

**Local Government Act 1972**

**Borough of North Tyneside**

**21 February 2013  
(Reconvened to 27 February 2013)**

At the reconvened Extraordinary meeting of the Council of the Borough of North Tyneside held on Wednesday 27 February 2013 at 6.00pm in the Chamber at Quadrant at which a quorum of members were present, that is to say:

**Present**

Councillor F Lott (In the Chair)  
Mrs L Arkley (Elected Mayor)

Councillor J M Allan	Councillor N J Huscroft
Councillor A Arkle	Councillor C Johnson
Councillor A Austin	Councillor D W Lilly
Councillor K Barrie	Councillor G Madden
Councillor G Bell	Councillor M Madden
Councillor B Burdis	Councillor P Mason
Councillor W Caithness	Councillor Mrs P McIntyre
Councillor K A Conroy	Councillor J McLaughlin
Councillor D Corkey	Councillor A McMullen
Councillor A Cowie	Councillor L J Miller
Councillor S Cox	Councillor Mrs S E Mortimer
Councillor E N Darke	Councillor T Mulvenna
Councillor L Darke	Councillor A Normand
Councillor C Davis	Councillor D Ord
Councillor M Finlay	Councillor K Osborne
Councillor C A Gambling	Councillor J O'Shea
Councillor R Glindon	Councillor C B Pickard
Councillor S Graham	Councillor J Pickard
Councillor M A Green	Councillor M G Rankin
Councillor J L L Harrison	Councillor N Redfearn
Councillor S Hill	Councillor D Sarin
Councillor E Hodson	Councillor L A Spillard
Councillor Janet Hunter	Councillor J J Stirling
Councillor John Hunter	Councillor A Waggott-Fairley
Councillor M Huscroft	Councillor J I Walker
Councillor M J Huscroft	Councillor Mrs J A Wallace
	Councillor G Westwater

### **C149/02/13 Apologies**

Apologies for absence were received from Councillors P Brooks, S Day, I Grayson, D McGarr, J Munby, and P Oliver.

### **C150/02/13 Declarations of Interest**

Further to Minute No. C146/02/13 (Declarations of Interest), of the meeting held on 21 February 2013, the following additional declarations of interest were made:

Item 3: 2013-2015 Financial Planning and Budget Process: 2013/14 Budget and Council Tax Requirement Submission to the Council.

Councillor D Sarin – personal interest – he was a Member of Collingwood Society.

Councillor M Green – personal interest – she was a Governor of the Northumbria Health Care Trust, a Member of Northumberland, Tyne and Wear Health Care Trust, and a Member of the Co-op Party.

### **C151/02/13 2013-2015 Financial Planning and Budget Process: Budget and Council Tax Requirement Resolution for 2013/14**

The Chair reminded Members of the point at which the Council meeting held on 21 February had been adjourned.

He indicated that once all questions had been asked on the Cabinet's proposals, he would take the objections from the Liberal Democrat Group and then the Labour Group in that order.

Members asked a number of further questions on the Elected Mayor and Cabinet's proposals which were responded to by the relevant Cabinet Member on behalf of the Elected Mayor.

During the meeting Councillor Graham directed a number of questions toward the Elected Mayor which were responded to by the relevant Cabinet Members. Councillor Graham queried why the Elected Mayor was not answering the questions herself.

Councillor Graham continued with a question to the Elected Mayor, referring to the £6 million of ERDF funding for the former Swan Hunter's site and the associated tight timescales; and whether there was a business risk in allowing Eastern European workers to be accommodated on the site in poor and unsuitable accommodation; and whether this was exploitation of these workers; and whether this had been allowed by the Elected Mayor.

The Elected Mayor responded by stating that was incitement and requested that the Councillor stand down.

The Elected Mayor repeated this statement on a number of occasions.

The Chair asked the Elected Mayor to refrain from speaking and to sit down on a number of occasions. However, she declined to do so.

At this point the Chair suspended the meeting and requested the Elected Mayor to join him to discuss the matter in private.

Upon the recommencement of the meeting, Councillor Allan, on behalf of the Labour Group, requested that the Elected Mayor be required to give an apology to the meeting.

The Elected Mayor refused and stated that she should receive an apology from the member who had asked the question, which she considered was totally inappropriate. The Elected Mayor said that she stood by her comments that the member should stand down as a councillor.

In accordance with paragraph 9 (p) of the Council's procedure rules it was moved by Councillor B Pickard and seconded by Councillor M Madden that:

“The Elected Mayor be excluded from the meeting”.

The Monitoring Officer explained that the Council Rules of Procedure contained in the Constitution regarding Members' conduct envisaged a staged approach to addressing Member behaviour. Either the Chair or a Member could move that a member not be heard further and if they continued to challenge the Chair they could move to exclude the Member.

The Chair informed Council that on considering the legal advice received and taking account of Members' discussion, he accepted that there was a case for persistent disregard by the Elected Mayor to his requests.

The motion, on being put to the meeting, was approved by 36 votes to 17 votes.

A request was made by the Conservative and Labour Groups for the original question by Councillor Graham and the response of the Elected Mayor to be recorded in the minutes.

[N.B. The original transcript of Councillor Graham's question is attached to these minutes at Appendix 1].

At this point the Elected Mayor and all members of the Conservative Group left the meeting.

The Chief Executive was invited to explain a way forward in dealing with any further questions from Members in relation to Mayor and Cabinet's budget proposals. He suggested that Members should submit questions in writing by the close of business on Friday 1 March. Responses to any questions received would be circulated on Monday 4 March 2013.

In the case of the questions requiring written responses, these would be shared with the Mayor and the Cabinet for approval and it would be highlighted in the responses circulated, whether these were officer or Cabinet responses.

Council Agreed.

### **Liberal Democrat Group Objection**

An objection was then moved by Councillor M J Huscroft and seconded by Councillor D Ord, as set out in Appendix 2 to these minutes.

Members asked questions on the Liberal Democrat Group objection. The objection was then debated.

The objection, on being put to the meeting, was approved by 5 votes to 0 votes.

### **Labour Group Objection**

An objection was then moved by Councillor J M Allan and seconded by Councillor N Redfearn, as set out in Appendix 3 to these minutes.

Members asked questions on the Labour Group objection. The objection was then debated.

The objection, on being put to the meeting, was approved by 36 votes to 1 vote.

The Chair informed Council that the Elected Mayor was now required to consult with Cabinet and reconsider her proposals taking into account the approved objections. An extraordinary Cabinet meeting had been scheduled to take place on 4 March 2013 for this purpose. A further Council meeting would then take place on 5 March 2013. If any proposal of the full Council did not accord with the Cabinet's proposals, then the Cabinet's proposals would prevail at the meeting on 5 March 2013 unless a two thirds majority of Members present voted to impose full Council's own proposals.

### **C152/02/12 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.