Resources	<p>Finance, ICT and HR</p> <p>Audit, Assurance and Risk</p> <p>Asset and Property Management</p>

		<p>Procurement and Supply Chain (including the Capita and Equans Partnerships)</p> <p>Delivery of the Investment Programme</p>
Councillor Janet Hunter	Cabinet Member responsible for Adult Social Care	<p>Adult Social Care and Safeguarding</p> <p>Carers Champion</p> <p>Older People's Champion</p>
Councillor Peter Earley	Cabinet Member responsible for supporting and protecting Children	<p>Children and Young People's Plan</p> <p>Safeguarding and Children's Services</p> <p>Young People's Champion</p>
Councillor Steven Phillips	Cabinet Member responsible for Education, Inclusion, Employment and Skills	<p>Ambition for Education</p> <p>Inclusive Economy Strategy</p> <p>Employment and Skills</p>
Councillor Karen Clark	Cabinet Member responsible for Public Health, Safety and Wellbeing	<p>Health and Wellbeing: Joint Strategic Needs Assessment and Health and Wellbeing Strategy</p> <p>Public Health and tackling Socio-Economic Inequalities</p> <p>Community Safety and Tackling Anti-Social Behaviour</p>

		<p>Public Protection</p> <p>Emergency Planning and Business Continuity</p>
Councillor John Harrison	Cabinet Member responsible for Housing	<p>Housing Strategy</p> <p>Housing Management</p> <p>Housing Investment</p> <p>Affordable Homes Programme</p>
Councillor Sandra Graham	Cabinet Member responsible for the Climate Emergency	<p>A Green North Tyneside</p> <p>Tackling the Climate Emergency</p> <p>Delivering the North Tyneside Climate Emergency Action Plan</p> <p>Cycling Champion</p>
Councillor Hannah Johnson	Cabinet Member responsible for the Environment	<p>Delivering great places to live – stewardship of our communities</p> <p>Waste Management</p> <p>Environmental and Local Transport Services (including roads, pavements, parking, and the Capita Partnership)</p> <p>Sport, Leisure and Libraries</p> <p>Equality and Diversity Strategy</p>

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 up to £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.

C10/23 Leaders of Political Groups

1. It was reported that Dame N Redfearn DBE, Elected Mayor, had been appointed as Leader of the Labour Group.
2. It was reported that Councillor L Bones had been appointed as Leader of the Conservative Group.
3. It was reported that Councillor J Wallace had been appointed as Leader of the Independent Group.

C11/23 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.
3. It was reported that Councillor P McIntyre had been appointed as Deputy Leader of the Independent Group.

C12/23 Annual Review of the Constitution

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

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 this report;
- refer the approved changes to the Elected Mayor for her consent in accordance with Article 16 of the Constitution, other than those changes relating to Scrutiny Committees;
- note that changes to the Constitution relating to the operation of Scrutiny Committees are approved by full Council under recommendation (a) above and under Article 16 of the Constitution do not therefore require the additional consent of the Elected Mayor.

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

C13/23 Annual Appointments

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 and the appointment of representatives to serve on outside bodies that exercised non-executive functions for the 2023/24 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 2023/24 municipal year on the basis of the number of seats indicated:

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

- 2) the allocation of seats on committees/sub committees to political groups represented on the Council be as follows, and the Monitoring Officer be informed of nominations of members to each committee/sub-committee by 12 noon on Friday 19 May 2023.

Council Composition Committee	Total Seats	Labour	Conservative	Independent
Ordinary Committees				
Appointment and Disciplinary Committee	7	6	1	0
Audit Committee	7	6	1	0
Licensing Committee	12	10	1	1
Overview and Scrutiny Co-ordination and Finance Committee	15	12	2	1
Planning Committee	11	9	1	1
Regulation and Review Committee	12	10	1	1

Standards Committee	9	7	1	1
Total	73	60	8	5
Sub-committees				
Caring Sub-committee	12	10	1	1
Family Friendly Sub-committee	12	10	1	1
Thriving Sub-committee	12	10	1	1
Green Sub-committee	12	10	1	1
Secure Sub-committee	12	10	2	0

