



North Tyneside Council

Standards Sub-Committee

23 August 2018

Friday 7 September 2018, Room 0.09, Ground Floor, Quadrant East, The Silverlink North, Cobalt Business Park, North Tyneside commencing at **10.00am**.

Agenda Item	Page
1. Apologies	
To receive apologies for absence from the meeting.	
2. Appointment of Substitute Members	
To be notified of the appointment of any Substitute Members.	
3. Declarations of Interest	
You are invited to declare any registerable and/or non registerable interests in matters appearing on the agenda, and the nature of that interest.	
You are also invited to disclose any dispensations in relation to any registerable and/or non-registerable interests that have been granted tot you in respect of any matters appearing on the agenda.	
Please complete the Declarations of Interests card available at the meeting and return it to the Democratic Services Officer before leaving the meeting.	

Members of the public are welcome to attend this meeting and receive information about it.

North Tyneside Council wants to make it easier for you to get hold of the information you need. We are able to provide our documents in alternative formats including Braille, audiotape, large print and alternative languages.

For further information please contact Joanne Holmes on (0191) 643 5315.

Cont...

4. Exclusion Resolution

“That under Section 100A(4) of the Local Government Act 1972 (as amended) and having applied a public interest test as defined in Part 2 of Schedule 12A of the Act, the press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act.”

**5. Code of Conduct for Members’ and Co-opted Members –
Complaint NT01.2017-18**

3

To consider a report of the Investigating Officer’s completed investigation into Complaint NT01.2017-18 in accordance with the Authority’s Local Arrangements for dealing with Complaints made under the Code of Conduct for Members’ and Co-opted Members.

Circulated to Members of the Standards Sub-Committee comprising:

Councillor M Rankin (Chair)
Councillor K Lee
Councillor P Mason

Also circulated to:

Ms L Watson, Senior Manager, Legal Services and Information Governance and Monitoring Officer
Ms O Dutton, Investigating Officer
Mr G Clark, Independent Person
Ms S Gardner, Independent Person

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North Tyneside Council

Report to Standards Sub-Committee

Date: 7 September 2018

ITEM 5

Title: Standards Sub-Committee Hearing into Allegation of Breach of the Members' Code of Conduct

Report Authors: Louise Watson (Tel: 0191 643 5325)
Senior Manager Legal Services and
Information Governance and Monitoring
Officer

Wards affected: ALL

1.0 Purpose of Report

- 1.1 To present a report of the Investigating Officer in relation to an alleged breach of the Members' Code of Conduct in relation to Complaint NT01.2017-18.

2.0 Recommendation(s)

- (1) The Standards Sub-Committee is required to decide whether the Member, against whom the allegations have been made, has breached the Code of Conduct; and
- (2) If a breach is found, to determine what, if any, sanction should be imposed.

3.0 Information

- 3.1 The Standards Sub-Committee is required to consider the completed investigation report from the Investigating Officer in respect of the following complaint: NT01.2017-18
- 3.2 In considering the Investigating Officer's report the Sub-Committee will be required to determine whether or not the Member has failed to follow the Council's adopted Members' Code of Conduct and, if so, what penalty should be applied, if any.
- 3.3 The Sub-Committee should act in an inquisitorial manner, rather than an adversarial manner, seeking the truth in relation to the conduct of the Member on the balance of the information available to it, and may commission further investigation or information if it needs to do so in order to come to a decision. The Sub-Committee's role is governed by the Authority Local Arrangements for dealing with Complaints against Members.
- 3.4 Attached as Appendix A is the Procedure to be followed for the Hearing.
- 3.5 Attached as Appendix B is the Pre-Hearing Process Summary in relation to complaint NT01.2017-18.
- 3.6 Attached as Appendix C is the Investigating Officer's report in relation to Complaint NT01.2017-18

4.0 Appendices (if any)

Appendix A - Hearing Procedure
Appendix B - Pre-Hearing Process Summary
Appendix C - Investigating Officer's Report

5.0 Background Information

North Tyneside Council Constitution
North Tyneside Council Members' Code of Conduct

Appendix A - Hearing Procedure

Procedure for Standards Hearings

1. Introduction

This Appendix details the procedure to be adopted for the hearing of complaints by the Standards Committee or Standards Sub-Committee ('the Standards Committee') of North Tyneside Council where an investigation has been completed.

The person(s) making the complaint will be referred to in this procedure as the Complainant and the person against whom the complaint is made will be referred to as the Member.

The Investigating Officer means the Monitoring Officer or other person appointed by the Monitoring Officer to conduct a local investigation in relation to a matter referred to the Monitoring Officer for local investigation.

References to Monitoring Officer include any other person appointed by the Monitoring Officer to carry out the functions of the Monitoring Officer.

The Chair of the Standards Committee's primary responsibility is to ensure that a hearing is conducted in a fair yet timely manner and to minimise delay in reaching a decision on a complaint. The Chair of the Standards Committee may decide that a hearing of a complaint will proceed in the absence of a relevant party where the Chair is of the view that it is proper to proceed and to prevent unreasonable delay.

2. Legal Advice to the Standards Committee

Where the Monitoring Officer also takes the role of the Investigating Officer, he/she must arrange for a separate legal adviser for the Standards Committee in respect of the allegation.

3. Notifying the Member and Complainant

The Monitoring Officer shall send a copy of the Investigating Officer's final report to the Member, the Complainant and the Independent Persons.

The Monitoring Officer will ask for a written response from the Member within 14 days, stating whether or not s/he:

- disagrees with any of the findings of fact in the report, including the reasons for any disagreements;
- wants to be represented, at his/her own expense, at the hearing by a solicitor, barrister or any other person;
- wants to give evidence to the Standards Committee, either verbally or in writing;
- wants to call relevant witnesses to give evidence to the Standards Committee;
- wants any part of the hearing to be held in private;

- wants any part of the report or other relevant documents to be withheld from the public

The Monitoring Officer will also inform the Member that if, at the meeting of the Standards Committee, s/he seeks to dispute any matter contained in the report, without having previously notified his/her intention to do so, the Standards Committee may either adjourn the meeting to enable the Investigating Officer to provide a response, or refuse to allow the disputed matter to be raised.

The Monitoring Officer will also seek the views of the Independent Person on the report and on any action the Independent Person feels should be taken in respect of it.

Upon receipt of the responses, the Monitoring Officer will discuss the responses of with the Chair of the Standards Committee and will complete the Pre-hearing Process Summary.

The Member and the Investigating Officer are entitled to request that any witnesses they want should be called. However, the Chair of the Standards Committee, following advice from the legal adviser, may limit the number of witnesses, if he/she believes the number requested is unreasonable or that some witnesses will simply be repeating the evidence of earlier witnesses, or else will not provide evidence that will assist the Committee to reach its decision.

Nothing in this procedure shall limit the Chair of the Standards Committee from requesting the attendance of any additional witnesses whose evidence he/she considers would assist the Standards Committee to reach its decision.

The Chair of the Standards Committee, in consultation with the legal adviser will then:

- confirm a date, time and place for the hearing, which must be within three months from the date that the report was completed;
- confirm the main facts of the case that are agreed;
- confirm the main facts that are not agreed;
- confirm which witnesses will give evidence;
- outline the proposed procedure for the hearing, specifying which parts, if any, will be considered in private; and
- request the Monitoring Officer to provide this information, with the Agenda, to everyone in the hearing at least two weeks before the proposed date of the hearing.

4. The Standards Committee

The Standards Committee shall decide, on the balance of probability, whether the grounds of the complaint are upheld. It shall do so by considering the report and, where appropriate, written or oral representations made by the Member, and any additional relevant information from the Investigating Officer or witnesses.

Each Standards Committee member shall have one vote, and all matters/issues shall be decided by a simple majority of votes cast.

The meeting of the Standards Committee will be open to the public and press unless confidential information or exempt information under Schedule 12A of the Local Government Act 1972 is likely to be disclosed.

5. Procedure at the Hearing

The initial order of business at the meeting shall be as follows:

- declarations of interest;
- consideration as to whether to adjourn or to proceed in the absence of the Member, if the Member is not present;
- introductions;
- any representation from the Investigating Officer and/or the Member as to reasons why the Standards Committee should exclude the press and public and determination as to whether to exclude the press and public. Where the Standards Committee decides that it will not exclude press and public, the Monitoring Officer shall at this point provide copies of the agenda and reports to any members of the press and public who are present.

The purpose of the hearing is to test the robustness of the report, by examining the reasoning contained within the report and the quality of the evidence relied upon. This calls for an inquisitorial approach by the Standards Committee based on seeking information in order to identify potential flaws in the report and to clarify issues. The Standards Committee will control the procedure and evidence presented at the hearing, including the questioning of witnesses.

The Standards Committee may at any time seek legal advice from its legal adviser. Such advice will on all occasions be given in the presence of the Investigating Officer and the Member.

The procedure at the hearing will be as follows, subject to the Chair of the Committee being able to make changes as he or she thinks fit in order to ensure a fair and efficient meeting.

Examination of report and written representations

The Panel will consider the report together with any written response from the Member to the report. The Committee may require the Investigating Officer to answer questions put to him/her by members regarding the contents of the report.

The Committee must also take account of the views expressed by the Independent Persons in their response to the Monitoring Officer.

Oral evidence

If there is any disagreement as to the facts of the case, the Investigating Officer will be invited to make any necessary representations to support the relevant findings of fact in the report, calling supporting witnesses as agreed by the Chair.

Questions may be asked by the Committee at any point. The Member, will not be permitted to directly question the Investigating Officer or the witnesses he/she calls.

If the Member wishes to challenge any oral evidence being presented, then these questions shall be directed through the Chair.

The Member will then be invited to make any necessary representations to support their version of the facts, calling supporting witnesses as agreed by the Chair.

Questions may be asked by the Committee at any point. The Investigating Officer will not be permitted to directly question the Member or the witnesses he/she calls. If they wish to challenge any oral evidence being presented, then these questions must be directed through the Chair.

Where the Member seeks to dispute any matter in the report which he/she had not given notice of intention to dispute in his/her written statement in response, the Investigating Officer shall draw this to the attention of the Standards Committee. The Standards Committee may then decide:

- not to admit such dispute but to proceed to a decision;
- to admit the dispute, but to invite the Investigating Officer to respond
- to adjourn the meeting to enable the Investigating Officer to investigate and report on the dispute

Where appropriate the Investigating Officer will make representations on behalf of the Complainant to the Standards Committee.

The Standards Committee may adjourn the hearing to require the Monitoring Officer to seek further information or undertake further investigation on any point specified by the Committee.

Decision by the Standards Committee

The Standards Committee will consider in private session which of the following findings to adopt:

- that there is no evidence of any failure to comply with the Code of Conduct;
- that the Member has failed to comply with the Code of Conduct, but that no action needs to be taken;
- that the Member has failed to comply with the Code of Conduct and that a sanction should be imposed.

The available sanctions are:-

- (i) Issue a formal censure;
- (ii) Refer the determination findings to full Council for information;
- (iii) Make publication of the determination findings by such means as thought fit;
- (iv) Request Council to remove the member from being the Chair or Deputy Chair of any Committee or Sub-Committee
- (v) Request the subject member's political group to remove them from any or all Committees or Sub-Committees for a specified period;
- (vi) Request the Elected Mayor to remove the member from the Cabinet, if a Cabinet Member, or from particular Portfolio responsibilities;
- (vii) Request the Council to remove the member for a specified time from all or specified outside appointments to which s/he has been appointed or nominated by the Council;
- (viii) Request the Elected Mayor to remove the member for a specified time from all or specified outside appointments to which s/he has been appointed or nominated by the executive.
- (ix) Offer training to the member; or
- (x) Exclude the member from the Council's offices or other premises or facilities, for a specified period and to the extent desirable and so as not to interfere with the democratic process, in particular the member's ability to carry out his or her role as an elected member.

In deciding what penalty (if any) to set, the Standards Committee will consider all relevant circumstances including any views expressed by the Independent Persons.

The Standards Committee will then resume the public session and the Chair will announce the decision and the reasons for that decision.

If the matter is a complicated one, where the complaint has a number of aspects, the Standards Committee can decide to consider the evidence and reach a finding on each aspect separately.

The Standards Committee will then consider in open session whether there are any recommendations which it wishes to make arising from consideration of the allegation.

Notice of findings

The Monitoring Officer will make a short written decision available on the day of the hearing and a full written decision in draft will be prepared as soon as possible.

Within two weeks of the end of the hearing, the Monitoring Officer will circulate a full written decision, to the Member and the Complainant.

At the same time the Monitoring Officer shall arrange for a summary of the findings to be published as may be directed by the Standards Committee.

Where the Standards Committee determines that there has not been a breach of the Code of Conduct, the notice shall:

- state that the Standards Committee found that the Member had not failed to comply with the Code of Conduct and shall give its reasons for reaching that finding; and not be published if the Member so requests;

Where the Standards Committee determines that there has been a failure to comply with the Code of Conduct but no action is required, the notice shall:

- state that the Standards Committee found that the Member had failed to comply with the Code of Conduct but that no action needs to be taken in respect of that failure specify the details of the failure; and give reasons for the decision reached;

Where the Standards Committee determines that there has been a failure to comply with the Code of Conduct and that a sanction should be imposed, the notice shall:

- state that the Standards Committee found that the Member had failed to comply with the Code of Conduct;
- specify the details of the failure;
- give reasons for the decision reached; and
- specify the sanction imposed

Copies of the agenda, reports and minutes of a hearing, as well as any background papers, apart from sections of documents relating to parts of the hearing that were held in private, will be available for public inspection for six years after the hearing.

Confidentiality and disclosure of information

Where the Chair of the Standards Committee considers that the report and/or any of the written statements in response are likely to disclose any exempt information and in consequence that it is likely that the Standards Committee will, during consideration of these matters, not be open to the public, he/she shall instruct the legal adviser to not provide copies of these papers to the press or public or permit their inspection by the press or public in advance of the meeting.

The Hearing will be held in public except for those parts of its proceedings which involve exempt information and during the deliberations of the Standards Committee.

Appendix B - Pre-Hearing Process Summary

NORTH TYNESIDE COUNCIL STANDARDS SUB-COMMITTEE**PRE-HEARING PROCESS SUMMARY**

Member subject of allegation:	Councillor J Allan
Complainant(s):	Mrs N Redfearn, Elected Mayor
Case Reference Numbers:	NT01/2017-18
Chair for meeting:	Councillor M Rankin
Independent Persons:	Mr G Clark and Mrs S Gardner
Monitoring Officer and Representative:	Mrs V Geary Ms L Watson
Investigating Officer:	Mrs Olwen Dutton, Partner for Anthony Collins Solicitors LLP
Democratic Services Officer:	Mr D Brown Ms J Holmes
Time, Date and Place of Hearing:	To be confirmed
Time, Date and Place of Pre-Hearing Process Summary Meeting:	4.30 pm, Wednesday, 30 May 2018, Quadrant East, The Silverlink North, Cobalt Business Park 4.30pm, Monday ,25 June 2018, Quadrant East, The Silverlink North, Cobalt Business Park Finalised by e-mail 7 August 2018

Summary of allegation:

The complainant, Mrs N Redfearn, alleges that:

(1) while acting as a substitute member at a meeting of North Tyneside Council's Planning Committee on 13th June 2017 Councillor J Allan:

- a. Failed to declare that Mr Robin Cairns, a director of the applicant body (Wallsend Boys Club) and the named individual for correspondence in relation to the application was his business associate;
- b. Intervened during consideration of the application to suggest that the proposed limit for operating the floodlit outdoor football pitch of 9pm should be extended until 10pm, this suggestion then being agreed by the Committee

(2) Councillor Allan had not included in his register of interests his directorship in Largesse Holdings Ltd which commenced in March 2017. Largesse Holdings Ltd being a company set up by fellow director Mr Cairns in 2016.

Relevant Paragraph(s) of the Code of Conduct

The relevant paragraphs of the Code are:

Paragraph 4: You must not conduct yourself in a manner which could reasonably be regarded as bringing the Authority, or your office as a member of the Authority into disrepute.

Paragraph 5: You must not use or attempt to use your position as a member improperly to confer or secure for yourself or any other person any advantage or disadvantage.

Paragraph 13: – Failure to give notice to the Monitoring Officer within 28 days of a change to a member's Register of Interests;

Paragraph 17: – Failure to disclose a non-registerable interest to the committee meeting;

Paragraph 18: – Failure to declare a non-registerable public interest to the meeting; participating in the meeting; voting on the matter and not leaving the room whilst the matter was being discussed.

Findings of fact in the Investigating Officer's report that are disagreed

The facts of the case do not appear to be in dispute.

Councillor Allan has:

- not clearly indicated on the forms provided which findings of fact he disagrees with.
- supplied documents he has labelled as follows:
 - o Appendix A – an e-mail to Mrs Dutton dated 13 April 2018
 - o Appendix B – a copy of a Labour Group Register of Interests form dated 27 April 2017 which he indicated he sent by mistake
 - o Appendix C – “response to the evidence”

The findings of fact are contained within the section of the investigator's report headed 'The Code of Conduct' and 'Conclusions' and appear to be as follows:

Application of the Code

- The Code of Conduct applies to the issues in relation to both the Planning Committee and the Register of Interests as in both instances Councillor Allan is acting in his capacity as an elected member. (para 65)

Planning Committee 13 June 2017

- There was a close association between Councillor Allan and Mr Robin Cairns (para 54)
- There is no issue about any financial incentive in respect of either Mr Cairns who acted as a voluntary and unpaid Trustee (para 55), the Club itself (para 55) or Councillor Allan (para 67).

- The Code also provides “or the matter concerns a request for any permission, licence, consent of registration sought by yourself or any other persons referred to in Paragraph 16 (see above) or in any of your register of entries”. The matter in front of the Planning Committee was an application of planning permission and therefore this provision is relevant (para 56 & 57).
- The report showed that the application was by Wallsend Boys Club “FAO Mr Robin Cairns, Wallsend Boys Club” and it would therefore be apparent to Councillor Allan that the applicant was Mr Robin Cairns, albeit on behalf of Wallsend Boys Club (para 57).
- Councillor Allan attended the Planning Committee, spoke about the application and, it is believed, voted (para 57).
- The application was made, albeit for the Boys Club by an associate of Councillor Allan’s with whom he had a close business relationship and concerned a “request for permission” in relation to the Boys Club, made by Mr Cairns (para 57).
- It is reasonable to think that Councillor Allan had a “close relationship” with Mr Cairns to the extent that “a reasonable member of the public might think that he would be prepared to favour or disadvantage that person when deciding that matter” as outlined in Paragraph 16 of the Code and accordingly Councillor Allan:
 - o should have made a declaration of that fact to the meeting,
 - o should not have participated in the discussion of the matter,
 - o should not have participated in the vote; and
 - o should have left the room while the matter was discussed. (para 58)
- Councillor Allan’s letter to the Monitoring Officer acknowledges that “I should have declared a non-pecuniary interest and I accept the fault, which I sincerely apologise for.” (para 58)
- The investigator concludes that as it is not in dispute that Councillor Allan did not make any such declaration and that he behaved in such a way he was in breach of paragraphs 17 and 18 of the Council’s Code of Conduct (para 59 and 66).

Register of Interests

- Para 13 of the Code of Conduct requires members to register their registerable personal interests and to inform the Monitoring Officer of any change in their register within 28 days. (para 60 and 62).
- The change in respect of SARJ fell a little outside of the 28 day requirements but nonetheless was registered late (para 61).
- The registration in respect of Largesse was several months overdue - it should have been declared at the point at which Councillor Allan became a director of the company (para 62).

Matters taken into account by the Investigating Officer:

- Councillor Allan was familiar with the Code of Conduct, had attended training and was a former member of the Standards Committee (para 63)
- In an e-mail sent by Councillor Allan to the Monitoring Officer dated 28 July 2017 Councillor Allan:
 - o accepts fault in not declaring a non-pecuniary interest in the planning application as a consequence of knowing the applicant;
 - o indicates that he has shown some naivety by not declaring this interest
 - o indicates that he accepts the fault and sincerely apologises for it.

In addition Councillor Allan stated that:

- he did not become a director of Largesse Holdings Limited until 17 March 2017
- he was not appointed officially to the Board by SARJ until 1 July 2017 as part of becoming a live active company
- his interest in Largesse is as a shareholder in SARJ and as a part time employee effective from 1 July 2017
- he had previously declared an interest in SARJ so does not feel that he has withheld his activities and been open and honest
- he has known Mr Cairns for a number of years as a friend and colleague
- Mr Cairns was well known within North Tyneside Council, having been an employee of a number of council contractors
- he has never via decision making compromised a relationship

Attendance at the hearing (including representatives)

Councillor Allan will be present at the hearing. No representative has been appointed.

Mrs Olwen Dutton, Investigating Officer, will be present at the hearing in order to present her report.

Witnesses Attending

Although Cllr Allan has previously suggested that he would wish to have 3 witnesses we have had no details as to the reasons why Cllr Allan's witnesses will assist the Panel and the facts of the case do not appear to be in dispute. Any character evidence (if that is what the witnesses would provide) could be submitted in writing if considered necessary by Cllr Allan.

The Investigating Officer has requested the attendance of the following witness:

No witnesses requested.

Hearing Procedure:

In summary, the Hearing will progress through the following stages and will include the consideration of any comments made by the Authority's appointed Independent Persons, as appropriate:-

- 1.) Introductions and preliminary procedural issues including consideration of any requests for the hearing to be held in full or in part in private.
- 2.) Pre-Hearing Process Summary.
- 3.) Presentation of Investigating Officers Report.
- 4.) The Members response .
- 5.) Withdrawal of Committee to determine Findings of Fact, and whether a breach has occurred
- 6.) If no breach is found this will be notified to those present at the meeting and the meeting will conclude

Or

- 7.) A. If a breach is found, this will be announced to those present at the meeting and comments or representations in relation to a sanction (if any) to be imposed will be invited from the following:
 - o investigating officer
 - o subject member
 - o independent person(s)
- B. The Committee will withdraw to determine whether a sanction should be imposed and will consider the available sanctions as set out in the Code of Conduct
- C. The Chair will announce the decision and the reasons for that decision.

Date Pre-Hearing Process Summary Completed: 7 August 2018

Signed _____

Councillor M Rankin
Chair of the Standards Committee



North Tyneside Council

FORM A

Subject Member's response to the evidence set out in the Investigation Report

Please enter the number of any paragraph where you disagree with the findings of fact in the Investigation Report, and give your reasons and your suggested alternative.

Paragraph number from the Investigation Report	Reasons for disagreeing with the findings of fact provided in that paragraph	Suggestion as to how the paragraph should read
1	See attached document Appendix A/B/C	
2		
3		
4		
5		

Please attach separate sheets if necessary



Signature

Date 7/5/18

Name





North Tyneside Council

FORM B

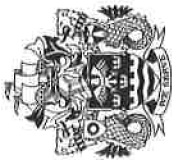
Other evidence relevant to the allegation

Please set out below, using the numbered paragraphs, any evidence you feel is relevant to the complaint made about you.

Paragraph number	Details of the evidence
1	
2	
3	
4	
5	
6	

Please attach separate sheets if necessary

Name _____ Signature _____ Date _____



North Tyneside Council

FORM C

Representations to be taken into account if a Member is found to have failed to follow the Council's Code of Conduct

Please set out below, using the numbered paragraphs, any factors that the Standards Committee should take into account if it finds that a Member has failed to follow the Council's Code of Conduct. Please note that no such finding has yet been made.

Paragraph number	Factors for the Standards Committee to take into account when deciding whether to sanction any censure, restriction of resources or allowances, suspension or partial suspension
1	My current medication impacts my memory, which can be confirmed via my GP and Consultant. I have other medical circumstances that I would prefer
2	to keep Confidential
3	
4	

Please attach separate sheets if necessary

Name

Signature

Date

11th May 2018



North Tyneside Council

FORM D

Arrangements for the Standards Committee Hearing

Please tick the relevant boxes.

<p>1 Are you planning to attend the Standards Committee hearing on the proposed date in the accompanying letter?</p> <p>If, 'No', please explain why.</p>	<p>YES <input checked="" type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Reason:</p> <p><i>Because I want to explain my position and rationale to the panel</i></p>
<p>2 Are you going to present your own case?</p>	<p>YES <input checked="" type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	
<p>3 If you are not presenting your own case, will a representative present it for you?</p> <p>If 'Yes', please state the name of your representative.</p>	<p>YES <input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Name:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>4 Is your representative a practising solicitor or barrister?</p> <p>If 'Yes', please give their legal qualifications. Then go to Question 6.</p> <p>If 'No', please go to Question 5.</p>	<p>YES <input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Qualifications:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

<p>5 Does your representative have any connection with the case?</p> <p>If 'Yes' please give details.</p>	<p>YES <input type="checkbox"/></p> <p style="text-align: center;">X</p> <p>NO <input checked="" type="checkbox"/></p>	<p>Details:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>6 Are you going to call any witnesses?</p> <p>If 'Yes' please give details on Form E attached.</p>	<p>YES <input checked="" type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	
<p>7 Do you, your representative or your witnesses have any access difficulties (for example, is wheelchair access needed)?</p> <p>If 'Yes', please give details.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input checked="" type="checkbox"/></p>	<p>Details:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>8 Do you, your representative or witnesses have any special needs (for example, is an interpreter needed)?</p> <p>If 'Yes', please give details.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input checked="" type="checkbox"/></p>	<p>Details:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>9 Do you want any part of the hearing to be held in private?</p> <p>If 'Yes', please give reasons.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input checked="" type="checkbox"/></p>	<p>Reasons:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>

<p>10 Do you want any part of the relevant documents to be withheld from public inspection?</p> <p>If 'Yes', please give reasons.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input checked="" type="checkbox"/></p>	<p>Reasons:</p> <hr/> <hr/> <hr/> <hr/> <hr/>
---	---	---

Name

Signature

Date



7th May 2018



North Tyneside Council

FORM E

Details of proposed witnesses to be called

Name of witness or witnesses

- 1 Robin Cairns
- 2 Steve Dale
- 3 Kevin Riley

WITNESS 1

- a Will the witness give evidence about the allegation?

YES

☒

Outline of evidence:

NO

☐

If 'Yes', please provide an outline of the evidence the witness will give.

- b Will the witness give evidence about what action the Standards Committee should take if it finds that the Code of Conduct has not been followed?

YES

☐

Outline of evidence:

NO

☒

If 'Yes', please provide an outline of the evidence the witness will give.

Please attach separate sheets if necessary

WITNESS 2

[illegible]

APPENDIX A

From: jim.allan2@talktalk.net [mailto:jim.allan2@talktalk.net]

Sent: 13 April 2018 10:31

To: Olwen Dutton

Subject: RE: Confidential 29959.0002

Sensitivity: Confidential

Hello Olwen, I have received a bundle of information from the Monitoring Officer which is your final report in a hard copy format.

I did in my last response ask a number of questions for clarification and it is not visible in the bundle if the information has been provided?

For example, I asked why Paul Buie had been suggested as a witness? And you suggest that the council had instructed who should be interviewed as it was not of your choosing? so the relevance of that referral by the council remains unexplained? Can you provide the instructions you received from the Officers of the Council, so I can understand the relevance?

The same could be said about the information provided about the complaint from a member of the public which was not (correctly) processed, who was responsible for its inclusion and for what purpose would it be put forward? There must be an explanation for this, unless it was deliberately included to stain my character? also that it is not factually correct, nor has it been challenged because of the lack of progress. It simply is not a fair or balanced contribution and I believe it has a mischievous intent. This will be something I will address separately.

I would also like to draw your attention to the matter in Para 62 about the 28 days to declare an interest. It is clearly an anomaly in local government circles about how one counts the days. Clearly in the constitution of the council days are very commonly counted as working days and not calendar days. In this case I believe you have counted them as calendar days and not working days? Also, I have attached copies of emails which shows my attempt to declare the interest on 28th July 2017. The 1st July was a Saturday and the 28th was a Friday. There are 20 working days between the 1st and 28th July and the 30th July is a Sunday. So, if this is taken into account surely, I have not exceeded the timeline.

This is a copied and pasted from an email as it is encrypted to my personal email so is difficult to present any other way.

As you will see that I have been in dialogue with the Monitoring Officer's Team and despite it being on the wrong form I have declared an interest to the appropriate team.

From Viv Geary <Viv.Geary@northtyneside.gov.uk> Reply

To 'Jim Allan' <[REDACTED]>

Subject RE: Declarations of interest [Scanned]

Date Fri, 28 Jul 2017 13:00:43 +0000

Attachments 2

Dear Councillor Allan

I will send a hard copy to your home address in tonight's post.

Kind regards

Julie
Julie Heward
PA to Head of Law and Governance &
Technical Support to Monitoring Officer
North Tyneside Council
<https://my.northtyneside.gov.uk/category/308/contact-council>
Tel: (0191) 643 5466
Email:
Julie.Heward@northtyneside.gov.uk<<mailto:Julie.Heward@northtyneside.gov.uk>>
www.northtyneside.gov.uk
[cid:image002.png@01CD6C16.44E0DCC0]

P Please think before routinely printing this e-mail. Do you really need a paper copy?

NOTE: This communication may contain confidential legal advice or relate to legal proceedings or is sent in contemplation of legal proceedings. It may be legally privileged and exempt from disclosure under the Freedom of Information and Data Protection provisions.

From: Jim Allan [<mailto:>]

Sent: 28 July 2017 13:48

To: Viv Geary

Subject: RE: Declarations of interest [Scanned]

Hello Julie, I cannot download or open the attachment

Jim

From: Viv Geary [<mailto:viv.geary@northtyneside.gov.uk>]

Sent: 28 July 2017 10:51

To: Jim Allan < ><<mailto:> >>

Subject: RE: Declarations of interest [Scanned]

Encrypted email notification from North Tyneside Council

Encrypted email message from "Viv Geary"

(viv.geary@northtyneside.gov.uk<<mailto:viv.geary@northtyneside.gov.uk>>)

1

This email contains a message that has been sent as an encrypted PDF document in order to ensure the secure delivery of its contents.

Open the encrypted PDF attachment to view your secure message.

To access this message, you should open the attached PDF using Adobe Acrobat Reader version 7.0 or higher.

In order to view its contents, you must enter the password that you should have already set during the registration process.

If you have any problems viewing the encrypted message or do not know your password, please contact the sender of the message.

Note that Adobe Acrobat may restrict access to certain attachment types. If this is the case, you will need to inform the original sender and make alternative arrangements.

It may well be too late to do anything with your report, but I did respond and posed a number of questions and made some pertinent points from the draft report. The fact they have not been responded to is clearly an issue, but I feel I need to draw these matters to your attention.

APPENDIX B – Copy of the form I sent by mistake declaring my interests


Labour Group Register of Interests 2017/18

Clause 13.II.2.A.i of the Labour Party rules requires Labour groups to maintain a register of interests. Completion and maintenance of this register is a condition of membership of the Labour group. Labour councillors and group observers are required to complete this form and return it to the Chief whip of the Labour group. If your interests change, you must complete a new form immediately and return it to the Chief whip.

This form is for the use of the whip or another group officer only in ensuring that all group members have registered all their interests with the monitoring officer and that they comply with the requirement to declare those interests as appropriate with the consequent impact on their ability to participate in debate and voting. Any questions relating to this group register should be referred to the chief whip, or if concerning him or her, to the group secretary.

Name: Jim Allan

Labour group: North Tyneside

Signature:  Date: 27th April 2017

- 1 Please list all your paid employments including directorships, partnerships, self-employment and fee-earning consultancies.

Director of SARJ Developments Ltd Director of Largesse Holdings Ltd

Trustee of Pathways4All

- 2 Please list all land and property owned (freehold or leasehold) or rented in the area of the authority.

11 Bannockburn, Killingworth, NE12 6QJ

- 3 Please list the names of companies in which you have an interest greater than one per cent of the issued share capital.

SARJ Developments Ltd.

Largesse Holdings Ltd.

- 4 Please list the names of any societies and organisations (other than council appointments) of which you are a member including, for example, Working Men's Clubs, Co-operative and other Friendly Societies, and religious and secular organisations (e.g. Masonic and Orange Lodges, Knights of St Columba)

**Member of GMB, Life Member of Unison,
Member of Innisfree Social Club, Member of West Moor Social Club, Member of Killingworth Social Club, Member of Forest Hall Ex-Servicemen's Social Club, Member of the Association of Labour Councillors**

Labour Party - Local Government

Registration and declaration of interests 2017/18

- I recognise that the Labour Party expects and requires its representatives to uphold the highest standards of integrity and probity in public life.
- I have completed and kept up-to-date the statutory register of interests held by the council and will ensure that it is amended promptly if my interests change.
- I am familiar with the local Code of Conduct adopted by this council and agree to be bound by it in all my actions. I have undertaken training in implementing the Code or will do so when it is offered.
- I enclose my entry for the Labour group's register of interests, which I confirm is an accurate record. I will ensure that it is amended promptly if my interests change. I recognise that the Labour Party's requirements for registration of interests may go beyond those required for the statutory register.
- I recognise that the onus is upon me to register and declare interests with the council and to take the appropriate action. I am familiar with the concepts of personal and prejudicial interests as defined in the Code of Conduct and how I should act in each case.
- I recognise that I am obliged to have regard to any relevant advice from the authority's chief finance officer or monitoring officer about my ability to participate in taking any decisions. I will seek that advice where necessary, and also undertake to seek and take account of advice from the chief whip or other Labour advisers nationally or regionally if I am in doubt about my role in decisions.

Name: Jim Allan

Council: North Tyneside

Signed:  Date: 27th April 2017

This form and your entry for the Labour group's register of interests must be returned to the CHIEF WHIP of the LABOUR GROUP before the group AGM.

APPENDIX C – sections of the investigators final report response to the evidence

Para 8 - The application did not include any reference to the time that the facilities were to be open or ask for a condition relating to this. I have referred to the 4G pitch as a MUGA pitch in my report. My understanding is that this is an artificial all-weather pitch where play can take place all year round as it does not get waterlogged.

My recollection of the application is that it did have the time of closure included in the report as provided in the documentation to be considered by Planning committee. This was something that I saw as an inhibitor for the sustainability of the Boys Club and also was inconsistent with other sports facilities across the borough, and the adjacent Newcastle City Council sports facilities.

Para 9 - At the meeting, Cllr Allan was present, acting as a member of the Committee, as a substitute for Cllr Alison Waggott-Fairley. Cllr Allan made no declaration of interest at the start of the meeting or at any time during the meeting. When the application came up for consideration Cllr Allan addressed the committee in relation to the time period allowed for the operation of the pitch suggesting that the Committee extend the operating hours to 10.00 p.m. as opposed to the recommendation of 9.00 p.m. which was made by the Council officers. This was accepted by the Committee on a majority vote. I believe that Cllr Allan voted in favour of the amended recommendation.

I cannot see the need for the emphasis to be placed on my contribution at the planning committee, but if it has to be included it needs to be accurate and relevant. I believe you have based your presentation on hearsay, which if it is the reflection of the chair of Planning's statement then I do not agree with his recollection. The procedure at Planning Committees is that the Officers present the report covering all the key aspects of the application. Members are then allowed to ask questions of the Officers involved. Then we go to speaking on the application and members are allowed to make their views known. Then a vote is taken, including any additional amendments that may have been tabled/suggested. There were a number of contributions made in terms of questions and comments, all relevant to the application. The Chair actually introduced a Trustee of the Boys Club to participate in the discussions and questions. The trustee made it very clear that the closing time had not been

noticed and it was a matter that would have needed to come back to the council to have altered. From my point of view, it meant that I had read the situation that the application as it stood would have an adverse impact on a Charitable Organisation, and my contribution was of a benefit for operation of the facility and its ongoing sustainability. However, it is portrayed as a negative and that somehow there were sinister clouds about my contribution. This I find not justifiable, that I am being singled out, that no other councillor is being looked at and that the members present were not interviewed to seek their views on the meeting, their relationships with the club or with Mr Cairns.

PARA 10 - Subsequently, upon seeing a report in the local newspaper which said "Councillors discussed whether the pitch, with floodlights, should be allowed to operate after 9.00 p.m. Cllr Jim Allan proposed the cut-off point should be 10.00 p.m. as this would enable evening games to finish on time"; the Council's Elected Mayor, Mayor Norma Redfearn, made a complaint on the grounds that "as Cllr Allan had been censored previously by the Standards Committee and in the interests of maintaining public confidence in the reputation of the Council and specifically in decision making in fulfilling the Council's statutory responsibilities, I consider it important that the Standards Committee consider this matter."

The connection with the newspaper article has nothing to do with me and I have not been approached by any newspaper reporters or media. What knowledge is there of my censure previously, again is hearsay and no evidence has been produced to confirm or deny that statement? I again would say that the complainant is attempting to attack my character and is using the Code of Conduct for her own ends. The decision was made by the committee as a whole and not by myself on my own. You must see this as a fact and it should be considered this way and not portrayed as I was orchestrating the planning committee, is there any evidence to provide the voting of the committee? Who voted for and who voted against, Also, who abstained? I cannot see the answer to these questions in the minutes of the meeting. No one would be able to show if I voted at all. Further did the investigator check with the reporter of the Newspaper article to verify where the story originated from. The wording of the minutes are very clear and demonstrate how the application was viewed in the way I have previously described, they also present the application as one from Wallsend Boys Club and there is no mention of the person who submitted on their behalf. The mention of my being censored by the Standards committee is not explained, nor has the investigator made any investigation about the

relevance of that statement. I cannot see why the Complainant was not asked what they meant in presenting this as part of their complaint? Surely it should have been validated.

PARA 11 - In the complaint, Mayor Redfearn also makes a complaint that Cllr Allan has breached the Code of Conduct by failing to declare that he is a Director of Largesse Holdings.

I have not failed in declaring my interests, I have explained the situation and I have not hidden the fact that SARJ Developments Ltd. are the major shareholders in Largesse and I do not have any shares in Largesse, my appointment to the Board of Largesse to represent SARJ was not confirmed by SARJ until 1st July.

Largesse are yet to undertake any business and, in some areas could be viewed as a dormant company. I also pointed out other members who work closely with the Mayor have taken a long time in declaring their interests and are on public record, but they have not been acted upon. I ask the question if someone is aware of these facts are they breaking the code of conduct themselves by ignoring the matter. For a company to be formed a number of actions have to be undertaken and complied with, for example to obtain a bank account you need to evidence that the company exists and that it is a bona fide organisation. Some of these housekeeping actions do take an amount of time and I believe that was the case for Largesse. The complainant deals with Largesse but not with SARJ Developments Ltd which I have explained was the majority shareholder in Largesse and I do not own any shares in Largesse.

PARA 21 - At the Planning Committee meeting the application from Wallsend Boys Club was duly considered. Amongst the officer recommendations for the Committee to consider was a recommendation that the hours when the MUGA pitch could be operational were limited and had to end by 21.00 hours. When the matter came up, Cllr Allan proposed that the hours should be extended to 22.00 hours. The minutes do not provide a detailed account of the discussion, but it appears from the evidence that after some discussion amongst members and after hearing from the Environmental Health Officer present at the meeting about her concerns; and also, from a member of the Boys Club who was present in the public gallery, members decided to approve the application from the Club with an amendment to the recommendation allowing the hours of operation to be extended until 22.00 hours.

It is not clear what was reported in the minutes of the planning committee that was

read by the investigator, but they do not mention me by name.

PARA 22 - This decision was subsequently reported in the press and came to the attention of the Elected Mayor, Norma Redfearn, who made a complaint in respect of Cllr Allan not declaring an interest due to his relationship with Mr Cairns.

