

Local Government Act 1972

Borough of North Tyneside

16 May 2013

At the meeting of the Council of the Borough of North Tyneside duly convened and held on Thursday 16 May 2013 at 6.00 pm in The Chamber at Quadrant as the Annual Meeting for the year 2013/14 at which a quorum of Members were present, that is to say: -

Present

Councillor F Lott (In the Chair)
N Redfearn (Elected Mayor)

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

C01/05/13 Election of Chair

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

<u>Nominee</u>	<u>Proposer</u>	<u>Seconder</u>
Councillor Janet Hunter	Councillor P Oliver	Councillor J Harrison

50 votes were cast for Councillor Janet Hunter and 0 votes against.

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

C02/05/13 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 Janet Hunter in the Chair).

C03/05/13 Election of Deputy Chair

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

<u>Nominee</u>	<u>Proposer</u>	<u>Seconder</u>
Councillor T Mulvenna	Councillor B Burdis	Councillor C Gambling

51 votes were cast for Councillor T Mulvenna and 0 votes against.

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

C04/05/12 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.

(At this stage the Council adjourned to allow the newly elected Chair and Deputy Chair to receive their chains of office and return to the Council Chamber).

C05/05/12 Vote of Thanks to the Retiring Chair and Chair's Consort

It was moved by Councillor B Pickard and seconded by Councillor D Corkey that:

- '(1) the best thanks of this Council be presented to Councillor F Lott for the admirable manner in which he has discharged the duties devolved upon him as Chair of the Council and for the unvarying courtesy and impartiality displayed by him when presiding over the deliberations of the Council; and

- (2) the best of thanks be also conveyed to Chair's Consort Mrs Wendy Lott for the pleasing manner in which she has performed the many functions appertaining to the position of Chair's Consort of the Borough.'

The Chair paid tribute to the work of the retiring Chair and Chair's Consort during their year of office.

The Chair then presented a commemorative medallion to Councillor Lott.

The retiring Chair addressed the meeting in response to the vote of thanks. He had been honoured to hold the office of Chair and referred to the many memorable events he had attended during his term of office. He thanked both his wife and Norma Redfearn in their role of Chair's Consort, and staff who had supported him throughout the year. He made reference to the Chair's charity which had raised £4,300 to be donated to the Macmillan Cancer Support Trust, and the Alan Shearer Foundation.

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

C06/05/13 Apologies

Apologies for absence were received from Councillor J Munby.

C07/05/13 Declarations of Interest

There were no declarations of interest reported in respect of any item of business at this meeting.

C08/05/13 Minutes

Resolved that the minutes of the meeting held on 14 March and reconvened on 21 March 2013, be taken as read and confirmed and signed by the Chair.

C09/05/13 Mayoral Election – 2 May 2013 – Return of Elected Mayor

The Council received the following return of Mayor elected on 2 May 2013.

<u>Name</u>	<u>Address</u>
Redfearn, Norma	24 Neasdon Crescent, North Shields, NE30 2TP

The Chair congratulated Norma Redfearn on her election as Mayor.

C10/05/13 Address by the Mayor – Cabinet Composition and Delegation Scheme

The Mayor began by extending her personal thanks to the retiring Chair and his Consort, and congratulated the Chair and Deputy Chair for their appointments and wished them a very successful and enjoyable year.

The Mayor circulated a schedule which outlined the new Cabinet Membership, the portfolios and key areas of areas of responsibility which would be held by each Member of Cabinet. The schedule also gave details of how executive decision making would be managed.

The Cabinet would consist of 9 councillors and the Elected Mayor, as shown below.

The Mayor indicated that rather than providing a verbal update at each Council meeting, instead she would provide a written report on any relevant announcements.

Cabinet Member/ Portfolio	Key Areas of Responsibility
Norma Redfearn Elected Mayor	<ul style="list-style-type: none"> • Corporate/Regional/External relations - Corporate Services • LA7/Combined Authorities • NELEP • PCC • Government and Regeneration
Councillor Bruce Pickard Deputy Mayor	<ul style="list-style-type: none"> • Performance Management • Change Efficiency Programme • Human Resources
Councillor Ray Glindon Cabinet Member responsible for Finance and Resources	<ul style="list-style-type: none"> • Revenue and Capital Budgets and Plans • (Balfour Beatty Partnership –all services) • Audit and Risk Management Services (shared service with Northumberland County Council)
Councillor Frank Lott Cabinet Member responsible for Economic Development	<ul style="list-style-type: none"> • Inward Investment • Job Creation • Business Support • Strategic Transport and Highways
Councillor Lesley Spillard Cabinet Member responsible for Adult Social Care	<ul style="list-style-type: none"> • Health and Well Being • Adult Social Care • Public Health • Older People's Champion
Councillor John Harrison Cabinet Member responsible for Housing and Environment	<ul style="list-style-type: none"> • Housing Strategy • Housing Revenue Account • (Kier Joint Venture) • Environmental Operational Services (including Fleet Management) • Waste • Street Lighting • (Capita Symonds Partnership –all services) • Emergency Response
Councillor Eddie Darke Cabinet Member responsible for Leisure, Culture and Tourism	<ul style="list-style-type: none"> • Sports Provision Parks • Cultural Facilities • (including Playhouse Agreement)