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

	Committee/Sub Committee	Chair	Deputy Chair
1.	Overview and Scrutiny Co-ordination and Finance Committee	Jim Montague	Debbie Cox
2.	Caring Sub-Committee	Jane Shaw	Michelle Fox
3.	Family Friendly Sub-Committee	Erin Parker-Leonard	Pat Oliver
4.	Green Sub Committee	Martin Murphy	Margaret Hall
5.	Secure Sub-Committee	Andy Newman	Rebecca O'Keefe
6.	Thriving Sub-Committee	Matt Wilson	Joan Walker
7.	Health and Wellbeing Board	Karen Clark	John O'Shea
8.	Licensing Committee	Matthew Thirlaway	Wendy Lott
9.	Planning Committee	Willie Samuel	Julie Cruddas
10.	Regulation and Review Committee	Davey Drummond	Tommy Mulvenna
11.	Standards Committee	Frank Lott	Tracy Hallway

4. In accordance with the Authority's practice, that the Elected Mayor is Chair of the Appointments and Disciplinary Committee.

5. The continued appointment of Mr Malcolm Wilkinson and Dr Stuart Green as the two co-opted members on the Audit Committee be noted
6. The appointment of Reverend Michael Vine as the Church of England Diocesan representative and Mr Stephen Fallon as the Roman Catholic Diocesan representative on the Overview and Scrutiny Coordination and Finance Committee be noted.
7. It be noted that the Elected Mayor will appoint at least one Councillor onto the Health and Wellbeing Board for the 2023/24 Municipal Year; and
8. The following nominated representatives to serve on outside bodies that do not exercise executive functions for the 2022/23 municipal year, be approved:

Body	Appointments/Nominations 2023/24
Association of North East Councils Resources Task and Finish Group	1. Cllr Anthony McMullen (Substitute: Cllr Debbie Cox) 2. Councillor Willie Samuel (Substitute: Councillor Louise Marshall)
British Destinations	1. Councillor Carl Johnson
Joint Overview and Scrutiny Committee for the North East and North Cumbria Integrated Care System and North and Central Integrated Care Partnership	1. Councillor Jane Shaw 2. Councillor John O'Shea 3. Councillor Michelle Fox Substitutes: 1. 2. 3.
Local Government Association Assembly	1. Councillor Carl Johnson 2. Councillor Janet Hunter

	<p>3. Councillor Carole Burdis 4. Dame Norma Redfearn DBE, Elected Mayor</p>
Newcastle Airport Consultative Committee	1. Councillor Sarah Burtenshaw
North East Migration Partnership Members Forum	1. Councillor John Harrison
North East Regional Employers Organisation	<p>1. Councillor Anthony McMullen 2. Councillor Sandra Graham 3. TBC</p>
North Tyneside Citizens Advice Bureau	1. Councillor Carl Johnson
North Tyneside Veterans Committee	Councillor Andy Newman
Standing Advisory Council on Religious Education	<p>1. Councillor Steven Phillips (Chair) 2. Councillor Peter Earley 3. Councillor Josephine Mudzingwa 4. Gary Bell</p>
Wallsend Charitable (Victor Mann) Trust	Up to ten nominees. These are 3 year appointments, with current appointments expiring June 2024.
Cullercoats Education Trust	<p>1. Councillor W Samuel 2. Councillor S Graham</p> <p>These are 4 year appointments expiring in May 2027</p>
Kettlewell Education Foundation	<p>1. Councillor P Oliver 2. Councillor Steven Phillips 3. Councillor Peter Earley</p>

4. Councillor Janet Hunter

These are 3 year appointments expiring in May 2026

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

Alternative nominations for Chairs and Deputy Chairs of committees/sub committees for the 2023/24 municipal year:

Deputy Chair of Family Friendly Sub-committee proposed Councillor C Johnston.

The amended Motion on being put to the meeting was defeated by 46 votes to 7 votes.

The nomination of Cllr P Oliver as Deputy Chair of Family Friendly Sub-committee was put to the meeting and was agreed by 46 votes to 7 votes.

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

Alternative nominations for Chairs and Deputy Chairs of committees/sub committees for the 2023/24 municipal year:

Chair of the Overview and Scrutiny Coordination and Finance Committee proposed Councillor L Bones.

The amended Motion on being put to the meeting was defeated by 46 votes to 7 votes.

The nomination of Cllr J Montague as Chair of the Overview and Scrutiny Coordination and Finance Committee was put to the meeting and was agreed by 44 votes to 7 votes.

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

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 2022-23.

The Chair of the Overview, Scrutiny and Policy Development Committee for 2022/23, 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 local authority and partner agencies coming out of the pandemic, and plans for the continued recovery and future development of services for North Tyneside residents.

Councillor Janet Hunter highlighted two particular areas of work – the all-party task and finish group review into Storm Arwen as requested by Full Council, and the all-party budget scrutiny meetings.