So, by default is the complaint because my name has appeared in a newspaper article? This had nothing to do with myself, however, it does not explain how the complainant drew a conclusion that I had not declared an interest because of my relationship with Mr Cairns. There surely must be more information for her to arrive at that conclusion, and possibly the use of Council Resources to obtain any information on file? Again, there is no clarity in this paragraph and was the complainant asked to explain how they arrived at their conclusions/ what did they do to check the facts?

PARA 23 - During the course of this investigation I have interviewed the following persons:

- 1.1. Mayor Norma Redfearn;
- 1.2. Cllr Frank Lott;
- 1.3. Cllr Jim Allan;
- 1.4. Stephen Ballantyne;
- 1.5. Frances McClen;
- 1.6. Paul Buie;

I would like to know how these people were selected and who was involved in the assembly of those individuals? I also believe that the investigator was advised who they should speak to by either the Head of legal and Governance or a member of their Team. So, in particular Paul Buie's contribution does not relate to the complaint and in fact is not factually correct as Mr Cairns did not attend the meeting Mr Buie refers to in his statement. This will be confirmed when Mr Cairns attends the hearing.

2. Evidence of Norma Redfearn

- 2.1. In her evidence, Mayor Redfearn emphasised her desire for the Council "to be as open and transparent as possible...we are a public body funded by our residents and we have to operate effectively and, regardless of party, behave properly. If we have a process to follow this has to be followed. I am very clear

that this applies to everything and if I see something that I do not believe is right I will look at it if it possibly affects public trust in the Council”.

If this was true, then how many people has she made complaints to the Standards Committee. I have provided information to compare with other members and there are still some of her own group members who have not updated their declarations, and she must be aware of that fact as a consequence of her advising Group Members to update their declarations at the September meeting of the Labour Group. This conflicts with her beliefs. If there was any substance in the complainant’s statement, then there would have been more examples to prove her attitude towards transparency and openness. I have provided examples of errors in the reporting of members interests including their own only to demonstrate the hypocrisy of what is presented here.

- 2.2. Mayor Redfearn described how she was alerted to what has happened at the Planning Committee and what led her to make the complaint. She said “*I noted that the applicant for the extension to the application by Wallsend Boys Club was Robin Cairns. I knew that he had been very close to Cllr Allan for many years. I found out that Cllr Allan was a partner with Mr Cairns in a company and then realised that he was the representative for Wallsend Boys Club. I did not think it was acceptable that Cllr Allan had spoken at the Planning Committee in favour of the extension of time for the Boys Club against Officers’ advice when he knew the application so well and had not declared an interest*”.

This is different to the versions about how it came to her attention, who alerted her? I thought it was as a result of an article in the newspaper as provided in the evidence bundle, now she was alerted, one can assume that a third party was involved, why was that not clarified when the claimant was interviewed. The inference that I have been very close for many years is a distortion and there is no evidence to substantiate that comment. I do know that she knew that Mr Cairns and myself were involved with a development company, she also knew Mr Cairns as a Trustee of WBC, and from other personal and public contacts. She did not know that I had not declared an interest at the planning committee when she was submitting the complaint, she would also not view the officer’s advice which she refers to. In terms of Planning Law these comments could be construed as attempting to influence elected members to always side with Officer advice and could be perceived by members of the public

as manipulation of the planning process. It is very appropriate for members to challenge and question Officer advice, and in some cases amend or reject that same advice.

She infers that I knew the application so well is certainly not true, and is evident in the information provided by witnesses, and that I was a substitute for Councillor Waggot-Fairley. I had not seen the application until the day before the Planning Committee. Hypothetically, if I had known and been aware, I would have advised them on the closing times and suggested they amend it. The fact that I had not seen the application is confirmed by the events of the Planning Committee, so it cannot be true. If I had had a close relationship with Mr Cairns into the detail of the planning application and that I was not, then a member of the planning committee I would have suggested to him earlier to change the closing time. Again, I did not and hence it came out at the meeting because I had not discussed it with anyone else.

- 2.3. She said “Cllr Allan has been a councillor for 27 years and knows the process and the requirements of the code of conduct. I wondered what all this had been about. The Chairman also told me that Cllr Allan had told him that he was only there for the Boys Club application...I believe it should be made clear to everyone what is acceptable behaviour in this Council and what is not”.

I have to dispute the fact that I have not been a councillor for 27 years, I have been a councillor for 20 years this coming November and four years 1983-87. That can be substantiated on the council records.

It is interesting to learn that she has spoken to the Chair of Planning and reiterated that she was wondering what this was all about? And that the Chair had informed her that I had told him I was only there for the Boys Club Application. Now one of the things about acceptable behaviour is to be truthful, and also to respect all members. In this case I can confirm that I never spoke to the Chair outside of the meeting and have not engaged with him about the complaint. But it is simply not true what the complainant has produced in her signed statement, and I would ask you to consider the use of this in any documentation or reports as it could be impacting my person and character and if distributed the distributor could be challenged in a civil matter. Now this section is clearly not factual correct, but it is potentially damaging towards me. Was the Chair

of Planning Committee asked to confirm what the complainant had suggested was true? If it were would that not have been included in the statement from the Chair of Planning, as it clearly it is not in his statement.

Additional points to add –

1. I have raised how the measure of reporting a change in personal circumstances as 28 days, the constitution of the council has examples of how it is referred to in the submission of questions by members of the public to the council –
(2) A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Monitoring Officer no later than 5.00 p.m. six clear working days before the day of the meeting which has been designated for public questions. Each question must give the name and address of the questioner. At any one meeting, no person may submit more than one question and no more than one question may be asked on behalf of an organisation. In addition, no question may be sub divided into more than two related parts. And in Members questions to council –

(2) However, a Member may only ask a question if either:
 - a) they have given notice of the question by delivering it in writing or by electronic mail to the Monitoring Officer no later than 5.00 p.m. six clear working days before the day of the meeting. Each question must give the name of the questioner and name the Member of whom it is to be asked;

There are 13 occasions where these words are used in the main constitution of the council. Therefore, in terms of consistency how would a member of the public view the use of 28 days, would they view it as working days or calendar days? If it is working days, then I would have reported my change within 20 working days which would be within the guide lines of the Code of Conduct.

2. The Complainant was precise in that they were complaining about my not declaring my interest in Largesse Holding Company Limited. They have not complained about my declarations of interest in SARJ Developments Limited. Therefore, I feel if the examples I have shown in 1 above I have complied with that requirement and that my earlier declaration for SARJ Developments were in accordance with the Code of Conduct.

Appendix C - Investigating Officer's Report

**INVESTIGATION REPORT
INTO COMPLAINTS MADE
BY MAYOR NORMA
REDFEARN AGAINST
COUNCILLOR JIM ALLAN
UNDER THE CODE OF
CONDUCT OF NORTH
TYNESIDE MBC**

STRICTLY PRIVATE AND CONFIDENTIAL

April 2018

INTRODUCTION

1. This is a report into a complaint made by Mayor Norma Redfearn against Cllr Jim Allan. The complaint relates to the non-declaration of an interest by Cllr Allan at a meeting of the North Tyneside MBC Planning Committee. Details of the complaint are dealt with further in the report and the complaint itself is attached in the Appendix.
2. I am a solicitor of the Senior Court of England and Wales and a partner in the firm of Anthony Collins Solicitors LLP where I am Head of Local Government. I qualified as a solicitor in 1985 and had a career in the public sector, mainly in local authorities, until 2010. During this time I have held positions such as Monitoring Officer, Head of Legal Services, Corporate Director and Chief Executive. In 2011 I returned to private practice where I specialise in local government law. During my career I have carried out a number of investigations into code of conduct and other matters.
3. I am instructed by the Council's Monitoring Officer, Ms Viv Geary; my instructions are to make findings as to the results of the investigation and, depending on my findings, present my report to a meeting of the Council Standards Committee as required.
4. During the course of the investigation I have interviewed a number of witnesses and their statements are appended to my report. I have also considered the written documentation provided to me by those instructing me as well as that provided to me throughout the course of the investigation. The information I have seen is noted in my report and appended.
5. I would like to thank all those concerned for their kind assistance

BACKGROUND

6. The background to this matter arises from the events at the meeting of the North Tyneside Planning Committee on 13 June 2017. One of the items which was in front of the Committee for decision was an application on behalf of the Wallsend Boys Club ("the Club") made in the name of Mr Robin Cairns; a director of the Club.
7. The application was as follows: "Proposed extension to existing Boys Club, comprising of a first floor extension to the existing facilities to provide meeting spaces, offices and events areas. Erection of new indoor pitch and new external 4G pitch to replace the existing large pitch".
8. The application did not include any reference to the time that the facilities were to be open or ask for a condition relating to this. I have referred to the 4G pitch as a MUGA

pitch in my report. My understanding is that this is an artificial all weather pitch where play can take place all year round as it does not get waterlogged.

9. At the meeting, Cllr Allan was present, acting as a member of the Committee, as a substitute for Cllr Alison Waggott-Fairley. Cllr Allan made no declaration of interest at the start of the meeting or at any time during the meeting. When the application came up for consideration Cllr Allan addressed the committee in relation to the time period allowed for the operation of the pitch suggesting that the Committee extend the operating hours to 10.00 p.m. as opposed to the recommendation of 9.00 p.m. which was made by the Council officers. This was accepted by the Committee on a majority vote. I believe that Cllr Allan voted in favour of the amended recommendation.
10. Subsequently, upon seeing a report in the local newspaper which said "Councillors discussed whether the pitch, with floodlights, should be allowed to operate after 9.00 p.m. Cllr Jim Allan proposed the cut-off point should be 10.00 p.m. as this would enable evening games to finish on time"; the Council's Elected Mayor, Mayor Norma Redfearn, made a complaint on the grounds that "as Cllr Allan had been censored previously by the Standards Committee and in the interests of maintaining public confidence in the reputation of the Council and specifically in decision making in fulfilling the Council's statutory responsibilities, I consider it important that the Standards Committee consider this matter."
11. In the complaint, Mayor Redfearn also makes a complaint that Cllr Allan has breached the Code of Conduct by failing to declare that he is a Director of Largesse Holdings.
12. Whilst the complainant has raised the question of previous censoring of Cllr Allan, I have no knowledge of this and I stress that my investigation and my findings are solely based upon the circumstances relating to this matter. I have not extended my investigation into any previous behaviour of Cllr Allan.
13. Equally, I am only investigating Cllr Alan and the complaints against him. Whilst I therefore note his comments about the alleged actions of other members, it is not within my remit to comment upon these.

PROCESS

14. On 6 March 2108 I sent my draft report to the Monitoring Officer, the Elected Mayor and to Cllr Allan. I requested that any comments, which I asked to be focused on factual issues, were to be back with me by 21st March. My draft report contained draft findings, and I emphasised that these findings were draft at this stage and provided as I

believed they may be useful to those concerned if indicated at that stage. I emphasised that I would not finalise these findings until I had given the opportunity for comments on my report from the Complainant, Cllr Allan and the Council's Monitoring Officer, and that I would take any comments into account before I finalise my report and my findings.

15. On 6 March I received a response from Cllr Allan as follows (I have removed some sensitive information):

Hello Olwen, thank you for your report, and I would like time to consider the content, as I have spotted reading quickly through a number of errors. Also, I would like to comment on the criticism included about the time I have taken to complete the various tasks..... As far as I am aware there is no time line for responding? I am not paid or allocated time to undertake activities in relation to this complaint, which I believe you are via your contract with NTC.

The summary extracts from statements which I have yet to read in full have factual errors within them and also there is a single statement from an officer who has had no input to the planning application. I cannot see what has promoted this officer to your investigation, and if it had been thorough it would have been explained that no scheme progressed and I attended the meeting along with the person interested (Jonathon Moore) to help him as a project to add to the regeneration of the north bank of the Tyne.

I also mentioned to you about other elected members who have not declared or kept their interests up to date. You said where that it was known you would progress, which appears to be overlooked. I also mentioned and provided information about the advice given to a labour group meeting in September about group members not keeping their declarations of interests up to date, which was clear that they were not up to date which in itself is a comparable ground of a complaint yet nothing was done by those that know which includes the complainant, is that not in itself a code of conduct complaint because it is not reported.

I will need to review the information provided and I will provide a more formal response.

16. I responded by saying that I looked forward to receiving his comments by 21 March.
17. On 19 March I received an email on behalf of the Mayor asking for two very small changes to be made as follows:

"Front page, title of report, please insert "the Elected" in front of the words "Mayor

Norma Redfearn. Page 3, para 10, line 4, typo – delete the second “Mayor”.

18. By the end of 21 March I had not received any further reply from Cllr Allan; so I wrote to him. He replied that he had believed that the date by which he should comment was 24 March, and I agreed to extend the period until then.
19. On 22 March I received the following response from Cllr Allan.

Hello Olwen, I have responded to your report and they are highlighted and in italics throughout your report.

The evidence appendices – I have not gone through but I ask within your report why you have included certain information for example, why is the complaint from [REDACTED] included, and the information relating to it I was not made aware of its existence, so that has come as a surprise.

I know that you have explained how you have investigated the complaint, but throughout the complainant refers to issues for example previously censured by the Standards Committee? Yet that has not been substantiated? I wonder if you asked her where she got that information from or where her source is? If it is pure speculation, which I believe it is then I challenge why are you including it. The longer it stays in then the longer the negative misinformation festers away. There are instances throughout and hopefully I have caught all of them.

Thank you for your patience.

20. I have included the marked up copy of Cllr Allan's responses in the appendices. Whilst I do not think that I should go through his comments and make individual responses to them, I have considered his comments carefully before finalizing my report.
21. Many of Cllr Allan's comments are concerned with the material I received which I have included in the Appendices. I believe that it is appropriate and transparent to append the information which was sent to me. I do not believe that it is appropriate for me to edit that information. I would however stress that the evidence I relied upon in making my findings is as identified in this report. Equally, I interviewed the persons I was asked to by the Council; I also asked Cllr Allan who he wished me to interview and carried out those interviews. All of the witness statements are included in this report.
22. In particular, as I have emphasised above at paragraphs 12 and 13, I am only investigating this complaint. I have placed no weight upon information that does not relate to the complaint about the lack of a declaration of interest at the Planning Committee on 13 June 2017 and the complaint about Cllr Allan's Register of Interests.

23. I am also not able to take into account any allegations Cllr Allan makes about the behaviour of other elected members of the Council.

FINDINGS

24. I find that the Code of Conduct applied to Cllr Allan at the times complained of.
25. I find that the relationship between Cllr Allan and Robin Cairns fell within the category set out in the Council's code of conduct as a "non-registerable personal interest" and Cllr Allan should have declared the relationship with Mr Cairns at the start of the meeting as the Code requires. Accordingly, I believe that Cllr Alan did not observe the code of conduct in relation to his conduct at the meeting.
26. I find that Cllr Allan did not keep his register of interests up to date as required by the Code of Conduct.

THE MATTER

27. The circumstances which led to this complaint are as follows.
28. Wallsend Boys Club ("the Club") is a well-established and highly regarded charity, operating in the North East and based in North Tyneside MBC. It has a history of over 100 years working with youth in the area, and is proud of its heritage. I was told that the Club has developed over 80 players who have gone into professional football, amongst them a number of internationals. There was no dispute amongst the witnesses that I spoke to that the Club is highly regarded and nothing in this report should be taken as any criticism of the Club.
29. At the beginning of 2017 the Club submitted a planning application for the work described above. The person who made the application on behalf of the Club was Robin Cairns. The application went through the due processes within the Council and was considered and decided at a meeting of the Planning Committee on 13 June 2017. Cllr Jim Allan is not a member of the Planning Committee but under the Council's Constitution he is able to be a substitute, providing he has undertaken the necessary Planning Committee training, which he told me he has done. On this occasion, Cllr Allan had arranged before the meeting that he would substitute with Cllr Alison Waggott-Fairley. He told me that when he agreed to substitute he did not know what matters that would be on the agenda.
30. At the Planning Committee meeting the application from Wallsend Boys Club was duly

considered. Amongst the officer recommendations for the Committee to consider was a recommendation that the hours when the MUGA pitch could be operational were limited and had to end by 21.00 hours. When the matter came up, Cllr Allan proposed that the hours should be extended to 22.00 hours. The minutes do not provide a detailed account of the discussion, but it appears from the evidence that after some discussion amongst members and after hearing from the Environmental Health Officer present at the meeting about her concerns; and also from a member of the Boys Club who was present in the public gallery, members decided to approve the application from the Club with an amendment to the recommendation allowing the hours of operation to be extended until 22.00 hours.

31. This decision was subsequently reported in the press and came to the attention of the Elected Mayor, Norma Redfearn, who made a complaint in respect of Cllr Allan not declaring an interest due to his relationship with Mr Cairns.
32. During the course of this investigation I have interviewed the following persons:
 - 32.1. Mayor Norma Redfearn;
 - 32.2. Cllr Frank Lott;
 - 32.3. Cllr Jim Allan;
 - 32.4. Stephen Ballantyne;
 - 32.5. Frances McClen; and
 - 32.6. Paul Buie;
33. All of the above witnesses were interviewed in the Offices of North Tyneside MBC on Thursday November 2nd 2017.
34. I interviewed a second group of witnesses at the request of Cllr Allan. These witnesses were:
 - 34.1. Robin Cairns;
 - 34.2. Stephen Dale; and
 - 34.3. Kevin Riley.
35. I interviewed these witnesses by telephone at various dates in December 2017.
36. Statements of all witnesses are appended to this report.
37. At the start of each interview I explained to the witnesses the process which I would follow; in that I would take notes of what they said and produce a statement from that of

their evidence which I would send to them to approve as a true record and sign. I also explained that these statements would be appended to my report and that once this had been finalised I would send it to the Monitoring Officer to take through the Councils arrangements. I explained that this may mean, dependent upon my findings that the matter goes to the Standards Committee and if so, it was possible that my report, including the appended statements, would be publicly available. All witnesses confirmed that they understood and accepted this.

38. In every case except that of Cllr Allan it has been easy to agree statements. However, it took some time to agree a statement with Cllr Allan and get this signed by him. In the end he sent through a scanned copy of the last page of the statement only with his signature on it, which appears in this way in Appendix One.

THE EVIDENCE

39. I summarise below the evidence relating to the complaint which I received from the witnesses and the other evidence which I have seen in documentary form. I have also taken account of the complaint itself; the response from Cllr Allan; and the Councils Code of Conduct. All of these documents are appended.

40. Evidence of Norma Redfearn

40.1. In her evidence, Mayor Redfearn emphasised her desire for the Council *“to be as open and transparent as possible...we are a public body funded by our residents and we have to operate effectively and, regardless of party, behave properly. If we have a process to follow this has to be followed. I am very clear that this applies to everything and if I see something that I do not believe is right I will look at it if it possibly affects public trust in the Council”*.

40.2. Mayor Redfearn described how she was alerted to what has happened at the Planning Committee and what led her to make the complaint. She said *“I noted that the applicant for the extension to the application by Wallsend Boys Club was Robin Cairns. I knew that he had been very close to Cllr Allan for many years. I found out that Cllr Allan was a partner with Mr Cairns in a company and then realised that he was the representative for Wallsend Boys Club. I did not think it was acceptable that Cllr Allan had spoken at the Planning Committee in favour of the extension of time for the Boys Club against Officers’ advice when he knew the application so well and had not declared an interest”*.

40.3. She said *"Cllr Allan has been a councillor for 27 years and knows the process and the requirements of the code of conduct. I wondered what all this had been about. The Chairman also told me that Cllr Allan had told him that he was only there for the Boys Club application...I believe it should be made clear to everyone what is acceptable behaviour in this Council and what is not"*.

41. Evidence of Cllr Frank Lott

41.1. Cllr Frank Lott is the Chair of the Planning Committee and was present, and chaired, the meeting of 13 June 2017. In his evidence he described what happened at the meeting; that Cllr Allan was a substitute; and that he made no declaration of interest at the meeting. Cllr Lott explained that Cllr Allan *"led the discussion"* about timing and said *"the rationale from him seemed to be why the recommendation was 9.00 p.m. when there did not appear to be a standard time across North Tyneside either for private facilities or for the Council's own leisure facilities, for the cessation of the day's activities"*. He went on to explain that the Environmental Health Officer recommended 21.00 as the finish time and *"she reminded the Committee about the importance of judging the application on its merits and alluded to the proximity of residents to the playing area and the new pitch"*.

41.2. Cllr Lott explained what happened when he sought to find a *"resolution to the debate"* by suggesting the compromise of 21.30 but *"Cllr Allan said he did not see why 21.30 hours would be better than 22.00 hours. He asked what would happen if the match started at 19.30 or 20.00 in which case the game would not be over by 21.00 hours; he said he felt it was not reasonable to expect matches to have to be terminated before the proper time. The Environmental Health Officer said that if resident's complained the Council would have to go through the normal procedure of monitoring and giving advice but that it is difficult to change a condition once granted. I think the debate went on for at least ten minutes"*.

41.3. Cllr Lott explained that he asked the representative from the Boys Club who was present in the public gallery, to comment on the issues for the sake of clarification and explained *"I found it curious that the application was later the subject of a press report, as no one from the press was present at the meeting. At the time I did not think that anything was unusual about the meeting, it is*

quite usual to have Members substituting for other Members, particularly as planning meetings are frequent and start at 10.00 a.m.”

- 41.4. Finally Cllr Lott said *“I seconded the Boys Club nomination to receive the Freedom of the Borough a few years previously at Cllr Allan’s invitation as he had nominated them to receive this honour”.*

42. Evidence of Stephen Ballantyne

- 42.1. Stephen Ballantyne is a lawyer employed by the Council. He specialises in Governance and Employment. He has responsibility for Governance matters, is the Authority’s employment law specialist and from time to time covers the Planning Committee.
- 42.2. Stephen was present as legal adviser at the Planning Committee on 13 June 2017 although he was not previously involved in the preparation for the Committee or the advice given beforehand.
- 42.3. Stephen explained that he recalled that Cllr Allan was present as a substitute Member and said *“I do not recall him declaring any interest pursuant to the requirements in the code of conduct for Members at the beginning of the meeting or during the consideration of the application”.* He explained what the application consisted of and that *“Cllr Allan raised an issue in relation to the timing of the operation of the external 4G pitch. I recall Cllr Allan indicated that if the playing time was limited to 9.00 p.m. as proposed in the application and detailed in the report to the Committee, it was possible that games would not be over, if for example they started at 7.30 p.m. He made a suggestion that the recommendation in relation to the hours of operation be altered to enable the pitch to be available until 10.00 p.m. He further explained that such an amendment would bring the hours of operation of the 4G pitch in line with other similar facilities in the Borough.”*
- 42.4. Stephen went on to explain what the Environmental Health Officer present at the meeting had advised in relation to *“noise nuisance issues with extended hours of opening bearing in mind the proximity of the proposed new pitch to the residential properties...and advised the Committee it would be better to grant the application as originally proposed and then if the applicant felt the need to extend the hours of the proposed pitch they could apply for a variation to the planning consent to allow the extended hours to 10.00 p.m. Any such*

application would then be subject to full public consultation including a noise survey”.

42.5. Stephen went on to explain that in response to the question about consultation on the extension of hours the planning officer *“advised the Committee that the fact that there had been a lack of consultation on this point did not prohibit the Committee from making a decision as there had been no objections raised in relation to noise from the submitted proposals. The planning officer however also advised the Committee that conditions applied to the grant of the car park serving the whole site occupied by the Boys Club restricted its use after 9.00 p.m. Therefore even if the hours of the operation of the 4G pitch were extended the users of the site were not allowed to park beyond 9.00 p.m. in any event”.* Stephen said that following this and the comments from the representative of the Boys Club on the invitation of the Chairman, *“Cllr Allan reiterated his view about the extension of time to 22.00 and he proposed an amendment to the recommendations contained in the report to allow use of the 4G pitch until 10.00pm”.* Stephen said the Committee then approved the application- not unanimously, subject to the approved amendment.

42.6. Stephen explained that as part of his responsibilities he provides code of conduct training for Members and he provided a copy of the slides used which include training for Members on the declaration of interests. He said *“I have checked the Authority’s records and I have noted that Cllr Allan has attended training in accordance with the Authority’s member development programme”.*

43. Evidence of Frances McClen

43.1. Frances McClen is the Environmental Health Group Leader who attended the Planning Committee on 13 June 2017. In interview she said that whilst she *“recall that I attended the Council’s Planning Committee in June my memory of the meeting is not very good. I have limited recollection of the Wallsend Boys Club application although I have since jogged my memory in preparation for interview”.*

43.2. Frances described the issues that are considered when looking at planning applications and said one of these is *“the distance from any residential properties. This is an issue due to the noise and other impacts such as light pollution. There is always noise from football grounds when a game is played and from training, the shouting of players and supporters, the crashing of*

footballs against fences, etc.” She explained that the senior EHO who had looked at the application indicated that outdoor use should not be carried out after 21.00 hours which is “a usual condition”.

- 43.3. Frances explained that *“the sensitivity of noise becomes more noticeable as the evening progresses. I recall Cllr Green, who is a councillor in WideOpen mentioning a football pitch which had been converted to a MUGA pitch where lots of complaints had followed even though there were many restrictions on the time of operation”.* Frances went on *“I believe we advised the Committee that increasing the time of use would increase the potential noise disturbance as the later into the evening the greater the sensitivity for noise”.* She explained that she knew of one pitch where *“a time of 21.00 hours to 22.00 hours is allowed for practice sessions only, but in this case a noise survey was done and it was over 200 metres between the pitches and the residential buildings”.*

44. Evidence of Paul Buie

- 44.1. Paul Buie is the Head of Business and Economic Development for North Tyneside MBC. His evidence concerned a request from Cllr Allan about a business meeting which took place in December 2015 about a proposed in the area. Paul explained that at the meeting, which *“I approached, following advice, as any other business meeting I would have with a business wanting advice and support; he learned that the proposal came from “SARJ Developments”.* Paul explained that he now *“knows that Cllr Allan had a business interest in this matter”* and the others present, were *“Jonathan Moore, Robin Cairns and Steve Toome”.* Paul emphasised *“I am clear that no pressure was applied to me at the meeting and I have no concerns about the meeting”.*

- 44.2. Subsequent to my receiving Cllr Allan’s comments on my report he (Cllr Allan) emailed me to say that he had spoken to Robin Cairns who did not recall that he was at the December 2015 meeting.

45. Evidence of Cllr Allan

- 45.1. Cllr Allan explained that he has been a councillor with the Council from 1983 to 1987 and from 1998 until today. He has been Deputy Mayor and was Leader of the Labour Group from 2009 to 2014. He was previously a Cabinet Member. He is the Deputy Chair of the Overview and Scrutiny Committee, a Member of the Constitutional Task Group and the Regulatory and Review Committee and he was until 2017 a Member of the Standards Committee. Cllr Allan explained

that he was familiar with the Council's code of conduct and had training on the code of conduct and Planning Committee training.

- 45.2. Cllr Allan explained that he arranged with Cllr Alison Waggott-Fairley to attend as substitute member for her at the Planning Committee on 13 June as she was unable to attend. Cllr Allan emphasised that he did not know the items which were going to be on the agenda before the meeting and so he did not know *"that an application by Robin Cairns on behalf of Wallsend Boys Club was on the agenda until I read the papers on Monday"*. He explained that he did not take much notice of the fact that Robin Cairns had put in the application as he viewed this as an application on behalf of Wallsend Boys Club which he emphasised was a well-known organisation.
- 45.3. Cllr Allan emphasised that he was a longstanding member of the Council and had been active in the voluntary sector for some time; saying *"I have directly and indirectly helped a large number of organisations in the Borough and I am very well known"*.
- 45.4. Cllr Allan said he did not speak to anybody about the application prior to the meeting and had an open mind. He said *"as far as I am concerned it is key to have an open mind and make the decisions which are appropriate to the matter I am considering and I always do this. I did not consider that I had any interest in the Boys Club application and there was no beneficial interest at all for me in this matter. I did not think that I should seek advice from Officers about this"*. He explained how he had viewed the question of the hours that the pitches could be used and explained that he was familiar with the question of sporting floodlights due to his experience with other organisations. He said *"I have a good experience in matters of sustainability and income streams for voluntary groups, which includes the use of floodlights and their value"*.
- 45.5. Cllr Allan felt that an early finish *"in my mind defeated the purpose of having an all-weather pitch and whether it would be a sustainable investment if the time was truncated to 9.00 p.m. I felt it was better to put the WBC in the same position as everybody else"*. He explained that he felt the Environmental Health Officer was treating the application differently from other schemes. In her advice to the Committee about the houses and the effects of the pitch on residential properties, he said *"the charity simply had not raised the issue about the*

condition [timing] and I believe they must have thought this was just something which was overlooked”.

- 45.6. Cllr Allan emphasised *“I did not engage with them before the meeting at all”*. He explained that if the Boys Club *“had to ask for a special licence every time they needed to go beyond 9.00 p.m. this would involve them as a charity, and also the Council costs in dealing with these applications”*. Cllr Allan said that he has had no recent involvement with Wallsend Boys Club other than an invitation to a fundraising event which he did not accept because do the complaint against him. He had been involved with Wallsend Boys Club first in around 2003/2004 when he was asked by the then Leader of the Labour Group to engage with them.
- 45.7. Cllr Allan explained about his interests as recorded on the Register of Interests with the Council. He explained that *“SARJ stands for Steve, Andrew, Robin and James. This is Steve Toome, Andrew Corkwell, Robin Cairns and me”*. He said *“I do not recall when my first declaration of my interests in SARJ was made but I know that I did declare it and I put up a Chinese wall within the Council to ensure that I was not involved at all in any matters which were raised by SARJ which is a development company”*. He said that *“we are working on a couple of schemes at the moment but we have not earned any money or traded”*, and explained *“SARJ created the company Largesse and owns 72% of the shareholding in Largesse”*. He explained that he was a director of Largesse although he did not own any shareholdings as these were owned by SARJ where he is a shareholder.
- 45.8. Cllr Allan explained *“Robin Cairns is also a director of Largesse representing SARJ and is a director and shareholder in SARJ”*. Cllr Allan explained that he has meetings *“with Robin Cairns as a result of our ownership and interest in these companies and I know Robin Cairns well”*
- 45.9. Cllr Allan pointed out that he believed there were other elected members who knew Robin Cairns well and of the involvement between Robin Cairns and the Wallsend Boys Club and that he felt that he was being treated inconsistently with the system and singled out specifically. Cllr Allan went on to say that *“many members know the Wallsend Boys Club as it is a well-known charity and many members have attended ceremonies at the Boys Club and at their invitation”*. Cllr Allan finished up by saying *“I believe the complaints that have*

been made about me are made on a malicious basis. There is no relationship which would embarrass me about Robin Cairns, myself or the Wallsend Boys Club which I believe should have been declared”.

46. Evidence of Kevin Riley

- 46.1. Kevin Riley is a trustee of Wallsend Boys Club and attended the planning meeting on 13 June. He explained that there *“was no settled intention for me beforehand to attend the Planning Committee and neither the Chairman Steve Dale nor Robin Cairns who made the application on behalf of WBC knew that I was going to be there”*. Kevin explained the process that had been gone through and said *“I remember Cllr Allan asked the committee to consider extending the hours to 10.00 p.m. instead of the 9.00 p.m. recommended by the officers. He said that all similar local amenities, both Council and private, run to this timing”*. Kevin explained that Cllr Lott then asked if anyone was present from the Club and he indicated that he was and said *“I told the committee that I supported the proposal for activities to be allowed to go on until 10.00 p.m. I said that local facilities were generally able to go on until this time and that I know when they do [it] helps adults and older children/youths”*. Kevin also explained the issue about the Club needing to maximise the income from the pitch as they will be required to put aside a sinking fund of around £25,000 per annum to cover the pitch replacement at the end of its useful lifetime. He emphasised that he had had no involvement in the application and did not know what discussions may have taken place, but only that he had not had any.
- 46.2. Kevin explained that he was not close to Cllr Allan and prior to the meeting had not spoken to him for some time. He emphasised that he did not speak to Cllr Allan prior to the meeting but they had a brief discussion afterwards. He said *“I would not class him as a friend but more of an acquaintance from WBC and the Council. I had no prior knowledge that he was going to be at the Planning Committee meeting or speak on the issues”*. Kevin emphasised that he knew Cllr Allan was well-known in the area and does a lot of work for football and other sports clubs across the Borough. *“I know that he has advised a number of other clubs and has given a great deal of helpful advice”*.

47. Evidence of Robin Cairns

- 47.1. Robin Cairns explained that he has had a long career in construction and development including working as a director of Kier North East who had a joint

venture vehicle set up between Kier and North Tyneside MBC. He worked closely with senior officers of the Council as directors on this board. Robin explained that he has been a trustee of Wallsend Boys Club since 2008 and explained that "WBC is one of the largest football charities in the UK". He explained that he had recently been pulling together the plans for the next stage of the development at WBC where he is a trustee on a voluntary basis. He was the applicant on behalf of WBC *"as due to my career I have considerable planning knowledge"*.

- 47.2. Robin was not at the Planning Committee on 13 June and said that normally he would not need to go. He explained that *"as far as I was concerned the timing issue in relation to when were allowed to use the pitch was never mentioned prior to the committee, either by the officers or ourselves. I do not think that we made a specific point in the application of the opening hours we wanted to secure in the permission as normally we do not have any issues with the opening times. I have submitted many plans for the Club and I do not normally stipulate the hours that we are asking for. I do not know if there was any discussion between the WBC consultants and the planning officers on this point, but frankly the opening hours were nothing we had given too much thought to. However, for the reasons I go on to explain, had I realised that it would be a contentious issue I would have certainly have made sure it was raised with the Council"*.
- 47.3. Robin went on to explain the "significant practical and financial issues for the Club" if the pitch had not been available until 10.00 p.m.; primarily because of the need for the Club to make a surplus to provide for a "sinking fund" and also for the running costs of the pitch. He explained that *"closing at 9.00 p.m. would therefore affect our income raising potential"*. Robin said he had not seen a copy of the report beforehand; he was aware that there were some favourable comments in support on the website and the only objection was from Newcastle City Council relating to drainage issues. He said he did not know that anyone from the Club was going to be there and that he did not know that Cllr Allan would be present at the Committee. He said *"I had had no contact with Jim Allan about the Planning Committee; I did not know he was going to be present as a member of the Committee. I found out afterwards that he was there as a substitute, but we had not discussed it together at all."*

- 47.4. Robin explained that he had known Cllr Allan from the early part of the 21st century and said *"I have always regarded him as someone who was always willing to act in the best interests of the Borough and anxious to do so I always found him very fair, always ready to say when he felt there was a conflict of interest and always wanting to act in the best interests of the Borough"*.
- 47.5. Robin explained how he and Cllr Allan set up SARJ Developments Limited, which arose out of an opportunity to assist Backworth Minors Welfare, a local charity. He explained that he was the managing director of "Largesse Holdings Limited" where Cllr Allan is now a director and sits on the Board of Largesse. He explained *"I see Cllr Allan on average about twice a week – as little as once a week and sometimes at most three times a week. I find him very professional and good at dealing with the official side of business as he likes to have things done properly"*.
- 47.6. Robin explained that as far as Cllr Allan is concerned *"I would regard him primarily as a business acquaintance but also see him as a friend, although I would not classify him as a very close friend. For example last year we played golf together three times, but we tend not to socialise outside of work or go to football matches together"*. Robin was keen to point out that *"I also know other members of the Planning Committee"*; he emphasised *"many more on that Committee would have something to do with WBC because of the interest that there is in the Borough"*. He said that one member of the Committee (other than Cllr Allan) *"has been a friend and previous business colleague and I have been to a number of football matches with him...although I have not seen him for years"*. He finished by saying *"I believe that Cllr Allan is a really honourable and trustworthy person and I believe that he always wants to act in the best interests of the Borough"*.

48. Evidence of Stephen Dale

- 48.1. Stephen Dale is the Chairman of Wallsend Boys Club and has been involved with the Club since around 2000, although he emphasised that he knew the Club from when he was a child. He has been Chairman of WBC since 2003 and emphasised the valuable function that the Club plays. He explained that the Club felt they needed to have an artificial pitch and that the cost of this would be *"around £600,000"* of which, whilst the Football Foundation would provide a substantial sum of money; the Club had to cover *"the costs of running*

the pitch and also to put a surplus of at least £25,000 aside year on year to pay for the replacement of the pitch itself after around 10 years". He said because of this they had put in an application for the artificial pitch and that the Football Foundation expected the pitch to be open until 22.00 as if it was not able to be used until 22.00 the Club "would lose seven hours income a week and this could have jeopardised the funding". He referred to the template that the Football Foundation provides when an application is made for funding, which template requires an indication of the usage of the pitch.

- 48.2. Stephen explained that Robin Cairns took responsibility for the planning application because of his expertise and that *"I did not therefore know that there was a recommendation from planning officers at the Planning Committee that the pitch could only stay open until 9.00 p.m. Had I known this I would have tried to attend the Committee meeting or write and explain the importance of allowing the pitch to operate until 10.00 p.m."*
- 48.3. So far as Stephen's relationship with Cllr Allan is concerned he said *"I know him personally and would regard him as an acquaintance rather than as a friend. We do not socialise together"*. Stephen explained how he first met Cllr Allan because *"some years ago the Club was facing significant frustration at not being able to get sufficient support from North Tyneside MBC...we contacted Cllr John Harrison to ask for help and he sent along his deputy who was Cllr Jim Allan. Jim very clearly understood the internal dynamics and the politics that need to go on at Councils and we knew that he had a track record of getting things done for other youth organisations across the Borough"*.

THE CODE OF CONDUCT

49. The Council's Code of Conduct deals with the situation where members are expected to declare interests.
50. In particular, Paragraph 15 of the Code says *"You will have a non-registerable personal interest to when you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees and you are, or ought reasonably to be, aware that a decision in relation to an item of business which is to be transacted might reasonably be regarded as affecting your well-being or financial position, or the well-being or financial position of a person described in Paragraph 16 to a greater extent than most inhabitant of the area affected by the decision"*. Paragraph 16 defines the persons

referred to in that paragraph and these are:

- “(a) a member of your family;*
- (b) any person with whom you have a close association;*
- (c) in relation to persons described in (a) and (b) their employer, any firm in which they are a partner, or company of which they are a director or shareholder”.*

51. The note in the Code below this paragraph defines this further and states *“You have a “close association” with someone if your relationship is such that a reasonable member of the public might think you would be prepared to favour or disadvantage that person when deciding a matter which affects them.”* The Code goes on in Paragraph 17 to say that *“when a member attends a meeting of the Council Cabinet or a committee or sub-committee”* and *“you are aware that you have a non-registerable interest in an item of business (as defined in Paragraph 15) you must disclose that interest to the meeting before consideration of that item begins or (if later) when you become aware of the interest”.*
52. The Code goes on in Part 4 to deal with *“non-participation in authority business”* and deals with the situation when a member attends a meeting. In Paragraph 18 it states *“when you attend a meeting of the Council Cabinet, or one of their committees or sub-committees, and you are aware that the criteria set out in Paragraph 19 are satisfied in relation to any matter to be considered, or being considered at the meeting, you must:*
- (a) declare that fact to the meeting;*
 - (b) not participate (or further participate in any discussion of the matter at the meeting;*
 - (c) not participate in any vote (or further vote) taken on the matter at the meeting; and*
 - (d) leave the room whilst the matter is being discussed”.*

In Paragraph 19, the criteria for the purpose of Paragraph 18 are given as being:

- (a) you have a registerable or non-registerable personal interest in the matter which is such that a member of the public knowing the relevant facts would reasonably think it is so significant that it is likely to prejudice your judgement of the public interest; and either*

- (b) the matter will affect the financial position of yourself or one of the persons or bodies referred to in Paragraph 16 or in any of your register entries; or
 - (c) the matter concerns a request for any permission, licence, consent of registration sought by yourself or any other persons referred to in Paragraph 16 (see above) or in any of your register entries.
53. The interest which is most relevant to this investigation is the interest between Cllr Allan and Robin Cairns. I should say for the avoidance of doubt that I have no evidence in front of me to suggest that there was any Disclosable Pecuniary Interest within the Regulations alleged in relation to this matter and I do not believe that there is any. However, it seems to me that I have to consider whether the relationship between Robin Cairns and Cllr Allan, due to their joint ownership and Board Membership of the Company, Largesse, and their joint ownership of the Company, SARJ Developments Limited, is such that it falls within the categories set out in Paragraphs 17 and 18 of the Code of Conduct as described above.
54. Whilst I have taken account of the fact that he said that they were not close friends, I note that Robin Cairns said that on average he would see Cllr Allan about twice a week, sometimes more, sometimes less. Although this appears to be a business relationship; it is a relationship which they both acknowledge goes back for some years, and I think that on any reasonable interpretation, that the frequency of contact, length of relationship, combined with the joint interests in the companies Largesse and SARJ referred to above, takes this into the category of “a close association” for the purposes of the Code. The evidence of this comes directly from Cllr Allan and Robin Cairns; and it is this evidence that I have relied upon. I have not needed to place weight on the evidence of Paul Buie in this regard.
55. I do not believe that there is any issue about any financial incentive in respect of Mr Cairns. He was the applicant on behalf of the Boys Club, in his position as a voluntary and unpaid Trustee; I do not therefore consider that there is any reasonable interpretation that Mr Cairns financial position would be affected. I have also considered if the benefits to the Club itself would take the behaviours of Cllr Allan into this category; as it is the club to which any financial benefit from the changed hours would accrue. Given the position of the Club in the Borough and the now peripheral relationship with Cllr Allan I do not think that an argument based on a financial position is sustainable.

