

**Local Government Act 1972**

**Borough of North Tyneside**

**21 May 2015**

At the meeting of the Council of the Borough of North Tyneside duly convened and held on Thursday 21 May 2015 at 6.00 pm in The Chamber at Quadrant as the Annual Meeting for the year 2015/16 at which a quorum of Members were present, that is to say: -

Present

Councillor T Mulvenna (In the Chair)  
N Redfearn (Elected Mayor)

Councillor J M Allan	Councillor John Hunter
Councillor A Arkle	Councillor M Huscroft
Councillor Mrs A Austin	Councillor N J Huscroft
Councillor K Barrie	Councillor C Johnson
Councillor G Bell	Councillor D Lilly
Councillor L Bell	Councillor F Lott
Councillor K L Bolger	Councillor W Lott
Councillor P J Brooks	Councillor P Mason
Councillor B Burdis	Councillor D McGarr
Councillor CA Burdis	Councillor Mrs P McIntyre
Councillor J Cassidy	Councillor D McMeekan
Councillor K A Clark	Councillor L J Miller
Councillor SL Cox	Councillor Mrs S E Mortimer
Councillor EN Darke	Councillor A Newman
Councillor L Darke	Councillor P Oliver
Councillor C Davis	Councillor K Osborne
Councillor S Day	Councillor J O'Shea
Councillor D Drummond	Councillor N A Percy
Councillor P Earley	Councillor C B Pickard
Councillor R Glindon	Councillor J Pickard
Councillor S Graham	Councillor M G Rankin
Councillor M A Green	Councillor M Reynolds
Councillor M Hall	Councillor L A Spillard
Councillor J L L Harrison	Councillor J Stirling
Councillor E F J Hodson	Councillor M B Thirlaway
Councillor Janet Hunter	Councillor J I Walker
	Councillor Mrs J A Wallace

In attendance via Skype in a non-voting capacity: Councillor J Munby

**C01/05/15 Former Councillor Stephen King**

The Chair informed Council that Stephen King, a former Councillor for North Tyneside Council representing the former Seatonville Ward from 1995 to 1999, had died recently. Members and officers stood in silence as a mark of respect.

**C02/05/15 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 G Bell	Councillor L Darke	Councillor C Johnson

The nomination was approved unanimously.

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

**C03/05/15 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 G Bell in the Chair).

**C04/05/15 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 D McGarr	Councillor C Johnson	Councillor L Spillard

The nomination was approved unanimously.

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

**C05/05/15 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).

### **C06/05/15 Vote of Thanks to the Retiring Chair and Chair's Consort**

It was moved by Councillor C Burdis and seconded by Councillor B Burdis that:

- '(1) the best thanks of this Council be presented to Councillor T Mulvenna 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 the Chair's Consort, Mrs Maureen Mulvenna for the pleasing manner in which she has performed the many functions appertaining to the position of Chair's Consort of the Borough.'

Members from each of the Political Groups associated themselves with the comments made.

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 Mulvenna.

The retiring Chair addressed the meeting in response to the vote of thanks. He had been honoured and privileged to hold the office of Chair and had had a busy, but wonderful year, attending many memorable events, a lot involving young people. He thanked his wife in her role of Chair's Consort, his daughter, Councillor B Burdis and Councillor C Burdis, and staff who had supported him throughout the year. It had given him the opportunity to promote his chosen charities and he was very grateful for the contributions made by staff and Members.

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

### **C07/05/15 Apologies**

Apologies for absence were received from Councillors I Grayson, G Madden, M Madden, A McMullen and A Waggott-Fairley.

### **C08/05/15 Declarations of Interest**

There were no declarations of interest reported.

There were no dispensations in relation to registerable personal interests reported.

### **C09/05/15 Minutes**

**Resolved** that the minutes of the Council meeting held on 12 March 2015 be taken as read and confirmed and signed by the Chair.

### **C10/05/15 Return of Councillors Elected – 7 May 2015**

The Council received the following return of Councillors elected on 7 May 2015.