Councillor Janet Hunter was also pleased to report that, since receiving the positive report from the Centre for Governance and Scrutiny, we can begin to move forward to look at how we continue to improve our scrutiny processes to be that all important critical friend, and she looked forward to this continuing.

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.

C15/23 Annual Report of Standards Committee 2022/23

Councillor Frank Lott presented the Annual Report of Standards Committee for the 2022/23 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 4 occasions and dealt with a variety of matters which

are detailed in the Work Programme for 2022/23 at Annex 1 to the report. In addition, the Standards Sub-committee met on 2 occasions.

Councillor Frank Lott stated that in July 2022 two new Independent Persons had been appointed, Mr Dan Entwisle and Mrs Kerry Roffe, in addition to the re-appointment of Dr Stuart Green, and he placed on record the Committee's gratitude to the Independent Persons for their valuable contributions.

Councillor Frank Lott highlighted that a number of complaints had been referred for investigation and the Committee had held one complaint hearing in relation to a breach of the Code of Conduct.

The Annual Report was considered by the Standards Committee at its meeting on 6 April 2023. The Committee would consider its work programme for 2023-24 at its first meeting of the new municipal year in June 2023.

Council received the report.

C16/23 Chair's Announcements (if any)

There were no Chair's announcements.

C17/23 Mayor's Announcements (if any)

There were no Mayor's announcements.

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Local Government Act 1972

Borough of North Tyneside

Thursday, 18 May 2023

At the meeting of the Council of the Borough of North Tyneside duly convened and held on Thursday, 18 May 2023 at 6.00 pm in Chamber – Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY at which a quorum of Members were present, that is to say: -

Present

Councillor B Burdis (Chair)
N Redfearn (Elected Mayor)

Councillor L Arkley	Councillor L Bartoli
Councillor L Bones	Councillor C Burdis
Councillor S Burtenshaw	Councillor D Cox
Councillor S Cox	Councillor N Craven
Councillor C Davis	Councillor S Day
Councillor D Drummond	Councillor P Earley
Councillor M Fox	Councillor S Graham
Councillor I Grayson	Councillor M Hall
Councillor T Hallway	Councillor J Harrison
Councillor A Holdsworth	Councillor Janet Hunter
Councillor V Jamieson	Councillor C Johnson
Councillor H Johnson	Councillor J Johnsson
Councillor C Johnston	Councillor J Kirwin
Councillor F Lott	Councillor W Lott
Councillor L Marshall	Councillor I McAlpine
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 P Oliver	Councillor R O'Keefe
Councillor J O'Shea	Councillor S Phillips
Councillor B Pickard	Councillor W Samuel

Councillor O Scargill
Councillor M Thirlaway
Councillor J Wallace

Councillor J Shaw
Councillor J Walker
Councillor M Wilson

Apologies: Councillor G Bell, Councillor L Bell, Councillor K Clark, Councillor J Cruddas, Councillor E Darke, Councillor John Hunter, Councillor E Parker-Leonard and Councillor A Spowart

C18/21 To receive any Declarations of Interest

There were no Declarations of Interest reported.

C19/21 Motion - Honorary Alderwoman

Council received a report that invited the Council to consider a nomination received to confer the title of Honorary Alderwoman on a former Councillor of North Tyneside Council.

It was moved by Councillor Margaret Hall and seconded by Councillor John Harrison that:

Pursuant to the powers contained in section 249 of the Local Government Act 1972, the Council confers the title of Honorary Alderwoman on Mrs Muriel Anne Green, BEM in recognition of her eminent services to North Tyneside Council in the office of Councillor and as an expression of the high regard in which she is held by Members of the Council.

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

North Tyneside Council Report to Council 20 July 2023

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 Councillors W Samuel, C Johnson, K Clark

Council notes that the increase in interest rates is causing severe difficulties for many of our residents. With an estimated 6.5 million households across the country to be impacted by the Tory mortgage penalty by 2025. As fixed rate mortgages come to an end, many are having to take out new mortgages with people across North Tyneside facing on average a £2000 increase per year. Those living in the private rented sector are also facing a significant increase with the average rent being 12-15% higher than this time last year and rent has increased on average for 13 consecutive quarters.

It is disappointing that banks and building societies are failing to assist borrowers who are struggling to meet their mortgage costs by offering payment holidays, longer repayment terms and interest only products. At the same time, they are failing to offer savers similar rises in interest rates as those they impose on borrowers.

