

Local Government Act 1972

Borough of North Tyneside

Thursday, 16 May 2024

At the meeting of the Council of the Borough of North Tyneside duly convened and held on Thursday, 16 May 2024 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 S Cox	Councillor L Bartoli
Councillor J Bartoli	Councillor L Bell
Councillor L Bones	Councillor L Bell
Councillor P Bunyan	Councillor S Burtenshaw
Councillor B Clark	Councillor K Clark
Councillor J Cruddas	Councillor E Darke
Councillor L Darke	Councillor Day
Councillor S Day	Councillor D Drummond
Councillor P Earley	Councillor S Graham
Councillor C Gray	Councillor I Grayson
Councillor T Hallway	Councillor J Harrison
Councillor A Holdsworth	Councillor Janet Hunter
Councillor N Huscroft	Councillor C Johnson
Councillor J Johnsson	Councillor J Kirwin
Councillor F Lott	Councillor W Lott
Councillor L Marshall	Councillor I McAlpine
Councillor C McGinty	Councillor A McMullen
Councillor L McMullen	Councillor J Montague
Councillor J Mudzingwa	Councillor T Mulvenna
Councillor M Murphy	Councillor T Neira
Councillor T Bailey	Councillor A Newman
Councillor K Nott	Councillor P Oliver

Councillor R O'Keefe
Councillor S Phillips
Councillor W Samuel
Councillor J Sharp
Councillor A Spowart
Councillor J Walker

Councillor J O'Shea
Councillor B Pickard
Councillor O Scargill
Councillor J Shaw
Councillor M Thirlaway
Councillor J Webster

Apologies: Councillor H Johnson, Councillor D Lilly and Councillor J Wallace

C1/24 Election of Chair of Council for the 2024/25 Municipal Year

A minute's silence was observed in respect of the passing of both former Councillor Gordon and former Councillor Muriel Green (Alderman Green).

Councillor Gordon was a councillor for Cullercoats ward between 1976 and 1995 and St Mary's Ward between 1997 and 1998.

Former Councillor and Alderman Muriel Green was a Councillor for Weetslade Ward between 1982 and 2023.

The following nomination then was received for the Office of the Chair of the Council for the 2024/25 Municipal year.

Nominee: Councillor S Cox

Proposer: Councillor I Grayson

Seconder: Councillor T Hallway

The nominations were approved: 49 Votes For, 7 Abstentions

Resolved that Councillor S Cox be, and is hereby elected, Chair of the Council for the 2024/25 Municipal Year and until the acceptance of Office by a successor.

C2/24 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 S Cox in the Chair).

C3/24 Election of Deputy Chair of Council for the 2024/25 Municipal Year

The following nomination was received for the Office of Deputy Chair of the Council for the Municipal Year 2024/25.

Nominee: Councillor N Huscroft

Proposer: Councillor F Lott

Seconder: Councillor J Webster

The nominations was approved: 49 Votes For, 7 Abstentions

Resolved that Councillor N Huscroft be, and is hereby elected, Deputy Chair of the Council for the 2024/25 Municipal Year and until the acceptance of Office by a successor.

C4/24 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.

C5/24 Vote of Thanks to Retiring Chair

A vote of thanks for the retiring Chair, Councillor B Burdis, was moved by Councillor T Mulvenna.

It was stated by Councillor T Mulvenna that in the position of Chair of Council, Councillor B Burdis had shown exceptional leadership and patience in his role, despite dealing with personal trauma. Councillor T Mulvenna said that It was the measure of Councillor Burdis the man that he did so whilst conducting himself so well during this time. Councillor T Mulvenna stated Councillor Burdis dealt with all members on an equal basis regardless of political persuasion.

The Chair then gave his personal thanks to Councillor B Burdis and addressed the chamber on the matter of behaviour during Council meetings going forward. The Chair drew attention to the Council meeting of 14 March 2024 and the behaviour therein, he stated he would strive to ensure that expected standards are met, and he asked the members for their support to ensure this happens. As the Chair he hoped to run the meetings in an efficient, impartial and respectful manner for all members and officers, in order that members be seen treating their roles with the due respect

by the watching community.