<u>Name</u>	<u>Ward</u>
Lesley Spillard	Battle Hill
Janet Hunter	Benton
Ray Glindon	Camperdown
Alan Percy	Chirton
Martin Rankin	Collingwood
David McMeekan	Cullercoats
John Harrison	Howdon
Alison Waggott-Fairley	Killingworth
Karen Clark	Longbenton
Paul Mason	Monkseaton North
Davey Drummond	Monkseaton South
Andy Newman	Northumberland
Pamela Brooks	Preston
Wendy Lott	Riverside
Ed Hodson	St Mary's
Karen Bolger	Tynemouth
Carole Burdis	Valley
Matthew Thirlaway	Wallsend
Muriel Green	Weetslade
John O'Shea	Whitley Bay

The Chair welcomed the newly elected Members and those who had been re-elected. He also welcomed those who had been elected again as Members of the Council after a period of absence from service.

The Chair also paid tribute to former Councillor M J Huscroft, who had not made it known prior to the March Council meeting that he was not going to stand for re-election in May, for his services to the Council.

### **C11/05/15 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 on their appointments and wished them a very successful and enjoyable year. She welcomed the consorts and newly elected and re-elected Members to the Meeting.

The Mayor thanked her Cabinet Members and officers for their hard work over the past year in addressing various challenges and in delivering the Our North Tyneside Plan.

The Mayor circulated a schedule which outlined the composition of the Cabinet, and 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 nine councillors and the Elected Mayor, as shown below.

<b>Cabinet Member/ Portfolio</b>	<b>Key Areas of Responsibility</b>
Norma Redfearn Elected Mayor	<ul style="list-style-type: none"> <li>• Corporate/Regional/External relations - Corporate Services</li> <li>• LA7/Combined Authorities</li> <li>• North East Local Enterprise Partnership</li> <li>• Police &amp; Crime Panel</li> <li>• NE Education and Skills Challenge (Chair)</li> <li>• Newcastle Airport</li> <li>• Government and Regeneration</li> <li>• Strategic Property Group (Chair)</li> </ul>
Councillor Bruce Pickard Deputy Mayor	<ul style="list-style-type: none"> <li>• Performance Management</li> <li>• Creating a Brighter Future Programme</li> <li>• Human Resources</li> <li>• Inward Investment – Job Creation, Business Support</li> <li>• Capita Partnership</li> <li>• Strategic Property Group (Deputy Chair)</li> </ul>
Councillor Ray Glendon Cabinet Member responsible for Finance and Resources	<ul style="list-style-type: none"> <li>• Revenue and Capital Budgets and Plans</li> <li>• Treasury Management</li> <li>• Cofely Partnership</li> <li>• Investment Programme Board</li> <li>• Audit and Risk Management Services (shared service with Northumberland County Council)</li> </ul>
Councillor Alison Waggott-Fairley Cabinet Member responsible for Adult Social Care	<ul style="list-style-type: none"> <li>• Adult Social Care</li> <li>• Carers Champion</li> <li>• Older People's Champion</li> </ul>
Councillor Lesley Spillard Cabinet Member responsible for Health and Wellbeing	<ul style="list-style-type: none"> <li>• Health and Well Being</li> <li>• Public Health</li> <li>• Mental Health</li> </ul>
Councillor John Harrison Cabinet Member responsible for Housing and Transport	<ul style="list-style-type: none"> <li>• Housing Services</li> <li>• Affordable Homes Delivery Programme</li> <li>• Strategic Transport and Highways (roads, pavements &amp; parking)</li> <li>• Local Plan</li> <li>• Capita Partnership – day to day services</li> <li>• Emergency Planning and Response</li> </ul>
Councillor Eddie Darke Cabinet Member responsible for Leisure, Culture and Tourism	<ul style="list-style-type: none"> <li>• Sports and Leisure</li> <li>• Parks Strategy</li> <li>• Cultural Services</li> <li>• Community and Customer First Centres</li> <li>• Tourism</li> </ul>