Cabinet Member/ Portfolio	Key Areas of Responsibility
Councillor Carole Gambling Cabinet Member responsible for Community Engagement	<ul style="list-style-type: none"> • Community Voluntary Sector • Community Engagement • Community Safety and Emergency Planning (community resilience role)
Councillor Ian Grayson Cabinet Member responsible for Children, Young People and Learning	<ul style="list-style-type: none"> • Schools • Youth Provision • Early Years • Adult Learning and Skills • Children's Social Care and Well Being
Councillor John Stirling Cabinet Member responsible for Sustainable Development	<ul style="list-style-type: none"> • Climate Change Strategy • Carbon Footprint Strategy • Biodiversity and Green Plan

The schedule outlined the Mayor's proposed approach to managing executive decision making, which included her initial delegation scheme of Executive Decision Making to Cabinet Members.

The following decisions would be delegated to Cabinet Members in 2013/14:

- Approving the Council's response to government consultation papers
- Approval of service specific plans
- Debt write-off up to £50,000 (Cabinet Member with responsibility for Finance and Resources)
- To approve responses to regional strategies that impact on the Borough
- To approve any proposals directly related to the delivery of objectives in the approved Strategic Council Plan

Executive decision making on other matters not listed above would, except in exceptional (urgent) circumstances, be taken by Cabinet collectively.

C11/05/13 Notification of Leaders of Political Groups

1. It was reported that Councillor J Allan had been appointed as Leader of the Labour Group.
2. It was reported that Councillor Mrs J Wallace had been appointed as Leader of the Conservative Group.
3. It was reported that Councillor N J Huscroft had been appointed as Leader of the Liberal Democrat Group.

C12/05/13 Notification of Deputy Leaders of Political Groups

1. It was reported that Councillor B Pickard had been appointed as Deputy Leader of the Labour Group.
2. It was reported that Councillor D Lilly had been appointed as Deputy Leader of the Conservative Group.
3. It was reported that Councillor D Ord had been appointed as Deputy Leader of the Liberal Democrat Group.

C13/05/13 Health and Wellbeing Governance

The Council received a report which detailed proposals for the future operation of the Council's Health and Wellbeing Board and health scrutiny functions following the coming into force on 1 April 2013 of various elements of the Health and Social Care Act 2012.

At its meeting on 14 March 2013, the Council had approved the establishment of the Health and Wellbeing Board on an interim basis and to delay final determination of its membership, terms of reference and procedural rules pending consultation with relevant stakeholders and further consideration of recently published regulations and guidance.

The report outlined the key features of the Board, highlighted those areas which had been subject to consultation and, in the light of the responses received during the consultation, set out proposals to determine the Board's membership, terms of reference and procedural rules.

The report also outlined new arrangements for local authorities to review and scrutinise matters relating to the planning, provision and operation of the health service in their area.

It was moved by Councillor L Spillard and seconded by Councillor J Allan that:

"Council:

- (1) approves the Health and Wellbeing Board's Articles, Terms of Reference and Rules of Procedure as set out in Appendices A, B and C to this report;
- (2) invites the Health and Wellbeing Board to review its membership at its first meeting and appoint any such other persons to be members of the Board as it thinks appropriate;
- (3) directs that only the Elected Mayor and/or Councillors serving as Members of the Health and Wellbeing Board may vote at its meetings, subject to consultation with the Board; and
- (4) delegates the local authority's health scrutiny functions, including the power of referral to the Secretary of State, to the existing Adult Social Care, Health and Wellbeing Sub Committee."

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

C14/05/13 Appointment of Committees/Sub Committees 2013/14

The Council was requested to consider the appointment of committees and sub committees for 2013/14 and associated matters.