We note that the Government have sought to agree a voluntary framework to address this, but Council believes this approach falls short of what is required.

Council asks the Elected Mayor to write to the Prime Minister:

- To express the dismay of the residents of North Tyneside at his refusal to legislate to require banks and building societies to assist borrowers and avoid repossession of homes and spiralling increase in costs due to a Conservative made cost of living crisis.

- To call for the Prime Minister to immediately bring forward policy to tackle the tory mortgage penalty and to end the crisis In the private rented sector.

Legal and Financial implications in relation to this Motion will be circulated prior to the meeting.

Motion 2 signed by Councillors E Parker-Leonard, M Fox, C Burdis

North Tyneside council is proud to be a safe and welcoming workspace. We always strive to create a workspace where everyone is free to be themselves and continue to try and support the LGBTQ+ community to feel safe at work. We want to continue to transform the workplace culture to make it a more welcoming, diverse, and inclusive space for everyone.

North Tyneside Council's Pride Network have stated that this year pride has been particularly important, given the rise both nationally and internationally in anti-LGBT+ rhetoric and violence.

We call upon the Elected Mayor to:

- Explore the feasibility of taking part in Stonewalls Workplace Equality Index
- Explore the feasibility of NTC becoming a Stonewall Diversity Champion

Legal and Financial implications in relation to this Motion will be circulated prior to the meeting.

Motion 3 signed by Councillors I McAlpine, L Bones, L Bartoli

St Mary's Lighthouse

St Mary's lighthouse is one of the Borough's most iconic landmarks, visible along much of the North East coast and from towns across North Tyneside and Northumberland. It brings tourism to the area and forms a hub for vital marine conservation activities.

The lighthouse has been a muse to many an artist and photographer and is so iconic that it adorns much of the council's own publicity.

Sadly, in recent years, the exterior has been deteriorated by the elements, placing a noticeable dark shadow on the north side and a blot on North Tyneside's coastal landscape. Residents and tourists now frequently mention the faded and stained condition of the landmark, disappointed that more is not being actively done to maintain it's beauty.

In 2018 a 2.1 million refurbishment proposal was approved by the planning committee, to be funded by the Heritage Lottery Fund. Sadly the bid for the funds was declined later that year, with the council committing to explore other options to carry out the repairs.

To safeguard the lighthouse's future and to preserve the beauty of our coastal horizon, Council asks the mayor to commit to:

1. Publish options looked at so far to secure alternative funding for the refurbishment proposal.
2. Confirm it is still the Council's intention to perform these (or other) refurbishment works to safeguard the future of the site.
3. In the interim, commit to painting of the Lighthouse to restore it's appearance and that of our coastal horizon.

Legal and Financial implications in relation to this Motion will be circulated prior to the meeting.

Motion4 signed by Councillors J Johnsson, O Scargill, L Bones

Review and Update of the Tree Management Policy for Improved Balance between Residents' Needs and Tree Maintenance Council recognises the invaluable contribution that trees make to our Borough, including their role in shaping the landscape, providing habitats for wildlife, and playing an essential role in the ecosystem to combat climate change.

However, residents have raised numerous concerns regarding the reactive nature of maintenance of trees by the Council. Many trees within our Borough, particularly in residential areas, exhibit disproportionate size and proximity to residential properties, resulting in significant problems. These issues include the obstruction of light and heat, excessive leaf fall blocking drains and gullies, and property damage caused by falling branches.

The Council's current Tree Management Policy places an imbalanced emphasis on the needs of these problematic trees, with insufficient consideration for the welfare and interests of residents residing in close proximity to them. In order to ensure that residents' concerns are adequately considered in decision-making processes, it is necessary to review the existing policy. This new approach will aim to enhance the aesthetic appeal of our area, minimise property repairs, reduce insurance claims, and significantly improve the quality of life for many residents.

Therefore, the Council asks the Mayor to establish a cross-party working group to review the Tree Management Policy.

The purpose of this review is to strike a better balance between the needs of our residents and the maintenance of trees within our Borough. The group should be asked to propose practical measures, including routine pruning practices, to proactively address tree-related issues before they escalate.

By working with residents, we can develop a policy that better aligns with their needs and expectations, while acknowledging the importance of trees in our Borough.

Legal and Financial implications in relation to this Motion will be circulated prior to the meeting.

Motion 5 signed by Councillors O Scargill, L Bones, L Bartoli

Drones to tackle anti-social behaviour

Dangerous motorbike riding is a real issue in many of our estates. Unfortunately, the nature of this means it can be very difficult for Police to catch and identify perpetrators. We need to utilise new technology to help stop this happening.