<b>Cabinet Member/ Portfolio</b>	<b>Key Areas of Responsibility</b>
Councillor Carole Burdis Cabinet Member responsible for Community Engagement	<ul style="list-style-type: none"> <li>• Community Voluntary Sector</li> <li>• Community Engagement</li> <li>• Communications</li> <li>• Marketing</li> <li>• Community Safety</li> <li>• Safer North Tyneside Partnership Board (Chair)</li> </ul>
Councillor Ian Grayson Cabinet Member responsible for Children, Young People and Learning	<ul style="list-style-type: none"> <li>• Schools</li> <li>• Youth Provision</li> <li>• Early Years</li> <li>• Adult Learning and Skills</li> <li>• Children's Social Care and Well Being</li> </ul>
Councillor John Stirling Cabinet Member responsible for Environment	<ul style="list-style-type: none"> <li>• Local Environmental Services</li> <li>• Carbon Reduction Strategy</li> <li>• Biodiversity Action Plan</li> <li>• Waste and Recycling Strategy</li> <li>• Street Lighting</li> </ul>

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

The following decisions would be delegated to Cabinet Members in 2015/16:

- a) Approving the Council's response to government consultation papers;
- b) Approval of service specific plans;
- c) Debt write-off up to £50,000 (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 Housing and Transport);
- f) To consider any objections received, but not withdrawn, in relation to the proposed construction of road humps (Cabinet Member with responsibility for Housing and Transport);
- g) To approve any proposals directly related to the delivery of objectives in the approved Our North Tyneside Plan.

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

Any decisions taken by Cabinet Members would have to comply with many of the same good governance requirements that would 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.

### **C12/05/15 Notification of Leaders of Political Groups**

1. It was reported that N Redfearn 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 the role of Leader of the Liberal Democrat Group would be shared between Councillor N J Huscroft and Councillor M Huscroft.

### **C13/05/15 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 that the Liberal Democrat Group had not appointed a Deputy Leader.

### **C14/05/15 Appointment of Committees/Sub Committees, Allocation of Seats on Committees/Sub Committees to Political Groups and Appointment of Chairs and Deputy Chairs of Committees/Sub Committees 2015/16**

The Council was requested to consider the appointment of committees and sub committees for 2015/16 and associated matters.

It was moved by Councillor B Pickard and seconded by Councillor J O'Shea that:

'(1) The following Committees/Sub Committees be appointed for the Municipal Year 2015/16 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
Culture and Leisure Sub-Committee	12
Economic Prosperity Sub-Committee	12
Environment Sub-Committee	12
Finance Sub-Committee	7
Housing Sub-Committee	12
Licensing Committee	15

<u>Committee/Sub-Committee</u>	<u>No of Seats</u>
Outside Bodies Committee	7
Overview, Scrutiny and Policy Development Committee	15
Planning Committee	15
Regulation and Review Committee	15
Standards Committee	9

(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 by 12 noon on Friday 22 May 2015;

	<b>Total Seats</b>	<b>Labour Seats</b>	<b>Conservative Seats</b>	<b>Liberal Democrat Seats</b>
<b>Committee/Sub-Committee</b>				
Overview, Scrutiny and Policy Development Committee	15	12	2	1
Adult Social Care, Health & Wellbeing Sub-Committee	12	10	2	0
Appeals and Complaints Committee	15	12	2	1
Appointments and Disciplinary Committee	7	6	1	0
Audit Committee	7	6	1	0
Children, Education and Skills Sub-Committee	12	10	2	0
Culture and Leisure Sub-Committee	12	10	2	0
Economic Prosperity Sub-Committee	12	10	2	0
Environment Sub-Committee	12	10	2	0
Finance Sub-Committee	7	6	1	0
Housing Sub-Committee	12	10	2	0
Licensing Committee	15	12	2	1
Outside Bodies Committee	7	6	1	0
Planning Committee	15	12	2	1
Regulation and Review Committee	15	12	2	1
Standards Committee	9	7	1	1
<b>Total</b>	<b>184</b>	<b>151</b>	<b>27</b>	<b>6</b>

(3) the following nominations for Chairs and Deputy Chairs of Committees/Sub Committees for the 2015/16 Municipal Year be approved:



<u>Committee/Sub-Committee</u>	<u>Chair</u>	<u>Deputy Chair</u>
Overview, Scrutiny and Policy Development Committee	Councillor S Graham	Councillor J O'Shea
Adult Social Care, Health and Well-Being Sub-Committee	Councillor P Brooks	Councillor K Clark
Children, Education and Skills Sub-Committee	Councillor M Madden	Councillor G Madden
Culture and Leisure Sub-Committee	Councillor S Day	Councillor J Cassidy
Economic Prosperity Sub-Committee	Councillor Janet Hunter	Councillor J Walker
Environment Sub-Committee	Councillor B Burdis	Councillor L Bell
Finance Sub-Committee	Councillor A McMullen	Councillor M Rankin
Housing Sub-Committee	Councillor S Cox	Councillor L Darke
Appeals and Complaints Committee	Councillor C Davis	Councillor John Hunter
Health and Wellbeing Board	Councillor L Spillard	Councillor A Waggott-Fairley
Licensing Committee	Councillor M Green	Councillor W Lott
Outside Bodies Committee	Councillor A Arkle	Councillor J Pickard
Planning Committee	Councillor T Mulvenna	Councillor F Lott
Regulation and Review Committee	Councillor K Osborne	Councillor J Munby
Standards Committee	Councillor C Johnson	Councillor P Earley

(4) the appointment of Mr Kevin Robinson and Mr Malcolm Wilkinson as the two co-opted members on the Audit Committee for a further two year period (expiring September 2017) be approved;

(5) the appointment of Reverend Michael Vine as the Church of England Diocesan representative and Mr Gerry O'Hanlon as the Roman Catholic Diocesan representative on the Overview, Scrutiny and Policy Development Committee be noted; and

(6) it be noted that the Elected Mayor will appoint at least one Councillor onto the Health and Well-Being Board for the 2015/16 Municipal Year'.

An amendment was moved by Councillor Mrs J A Wallace and seconded by Councillor D Lilly as follows:

'the following nominations for Chairs and Deputy Chairs of Committees/Sub Committees for the 2015/16 Municipal Year be approved:

<u>Committee/Sub-Committee</u>	<u>Chair</u>	<u>Deputy Chair</u>
Overview, Scrutiny and Policy Development Committee	Councillor L Miller	Councillor D Lilly
Adult Social Care, Health and Well-Being Sub-Committee	Councillor Mrs A Austin	Councillor Mrs P McIntyre
Children, Education and Skills Sub-Committee	Councillor D Lilly	Councillor Mrs JA Wallace
Culture and Leisure Sub-Committee	Councillor Mrs A Austin	Councillor K Barrie
Economic Prosperity Sub-Committee	Councillor K Barrie	Councillor Mrs S E Mortimer
Environment Sub-Committee	Councillor Mrs P McIntyre	Councillor Mrs A Austin
Finance Sub-Committee	Councillor Mrs JA Wallace	Councillor L Miller
Housing Sub-Committee	Councillor Mrs SE Mortimer	Councillor Mrs J Wallace
Appeals and Complaints Committee	Councillor P Mason	Councillor E Hodson
Licensing Committee	Councillor Mrs JA Wallace	Councillor Mrs SE Mortimer
Outside Bodies Committee	Councillor P Mason	Councillor Mrs P McIntyre
Planning Committee	Councillor Mrs SE Mortimer	Councillor P Mason
Regulation and Review Committee	Councillor E Hodson	Councillor K Barrie
Standards Committee	Councillor P Mason	Councillor D Lilly'

The amendment, on being put to the meeting, was defeated by 44 votes to 8 votes.

The motion, on being put to the meeting, was approved by 44 votes to 8 votes.

## **C15/05/15 Annual Review of the Constitution**

The Council received a report that was submitted as result of the annual review of the Constitution and associated documents undertaken by the Monitoring Officer. The report contained a number of recommendations on proposed amendments to the Constitution and the Officer Delegation Scheme, to ensure it continued to achieve its purpose as set out in Article 1.

Since the previous in depth review of the Constitution approved by the Council on 26 September 2013, some further issues had been drawn to the attention of the Monitoring Officer for consideration as part of the annual review of the Constitution.