In future, Council meeting papers will include a guidance note issued showing a reminder of rules on conduct and attendance.

Members were reminded that while he encouraged debate the Chair's interpretation of rules, procedures and decisions taken at Council are final. The Chair extended an invite to the leaders and deputy party leaders (as well as Councillor Wallace, as an independent) to meet to discuss ways to help improve behaviour and discuss expectations.

The Chair extended his congratulations, and best wishes going forward, to all the new and returning members.

C6/24 To receive any Declarations of Interest

There were no Declarations of Interest reported.

C7/24 Minutes of the meeting held on 14 March 2024

RESOLVED that the minutes of the Council meeting held on 14 March 2024 be taken as read and confirmed and signed by the Chair subject to it being noted that Councillor J Harrison attended the meeting but was not marked as such.

C8/24 Municipal Elections - 2 May 2024 - Return of Councillors

The Council received the following return of Councillors elected on 2 May 2024.

WARD	NAME
Backworth and Holystone	Louise Amanda Bell
	Nigel John Huscroft
	James Webster
Battle Hill	Julie Elizabeth Cruddas
	Carl John Johnson
	Steve Phillips
Camperdown	Steve Cox
	Tracy Ann Hallway
	Joan Isabel Walker
Chirton and Percy Main	Hannah Patricia Johnson

	Rebecca O'Keefe
	Charles Bruce Pickard
Cullercoats and Whitley Bay South	Willie Samuel
	Jane Shaw
	Andrew James Spowart
Forest Hall	Peter Gerard Earley
	Janet Hunter
	Joanne Marie Sharp
Howdon	Linda Isabel Bell
	John Lawrence Langford Harrison
	Matthew Brian Thirlaway
Killingworth	Paul Bunyan
	Bryan Shaun Clark
	Pat Oliver
Longbenton and Benton	Karen Anne Clark
	Eddie Darke
	Linda Darke
Monkseaton	Sarah Day
	Davey Drummond
	Martin James Murphy
New York and Murton	Jay Luca Bartoli
	Claire Louise McGinty
	Olly Scargill
North Shields	Frank Lott
	Wendy Lott
	Josephine Mudzingwa
Preston with Preston Grange	Liam Adam Bones
	John Joseph Johnsson
	David Wallace Lilly
Shiremoor	Brian Burdis
	Tommy Mulvenna
	Kristin Dominica Nott
St Marys	Andy Holdsworth
	Ian McAlpine
	Judith Wallace
Tynemouth	Tom Bailey
	Lewis Carlo Bartoli
	Julie Day
Wallsend Central	Charlie Gray
	Ian Raymond Grayson

	Louise Delores Marshall
Wallsend North	Jim Montague
	Tricia Neira
	Andy Newman
Weetslade	Sarah Ellen Burtenshaw
	Anthony William McMullen
	Liz McMullen
Whitley Bay North	Sandra Maria Graham
	Joe Kirwin
	John O'Shea

C9/24 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 Leadership within the North East Combined Authority Leadership of the North Tyneside Strategic Partnership Law and Governance
Councillor Carl Johnson	Deputy Mayor	Delivery and presentation of Strategic Policy Direction Regeneration and Economic Development Corporate Strategy (including Customer Service)

		<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,	<p>Ambition for Education</p> <p>Inclusive Economy Strategy</p>

	Inclusion, Employment and Skills	Employment and Skills
Councillor Karen Clark	Cabinet Member responsible for Public Health, Safety and Wellbeing	Health and Wellbeing: Joint Strategic Needs Assessment and Health and Wellbeing Strategy Public Health and tackling Socio- Economic Inequalities Community Safety and Tackling Anti-Social Behaviour Public Protection Emergency Planning and Business Continuity
Councillor John Harrison	Cabinet Member responsible for Housing	Housing Strategy Housing Management Housing Investment Affordable Homes Programme
Councillor Sandra Graham	Cabinet Member responsible for the Climate Emergency	Tackling the Climate Emergency Delivering the North Tyneside Climate Emergency Action Plan Cycling Champion
Councillor Hannah Johnson	Cabinet Member responsible for the Environment	Delivering great places to live – stewardship of our communities Waste Management Environmental and Local Transport Services (including roads, pavements, parking, and

		the Capita Partnership)
		Sport, Leisure and Libraries
		Equality and Diversity

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);
- 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);
- 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);
- 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.