Council notes that drones have been used by Police forces across the country to help stop dangerous motorbike riding.

Council asks the Mayor to give the community protection team the resources to purchase drones and training for this purpose, helping stop dangerous motorbikes and anti-social behaviour.

Legal and Financial implications in relation to this Motion will be circulated prior to the meeting.

North Tyneside Council

Report to Council

Date: 20 July 2023

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

Portfolio(s): Elected Mayor

Cabinet Member(s): Dame Norma Redfearn, Elected Mayor

Report from Service Area: Governance

Responsible Officer: Allison Mitchell
Head of Governance

Tel:
(0191) 643 5720

Wards affected: Howdon

PART 1

1.1 Executive Summary:

The Chief Executive has received a request for a dispensation to be considered in respect of Councillor John Hunter, 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 Hunter for a period up to and including 31 January 2024.

1.2 Recommendation(s):

It is recommended that Council:

- (1) Agrees a grant of dispensation for Councillor John Hunter pursuant to Section 85(1) of the Local Government Act 1972, for a period up to and including 31 January 2024, and approves Councillor Hunter'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 Hunter 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 23 June 2023.

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 John Hunter (one of three councillors representing Howdon 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 20 March 2023 (Housing Sub Committee).

- 1.5.4 The Chief Executive has received a request for full Council to consider approving an extension to the usual six month attendance rule for Councillor Hunter, enabling Councillor Hunter to remain in office until he 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 19 September 2023.
- 1.5.6 Accordingly, the meeting of full Council on 20 July 2023 is the only 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 Hunter would, under Section 85(1) of the Local Government Act 1972, cease office as a North Tyneside Councillor after 19 September 2023 if he is unable to attend a meeting of the Authority before that date.
- 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 Hunter pursuant to Section 85(1) of the Local Government Act 1972, for a period up to and including 31 January 2024, on medical grounds. This would not prevent Councillor Hunter from returning to meetings at any time before that date should his 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 Hunter, approving Councillor Hunter's non-attendance at meetings of the Authority for a period up to and including 31 January 2024.

Option 2

Council does not agree to grant such a dispensation to Councillor Hunter 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 Hunter's reasons for being unable to attend a meeting of the Authority at the current time are 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 Hunter ceasing to be a councillor after 19 September 2023), should for medical reasons Councillor Hunter not be able to attend a meeting of the Authority on or before 19 September 2023
- (c) Should Council decide not to approve a dispensation for Councillor Hunter, he would cease to be a member of the Authority after 19 September 2023 and a vacancy would arise on the Council's membership.

1.8 Appendices:

None

1.9 Contact officers:

Allison Mitchell, Head of Governance (telephone (0191) 643 5720)

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. The decision to give approval to a Councillor's non-attendance at meetings of the Authority under section 85(1) of the 1972 Act is a matter for full Council.

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 his fellow Howdon councillors. The Committees to which the elected member has been appointed in 2023/24 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 consequently result in increased 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 X
- Director(s) of Service X
- Mayor/Cabinet Member(s) X
- Chief Finance Officer X
- Monitoring Officer X
- Assistant Chief Executive X

North Tyneside Council Report to Council 20 July 2023

Title: Questions by Members of the Council

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

1. Question to the Elected Mayor by Councillor J Wallace

"Healthy Start Grants are available to some pregnant women and some families with children under 4 years old, to enable them to buy additional healthy food such as milk, fruit and vegetables, and to get free vitamins, all of which contribute to a healthier life style with long term benefits.

The take up in England is around 66% but much higher in Scotland.

Can the Elected Mayor tell me what steps the Council has taken to encourage applications for these grants in North Tyneside?"

2. Question to the Elected Mayor by Councillor M Thirlaway

At least 100 people in North Tyneside were denied a vote during the local elections in North Tyneside with potentially many more put off from turning up to the polling stations in the first place. Does the Elected Mayor agree with me that central government should be making it easier for people to vote legally and that compulsory photographic identification at polling stations is unnecessary, undemocratic, and amounts to voter suppression, especially in more deprived area?

3. Question to the Elected Mayor by Councillor L Bones

In September 2022 Council passed a motion asking the Mayor to 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. This is the last meeting before a year will have passed without an annual update and opportunity to scrutinise the PCC. Can the Mayor confirm whether Ms McGuinness has been invited and declined or hasn't been invited in the first place?