

## **Local Government Act 1972**

### **Borough of North Tyneside**

**19 May 2016**

At the meeting of the Council of the Borough of North Tyneside duly convened and held on Thursday 19 May 2016 at 6.00 pm in The Chamber at Quadrant as the Annual Meeting for the year 2016/17 at which a quorum of Members were present, that is to say: -

#### Present

Councillor G Bell (In the Chair)  
N Redfearn (Elected Mayor)

Councillor J Allan	Councillor M Huscroft
Councillor A Arkle	Councillor C Johnson
Councillor A Austin	Councillor K Lee
Councillor K Barrie	Councillor F Lott
Councillor L Bell	Councillor W Lott
Councillor K Bolger	Councillor G Madden
Councillor B Burdis	Councillor M Madden
Councillor C A Burdis	Councillor P Mason
Councillor J Cassidy	Councillor D McGarr
Councillor K A Clark	Councillor Mrs P McIntyre
Councillor D Cox	Councillor D McMeekan
Councillor S L Cox	Councillor A McMullen
Councillor N Craven	Councillor L Miller
Councillor EN Darke	Councillor T Mulvenna
Councillor L Darke	Councillor A Newman
Councillor C Davis	Councillor P Oliver
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 M Reynolds
Councillor S Graham	Councillor L Spillard
Councillor M A Green	Councillor J Stirling
Councillor M Hall	Councillor M Thirlaway
Councillor J L L Harrison	Councillor A Waggott-Fairley
Councillor E F J Hodson	Councillor J I Walker
Councillor Janet Hunter	Councillor Mrs J A Wallace
Councillor John Hunter	

**C01/05/16 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 D McGarr	Councillor C Johnson	Councillor L Spillard

The nomination was approved by 48 votes to 0 votes.

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

**C02/05/16 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 D McGarr in the Chair).

**C03/05/16 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 C Davis	Councillor K Bolger	Councillor J O’Shea

The nomination was approved by 47 votes to 0 votes.

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

**C04/05/16 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).

**C05/05/16 Vote of Thanks to the Retiring Chair and Chair’s Consort**

It was moved by Councillor L Darke and seconded by Councillor A Waggott-Fairley that:

- ‘(1) the best thanks of this Council be presented to Councillor G Bell 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, Councillor Linda Bell for the pleasing manner in which she has performed the many functions appertaining to the position of Chair's Consort of the Borough.'

Representatives 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 Bell.

The retiring Chair addressed the meeting in response to the vote of thanks.

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

### **C06/05/16 Apologies**

Apologies for absence were received from Councillors P Brooks, I Grayson, N J Huscroft, K Osborne, M Rankin and F Weetman.

### **C07/05/16 Declarations of Interest**

There were no declarations of interest or dispensations in relation to registerable personal interests reported.

### **C08/05/16 Minutes**

With reference to Minute C106/3/16 (Questions by Members of the Council), a Member requested a correction to the Minutes of the Council meeting held on 17 March 2016 to include a statement made at the meeting about a fence on Monkseaton Drive having been put in the wrong place.

The request to correct the Minutes was defeated by 47 votes to 7 votes and it was **Resolved** that the minutes of the Council meeting held on 17 March 2016 be taken as read and confirmed and signed by the Chair.

### **C09/05/16 Return of Councillors Elected – 5 May 2016**

The Council received the following return of Councillors elected on 5 May 2016.

<u>Name</u>	<u>Ward</u>
Carl Johnson	Battle Hill
Pat Oliver	Benton
Jim Allan	Camperdown
John Stirling	Chirton
Debbie Cox	Collingwood
Karen Lee	Cullercoats

<u>Name</u>	<u>Ward</u>
John Hunter	Howdon
Gary Bell	Killingworth
Eddie Darke	Longbenton
Alison Austin	Monkseaton North
Naomi Craven	Monkseaton South
Nigel Huscroft	Northumberland
Cath Davis	Preston
Frank Lott	Riverside
Judith Wallace	St Mary's
Frances Weetman	Tynemouth
Tommy Mulvenna	Valley
Gary Madden	Wallsend
Anthony McMullen	Weetslade
Sandra Graham	Whitley Bay

The Chair welcomed the newly elected and re-elected Members.

### **C10/05/16 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. 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 outlined the various achievements made in the past twelve months.

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 9 councillors and the Elected Mayor, as shown below. The Mayor thanked Councillor Spillard who was stepping down from her role as Cabinet Member for Public Health and Health and Wellbeing and welcomed Councillor M Hall, who would be taking on that portfolio.

<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>

<b>Cabinet Member/ Portfolio</b>	<b>Key Areas of Responsibility</b>
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 Margaret Hall Cabinet Member responsible for Public Health and 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>
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>

<b>Cabinet Member/ Portfolio</b>	<b>Key Areas of Responsibility</b>
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 2016/17:

- 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.

### **C11/05/16 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 Councillor N J Huscroft had been appointed as Leader of the Liberal Democrat Group.

### **C12/05/16 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 A Austin 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.

### **C13/05/16 Annual Review of the Constitution**

The Council received a report 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, the Officer Delegation Scheme and Contract Standing Orders.