C10/24 Leaders of Political Groups

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

C11/24 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 J Johnsson had been appointed as Deputy Leader of the Conservative Group.

C12/24 Annual Review of the Constitution

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

The annual review of the Constitution and associated documents makes sure that they continue to be fit for purpose and provide a framework that ensures 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 for progression to the Annual Council meeting at which a decision would be made.

The Constitution and associated documents will continue to be kept under review and updated to reflect any changes in the organisational structure of the Council or any legislative changes. It is proposed that changes can be brought to Council meeting at any point during the year following consultation with the Constitution Task Group.

It was moved by Councillor C Johnson and seconded by Councillor M Thirlaway to:

- agree the proposed changes to the Constitution, including the proposed changes to the Contract Standing Orders and the Officer Delegation Scheme as set out in **Appendix 1** to this report;
- agree that in-year changes to the Constitution can be proposed to full Council for decision, following consideration by the Constitution Task Group, in addition to the annual review, and any changes to the Constitution made at that time;
- agree the proposed updated Financial Regulations, which have been developed following a continuous review of the Authority's Financial Regulations which has taken place during 2023/24;
- agree to refer the approved changes to the Constitution, including Contract Standing Orders, Officer Delegation Scheme and Financial Regulations to the Elected Mayor for her consent to such changes in accordance with Article 16 of the Constitution, other than the change relating to Scrutiny Committees, which does not require this consent.

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

C13/24 Annual Appointments 2024/25

The Council was requested to consider the appointment of committees / 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 2024/25 Municipal year.

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

- The following committees/sub committees be appointed for the 2024/25 municipal year on the basis of the number of seats indicated:

Committee/Sub-Committee	No of Seats
Overview, Scrutiny Co-ordination and Finance Committee	15 (plus 2 parent governor and 2 church representatives)
Caring Sub-Committee	12
Family Friendly Sub-Committee	12
Secure Sub Committee	12
Thriving Sub-Committee	12
Green Sub-Committee	12
Appointments and Disciplinary Committee	7
Audit Committee	9 (7 elected/2 co-opted members)
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 of report

- The following nominations of chairs and deputy chairs of committees/sub committees for the 2024/25 municipal year be approved.

	Committee/Sub Committee	Chair	Deputy Chair
1.	Overview, Scrutiny Co-ordination and Finance Committee	Jim Montague	Charlie Gray
2.	Caring Sub-Committee	Jane Shaw	James Webster
3.	Family Friendly Sub-Committee	Pat Oliver	Linda Darke
4.	Thriving Sub-Committee	Bruce Pickard	Rebecca O'Keefe
5.	Secure Sub-Committee	Andy Newman	Tricia Neira
6.	Green Sub-Committee	Martin Murphy	Tracy Hallway
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	Eddie Darke

3. The following nominations of appointments to Outside Bodies for the 2024/25 municipal year be approved.

	Body	Appointments / Nominations 2024/25
1	Association of North East Councils Resources Task and Finish Group	Councillor A McMullen Councillor W Samuel Substitutes: Councillor N Huscroft Councillor L Marshall