The specific objectives of the annual review had been:

- (a) to ensure the Constitution reflected all current statutory requirements and, where appropriate, current practice; and
- (b) to process any suggested changes to the Officer Delegation Scheme.

The Senior Management Team and Members of the Council had been requested to submit any proposed amendments to the Constitution and associated documents as part of the review. Any proposals put forward had been considered by the Constitution Task Group at its meeting on 22 April 2015.

Appendix A to the report detailed the proposed changes to the Constitution and Appendix B the proposed changes to the Officer Delegation Scheme, which had been approved by the Constitution Task Group and were submitted for Council's approval.

The Constitution and associated documents would continue 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 Head of Law and Governance, in consultation with the Chair of the Constitution Task Group, to make such changes when the power remained unaltered and these were not required to be reported to Council.

It was moved by Councillor T Mulvenna and seconded by Councillor B Pickard that:

'Council approves the proposed changes to the Constitution and the Officer Delegation Scheme, as set out in Appendices A and B to the report, with the exception of the draft protocol on the use of social media by Members which is to be referred to the Members Support Group for further consideration prior to coming back to full Council, and the appropriate changes be referred to the Elected Mayor for her consent in accordance with Article 15 of the Constitution'.

The motion, on being put to the meeting, was approved by 53 votes to 0 votes.

## **C16/05/15 Freedom of the Borough Nominations**

A report was considered which requested Council's consideration of a nomination proposed for the award of Freedom of the Borough.

In accordance with the Authority's procedure for the award of the Freedom of the Borough, the Overview, Scrutiny and Policy Development Committee had received a report at its

meeting on 30 March 2015 and had agreed to recommend the nomination of Tynemouth Volunteer Life Brigade to Council for consideration.

The nomination for Tynemouth Volunteer Life Brigade had been proposed by Councillor T Mulvenna, seconded by N Redfearn (Elected Mayor) and supported by Councillors G Bell, L Bell, S Day and C Johnson.

Supporting information was detailed in the report in relation to the above nomination.

The Council was asked to consider the nomination taking into account the provisions of section 249 of the Local Government Act 1972, which permitted the Council to admit to be honorary freemen persons of distinction and persons who had, in the opinion of the Council, rendered eminent services to the Borough. Any decision to admit the nominee was required to be approved by not less than two thirds of members voting thereon at the Council meeting.

It was moved by Councillor T Mulvenna and seconded by Norma Redfearn, Elected Mayor that:

‘Tynemouth Volunteer Life Brigade be awarded the Freedom of the Borough of North Tyneside.’

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

#### **C17/05/15 Annual Overview and Scrutiny Report 2014/15**

The Council received the Annual Scrutiny Report which summarised the work undertaken by Overview and Scrutiny and its key achievements during 2014/15.

In presenting the report, the Chair of the Overview, Scrutiny and Policy Development Committee for 2014/15, Councillor S Graham thanked everybody who had been involved in the Overview and Scrutiny process in the past year and encouraged Members from all political groups to continue to participate in the Scrutiny process in the coming year.

The Council received the report.

#### **C18/05/15 Standards Committee Annual Report 2014/15**

The Council received the Standards Committee Annual Report which outlined the work undertaken by the Committee during 2014/15.

In presenting the report, the Chair of the Standards Committee for 2014/15, Councillor C Johnson thanked the Committee Members, the Authority’s Independent Persons (Standards) and Officers who he had worked with over the past year.

It was moved by Councillor C Johnson and seconded by Councillor P Earley that:

“The Standards Committee’s Annual Report 2014/15 be received.”

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

**C19/05/15 Chair's Announcements**

The Chair announced his charities for the year ahead, which were the Tynemouth Volunteer Life Brigade, LD North East and Forward Assist.

The Chair brought to Members' attention the briefing note circulated on 13 May 2015 by the Head of Law and Governance to all Members of the Council setting out the process for submitting Council questions and motions on notice. Members were encouraged to seek advice in good time from legal services on the formulation of questions and motions prior their formal submission. A further copy of the briefing note was circulated around the Chamber.

**C20/05/15 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.