56. However, the Code also provides:

“or the matter concerns a request for any permission, licence, consent of registration sought by yourself or any other persons referred to in Paragraph 16 (see above) or in any of your register entries.”

57. The matter in front of the Planning Committee was an application for planning permission made in the name of Robin Cairns, acting as a Trustee and Director of the Club, even though the application did not benefit him personally or concern any property in which he had any personal ownership. The report showed that the application was by Wallsend Boys Club “FAO Mr Robin Cairns, Wallsend Boys Club”. It would therefore have been apparent to Cllr Allan upon his consideration of the reports that the Applicant was Mr Robin Cairns, albeit on behalf of the Wallsend Boys Club. Whatever the reasons behind Cllr Allan attending at the Planning Committee as a substitute, the fact remains that he was there and that he spoke about the application and, I believe, voted. The application was made, albeit for the Boys Club, by an associate of his with whom he had a close business relationship and concerned “a request for a permission” in relation to the Boys Club, made by Mr Cairns.

58. It seems to me that it is reasonable to think that Cllr Allan had a “close relationship” with Mr Cairns to the extent that “a reasonable member of the public might think that he would be prepared to favour or disadvantage that person when deciding that matter” as outlined in Paragraph 16 of the Code and that accordingly, Cllr Allan should have made a declaration of that fact to the meeting, should not have participated in the discussion of the matter, should not have participated in the vote and furthermore should have left the room while the matter was being discussed. Indeed, in Cllr Allan letter to the Monitoring Officer he said “I should have declared a non-pecuniary interest and I accept the fault, which I sincerely apologise for”.

59. It is not in dispute that Cllr Allan did not make any such declaration, and that he behaved in such a way. I therefore find that he was in breach of the Council’s Code of Conduct.

60. Turning to the register of interests, under the Councils Code of Conduct, paragraph 13, members are required to do as follows:

You must register in the Authority's Register of Members Interests information about your registerable personal interests. In this code of conduct 'your registerable

personal interests' means:

(a) any Disclosable Pecuniary Interest as set out in Annex 2;"

In Annex 2 it states as follows (following the Disclosable Pecuniary Interest Regulations 2012)

The following interests are Disclosable Pecuniary Interests if they are an interest of either (a) yourself, or (b) your spouse or civil partner, or (c) a person with whom you are living as husband and wife, or (d) a person with whom you are living as if you were civil partners (all of whom are referred to as "relevant persons"):-

Employment, office, trade, profession or vocation - Any employment, office, trade, profession or vocation carried on for profit or gain.

61. Cllr Allan accepts that he became a director of Largesse Holdings on 17 March 2017, as the Companies House records show; and that he became a Board member and employee of SARJ from 1st July 2017. He did not notify the Monitoring Officer of these changes to his register of interests until 30th July 2017.
62. Under paragraph 13 of the Code, members are required to inform the Monitoring Officer of any change in their register of interests within 28 days. Whilst the change in respect of SARJ only fell a little outside this requirements, it is, nonetheless, a change which was registered late; and the registration in respect of the Largesse interests was clearly several months overdue. Whilst Cllr Allan has told me that Largesse has not made any money or traded so far, it is a commercial company set up to make a profit and he is a director of the company. It therefore seems to me that when he became a director, that interest should have been declared on his Register of Interests.

CONCLUSIONS

63. In making these findings I have taken account of the fact that Cllr Allan was familiar with the Council's Code of Conduct, had attended training at which the position around interest was explained to members and indeed was a former member of the Council's Standard Committee. He accepted that he was familiar with the Code of Conduct. I have also taken account of the email sent by Cllr Allan to the Monitoring Officer on 28th July 2017 at which he said *"I would like to save a lot of time and effort that your team will have to undertake to see the complaint process through, by accepting the fault of me not declaring a non-pecuniary interest in the planning application as a consequence of knowing the Applicant. I have shown some naivety*

by not doing so and accept that I have not declared a relationship between me and the Applicant, who is a Trustee of Wallsend Boys Club". Cllr Allan went onto say "I should have declared a non-pecuniary interest and I accept the fault, which I sincerely apologise for".

64. He continued *"I did not become a director of Largesse Holdings Limited until 17th March 2017 (as shown on the evidence produced from Companies House by the Complainant) and I was not appointed officially to the Board by SARJ until the first of this month and as part of becoming a live active company. The interest in Largesse for me personally is as a shareholder in SARJ and as an individual part time employee effective from 1st July 2017. The fact that I had declared an interest in SARJ previously, and the formation of Largesse was work undertaken by SARJ so I feel I have not withheld my activities and have been open and honest, perhaps more so than other elected members in the authority. I have known Robin Cairns for a number of years as a friend and colleague. He was involved with NTC as an employee of a number of council contractors so he is well known throughout NTC. I have never compromised a relationship in terms of making any decisions in any body where I have had to make a decision".*
65. The first issue for me to consider is whether or not the Code of Conduct applies. Under s27 of the Localism Act 2011, the Code applies when members are acting "in that capacity". The first aspect of this complaint relates to the behaviour of Cllr Allan when he was acting as a member of the Council's Planning Committee. It therefore seems to me that the Code applies. The second aspect refers to Cllr Allan's register of interests, which he is under a duty to complete as an elected member. Again I find that the Code applies.
66. The Monitoring Officer has suggested that the following paragraphs of Part One of the Code of Conduct the members may be engaged:
- Paragraph 4, *"You must not conduct yourself in a manner which could reasonably be regarded as bringing the Authority, or your office as a member of the Authority, into disrepute";*
 - Paragraph 5, *"You must not use or attempt to use your position as a member improperly to confer or secure for yourself or any other person and advantage or disadvantage".*
 - In addition, it seems to me that the following paragraphs are relevant-

- Paragraph 13 - failure to give notice to the Monitoring Officer within 28 days of a change to a member's Register of Interests;
- Paragraph 17 - failure to disclose a non-registrable interest to the committee meeting;
- Paragraph 18 - failure to declare a non-registrable public interest to the meeting; participating in the meeting, voting on the matter and not leaving the room whilst the matter was being discussed.

67. This is a difficult situation. I accept, as I say above, that there was no direct financial interest to either Mr Cairns or to Cllr Allan as a result of the planning application. However, as described above, there does not need to be a financial interest to mean that a breach of the Code has taken place. In this case there are other factors to consider.

68. However, I have to view this investigation and the complaint in accordance with the Code of Conduct.

69. It seems to me, in accordance with that Code of Conduct, that there is evidence to find that Cllr Allan was in breach of Paragraphs 4; 5; 13; 17 and 18 of the Code outlined above and I make such findings.

Olwen Dutton

Partner

Anthony Collins Solicitors LLP

Tel: 0121 214 3625

Email: olwen.dutton@anthonycollins.com

Appendix One to Investigating Officer's Report

Witness Statements

APPENDIX ONE
WITNESS STATEMENTS

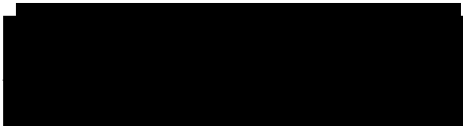
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STATEMENT OF ELECTED MAYOR NORMA REDFEARN

1. I was first elected as Mayor in 2013 and was re-elected in 2017. Before then I was a local Councillor and the Cabinet Member for children and young people in North Tyneside.
2. I want the Council to be as open and transparent as possible. I am the last port of call for residents' opinions and views particularly if they have been unable to resolve a problem with the Council elsewhere. We are a public body funded by our residents and we have to operate effectively and, regardless of party, behave properly. If we have a process to follow this has to be followed. I am very clear that this applies to everything and if I see something that I do not believe is right I will look at it if it possibly affects public trust in the Council.
3. I made the complaint about Cllr Allan following the events of the Planning Committee on 13 June 2017. I was alerted to this by a press release from the Council's press office. This is a normal thing as it is a roundup of the day's events for the Council. The press release alerted me to the application that had taken place and in particular, at the end of the report, it said as follows:- "Councillors discussed whether the pitch, with floodlights, should be allowed to operate after 9.00 p.m. Cllr Jim Allan proposed the cut-off point should be 10.00 p.m. This would allow evening games to finish on time".
4. When I saw this I wondered how this came about. I looked at the papers that went to the Planning Committee and saw that Cllr Allan had substituted at Planning Committee for a councillor who was not able to be present. This is in accordance with our processes. I believe that he had asked Cllr Waggott-Fairley if he could substitute for her.
5. I noted that the applicant for the extension to the application by Wallsend Boys Club was Robin Cairns. I knew that he had been very close to Cllr Allan for many years. I found out that Cllr Allan was a partner with Mr Cairns in a company and then realised that he was the representative for Wallsend Boys Club. I did not think that it was acceptable that Cllr Allan had spoken at the Planning Committee in favour of the extension to time for the Boys Club against officers' advice when he knew the applicant so well and had not declared an interest.

6. When I looked at Cllr Allan's declaration of interest he had not said anything about being a partner with Robin Cairns and I knew it was wrong. Cllr Allan has been a councillor for 27 years and knows the process and the requirements of the Code of Conduct. I wondered what all this had been about. The Chairman also told me that Cllr Allan had told him that he was only there for the Boys Club application
7. I believe that it is important to make clear to everyone what is acceptable behaviour in this Council and what is not.
8. I should make it clear that the Boys Club do a number of good things for young people locally and I have supported them myself.

I believe that the contents of my statement are true

Signed 

Dated 16th November 2017

Olwen Dutton

From: Frank Lott [REDACTED]
Sent: 13 December 2017 23:23
To: Olwen Dutton
Subject: Statement

Hi

I hope this will suffice

STATEMENT OF COUNCILLOR FRANK LOTT

1. I am Councillor Frank Lott. I have served as a Councillor with North Tyneside Metropolitan Borough Council since 1990 with one "gap year". I have been Chair of the Planning Committee since May 2017 and before that was the Deputy Chair for two years. For most of the last 17 years as a Councillor I have served on the Executive and Cabinet as a Member and so have not been on the Planning Committee.

2. The Planning Committee meets every third week and two weeks before each meeting we have a pre-agenda meeting with Officers where myself and my deputy go through the reports which are likely to be on the agenda. Other than this, individual Members are encouraged to ask any questions of Officers before the meeting and the reports go out as required at least three working days beforehand.

3. I recall the meeting of 13 June 2017. I started the meeting at 10.00 a.m. with the usual housekeeping rules. These concern things like mobile phones, fire alarms and where we have public in the public gallery I remind them that they are guests to the meeting and not participants. Sometimes we have had people who have asked to speak to the Committee using the five minute process that the Council has adopted, but at this meeting I do not think there were any such participants.

4. Following this we deal with the formal agenda which consists of apologies, any substitutes, any declarations of interest which I regard as most important and then get on to the minutes and reports.

5. At this meeting Cllr Allan was a substitute. This is allowed under the Council's Constitution provided that planning training had been attended, which he had done. Cllr Allan made no declaration of interest at the meeting. The Wallsend Boys Club application was second or third on the agenda. There were two main areas of discussion, the potential flooding impact where Newcastle City Council had initially objected and then the timing for the football ground to be open. Officers had recommended that play could take place until 21.00 hours and the question was whether or not this was a reasonable time, bearing in mind the consideration that had to be given to nearby residents as well as to the application itself. Whilst there was some discussion about this, I did not have a feeling that there was much doubt that approval would be given but it would be subject to conditions.

6. Cllr Allan led the discussion about timing. The rationale from him seemed to be why the recommendation was 9.00 p.m. when there did not appear to be a standard time across North Tyneside, either for private facilities or for the Council's own leisure facilities, for the cessation of the day's activities.

7. The Environmental Health Officer who was present had recommended that the close should be 21.00 hours and she reminded the Committee about the importance of judging the application on its merits and alluded to the proximity of residents to the playing area and the new pitch.

8. I asked Cllr Allan if he felt that 21.30 hours would be a suitable compromise as I was trying, in my role as Chair, to find a resolution to the debate. Cllr Allan said he did not see why 21.30 hours would be better than 22.00 hours. He asked what would happen if a match started at 19.30 or 20.00 in which case the game would not be over by 21.00 p.m.; he said he felt that it was not reasonable to expect matches to have to be terminated before the proper time. The Environmental Health Officer said that if residents complained the Council would have to go through the normal procedures of sound monitoring and giving advice but that it is difficult to change a condition once granted. I think the debate went on for at least 10 minutes.

9. A man from the Boys Club was present at the meeting and sat in the public gallery, the only person there so far as I recall throughout the meeting. He had not asked for speaking rights but I invited him to comment on the discussion to clarify a couple of issues.

10. My view was that 21.30 would have been a more acceptable time but that is merely my own opinion.

11. I found it curious that the application was later the subject of a press report, as no one from the press was present at the meeting. At the time I did not think that anything was unusual about the meeting, it is quite usual to have Members substituting for other Members, particularly as the planning meetings are frequent and start at 10.00 a.m.

12. I seconded the Boys Club nomination to receive freedom of the Borough a few years previously at Cllr Allan's invitation as he had nominated them to receive this honour.

STATEMENT OF CLLR JIM ALLAN

1. I have been a Councillor with North Tyneside Metropolitan Borough Council from 1983 to 1987; and from November 1998 until today. During that time I was Deputy Mayor from 2005 to 2009 and I was the Leader of the Labour Group from 2009 to 2014. I am not in the Cabinet at present. I am the Deputy Chair of the Overview and Scrutiny Committee, on the Constitutional Task Group, the Regulation and Review Committee. I was a Planning Committee member for a number of years and I greatly enjoy the Planning Committee, I look at the proposals very carefully and scrutinise them correctly. I was until 2017 a member of the Standards Committee. I am familiar with the Council's Code of Conduct and the issues relating to that. I have had training in the Code of Conduct and also Planning Committee training in accordance with the requirements of the Council. In addition I have received the training as required by the council for all duties that I could be called to be involved in.
2. I was disappointed to come off the Planning Committee earlier this year, as I enjoy planning and the work of the Committee. I like to go into the applications very thoroughly and I challenge and question the officers. My fellow Councillor, Cllr Alison Waggott-Fairley was appointed a member of the Planning Committee but due to the requirements of the role and the frequency of meetings she would rather come off this committee and we agreed amongst ourselves that it would be worth us substituting ourselves which involved my membership of the Housing Scrutiny Committee. For me this would be suitable because of my personal circumstances; as due to the caring responsibilities I have, daytime meetings, such as those with the Planning Committee, are easier for me to manage than evening ones.
3. At the labour group meeting where committee places were announced both Councillor Alison Waggott-Fairley and myself agreed to swap and substitute for each other on the next scheduled committees including the next (June) planning committee. We had no knowledge of the agenda items of either committee. Before that took place we were informed by our Group Secretary that these could not be done on a permanent arrangement but only on a meeting by meeting basis, and this caused a lot of uncertainty and it was not clear what could be done. So the distribution of the June planning committee agenda to myself was a later delivery time, as designated committee members received the agenda a week earlier.

4. So far as Committees are concerned we normally get the papers the previous week, allowing for seven clear working days' notice. For the Planning Committee on 13 June 2017 I attended as a substitute member for Cllr Alison Waggott-Fairley, who had notified the Democratic Services Officer, Michael Robson that I was going to be her substitute. Substitution of members is not an unusual thing and I had been asked by Alison earlier if I would substitute for her on this occasion as she was unable to attend. At that point I did not know what items were going to be on the agenda and I did not receive the agenda and the report before the Friday evening. As I was away with my family that weekend I did not receive the papers until after I came back home after the weekend and I did not know that an application by Robin Cairns on behalf of Wallsend Boys Club was on the agenda until I read the papers on Monday.
5. From my perspective this was an application on behalf of Wallsend Boys Club and I did not take much notice of the fact that Robin Cairns had put in the application on their behalf. I know that there are a number of other members of the Planning Committee who know Wallsend Boys Club ("WBC") and who have attended their events, for example Cllr Paul Mason, who also is a friend of Mr Cairns, and there is some history of friendship and social occasions together. Accordingly, I did not see this as a particular issue. WBC is a very well-known organisation. For example it has a set up in Hong Kong, it works with the Home Office and its involvement with young people is not just through football.
6. I have been a member of NTMBC for many years and I have been active in the voluntary sector. I was a founder member of VODA which covers all aspects of the voluntary sector and I worked with the Citizens Advice Bureau as the Chair of the Management Committee for both the Wallsend CAB and then the merged North Tyneside CAB. I was successful in gaining a grant from the Sport Lottery for Killingworth Young People's Club, and was honoured when the building was formally opened by The Duke of Kent and was named in my honour. I have directly and indirectly helped a large number of organisations in the Borough and I am very well known.
7. Robin Cairns used to be a director of ROC and Kier North Tyneside. He is quite well known in the Borough and within the council. I have worked with Robin Cairns before through Gentoo. He also has a relationship with some of the senior members in the Council the Mayor, Norma Redfearn. Many members of the Planning Committee know about his work.

8. I did not speak to anybody prior to the meeting about this application, nobody at all. I had an open mind. I was concerned about the comments from Newcastle City Council about the flood area as the site is very close to the boundary between North Tyneside MBC and Newcastle City Council. In previous years I was involved as a Deputy Mayor and a Cabinet Member with the WBC scheme for having their own facilities. I can recall attending a meeting in Wallsend representing North Tyneside Council where over 100 people were in the audience "slagging North Tyneside off". I was also involved when Wallsend Boys Club moved to the site but this was through the Council and nothing to do with me personally. The facilities at that time were opened by the then elected Mayor Arkley and I did not have a close involvement at that stage. The work had already been agreed and implemented in advance of the political change. As a consequence of this scheme I was fully aware of the background and issues in the life of the scheme.
9. As far as I am concerned it is key to have an open mind and make the decisions which are appropriate to the matter I am considering and I always do this.
10. I did not consider that I had any interest in the Boys Club application and there was no beneficial interest at all to me in this matter. I did not think that I should seek advice from officers about this.
11. At the Committee meeting I felt there was a big issue of flooding being raised by Newcastle City Council where the real issue, it seemed to me, was the upstream development that causes flood risk, and Wallsend Boys Club had not been involved in this. This particular development by the Boys Club did not cause, it seemed to me any issues and the objections from Newcastle CC were about the impact of the upstream development.
12. When we came to consider the question of the hours that the pitches could be used I looked at this from my whole knowledge and experience of the Borough. I am familiar with the question of sporting floodlights; for example I was involved with the issue of the buyout by British Gas employees of their own sports club which had floodlights. I was Chair of Blue Flames Sporting Club Ltd. as a consequence of a buy out of our Sports and Social Club (I was Chair of that organisation) because the employers subsidies were withdrawn. I was the Operations Director from 2002 – 2005. So I have a good experience in matters of sustainability and income streams for voluntary groups, which includes the use of floodlights and their value.

13. I asked what would happen if a game had a 7.30 kick off because then there would not be time to finish the game before 9.00 p.m. This in my mind defeated the purpose of having an all-weather pitch and whether it would be a sustainable investment if the time was truncated to 9.00 p.m. I felt it was better to put the WBC in the same position as everybody else. That included North Tyneside Council's providers, and educational provision, along with other private providers. I said that it would not work and quoted about ten sites in the Borough of Newcastle with longer hours.
14. There was a member trustee sat in the public gallery, Kevin Riley. He had not asked to speak but was invited by the Chairman of the Planning Committee to make comments. He (the Chairman) first sought the committee's permission for this to happen and all the committee agreed to that suggestion. I recall that Kevin Riley said when asked if there as an objection to the timing change that the Club had never thought about it but they would not object.
15. Although the Environmental Health Officer advised the Committee about the houses being adjacent to the site and the effects of noise from the pitch on these residential properties I felt that she was treating it as different from other schemes. The charity simply had not raised the issue about the condition and I believe that they must have thought that this was just something which was overlooked. I did not engage with them before the meeting at all.
16. If the Boys Club had to ask for a special licence every time they needed to go beyond 9.00 p.m. this would involve them as a charity and also the Council in costs in dealing with these applications.
17. This is a facility with an intended ad hoc usage and I think it would be unfortunate if the Boys Club were to lose income because of this restriction.
18. I know that charitable groups need help. I have helped other groups such as New Fordley Juniors to get a new clubhouse and I helped Wide Open Juniors to get a new facility. I assisted Forest Hall Juniors to get a grant of £600,000 from North Tyneside MBC.
19. Wallsend Boys Club is a fairly big operation. They have a trustee's panel which includes a solicitor and some financial people. When I approach these issues I always approach them and scrutinise them with an open mind, questioning the issues. This is why I like sitting on the Planning Committee.

20. At the Planning Committee meeting I think there were other members including the Chairman speaking in support of the application and of my suggested amendment. I do not recall hearing anybody speak against it. We had a fairly lengthy discussion, of around 30 minutes, although this included the discussion about the flooding issues.
21. I cannot recall anyone mentioning any complaints from residents. I have had no involvement with WBC since and have no idea as to whether or not the application has been built, it may well be still waiting funding. I have had no involvement with Wallsend Boys Club since; other than an invitation from them to a fundraising event which I did not accept because of the complaint about this which has been raised against me, previously I would have probably have gone in a private capacity, and that can be confirmed by WBC. They may also be able to confirm those members who have gone along to events hosted by WBC over the last few years.. I do know however that other members have been attending some meetings on behalf of and with the Boys Club.
22. In 2003/2004 the then Leader of the Labour Group on NCMBC was approached by Wallsend Boys Club because they were not getting proper co-operation with the Council in terms of finding a new home ground in the Wallsend Area. The Leader of the Labour Group directed me to engage with them and I did so on his behalf and on behalf of the Labour Party Group of Councillors.
23. As the record shows, I change my register of interests as things change, including my relationship with SARJ and other companies.
24. SARJ stands for Steve, Andrew, Robin and James. This is Steve Toome, Robin Cairns, Andrew Caulkwell and me. I do not recall when my first declaration of my interest in SARJ was made but I know that I did declare it and I put up a Chinese wall within the Council to ensure that I was not involved at all in any matters which were raised by SARJ, which is a development company. The others involved in SARJ will be able to confirm how I stay clear of direct involvement with NTC on any business
25. As far as SARJ is concerned we are working on a couple of schemes at the moment but we have not earned any money or traded. SARJ created the company Largesse and owns 72% of the shareholding in Largesse, the other 28% is owned by a "man in America and a local guy". I am a registered director of Largesse although I do not own any shareholdings directly in Largesse, as this is owned by SARJ, of whom I am a

shareholder. Robin Cairns is also a Director of Largesse representing SARJ and a director and shareholder in SARJ.

26. Largesse has been working for about 18 months on a number of schemes, we have had lots of discussions and meeting with lawyers as a result of a scheme for a bid in Morpeth which has sadly now looks like it has fallen through, but that has yet to be confirmed. As part of this I have had meetings with Robin Cairns as a result of our ownership and interest in these companies and I know Robin Cairns well. I would like to point out that there are also other elected members who know Robin Cairns and know of the involvement between Robin Cairns and the Wallsend Boys Club.

27. I have also known Kevin Riley from 2003 (he was present at the Planning Committee).

28. I have already apologised for not declaring that I knew Robin Cairns at the Planning Committee. I did not see anything untoward as far as my behaviour was concerned and I did not see how this could be a contentious issue. My business interests have been declared and made public as I believed to be appropriate. I do not think that they need to be spelt out to minute detail as those details are available publicly via Companies House Website. It was no secret that I had had an involvement with Robin Cairns although I accept that I knew him more than casually and that I have an active business relationship with Robin Cairns.

29. I would also like to raise the point that declarations of interest apply to all of the 61 members of the Council. However, any examination of the Register of Interests shows that some people do not register changes that should be made. Many go beyond the 28 days requirement to register changes and leave their declaration of interests very late. These include the Deputy Mayor, and the Complainant themselves and I believe that there have been situations where members get invited to hospitality by Kier for example and do not declare this. This is an anomaly that demonstrates a lack of consistency of the system and in my case shows that I have been singled out specifically and yet the members of my Group have been advised by Labour Group Officers (which includes the complainant) that they need to urgently update their declarations of interest, this was after the complaint against me was submitted. The question I ask is has the complainant applied consistency across everyone, is it because of her personal issues against me? What would a member of the public read into this if they knew all of the facts?

30. Many members know the Wallsend Boys Club as it is a well-known charity and many members have attended ceremonies at the Boys Club and at their invitation.

31. I should make it clear that I have made declarations in the past about this, as had the Mayor, and I have no reason to suspect that anybody was in any doubt about this.

32. I believe that the complaints that have been made about me are made on a malicious basis. There is no relationship which would embarrass me about Robin Cairns, myself or the Wallsend Boys Club which I believed should have been declared.

I believe that these contents of my statement are true

Signed

Dated

against me? What would a member of the public read into this if they knew all of the facts?

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I believe that the contents of my statement are true.

Signed



Dated

21st February 2018

STATEMENT OF STEPHEN BALLANTYNE

1. I am Stephen Ballantyne. I am currently employed by North Tyneside Council (the Authority) as a Lawyer Specialist – Governance and Employment. I have worked for the Authority, in a number of roles, for 23 years and I currently have responsibility for governance matters including legal support to the Authority's Standards Committee. I also support the Head of Law and Governance in her role as the Authority's Monitoring Officer in relation to the operation of the Authority's Code of Conduct for Members and the arrangements for dealing with complaints made under the Code of Conduct for Members. I am also the Authority's employment law specialist.
2. From time to time when the Authority's planning lawyer is not available to attend a meeting of the Planning Committee I will be asked to cover; it is not unusual for me to be asked to cover such a meeting. This was the case when I was asked to cover the Planning Committee meeting which took place on the 13 June 2017. I was not previously involved in any preparation for the Committee or in any advice that had been given beforehand.
3. I recall that there were not many items on the Committee's agenda and the Committee started in the usual way, with the Democratic Support Officer making sure that Members were advised of the process adopted by the Committee for the consideration of planning applications. The Planning Committee's papers contained a reminder to Members of the need to observe the Code of Conduct for Members and a formal item of business appeared on the Committee's agenda to prompt Members to declare interests in relation to matters before the Planning Committee.
4. I recall that Councillor Allan was present at the meeting as a substitute member; I do not recall him declaring any interest pursuant to the requirements in the Code of Conduct for Members at the beginning of the meeting or during the consideration of the applications.
5. The Committee was advised by the Democratic Support Officer at the start of the meeting that the first two applications on the Committee's agenda had been withdrawn from consideration. The Committee then dealt with an application from The Briar Dene

Public House, The Links, Whitley Bay, before dealing with the application from Wallsend Boys Club.

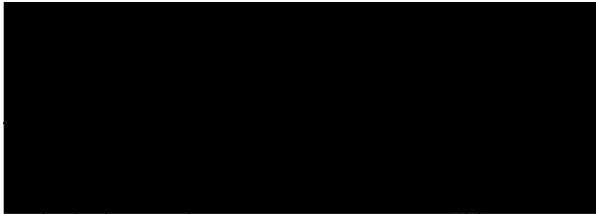
6. The application from Wallsend Boys Club proposed an extension to existing boys club, comprising of a first floor extension to the existing facilities to provide meeting spaces, offices and events areas and the erection of new indoor pitch and new external 4G pitch to replace the existing large pitch. The Planning Officer presented her report in relation to this application as she would normally do. There was debate and comment from Members as the application was considered and questioning of officers in relation to the report. There were no objectors at the meeting who had applied to speak.
7. Councillor Allan raised an issue in relation to the timing of the operation of the external 4G pitch. I recall Councillor Allan indicated that if the playing time was limited to 9.00 pm, as proposed in the application and detailed in the report to the Committee, it was possible that games would not be over, if for example they started at 7.30pm. He made a suggestion that the recommendation in relation to the hours of operation be altered to enable the pitch to be available until 10.00p.m. He further explained that such an amendment would bring the hours of operation of the 4G pitch in line with other similar facilities in the Borough.
8. During the consideration of the comments made by Councillor Allan it was noted by the Committee that the proposed playing pitch was at one end close to nearby residential properties. The Environmental Health Officer present at the meeting said there could be noise nuisance issues with extended hours of operation bearing in mind the proximity of the proposed new pitch to the residential properties. She also pointed out there had not been any public consultation in relation to an extension of the hours of operation of the proposed pitch as suggested by Councillor Allan.
9. The Environmental Health Officer advised the Committee that it would be better to grant the application as originally proposed and then if the applicant felt the need to extend the hours of operation of the proposed pitch they could then apply for a variation to the planning consent to allow the extended hours to 10.00pm. Any such application would then be subject to full public consultation including a noise survey.
10. The Environmental Health Officer also explained that if the application was amended and was granted for use until 10.00pm. and there were then noise nuisance problems it would be much more difficult for the Authority to practically address, as any action would have to be in respect of a statutory noise nuisance.

11. The Environmental Health Officer was clear in her advice to the Committee and repeated her advice to the Committee more than once.
12. In response to an issue raised about consultation on an extension in the hours of operation of the proposed pitch, the Planning Officer advised the Committee that the fact that there had been a lack of consultation on this point did not prohibit the Committee from making a decision as there had been no objections raised in relation to noise from the submitted proposals. The Planning Officer however also advised the Committee that the conditions applied to the grant of the car park serving the whole site occupied by the Boys Club restricted its use after 9.00pm. Therefore even if the hours of operation of the 4G pitch were extended, the users of the site were not allowed to park beyond 9.00pm in any event.
13. To assist the Committee address the comments of the Environmental Health Officer the Chair, Councillor F Lott, asked if there was a person from the Boys Club present at the meeting to give a view on the effect that the hours of operation applied for could have. A representative who had been observing the meeting from the public gallery came forward and was allowed by the Chair to address the meeting. The representative explained that games could go on past 9.00p.m. and it would be useful to be able to play games until 10.00pm. The representative of the Boys Club did however confirm to the Committee that they were aware that they had applied hours of operation up until 9.00pm. rather than 10.00pm.
14. Councillor Allan reiterated his view that the hours of operation of the proposed 4G pitch should be until 10.00pm and he proposed an amendment to the recommendation contained in the report to allow use of the 4G pitch until 10.00pm. I do not recall which Member seconded Councillor Allan's proposed amendment.
15. Other Members of the Committee briefly spoke about the application and the proposed amendment. The Committee then moved, at the Chairs request, to vote on the proposed amendment to the recommendation and conditions. The amendment was carried. I do not recall the balance of the votes cast but I do remember it was not unanimous. The Committee then proceeded to approve the application subject to the approved amendment.
16. As part of my responsibilities I undertake Code of Conduct training for Members. I attach a copy of the slides I use, which include training Members on the interest issues and the

need to declare them. I have checked the Authority's records and I have noted that Councillor Allan has attended training in accordance with the requirements of the Authority's Member Development Programme. The Member Development Programme sets out the training (and frequency) that Members must undergo. The Development Programme requires all Members to undertake Code of Conduct training once every two years.

I believe that the contents of my statement are true.

Signed ...



Dated

12 December 2017

Code of Conduct for Members

October 2017



North Tyneside Council

Introduction

- Current Code of Conduct from July 2012
- Code must be consistent with the Seven Nolan Principles of Public Life (see Annex 1 to Code)
- Regional Model adopted
- Redefines interests



North Tyneside Council

Code of Conduct – Part 2

Registration of Interests

- Written Register required
- The Register must be published on the Council's Web site
- Defines Registerable (i.e. On your Register) and Non Registerable Personal Interests



North Tyneside Council

Code of Conduct – Part 2

Registration of Interests

- Registerable Personal Interests made up of :
 - Disclosable Pecuniary Interests (as set out in Annex 2 to Code; and
 - Other interests (as set out in Annex 3)



North Tyneside Council

Code of Conduct – Part 2

Registration of Interests

- Disclosable Pecuniary Interests (DPIs) –
 - Employment, office, trade, profession or vocation
 - Sponsorship
 - Contracts
 - Land
 - Licences
 - Corporate Tenancies
 - Securities



North Tyneside Council

Code of Conduct – Part 2

Registration of Interests

- Disclosable Pecuniary Interests (DPIs) –
 - If they are an interest of either:
 - You;
 - Your spouse or civil partner;
 - A person with whom you are living as husband and wife; and
 - A person with whom you are living as if you were civil partners



North Tyneside Council

Code of Conduct – Part 2

Registration of Interests

- Failure without reasonable excuse to register a DPI is a criminal offence under Section 34 of the Localism Act 2011. See article relating to former Leader of Dorset County Council



North Tyneside Council

Code of Conduct – Part 2

Registration of Interests

- Other interests (as set out in Annex 3 are your interests only and not those of your spouse or civil partner etc)
 - Membership of Outside Bodies appointed by the Council
 - Bodies of which you are a member or in a position of management or control which:
 - Exercise functions of a public nature; or
 - Has charitable purposes ; or Whose principle purpose is to influence public opinion or policy



North Tyneside Council

Code of Conduct – Part 2

Registration of Interests

- Other interests (as set out in Annex 3) cont'd
 - Any person from whom you have received a gift/hospitality worth £50 or more within previous 3 years attributable to your position as a Member
- Failure to register Other interests is a breach of the Code of Conduct but not a criminal offence.



North Tyneside Council

Code of Conduct – Part 2

Registration of Interests

- What do I have to do?
 - Complete Interests form circulated in relation to:
 - Your interests;
 - Your spouse or civil partners interests (in relation to the DPI's)
 - Seek advice if uncertain



North Tyneside Council

Other Interests not in Register

- In addition to the Interests you must declare in the Register, other (non registerable) Interests can arise in the course of dealing with an item of business at an Authority Meeting. These non-registerable interests must be declared in meetings.



North Tyneside Council

Code of Conduct – Part 3

Non-Registerable Personal Interests

- You have a non-registerable personal interest where:
 - an item of business in a meeting might reasonable be regarded as affecting:
 - your well being or financial position; or
 - the wellbeing or financial position of a member of your family; or a close associate or
 - their employer, any firm in which they are a partner or a company of which they are a director or shareholder) to a greater extent that most inhabitants of the area affected by the decision



North Tyneside Council

Code of Conduct – Part 3

Non-Registerable Personal Interests

- “a member of your family” and “close associate” are defined in the Code
- Where you have a non-registerable personal interest in an item of business you must disclose that interest to the meeting at the beginning or as soon you become aware of the interest



North Tyneside Council

Code of Conduct – Part 4

Non-Participation in Council Business

- Where you have a Registerable Personal Interest or a Non-Registerable Personal Interest in an item of business and the following criteria or “proximity test” is satisfied you must:
 - Declare it to the meeting;
 - Not participate in any discussion or voting on the matter; and
 - Leave the room whilst the matter is being discussed.



North Tyneside Council

Code of Conduct – Part 4

Non-Participation in Council Business

- The “Proximity Test”
 - You have an Registerable or Non-registerable Interest in a matter which is such that a member of the public knowing the relevant facts would reasonably think it so significant that it is likely to prejudice your judgement of the public interest; and:



North Tyneside Council

Code of Conduct – Part 4

Non-Participation in Council Business

- The matter will affect the financial position of you, a member or your family or a close associate etc or any of your register entries; or
- The matter relates to a request for a permission or licence etc for yourself, your family or a close associate etc or any of your register entries;



North Tyneside Council

Code of Conduct – Part 4

Participation in other circumstances

- Dispensations - the requirements in relation to non-participation do not apply where a member has:
 - a relevant dispensation granted by the Standards Committee in accordance with Section 33 of the Localism Act 2011; or



North Tyneside Council

Code of Conduct – Part 4

Non-Participation in Council Business

- The matter relates to the following functions:
 - Council housing
 - School meals or school transport
 - Statutory sick pay
 - An allowance, payment or indemnity given to Members
 - A ceremonial honour given to Members and
 - Setting the Council Tax or precept.



North Tyneside Council

Code of Conduct – Part 1

General Conduct

- Part 1 obligations relate directly to the Nolan principals:
 - Respect
 - No bullying or intimidation
 - Disrepute
 - Improper advantage or disadvantage
 - Proper use of resources etc



North Tyneside Council

Local Arrangements for dealing with complaints

- Filter of complaints by Monitoring Officer in consultation with Independent Persons and following receipt of subject members initial views on complaint
- Opportunity for local resolution
- Opportunity for complainant to seek a review of MO initial decision to refuse referral for investigation
- Investigation by Monitoring Officer or MO appointee (if referred)



North Tyneside Council

Local Arrangements

- Determination of breach and sanction by Standards Sub-Committee with advice from Independent Person
- Right of Review by subject member of Standards Sub-Committee's decision



North Tyneside Council

Applying the Code of Conduct for Members – Practical Exercises

Question 1

The Planning Committee has received an application from a company to build a small office block. The development would be in a Conservation Area. One of the Councillors on the Planning Committee is the cousin of a senior manager in the development company.

- *What kind of interest, if any, does the Councillor have?*
- *If an interest exists, what should the Councillor do?*



North Tyneside Council

Applying the Code of Conduct for Members – Practical Exercises

Question 2

A Councillor is an active senior executive member of Greenpeace and a member of the Council's Planning Committee. The Council is supportive of the local nuclear power plant, and is engaged in discussions to develop a site to process nuclear waste from other parts of the country.

- *What kind of interest, if any, does the Councillor have?*

An application is received from the nuclear power plant in relation to the reprocessing of waste

- *If an interest does exist, what should the Councillor do?*



North Tyneside Council

Applying the Code of Conduct for Members – Practical Exercises

Question 3

You are an executive director on the board of the local private hospital. The hospital is under pressure from Health Insurers to reduce the length of in-patient hospital stays for elderly patients. You are also a member of the Council's Cabinet. Your Council has a policy to reduce Council Tax and is considering funding this through the reduction of home care support and the closure of an elderly respite home.