The Senior Leadership 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 submitted to the Constitution Task Group for consideration.

The Constitution Task Group had met on 27 April 2017 to consider the changes proposed by for the annual review.

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

The Constitution and associated documents would continue to 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 need not be reported to Council.

In response to a Member's query, it was indicated that further information would be provided to Members on the proposed new delegation to the Head of Commissioning and Investment (item no. 1 in Appendix B to the report), particularly in relation to the types of works to premises tenants would be able to undertake and if any works were excluded

from this arrangement; also the arrangements for inspection of repairs undertaken to ensure they were carried out to an acceptable standard.

It was moved by Councillor J Allan and seconded by Councillor F Lott that:

‘Council approves the proposed changes to the Constitution, the Officer Delegation Scheme and Contract Standing Orders set out in Appendices A, B and C to the report and the approved changes, other than those relating to the operation of Overview and Scrutiny Committees, 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 unanimously approved.

### **C14/05/16 Annual Appointments and Timetable of Meetings 2016/17**

The Council was requested to consider the appointment of committees and sub committees for 2016/17 and associated matters.

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

“(1) The following Committees/Sub Committees be appointed for the Municipal Year 2016/17 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
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
Overview, Scrutiny and Policy Development Committee	15
Planning Committee	15
Regulation and Review Committee	18
Standards Committee	9
Health and Well Being Board (see resolution(5) below)	

(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 20 May 2016:



	<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	13	2	0
Adult Social Care, Health & Wellbeing Sub-Committee	12	10	1	1
Appointments and Disciplinary Committee	7	6	1	0
Audit Committee	7	6	1	0
Children, Education and Skills Sub-Committee	12	11	1	0
Culture and Leisure Sub-Committee	12	10	1	1
Economic Prosperity Sub-Committee	12	10	2	0
Environment Sub-Committee	12	10	1	1
Finance Sub-Committee	7	6	1	0
Housing Sub-Committee	12	10	1	1
Licensing Committee	15	13	2	0
Planning Committee	15	13	2	0
Regulation and Review Committee	18	15	2	1
Standards Committee	9	8	1	0
<b>Total</b>	<b>165</b>	<b>141</b>	<b>19</b>	<b>5</b>

(3) the following nominations for Chairs and Deputy Chairs of Committees/Sub Committees for the 2016/17 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 Allan
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 M Thirlaway
Culture and Leisure Sub-Committee	Councillor S Day	Councillor J Cassidy
Economic Prosperity Sub-Committee	Councillor Janet Hunter	Councillor J Walker

<u>Committee/Sub-Committee</u>	<u>Chair</u>	<u>Deputy Chair</u>
Environment Sub-Committee	Councillor B Burdis	Councillor L Bell
Finance Sub-Committee	Councillor A McMullen	Councillor J O'Shea
Housing Sub-Committee	Councillor S Cox	Councillor A Newman
Health and Wellbeing Board	Councillor M Hall	Councillor A Waggott-Fairley
Licensing Committee	Councillor M Green	Councillor W Lott
Planning Committee	Councillor T Mulvenna	Councillor F Lott
Regulation and Review Committee	Councillor K Osborne	Councillor John Hunter
Standards Committee	Councillor C Johnson	Councillor P Earley

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

(5) it be noted that the Elected Mayor will appoint at least one Councillor onto the Health and Well-Being Board for the 2016/17 Municipal Year;

(6) the appointment of representatives to serve on outside bodies that do not exercise executive functions for the 2016/17 municipal year, as set out in Appendix 1 to these minutes, be approved;

(7) the timetable of meetings for 2016/17, as set out in Appendix 2 to these minutes be approved and it be agreed that each committee, at its first meeting in the new municipal year, will determine its own commencement time and confirm its meeting dates for the year ahead; and

(8) the meetings of the Full Council proposed for 21 July 2016, 24 November 2016 and 23 March 2017 be those at which questions will be taken from members of the public.

The motion, on being put to the meeting, was approved by 45 votes to 0 votes.

### **C15/05/16 Annual Report of Overview and Scrutiny 2015/16**

The Council received the Annual Scrutiny Report which summarised the work undertaken by Overview and Scrutiny and its key achievements during 2015/16.

In presenting the report, the Chair of the Overview, Scrutiny and Policy Development Committee for 2015/16, Councillor S Graham thanked everybody who had been involved in the Overview and Scrutiny process in the past year and encouraged all Members to become involved in the Scrutiny process in the coming year.

The Council received the report.

**C16/05/16 Annual Report of Standards Committee 2015/16**

The Council received the Annual Report of Standards Committee which summarised the work undertaken by the Committee during 2015/16.

In presenting the report, the Chair of the Standards Committee for 2015/16, 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 2015/16 be received.”

The motion, on being put to the meeting, was approved by 45 votes to 0 votes.

**C17/05/16 Chair's Announcements**

The Chair advised Members that this week was Alzheimer's Awareness Week and announced that he would be supporting one of the Alzheimer's charities.

He outlined his approach to chairing the Council meetings in the year ahead and announced that refreshments would not be available in the civic suite after Council meetings.

**C18/05/16 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.