It was moved by Councillor J Allan and seconded by Councillor B Pickard that:

“(1) The following Committees/Sub Committees be appointed for the Municipal Year 2013/14 on the basis of the number of seats indicated:

<u>Committee/Sub-Committee</u>	<u>No of Seats</u>
Adult Social Care, Health and Wellbeing Sub-Committee	12
Appeals and Complaints Committee	15
Appointments and Disciplinary Committee	7
Audit Committee	9
	(7 elected/2 independent)
Children, Education and Skills Sub-Committee	12
Economic Prosperity and Housing Sub-Committee	12
Environment and Culture Sub-Committee	12
Finance Sub-Committee	7
Governance Committee	9
Licensing Committee	15
Outside Bodies Committee	7
Overview and Scrutiny Committee	15
Planning Committee	15
Regulation and Review Committee	15
Tenancies Committee	7

(2) The allocation of seats to political groups on each of the Committees/Sub Committees be as follows and the leaders of the political groups inform the Head of Law and Governance of their respective groups' nominations of members to each Committee/Sub Committee, the Constitution Task Group and the Members Support Group by 12 noon on Friday 17 May 2013;

	Total Seats	Labour	Conservative	Liberal Democrat
Committee/Sub-Committee		<i>Seats</i>	<i>Seats</i>	<i>Seats</i>
Adult Social Care, Health & Wellbeing Sub-Committee	12	8	3	1
Appeals and Complaints Committee	15	11	3	1
Appointments and Disciplinary Committee	7	5	1	1
Audit Committee	7	5	1	1
Children, Education and Skills Sub-Committee	12	9	2	1
Economic Prosperity and Housing Sub-Committee	12	9	2	1
Environment and Culture Sub-Committee	12	8	3	1

	Total Seats	Labour	Conservative	Liberal Democrat
Committee/Sub- Committee		<i>Seats</i>	<i>Seats</i>	<i>Seats</i>
Finance Sub-Committee	7	5	1	1
Governance Committee	9	6	2	1
Licensing Committee	15	11	3	1
Outside Bodies Committee	7	5	1	1
Overview and Scrutiny Committee	15	11	3	1
Planning Committee	15	11	3	1
Regulation and Review Committee	15	11	3	1
Tenancies Committee	7	5	2	0
Total	167	120	33	14

(3) the Elected Mayor be recommended to appoint five councillors to the Health and Wellbeing Board, of which three be from the group with the majority of seats on the Council and one each from the minority groups; such nominations be made by the Elected Mayor;

(4) the following nominations for Chairs and Deputy Chairs of Committees/Sub Committees for the 2013/14 municipal year be approved:

<u>Committee/Sub-Committee</u>	<u>Chair</u>	<u>Deputy Chair</u>
Adult Social Care, Health and Wellbeing Sub-Committee	Councillor A Waggott-Fairley	Councillor P Oliver Councillor J Walker
Children, Education and Skills Sub-Committee	Councillor M Madden	Councillor C Davis Councillor P Brooks
Economic Prosperity & Housing Sub-Committee	Councillor S Cox	Councillor A Normand Councillor W Caithness
Environment & Culture Sub-Committee	Councillor B Burdis	Councillor S Day Councillor G Madden
Finance Sub-Committee	Councillor A McMullen	Councillor M Rankin
Appeals and Complaints Committee	Councillor A Cowie	Councillor John Hunter
Governance Committee	Councillor D Corkey	Councillor C Johnson
Licensing Committee	Councillor M Green	Councillor T Mulvenna
Outside Bodies Committee	Councillor A Arkle	Councillor J Pickard
Overview and Scrutiny Committee	Councillor S Graham	Councillor D McGarr
Planning Committee	Councillor J O'Shea	Councillor G Bell
Regulation and Review Committee	Councillor K Osborne	Councillor J Munby
Tenancies Committee	Councillor K A Conroy	Councillor L Darke
Health and Wellbeing Board	N Redfearn, Elected Mayor	Councillor L Spillard

(5) the appointment of Reverend Michael Vine as the Church of England Diocesan representative and the vacancy for a Roman Catholic Diocesan representative on the Overview and Scrutiny Committee be noted.'

An amendment was moved by Councillor Mrs J A Wallace and seconded by Councillor K Barrie that the following nominations for Chairs and Deputy Chairs of Committees/Sub Committees for the 2013/14 municipal year be approved:

<u>Committee/Sub-Committee</u>	<u>Chair</u>	<u>Deputy Chair</u>
Overview and Scrutiny Committee	Councillor L Miller	Councillor D Sarin
Adult Social Care, Health & Wellbeing Sub-Committee	Councillor A Austin	Councillor D Sarin Councillor L Miller
Children, Education & Skills Sub-Committee	Councillor D Lilly	Councillor P McIntyre Councillor D Sarin
Economic Prosperity and Housing Sub-Committee	Councillor J McLaughlin	Councillor G Westwater Councillor P Mason
Environment and Culture Sub-Committee	Councillor G Westwater	Councillor P McIntyre Councillor S Mortimer
Finance Sub-Committee	Councillor J Wallace	Councillor L Miller
Appeals and Complaints Committee	Councillor D Lilly	Councillor Austin
Governance Committee	Councillor P Mason	Councillor J McLaughlin
Licensing Committee	Councillor J Wallace	Councillor K Barrie
Outside Bodies Committee	Councillor S Mortimer	
Planning Committee	Councillor E Hodson	Councillor S Mortimer
Regulation and Review Committee	Councillor K Barrie	Councillor E Hodson
Tenancies Committee	Councillor D Sarin	
Health and Wellbeing Board		Councillor J Wallace

The amendment, on being put to the meeting, was defeated by 42 votes to 12 votes.