- *When sitting as a Cabinet Member faced with this decision, how should you behave?*



North Tyneside Council

Applying the Code of Conduct for Members – Practical Exercises

Question 4

There has been a range of issues facing the Council about Councillor behaviour and officer/councillor relations. The issues have not been focused around one Councillor. Although it is clear that all is not well, there have been no complaints made to the Standards Committee and the problems are “low level” but recurrent.

- *What could the Standards Committee do?*



North Tyneside Council

Applying the Code of Conduct for Members – Practical Exercises

Question 5

The Council is considering a Large Scale Voluntary Transfer (LSVT) on a housing estate. A member of the Council is also a member (in their own right and not through the Council) of the residents association for the housing estate and is on the Council's Housing Scrutiny Committee.

- *Does the Councillor have any interests?*

The decision to undertake the LSVT is 'called in' and is subject to an Overview and Scrutiny investigation.

- *Can the Councillor take part in the investigation?*



North Tyneside Council

Applying the Code of Conduct for Members – Practical Exercises

Question 6

The Council has sold several plots of land, all of which were subject to restrictive covenants preventing building on the plots. A Councillor bought one of the plots. He was a Member of the Planning Committee and was present when his application for planning permission from the Council was approved. He started to build a house on his plot in contravention of the covenant. So did the purchasers of two neighbouring plots. A local resident has complained, alleging that the Councillor has received favourable treatment and requesting that the Council enforce the covenant.

- *Is there anything that the Councillor should have registered?*
- *What kind of interest, if any, does the Councillor have? If he has an interest is there anything the Councillor should have done?*
- *Has there been a breach of the code?*



North Tyneside Council

Further advice

- Further advice and guidance in relation to the operation of the Code of Conduct and the declaration of interests is always available from the Monitoring Officer or her staff.



North Tyneside Council

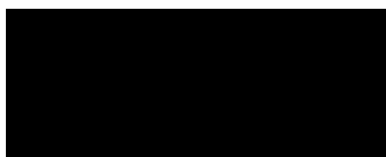
STATEMENT OF FRANCES McCLEN

1. I am Environmental Health Group Leader. I have 20 years' experience in environmental health and before my current role was the Principal Environmental Health Officer in the Pollution Team. My responsibilities have increased now that I am Group Leader.
2. I do not generally look at initial planning applications, as these are dealt with by my Senior Environmental Health Officer and scientific officer within the pollution housing team to ensure that any environmental health matters are picked up. However I principally attend Planning Committee and will overview the environmental health responses going to committee.
3. I recall that I attended the Council's Planning Committee in June but my memory of the meeting is not very good. I have limited recollection of the Wallsend Boys Club application although I have since jogged my memory slightly in preparation for interview.
4. I recall that one of the councillors Cllr Allan was not happy with the time which was specified in our recommendation to the Planning Committee, which was that the pitch closed at 21.00 hours. He felt that this was going to affect the business of the Boys Club and asked the club representative to comment. He asked why the approval of the timing would be an issue but I cannot remember very much of what he said.
5. I recall that Cllr Green said that there had been issues with MUGA pitches in other areas of the Borough. The nature of the pitch construction means that it does not get soggy or waterlogged and the artificial lighting allows its greater use. There is therefore the opportunity for a greater intensification of use, and the pitches can withstand more use than a traditional grass pitch.
6. One of the issues we consider when looking at planning applications is the distance from any residential properties. This is an issue due to the noise and other impacts such as light pollution. There is always noise from football grounds when a game is played and from training, the shouting of players and supporters, crashing of footballs against the fences etc.
7. The Senior Environmental Health Officer in my team who had looked at the application indicated that outdoor use should not be carried on after 21.00 hours. Restriction on

times for the use of MUGA pitches is a common condition that can be applied to mitigate noise. This is a usual condition. The original application was for use of the pitches between 09.00 hours and 20.00 hours with no more than five pitches used. Accordingly, an extra hour had already been given; usually pitches are only allowed to operate until 21.00 hours. Between 21.00 hours and 22.00 hours practice is sometimes allowed but it does depend on the proximity of residential properties to the pitch. The sensitivity of residents to noise becomes more noticeable as the evening progresses. I recall Cllr Green, who is a councillor in Wideopen, mentioning a football pitch which had been converted to a MUGA pitch where lots of complaints had followed even though there were many restrictions on the time of operation.

8. If a later time was wanted by the applicants we would normally ask for a noise survey. I understand that planners normally show conditions to the applicant prior to the Committee. I believe I advised the Committee that increasing the time of use would increase the potential noise disturbance as the later into the evening the greater the sensitivity to noise. The residential properties are close to the MUGA pitch. I advised that extension of time was not something I would recommend due to the associated noise complaints I receive about MUGA pitches. In this case the only mitigation to limit the noise effect from MUGA pitch was through a condition with time restrictions. There were no other noise mitigation measures put in.
9. I know of one pitch at Marden School where a time of 21.00 hours to 22.00 hours is allowed for practice sessions only, but in this case a noise survey was done and it is over 200 metres between the pitches and the residential buildings.

I believe that the contents of my statement are true



Signed

2nd January 2018

Dated

STATEMENT OF PAUL BUIE

1. I am the Head of Business and Economic Development for North Tyneside Council. I have been with the Council for about four and a half years and I cover business support, the Council's relationship with business, physical regeneration and inward investment.
2. In December 2015 I received an email from Cllr Jim Allan. His email explained that he had met with one of the owners of North East Factors who wanted to meet with me or my team to look at some proposals for a workers' hostel. As far as I was concerned this was the sort of business discussion which I very frequently have with businesses who are looking for Council support for their investment or other activities. This is part of my role with the Council.
3. However, I was a little concerned as I believed that although Cllr Allan's email did not refer to this, I was aware (I cannot remember how) that he was also a person with a business interest in the proposal, as well as being a councillor. I therefore sought advice from the Council's Monitoring Officer, who advised me that this should be approached as any other meeting I would have with a business wanting advice and support; not to give it any special priority over other business enquiries we had and not to discuss anything that would not have been discussed with any other business representatives, regardless of the fact that Cllr Allan was also an elected member of the Council.
4. I followed this advice and it was a completely normal business meeting. There was a potential acquisition of a pub to turn into a workers' hostel and the company was putting the business case together. It was typical of many other meetings I have and I am not aware of any follow up that took place or whether the group pursued the business case.
5. I now know that it was SARJ Developments who were interested in this development and I know that Cllr Allan had a business interest in this matter.
6. I am clear that no pressure was applied to me at the meeting and I have no concerns about the meeting, I was happy with the information that was provided and the way in which the meeting went.

7. I believe that the people who attended the meeting as well as Cllr Allan were Jonathan Moore, Robin Cairns and Steve Tool, although I am not absolutely certain about the latter gentleman's name

I believe that the contents of my statement to be true.

Signed 

Dated 15/11/17

DRAFT STATEMENT OF ROBIN CAIRNS

Robin Cairns will say:

1. I have had a long career in construction and development; for example, I headed up the Special Projects Division for Persimmon Charles Church; I have had numerous roles in the sector, including as a director of Gentoo which provides social housing the North East where we worked with North Tyneside MBC. I was also a director of Kier North East who had a Joint Venture vehicle set up between Kier and North Tyneside MBC to deliver planned and reactive maintenance to council properties. I worked closely with senior officers of the Council as directors on the Board of the Joint Venture Company.
2. Since around 2008 I have been a trustee of Wallsend Boys Club ("WBC") a local charity. I am a "local lad". I played as a child for WBC and indeed my parents met there. My own children also were members at the club. I was invited to be a trustee on the basis of my career in construction and development. At the time I was approached to joining the Board of the Club WBC was going through a significant development and they asked for my advice. I was able to steer them through the initial process.
3. WBC is one of the largest football charities in the UK. We also have a branch in Hong Kong and in the process of setting one up in Singapore. WBC is very proud of having the Freedom of the Borough from North Tyneside MBC. Since Steve Dale became involved with the Club as Treasurer then Chairman he has brought it back from the brink of administration and it is now run as a proper not for profit business. The Board of Trustees are focused on how we can make the Club more sustainable. Income raising is a big part of this.
4. Recently I have been pulling together the plans for the next stage of the development at WBC. I developed the visualisation which is available on YouTube to get the other trustees on board as to what we needed to do. Following this we agreed an approach to pursue various types of funding. Like all trustees I carry out my work for WBC on a voluntary basis.
5. As far as the particular application for the artificial pitch was concerned I was the applicant on behalf of WBC, as due to my career I have considerable planning knowledge.

6. I did not attend the Planning Committee in June 2017. Normally I do not need to go. My design team and I had discussions with officers beforehand and after the application was submitted at the start of 2017 and in particular my consultant architect Simon Bell had regular contact. So far as I was concerned the timing issue in relation to when we were allowed to use the pitch was never mentioned prior to the Committee, either by the officers or ourselves. I do not think that we made a specific point in the application of the opening hours we wanted to secure in the permission as normally we don't have any issue with the opening times. I have submitted many plans for the Club and I don't normally stipulate the hours that we are asking for. I don't know whether there was any discussion between the WBC consultants and the planning officers on this point, but frankly, the opening hours were nothing that we had given too much thought to. However, for the reasons I go on to explain, had I realised that it would be a contentious issue I would certainly have made sure that it was raised with the Council.
7. There are significant practical and financial issues for the Club if the pitch is not available. One of the requirements of the Football Foundation, who were going to provide the bulk of the funding needed, was that the pitch made a surplus of £25k over its running costs, which would be put into a "sinking fund" to provide monies to replace the pitch after its expected 10 year lifespan. We also have to provide for the running costs of the pitch. We therefore have to make a surplus and to do so we have to maximise the income that we can get. We know that the busiest times for use of the pitch are between 7.00 p.m. and 9.00 p.m. For senior teams in particular being able to play between 9.00 p.m. and 10.00p.m. is very useful; even if they actually book the pitch from 8.30 p.m. to 9.30 p.m. it gives them time to finish up after their session. Closing at 9.00pm would therefore affect our income raising potential.
8. The planning application was received by NTC on Tuesday 7th of February 2017 as a full application and validated on the 15th of February. We were told by the Council that we were not going to be able to get some pre-application free advice and would have to pay the full fee. This was a lot of money for us; we are very careful about how we spend our money as it is all hard-earned, so felt it was better to go for full planning permission from the start.
9. When the application is put in the Council provide dates when they believe the decision would be made and when it would be likely to go to Planning Committee. We were told that all would be fine, and we expected it to go to the May planning committee meeting as the as the determination date was the 17th of May. However, we were disappointed to

learn subsequently that it was not going to go in May; I was especially concerned because I knew that there was a possibility that we could lose the funding from the Football Foundation due to delay. I was then told that it might not even go to the June Planning Committee and I complained to the Head of Planning and to the Deputy Chief Executive at the Council, simply about the delay and the risk that might cause. Apparently, this potential delay was due to an objection from Newcastle City Council about some drainage issues, despite the North Tyneside drainage expert approving the scheme and stating that Newcastle council didn't have a valid planning objection. The planning officer decided she didn't have time to evaluate the issue properly.

10. The report with a recommendation for approval and did go to the June Planning Committee. I did not see a copy of the report beforehand and I do not even know if it was publicly available or if my consultant architect had seen it. I've never received a copy on any of my previous applications. I was aware that there were a lot of favourable comments posted on the website about the application and I was only aware of the one objection which was from Newcastle City Council which I refer to above.
11. I did not know that anybody from the Club was going to the Planning Committee and I did not know that Jim Allan would be present at the Committee. I knew he had previously been on the planning committee but thought he was no longer appointed. I had had no contact with Jim Allan about the planning application; I did not know he was going to be present as a member of the Committee. I found out afterwards that he was there as a substitute, but we had not discussed it together at all.
12. I cannot remember when I first met Cllr Allan, but it was some years ago in the early part of the century. I have always regarded him as someone who was always willing to act in the best interests of the Borough and anxious to do so. He has been Deputy Mayor and he is a public figure. I first got to know him as a councillor and always found him very fair, always ready to say when he felt there was a conflict of interest and always wanting to act in the best interests of the Borough. He was a very helpful person to talk to if there was a problem with the Council and could point you in the right direction.
13. Jim Allan was advising Backworth Miners Welfare (BMW), who are a local charity, he was helping them when they were faced with a position where they may have to sell off some of their assets for housing this would enable them to future proof the club and make it sustainable. They provide significant community sporting and social facilities for the borough. This was nothing to do with North Tyneside MBC. Jim Allan asked if I knew of anybody who could help them out. I had been approached by an adult special

needs business who wanted land to provide a respite care facility and we therefore approached the BMW charity to see if there was an opportunity for both parties.

When the respite company failed to provide a business plan and confirm their legal entity, Jim and I decided we needed a plan B in order to help BMW. We decided to create a consultancy business with two other business people we knew and we set up a business called SARJ Developments Limited, we did not set this up "to set the world alight" it was really to keep the sustainable viability option alive for the charity. To date SARJ has not traded or made any money but it is still a going concern. We have a number of developments opportunities at various stages.

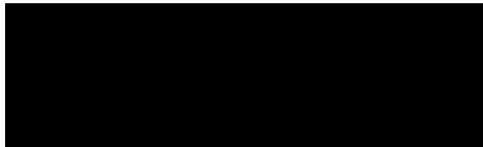
14. I see Cllr Allan on average about twice a week – as little as once a week and sometimes at most three times a week. I find him very professional and good at dealing with the official side of business as he likes to have things done properly.
15. SARJ agreed to take a 72% stake of Largesse Holdings Ltd. I am the managing director of Largesse and Cllr Allan was only recently encouraged to become a Director and get involved due to other shareholders commitments and he sits on the Board. We set up Largesse when we were approached by someone with a unique idea with regards to affordable housing and helping first time buyers, SARJ developed the idea and aim to be truly affordable via an equity share scheme. We have some non-executive directors a chairman and hold regular Board meetings for Largesse and SARJ at which I will see Jim Allan. I would regard him as primarily a business acquaintance but also see him as a friend, although I would not classify him as a very close friend. For example: last year we played golf together three times, but tend not to socialise outside of work or go to football matches together.
16. I would like to point out that I also know other members of the Planning Committee who may not have declared their interest and with regards to knowing me. There will be many more on that committee that have some link to WBC, because we have over 40 teams with on average 16 players per team coaches and officials in every team, there would be an extremely long list of people if you add parents, guardians, grandparents, aunties and uncles etc. most of the borough would have to declare an interest. One of the committee has been a friend and previous business colleague and I have been to a number of football matches with him for example the 1999 FA Cup Final and two semi-finals, although I have not seen him for years. WBC has been associated with many councillors and politicians who have been known to support the Club. Including Tony Blair, Gordon Brown, Harriet Harman, Andy Burnham, Vera Baird, Linda Arkley (previous

Mayor) and many more including many North Tyneside councillors. I also supported the present Mayor by taking a table at an event when she was a candidate.

17. I believe that Cllr Allan is a really honourable and trustworthy person and I believe that he always wants to act in the best interests of the Borough.

I believe that the contents of my statement are true

Signed

A large black rectangular box redacting the signature.

Dated

22/12/17

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STATEMENT OF STEPHEN DALE

Stephen Dale will say:

1. I am Stephen Dale and I am the Chairman of Wallsend Boys' Club. In my professional life I am a financial advisor.
2. I became involved with Wallsend Boys' Club (WBC) around 2000 when I used to go there to play five a side football with some professional friends. I knew WBC from my childhood when I used to play in leagues there. When around the Millennium I began playing football at the Club I was very surprised to see that there had been virtually no changes since my memories of it as a child. The Club building was still the same.
3. One Friday I noticed that the Club was looking for a volunteer Treasurer and I decided to get involved. At that time I saw that there was a sad state of affairs at the Club with very well intentioned people not focussing on some of the key issues in my opinion. For example, they seemed more concerned about refurbishing what to my mind was a land-locked building which had physically depreciated and needed replacing altogether. When I became Treasurer I set about applying for grants to the National Lottery and other institutions and I then became Chairman of WBC in 2003.
4. From the start I tried to get a board of trustees with the necessary skill sets so we could maintain and grow the Club. Wallsend is an area which had heavily relied on the old staple industries such as ship building and mining and now these have almost ceased in the area they have not really been properly replaced. It is important for young people in the area to have somewhere safe to go and the Club fulfils a valuable function. It has grown significantly over the last few years. For example, the number of teams that operated from WBC used to be around 17 in 2010 but now it is 42 and we feel that it is possible for us to take the team numbers to 70 plus. This includes girl's teams and we now have two adult ladies teams as well. We are very proud that 83 boys who started playing football with the Club have gone on to play professional football and amongst them there are 7 international players.
5. The Club provides '*more than football*' for its members; I am very keen that we provide life lessons for the youngsters who play with us as well. So for example since July 2017 we take our under-13 teams, including from this year a girls team, over to Belgium to

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explore the legacy of World War One. In 2014 we set up a presence in Hong Kong where our WBC HK colleagues fundraise to pay for the memberships of 10 orphans from the local orphanages to play at Hong Kong Football Club without any discrimination between them and the wealthier members.

6. We have some fabulous people who have dedicated their time to helping the Club. Currently there are between 100-120 people who are involved in running teams, committees and fundraising and as trustees.
7. Until 2010 the Club did not have its own pitches. Whilst it had a lot of teams, until then they were spread out across North Tyneside and Newcastle-upon-Tyne using other facilities. This was logistically a nightmare and I knew that we needed to get our own pitches. In 2010 we obtained a 20 acre site from North Tyneside MBC (NTC) and set about developing it. We were assisted in getting the site by the Football Foundation (FF) of the Football Association (FA) who invested £1 million in the Club and by NTC who invested just over £300,000.
8. However, for WBC to expand further we need to have an artificial pitch. This enables a club to play throughout the year when grass pitches are not possible to use. We knew that to get an artificial pitch would cost us around £600,000 plus 20% VAT and the FA / FF had pledged to provide us with £350,000 plus the VAT costs if necessary and the remainder is being provided by the Club from our reserves.
9. The FA / FF required us to not only cover the costs of running the pitch but also to put a surplus of at least £25,000 aside year on year to pay for the replacement of the pitch itself after about 10 years, which is its expected lifetime, although other infrastructure such as floodlights won't need replacing then. We have a plan to develop the Club's site very significantly and we know that we need planning permission for all of this over the next 5 year period. In January we put in an application for these developments. The application should have been dealt with within around 3 months but it became delayed and I was concerned about this as we ran the risk of missing application deadlines with the FA / FF. I also knew that the FA / FF required us to provide the "sinking fund" and that in order to do this they expected the pitch to be open until 10.00 p.m. I attach part of the template that the FA / FF provide when we make an application to them for funding. If the pitch was not able to be used until 10.00 p.m. we could lose 7 hours income a week and this could have jeopardised the funding. Also, I knew that virtually all

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other pitches up and down the Borough are able to stay open until 10.0 pm so we would have been at a competitive disadvantage if compelled to close at 9:00 pm.

10. I did not deal with the details of the planning application myself, as this was handled by one of the other Trustees, Robin Cairns, who took responsibility for this because of his professional construction expertise. I did not therefore know that there was a recommendation from the planning officers to the Planning Committee that the pitch could only stay open until 9.00 p.m. Had I known this I would have tried to attend the Committee meeting or write in explaining the importance of allowing the pitch to operate until 10.00 pm. As it was I did not attend the Committee meeting but one of my other Trustees, Kevin Riley, attended. It was not until I spoke to Kevin after the meeting and he told me what had happened that I knew there had been any issue at all with the suggested timing.
11. I first got to know Cllr Jim Allan in around 2005/2006. I know him personally, and would regard him as an acquaintance rather than a friend. We do not socialise together. I met Cllr Allan because some years ago the Club was facing significant frustration at not being able to get sufficient support from NTC. We were in a very difficult position because we were using pitches significantly in Benfield which is part of Newcastle upon Tyne rather than in the North Tyneside Borough. Because we were based at Benfield, we were coming under pressure to change our name as most of the grant providers wanted to see a full spread "from cradle to grave" of participants. Benfield only had an adult team at that time and so grant applications were invariably knocked back due to the lack of a sustainable business case. The Club was consequently put under pressure to become their junior 'feeder' if it wanted to continue using the Benfield facilities.
12. Someone I knew suggested that we got in touch with Cllr John Harrison who was then thinking of standing for Elected Mayor. In fact it was John who recommended that WBC got Freedom of the Borough in 2008. We contacted John to ask him for help and he sent along his deputy who was Cllr Jim Allan. Jim very clearly understood the internal dynamics of the politics that need to go on with Councils and we knew that he had a track record of getting things done for other youth organisations across the Borough. We had previously assumed that as we were a youth orientated organisation and so helping the Council deliver positive youth initiatives that the Council would be helpful, but we were not at that point getting the support that we really needed.

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13. Once Cllr Allan and Cllr Harrison became involved they worked with us and officers to help us and mentioned a 20 acre site owned by the Council in the North Tyneside Borough. This had been part of a golf club and was costing the Council money to maintain with no continuing practical use. The Council agreed to lease the site to the Club, it was a way to keep the site as green belt which helped the Council's position, and it meant that for the first time since the Club started in 1904 it had its own pitches.
14. I have known Cllr Jim Allan since then and I am eternally grateful for all that he did for the Club. He helped us very much because he followed through on the promises that he made. We always invite him to events at the Club but he does not usually attend. He has attended the annual dinner about every three years, invariably as a guest of another Table Host rather than WBC.
15. The Club is strictly a-political and so when we hold events we invite the Councillors who represent Wallsend regardless of which political party they are part of. We also invite key members of the NTC Cabinet and appropriate NTC Officers. We do not want to be accused of favouring any political party or having any political affinity, WBC is open to everyone. Whilst the NTC Officers rarely attend, we invariably have a mix of Cabinet and Senior Councillors attend the Dinner, irrespective of their political orientation.
16. I had no contact with Cllr Jim Allan before the planning committee in June 2017 and did not even know that he was on the planning committee and would be attending. I do not think anyone had expected him to be there. I was grateful to him for raising the issue, as I later understood he had, about the timing and the competitive disadvantage the Club would face if we would have had to close the pitch at 9.00 p.m. If Cllr Allan had not spoken up for us it would probably have meant that we would have had to put in an amended application. This would have cost us more time and money but would have been necessary to give us the best chance of obtaining the funding we needed and providing for the surplus that is required as a condition of that
17. I have no other involvement with Cllr Allan other than I have outlined above and all of my involvement with him relates to WBC.

I believe that the contents of my statement are true

Signed.....



.....Date.....

16.01.2018

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STATEMENT OF KEVIN RILEY

**ANTHONY COLLINS
SOLICITORS LLP**

Kevin Riley will say:

1. I am Kevin Riley. For many years I worked for the Imperial Group and at the time of my retirement in 1996 I was a senior Sales & Marketing Manager with the company. I would like to think that I am regarded as a "safe pair of hands" and someone who is knowledgeable and reliable.
2. I became involved with Wallsend Boys' Club in around 2003/2004. My first involvement was when I offered assistance to WBC in their project to obtain their own pitches and clubhouse. At the time my son was a volunteer football coach there. I had previously been involved in a similar project in Northumberland and I hoped my experience would be useful to them.
3. I am a "Wallsend boy" and I know the area and the Club well. In around 2005/2006 I became the Club Secretary and a Trustee, all on a voluntary basis. Although I stood down as a Trustee for a while for health reasons I am now again on the Board as a Trustee. I assist the Chairman, Steve Dale, with Club issues as he has a very demanding job and he puts enormous effort and time into his stewardship of WBC.
4. I was present at the planning meeting of North Tyneside MBC on 13 June 2017. There had been no settled intention for me beforehand to attend the Planning Committee and neither the Chairman, Steve Dale nor Robin Cairns who made the application on behalf of WBC, knew that I was going to be there. I was the only representative from WBC at the meeting.
5. Whilst I was waiting outside the Committee Room for the meeting to start one of the Council Officers came up to me and said that I would not be able to speak as I had not indicated a wish to do so to the Planning Officers beforehand as was required. I accepted this as I was not intending to make any comment as I was aware that would not be allowed even if I felt a desire to do so. I went in to the Committee Room to sit in the public area.
6. I was surprised to see Cllr Allan coming into the room. I did not know that he was going to be at the meeting. I had no prior discussion or calls about the planning application with Cllr Allan or indeed any other Councillor or Officer. As the meeting went on I listened to the debate and to the Councillors giving their views on the application. I recall that the discussion was mainly to do with the hours that the artificial pitch could be used and the recommendation from the Council Officers that activity should cease at 9.00 p.m.

7. I remember Cllr Allan asked the Committee to consider extending the hours to 10.00 p.m. instead of the 9.00 p.m. recommended by the Officers. He said that all similar local amenities, both Council and Private, run to this timing. From my own experience this is an accurate statement. At that point the Chairman, Cllr Lott, asked if there was anyone present from the Club and so I indicated that I was. I was surprised when I was asked for my comments given that I had previously been told prior to the meeting by an Officer that even if I had wanted to, that I would not be allowed as I had not informed the Planning Department of such a wish to do so. However as I had been invited to comment I told the Committee that I supported the proposal for activities to be allowed to go on to 10.00 p.m. I said that local facilities were generally able to go on until this time and that I know that when they do this helps adults and older children/youths. This is because younger children tend to book the pitches until 8.00 p.m. and if activities can go on until 10.00 p.m. it means that there are two hours of activity available for adults and older children/youths. We also have two Ladies teams and the ability for them to utilise the facility until 10.00 p.m. would be useful. We have to raise money to cover operating costs and in addition we will be required to put aside a sinking fund of around £25,000 per annum to cover the cost of pitch replacement at the end of its useable lifetime (10 yrs). So we need to maximise the income from it.
8. I had seen the plans for the planning application that Robin Cairns was working on but I had no involvement in the actual application and did not speak on the Club's behalf to any Councillors or Officers pre or post the planning meeting. Indeed I do not know what, or if any, discussions have taken place by anyone.
9. In hindsight, I was pleased that I attended the Planning Committee and was able to indicate the benefit that the possible extension of use until 10.00 p.m. would have for the Club. I felt it would be unfair if WBC were restricted more than others. I do not know if there had been any discussions with the Club about the timing, but I know that sometimes you can get amendments to conditions previously granted.
10. Prior to the meeting I had not spoken to Cllr Allan for some time. We are not close. I would not class him as a friend but more of an acquaintance from WBC and the Council. I had no prior knowledge that he was going to be at the Planning Committee meeting or speak on the issues.
11. I know Cllr Allan because he sometimes comes to our Annual Dinners. We are A political and invite an equal number (2) from each political group in the council to give them a feel for what the Club has, is, and hopes to do hoping that we can, where possible, obtain their support. In recent years when Cllr Allan has attended it has been in a private capacity not as a Cllr. He was introduced to the Club I think in around 2004/2005. He is well known in the area and does a lot of work for football and other Sports Clubs across the Borough. I know that he has advised a number of other Clubs and has given a great deal of helpful advice. He offered WBC help and advice particularly on past grant applications for example. He is very well known in the Football fraternity in the North East and provides helpful advice where he is able or directs us to an Officer who may be more help if he cannot do so.

12. At the meeting, although it was not particularly easy to hear what was going on all the time I know that Councillors expressed some concerns however they gave their support to Cllr Allan in his view that the time of use should be extended until 10.00 p.m.
13. After the meeting when I left the room Cllr Allan was standing outside and we had a brief conversation. I told him that I wished that the Council would insist on better audio facilities as it can be quite difficult to hear in the Committee Room. He said that he was very busy and had quite a lot on and was busy with a new development venture. After that I left and have not spoken to Cllr Allan until he recently contacted me to ask if I would be willing to be interviewed by an investigating Solicitor regarding a complaint against him.

I believe that the contents of my statement are true

Signed 

Dated 9.1.18

Appendix Two to Investigating Officer's Report
Documents Provided by NTMBC

APPENDIX TWO
DOCUMENTS PROVIDED BY NTMBC

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North Tyneside Council

Standards Committee

Code of Conduct for Member and Co-opted
Members

Arrangements for Dealing with Allegations of
Breaches of the Code of Conduct for
Members and Co-opted Members

Standards Committee

Code of Conduct for Member and Co-opted Members

Arrangements for Dealing with Allegations of Breaches of the Code of Conduct for Members and Co-opted Members

1. Context

These arrangements set out how the Authority will deal with a complaint that an elected or co-opted member of the Council, has failed to comply with the Authority's Code of Conduct.

Under Section 28(6) and (7) of the Localism Act 2011, the Authority must have in place "arrangements" under which allegations that a Member or Co-opted Member of the Council or a Committee or Sub-Committee of the Council, has failed to comply with Code of Conduct can be investigated and decisions made on such allegations. Such arrangements must provide for the Authority to appoint at least one Independent Person, whose views must be sought by the Authority before it takes a decision on an allegation which it has decided shall be investigated, and whose views can be sought by the Authority at any other stage, or a Member or Co-opted Member against whom an allegation has been made. The Authority has appointed two Independent Persons.

2. The Code of Conduct

The Authority has adopted a Code of Conduct for Members and Co-opted Members, which that is attached as Appendix 1 to these arrangements and which is available for inspection on the Authority's website. It is incorporated into the Authority's Constitution.

3. Receipt of a complaint

A complaint against a Member or Co-opted Member will be sent by the Complainant in writing or by email to –

The Monitoring Officer
Legal, Governance and Commercial Services
Quadrant,
Silverlink North,
Cobalt Business Park,
North Tyneside,
NE27 0BY

Or – standards.committee@northtyneside.gov.uk

The Monitoring Officer is the senior officer of the Council who has statutory responsibility for maintaining the register of members' interests and who is responsible for administering the system in respect of complaints of member misconduct.

In order to ensure that the Authority has all the information which it needs to be able to process a complaint, the complaint form at Appendix 2 must be completed and submitted. The complaint form is available from the Authority's website.

The Monitoring Officer will acknowledge receipt of the complaint to the Complainant and provide the subject member of the complaint, with a copy of the complaint within 5 working days of receiving it, and will keep all parties informed of the progress of the complaint. The Monitoring Officer will also seek comments from the subject member of the complaint to assist in the initial assessment of the complaint.

4. Request for confidentiality

If a Complainant wants to keep their name and address confidential, they are required to indicate this in the space provided on the complaint form. The Authority does not normally investigate anonymous complaints, unless there is a clear public interest in doing so.

To ensure openness and transparency confidentiality will only be granted in exceptional circumstances and in many instances it would not be practical or possible to investigate a complaint without the identity of the complainant being revealed. If however confidentiality is granted and the complaint proceeds the Monitoring Officer will determine whether or when the subject member will be advised of the complaint and the identity of the complainant. The procedure set out below will be adjusted as appropriate to accommodate the decision of the Monitoring Officer.

Where a request for confidentiality is refused by the Monitoring Officer, the Complainant will be advised of that refusal and will be given the option to withdraw the complaint within 7 working days. If the complaint is withdrawn the matter will be then closed and the subject member will not be informed of the complaint. If the Complainant refuses to withdraw the complaint or does not respond within the specified timescale, then the subject member will be sent a copy of the complaint and the complaint will proceed as set out in paragraph 5 below.

5. Will the complaint be investigated?

The Monitoring Officer will review every complaint received and, after consultation with the Independent Persons and consideration of the initial comments of the subject member decide whether the complaint will be investigated. The decision will be based on whether the allegation, if proved, would constitute a failure to observe the Code of Conduct and the application of the Authority's adopted assessment criteria (attached at Appendix 3). This decision will normally be taken within 28 days of receipt of the complaint. The parties will be advised of the Monitoring Officer's decision together with the reasons for that decision— subject to any decision on confidentiality arising as referred to above.

Where the Monitoring Officer requires additional information in order to come to a decision, he/she may go back to the Complainant for such information, and may request information from the subject member of the complaint.

If the complaint identifies criminal conduct or breach of other regulation by any person, the Monitoring Officer may refer the complaint to the Police or other regulatory agencies irrespective of a request for confidentiality by the Complainant.

A copy of the Subject Member's initial comments will normally be provided to the Complainant with the assessment decision unless there are particular reasons, in the view of the Monitoring Officer, not to.

6. Informal Resolution

The Monitoring Officer may consider that a complaint can be reasonably resolved informally. In such a case, the Monitoring Officer will consult with the Independent Persons, the subject member and the Complainant to seek to agree a fair resolution of the complaint which also helps to ensure high standards of conduct for the future. If the subject member complies with the suggested resolution, the Monitoring Officer will report the matter to the Standards Committee for information, but will take no further action.

7. How is the investigation conducted?

If the Monitoring Officer decides that a complaint merits formal investigation, he/she will appoint an Investigating Officer. The Investigating Officer may be another officer of the Council, an officer of another Council or an external investigator.

The Investigating Officer will write to the subject member and will ask them to provide their explanation of events, and to identify what documents or other materials they believe the Investigating Officer needs to see and interview.

The Investigating Officer will decide whether he/she needs to meet or speak to Complainant to understand the nature of the complaint and so that the Complainant can explain their understanding of events and suggest what documents or other materials the Investigating Officer needs to see, and who the Investigating Officer needs to interview.

At the end of his/her investigation, the Investigating Officer will produce a draft report and will send copies of that draft report, in confidence, to the subject member and to the Complainant, to give both an opportunity to identify any matter in that draft report which they disagree with or which they consider requires more consideration. A copy of the draft report will also be sent to the Monitoring Officer.

Having received and taken account of any comments which the Complainant or subject member may make on the draft report, the Investigating Officer will send his/her final report to the Monitoring Officer.

8. What happens if the Investigating Officer concludes that there is no evidence of a failure to comply with the Code of Conduct?

The Standards Committee will review the Investigating Officer's report and, if they are satisfied that the Investigating Officer's report is sufficient and they agree that there is no evidence of a failure to comply with the Code of Conduct, they will instruct the Monitoring Officer to write to the subject member and to the Complainant, notifying both that they are satisfied that no further action is required, and give both a copy of the Investigating Officer's final report.

If the Standards Committee do not agree with the conclusion that there is no evidence of a failure to comply with the Code of Conduct they will refer the matter for a hearing before the Committee or its Sub-Committee.

In considering the report, the Standards Committee/Sub-Committee will consult with the Authority's Independent Persons.

If the Standards Committee is not satisfied that the investigation has been conducted properly, they may ask the Investigating Officer to reconsider his/her report. Upon the receipt of the report back from the Investigating Officer the Committee will consider whether to accept the report or refer it to a hearing.

8. What happens if the Investigating Officer concludes that there is evidence of a failure to comply with the Code of Conduct?

a. Local Resolution

Where the Investigating Officer concludes that there is evidence of a failure to comply with the Code of Conduct, there may still be an opportunity for local resolution, avoiding the necessity of a hearing. An investigation report may cause a member to recognise that his/her conduct was at least capable of giving offence, and /or identify other appropriate remedial action, and the Complainant may be satisfied for instance, by recognition of fault or an apology. It would only be appropriate for the Monitoring Officer to agree a local resolution at this stage after consultation with the Authority's Independent Persons and the Chair of the Standards Committee. In addition this would be conditional on the Complainant being satisfied with the outcome. A summary report on any local resolution of a complaint would be reported to the Standards Committee for information.

b. Referral for Hearing

If local resolution was not possible, the Monitoring Officer will then refer the matter for a hearing before the Committee/Sub-Committee.

9. The Hearing

Where the Standards Committee/Sub-Committee has referred a matter for a hearing the procedure at Appendix 4 will apply.

10. What action can the Standards Committee/Sub-Committee take where a Member has failed to comply with the Code of Conduct?

The Council has delegated to the Standards Committee/Sub-Committee such of its powers to take action in respect of individual Members as may be necessary to promote and maintain high standards of conduct.

Accordingly the Standards Committee may –

- (i) Issue a formal censure;
- (ii) Refer the determination findings to full Council for information;
- (iii) Make publication of the determination findings by such means as thought fit;
- (iv) Request Council to remove the member from being the Chair or Deputy Chair of any Committee or Sub-Committee
- (v) Request the subject member's political group to remove them from any or all Committees or Sub-Committees for a specified period;
- (vi) Request the Elected Mayor to remove the member from the Cabinet, if a Cabinet Member, or from particular Portfolio responsibilities;
- (vii) Request the Council to remove the member for a specified time from all or specified outside appointments to which s/he has been appointed or nominated by the Council;
- (viii) Request the Elected Mayor to remove the member for a specified time from all or specified outside appointments to which s/he has been appointed or nominated by the executive.
- (ix) Offer training to the member; or
- (x) Exclude the member from the Council's offices or other premises or facilities, for a specified period and to the extent desirable and so as not to interfere with the democratic process, in particular the member's ability to carry out his or her role as an elected member.

The Standards Committee has no power to suspend or disqualify the subject member or to withdraw or suspend allowances or restrict access to or use of Council facilities so that the subject member is unable to perform your essential role as a councillor.

11. What happens at the end of the Hearing?

At the end of the hearing, the Chair will state the decision of the Standards Committee as to whether you have failed to comply with the Code of Conduct and as to any actions which the Standards Committee resolves to take.

As soon as reasonably practicable after that, the Monitoring Officer in consultation with the Chair of the Committee, will prepare a formal decision notice, and send a copy to you and the Complainant, make that decision notice available for public inspection on the Council's website and, if so directed by the Standards Committee, report the decision to the next convenient meeting of the Council.

12. Review of decisions

Procedures for the review of decisions are set out in Appendix 5.

13. What is the Standards Committee?

The Standards Committee is a politically balanced Committee of Council. It consists of nine Members of the Council who are drawn from each political party. Subject to those requirements, it is appointed on the nomination of party group leaders in proportion to the strengths of each party group on the Council.

The Independent Persons are invited to attend meetings of the Committee and their views are sought and taken into consideration before the Committee takes any decision on whether a Member's conduct constitutes a failure to comply with the Code of Conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

The Independent Persons do not, however, have voting rights on the Committee. Their role is an advisory one.

14. Who are the Independent Persons?

The Independent Persons are persons who have applied for the post following advertisement of a vacancy for the role, and are appointed by the Council.

A person does not qualify as "independent", if they are (or at any time in the last 5 years have been) a Member, Co-opted Member or officer of the Council, or if they are a relative or close friend of such a Member, Co-opted Member or officer. "Co-opted" member is defined so as to include current independent members of Standards Committee.

For this purpose, "relative" comprises –

- (a) a spouse or civil partner;
- (b) any person with whom the candidate is living as if they are a spouse or civil partner;
- (c) a grandparent;
- (d) any person who is a lineal descendent of a grandparent;
- (e) a parent, brother, sister or child of anyone in paragraphs (a) or (b);
- (f) any spouse or civil partner of anyone within paragraphs (c), (d) or (e); or
- (g) any person living with a person within paragraphs (c), (d) or (e) as if they were spouse or civil partner to that person.

The Council has two Independent Persons to ensure the availability of an Independent Person for consultation at all appropriate times and to avoid any conflicts of interest arising, as an Independent Person must also be available to be consulted by a Member who is the subject of a misconduct complaint.

15. Revision of these arrangements

The Standards Committee, on the advice of the Monitoring Officer, may depart from these arrangements where it is necessary to do so in order to secure the effective and fair consideration of any matter. The arrangements will also be subject to periodic review by the Council.

North Tyneside Council

Code of Conduct for Elected Members and Co-opted Members

North Tyneside Council ("the Authority") has adopted the following code which has effect from 4 July 2012 and which sets out the conduct that is expected of elected and co-opted members of the Authority when they are acting in that capacity.

This means the code applies whenever you (a) conduct the business of the Authority (including the business of your office as an elected councillor or co-opted member) or (b) act, claim to act or give the impression you are acting as a representative of the Authority.