2	British Destinations	Councillor W Samuel
3	Integrated Care Partnership – North East and North Cumbria	Councillor K Clark
4	Joint Overview and Scrutiny Committee for the North East and North Cumbria Integrated Care Board	Councillor J O'Shea Councillor J Shaw Councillor P Bunyan
5	Local Government Association Assembly	Mayor N Redfearn Councillor C Johnson Councillor J Hunter Councillor W Samuel
6	Newcastle Airport Consultative Committee	Councillor L McMullen
7	North East Migration Partnership Members Forum	Councillor J Harrison
8	North East Regional Employers Organisation	Councillor A McMullen Councillor S Graham Councillor P Bunyan
9	North Tyneside Citizens Advice Bureau	Councillor J Sharp
10	North Tyneside Veterans Committee	Councillor A Newman
11	OPCC ASB Strategic Board	Councillor K Clark
12	OPCC VRU Serious Violence	Councillor K Clark

	Strategic Board	
13	Standing Advisory Council on Religious Education	Councillor S Phillips (Chair) Councillor P Earley Councillor J Mudzingwa Councillor N Huscroft
14	Wallsend Charitable (Victor Mann) Trust	Councillor J Cruddas Councillor C Johnson Councillor M Thirlaway Councillor J Harrison Councillor I Grayson Councillor L Marshall Councillor J Montague Councillor T Neira Councillor W Lott Councillor N Huscroft

The Motion was to accept the recommendations as per the circulated report.

Councillor L Bones requested clarity on whether the vote was solely on the content of the agenda, and then afterwards separate voting could commence on the nominations made. It was confirmed that the vote would be to determine the list of nominations circulated for the Annual Appointments 2024/25.

An amendment was moved by Councillor L Bones and seconded by Councillor L Bartoli for alternative nominations for Chairs and Deputy Chairs of committees/sub committees for the 2024/25 municipal year as follows:

Councillor J Johnsson as Chair of Licensing committee.

Councillor D Lilly as Deputy Chair of Family Friendly committee.

A named vote on the amendment was held.

Votes for the amendment:

Councillors J Bartoli, L Bartoli, L Bones, J Johnsson, I McAlpine, C McGinty and O Scargill.

Votes against the amendment:

Councillors T Bailey, Linda Bell, Louise Bell, P Bunyan, B Burdis, S Burtenshaw, B Clark, K Clark, S Cox, J Cruddas, E Darke, L Darke, J Day, S Day, D Drummond, P Earley, S Graham, C Gray, I Grayson, T Hallway, J Harrison, A Holdsworth, J Hunter, N Huscroft, C Johnson, J Kirwan, F Lott, W Lott, L Marshall, A McMullen, L McMullen, J Montague, J Mudzingwa, T Mulvenna, M Murphy, T Neira, A Newman, K Nott, R O'Keefe, J O'Shea, P Oliver, S Phillips, B Pickard, N Redfearn, W Samuel, J Sharp, J Shaw, A Spowart, M Thirlaway, J Walker and J Webster.

The amendment was rejected by 51 votes to 7 votes.

Councillor Bones requested clarity on the advice given by the Local Government Association regarding allocation of places on the Local Government Association Assembly, and it was confirmed by the legal officer present that this was the advice given by that organisation, and was not mandatory.

An amendment was moved by Councillor J Johnsson and seconded by Councillor J Bartoli for an alternative nomination of Councillor Liam Bones for Local Government Association Assembly Chair for the 2024/25 municipal year.

A named vote on the amendment was held.

Votes for the amendment:

Councillors J Bartoli, L Bartoli, L Bones, J Johnsson, I McAlpine, C McGinty and O Scargill.

Votes against the amendment:

Councillors T Bailey, Linda Bell, Louise Bell, P Bunyan, B Burdis, S Burtenshaw, B Clark, K Clark, S Cox, J Cruddas, E Darke, L Darke, J Day, S Day, D Drummond, P Earley, S Graham, C Gray, I Grayson, T Hallway, J Harrison, A Holdsworth, J Hunter, N Huscroft, C Johnson, J Kirwan, F Lott, W Lott, L Marshall, A McMullen, L McMullen, J Montague, J Mudzingwa, T Mulvenna, M Murphy, T Neira, A Newman, K Nott, R O'Keefe, J O'Shea, P Oliver, S Phillips, B Pickard, N Redfearn, W Samuel, J Sharp, J Shaw, A Spowart, M Thirlaway, J Walker and J Webster.

