

Local Government Act 1972

Borough of North Tyneside

9 February 2012

At the Extraordinary meeting of the Council of the Borough of North Tyneside duly convened and held on Thursday 9 February 2012, immediately following the preceding Extraordinary Council meeting on Thursday 9 February 2012, at which a quorum of members were present, that is to say:

Present

Councillor J J Stirling (In the Chair)
Mrs L Arkley (Elected Mayor)

Councillor J M Allan	Councillor M J Huscroft
Councillor A Arkle	Councillor D W Lilly
Councillor Mrs G Barrie	Councillor F Lott
Councillor K Barrie	Councillor D McGarr
Councillor Mrs J M Bell	Councillor M McIntyre
Councillor L Birkenfield	Councillor Mrs P McIntyre
Councillor G Brett	Councillor J McLaughlin
Councillor P Brooks	Councillor D McLellan
Councillor B Burdis	Councillor M L Madden
Councillor W Caithness	Councillor P Mason
Councillor K A Conroy	Councillor L J Miller
Councillor D E Corkey	Councillor Mrs S E Mortimer
Councillor A Cowie	Councillor T Mulvenna
Councillor S Cox	Councillor A Normand
Councillor C Croft	Councillor D Ord
Councillor E N Darke	Councillor K Osborne
Councillor L Darke	Councillor J O'Shea
Councillor S Day	Councillor G Partis
Councillor M A Finlay	Councillor Mrs N Peggs
Councillor C A Gambling	Councillor C B Pickard
Councillor R Glendon	Councillor M G Rankin
Councillor I Grayson	Councillor N Redfearn
Councillor M A Green	Councillor J Rutherford
Councillor J L L Harrison	Councillor D Sarin
Councillor S Hill	Councillor Mrs B E Stevens
Councillor E F J Hodson	Councillor A Waggott-Fairley
Councillor Janet Hunter	Councillor J I Walker
Councillor John Hunter	Councillor G C Westwater
Councillor M Huscroft	

C122/02/12 Apologies

Apologies for absence were received from Councillors L Spillard and Mrs J A Wallace.

C123/02/12 Declarations of Interest

The following declarations of interest were made:

Councillor J LL Harrison declared a personal interest in relation to the items of business set out on the Council agenda. He stated he had paid the Council Tax for the property that he lived in, as he had done in previous years, and therefore considered he was eligible to take part in the discussion and vote on those matters.

C124/02/12 Appointment of Strategic Director

A report of the Head of Paid Service had been circulated to all Members of the Council. The report provided an explanation of matters related to the appointment to the post of Strategic Director of Strategic Services.

The report had been prepared in response to a requisition for an Extraordinary Council meeting, signed by five Members of the Council, to discuss matters associated with the appointment . The terms of the requisition were as follows:

“This Council is concerned that a recent report submitted to Cabinet implied that the Appointments and Disciplinary Committee were unable to make an appointment to the Strategic Director of Strategic Services; and the particular paragraph, as follows:

The current position is that the Council’s Appointments and Disciplinary Committee has been unable to make an appointment to the Strategic Director of Strategic Services post and for this reason consideration needs to be given as to the most appropriate course of action in relation to the senior management arrangements for the Council, given that a Strategic Director post will be vacant at the same time that a part time, Interim Chief Executive is in place.

It is this Council’s view that this was not the case, and the Appointment and Disciplinary Committee did in fact agree to an appointment.

1. Council now seeks an explanation of what actually transpired from the conclusion of the Appointments and Disciplinary Committee up to the point that the Cabinet Report was produced.
2. Council also seeks clarification on the delegated authority to the Appointments Committee and is there any part of the constitution that would deny that delegation to be undertaken or indeed overruled.
3. Council seeks subject to clarification that the Head of Paid Service to look into this matter and report back to the next Council meeting with the findings and recommendations.”

Ms F Rooney, Head of Paid Service, presented the report to Council. The recommendation was as follows: ‘That the Council notes the content of this report.’

Members were given the opportunity to ask questions which were responded to appropriately, and then discussed the report.

The Interim Chief Executive declared an interest and withdrew from the meeting whilst Members asked questions about the costs associated with changes to his contract, as referred to in the report to the Cabinet meeting held on 16 January 2012, which was appended to the main report.

A vote of no confidence in the Elected Mayor and the Chief Executive was moved by Councillor J Allan and seconded by Councillor N Redfearn.

The Chair requested that the motion in full be provided in writing.

On taking advice, the Council was cautioned that there was potential for defamation in relation to the proposed motion, as there was no clear evidence that anything had been untoward.

Two Members present requested a recorded vote on the motion in accordance with Council Procedure Rule 13(3).

It was further moved by Councillor J O'Shea and seconded by Councillor I Grayson, that:

'Council adjourns to another time and in the meantime we get advice and reconvene next week.'

The motion to adjourn, on being put to the meeting, was approved by 39 votes to 19 votes.

The Chair stated that the motion would be deferred to a later date.

C125/02/12 Common Seal

Resolved that the Common Seal be affixed to all deeds and documents required for carrying into effect the various decisions of the Council made since its last meeting.