'Co-opted member' means any person who is a member of any committee or sub-committee of the Authority with a right to vote but who is not one of its elected members.

The code is intended to be consistent with Nolan's Seven Principles of Public Life, and should be read in the light of those principles, namely that Authority Members will act with selflessness, integrity, objectivity, accountability, openness, honesty and leadership. Those Principles are not part of this Code but are set out in full at Annex 1 for information.

Part 1 - General Conduct

1. You must treat others with respect, including Authority officers and other elected members.
2. You must not bully any person (including specifically any Authority employee) and you must not intimidate or improperly influence, or attempt to intimidate or improperly influence, any person who is involved in any complaint about any alleged breach of this code of conduct.
3. You must not do anything which compromises or is likely to compromise the impartiality of anyone who works for or on behalf of the Authority.
4. You must not conduct yourself in a manner which could reasonably be regarded as bringing the Authority, or your office as a member of the Authority, into disrepute.
5. You must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person any advantage or disadvantage.
6. You must comply with any Protocol adopted by the Authority which seeks to regulate the conduct of its elected members or co-opted members and which the Authority has specifically declared should fall within the

provisions of this code of conduct and which is listed in Annex 4 to this Code.

7. When using or authorising the use by others of the resources of the Authority, you must act in accordance with the Authority's reasonable requirements (as set out in such protocol as it may adopt from time to time for these purposes) and must ensure they are not used for party political purposes.
8. You must not prevent, or attempt to prevent, another person from gaining access to information to which they are entitled by law.
9. You must not disclose information which is given to you in confidence, or information which you believe or ought reasonably to be aware is of a confidential nature, unless:
 - (a) You have the consent of a person authorised to give it; or
 - (b) You are required by law to do so; or
 - (c) The disclosure is made to a third party for the purpose of obtaining professional advice, provided that the third party agrees not to disclose the information to any other person; or
 - (d) The disclosure is reasonable and in the public interest and made in good faith.
10. Where you have been involved in making any decision by the Authority which is subsequently subject to scrutiny by an Overview, Scrutiny and Policy Development committee of the Authority, you must not take part in that scrutiny process except to the extent you may be invited by the committee to give evidence to, or otherwise assist, it. In this paragraph, 'scrutiny' means the formal examination of a policy or decision previously approved or taken by or on behalf of the Authority in order to reach a view as to its merits or effectiveness.
11. You must not do anything that would cause you to breach any equality laws. For example, you must not make sexist and/or racist remarks.
12. You must report any suspicion you have or any intelligence/information you have received on any safeguarding issue regarding children or vulnerable adults, including potential or actual sexual exploitation, to the Authority and where appropriate the Police.

Part 2 - Registration of Interests

13. You must register in the Authority's Register of Members Interests information about your registerable personal interests. In this code of conduct 'your registerable personal interests' means:
 - (a) any Disclosable Pecuniary Interest as set out in Annex 2;
or
 - (b) any other interest held by you as set out in Annex 3.

You must register information about your registerable personal interests by giving written notice to the Monitoring Officer, who maintains the Register, within 28 days of:

- your appointment as a member of the Authority; and
- any change taking place in your registerable personal interests.

(Note: Failure without reasonable excuse to register a Disclosable Pecuniary Interest is a criminal offence under section 34 Localism Act 2011 as well as being a breach of this code.)

14. Where you think that disclosure of the details of any of your registerable personal interests could lead to you, or a person connected with you, being subject to violence or intimidation, the Monitoring Officer may at your request make a note on the Register that you have a personal interest, details of which are withheld.

Part 3 – Non-registerable interests

15. You will have a non-registerable personal interest when you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are, or ought reasonably to be, aware that a decision in relation to an item of business which is to be transacted might reasonably be regarded as affecting your well being or financial position, or the well being or financial position of a person described in paragraph 16 to a greater extent than most inhabitants of the area affected by the decision.

16. The persons referred to in paragraph 15 are:

- (a) a member of your family;
- (b) any person with whom you have a close association;
- (c) in relation to persons described in (a) and (b), their employer, any firm in which they are a partner, or company of which they are a director or shareholder.

(Note:

- (a) "A member of your family" means: your partner (i.e. your spouse, civil partner or anyone with whom you live in a similar capacity); your parent or parent-in-law; any child, stepchild or sibling of you or your partner; your grandparent, grandchild, aunt, uncle, nephew or niece; and the partners of any of those people.
 - (b) You have a "close association" with someone if your relationship is such that a reasonable member of the public might think you would be prepared to favour or disadvantage that person when deciding a matter which affects them).
17. When you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are aware that you have a non-

registerable interest in an item of business (as defined in paragraph 15) you must disclose that interest to the meeting before consideration of that item begins or (if later) when you become aware of the interest.

Part 4 - Non-Participation in Authority Business

18. When you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are aware that the criteria set out in paragraph 19 are satisfied in relation to any matter to be considered, or being considered at that meeting, you must :
- (a) Declare that fact to the meeting;
 - (b) Not participate (or further participate) in any discussion of the matter at the meeting;
 - (c) Not participate in any vote (or further vote) taken on the matter at the meeting; and
 - (d) Leave the room whilst the matter is being discussed.
19. The criteria for the purposes of paragraph 18 are that:
- (a) You have a registerable or non-registerable personal interest in the matter which is such that a member of the public knowing the relevant facts would reasonably think it so significant that it is likely to prejudice your judgement of the public interest; and either
 - (b) The matter will affect the financial position of yourself or one of the persons or bodies referred to in paragraph 16 or in any of your register entries; or
 - (c) The matter concerns a request for any permission, licence, consent or registration sought by yourself or any of the persons referred to in paragraph 16 or in any of your register entries.
20. If an Authority function can be discharged by you as a member acting alone and you are aware you have a registerable or non-registerable personal interest in any matter to be dealt with by you in that way which meets the criteria set out in paragraph 19, you shall not deal with that matter in any way (except to enable it to be dealt with by someone else).
- (Note: Failure, without reasonable excuse, to comply with paragraphs 18 to 20 in relation to a Disclosable Pecuniary Interest is a criminal offence under section 34 Localism Act 2011 as well as being a breach of this code.)
21. Paragraphs 18 to 20 do not apply if (i) you have a relevant dispensation under section 33 of the Localism Act 2011 or (ii) the matter in question relates to any of the following functions of the Authority:
- (a) housing, where you are a Council tenant provided the matter does not relate particularly to your tenancy or lease;
 - (b) school meals or school transport, where you are a parent or guardian of a child in full-time education or a parent governor of a school, unless the matter relates particularly to the school your child attends;

- (c) statutory sick pay where you are in receipt of, or entitled to receipt of, such pay;
- (d) an allowance, payment or indemnity given to members;
- (e) any ceremonial honour given to members; and
- (f) setting council tax or a precept under the Local Government Finance Act 1992.

Annex 1 to Code of Conduct

Nolan's Seven Principles of Public Life

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.

Annex 2 to Code of Conduct

Disclosable Pecuniary Interests

(as defined by Regulations made by the Secretary of State under section 30 Localism Act 2011)

Please Note: The following interests are Disclosable Pecuniary Interests if they are an interest of either (a) yourself, or (b) your spouse or civil partner, or (c) a person with whom you are living as husband and wife, or (d) a person with whom you are living as if you were civil partners (all of whom are referred to as "relevant persons"):-

Employment, office, trade, profession or vocation - Any employment, office, trade, profession or vocation carried on for profit or gain.

Sponsorship - Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out your duties as a member, or towards your election expenses.

This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

Contracts - Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the Authority:

- (a) under which goods or services are to be provided or works are to be executed; and
- (b) which has not been fully discharged.

Land - Any beneficial interest in land which is within the area of the Authority.

Licences - Any licence (alone or jointly with others) to occupy land in the area of the Authority for a month or longer.

Corporate tenancies - Any tenancy where (to your knowledge):

- (a) the landlord is the Authority; and
- (b) the tenant is a body in which the relevant person has a beneficial interest.

Securities - Any beneficial interest in securities of a body where:

- (a) that body (to your knowledge) has a place of business or land in the area of the Authority; and
- (b) either:

- (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Note: In the above descriptions, the following words have the following meanings –

"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

"director" includes a member of the committee of management of an industrial and provident society;

"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Annex 3 to Code of Conduct

Other Registerable Personal Interests

The other interests which you must register under paragraph 11(b) of the code are:

1. Any body of which you are a member (or in a position of general control or management) to which you are appointed or nominated by the Authority;
2. Any body which (i) exercises functions of a public nature or (ii) has charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member (or in a position of general control or management);
3. Any person from whom you have received within the previous three years a gift or hospitality with an estimated value of more than £50 which is attributable to your position as an elected or co-opted member of the Authority.

Note: These mean only your interests and not those of your spouse or civil partner

Annex 4 to Code of Conduct

Associated Protocols

The Authority has adopted the following Protocols which are intended to regulate the conduct of its elected members or co-opted members and which the Authority has specifically declared should fall within the provisions of this code of conduct pursuant to paragraph 6 of the code:

[None]



North Tyneside Council

Code of Conduct for Members and Co-opted Members of North Tyneside Borough Council

COMPLAINT FORM

This form can be either completed by hand and posted or faxed to the Monitoring Officer, or completed on a computer. If it is completed on a computer it can either be e-mailed to the Monitoring Officer, or printed and then posted or faxed. Address details are found at the end of the form.

What this form is for

This form is for registering a complaint that an Elected Member or Co-opted Member of North Tyneside Council has breached the Code of Conduct as adopted by the Authority with effect from 1 July 2012. This form can be found on the Standards Committee page of the North Tyneside Council website (www.northtyneside.gov.uk).

The points listed below will help you decide whether this is the correct form to use when making your complaint.

- Your complaint must be about conduct that occurred while the member(s) complained about were in office. Conduct of an individual before they were elected, co-opted or appointed to the Council, or after they have resigned or otherwise ceased to be a member, cannot be considered.
- The Code of Conduct came into effect on 1 July 2012. If your complaint concerns matters that occurred before this date you should contact the office of the Monitoring Officer before making your complaint.
- Your complaint must be about one or more named members of North Tyneside Council.
- Your complaint must be that the member(s) has, or may have, breached the Code of Conduct.
- Complaints about dissatisfaction with a decision or action of the Authority or one of its committees, a service provided by the Authority or the Authority's procedures do not fall within the jurisdiction of the Standards Committee. Complaints about the actions of people employed by the Authority also do not fall within the jurisdiction of the Standards Committee.

If your complaint does not meet these criteria you should make use of the Council's Corporate Complaints Procedure by contacting:

Customer and Member Liaison Office
Quadrant
The Silverlink North
Cobalt Business Park
North Tyneside
NE27 0BY
Tel: 0191 643 2280
customerliaisonoffice@northtyneside.gov.uk

Explanation of the Complaints Process

Complaints against Members of the Council are the responsibility of the Authority's Standards Committee. Complaints must be made in writing to the Monitoring Officer.

The first stage of the process is that normally within 28 days of receipt the Authority's Monitoring Officer will consider your complaint. It is not the task of the Monitoring Officer to consider whether or not the Member concerned has broken the Code of Conduct. Rather, he/she will decide whether the matter warrants referral for investigation or other action. Only if the matter is referred for investigation will the substance of the complaint be considered and a decision made about whether or not the Code has been breached.

The Monitoring Officer will decide:

1. whether the allegation, if proven, would constitute a failure to observe the Code of Conduct;
2. if it would constitute such a failure, whether the allegation is to be investigated. This decision will be guided by the Council's Assessment Criteria. The Assessment Criteria are available from the Monitoring Officer;
3. where the decision is not to investigate the allegation, whether to direct the Monitoring Officer to pursue an alternative course of action such as training for the Member concerned or conciliation between the complainant and the Member.

The Monitoring Officer will produce a summary of his decision, and to send it to the complainant and to the Member concerned unless to do so would in his/her opinion prejudice a subsequent investigation.

If an allegation is considered to require investigation, the matter will be referred by the Monitoring Officer for the investigation of the allegation.

Following the completion of an investigation into an allegation, unless the complaint can be resolved informally, the Council's Standards Committee will meet to consider the allegation and the findings of the investigation.

If the allegation is upheld and a breach of the code of conduct is found the Standards Committee have a range of sanctions available to them.

Any queries regarding the Complaints process should be directed to the Monitoring Officer at the address at the end of this form.

Making Your Complaint

1. Please provide us with your name and contact details

Title:	
First name:	
Last name:	
Address:	
Daytime telephone:	
Evening telephone:	
Mobile telephone:	
Email address:	

Your address and contact details will not usually be released unless necessary or to deal with your complaint.

However, we will tell the following people that you have made this complaint:

- the Member(s) you are complaining about
- the Council's Independent Person(s) with whom the Monitoring Officer must consult before deciding whether the matter warrants referral for investigation or other action.
- the Standards Committee

We will tell them your name and give them a summary of your complaint. We will give them full details of your complaint where necessary or appropriate to be able to deal with it. If you have serious concerns about your name and a summary or details of your complaint being released, please complete section 5 of this form.

2. Please tell us which complainant type best describes you:

- ☐ Member of the public
- ☐ An elected or co-opted Member of an authority
- ☐ Member of Parliament
- ☐ Monitoring Officer
- ☐ Other council officer or authority employee
- ☐ Other ()

3. Please provide us with the name(s) of the Member(s) of North Tyneside Council whom you believe has breached the Code of Conduct:

Title	First name	Last name

4. Please explain in this section (or on separate sheets) what the Member has done that you believe breaches the Code of Conduct. If you are complaining about more than one Member you should clearly explain what each individual person has done that you believe breaches the Code of Conduct.

It is very important that you provide all the information you wish to have taken into account by the Monitoring Officer when he/she decides whether to take any action on your complaint. For example:

- You should be specific, wherever possible, about exactly what you are alleging the Member said or did. For instance, instead of writing that the Member insulted you, you should state what it was they said.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe.
- You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- You should provide any relevant background information.

Please provide us with the details of your complaint. Continue on a separate sheet if there is not enough space on this form.

Only complete Section 5 if you are requesting that your identity be kept confidential.

5. In the interests of fairness and natural justice, we believe Members who are complained about should be informed of who has made the complaint and be provided with a summary of the complaint. We are unlikely to withhold your identity or the details of your complaint other than in exceptional circumstances.

The Monitoring Officer will consider the request for confidentiality as a preliminary matter before the substance of your complaint. We will then contact you with the decision. If your request for confidentiality is not granted, we will usually allow you the option of withdrawing your complaint.

However, it is important to understand that in certain exceptional circumstances where the matter complained about is very serious, we can proceed with an investigation or other action and disclose your name even if you have expressly asked us not to.

Please provide us with details of why you believe we should withhold your name and/or the details of your complaint:

Additional Help

6. Complaints must be submitted in writing. Fax and electronic submissions are permissible. However, in line with the requirements of equalities legislation, we can make reasonable adjustments to assist you if you have an impairment that prevents you from making your complaint in writing.

We can provide information in other languages and in different formats, such as large print. An interpreter/translator service is also available if English is not your first language. If you have any problems in reading or writing, or need any support in completing this form, let us know. We can also help you find independent advice if needed.

If this applies to you please contact the office of the Monitoring Officer at the address given below.

The completed form should be sent to:

The Monitoring Officer
North Tyneside Council
Quadrant
The Silverlink North
Cobalt Business Park
North Tyneside
NE27 0BY

Email: standardscommittee@northtyneside.gov.uk

Faxes should be marked 'For the attention of the Monitoring Officer' and sent to 0191 643 2451.

Code of Conduct for Members - Assessment Criteria

The following criteria will be taken into account in deciding what action, if any, to take in relation to a complaint that a member has failed to comply with the requirements of the Code of Conduct for Members:

1. Has the complainant submitted enough information to satisfy the Monitoring Officer (or the Standards Committee if appropriate) that the complaint should be referred for investigation or other action?

If not:

the information provided is insufficient to make a decision. So unless, or until, further information is received, no further action will be taken on the complaint.

2. Is the complaint about someone who is no longer a member of the Council, but is a member of another authority? If so, should the complaint be referred to the Monitoring Officer of that other authority?

If yes:

The complaint will be referred to the Monitoring Officer of that other authority to consider.

3. Has the complaint already been the subject of an investigation or other action relating to the Code of Conduct? Similarly, has the complaint been the subject of an investigation by other regulatory authorities?

If yes:

There may be nothing more to be gained by further action being taken.

4. Is the complaint about something which happened so long ago that there would be little benefit in taking action now?

If yes:

Further action may not be warranted.

5. Does the complaint appear not sufficiently serious to justify the cost or inconvenience of further action?

If yes:

Further action will not be warranted.

6. Does the complaint appear to be simply malicious, politically motivated or tit-for-tat?

If yes:

Further action will not normally be warranted.

7. Is the complaint anonymous?

If yes:

No action will normally be taken unless there are compelling reasons to suggest otherwise, e.g. if it includes documentary or photographic evidence indicating an exceptionally serious or significant matter.

Procedure for Standards Hearings

1. Introduction

This Appendix details the procedure to be adopted for the hearing of complaints by the Standards Committee or Standards Sub-Committee ('the Standards Committee') of North Tyneside Council where an investigation has been completed.

The person(s) making the complaint will be referred to in this procedure as the Complainant and the person against whom the complaint is made will be referred to as the Member.

The Investigating Officer means the Monitoring Officer or other person appointed by the Monitoring Officer to conduct a local investigation in relation to a matter referred to the Monitoring Officer for local investigation.

References to Monitoring Officer include any other person appointed by the Monitoring Officer to carry out the functions of the Monitoring Officer.

The Chair of the Standards Committee's primary responsibility is to ensure that a hearing is conducted in a fair yet timely manner and to minimise delay in reaching a decision on a complaint. The Chair of the Standards Committee may decide that a hearing of a complaint will proceed in the absence of a relevant party where the Chair is of the view that it is proper to proceed and to prevent unreasonable delay.

2. Legal Advice to the Standards Committee

Where the Monitoring Officer also takes the role of the Investigating Officer, he/she must arrange for a separate legal adviser for the Standards Committee in respect of the allegation.

3. Notifying the Member and Complainant

The Monitoring Officer shall send a copy of the Investigating Officer's final report to the Member, the Complainant and the Independent Persons.

The Monitoring Officer will ask for a written response from the Member within 14 days, stating whether or not s/he:

- disagrees with any of the findings of fact in the report, including the reasons for any disagreements;
- wants to be represented, at his/her own expense, at the hearing by a solicitor, barrister or any other person;
- wants to give evidence to the Standards Committee, either verbally or in writing;
- wants to call relevant witnesses to give evidence to the Standards Committee;
- wants any part of the hearing to be held in private;

- wants any part of the report or other relevant documents to be withheld from the public

See Forms A to E at Appendix 6.

The Monitoring Officer will also inform the Member that if, at the meeting of the Standards Committee, s/he seeks to dispute any matter contained in the report, without having previously notified his/her intention to do so, the Standards Committee may either adjourn the meeting to enable the Investigating Officer to provide a response, or refuse to allow the disputed matter to be raised.

The Monitoring Officer will also seek the views of the Independent Person on the report and on any action the Independent Person feels should be taken in respect of it.

Upon receipt of the responses, the Monitoring Officer will discuss the responses of with the Chair of the Standards Committee and will complete the Pre-hearing Process Summary at Appendix 7.

The Member and the Investigating Officer are entitled to request that any witnesses they want should be called. However, the Chair of the Standards Committee, following advice from the legal adviser, may limit the number of witnesses, if he/she believes the number requested is unreasonable or that some witnesses will simply be repeating the evidence of earlier witnesses, or else will not provide evidence that will assist the Committee to reach its decision.

Nothing in this procedure shall limit the Chair of the Standards Committee from requesting the attendance of any additional witnesses whose evidence he/she considers would assist the Standards Committee to reach its decision.

The Chair of the Standards Committee, in consultation with the legal adviser will then:

- confirm a date, time and place for the hearing, which must be within three months from the date that the report was completed;
- confirm the main facts of the case that are agreed;
- confirm the main facts that are not agreed;
- confirm which witnesses will give evidence;
- outline the proposed procedure for the hearing, specifying which parts, if any, will be considered in private; and
- request the Monitoring Officer to provide this information, with the Agenda, to everyone in the hearing at least two weeks before the proposed date of the hearing.

4. The Standards Committee

The Standards Committee shall decide, on the balance of probability, whether the grounds of the complaint are upheld. It shall do so by considering the report and, where appropriate, written or oral representations made by the Member, and any additional relevant information from the Investigating Officer or witnesses.

Each Standards Committee member shall have one vote, and all matters/issues shall be decided by a simple majority of votes cast.

The meeting of the Standards Committee will be open to the public and press unless confidential information or exempt information under Schedule 12A of the Local Government Act 1972 is likely to be disclosed.

5. Procedure at the Hearing

The initial order of business at the meeting shall be as follows:

- declarations of interest;
- consideration as to whether to adjourn or to proceed in the absence of the Member, if the Member is not present;
- introductions;
- any representation from the Investigating Officer and/or the Member as to reasons why the Standards Committee should exclude the press and public and determination as to whether to exclude the press and public. Where the Standards Committee decides that it will not exclude press and public, the Monitoring Officer shall at this point provide copies of the agenda and reports to any members of the press and public who are present.

The purpose of the hearing is to test the robustness of the report, by examining the reasoning contained within the report and the quality of the evidence relied upon. This calls for an inquisitorial approach by the Standards Committee based on seeking information in order to identify potential flaws in the report and to clarify issues. The Standards Committee will control the procedure and evidence presented at the hearing, including the questioning of witnesses.

The Standards Committee may at any time seek legal advice from its legal adviser. Such advice will on all occasions be given in the presence of the Investigating Officer and the Member.

The procedure at the hearing will be as follows, subject to the Chair of the Committee being able to make changes as he or she thinks fit in order to ensure a fair and efficient meeting.

Examination of report and written representations

The Panel will consider the report together with any written response from the Member to the report. The Committee may require the Investigating Officer to answer questions put to him/her by members regarding the contents of the report.

The Committee must also take account of the views expressed by the Independent Persons in their response to the Monitoring Officer.

Oral evidence

If there is any disagreement as to the facts of the case, the Investigating Officer will be invited to make any necessary representations to support the relevant findings of fact in the report, calling supporting witnesses as agreed by the Chair.

Questions may be asked by the Committee at any point. The Member, will not be permitted to directly question the Investigating Officer or the witnesses he/she calls.

If the Member wishes to challenge any oral evidence being presented, then these questions shall be directed through the Chair.

The Member will then be invited to make any necessary representations to support their version of the facts, calling supporting witnesses as agreed by the Chair.

Questions may be asked by the Committee at any point. The Investigating Officer will not be permitted to directly question the Member or the witnesses he/she calls. If they wish to challenge any oral evidence being presented, then these questions must be directed through the Chair.

Where the Member seeks to dispute any matter in the report which he/she had not given notice of intention to dispute in his/her written statement in response, the Investigating Officer shall draw this to the attention of the Standards Committee. The Standards Committee may then decide:

- not to admit such dispute but to proceed to a decision;
- to admit the dispute, but to invite the Investigating Officer to respond
- to adjourn the meeting to enable the Investigating Officer to investigate and report on the dispute

Where appropriate the Investigating Officer will make representations on behalf of the Complainant to the Standards Committee.

The Standards Committee may adjourn the hearing to require the Monitoring Officer to seek further information or undertake further investigation on any point specified by the Committee.

Decision by the Standards Committee

The Standards Committee will consider in private session which of the following findings to adopt:

- that there is no evidence of any failure to comply with the Code of Conduct;
- that the Member has failed to comply with the Code of Conduct, but that no action needs to be taken;
- that the Member has failed to comply with the Code of Conduct and that a sanction should be imposed.

The available sanctions are:-

- (i) Issue a formal censure;
- (ii) Refer the determination findings to full Council for information;
- (iii) Make publication of the determination findings by such means as thought fit;
- (iv) Request Council to remove the member from being the Chair or Deputy Chair of any Committee or Sub-Committee
- (v) Request the subject member's political group to remove them from any or all Committees or Sub-Committees for a specified period;
- (vi) Request the Elected Mayor to remove the member from the Cabinet, if a Cabinet Member, or from particular Portfolio responsibilities;
- (vii) Request the Council to remove the member for a specified time from all or specified outside appointments to which s/he has been appointed or nominated by the Council;
- (viii) Request the Elected Mayor to remove the member for a specified time from all or specified outside appointments to which s/he has been appointed or nominated by the executive.
- (ix) Offer training to the member; or
- (x) Exclude the member from the Council's offices or other premises or facilities, for a specified period and to the extent desirable and so as not to interfere with the democratic process, in particular the member's ability to carry out his or her role as an elected member.

In deciding what penalty (if any) to set, the Standards Committee will consider all relevant circumstances including any views expressed by the Independent Persons.

The Standards Committee will then resume the public session and the Chair will announce the decision and the reasons for that decision.

If the matter is a complicated one, where the complaint has a number of aspects, the Standards Committee can decide to consider the evidence and reach a finding on each aspect separately.

The Standards Committee will then consider in open session whether there are any recommendations which it wishes to make arising from consideration of the allegation.

Notice of findings

The Monitoring Officer will make a short written decision available on the day of the hearing and a full written decision in draft will be prepared as soon as possible.

Within two weeks of the end of the hearing, the Monitoring Officer will circulate a full written decision, to the Member and the Complainant.

At the same time the Monitoring Officer shall arrange for a summary of the findings to be published as may be directed by the Standards Committee.

Where the Standards Committee determines that there has not been a breach of the Code of Conduct, the notice shall:

- state that the Standards Committee found that the Member had not failed to comply with the Code of Conduct and shall give its reasons for reaching that finding: and not be published if the Member so requests;

Where the Standards Committee determines that there has been a failure to comply with the Code of Conduct but no action is required, the notice shall:

- state that the Standards Committee found that the Member had failed to comply with the Code of Conduct but that no action needs to be taken in respect of that failure specify the details of the failure; and give reasons for the decision reached;

Where the Standards Committee determines that there has been a failure to comply with the Code of Conduct and that a sanction should be imposed, the notice shall:

- state that the Standards Committee found that the Member had failed to comply with the Code of Conduct;
- specify the details of the failure;
- give reasons for the decision reached; and
- specify the sanction imposed

Copies of the agenda, reports and minutes of a hearing, as well as any background papers, apart from sections of documents relating to parts of the hearing that were held in private, will be available for public inspection for six years after the hearing.

Confidentiality and disclosure of information

Where the Chair of the Standards Committee considers that the report and/or any of the written statements in response are likely to disclose any exempt information and in consequence that it is likely that the Standards Committee will, during consideration of these matters, not be open to the public, he/she shall instruct the legal adviser to not provide copies of these papers to the press or public or permit their inspection by the press or public in advance of the meeting.

The Hearing will be held in public except for those parts of its proceedings which involve exempt information and during the deliberations of the Standards Committee.

Review of Decisions

Initial Assessment Decisions

If a complainant is aggrieved by a decision by the Monitoring Officer to not investigate a complaint then the Complainant may request the Monitoring Officer to reconsider their decision.

The Monitoring Officer will consult the Independent Persons and the Chair of the Standards Committee, and take their views into account, before deciding whether to uphold or vary their original decision.

Findings of Standards Committee following a hearing

If a member is aggrieved by a finding of Standards Committee that they have failed to comply with the Code, or with the sanction imposed, they may request a review by an Independent Person from another local authority in accordance with the following procedure:

The member must request a review, with their detailed reasons for seeking a review, within 5 working days of the publication of the decision notice otherwise the decision of the Standards Committee will become final.

The request for a review must be in writing and must be submitted to the Monitoring Officer.

If a request for a review is received, the decision of the Standards Committee will be held in abeyance pending completion of the review process.

If a request for a review is received the decision of the Standards Committee (including all the papers considered by the Governance Committee) will be referred to an Independent Person of a neighbouring local authority. The Independent Person will review the case on the information provided and will provide a report to the Standards Committee. The report to the Standards Committee will provide any comments the Independent Person considers are appropriate and relevant taking into account the basis of the request for review from the Member.

Upon the receipt of the Independent Person's report, the Standards Committee will consider the Independent Person's comments, the reasons submitted for the review by the Member and will determine whether to confirm the decision of the Standards Committee, amend the decision or substitute it with an alternative decision – this could include concluding that no breach of the Code occurred.

No further right of appeal or review of the Standards Committee's decision within the Authority is available. However, if the Member or the Complainant considers that the Authority has failed to deal with the complaint properly, they may make a complaint to the Local Government Ombudsman.

FORM A**Subject Member's response to the evidence set out in the Investigation Report**

North Tyneside Council

Please enter the number of any paragraph where you disagree with the findings of fact in the Investigation Report, and give your reasons and your suggested alternative.

Paragraph number from the Investigation Report	Reasons for disagreeing with the findings of fact provided in that paragraph	Suggestion as to how the paragraph should read
1		
2		
3		
4		
5		

Please attach separate sheets if necessary

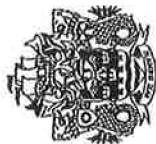
Name _____

Signature _____

Date _____

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North Tyneside Council

FORM B

Other evidence relevant to the allegation

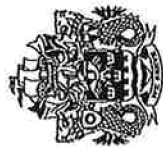
Please set out below, using the numbered paragraphs, any evidence you feel is relevant to the complaint made about you.

Paragraph number	Details of the evidence
1	
2	
3	
4	
5	
6	

Please attach separate sheets if necessary

Name _____ Signature _____ Date _____

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North Tyneside Council

FORM C

Representations to be taken into account if a Member is found to have failed to follow the Council's Code of Conduct

Please set out below, using the numbered paragraphs, any factors that the Standards Committee should take into account if it finds that a Member has failed to follow the Council's Code of Conduct. Please note that no such finding has yet been made.

Paragraph number	Factors for the Standards Committee to take into account when deciding whether to sanction any censure, restriction of resources or allowances, suspension or partial suspension
1	
2	
3	
4	

Please attach separate sheets if necessary

Name _____

Signature _____

Date _____

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North Tyneside Council

FORM D

Arrangements for the Standards Committee Hearing

Please tick the relevant boxes.

<p>1 Are you planning to attend the Standards Committee hearing on the proposed date in the accompanying letter?</p> <p>If 'No', please explain why.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Reason:</p> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>2 Are you going to present your own case?</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	
<p>3 If you are not presenting your own case, will a representative present it for you?</p> <p>If 'Yes', please state the name of your representative.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Name:</p> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>4 Is your representative a practising solicitor or barrister?</p> <p>If 'Yes', please give their legal qualifications. Then go to Question 6.</p> <p>If 'No', please go to Question 5.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Qualifications:</p> <hr/> <hr/> <hr/> <hr/> <hr/>

<p>5 Does your representative have any connection with the case?</p> <p>If 'Yes' please give details.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Details:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>6 Are you going to call any witnesses?</p> <p>If 'Yes' please give details on Form E attached.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	
<p>7 Do you, your representative or your witnesses have any access difficulties (for example, is wheelchair access needed)?</p> <p>If 'Yes', please give details.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Details:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>8 Do you, your representative or witnesses have any special needs (for example, is an interpreter needed)?</p> <p>If 'Yes', please give details.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Details:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>9 Do you want any part of the hearing to be held in private?</p> <p>If 'Yes', please give reasons.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Reasons:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>

<p>10 Do you want any part of the relevant documents to be withheld from public inspection?</p> <p>If 'Yes', please give reasons.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>	<p>Reasons:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
---	--	---

Name _____

Signature _____

Date _____



North Tyneside Council

FORM E

Details of proposed witnesses to be called

Name of witness or witnesses

- 1 _____
- 2 _____
- 3 _____

WITNESS 1

- a Will the witness give evidence about the allegation?

If 'Yes', please provide an outline of the evidence the witness will give.

YES

☐

NO

☐

Outline of evidence:

- b Will the witness give evidence about what action the Standards Committee should take if it finds that the Code of Conduct has not been followed?

If 'Yes', please provide an outline of the evidence the witness will give.

YES

☐

NO

☐

Outline of evidence:

Please attach separate sheets if necessary

WITNESS 2		
a	Will the witness give evidence about the allegation?	YES <input type="checkbox"/>
	If 'Yes', please provide an outline of the evidence the witness will give.	NO <input type="checkbox"/>
b	Will the witness give evidence about what action the Standards Committee should take if it finds that the Code of Conduct has not been followed?	YES <input type="checkbox"/>
	If 'Yes', please provide an outline of the evidence the witness will give.	NO <input type="checkbox"/>

Please attach separate sheets if necessary

Date _____

10x



North Tyneside Council

Checklist for the pre-hearing process summary

After the Standards Committee has received responses from the Subject Member and the Investigating Officer, it will prepare a summary in advance of the hearing of the main aspects of the case that will be heard.

The pre-hearing process summary should include:

The name of the Authority
The name of the Subject Member
The name of the complainant (unless there are good reasons to keep his/her identity confidential)
The Case reference number
The name of the Standards Committee Member who will chair the hearing
The name of the Investigating Officer
The name of the clerk of the hearing or other administrative officer
The date the pre-hearing summary was produced
The date, time and place of the hearing
A summary of the complaint
The relevant section or sections of the Council's Code of Conduct
The findings of fact in the investigation report which are agreed and the findings of fact in the investigation report which are not agreed
Whether the Subject Member or the Investigating Officer will attend or be represented
The names of any witnesses who will be asked to give evidence
An outline of the proposed procedure for the hearing

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North Tyneside Council

Code of Conduct for Members and Co-opted Members of North Tyneside Borough Council COMPLAINT FORM

This form can be either completed by hand and posted or faxed to the Monitoring Officer, or completed on a computer. If it is completed on a computer it can either be e-mailed to the Monitoring Officer, or printed and then posted or faxed. Address details are found at the end of the form.

What this form is for

This form is for registering a complaint that an Elected Member or Co-opted Member of North Tyneside Council has breached the Code of Conduct as adopted by the Authority with effect from 1 July 2012. This form can be found on the Standards Committee page of the North Tyneside Council website (www.northtyneside.gov.uk).

The points listed below will help you decide whether this is the correct form to use when making your complaint.

- Your complaint must be about conduct that occurred while the member(s) complained about were in office. Conduct of an individual before they were elected, co-opted or appointed to the Council, or after they have resigned or otherwise ceased to be a member, cannot be considered.
- The Code of Conduct came into effect on 1 July 2012. If your complaint concerns matters that occurred before this date you should contact the office of the Monitoring Officer before making your complaint.
- Your complaint must be about one or more named members of North Tyneside Council.
- Your complaint must be that the member(s) has, or may have, breached the Code of Conduct.
- Complaints about dissatisfaction with a decision or action of the Authority or one of its committees, a service provided by the Authority or the Authority's procedures do not fall within the jurisdiction of the Standards Committee. Complaints about the actions of people employed by the Authority also do not fall within the jurisdiction of the Standards Committee.

If your complaint does not meet these criteria you should make use of the Council's Corporate Complaints Procedure by contacting:

Customer and Member Liaison Office
Quadrant
The Silverlink North
Cobalt Business Park
North Tyneside
NE27 0BY
Tel: 0191 643 2280
customerliaisonoffice@northtyneside.gov.uk

Explanation of the Complaints Process

Complaints against Members of the Council are the responsibility of the Authority's Standards Committee. Complaints must be made in writing to the Monitoring Officer.

The first stage of the process is that normally within 28 days of receipt the Authority's Monitoring Officer will consider your complaint. It is not the task of the Monitoring Officer to consider whether or not the Member concerned has broken the Code of Conduct. Rather, he/she will decide whether the matter warrants referral for investigation or other action. Only if the matter is referred for investigation will the substance of the complaint be considered and a decision made about whether or not the Code has been breached.

The Monitoring Officer will decide:

1. whether the allegation, if proven, would constitute a failure to observe the Code of Conduct;
2. if it would constitute such a failure, whether the allegation is to be investigated. This decision will be guided by the Council's Assessment Criteria. The Assessment Criteria are available from the Monitoring Officer;
3. where the decision is not to investigate the allegation, whether to direct the Monitoring Officer to pursue an alternative course of action such as training for the Member concerned or conciliation between the complainant and the Member.

The Monitoring Officer will produce a summary of his decision, and to send it to the complainant and to the Member concerned unless to do so would in his/her opinion prejudice a subsequent investigation.

If an allegation is considered to require investigation, the matter will be referred by the Monitoring Officer for the investigation of the allegation.

Following the completion of an investigation into an allegation, unless the complaint can be resolved informally, the Council's Standards Committee will meet to consider the allegation and the findings of the investigation.

If the allegation is upheld and a breach of the code of conduct is found the Standards Committee have a range of sanctions available to them.

Any queries regarding the Complaints process should be directed to the Monitoring Officer at the address at the end of this form.

Making Your Complaint

1. Please provide us with your name and contact details

Title:	MRS
First name:	NORMA
Last name:	REDFEARN
Address:	24, NEASDEN CRESCENT, NORTH SHIELDS, NE30 2TP
Daytime telephone:	(0191) 643 5314
Evening telephone:	
Mobile telephone:	
Email address:	norma.redfearn@northtyneside.gov.uk

Your address and contact details will not usually be released unless necessary or to deal with your complaint.

However, we will tell the following people that you have made this complaint:

- the Member(s) you are complaining about
- the Council's Independent Person(s) with whom the Monitoring Officer must consult before deciding whether the matter warrants referral for investigation or other action.
- the Standards Committee

We will tell them your name and give them a summary of your complaint. We will give them full details of your complaint where necessary or appropriate to be able to deal with it. If you have serious concerns about your name and a summary or details of your complaint being released, please complete section 5 of this form.

2. Please tell us which complainant type best describes you:

- ☐ Member of the public
- ☒ An elected or co-opted Member of an authority
- ☐ Member of Parliament
- ☐ Monitoring Officer

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- ☐ Other council officer or authority employee
- ☐ Other ()

3. Please provide us with the name(s) of the Member(s) of North Tyneside Council whom you believe has breached the Code of Conduct:

Title	First name	Last name
CLLR	JIM	ALLAN

4. Please explain in this section (or on separate sheets) what the Member has done that you believe breaches the Code of Conduct. If you are complaining about more than one Member you should clearly explain what each individual person has done that you believe breaches the Code of Conduct.

It is very important that you provide all the information you wish to have taken into account by the Monitoring Officer when he/she decides whether to take any action on your complaint. For example:

- You should be specific, wherever possible, about exactly what you are alleging the Member said or did. For instance, instead of writing that the Member insulted you, you should state what it was they said.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe.
- You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- You should provide any relevant background information.

Please provide us with the details of your complaint. Continue on a separate sheet if there is not enough space on this form.

At a meeting of North Tyneside planning committee on 13th June 2017, Cllr Jim Allan, who was attending the meeting as a substitute for a member of the committee, made an intervention during the consideration of an application to extend the premises and facilities of Wallsend Boys Club. Cllr Allan suggested the floodlit outdoor football pitch should be allowed to operate beyond the proposed limit of 9pm until 10pm, which was agreed by the committee. The applicant in this case was Wallsend Boys Club, of which Mr Robin Cairns is a director. Mr Cairns was named as the person at the Club to address correspondence to regarding this application.

Cllr Allan failed to declare in that meeting that Mr Cairns is a business associate of his. In March 2017, Cllr Allan became a director of a company set up by Mr Cairns in 2016, called Largesse Holdings Ltd. They are the two named directors of the company. In addition, it would appear that Cllr Allan has not included Largesse Holdings Ltd in his declaration of Member's interests. In both instances, therefore, this would appear to be in breach of the Code of Conduct for elected Members.