The motion, on being put to the meeting, was approved by 42 votes to 12 votes.

It was noted that in accordance with the Council's practice, the Elected Mayor would be Chair of the Appointments and Disciplinary Committee.

C15/05/13 Appointment of Chair of the Audit Committee

The Council was requested to determine the appointment of the Chair of the Audit Committee.

It was moved by Councillor R Glindon and seconded by Councillor J Stirling that:

"Council approves the appointment of Mr Stephen Watson as Chair of the Audit Committee."

An amendment was moved by Councillor J Allan and seconded by Councillor B Pickard that:

"the position of Independent Chair of the Audit Committee be publicly advertised to enable greater transparency in the appointments process."

The amendment, on being put to the meeting, was approved by 41 votes to 15 votes.

The motion, as amended, on being put to the meeting, was approved by 42 votes to 15 votes.

C16/05/13 Annual Review of the Constitution

Councillor J Allan, Chair of the Constitution Task Group informed the Council that the All Party Task Group had met on several occasions to carry out an in-depth review of the main Constitution, the Protocols, Contract Standing Orders, Financial Regulations and the Officer Delegation Scheme and that a final meeting of the Task Group was due to be held within the next 2 weeks.

It was moved by Councillor J Allan and seconded by Councillor L Spillard that:

“consideration of the Constitution Review be deferred until the next Council meeting to enable the Task Group to complete the review.”

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

C17/05/13 Review of Policy Framework

In introducing this item, the Elected Mayor explained that in accordance with the Constitution, the Council at its Annual Meeting was requested to determine the content of the Policy Framework for the coming year in respect of those plans and strategies that the Council had discretion to adopt. However, it was her intention to carry out a full review of the Framework prior to its submission to Council. In the meantime, the existing Policy Framework would continue to apply.

It was moved by the Elected Mayor and seconded by Councillor B Pickard that:

“Council defers consideration of the Policy Framework to enable a full review of the Framework to be undertaken and reported to a future Council meeting.”

The motion, on being put to the meeting, was approved by 41 votes to 2 votes.

C18/05/13 Programme of Meetings 2013/14

The Council received a report which presented a revised draft programme of Council and Committee meetings for the 2013/14 municipal year. Details of dates of Cabinet meetings in 2013-14 had been circulated separately to all Members for information.

It was moved by the Elected Mayor and seconded by Councillor B Pickard that:

“Council: (1) agrees the programme of meetings for 2013/14, as set out in Appendix A to the report; and
(2) agrees that the meetings of the full Council proposed for 25 July 2013, 28 November 2013 and 13 March 2014 be those at which questions will be taken from members of the public.”

An amendment was moved and duly seconded that:

“The first meeting of each of the Council’s committees for 2013/14 commence at 6.00 pm, in consultation with the Chair, and thereafter should be at the discretion of each Committee.”

The motion, as amended, on being put to the meeting, was unanimously agreed.

Members were advised that a report would be submitted to Council to consider a revised date for the Annual Council meeting in 2014, if necessary, depending on whether a combined European and Local Election was to be held in 2014 and if so, the date of such election.

C19/05/13 Annual Overview and Scrutiny Report 2012/13

The Council received the Annual Scrutiny Report which summarised the work undertaken by Overview and Scrutiny and its key achievements during 2012/13.

In presenting the report, the Chair of the Overview and Scrutiny Committee for 2012/13, Councillor B Pickard thanked everybody who had been involved in the Overview and Scrutiny process in the past year.

In his new role as Deputy Mayor, he looked forward to working with Overview and Scrutiny in a constructive way, particularly in supporting policy development.

The Council received the report.

C20/05/13 Governance Committee – Annual Report and Action Plan

The Council received a report setting out the work of the Governance Committee from its creation on 1 July 2012 to 31 March 2013 and the action plan/work programme of the Committee for 2013/14.

It was moved by Councillor T Mulvenna and seconded by Councillor C Johnson that:

“Council notes and receives the Annual Report/Work Programme of the Governance Committee for 2013/14.”

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

C21/05/12 Chair’s Announcements

The Chair informed Council that she intended to announce only important matters at Council meetings; however she would produce a diary of events to be posted on the Council’s website.

C22/05/12 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.