The amendment was rejected by 51 votes to 7 votes.

A named vote on the substantive motion was held.

Votes for the substantive motion:

Councillors T Bailey, Linda Bell, Louise Bell, P Bunyan, B Burdis, S Burtenshaw, B Clark, K Clark, S Cox, J Cruddas, E Darke, L Darke, J Day, S Day, D Drummond, P Earley, S Graham, C Gray, I Grayson, T Hallway, J Harrison, A Holdsworth, J Hunter, N Huscroft, C Johnson, J Kirwan, F Lott, W Lott, L Marshall, A McMullen, L McMullen, J Montague, J Mudzingwa, T Mulvenna, M Murphy, T Neira, A Newman, K Nott, R O'Keefe, J O'Shea, P Oliver, S Phillips, B Pickard, N Redfearn, W Samuel, J Sharp, J Shaw, A Spowart, M Thirlaway, J Walker and J Webster.

Votes against the substantive motion:

Councillors J Bartoli, L Bartoli, L Bones, J Johnsson, I McAlpine, C McGinty and O Scargill.

The substantive motion was approved by 51 votes to 7 votes.

C14/24 Overview and Scrutiny Annual Report

Council received the Annual Scrutiny Report for 2023/24 which provided a summary of the work of the Overview and Scrutiny Co-ordination and Finance Committee and its sub committees during 2023/24.

The Chair of the Overview and Scrutiny Co-ordination and Finance Committee, Councillor J Montague, presented the report and advised that in May 2023 Council agreed a new committee structure for scrutiny in North Tyneside. This reflects good practice recommended by the Centre for Governance and Scrutiny.

The report presented to Council was the first Annual Report under the new Scrutiny Committee structure. It provided a summary of the work of the Overview and Scrutiny Co-ordination and Finance Committee and its five sub committees during 2023/24. The report described the wide breadth of topics which have been considered under our scrutiny function over the last year.

Scrutiny is intended to support good decision-making by local authorities. Councillor J Montague said that the new committees have worked hard to develop scrutiny and to implement the good practice highlighted by the Centre for Governance and Scrutiny in 2023/24. Councillor J Montague stated that in particular the committee has sought to develop focus as a critical friend. This should continue into 2024/25. As Chair of the Overview and Scrutiny Co-ordination and Finance Committee, Councillor J Montague thanked elected members, co-opted members, officers and representatives of our partner

organisations for their support and contributions to the scrutiny process over the past year.

The Council received the report, and agreed that it be noted.

C15/24 Standards Committee Annual Report

Council received a report which summarised the work undertaken by the Standards Committee during 2023/24.

Councillor F Lott presented the Annual Report of Standards Committee for the 2022/23 municipal year, and placed on record the Committee's gratitude to Independent Persons, Mr Dan Entwisle, Mrs Kerry Roffe and Dr Stuart Green, for their contributions.

At the time of writing the report there had been 18 code of conduct complaints received against members, with one having been received since then. Of those made in 2023/24, none were referred for full investigation.

Three complaints were carried over from 2022/23 into 2023/24 and in two of those cases the sub-committee found three where there had been breaches of the code and sanctions were imposed. On the third of these the sub-committee accepted the independent persons advice that there had been no breach of the code.

There are currently two outstanding complaints which will be included as part of the 2024/25 report.

During 2023/24, of the 7 requests to the monitoring officer to review the initial decisions, all were upheld.

The Council received and agreed to note the report.

C16/24 Chair's Announcements

There were no Chair's announcements.

C17/24 Mayor's Announcements

The Elected Mayor congratulated all members who were successful in the recent elections, and thanked all those who took part in the smooth running of the recent elections.

The Mayor gave a reminder to members of the importance of respect within the chamber, and thanked the outgoing Chair, Councillor B Burdis, for his time served as Chair and the work done for both his and Councillor C Burdis' charity.

The Mayor also reminded members of her open door policy to them.