As Cllr Allan has been censured previously by the Standards Committee and in the interests of maintaining public confidence in the reputation of the council and specifically in decision making in fulfilling the council's statutory responsibilities, I consider it important that the Standards Committee considers this matter.

In bringing this issue to the attention of the Standards Committee, I wish to make it clear that this is about the declaration of a Member's interests and is in no way a comment on the operation of Wallsend Boys Club, which is a local organisation held in high regard.

The following supporting documents are appended:

- (i) Photocopies of Companies House records relating to Largesse Holding Ltd
- (ii) Photocopy of extract from Newcastle Journal highlighting Cllr Allan's intervention at the meeting.

Only complete Section 5 if you are requesting that your identity be kept confidential.

5. In the interests of fairness and natural justice, we believe Members who are complained about should be informed of who has made the complaint and be provided with a summary of the complaint. We are unlikely to withhold your identity or the details of your complaint other than in exceptional circumstances.

The Monitoring Officer will consider the request for confidentiality as a preliminary matter before the substance of your complaint. We will then

contact you with the decision. If your request for confidentiality is not granted, we will usually allow you the option of withdrawing your complaint.

However, it is important to understand that in certain exceptional circumstances where the matter complained about is very serious, we can proceed with an investigation or other action and disclose your name even if you have expressly asked us not to.

Please provide us with details of why you believe we should withhold your name and/or the details of your complaint:

Additional Help

6. Complaints must be submitted in writing. Fax and electronic submissions are permissible. However, in line with the requirements of equalities legislation, we can make reasonable adjustments to assist you if you have an impairment that prevents you from making your complaint in writing.

We can provide information in other languages and in different formats, such as large print. An interpreter/translator service is also available if English is not your first language. If you have any problems in reading or writing, or need any support in completing this form, let us know. We can also help you find independent advice if needed.

If this applies to you please contact the office of the Monitoring Officer at the address given below.

The completed form should be sent to:

The Monitoring Officer
North Tyneside Council
Quadrant
The Silverlink North
Cobalt Business Park
North Tyneside
NE27 0BY

Email: standardscommittee@northtyneside.gov.uk

Faxes should be marked 'For the attention of the Monitoring Officer' and sent to 0191 643 2451.

TEXT OF COMPLAINT

At a meeting of North Tyneside planning committee on 13th June 2017, Cllr Jim Allan, who was attending the meeting as a substitute for a member of the committee, made an intervention during the consideration of an application to extend the premises and facilities of Wallsend Boys Club. Cllr Allan suggested the floodlit outdoor football pitch should be allowed to operate beyond the proposed limit of 9pm until 10pm, which was agreed by the committee. The applicant in this case was Wallsend Boys Club, of which Mr Robin Cairns is a director. Mr Cairns was named as the person at the Club to address correspondence to regarding this application.

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- (ii) Photocopy of extract from Newcastle Journal highlighting Cllr Allan's intervention at the meeting.

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Companies House

BETA This is a trial service — your [feedback \(https://www.research.net/r/chbeta\)](https://www.research.net/r/chbeta) will help us to improve it.

Search for companies or officers

LARGESSE HOLDINGS LIMITED

Company number **10278900**

- [Officers](#)
- [Persons with significant control \(https://beta.companieshouse.gov.uk/company/10278900/persons-with-significant-control\)](https://beta.companieshouse.gov.uk/company/10278900/persons-with-significant-control)

Filter officers

☐ Current officers

Apply filter

2 officers / 0 resignations

ALLAN, Jim

Correspondence address
11 Bannockburn, Killingworth, Newcastle Upon Tyne, Tyne And Wear, United Kingdom, NE12 6QJ

Role **Active Director**

Date of birth **March 1951**

Appointed on **17 March 2017**

Nationality **British**

Country of residence **England**

Occupation **Director**

CAIRNS, Robin

Correspondence address **20-22, Wenlock Road, London, England, N1 7GU**

Role Active Director

Date of birth May 1966

Appointed on 14 July 2016

Nationality British

Country of residence England

Occupation Director



➤ From left, Jan Hopper, Elaine Wheeler and Julie Jenkins, 53, the daughters and granddaughters of Sheila Hynes, whose picture they are holding

Tom Wilkinson
Reporter

CARDIAC surgeon who inserted a heart valve the wrong way around has told his patient's inquest that stitches snapped at a crucial time.

Great-grandmother Sheila Hynes, 72, died days after an operation at the Freeman Hospital in Newcastle to replace two heart valves, which were diseased.

Surgeon Asif Shah told the inquest at Newcastle Civic Centre that he had told Mrs Hynes statistics showed there was a 6% mortality rate associated with that particular operation.

He told the hearing that the mortality rate for his own patients, across a range of procedures, was less than 2%.

He had carried out more than 350 open heart operations since starting at the Freeman in January 2015, two

months before the operation which led to Mrs Hynes' death.

She had complained of shortness of breath, and the operation to replace the aortic and mitral valves was aimed at relieving her symptoms and extending her life, the inquest heard.

The consultant cardiac surgeon said the operation had been brought forward because Mrs Hynes' grandson was getting married later that year and her sister was terminally ill.

He said: "The procedure was going OK until the very last moment when I was tying down the mechanical valve and the stitch cord snapped."

This rare event meant he needed to remove the aortic valve he had inserted, and he told the inquest he handed it to a scrub nurse, ready for him to re-fit it.

Mr Shah said the valve was then placed on its mounting the wrong way round - something he was unaware could happen. He then inserted the

valve the wrong way round and stitched up his patient.

When attempts were made to restart Mrs Hynes' heart, it was found there was a tear in the ventricle, which he fixed.

And when a second attempt was made, an even bigger tear was found which again needed to be repaired, and the surgery team were concerned about the amount of blood loss.

It was only later in the day-long surgery, after the surgeon had called for senior colleagues' help, that the possibility that the valve could have been inserted the wrong way round was considered, Mr Shah said.

He said a senior colleague said he looked "tired" and told him: "You've had a long day, you just go and have a cup of tea, take a break and I can replace the valve."

Mrs Hynes's two daughters and her son were at the inquest. A framed photograph of their mother, who was

from North Kenton, Newcastle, was placed on the desk of their legal representative, Tim Wilkinson.

Mr Shah said he did not explain to the family that the valve had been inserted upside down.

He told them the valve had malfunctioned and her heart was not working "due to long surgery" and that she had been placed on a machine to give the organ "a rest".

He told the hearing the meeting happened in the early hours and he would go through it with them in detail later.

Mr Wilkinson was stopped from asking why Mr Shah had not spoken to the family about it later.

Coroner Karen Dilks said she could not determine what happened after the patient's death.

"Those are issues that are not for this court," she said.

The inquest is expected to last all week.

Famous boys' club to get improved facilities

A TOP football club that has produced players like Alan Shearer and Peter Beardsley has been given the go-ahead to improve its facilities.

WallSEND Boys Club, based at Bigges Main, Rheydt Avenue, in the town, has nurtured generations of young footballers, with many going on to play the game professionally.

The group now wants to boost its services and has been given permission to

create a new indoor pitch as well as an outdoor 4G pitch which can be used all year round. The scheme, which was approved by a North Tyneside Council committee on Tuesday, also includes a new extension to the clubhouse building to provide meeting spaces, offices and event areas.

At the meeting, it was said the 4G pitch would replace the existing pitch and would have a more robust surface

that could be used in all weathers.

In their report planning officers said: "The main aim of the proposed works is to create a high-quality facility which will allow for year-round use and attract visitors and teams to the area."

"The proposed 4G pitch with lighting has been relocated further to the north west of the site, away from the existing houses to the south and east."

"Economically and socially there will

be benefits as a result of the proposed works due to the improvement of existing sports facilities, which will benefit the local community and attract visitors to the area."

Councillors discussed whether the pitch, with floodlights, should be allowed to operate after 9pm. Council leader Ian Allan proposed the cut-off point should be 10pm, as this would allow evening games to finish on time.

"Completely overwhelmed by all your love and support it means so much. I'm relieved he's receiving the help he needs, we just need him better," she tweeted.

McPartlin has said he feels he has "let people down" but wanted to speak out about his issues to help others.

He said at the weekend: "I feel like I have let a lot of people down and for that I am truly sorry."

"I want to thank my wife, family and closest friends for helping me through this really difficult time."

"I've spoken out because I think it's important that people ask for help if they're going through a rough time and get the proper treatment to help their recovery."

With an ongoing knee complication, the presenter is said to have started taking prescription drugs two years ago to cope with the pain.

A drugs charity boss in the North East last night praised Ant McPartlin for going public with his addiction battle.

Claire Robinson, (below) chief executive of drugs charity Prognosis North East, said: "I think it's really brave to speak out about addiction."

"What he's done will help other people because there is still some secrecy and shame around addiction."

"Someone with such a high social standing speaking out is really encouraging, because it shows this is an issue that doesn't just affect one walk of life, it affects everybody."



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Vivienne M Geary
Head of Law and Governance

North Tyneside Council
Quadrant East
The Silverlink North
Cobalt Business Park
North Tyneside
NE27 0BY

Direct Line (0191) 643 5325

Mrs Norma Redfearn
Elected Mayor
24 Neasden Crescent
North Shields
Tyne & Wear
NE30 2TP

This matter is being dealt with
by: Miss Louise Watson

Our Ref: NT01 2017-18

20 July 2017

PRIVATE AND CONFIDENTIAL

Dear Mrs Redfearn,

Acknowledgement of Complaint

We acknowledge receipt of your complaint against Councillor J Allan whom you believe may have breached the Code of Conduct. We received your complaint on 19 July 2017 and have now notified Councillor Allan of your complaint.

Your complaint has been assigned the reference number NT01 2017-18 which should be quoted in all correspondence.

The next stage of the process is that the Monitoring Officer will consider your complaint. The Monitoring Officer reviews every complaint received. Following consultation with the Authority's Independent Persons and seeking an initial response to the complaint from the subject member the Monitoring Officer will determine whether the complaint will be investigated or referred for other action.

The decision will be based upon whether the allegations made, if proved, would constitute a failure to observe the Code of Conduct and by applying the Authority's adopted assessment criteria as to whether it merits formal investigation.

This decision will normally be taken within 28 days of receipt of the complaint. You will be advised of the Monitoring Officer's decision together with the reasons for that decision.

Where the Monitoring Officer requires additional information in order to come to a decision, she may come back to you for such information or may request information from the subject member of the complaint.

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In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. Such informal resolution may involve the subject member accepting that their conduct was unacceptable and offering an apology, or other remedial action. Where the subject member or the Council makes a reasonable offer of informal resolution, but you as the Complainant are not willing to accept that offer, the Monitoring Officer will take account of this in deciding whether the complaint merits formal investigation.

If the complaint identifies criminal conduct or breach of other regulation by any person, the Monitoring Officer may refer the complaint to the Police or other regulatory agencies.

If an allegation is considered to require investigation, the Monitoring Officer will arrange for the investigation of the allegation.

Within three months of the completed investigation into the allegation, the Standards Sub Committee of the Authority will meet to consider the allegation and the findings of the investigation. If the allegation is upheld and a breach of the Code of Conduct is found, the Standards Committee has a range of sanctions available to it.

I enclose with this letter an Advice Note on the relevant procedures.

If you have any queries regarding the complaints process please do contact myself or the Monitoring Officer.

Yours sincerely

on behalf of
Vivienne M Geary
Head of Law and Governance

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Vivienne M Geary
Head of Law and Governance

North Tyneside Council
Quadrant East
The Silverlink North
Cobalt Business Park
North Tyneside
NE27 0BY

Councillor J Allan
11 Bannockburn
Highfields
Killingworth
Newcastle upon Tyne
NE12 6QJ

Direct Line (0191) 643 5325

This matter is being dealt with
by: Miss L Watson

Date: 20 July 2017

Our Ref: NT01 2017-18

PRIVATE AND CONFIDENTIAL

Dear Councillor Allan,

Notification of Complaint

I write to notify you that a complaint has been made against you regarding an alleged breach of the Members' Code of Conduct.

This complaint has been assigned reference number NT01 2017-18, which should be quoted in all correspondence.

A copy of the complaint is enclosed. The next stage of the process is that the complaint will be reviewed by the Monitoring Officer, in consultation with the Authority's Independent Persons, and a decision will be made as to whether or not the complaint will be investigated.

The decision will be based on whether the allegation, if proved, would constitute a failure to observe the Code of Conduct and the application of the Authority's adopted assessment criteria, as to whether it merits formal investigation. This decision will normally be taken within 28 days of receipt of the complaint. You will be advised of the decision together with the reasons for that decision.

You are entitled at this point to provide an initial response to Monitoring Officer in relation to the complaint submitted. This initial response should give a brief explanation of the alleged complaint from your point of view. The purpose of this initial response is to give sufficient information to allow a decision to be made as to whether the complaint will be investigated. Please would you provide your initial response by Monday 7 August 2017.

Where additional information is required in order to come to a decision, the Monitoring Officer may go back to the Complainant for such information, and may request information from you.

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In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. Such informal resolution may involve you accepting that your conduct was unacceptable and offering an apology, or other remedial action. Where you or the Authority makes a reasonable offer of informal resolution, but the Complainants are not willing to accept that offer, this will be taken account of this in deciding whether the complaint merits formal investigation.

If the complaint identifies criminal conduct or breach of other regulation by any person, the Monitoring Officer may refer the complaint to the Police or other regulatory agencies.

If an allegation is considered to require investigation, the matter will be referred by the Monitoring Officer for investigation. Within three months of the completed investigation into the allegation, the Standards Committee (or Standards Sub-Committee) will meet to consider the allegation and the findings of the investigation.

If the allegation is upheld and a breach of the Code of Conduct is found, the Standards Committee (or Standards Sub-Committee) has a range of sanctions available to it.

I enclose an Advice Note on the relevant procedures.

If you have any queries regarding the complaints process please do contact myself or the Monitoring Officer.

Yours sincerely

on behalf of
Vivienne M Geary
Head of Law and Governance

Enc:

- Complaint Form
- Advice Note on Arrangements for Dealing With Allegations of Breaches of the Code of Conduct

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From: Jim Allan [mailto: [REDACTED]]
Sent: 28 July 2017 10:45
To: Viv Geary
Subject: Complaint NT01 2017-18 [Scanned]

Hello Viv, I have received the paperwork concerning the complaint made to the council by the Elected Mayor (Leader of the Labour Group)

I would like to save a lot of time and effort that your team will have to undertake to see the complaint process through, by accepting the fault of me not declaring a non-pecuniary interest in the planning application as a consequence of knowing the applicant. I have shown some naivety by not doing so and accept that I have not declared the relationship between me and the applicant, who is a Trustee of Wallsend Boys Club, (he is not a Director as stated in the complaint submission). There is as would be expected a relationship with a community group such as Wallsend BC by a great many elected members including the complainant. There have been occasions when elected members have attended events and functions held by Wallsend BC. So from my perspective I viewed the application as one from Wallsend BC rather than from an individual, and the fact that Mr Cairns was not in attendance at the planning committee and another Trustee was in the public gallery to observe the planning committee proceedings, did not appear to me to be unusual. I can recall a number of planning applications involving voluntary and community groups and members will have been involved to some extent.

Any way the fact speaks for itself, I should have declared a non pecuniary interest and I accept the fault, which I sincerely Apologise for.

With regard to the next two suggestions I feel I need to explain and add some background and suggest that the reference to a previous complaint is not a comparator and has no bearing on this particular error.

1. I did not become a Director of Largesse Holdings Ltd until 17th March 2017 (as shown on the evidence produced from Companies House by the Complainant) and I was not appointed officially to the Board by SARJ until the first of this month and as part of becoming a live active Company. The interest in Largesse from me personally is as a shareholder in SARJ and as an individual part time employee effective from 1st July 2017. The fact that I had declared an interest in SARJ previously, and the formation of Largesse was work undertaken by SARJ so I feel I have not withheld my activities and have been open and honest, perhaps more so than other elected members in the authority.
2. I have known Robin Cairns for a number of years as a friend and as a colleague, he was involved with NTC as an employee of a number of council contractors so he is well known throughout NTC. I have never compromised the relationship in terms of making any decisions in any body where I have had to make a decision.

I am happy to accept any censures implied and save time and money for the Authority.

Best Wishes

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Jim Allan

Labour Councillor for Camperdown Ward
Email: James.allan@northtyneside.gov.uk

Mobile:- [REDACTED]

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Vivienne Geary
Head of Law and Governance

North Tyneside Council
Quadrant
The Silverlink North
Cobalt Business Park
North Tyneside
NE27 0BY

Mrs Norma Redfearn
Elected Mayor
24 Neasden Crescent
North Shields
Tyne & Wear
NE30 2TP

Direct Line (0191) 643 5339
Fax (0191) 643 2451

Our Ref: NT01 2017-18

Date: 14 August 2017

PRIVATE AND CONFIDENTIAL

Dear Mrs Redfearn,

Code of Conduct Complaint – NT01/2017-18

In accordance with the Authority's arrangements for dealing with complaints made against Councillors under the Code of Conduct for Members I have considered your complaint concerning the alleged conduct of Councillor James Allan.

You have alleged that Councillor Allan while acting as a substitute member at a meeting of Planning Committee on 13th June 2017:

- failed to declare that Mr Robin Cairns, a director of the applicant body (Wallsend Boys Club) and the named individual for correspondence in relation to the application was his business associate;
- intervened during consideration of the application to suggest that the proposed limit for operating the floodlit outdoor football pitch of 9pm should be extended until 10 pm, this suggestion then being agreed by the Committee.

In addition, Councillor Allan had not included in his register of interests his directorship in Largesse Holdings Ltd which commenced in March 2017. Largesse Holdings Ltd being a company set up by Mr Cairns in 2016 who is also a fellow director.

Councillor Allan provided an initial response to the complaint. In summary Councillor Allan:

- accepts and apologises for the fault in not declaring a non-pecuniary interest in the planning application as a consequence of knowing the applicant;
- considers that he has shown some naivety by not declaring his relationship with the applicant;
- asserts that Mr Cairns is a Trustee and not a Director as stated in the complaint;

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- viewed the application as one from the Wallsend boys rather than from an individual and that as a community group many elected members would have a relationship with it;
- seeks to draw attention to the date when he was named as a director of Largesse Holdings Ltd in Companies House records on 17 March 2017 and the date when 'SARJ' appointed him to the board on 1 July 2017;
- states that his interest in Largesse Holdings Ltd is as a shareholder in 'SARJ' and as a part time employee with effect from 1 July 2017;
- considers that as he has previously declared an interest in 'SARJ' he has not withheld his activities and has been open and honest;
- has known Mr Cairns for a number of years as a friend and as a colleague;
- asserts that Mr Cairns is well known throughout the Authority as he was employed by a number of the Authority's contractors;
- states he has never compromised the relationship 'by making any decisions in any body where' he has made decisions

Decision

Following consultation with the Independent Persons who have been appointed to provide comments to the Authority in relation to complaints made under the Code of Conduct for Members, I have decided to refer this complaint for investigation.

Reasons for decision

I consider that the complaint raises a potential breach of the Code of Conduct that requires referral for investigation because the allegations made by you in relation to Councillor Allan's alleged behaviour are serious and if proved could amount to a breach of the Authority's Code of Conduct for Members.

I consider that the following paragraphs of the Code of Conduct for Members may be engaged in relation to the complaint:

Part 1 – General Conduct, Paragraph 4

You must not conduct yourself in a manner which could reasonably be regarded as bringing the Council, or your office as a member of the Council, into disrepute.

Part 1 – General Conduct, Paragraph 5

You must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person any advantage or disadvantage

Part 2 – Registration of Interests

You must register in the Council's Register of Members Interests information about your registerable personal interests

Part 3 – Non-registerable Interests

You must disclose a non-registerable interest to the meeting before consideration of the item begins (and leave the room where a member of the public knowing the relevant facts would reasonably think your interest so significant that it is likely to prejudice your judgement of the public interest).

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In making this decision I have also taken into account the comments made by the Independent Persons and the Authority's local assessment criteria.

While acknowledging Councillor Allan's prompt acceptance of fault and apology the Independent Persons expressed the view that in light of his considerable experience as an elected member it was doubtful that this error was simply due to a naivety on his part.

As Monitoring Officer, it has been necessary for my office to prompt Councillor Allan to update and clarify his register of interests. I have previously offered to meet with Councillor Allan to provide advice and guidance on his interests and their potential impact on his participation in decision making, specifically in relation to Planning Committee. In addition, Councillor Allan has previously assured me that where any developments had a connection to his business interests he would not be involved in Planning Committee and that he had been advised by external lawyers on his roles and potential conflicts.

What happens now?

I will arrange for the investigation of the complaint. I will appoint an Investigating Officer. The Investigating Officer may contact you in due course with regards to the investigation of the complaint.

Following the completion of the investigation, depending on the findings of the investigation, the complaint may be referred to the Standards Sub-Committee for a formal hearing. Further information in relation to a formal hearing will be made available to you should that be required.

Informal Resolution

The Authority's Local Arrangements for dealing with complaints under the Code of Conduct for Members provide the opportunity for complaints to be resolved informally at any point. If it becomes evident to me that an opportunity for informal resolution of this complaint is possible I will advise you accordingly.

Yours sincerely,

Vivienne Geary
Head of Law and Governance

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Vivienne Geary
Head of Law and Governance

North Tyneside Council
Quadrant
The Silverlink North
Cobalt Business Park
North Tyneside
NE27 0BY

Councillor J Allan
11 Bannockburn
Highfields
Killingworth
Newcastle upon Tyne
NE12 6QJ

Direct Line (0191) 643 5339
Fax (0191) 643 2451

Our Ref: NT01/2017-18

Date: 14 August 2017

PRIVATE AND CONFIDENTIAL

Dear Councillor Allan,

Code of Conduct Complaint – NT01/2017-18

In accordance with the Authority's arrangements for dealing with complaints made against Councillors under the Code of Conduct for Members I have considered the above complaint concerning your alleged conduct.

You have previously been sent a copy of the complaint. The Complainant, Mrs Norma Redfearn, Elected Mayor, alleges that while acting as a substitute member at a meeting of Planning Committee on 13th June 2017:

- you failed to declare that Mr Robin Cairns, a director of the applicant body (Wallsend Boys Club) and the named individual for correspondence in relation to the application was your business associate;
- you intervened during consideration of the application to suggest that the proposed limit for operating the floodlit outdoor football pitch of 9pm should be extended until 10 pm, this suggestion then being agreed by the Committee.

In addition, you had not included in your register of interests your directorship in Largesse Holdings Ltd which commenced in March 2017. Largesse Holdings Ltd being a company set up by Mr Cairns in 2016 who is also a fellow director.

You have provided an initial response to the complaint. In summary:

- you accept and apologise for the fault in not declaring a non-pecuniary interest in the planning application as a consequence of knowing the applicant;
- you consider you have shown some naivety by not declaring your relationship with the applicant;
- you assert that Mr Cairns is a Trustee and not a Director as stated in the complaint;

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- you viewed the application as one from the Wallsend boys rather than from an individual and that as a community group many elected members would have a relationship with it;
- you seek to draw attention to the date when you were named as a director of Largesse Holdings Ltd in Companies House records on 17 March 2017 and the date when 'SARJ' appointed you to the board on 1 July 2017;
- your interest in Largesse Holdings Ltd is as a shareholder in 'SARJ' and as a part time employee with effect from 1 July 2017;
- you consider that as you have previously declared an interest in 'SARJ' you have not withheld your activities and have been open and honest;
- you have known Mr Cairns for a number of years as a friend and as a colleague;
- you assert that Mr Cairns is well known throughout the Authority as he was employed by a number of the Authority's contractors;
- you have never compromised the relationship 'by making any decisions in any body where' you have made decisions

Decision

Following consultation with the Independent Persons who have been appointed to provide comments to the Authority in relation to complaints made under the Code of Conduct for Members, I have decided to refer this complaint for investigation.

Reasons for decision

I consider that the complaint raises a potential breach of the Code of Conduct that requires referral for investigation because the allegations made by the Complainant in relation to your alleged behaviour are serious and if proven could amount to a breach of the Authority's Code of Conduct for Members.

I have taken into account your comments on the complaint.

I consider that the following paragraphs of the Code of Conduct for Members may be engaged in relation to the complaint:

Part 1 – General Conduct, Paragraph 4

You must not conduct yourself in a manner which could reasonably be regarded as bringing the Council, or your office as a member of the Council, into disrepute.

Part 1 – General Conduct, Paragraph 5

You must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person any advantage or disadvantage

Part 2 – Registration of Interests

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Part 3 – Non-registerable Interests

You must disclose a non-registerable interest to the meeting before consideration of the item begins (and leave the room where a member of the public knowing the relevant facts would reasonably think your interest so significant that it is likely to prejudice your judgement of the public interest).

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In making this decision I have also taken into account the comments made by the Independent Persons and the Authority's local assessment criteria.

While acknowledging your prompt acceptance of fault and apology the Independent Persons expressed the view that in light of your considerable experience as an elected member it was doubtful that this error was simply due to a naivety on your part.

As Monitoring Officer, it has been necessary for my office to prompt you to update and clarify your register of interests. I have previously offered to meet with you to provide advice and guidance on your interests and their potential impact on your participation in decision making, specifically in relation to Planning Committee. In addition, you have previously assured me that where any developments had a connection to your business interests you would not be involved in Planning Committee and that you had been advised by external lawyers on your roles and potential conflicts.

What happens now?

I will arrange for the investigation of the complaint. I will appoint an Investigating Officer. The Investigating Officer will contact you in due course with regards to the investigation of the complaint. You will have the opportunity to make a statement to the Investigating Officer in relation to the complaint.

Following the completion of the investigation, depending on the findings of the investigation, the complaint may be referred to the Standards Sub-Committee for a formal hearing. If the complaint is referred for a formal hearing you will have the opportunity to make representations to the Standards Sub-Committee. Further information in relation to a formal hearing will be made available to you should that be required.

Informal Resolution

The Authority's Local Arrangements for dealing with complaints under the Code of Conduct for Members provide the opportunity for complaints to be resolved informally at any point. If it becomes evident to me that an opportunity for informal resolution of this complaint is possible that is potentially acceptable to you and the Complainant I will advise you accordingly.

Yours sincerely,

Vivienne Geary
Head of Law and Governance

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North Tyneside Council

Planning Committee

2 June 2017

To be held on **13 June 2017** in room 0.02, Ground Floor, Quadrant East, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY commencing at **10.00am**.

Agenda Item

Page

1. **Apologies for absence**

To receive apologies for absence from the meeting.

2. **Appointment of substitutes**

To be informed of the appointment of any substitute members for the meeting.

3. **To receive any declarations of interest**

You are invited to declare any registerable and/or non-registerable interests in matters appearing on the agenda, and the nature of that interest.

You are also requested to complete the Declarations of Interests card available at the meeting and return it to the Democratic Services Officer before leaving the meeting.

You are also invited to disclose any dispensation from the requirement to declare any registerable and/or non-registerable interests that have been granted to you in respect of any matters appearing on the agenda.

4. **Minutes**

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To confirm the minutes of the meeting held on 16 May 2017.

Continued overleaf

Members of the public are welcome to attend this meeting and receive information about it.

North Tyneside Council wants to make it easier for you to get hold of the information you need. We are able to provide our documents in alternative formats including Braille, audiotape, large print and alternative languages.

For further information please call 0191 643 5359.

5.	Planning officer reports	5
	To give consideration to the planning applications contained in the above report relating to:	
5.1	17/00092/FUL 26-32 South Parade, Whitley Bay (Whitley Bay Ward)	10
5.2	17/00093/FUL 20-24 South Parade, Whitley Bay (Whitley Bay Ward)	29
5.3	17/00194/FUL Wallsend Boys Club, Rheydt Avenue, Wallsend (Northumberland Ward)	48
5.4	17/00473/FUL The Briar Dene, Tho Links, Whitley Bay (St Mary's Ward)	63
5.5	17/00565/FUL 10C Priors Terrace, Tynemouth (Tynemouth Ward)	86

Members of the Planning Committee:

Councillor Anne Arkle	Councillor Wendy Lott
Councillor Karen Bolger	Councillor Gary Madden
Councillor Pamela Brooks	Councillor Paul Mason
Councillor Sandra Graham	Councillor David McGarr
Councillor Muriel Green	Councillor David McMeekan(Deputy Chair)
Councillor Ed Hodson	Councillor Alan Percy
Councillor John Hunter	Councillor Alison Waggott-Fairley
Councillor Frank Lott (Chair)	

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PLANNING COMMITTEE

Date: 13 June 2017

PLANNING APPLICATION REPORTS

Background Papers - Access to Information

The background papers used in preparing this schedule are the relevant application files the numbers of which appear at the head of each report. These files are available for inspection at the offices of the Regeneration, Development & Regulatory Service, Quadrant, The Silverlink North, Cobalt Business Park North Tyneside

Principles to guide members and officers in determining planning applications and making decisions

Interests of the whole community

Members of Planning Committee should determine planning matters in the interests of the whole community of North Tyneside.

All applications should be determined on their respective planning merits.

Members of Planning Committee should not predetermine planning applications nor do anything that may reasonably be taken as giving an indication of having a closed mind towards planning applications before reading the Officers Report and attending the meeting of the Planning Committee and listening to the presentation and debate at the meeting. However, councillors act as representatives of public opinion in their communities and lobbying of members has an important role in the democratic process. Where members of the Planning Committee consider it appropriate to publicly support or oppose a planning application they can do so. This does not necessarily prevent any such member from speaking or voting on the application provided they approach the decision making process with an open mind and ensure that they take account of all the relevant matters before reaching a decision. Any Member (including any substitute Member) who finds themselves in this position at the Planning Committee are advised to state, prior to consideration of the application, that they have taken a public view on the application.

Where members publicly support or oppose an application they should ensure that the planning officers are informed, preferably in writing, so that their views can be properly recorded and included in the report to the Planning Committee.

All other members should have regard to these principles when dealing with planning matters and must avoid giving an impression that the Council may have prejudged the matter.

Planning Considerations

Planning decisions should be made on planning considerations and should not be based on immaterial considerations.

The Town and Country Planning Act 1990 as expanded by Government Guidance and decided cases define what matters are material to the determination of planning applications.

It is the responsibility of officers in preparing reports and recommendations to members to identify the material planning considerations and warn members about those matters which are not material planning matters.

Briefly, material planning considerations include:-

- North Tyneside Unitary Development Plan (adopted March 2002);
- National policies and advice contained in guidance issued by the Secretary of State, including the National Planning Policy Framework, Planning Practice Guidance, extant Circulars and Ministerial announcements;
- non-statutory planning policies determined by the Council;
- statutory duty to pay special attention the desirability of preserving or enhancing the character or appearance of conservation areas;
- statutory duty to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses;
- representations made by statutory consultees and other persons making representations in response to the publicity given to applications, to the extent that they relate to planning matters.

There is much case law on what are material planning considerations. The consideration must relate to the use and development of land.

Personal considerations and purely financial considerations are not on their own material; they can only be material in exceptional situations and only in so far as they relate to the use and development of land such as, the need to raise income to preserve a listed building which cannot otherwise be achieved.

The planning system does not exist to protect private interests of one person against the activities of another or the commercial interests of one business against the activities of another. The basic question is not whether owners and occupiers or neighbouring properties or trade competitors would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings, which ought to be protected in the public interest.

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Local opposition or support for the proposal is not in itself a ground for refusing or granting planning permission, unless that opposition or support is founded upon valid planning reasons which can be substantiated by clear evidence.

It will be inevitable that all the considerations will not point either to grant or refusal. Having identified all the material planning considerations and put to one side all the immaterial considerations, members must come to a carefully balanced decision which can be substantiated if challenged on appeal.

Officers' Advice

All members should pay particular attention to the professional advice and recommendations from officers.

They should only resist such advice, if they have good reasons, based on land use planning grounds which can be substantiated by clear evidence.

Where the Planning Committee resolves to make a decision contrary to a recommendation from officers, members must be aware of their legislative responsibilities under Article 35 of the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended) to:

When refusing permission:

- state clearly and precisely the full reasons for any refusal including specifying all the policies and proposals in the development plan relevant to the decision; or

When granting permission:

- give a summary of the reasons for granting permission and of the policies and proposals in the development plan relevant to the decision; and
- state clearly and precisely full reasons for each condition imposed, specifying all policies and proposals in the development plan which are relevant to the decision; and
- in the case of each pre-commencement condition, state the reason for the condition being a pre-commencement condition.

And in both cases to give a statement explaining how, in dealing with the application, the LPA has worked with the applicant in a proactive and positive manner based on seeking solutions to problems arising in relation to dealing with the application, having regard to advice in para.s 186-187 of the National Planning Policy Framework.

Lobbying of Planning Committee Members

While recognising that lobbying of members has an important role in the local democratic process, members of Planning Committee should ensure that their response is not such as to give reasonable grounds for their impartiality to be questioned or to indicate that the decision has already been made. If however, members of Committee express an opinion prior to the Planning Committee this does not necessarily prevent any such member from speaking or voting on the application provided they approach the decision making process with an open

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mind and ensure that they take account of all the relevant matters before reaching a decision. Any Member (including any substitute Member) who finds themselves in this position at the Planning Committee are advised to state, prior to consideration of the application, that they have taken a public view on the application.

Lobbying of Other Members

While recognising that lobbying of members has an important role in the local democratic process, all other members should ensure that their response is not such as to give reasonable grounds for suggesting that the decision has already been made by the Council.

Lobbying

Members of the Planning Committee should ensure that their response to any lobbying is not such as to give reasonable grounds for their impartiality to be questioned. However all members of the Council should ensure that any responses do not give reasonable grounds for suggesting that a decision has already been made by the Council.

Members of the Planning Committee should not act as agents (represent or undertake any work) for people pursuing planning applications nor should they put pressure on officers for a particular recommendation.

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event percolate through the pitch and use the achievable attenuation volume without overspilling onto the surrounding area? If not how will the overspill flow be collected and will the low spot in the south-west corner contain that volume?

- The storage capacity of the pitch is dependent on the percolation rate into the 4G system. It may not fill the whole of the theoretical void available within the single sized material.

- Without a contour drawing there is no evidence that the topography will direct water away from the south-west corner. Prior to NWL agreeing to a direct connection from this area into the SW sewer the burn did overflow in September 2012. It is reasonable to expect water levels post construction of the pitch to be the same as those before.

- The figures should be reviewed following an assessment of the permeability of the surface of the 4G pitch.

- This (percolation rate) should all be evidenced during detail design due to this being a critical part of the drainage design strategy.

- There are some inconsistencies in the climate change allowances listed. On page 15 an increase of 30% is proposed. On page 24 a figure of 40% is quoted. On page 25 the report refers to minimal flooding occurring during the 100 year events, all of which will be accommodated on site. Plans should be provided to show where this storage is to be located.

- Maintenance of the proposed network is not discussed.

- We would expect the detailed design and maintenance, including a detailed schedule for the work required, to be conditioned as part of the approval and encourage NTC LLFA to share that with Newcastle City Council as neighbouring LLFA.

Officer Comments

The concerns raised by Newcastle City Council's Local Lead Flood Authority are noted, however they do not object to the proposed development. North Tyneside's Local Lead Flood Authority has raised no objection, noting the submission of the Flood Risk Assessment and they have recommended conditional approval, advising that surface water will be retained on site and discharged into existing infrastructure at agreed rates.

Condition No.1 of the approval states that the development must be carried out in accordance with the Flood Risk Assessment and Drainage Strategy, Rev.B, 03.05.17 and the Proposed Drainage Strategy, drawing no.C-GA-001, Rev.P3, Jan 17.

Condition 20 states that details of the construction and surfacing of the

ADDENDUM 09.06.17

Item No: 4

Application No:	17/00194/FUL	Author	Julia Dawson
Date valid:	15 February 2017	☎:	0191 643 6314
Target decision date:	17 May 2017	Ward:	Northumberland

Application type: full planning application

Location: Wallsend Boys Club Rheydt Avenue Wallsend Tyne And Wear NE28 8SX

Proposal: Proposed extension to existing boys club, comprising of a first floor extension to the existing facilities to provide meeting spaces, offices and events areas. Erection of new indoor pitch and new external 4G pitch to replace the existing large pitch (updated FRA and Drainage Strategy - UPLOADED 19TH MAY 2017)

Applicant: Wallsend Boys Club, FAO Mr Robin Cairns Wallsend Boys Club Rheydt Avenue Wallsend Tyne And Wear NE28 8SX

Agent: NORR Consulting, FAO Mr Simon Bell 8th Floor Percy House Percy Street Newcastle Upon Tyne NE1 4PW

RECOMMENDATION: Application Permitted

Additional Consultation Response

Newcastle City Council Local Lead Flood Authority

- The development site has operated as a football club for several years, but was originally part of the Golf Course. At that time houses on Appletree Gardens did not report any flooding incidents. It was only when earthmoving operations began that surface water was shed towards the properties causing internal flooding. It took several meetings between the Newcastle City Council, North Tyneside Council, Northumbrian Water (NWL) and the club before a bund was constructed and an outfall into Northumbrian Water's combined sewer network was agreed to by NWL. The Flood Risk Assessment (FRA) does not refer to any of this history which is disappointing.

- Believe that the Wallsend Burn is an ordinary watercourse east of Rheydt Road. West of the road the water course was diverted in the 1950's into the surface water sewer that is currently managed by Northumbrian Water. The revised FRA (pluvial Flooding, page 18) refers to the areas of ponding in the south-west corner of the field held back by the bund.. There does not appear to be any consideration of the impact of run-off from the 4G surface in an extreme event. Can all the rainfall that falls on the pitch from the critical

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Environment Agency. The FRA & DS states these areas do not impact on the development. A more detailed assessment should be carried out to provide evidence to support this assertion because it could compromise the existing drainage strategy of the site.

- Northumbrian Water risk of flooding from sewers identifies areas to the south of the development site. This is unlikely to have an effect directly on the site, however any potential flows leaving the site during an extreme event would add to the surface water flooding in this area.

- The drainage strategy design principles are based on discharging surface water from the site to the Wallsend Burn at greenfield runoff rates (QBar). We agree with this approach but would like to bring into attention the fact that the drainage strategy relies on the all-weather pitch surface being able to accept surface runoff quickly enough. What will be the infiltration rate of the pitch into the below ground storage? Has this been compared with maximum rainfall intensity during a 1 in 100 year event plus an allowance for climate change? What measures will be in place to prevent silting up of the storage? What are the maintenance requirements? There is no evidence that the specific 4G pitch drainage characteristics have been considered.

- The FRA & DS mention that "careful design of on site features and levels will be necessary to ensure that no property is at risk of damage during these events". There is however no further information on how this will be achieved. MicroDrainage outputs indicate flooding will occur during a 1 in 100 year event plus 30%. Therefore, additional information/modelling is required to demonstrate that the site levels can contain flows generated on the site up to a 1 in 100 plus climate change.

- MicroDrainage details do not include details of the storage and flow control. The outputs show some flooding during a 1 in 30 year event which should be taken into account to comply with current standards.

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discharge to the existing system, which drains to a soakaway with an overflow to the public sewer system. The document further states that surface water from the indoor pitch will be restricted to 2l/sec and will discharge to the existing system to the east.

10.4 We would therefore request that the *Proposed Drainage Strategy* form part of the approved documents as part of any planning approval and the development to be implemented in accordance with this document.

10.5 It should be noted that we are not commenting on the quality of the flood risk assessment as a whole or the developers approach to the hierarchy of preference. The council, as the Lead Local Flood Authority, needs to be satisfied that the hierarchy has been fully explored and that the discharge rate and volume is in accordance with their policy. The required discharge rate and volume may be lower than the Northumbrian Water figures in response to the National and Local Flood Policy requirements and standards.

11.0 Newcastle City Council (Lead Local Flood Authority) (prior to submission of additional information)

11.1 The LLFA has assessed the planning application at Rheydt Avenue, Wallsend (reference 17/00194/FUL) as we would any similar planning application received by the Authority. Our focus is on the potential impact of surface water and sewer flooding on the development's surrounding area.

11.2 Having reviewed the Flood risk Assessment submitted by the Applicant we have the following comments:

- The submitted Flood Risk Assessment & Drainage Strategy dated January 2017 does not mention historic flooding to the site and surrounding areas. Following major earthworks to change the site from golf course to sports pitches there was significant localised flooding affecting properties on Appletree Gardens. Modifications were made to the original drainage strategy that included the construction of a bund to protect homes in Appletree Gardens and the provision, with the approval of Northumbrian Water, of a discharge into the culverted watercourse which is a section of Wallsend Burn.
- The drainage proposals intend to increase the discharge rate of the site into the Wallsend Burn culvert by 4.4l/s. There is no assessment of the capacity of the culvert. Have allowances for adjacent areas been taken into account in this. The City Council has previously consulted NTC to agree a discharge rate for our Appletree Gardens Flood Alleviation Scheme.
- The capacity of the existing private drainage to accept further flows should also be considered. There is no evidence of this assessment having been carried out.
- The FRA & DS makes reference to ponding of surface water both to the north of the development and in the south west of the Wallsend Boys Club site itself. This is based on the high level assessment of the area as undertaken by the

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specifications for the pitch are fully compliant with FA recommendations. We understand the clubs desire to have additional storage and indoor pavilion space for club users. We do not object to the indoor pitch. However, we would recommend the feasibility for this phase is reviewed more fully after the full-size 3G AGP is constructed operational and proved successful.

9.5 Sport England is content as to the strategic value of the proposed AGP, and subject to technical detail of the proposed design it is evident that the proposal meets playing field policy exception E5. Should the club use the FA's appointed AGP consultant then the AGP will be designed in order to fulfil its sporting potential. Wallsend Boys Club are however not obligated to use the FA's consultant so as a pre-caution it will be necessary to seek the imposition of a condition requiring further details of the proposed AGP's design.

9.6 Conclusions and Recommendation:

9.7 Given the above assessment, Sport England does not wish to raise an objection to this application as it is considered to meet exception E5 of the above policy. The absence of an objection is subject to the following condition being attached to the decision notice should the local planning authority be minded to approve the application:

1) No development shall commence until details of the floodlighting, construction, surfacing, means of enclosure, line marking and layout of the proposed artificial grass pitch have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The artificial grass pitch shall not be constructed other than substantially in accordance with the approved details

Reason: To ensure the development is fit for purpose and sustainable.

9.8 Informative: The applicant is advised that the design and layout of the artificial grass pitch should comply with the relevant Industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport.

10.0 Northumbrian Water Limited

10.1 In making our response Northumbrian Water assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

10.2 Having assessed the proposed development against the context outlined above Northumbrian Water have the following comments to make:

10.3 We would have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled "Proposed Drainage Strategy". In this document it states that surface water from the 4G pitch will be restricted to 2l/sec and will

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- The Contractors site access and set up area are to be submitted for approval prior to commencement of any proposed works, in conjunction with a landscape feature(s) protection Method Statement (MS). No site storage or parking of (plant) vehicles to be located within the root protection area of any tree or landscape feature within the area of the proposed site or adjacent to the boundary or perimeter area of the proposed site.
- No utilities or drainage should be located within the root protection areas of any nearby trees. Where installation or alteration to existing underground services has been agreed near or adjacent to trees, all works shall conform to the requirements of the National Joint Utilities Group publication Volume 4 (November 2007).
- All construction works to conform with (see BS5837: 2012 Trees in Relation to Construction-Recommendations) in relation to protection of existing boundary trees and shrubs.

8.0 External Consultees

8.1 Tyne and Wear Archaeologist

8.2 There used to be ridge and furrow earthworks on this site, but these have been destroyed to create the existing playing pitch. No archaeological work is required.

9.0 Sport England

9.1 Sport England raises no objection to this application which is considered to meet exception E5 of our adopted Playing Fields Policy.

9.2 The proposal has two main components. The first is for the development of a full-sized floodlit third generation artificial grass pitch (AGP) to be constructed on the site of an adult grass football pitch. The second element is for the extension of the existing site building to provide meeting spaces, offices and events area and an indoor football pitch. Sport England defines the whole of the site to be playing field, and it is necessary to consider the proposal against playing field policy. The most appropriate exception against which to consider the development is exception E5. This exception considers the value to sport of the proposed sports facilities against the value to sport of the existing playing field area.

9.3 Wallsend Boys Club are the applicant and the proposed AGP is a football specific facility. Sport England has sought the views of the Football Association to help understand the value to football of what is being proposed. The FA has responded to advise;

9.4 The FA is fully supportive of the full-sized 3G AGP. There is a strategic undersupply of 3G AGP's in North Tyneside and this pitch will have a transformational and positive impact on the training and match play for the football club and other users. The proposed location for the AGP is the most suitable for the site in terms for players, spectators and officials. We are looking to support with investment into the 3G AGP element of this proposal and as such, have advised the club to appoint our AGP consultant to ensure the designs and

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- Floodlighting must be designed to point down and away from the broadleaved plantation woodland on site with back plates to minimise spillage.
- Floodlighting use will be restricted during the active season (April-October inclusive) to minimise impacts on bats and birds. Details of the timing of floodlighting use in this period must be submitted to the Local Authority for approval prior to development commencing.
- 4no. schwegeler bat boxes and 4no. bird boxes must be provided as part of the scheme and erected within the adjacent broadleaved woodland areas. Details of the design and location of these boxes must be submitted to the Local Authority for approval prior to development commencing.
- Once bird and bat boxes have been installed, the consultant ecologist will confirm in writing that this has been undertaken in accordance with the agreed plans.
- All works will be undertaken to the 'Amphibian Method Statement' outlined in Appendix 2 of E3 Ecology Ltd's 'Preliminary Ecological Appraisal' January 2017.
- Any vegetation clearance must be undertaken outside of the bird nesting season (March-August inclusive) unless a checking survey by a suitably qualified ecologist has confirmed the absence of nesting birds immediately prior to works commencing.
- All trees will be protected during development works in accordance with appropriate tree protection measures and BS5837:2012
- Any excavations left overnight will have a means of escape for mammals that may become trapped, in the form of a ramp at least 300mm in width and angled no greater than 45 degrees

7.0 Landscape Architect

7.1 There are mature hedgerows and trees within the vicinity of the proposed works so care must be taken to ensure that these elements in the landscape are protected prior and during the works.

- As part of tree and hedgerow protection measures the applicant should consider and/or commission an existing *Vegetation Survey and Arboricultural Report*, by an appropriate professional service provider, that should survey and include all trees and hedgerows groups on site that may be affected by any of the proposed works. The applicant should also consider an *Arboricultural Method Statement (AMS)*, which could form part of an existing (revised) plan or as an additional landscape (Tree Protection) plan. The AMS should take into account the spread of any root zones relating to the trees and be submitted prior to the commencement of the proposed works on site. This should also include neighboring trees on adjacent land, where the proposed works will structurally affect the integrity of the canopy or root zone, and trunk of the tree(s).
- In relation to the proposed development areas a detailed Landscape Scheme should also be submitted, with reference to the layout of the general external areas (hard and soft landscaping). This should take into account the landscape of the immediate and wider area, along with the species type, sizes and method of support with regard to plant material. The proposals should also detail the remediation works required to reinstate all disturbed areas within the surrounding and run out areas of the proposed site area.

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4.4 Recommendation - Conditional Approval

4.5 Conditions:

PAR04 - Veh: Parking, Garaging before Occ

REF01 - Refuse Storage: Detail, Provide Before Occ

SIT05 - Construction Management

4.6 Upon expiration of 6 months of the first occupation of the development, a scheme for monitoring the impact of the development on existing parking provision on Rheydt -Avenue and Rutland Road shall be submitted for approval to the Local Planning Authority. The scheme shall include:

4.7 The scope and timing of parking surveys to be agreed

The submission of a report detailing the results of the parking surveys

Any parking control measures necessary to alleviate any overspill parking arising from the development and the method of implementation

Reason: To monitor the impact of the development on on-street parking in the interests of highway safety

4.8 Informatives:

I10 - No Doors/Gates to Project over Highways

I13 - Don't obstruct Highway, Build Materials

I46 - Highway Inspection before dvlpmt

5.0 Contaminated Land Officer

5.1 The site is located within close vicinity to unknown filled ground. There has also been mining within the area. Therefore there is a possibility that the development may be affected by gas from shallow mine workings and unknown filled ground. I have no objection to this development, however I recommend the following conditions are attached to the application: Gas 06

6.0 Biodiversity Officer

6.1 The above application is located within a wildlife corridor. The submitted ecological survey has demonstrated that the main impacts from the scheme will be to bats and birds as a result of lighting (flood lighting). Habitat loss will be restricted to the loss of amenity grassland of low ecological value. A pond has also been identified outside of the site with average suitability for supporting great crested newt (GCN), therefore, there is a residual risk that GCN could use the site.

6.2 The impacts mentioned above can be mitigated by:-

- The design of floodlighting to minimise light spillage to adjacent woodland areas and the restriction of floodlighting during sensitive periods of the year.
- Implementation of an Amphibian Working Method Statement

6.3 I have no objection to the above scheme subject to the following conditions being attached to the planning application:-

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2.0 Internal Consultees

2.1 Local Lead Flood Authority

2.2 This application is for a proposed extension to the existing boy club, comprising of a first floor extension to the existing facilities to provide meeting spaces, offices and events areas, erection of a new indoor pitch & new external 4G pitch to replace the existing large pitch.

2.3 As part of the application a Flood Risk Assessment (FRA) was submitted. Surface water will be retained on site and discharged into existing infrastructure at agreed rates. Conditional approval is recommended.

2.4 Recommendation - Approval

3.0 Environmental Health (Pollution)

3.1 The development involves an extension of the existing building and the replacement of the outdoor playing pitch. I can support the proposal in principle. I would make the following comments:

3.2 Before commencement of the development a fully detailed lighting scheme for the outdoor pitch shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include a site plan, detailing the type, height and alignment of the luminaires, an isolux diagram showing predicted illuminance levels in particular at the site boundary and at the nearest sensitive properties. The proposed hours of illuminance and frequency should also be provided.

3.3 The outdoor pitch should not be used between 21:00 - 08:00 on any day.

3.4 HOU04 All construction work shall take place between the hours of 08:00 and 18:00 Monday to Friday, 08:00 to 13:00 on Saturday, and no construction on Sundays or bank holidays.

3.5 SIT03

4.0 Highway Network Manager

4.1 This application is for a proposed extension to the existing boys club, comprising of a first floor extension to the existing facilities to provide meeting spaces, offices and events areas, erection of a new indoor pitch and new external 4G pitch to replace the existing large pitch.

4.2 The site was originally granted permission in 2007 (07/00633/FUL) and the proposals are improvements to existing facilities. Access, internal circulation and parking remain unchanged, however the applicant has advised that there is space for an additional 30 vehicles if required.

4.3 For the reasons outlined above and on balance, conditional approval is recommended.

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Appendix 1 – 17/00194/FUL
Item 4

Consultations/representations

1.0 Representations

11 no. letters of support have been submitted, these are summarised below:

- The club expansion will get more children involved.
- Would be fantastic to have a 3g facility in the local area supporting sport. With the closure of the soccerdome in north shields where kids and adults used for training and leagues etc the lack of available 3g in the area is frustrating added to the fact that weather is getting worse year by year so many games get called off due to pitches etc.
- Much needed quality facility, which will enhance the work of Wallsend Boys' Club for the benefit of our community.
- The plans look really fantastic! It will provide great opportunities for children and young people not only in the immediate area but surrounding areas. Can't wait to see the finished product.
- This is a much needed facility in the area. Hope it will happen soon. I'm sure the club will make an optimal use of the facilities.
- Sport for the youth of today should be wholly supported, any opportunity to get youth of any gender into sport should be unreservedly supported . The space is there it's a no brainer!!!
- The plans look fantastic! It is great to see something like this in our area, especially after losing the youth club on Station Rd. It will provide great opportunities for children and young people once again.
- This club is a very well organised club with strong committee and infrastructure. The one thing they are missing is all weather pitches, somewhere the kids and adults can play football throughout the year regardless of conditions. We travel from Alnwick to play at the club and know the hard work of the volunteers, this additional facility would help them to engage more young people and in doing so teach them valuable life skills that go above and beyond football.
- I would like to support this scheme, it looks like a first class facility and I like the design as it looks clean and simple. It's about time the boys club had a new home to replace Station road and the people of Wallsend, the Council and the Mayor should get behind this scheme 100%. The Boys club is part of Wallsends DNA and goes back a long time. The boys club always offered kids somewhere to go instead of hanging around parks and getting into bother. It has always given so much by way of sport and youth activities to the local area, so I feel strongly about supporting this scheme.
- Wallsend Boys Club are known worldwide and this facility will enhance that reputation. Having the 3g pitch will improve the training/matches for the players and the local community will gain from the other facilities that are getting built. This will be a great addition to North Tyneside.

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The Local Planning Authority worked proactively and positively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.

Informatives

Building Regulations Required (I03)

Contact NWL Public Sewer Crossing Site (I11)

Do Not Obstruct Highway Build Materials (I13)

Highway Inspection before dvlpt (I46)

The applicant is advised that the design and layout of the artificial grass pitch should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport.

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fencing shall remain undisturbed during the course of the works, and in particular in these areas:

- a) There shall be no changes in ground levels;
- b) No materials or plant shall be stored;
- c) No buildings or temporary buildings shall be erected or stationed;
- d) No materials or waste shall be burnt;
- e) No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority, and
- f) In carrying out the development, the developer shall conform with the recommendations in BS 5837:2012 in relation to the protection of trees during construction.

Reason: To ensure trees and hedges to be retained are adequately protected from damage during the execution of the works hereby permitted, in the interests of visual amenity having regard to policy E14 of the North Tyneside Unitary Development Plan 2002.

19. Prior to commencement of the approved development a landscape features protection Method Statement and full details of the contractors site access and set out shall be submitted to and approved in writing by the Local Planning Authority. No site storage or parking of (plant) vehicles to be located within the root protection area of any tree or landscape feature within the area of the proposed site or adjacent to the boundary or perimeter area of the proposed site, and no utilities or drainage should be located within the root protection areas of any nearby trees. Where installation or alteration to existing underground services has been agreed near or adjacent to trees, all works shall conform to the requirements

Reason: This is required from the outset of the development in order to ensure trees and hedges to be retained are adequately protected from damage during the execution of the works hereby permitted, in the interests of visual amenity having regard to policy E14 of the North Tyneside Unitary Development Plan 2002.

20. No development of the artificial grass pitch shall commence until details of the floodlighting, construction, surfacing, means of enclosure, line marking and layout of the proposed artificial grass pitch have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The artificial grass pitch shall not be constructed other than substantially in accordance with the approved details

Reason: To ensure the development is fit for purpose and sustainable.

Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):

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13. The approved development must be carried out in complete accordance with the 'Amphibian Method Statement' outlined in Appendix 2 of E3 Ecology Ltd's 'Preliminary Ecological Appraisal' January 2017.

Reason: In minimise the impact on the biodiversity of the site in accordance with the NPPF.

14. There shall be no vegetation clearance during the bird nesting season (March-August inclusive) unless a checking survey by a suitably qualified ecologist has confirmed the absence of nesting birds immediately prior to works commencing.

Reason: To minimise impacts on birds in accordance with the NPPF.

15. Any excavations left overnight will have a means of escape for mammals that may become trapped, in the form of a ramp at least 300mm in width and angled no greater than 45 degrees.

Reason: To minimise impact on mammals in accordance with the NPPF.

16. The development hereby permitted shall be landscaped and planted in accordance with a fully detailed scheme which shall be submitted to and approved in writing by the Local Planning Authority before the use of the development commences. The scheme include reference to the layout of the general external areas (hard and soft landscaping), and should take into account the landscape of the immediate and wider area, along with the species type, sizes and method of support with regard to plant material. The proposals should also detail the remediation works required to reinstate all disturbed areas within the surrounding and run out areas of the proposed site area.

Reason: In the interests of amenity and to ensure a satisfactory standard of landscaping having regard to policy E14 of the North Tyneside Unitary Development Plan 2002.

17. Landscape Scheme Implementation LAN06 *E14
Period

18. Prior to the commencement of any site clearance works or of the development there shall be submitted to the Local Planning Authority for their approval a scheme showing the type, height and position of protective fencing to be erected around each tree or hedge to be retained, and an Arboricultural Method Statement. Unless otherwise agreed in writing by the Local Planning Authority this shall comprise a vertical and horizontal framework of scaffolding or post and rail fencing, to a height of 1.5 metres, well braced to resist impacts and supporting either cleft chestnut pale or chain link fencing and sited at a minimum distance from the tree equivalent to the crown spread.

No site clearance works or the development itself shall be commenced until such a scheme is approved by the Local Planning Authority and thereafter the development hereby permitted shall only be carried out in accordance with that scheme. The area surrounding each tree/hedge within the approved protective

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5. Restrict Hours No Construction Sun BH HOU04 *
6. Construction Method Statement - Major SIT07 *H13 and E3
7. Veh Parking Garaging before Occ PAR04 *H13
8. Refuse Storage Detail Provide Before Occ REF01 *H13
9. Upon expiration of 6 months of the first occupation of the development, a scheme for monitoring the impact of the development on existing parking provision on Rheydt Avenue and Rutland Road shall be submitted for approval to the Local Planning Authority. The scheme shall include:
 - The scope and timing of parking surveys to be agreed
 - The submission of a report detailing the results of the parking surveys
 - Any parking control measures necessary to alleviate any overspill parking arising from the development and the method of implementationReason: To monitor the impact of the development on on-street parking in the interests of highway safety
10. Gas Investigate no Development GAS06 *
11. Prior to the operation of any floodlighting within the application site details of the timing of the operation of floodlighting during the active season (April to October inclusive) must be submitted to and approved in writing by the Local Planning Authority. The floodlighting must be designed to point down and away from the broadleaved plantation woodland on site with back plates to minimise spillage, and thereafter it must be operated in accordance with the approved details.
Reason: To minimise impacts on bats and birds in accordance with the NPPF.
12. Prior to occupation or use of the development details of the design and location of 4no. schwegeler bat boxes and 4no. bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The boxes must be provided as part of the scheme and erected within the adjacent woodland areas. Thereafter, the boxes must be installed in accordance with the approved details prior to operation of the approved development and permanently retained.
Reason: To minimise impacts on bats and birds in accordance with the NPPF.

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10.30 Economically and socially there will be benefits as a result of the proposed works due to the improvement of existing sports facilities, which will benefit the local community and attract visitors to the area.

11.0 Conclusions

11.1 In reaching their decision, Members need to balance the issues regarding this proposal. Officer advice is that the proposal is considered to comply with the relevant national and local planning policies. It is officer recommendation that permission is granted subject to the recommended conditions.

RECOMMENDATION: Application Permitted

Conditions/Reasons

1. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications:

- Application Form 07.02.2017
 - Site Location Plan, drawing no.A10-00-03, Rev.A, 23.11.16
 - Proposed Site Plan, drawing no.A10-00-02, Rev.B, 05.01.17
 - Proposed Elevations, drawing no.A30-00-02, Rev.B, 05.01.17
 - Proposed Plan - Level 0, drawing no.A20-00-02, Rev.B, 05.01.17
 - Proposed Plan - Level 1, drawing no.A20-01-02, Rev.B, 05.01.17
 - Proposed Plan - Roof, drawing no.A20-02-01, Rev.B, 05.01.17
 - Flood Risk Assessment & Drainage Strategy, Rev.B, 03.05.17
 - Proposed Drainage Strategy, drawing no.C-GA-001, Rev.P3, Jan 17
- Reason: To ensure that the development as carried out does not vary from the approved plans.

2. Standard Time Limit 3 Years FUL MAN02 *

3. Prior to the installation of any external lighting at the application site a fully detailed lighting scheme must be submitted to and approved in writing by the Local Planning Authority. The scheme must include a site plan, which details the type, height and alignment of the luminaires, an isolux diagram showing predicted illuminance levels in particular at the site boundary and at the nearest sensitive properties. The proposed hours of illuminance and frequency should also be provided. Thereafter, the external lighting shall be installed and operated in accordance with the approved details.

Reason: In order to protect residential amenity in accordance with policies H13 and E3 of the North Tyneside Unitary Development Plan 2002.

4. The approved external 4G pitch must not be used outside of the hours 08:00 to 21:00 on any day.

Reason: To protect residential amenity in accordance with policies H13 and E3 of the North Tyneside Unitary Development Plan 2002.

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objection to the proposed development, but has noted that the main impacts from the scheme will be to bats and birds as a result of lighting (flood lighting). Habitat loss will be restricted to the loss of amenity grassland of low ecological value. A pond has also been identified outside of the site with average suitability for supporting great crested newt (GCN), therefore, there is a residual risk that GCN could use the site.

10.19 As such, she has recommended a number of conditions to mitigate for the above impacts.

10.20 Members need to consider whether the proposed development would be acceptable in terms of its impact upon biodiversity and whether it would accord with the advice in NPPF and weight this in their decision. Subject to the imposition of the suggested conditions it is officer advice that it is acceptable.

10.21 Landscaping

10.22 Policy E14 states that the Council will seek to protect and conserve existing trees and landscape features within the urban environment and will encourage new planting in association with development.

10.23 The Council's Landscape Architect has been consulted on the proposal and has noted that there are mature hedgerows and trees within the vicinity of the proposed works. He has raised no objections to the proposed works, but has recommended several conditions are attached to the approval to ensure that these elements in the landscape are protected prior and during the works.

10.24 Archaeology

10.25 NPPF states that heritage assets are an irreplaceable resource and therefore should be considered in a manner appropriate to its significance. The application site is a site of archaeological importance.

10.26 UDP Policy E19/6 states "Where an assessment and evaluation have established that proposed development will affect a site or area of archaeological interest the applicant will be required to preserve archaeological remains in situ unless this is clearly inappropriate or destruction of the remains is demonstrably unavoidable, in which case a programme of archaeological works will be required to be submitted and agreed with the Local Planning Authority before the start of the development".

10.27 The Tyne and Wear Archaeology Officer has been consulted. She has raised no objections.

10.28 Financial Considerations

10.29 There are three threads of sustainability outlined in NPPF, these being the environment, economic and social threads, together with the policies in the NPPF as a whole.

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10.6 North Tyneside's Local Lead Flood Authority also raised some concerns and requested further information. In response, the applicant submitted a revised and updated FRA to address the issues raised.

10.7 North Tyneside's Lead Local Flood Authority (LLFA) have considered the revised information and have now recommended approval of the application.

10.8 The Local Planning Authority have re-consulted Newcastle City's LLFA and are awaiting their consultation response. These will be reported to Planning Committee in an addendum when they are received.

10.9 Northumbrian Water has been consulted. They have raised no objections, subject to the attachment of a condition to ensure that the proposed drainage strategy forms part of the approved documents.

10.10 Members need to determine whether the proposed development is acceptable in terms of its impact on flood risk. It is officer advice that subject to the suggested conditions the proposal would accord with NPPF and Members should weight this in their decision.

10.11 Contamination and Ground Stability

10.12 NPPF states that the planning system should contribute to remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land where appropriate.

10.13 UDP Policy E3 states that the LPA will seek to minimise the impact of pollution on the environment including existing land uses and on proposed development.

10.14 The Contaminated Land Officer has been consulted and has noted the location of the site within close vicinity to unknown filled ground, and has advised that there has also been mining within the area. As such, conditional approval is recommended to require a scheme of site investigation and assessment to test for the presence and likelihood of gas emissions from underground workings, historic landfill, unknown filled ground or made ground.

10.15 Members need to consider whether the ground conditions of this site are suitable for the proposed development and if this is in accordance with the guidance in NPPF and policy E3 of the UDP.

10.16 Biodiversity

10.17 The National Planning Policy Framework states that the planning system should contribute to and enhance the natural and local environment.

10.18 The application site is located within a Wildlife Corridor. The applicant has submitted a Preliminary Ecological Appraisal and Bat Risk Assessment in support of the application. The Council's Biodiversity Officer has raised no

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9.0 Car Parking and access

9.1 Paragraph 32 of NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

9.2 LDD 12 'Transport and Highways SPD' sets out the Council's adopted parking standards.

9.3 Policy T11 states that parking requirements will in general be kept to the operational maximum and should include adequate provision for people with disabilities and special needs.

9.4 The applicant has submitted a Transport Statement in support of the application. The Council's Highway Network Manager has been consulted and has raised no objection. He has noted that the access, internal circulation and parking remain unchanged. However, the applicant has advised that there is space for an additional 30 vehicles if required. On this basis, he has recommended approval of the application, subject to a number of conditions.

9.5 Members must determine whether the proposed development is acceptable in terms of its impact on highway safety. Officer advice is that it is acceptable in this regard.

10.0 Other Issues

10.1 Drainage/Flooding

10.2 NPPF states that when determining applications, local planning authorities should ensure that flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where informed by a site specific flood risk assessment following the Sequential Test.

10.3 Drainage design needs to be conducted so that surface waters are directed away from vulnerable components of the site. In accordance with NPPF drainage should be designed so that flood risk is not increased elsewhere as a result of the development.

10.4 The applicant has submitted a development-specific Flood Risk Assessment (FRA), which concludes that the site is within Flood Zone 1, the lowest risk. The nearest watercourse is Wallsend Burn, which is located approximately 50m to the south of the development site. Although the burn is culverted directly to the south of the development, the watercourse emerges approximately 200m to the east. The development lies within the natural catchment of the burn.

10.5 Newcastle City Council's Local Lead Flood Authority (LLFA) have submitted an objection to the proposal as they consider that there were several inaccuracies and omissions within the original FRA, which did not demonstrate that the proposed works could be undertaken without resulting in a potential impact of surface water and sewer flooding on the development's surrounding area.

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8.3 Policy H13 states that applications for non-residential development within or adjacent to residential areas will only be approved where the local planning authority consider that they will not adversely affect residential amenity. Uses that generate excessive noise, smell, fumes, traffic or on street parking problems will not be allowed.

8.4 The nearest residential properties are those which back onto the south eastern boundary of the site from Alderwood Crescent, Appletree Gardens and Logan Road. Most of the properties are well screened from direct views of the application site by existing and substantial tree coverage.

8.5 The new 4G pitch is similar in size to the existing external pitch in this location, but has been moved further away from the boundaries with the residential properties. As such, this should not have any additional impact on the amenity of the residents of these properties in terms of loss of outlook, daylight, sunlight or privacy.

8.6 The proposed club house extensions will be approximately 25m from the rear boundary with the nearest residential properties on Alderwood Crescent. The first floor south eastern facing elevation will have a window in it and there will be an external terrace to the south western facing/rear elevation. Given the screening provided by the existing tree coverage, the nature of the use of the proposed building, the orientation of the buildings, and the separation distances it is not considered that the proposal will result in any significant adverse impact on existing levels of outlook, privacy, daylight or sunlight for the occupants of these nearest properties.

8.7 The proposed indoor pitch is to be a larger building with a higher level roof. Whilst this will be partially visible from the rear windows/gardens of dwellings in the surrounding area (particularly on Alderwood Crescent, Appletree Gardens and Logan Road), it will be located a significant distance from these dwellings. As such, it is not felt that it will result in such a harmful impact on the existing standard of residential amenity enjoyed by the occupants of these properties that refusal of the application could be justified on these grounds.

8.8 The Council's Environmental Health Officer has been consulted. Whilst she has raised no objections to the proposed works, she has recommended a number of conditions to ensure that the proposals do not harm the residential amenity of surrounding occupants. Such conditions will include the submission of a full external lighting scheme, hours to control the use of the outdoor pitch, control of construction hours and a dust suppression scheme.

8.9 Members must determine whether the proposed development is acceptable in terms of its impact on the amenity of nearby residents. Officer advice is that the proposal is acceptable, subject to the recommended conditions.

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club with additional storage space, meeting rooms and an office for the general running of the club.

7.4 The main aim of the proposed works is to create a high quality facility which will allow for year round use and attract visitors and teams to the area. The proposed 4G pitch with lighting has been relocated further to the north west of the site away from the existing houses to the south and east. The layout of the proposed works has been determined by the constraints of the application site, building and pitches. The main entrance for the development will be to the west side of the building, utilising the area that is currently the access path to the existing building. This will provide a secure entrance to the facilities from the car park.

7.5 The existing building is single storey with an aluminium pitched standing seam roof. The existing building sits on a dark brick plinth with lighter blockwork above. This finish will be replicated for the proposed extension to the lower level to create unity within the development. The existing roof will be removed at eaves level to allow for the proposed level to be added. The first floor extension will be constructed of a light steel frame with a light grey render finish with dark grey powder coated windows and doors throughout. The proposed indoor pitch will be constructed out of a light gauge steel tensile structure which allows for a 5.5m internal clear span for a 7 aside pitch, which can be separated into two smaller 5 aside pitches. The structure is to be covered in a fabric which allows for natural light to enter the building.

7.6 Members must determine whether the proposed design and layout is acceptable in terms of its impact on the visual amenity of the application site and the character and appearance of the wider area. Officer advice is that the proposal is acceptable in these regards and is in accordance with advice set out in the NPPF and LDD11.

8.0 Impact on Residential Amenity

8.1 The NPPF states that there are three dimensions to sustainable development; economic, social and environmental. The planning system needs to perform each of these roles. The environmental role contributes to protecting and enhancing our natural, built and historic environment, and as part of this, helping minimise waste and pollution.

8.2 The NPPF outlines 12 core planning principles which should underpin decision taking. It states that local planning authorities should contribute to conserving and enhancing the natural environment and reducing pollution. Planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.

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- Stage Two: The enlargement of the existing club house at both ground floor and via a first floor extension, which will provide meeting space, office space and presentation areas.
- Stage Three: The construction of an indoor pitch (immediately adjoining the north west of the club house).

6.6 There have been eleven letters of support for the proposed works, many stating that these are much needed facilities which will improve the facilities on offer in this location. In addition, Sport England have also offered their support. The FA have also offered their full support (via Sport England), of the full-sized external pitch. They have advised that there is a strategic undersupply of such pitches in North Tyneside and this pitch will have a transformational and positive impact on the training and match play for the football club and other users, and that the proposed location for the pitch is the most suitable for the site in terms for players, spectators and officials.

6.7 In summary, the proposed works would result in the improvement of facilities at the club house and the replacement of an existing external pitch with a new 4G pitch. These elements of the proposal would not result in the loss of any part of a playing field and would positively contribute to the existing formal sports facilities. The proposed indoor pitch will be constructed on grassed land immediately adjoining the existing club house. This is not in use as a formal playing pitch.

6.8 Members must determine whether the proposal accords with advice set out in the NPPF and policies R2/1, R2/2 and R2/3 of the North Tyneside Unitary Development Plan (March 2002). Officer advice is that the proposal is acceptable.

7.0 Design and Layout

7.1 The National Planning Policy Framework states that good design is a key aspect of sustainable development and that permission should be refused for development of poor design.

7.2 LDD11 'Design Quality' applies to all planning applications that involve building works. It states that the scale, mass and form of new buildings are some of the most important factors in producing good design and ensuring development integrates into its setting within the wider environment. All new buildings should be well proportioned and have a well-balanced and attractive, external appearance. Good design requires a harmonious and consistent approach to the type and use of materials and the treatment to the roof, its eaves and verges. The emphasis in the choice of materials should always be on the quality of the product.

7.3 The applicant has submitted a Design and Access Statement in support of the application, which sets out the design principles of the proposed development. It advises that because of the size of the existing building, and the requirement for storage of equipment some of the changing facilities are currently used for storage and an on site office, there is a need for more space within the

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development proposals. Due weight should still be attached to Development Plan policies according to the degree to which any policy is consistent with the NPPF.

PLANNING OFFICERS REPORT

Main Issues

The main issues are as follows:

- Principle of the Development
- Design and Layout
- Impact on Residential Amenity
- Car Parking and Access

6.0 Principle of Development

6.1 Section 8 'Promoting Healthy Communities' of the National Planning Policy Framework provides that planning policies and decisions, in turn, should aim to achieve places which promote high quality public space, which encourage the active and continual use of public areas. To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should ensure that established facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community.

6.2 Policy R2/1 of the North Tyneside Unitary Development Plan states that land shown on the proposals map for the purpose of open space use, including playing fields of schools, other educational establishments, government and private organisations, will be retained in its present use.

6.3 Policy R2/2 provides that proposals for development on open space will not be permitted where this will either:

- (i) Result in reduction in open nature of land where this causes a significant loss of local amenity; or
- (ii) Result in insufficient provision for informal recreation in the locality; or
- (iii) Adversely affect the environment or adjoining land uses.

6.4 Policy R2/3 provides that proposal for development on space and used for formal recreation will not be permitted unless:

- (i) Sports and recreation facilities within a site can best be retained and enhanced by means of resources generated through the development of small part of that site, provided this does not lead to the loss of any part of a playing pitch.

6.5 The proposal is for the extension and improvement of the existing facilities at Wallsend Boys Club. It will consist of work in three stages, as follows:

- Stage One: A new 4G pitch (100m x 65m) which will replace the existing large pitch.

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artificial pitch must be submitted for approval prior to development commencing.

Officer advice is that, subject to the suggested conditions, the proposed development will not have a significant adverse impact in terms of flooding and therefore on balance is considered to be acceptable.

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(Note: These minutes are subject to confirmation at the next meeting of the Committee scheduled to be held on 18 July 2017.)

Planning Committee

13 June 2017

Present: Councillor F Lott (Chair)
Councillors J Allan, A Arkle, S Graham,
M A Green, Janet Hunter, John Hunter,
W Lott, G Madden and P Mason.

PQ01/06/17 Apologies

Apologies for absence were received from Councillors K Bolger, P Brooks, E Hodson, D MGarr, D McMeekan, A Percy, J O'Shea and A Waggott-Fairley.

PQ02/06/17 Substitute Members

Pursuant to the Council's Constitution the appointment of the following substitute members was reported:

Councillor J Allan for Councillor A Waggott-Fairley

Councillor Janet Hunter for Councillor K Bolger

Councillor J O'Shea for Councillor A Percy

PQ03/06/17 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

PQ04/06/17 Minutes

Resolved that the minutes of the meeting held on 16 May 2017 be confirmed as a correct record and signed by the Chair.

PQ05/06/17 Planning Officer's Reports

It was reported that applications 17/00092/FUL, 26-32 South Parade, Whitley Bay and 17/00093/FUL, 20-24 South Parade, Whitley Bay had been withdrawn by the applicant prior to the meeting.

Resolved that (1) permission to develop pursuant to the General Development Provisions of the Town and Country Planning Act 1990 and the Orders made thereunder, be granted for such class or classes of development or for such limited purpose or purposes as are specified, or not granted as the case may be, in accordance with the decisions indicated below; and

(2) any approval granted for a limited period be subject to the usual conditions relating to the restoration of land, removal of buildings and discontinuance of temporary use.

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Planning Committee

Application No: **17/00473/FUL** Ward: St Mary's
Application Type: Full planning application
Location: The Briar Dene, The Links, Whitley Bay, Tyne & Wear, NE26 1UE
Proposal: Variation of conditions 1 (Approved Plans), 4 (Vehicle Parking Garaging before Occupation), 5 (Refuse Storage) and 20 (Landscape Scheme) of planning approval 15/02027/FUL - to omit 3no planters, amendment to parking, addition of timber fence to north boundary, amend planting and retention of existing garage for bin storage.
Applicant: Sir John Fitzgerald Ltd

The committee gave consideration to a report of a planning officer in relation to the application.

Members of the committee then asked questions of officers and made comments. In doing so the committee gave particular consideration to:

- a) the impact of a loss of 2 disabled parking spaces from within the car park at The Briar Dene;
- b) the impact of patrons of The Briar Dene using the car park adjacent to the nearby scout hut and the range of actions proposed by the applicant to minimise any detrimental impact; and
- c) the reasons for not requiring the applicant to accommodate tree planting as part of the application.

Decision

Application approved, subject to the conditions set out in the report of the planning officers, as the proposed variation of conditions were considered to be acceptable as they would not result in harm to the amenity of neighbouring occupiers, the character and appearance of the site and surrounding area and on the highway network in accordance with the relevant policies contained within the National Planning Policy Framework and the North Tyneside Unitary Development Plan 2002.

Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.

Application No: **17/00473/FUL** Ward: St Mary's
Application Type: Full planning application
Location: Wallsend Boys Club, Rheydt Avenue, Wallsend, Tyne And Wear, NE28 8SX
Proposal: Proposed extension to existing boys club, comprising of a first floor extension to the existing facilities to provide meeting spaces, offices and events areas. Erection of new indoor pitch and new external 4G artificial grass pitch to replace the existing large pitch.
Applicant: Wallsend Boys Club

The committee gave consideration to a report of a planning officer in relation to the application together with an addendum which had been circulated prior to, and at, the meeting.

13 June 2017

AO

Members of the committee then asked questions of officers and made comments. In doing so the committee gave particular consideration to comments from Newcastle City Council's Local Lead Flood Authority regarding the flood risk assessment and the recommendation of the Council's own Local Lead Flood Authority that conditional approval be granted.

The committee also gave consideration to the proposed condition that the 4G artificial grass pitch must not be used outside the hours of 08:00 to 21:00 on any day. Officers considered this to be a reasonable restriction to minimise the impact of noise on nearby residents. The committee agreed to amend the condition to extend the period of operation to 22:00 hours to provide consistency with the hours of operation at other similar facilities and to allow Wallsend Boys Club to operate the pitch as they had intended.

Decision

Application approved, subject to the conditions set out in the report of the planning officers and the amendment to the condition as described above, as the development was considered to be acceptable in terms of the principle of development, its design and layout, its impact on residential amenity, car parking, drainage and flooding, contamination and ground stability, biodiversity, landscaping and archaeology in accordance with the relevant policies contained within the National Planning Policy Framework and the North Tyneside Unitary Development Plan 2002.

Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):

The Local Planning Authority worked proactively and positively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.

Application No:	17/00565/FUL	Ward: Tynemouth
Application Type:	Full planning application	
Location:	10C Priors Terrace, Tynemouth, Tyne and Wear, NE30 4BE	
Proposal:	Front windows to be replaced like for like in white UPVC	
Applicant:	Mr Gordon Ogle	

The committee gave consideration to a report of a planning officer in relation to the application together with an addendum which had been circulated prior to the meeting.

Members of the committee then asked questions of officers and made comments. In doing so the committee gave particular consideration to local planning policies relating to the Tynemouth Conservation Area and the style and materials of windows at 10 Priors Terrace and other neighbouring properties in the street.

Decision

The Head of Environment, Housing and Leisure be granted delegated authority to determine the application following expiry of the consultation period, providing no further matters arise from the receipt of any additional comments which, in the opinion of the Head of Environment, Housing and Leisure, raise issues not previously considered and justify reconsideration by the committee.

13 June 2017

HI

Planning Committee

(The committee was minded to refuse the application because the proposed UPVC windows fail to preserve or enhance the character of the Tynemouth Conservation Area, and do not respect the original character and architectural quality of the Local Register building. The development would result in harm to a designated heritage asset, and would be contrary to the NPPF, LDD9, Policies E16/2, E17/5 and DCPS No.8 of the North Tyneside Unitary Development Plan (March 2002), Policies DM6.1 and DM6.6 of the emerging Local Plan and the Tynemouth Village Conservation Area Management Strategy SPD.)

Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was not therefore possible to approve the application. The Local Planning Authority has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.

13 June 2017

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North Tyneside Council

Revision to Statutory Register of Members' Interests Form

From: Councillor (Please give your full name)

James Matthew Allan

Ward: Camperdown

Date: 30th July 2017

The following information amends my Register of Members' Interests:
(please identify whether your amendment relates to Form 1 or Form 2 and specify the particular Question amended)

Section 2

Add - Largesse Holdings Ltd: (Executive Director representing
SARJ Developments Ltd Shareholding
effective date 1st July 2017.)

Add - Trustee and Director of Pathways
& All.

Section 3

- Add - Largesse Holdings Ltd.

Add - SARJ Developments Ltd

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North Tyneside Council

Revision to Statutory Register of Members' Interests Form

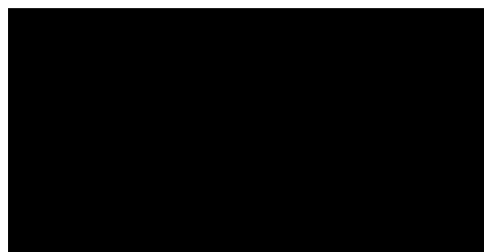
From: Councillor James Matthew Allan

Ward: Camperdown

Date: 8th December 2016

The following information amends my Register of Members' Interests:
(please identify whether your amendment relates to Form 1 or Form 2 and specify the particular Question amended)

Question 2 - add to SARTJ - SARTJ Developments Ltd.
add to JSN Developments - JSN Developments Limited



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North Tyneside Council

Form 1 - Members

REGISTER OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND OTHER REGISTERABLE PERSONAL INTERESTS

(1) Members

This form comprises the entry in the Register of Interests of the Member named below. The interests which a Member is required to register are set out in Annex 2 and Annex 3 to the Council's Code of Conduct for Members.

The Register of Interests is maintained by the Monitoring Officer in accordance with Section 29 of the Localism Act 2011 and is required to be published on the Council's Website.

Name of Member Jim Allan.....(Please Print)

Signature .....

Date 19th May 2016.....

If you require any assistance as to how to complete this document, please contact the Head of Law and Governance for assistance.

1	Are you employed – whether full or part time? (This does not include a remunerated director – this is dealt with at question 4) If NO go to question 2. If YES state the name of your employer(s):	YES [] NO []
1.1	In relation to your above employment, are you in a position of general control or management? If NO go to question 2. If YES go to question 1.2.	YES [] NO []
1.2	Does your employer have any contract(s) with the Council for goods, services or work? (A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.) If NO/NOT KNOWN go to question 1.3. If YES give details of the goods, services or works provided:	YES [] NO [] NOT KNOWN []

1.3	<p>Does your employer have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 2.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES []</p> <p>NO []</p> <p>NOT KNOWN []</p>
2	<p>Are you self-employed or do you run a business?</p> <p>If NO go to question 3.</p> <p>If YES state the name of your business(es):</p>	<p>YES []</p> <p>NO []</p> <p>JSN Developments SARJ Agincourt Holding Co. - (Dormant)</p>
2.1	<p>Do you, or your business have any contract(s) with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</i></p> <p>If NO go to question 2.2.</p> <p>If YES please provide details of the goods, services or works provided:</p>	<p>YES []</p> <p>NO []</p>
2.2	<p>Do you, or your business have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO go to question 3.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES []</p> <p>NO []</p>
3	<p>Are you a partner in any business?</p> <p>If NO go to question 4.</p> <p>If YES state the name of the business(es):</p>	<p>YES []</p> <p>NO []</p>
3.1	<p>Does the business have any contract(s) with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking of works for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 3.2.</p> <p>If YES please provide details of the goods, services or works provided:</p>	<p>YES []</p> <p>NO []</p> <p>NOT KNOWN []</p>

3.2	<p>Does the business have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 4.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES []</p> <p>NO []</p> <p>NOT KNOWN []</p>
4	<p>Are you a <u>remunerated</u>* director of a company? (see note at end of form)</p> <p>If NO got to question 5.</p> <p>If YES state the name of the company/companies:</p>	<p>YES []</p> <p>NO []</p>
4.1	<p>Does the company have any current contract(s) with the Council for goods, services or works?</p> <p><i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 4.2.</p> <p>If YES please give details of the goods, services or works provided:</p>	<p>YES []</p> <p>NO []</p> <p>NOT KNOWN []</p>
4.2	<p>Does the company have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 5.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES []</p> <p>NO []</p> <p>NOT KNOWN []</p>
5	<p>Has any person or body made a payment to you in respect of your election expenses in the last 12 months?</p> <p>If NO go to question 6.</p> <p>If YES please provide details:</p>	<p>YES []</p> <p>NO []</p> <p>North Tyneside Constituency Labour Party</p>

6	<p>Does any person or body <u>other than the Council</u> make a payment to you in respect of any of your expenses incurred in carrying out your duties as a Councillor?</p> <p><i>(Include the name of the political party and any other person paying any expenses incurred by you in carrying out your duties (e.g. travel expenses received from other bodies, such as local authority associations.)</i></p> <p>If NO go to question 7.</p> <p>If YES please give details:</p>	<p>YES []</p> <p>NO []</p>
7	<p>Do you have beneficial interest in a class of securities of a corporate body that has a place of business in the Council's area that exceeds the nominal value of £25,000 or 1/110 of the total issued share capital of that body?</p> <p><i>(If you own shares or other form of equity in a company or other body which has a place of business within the authority's area, you will need to consider whether the interest is to be included. Identify the nominal value; this is the amount of shares indicated on the certificate, not the market value. If this exceeds £25,000, you need to register the name of the company or body. If this is less than £25,000, but your holding is more than 1% of the total issued share capital, you need to register the name of the company or body.)</i></p> <p>If NO go to question 8.</p> <p>If YES please provide details:</p>	<p>YES []</p> <p>NO []</p>
8	<p>Do you have a beneficial interest in any land in the Council's area?</p> <p><i>(Please provide details of any land in the Borough of North Tyneside in which you have a beneficial interest (that is, in which you have some proprietary interest for your own benefit). You should give the address or a brief description to identify it. You should include your home under this heading as owner, lessee or tenant.</i></p> <p><i>You should also include any property from which you receive rent, or of which you are a mortgagee.</i></p> <p><i>"Land" includes any buildings or parts of buildings.)</i></p> <p>If NO go to question 9.</p> <p>If YES please provide the address(es) or other description(s) of any land interest:</p>	<p>YES []</p> <p>NO [] owner* of 11 Bannockburn Killingworth NE12 6QJ</p>

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9	<p>Do you have a licence (alone or with others) to occupy any land in the Council's area for 28 days or longer? <i>(This includes grazing agreements, allotments, garage licences and other short term arrangements in respect of the Council's land or property.)</i></p> <p>If NO go to question 10.</p> <p>If YES please provide the address(es) or other description(s) of the land:</p>	<p>YES [] NO []</p>
10	<p>Are you a member or part of any body to which you have been appointed <u>by the Council</u> as its representative? <i>(Include statutory boards (e.g. Police, Fire and transport), School governing bodies, housing trusts, local organisations, charities, local authority associations etc.)</i></p> <p>If NO go to question 11.</p> <p>If YES please provide details of the body/bodies:</p>	<p>YES [] NO []</p>
10.1	<p>Are you in a position of control or management in any of the bodies listed at question 10 above?</p> <p>If NO go to question 11.</p> <p>If YES please provide details:</p>	<p>YES [] NO []</p>
10.2	<p>Do any of the bodies listed in question 10.1 above have any current contract(s) with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking of any work for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 10.3.</p> <p>If YES please provide details of the body and the goods, services or works provided:</p>	<p>YES [] NO [] NOT KNOWN []</p>
10.3	<p>Do any of the bodies listed in question 10.1 above have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 11.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES [] NO [] NOT KNOWN []</p>

11	<p>Are you a member or part of any public authority or body exercising functions of a public nature in <u>your own right</u>? (Include statutory consumer bodies, health authority bodies.)</p> <p>If NO go to question 12.</p> <p>If YES please provide details of that body/bodies:</p>	<p>YES [] NO []</p>
11.1	<p>Are you in a position of control or management of the body/bodies?</p> <p>If NO go to question 12.</p> <p>If YES please provide details:</p>	<p>YES [] NO []</p>
11.2	<p>Do any of the bodies listed in question 11.1 above have any contracts with the Council for goods, services or works? (A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</p> <p>If NO/NOT KNOWN go to question 11.3.</p> <p>If YES please provide details of the body and the goods, services or works provided:</p>	<p>YES [] NO [] NOT KNOWN []</p>
11.3	<p>Do any of the bodies listed in question 11.1 above have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 12.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES [] NO [] NOT KNOWN []</p>
12	<p>Are you a member or part of any body that undertakes charitable purposes? (Include charities of which you are a member (e.g. RSPCA, NSPCC etc.). Membership of a charity would include where you pay a membership fee, or have voting rights at a meeting of the charity, or you receive a regular newsletter or other publication.)</p> <p>If NO go to question 13.</p> <p>If YES please provide details of the body/bodies:</p>	<p>YES [] NO [] Pathways 4 All - Trustee.</p>

12.1	<p>Are you in a position of control or management of the body/bodies?</p> <p>If NO go to question 13.</p> <p>If YES please provide details:</p>	<p>YES []</p> <p>NO []</p>
12.2	<p>Do any of the bodies listed in question 12.1 above have any contract(s) with the Council for goods, services or works?</p> <p><i>(A contract is usually written and includes any agreement or arrangement for the supply of goods or services or for undertaking any works for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 12.3.</p> <p>If YES please provide details of the body and the goods, services or works provided:</p>	<p>YES []</p> <p>NO []</p> <p>NOT KNOWN []</p>
12.3	<p>Do any of the bodies listed in question 12.1 above have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 13.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES []</p> <p>NO []</p> <p>NOT KNOWN []</p>
13	<p>Are you a member or part of any body whose <u>principal purpose</u> includes the influence of public opinion?</p> <p><i>(Include political parties, lobby groups and pressure groups.)</i></p> <p>If NO go to question 14.</p> <p>If YES please provide details of the body/bodies:</p>	<p>YES [] <input checked="" type="checkbox"/> Yes</p> <p>Camperdown Ward Labour Party</p> <p>North Tyneside Constituency Lab Party</p> <p>Association of Labour Councillors</p>
13.1	<p>Are you in a position of control or management of the body/bodies?</p> <p>If NO go to question 14.</p> <p>If YES please provide details:</p>	<p>YES [] <input checked="" type="checkbox"/> Yes - Chair of Camperdown Ward Branch.</p> <p>NO []</p>

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13.2	<p>Do any of the bodies listed in question 13.1 above have any contract(s) with the Council for good, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 13.3.</p> <p>If YES please provide details of the body and the goods, services or works provided:</p>	<p>YES [] NO [] NOT KNOWN []</p>
13.3	<p>Do any of the bodies listed in question 13.1 above have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 14.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES [] NO [] NOT KNOWN []</p>
14	<p>Are you a member of any trade union or professional association? <i>(Include all trade unions and professional associations of which you are a member.)</i></p> <p>If NO go to question 15.</p> <p>If YES please provide details of the body/bodies:</p>	<p>YES [] NO [] Unison life member GMB - Full member</p>
14.1	<p>Are you in a position of control or management of the body/bodies?</p> <p>If NO go to question 15.</p> <p>If YES please provide details:</p>	<p>YES [] NO []</p>
14.2	<p>Do any of the bodies listed in question 14.1 above have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 14.3.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES [] NO [] NOT KNOWN []</p>

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14.3	<p>Do any of the bodies listed in question 14.1 above have any contract(s) with the Council for good, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 15.</p> <p>If YES please provide details of the body and the goods, services or works provided:</p>	<p>YES [] NO [] NOT KNOWN []</p>
15	<p>Are you a member of any private club or other organisation not otherwise listed on this form?</p> <p>If NO go to question 16.</p> <p>If YES please provide details:</p>	<p>YES [] NO []</p> <p>Innisfree Social Club West Moor Social Club Forest Hall Ex-Servicemen's Club Forest Hall Ex-Servicemen's Club Golf Society</p>
15.1	<p>Are you in a position of control or management of the club or organisation?</p> <p>If NO go to question 16.</p> <p>If YES please provide details:</p>	<p>YES [] NO []</p>
15.2	<p>Do any of the bodies listed in question 15.1 above have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 15.3.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES [] NO [] NOT KNOWN []</p>
15.3	<p>Do any of the bodies listed in question 15.1 above have any contract(s) with the Council for good, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 16.</p> <p>If YES please provide details of the body and the goods, services or works provided:</p>	<p>YES [] NO [] NOT KNOWN []</p>

16	Do you carry on any profession or vocation for gain or profit (other than as set out earlier in this form)? If YES please provide details of the profession or vocation:	YES [] NO []
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* Question 4 - "remunerated" means that you receive payment, goods, services or other benefits from the company other than authorised expenses.

Please return this form to the Head of Law and Governance, Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY



North Tyneside Council

Form 2 - Members' Spouses or Civil Partners

REGISTER OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND OTHER REGISTERABLE PERSONAL INTERESTS

(2) Members' Spouses or Civil Partners (including any person whom a Member lives with as if as husband and wife, or as if as civil partners)

This form comprises the entry in the Register of Interests in respect of the spouse or civil partner of the Member named below (or of any person with whom the Member lives as if as husband and wife, or as if as civil partners). The interests held by the spouse or partner of a Member which are required to be registered are set out in Annex 2 to the Council's Code of Conduct for Members. By signing where indicated below the Member confirms the accuracy of the information provided in respect of the interests held by his/her spouse or civil partner (or person living with the Member in that capacity).

The Register of Interests is maintained by the Monitoring Officer in accordance with Section 29 of the Localism Act 2011 and is required to be published on the Council's Website.

In this form "you" refers to the spouse or civil partner of the Member (or a person living with the Member in that capacity).

Name of Member Jim Allan.....(Please Print)

Signature.....

Date..... 19/5/16

If you require any assistance as to how to complete this document, please contact the Head of Law and Governance for assistance.

1	Are you employed – whether full or part time? (This does not include a remunerated director – this is dealt with at question 4) If NO go to question 2. If YES state the name of your employer(s):	YES [] NO []
1.1	In relation to your above employment, are you in a position of general control or management? If NO go to question 2. If YES go to question 1.2.	YES [] NO []

1.2	<p>Does your employer have any contract(s) with the Council for goods, services or work? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</i></p> <p>If NO/NOT KNOWN got to question 1.3.</p> <p>If YES give details of the goods, services or works provided:</p>	<p>YES [] NO [] NOT KNOWN []</p>
1.3	<p>Does your employer have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 2.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES [] NO [] NOT KNOWN []</p>
2	<p>Are you self-employed or do you run a business?</p> <p>If NO go to question 3.</p> <p>If YES state the name of your business(es):</p>	<p>YES [] NO []</p>
2.1	<p>Do you, or your business have any contract(s) with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</i></p> <p>If NO go to question 2.2.</p> <p>If YES please provide details of the goods, services or works provided:</p>	<p>YES [] NO []</p>
2.2	<p>Do you, or your business have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO go to question 3.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES [] NO []</p>

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3	<p>Are you a partner in any business?</p> <p>If NO go to question 4.</p> <p>If YES state the name of the business(es):</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p> <p>JSN Developments</p>
3.1	<p>Does the business have any contract(s) with the Council for goods, services or works? (A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking of works for the Council.)</p> <p>If NO/NOT KNOWN go to question 3.2.</p> <p>If YES please provide details of the goods, services or works provided:</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p> <p>NOT KNOWN <input checked="" type="checkbox"/></p>
3.2	<p>Does the business have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 4.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p> <p>NOT KNOWN <input checked="" type="checkbox"/></p>
4	<p>Are you a remunerated* director of a company? (see note at end of form)</p> <p>If NO got to question 5.</p> <p>If YES state the name of the company/companies:</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>
4.1	<p>Does the company have any current contract(s) with the Council for goods, services or works? (A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</p> <p>If NO/NOT KNOWN go to question 4.2.</p> <p>If YES please give details of the goods, services or works provided:</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p> <p>NOT KNOWN <input checked="" type="checkbox"/></p>

4.2	<p>Does the company have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 5.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p> <p>NOT KNOWN <input type="checkbox"/></p>
5	<p>Do you have beneficial interest in a class of securities of a corporate body that has a place of business in the Council's area that exceeds the nominal value of £25,000 or 1/110 of the total issued shared capital of that body?</p> <p><i>(If you own shares or other form of equity in a company or other body which has a place of business within the authority's area, you will need to consider whether the interest is to be included. Identify the nominal value; this is the amount of shares indicated on the certificate, not the market value. If this exceeds £25,000, you need to register the name of the company or body. If this is less than £25,000, but your holding is more than 1% of the total issued share capital, you need to register the name of the company or body.)</i></p> <p>If NO go to question 6.</p> <p>If YES please provide details:</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>
6	<p>Do you have a beneficial interest in any land in the Council's area?</p> <p><i>(Please provide details of any land in the Borough of North Tyneside in which you have a beneficial interest (that is, in which you have some proprietary interest for your own benefit). You should give the address or a brief description to identify it. You should include your home under this heading as owner, lessee or tenant.</i></p> <p><i>You should also include any property from which you receive rent, or of which you are a mortgagee.</i></p> <p><i>"Land" includes any buildings or parts of buildings.)</i></p> <p>If NO go to question 7.</p> <p>If YES please provide the address(es) or other description(s) of any land interest:</p>	<p>YES <input type="checkbox"/></p> <p>NO <input checked="" type="checkbox"/> Home Owned 11, Bannockburn, Killingworth NE12 6QJ</p>

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7	<p>Do you have a licence (alone or with others) to occupy any land in the Council's area for 28 days or longer? <i>(This includes grazing agreements, allotments, garage licences and other short term arrangements in respect of the Council's land or property.)</i></p> <p>If NO go to question 8.</p> <p>If YES please provide the address(es) or other description(s) of the land:</p>	<p>YES [] NO []</p>
8	<p>Do you carry on any profession or vocation for gain or profit (other than as set out earlier in this form)?</p> <p>If YES please provide details of the profession or vocation:</p>	<p>YES [] NO []</p>

* Question 4 - "remunerated" means that you receive payment, goods, services or other benefits from the company other than authorised expenses.

Please return this form to the Head of Law and Governance, Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY

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Form 1 - Members

REGISTER OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND OTHER REGISTERABLE PERSONAL INTERESTS

(1) Members

This form comprises the entry in the Register of Interests of the Member named below. The interests which a Member is required to register are set out in Annex 2 and Annex 3 to the Council's Code of Conduct for Members.

The Register of Interests is maintained by the Monitoring Officer in accordance with Section 29 of the Localism Act 2011 and is required to be published on the Council's Website.

Name of Member Jim Allan (Please Print)

Signature [Redacted]

Date 21st February 2016

If you require any assistance as to how to complete this document, please contact the Head of Law and Governance for assistance.

1	Are you employed – whether full or part time? (This does not include a remunerated director – this is dealt with at question 4) If NO go to question 2. If YES state the name of your employer(s):	YES [] NO [] <u>No</u>
1.1	In relation to your above employment, are you in a position of general control or management? If NO go to question 2. If YES go to question 1.2.	YES [] NO []
1.2	Does your employer have any contract(s) with the Council for goods, services or work? (A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.) If NO/NOT KNOWN go to question 1.3. If YES give details of the goods, services or works provided:	YES [] NO [] NOT KNOWN []

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1.3	<p>Does your employer have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 2.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES []</p> <p>NO []</p> <p>NOT KNOWN []</p>
2	<p>Are you self-employed or do you run a business?</p> <p>If NO go to question 3.</p> <p>If YES state the name of your business(es):</p>	<p>YES []</p> <p>NO [] No</p>
2.1	<p>Do you, or your business have any contract(s) with the Council for goods, services or works?</p> <p><i>(A contract is normally written and includes any agreement or arrangement for the supply of good or services or for undertaking any work for the Council.)</i></p> <p>If NO go to question 2.2.</p> <p>If YES please provide details of the goods, services or works provided:</p>	<p>YES []</p> <p>NO [] No</p>
2.2	<p>Do you, or your business have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO go to question 3.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES []</p> <p>NO [] No</p>
3	<p>Are you a partner in any business?</p> <p>If NO go to question 4.</p> <p>If YES state the name of the business(es):</p>	<p>YES []</p> <p>NO [] Yes</p> <p>SART</p>
3.1	<p>Does the business have any contract(s) with the Council for goods, services or works?</p> <p><i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking of works for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 3.2.</p> <p>If YES please provide details of the goods, services or works provided:</p>	<p>YES []</p> <p>NO []</p> <p>NOT KNOWN [] No</p>

3.2	<p>Does the business have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 4.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES []</p> <p>NO []</p> <p>NOT KNOWN []</p> <p>No</p>
4	<p>Are you a <u>remunerated</u>* director of a company? (see note at end of form)</p> <p>If NO got to question 5.</p> <p>If YES state the name of the company/companies:</p>	<p>YES []</p> <p>NO []</p> <p>No</p>
4.1	<p>Does the company have any current contract(s) with the Council for goods, services or works?</p> <p><i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 4.2.</p> <p>If YES please give details of the goods, services or works provided:</p>	<p>YES []</p> <p>NO []</p> <p>NOT KNOWN []</p> <p>No</p>
4.2	<p>Does the company have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 5.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES []</p> <p>NO []</p> <p>NOT KNOWN []</p> <p>No</p>
5	<p>Has any person or body made a payment to you in respect of your election expenses in the last 12 months?</p> <p>If NO go to question 6.</p> <p>If YES please provide details:</p>	<p>YES []</p> <p>NO []</p> <p>Yes No</p>

6	<p>Does any person or body <u>other than the Council</u> make a payment to you in respect of any of your expenses incurred in carrying out your duties as a Councillor?</p> <p><i>(Include the name of the political party and any other person paying any expenses incurred by you in carrying out your duties (e.g. travel expenses received from other bodies, such as local authority associations.)</i></p> <p>If NO go to question 7.</p> <p>If YES please give details:</p>	<p>YES <input type="checkbox"/></p> <p>NO <input checked="" type="checkbox"/> No</p>
7	<p>Do you have beneficial interest in a class of securities of a corporate body that has a place of business in the Council's area that exceeds the nominal value of £25,000 or 1/110 of the total issued shared capital of that body?</p> <p><i>(If you own shares or other form of equity in a company or other body which has a place of business within the authority's area, you will need to consider whether the interest is to be included. Identify the nominal value; this is the amount of shares indicated on the certificate, not the market value. If this exceeds £25,000, you need to register the name of the company or body. If this is less than £25,000, but your holding is more than 1% of the total issued share capital, you need to register the name of the company or body.)</i></p> <p>If NO go to question 8.</p> <p>If YES please provide details:</p>	<p>YES <input type="checkbox"/></p> <p>NO <input checked="" type="checkbox"/> Yes</p> <p>SARJ JSN Developments</p>
8	<p>Do you have a beneficial interest in any land in the Council's area?</p> <p><i>(Please provide details of any land in the Borough of North Tyneside in which you have a beneficial interest (that is, in which you have some proprietary interest for your own benefit). You should give the address or a brief description to identify it. You should include your home under this heading as owner, lessee or tenant.</i></p> <p><i>You should also include any property from which you receive rent, or of which you are a mortgagee.</i></p> <p><i>"Land" includes any buildings or parts of buildings.)</i></p> <p>If NO go to question 9.</p> <p>If YES please provide the address(es) or other description(s) of any land interest:</p>	<p>YES <input type="checkbox"/></p> <p>NO <input checked="" type="checkbox"/> Yes</p> <p>11 Bannockburn Killingworth NE12 6QJ</p>

9	<p>Do you have a licence (alone or with others) to occupy any land in the Council's area for 28 days or longer? <i>(This includes grazing agreements, allotments, garage licences and other short term arrangements in respect of the Council's land or property.)</i></p> <p>If NO go to question 10.</p> <p>If YES please provide the address(es) or other description(s) of the land:</p>	<p>YES [] NO [] No</p>
10	<p>Are you a member or part of any body to which you have been appointed <u>by the Council</u> as its representative? <i>(Include statutory boards (e.g. Police, Fire and transport), School governing bodies, housing trusts, local organisations, charities, local authority associations etc.)</i></p> <p>If NO go to question 11.</p> <p>If YES please provide details of the body/bodies:</p>	<p>YES [] NO [] Yes</p> <p>ANEC Health & Well-Being Board Regional Board of Labour Body - Northern Region</p>
10.1	<p>Are you in a position of control or management in any of the bodies listed at question 10 above?</p> <p>If NO go to question 11.</p> <p>If YES please provide details:</p>	<p>YES [] NO [] No</p>
10.2	<p>Do any of the bodies listed in question 10.1 above have any current contract(s) with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking of any work for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 10.3.</p> <p>If YES please provide details of the body and the goods, services or works provided:</p>	<p>YES [] NO [] No NOT KNOWN []</p>
10.3	<p>Do any of the bodies listed in question 10.1 above have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 11.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES [] NO [] No NOT KNOWN []</p>

11	<p>Are you a member or part of any public authority or body exercising functions of a public nature in <u>your own right</u>? (Include statutory consumer bodies, health authority bodies.)</p> <p>If NO go to question 12.</p> <p>If YES please provide details of that body/bodies:</p>	<p>YES [] <input checked="" type="checkbox"/> No</p> <p>NO [] <input type="checkbox"/></p>
11.1	<p>Are you in a position of control or management of the body/bodies?</p> <p>If NO go to question 12.</p> <p>If YES please provide details:</p>	<p>YES [] <input type="checkbox"/> No</p> <p>NO [] <input checked="" type="checkbox"/></p>
11.2	<p>Do any of the bodies listed in question 11.1 above have any contracts with the Council for goods, services or works? (A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</p> <p>If NO/NOT KNOWN go to question 11.3.</p> <p>If YES please provide details of the body and the goods, services or works provided:</p>	<p>YES [] <input type="checkbox"/> No</p> <p>NO [] <input checked="" type="checkbox"/></p> <p>NOT KNOWN [] <input type="checkbox"/></p>
11.3	<p>Do any of the bodies listed in question 11.1 above have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 12.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES [] <input type="checkbox"/></p> <p>NO [] <input type="checkbox"/></p> <p>NOT KNOWN [] <input type="checkbox"/></p>
12	<p>Are you a member or part of any body that undertakes charitable purposes? (Include charities of which you are a member (e.g. RSPCA, NSPCC etc.). Membership of a charity would include where you pay a membership fee, or have voting rights at a meeting of the charity, or you receive a regular newsletter or other publication.)</p> <p>If NO go to question 13.</p> <p>If YES please provide details of the body/bodies:</p>	<p>YES [] <input checked="" type="checkbox"/> Yes</p> <p>NO [] <input type="checkbox"/></p> <p>PATHWAY 4 A11</p>

12.1	<p>Are you in a position of control or management of the body/bodies?</p> <p>If NO go to question 13.</p> <p>If YES please provide details:</p>	<p>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> No</p>
12.2	<p>Do any of the bodies listed in question 12.1 above have any contract(s) with the Council for goods, services or works? (A contract is usually written and includes any agreement or arrangement for the supply of goods or services or for undertaking any works for the Council.)</p> <p>If NO/NOT KNOWN go to question 12.3.</p> <p>If YES please provide details of the body and the goods, services or works provided:</p>	<p>YES <input type="checkbox"/> NO <input type="checkbox"/> NOT KNOWN <input checked="" type="checkbox"/> Not Known</p>
12.3	<p>Do any of the bodies listed in question 12.1 above have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 13.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> Yes NOT KNOWN <input type="checkbox"/> Rising Sun Countryside Park</p>
13	<p>Are you a member or part of any body whose <u>principal purpose</u> includes the influence of public opinion? (Include political parties, lobby groups and pressure groups.)</p> <p>If NO go to question 14.</p> <p>If YES please provide details of the body/bodies:</p>	<p>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> Yes Labour Party Member Member of Association of Labour Councillors Regional Board Member of the Northern Region of Labour Party</p>
13.1	<p>Are you in a position of control or management of the body/bodies?</p> <p>If NO go to question 14.</p> <p>If YES please provide details:</p>	<p>YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> Yes chair of Ward branch of Camperdown + Weetsdale Labour Party</p>

13.2	<p>Do any of the bodies listed in question 13.1 above have any contract(s) with the Council for good, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 13.3.</p> <p>If YES please provide details of the body and the goods, services or works provided:</p>	<p>YES [] NO [] NOT KNOWN []</p> <p>No</p>
13.3	<p>Do any of the bodies listed in question 13.1 above have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 14.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES [] NO [] NOT KNOWN []</p> <p>No</p>
14	<p>Are you a member of any trade union or professional association? <i>(Include all trade unions and professional associations of which you are a member.)</i></p> <p>If NO go to question 15.</p> <p>If YES please provide details of the body/bodies:</p>	<p>YES [] NO []</p> <p>Yes GMB Unison</p>
14.1	<p>Are you in a position of control or management of the body/bodies?</p> <p>If NO go to question 15.</p> <p>If YES please provide details:</p>	<p>YES [] NO []</p> <p>No</p>
14.2	<p>Do any of the bodies listed in question 14.1 above have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 14.3.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES [] NO [] NOT KNOWN []</p> <p>No</p>

14.3	<p>Do any of the bodies listed in question 14.1 above have any contract(s) with the Council for good, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 15.</p> <p>If YES please provide details of the body and the goods, services or works provided:</p>	<p>YES [] No NO [] NOT KNOWN []</p>
15	<p>Are you a member of any private club or other organisation not otherwise listed on this form?</p> <p>If NO go to question 16.</p> <p>If YES please provide details:</p>	<p>YES [] Yes NO [] Innisfree Social Club West Moor Social Club Affiliated Member of CIU Forest Hall Ex Servicemen's Club * Member of their Golf Society</p>
15.1	<p>Are you in a position of control or management of the club or organisation?</p> <p>If NO go to question 16.</p> <p>If YES please provide details:</p>	<p>YES [] No NO []</p>
15.2	<p>Do any of the bodies listed in question 15.1 above have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 15.3.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES [] No NO [] NOT KNOWN []</p>
15.3	<p>Do any of the bodies listed in question 15.1 above have any contract(s) with the Council for good, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 16.</p> <p>If YES please provide details of the body and the goods, services or works provided:</p>	<p>YES [] NO [] NOT KNOWN []</p>

16	<p>Do you carry on any profession or vocation for gain or profit (other than as set out earlier in this form)?</p> <p>If YES please provide details of the profession or vocation:</p>	<p>YES <input type="checkbox"/></p> <p>NO <input checked="" type="checkbox"/> No</p>
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* Question 4 - "remunerated" means that you receive payment, goods, services or other benefits from the company other than authorised expenses.

Please return this form to the Head of Law and Governance, Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY

Form 2 - Members' Spouses or Civil Partners

REGISTER OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND OTHER REGISTERABLE PERSONAL INTERESTS

(2) Members' Spouses or Civil Partners (including any person whom a Member lives with as if as husband and wife, or as if as civil partners)

This form comprises the entry in the Register of Interests in respect of the spouse or civil partner of the Member named below (or of any person with whom the Member lives as if as husband and wife, or as if as civil partners). The interests held by the spouse or partner of a Member which are required to be registered are set out in Annex 2 to the Council's Code of Conduct for Members. By signing where indicated below the Member confirms the accuracy of the information provided in respect of the interests held by his/her spouse or civil partner (or person living with the Member in that capacity).

The Register of Interests is maintained by the Monitoring Officer in accordance with Section 29 of the Localism Act 2011 and is required to be published on the Council's Website.

In this form "you" refers to the spouse or civil partner of the Member (or a person living with the Member in that capacity).

Name of Member Jim Allan (Please Print)

Signature [Redacted]

Date 21st February 2016

If you require any assistance as to how to complete this document, please contact the Head of Law and Governance for assistance.

1	<p>Are you employed – whether full or part time? (This does not include a remunerated director – this is dealt with at question 4)</p> <p>If NO go to question 2. If YES state the name of your employer(s):</p>	<p>YES <input type="checkbox"/></p> <p>NO <input checked="" type="checkbox"/> No</p>
1.1	<p>In relation to your above employment, are you in a position of general control or management?</p> <p>If NO go to question 2. If YES go to question 1.2.</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p>

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1.2	<p>Does your employer have any contract(s) with the Council for goods, services or work? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</i></p> <p>If NO/NOT KNOWN got to question 1.3.</p> <p>If YES give details of the goods, services or works provided:</p>	<p>YES [] NO [] NOT KNOWN []</p>
1.3	<p>Does your employer have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 2.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES [] NO [] NOT KNOWN []</p>
2	<p>Are you self-employed or do you run a business?</p> <p>If NO go to question 3.</p> <p>If YES state the name of your business(es):</p>	<p>YES [] NO [] No</p>
2.1	<p>Do you, or your business have any contract(s) with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of good or services or for undertaking any work for the Council.)</i></p> <p>If NO go to question 2.2.</p> <p>If YES please provide details of the goods, services or works provided:</p>	<p>YES [] NO []</p>
2.2	<p>Do you, or your business have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO go to question 3.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES [] NO []</p>

3	<p>Are you a partner in any business?</p> <p>If NO go to question 4.</p> <p>If YES state the name of the business(es):</p>	<p>YES [] YES No</p> <p>NO [] NO</p>
3.1	<p>Does the business have any contract(s) with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking of works for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 3.2.</p> <p>If YES please provide details of the goods, services or works provided:</p>	<p>YES [] No</p> <p>NO []</p> <p>NOT KNOWN []</p>
3.2	<p>Does the business have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 4.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES [] No</p> <p>NO []</p> <p>NOT KNOWN []</p>
4	<p>Are you a <u>remunerated</u>* director of a company? (see note at end of form)</p> <p>If NO go to question 5.</p> <p>If YES state the name of the company/companies:</p>	<p>YES [] No</p> <p>NO []</p>
4.1	<p>Does the company have any current contract(s) with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 4.2.</p> <p>If YES please give details of the goods, services or works provided:</p>	<p>YES [] No</p> <p>NO []</p> <p>NOT KNOWN []</p>

4.2	<p>Does the company have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 5.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES [] NO [] NOT KNOWN []</p> <p>No</p>
5	<p>Do you have beneficial interest in a class of securities of a corporate body that has a place of business in the Council's area that exceeds the nominal value of £25,000 or 1/110 of the total issued shared capital of that body?</p> <p><i>(If you own shares or other form of equity in a company or other body which has a place of business within the authority's area, you will need to consider whether the interest is to be included. Identify the nominal value; this is the amount of shares indicated on the certificate, not the market value. If this exceeds £25,000, you need to register the name of the company or body. If this is less than £25,000, but your holding is more than 1% of the total issued share capital, you need to register the name of the company or body.)</i></p> <p>If NO go to question 6.</p> <p>If YES please provide details:</p>	<p>YES [] NO []</p> <p>Yes</p> <p>JSN Developments</p> <p>JSN Developments</p>
6	<p>Do you have a beneficial interest in any land in the Council's area?</p> <p><i>(Please provide details of any land in the Borough of North Tyneside in which you have a beneficial interest (that is, in which you have some proprietary interest for your own benefit). You should give the address or a brief description to identify it. You should include your home under this heading as owner, lessee or tenant.</i></p> <p><i>You should also include any property from which you receive rent, or of which you are a mortgagee.</i></p> <p><i>"Land" includes any buildings or parts of buildings.)</i></p> <p>If NO go to question 7.</p> <p>If YES please provide the address(es) or other description(s) of any land interest:</p>	<p>YES [] NO []</p> <p>Yes -</p> <p>11 Bannockburn Killingworth NE12 6QT</p>

7	<p>Do you have a licence (alone or with others) to occupy any land in the Council's area for 28 days or longer? <i>(This includes grazing agreements, allotments, garage licences and other short term arrangements in respect of the Council's land or property.)</i></p> <p>If NO go to question 8.</p> <p>If YES please provide the address(es) or other description(s) of the land:</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/> No</p>
8	<p>Do you carry on any profession or vocation for gain or profit (other than as set out earlier in this form)?</p> <p>If YES please provide details of the profession or vocation:</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/> No</p>

* Question 4 - "remunerated" means that you receive payment, goods, services or other benefits from the company other than authorised expenses.

Please return this form to the Head of Law and Governance, Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY

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Julie Heward

From: Jim Allan [REDACTED]
Sent: 08 December 2014 09:41
To: Viv Geary
Subject: Re: Updated Declarations of Interest [Scanned]

Categories: Action

Hello Viv, yes it is correct that I am unemployed. I can confirm as far as I am aware that Ezee scaffolding had no contracts with the council. They did act as a sub contractor for kier and had one sub contract for Capita.

In addition, Ezee Scaffolding no longer exists.

Best Wishes

Jim Allan

[REDACTED]

On 8 Dec 2014, at 09:11, "Viv Geary" <viv.geary@northtyneside.gov.uk> wrote:

Encrypted email notification from North Tyneside Council
Encrypted email message from "Viv Geary" (viv.geary@northtyneside.gov.uk)

This email contains a message that has been sent as an encrypted PDF document in order to ensure the secure delivery of its contents.

Open the encrypted PDF attachment to view your secure message.

To access this message, you should open the attached PDF using Adobe Acrobat Reader version 7.0 or higher. In order to view its contents, you must enter the password that you should have already set during the registration process.

If you have any problems viewing the encrypted message or do not know your password, please contact the sender of the message.

Please note that Adobe Acrobat may restrict access to certain attachment types. If this is the case, you will need to inform the original sender and make alternative arrangements.

Click [here](#) to change your password.

Note: If your mail program does not support active links, change your password by copying and pasting the text below into your Internet browser:

https://mailportal.northtyneside.gov.uk/portal/U2FsdGVkX18HILp_2ytXSCRBK8L6E39-fSLTvOnO-Eib2nKri7zOeTqqlNfpYzx1fha5s_9Q4KnS0TaTIGN5c7Z1l6QnbKt

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North Tyneside Council does not guarantee this email to be free of any viruses. It is the responsibility of the recipient to ensure that this message and any attachments are virus free. This e-mail may be automatically logged, monitored and/or recorded for legal purposes.

<Viv.Geary_2014-12-08-091133.pdf>



North Tyneside Council

Revision to Statutory Register of Members' Interests Form

From: Councillor James Matthew Allan

Ward: Camperdown

Date: 05th December 2014

The following information amends my Register of Members' Interests:
(please identify whether your amendment relates to Form 1 or Form 2 and specify the particular Question amended)

Form 1

Question 1

Delete - Yes

Add - No

Rest of questions do not then apply

Question 2

Delete - Yes

Add - No

Question 3

Delete - Ezee Scaffolding Ltd.

Question 7

Delete - Ezee Scaffolding Ltd.

Question 10

Delete - Governor of Burradon Community Primary School

Delete - Newcastle Airport Local Authority Holding Company
(Alternate)

Delete - LGA

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Delete – TWITA Local Transport Plan Working Group

Question 12

Add – Trustee of Pathways4All

Question 13

Add – Member of the GMB

Add – Board Member of the Northern Regional Labour Party

Add – Delegate to North Tyneside Constituency Labour Party

Question 13.1

Delete – Leader of the North Tyneside Labour Group

Question 14

Add – Member of the GMB

Question 15

Add - Member of West Moor Social Club

Add - Member of Killingworth Social Club

Add - Member of Innisfree Social Club

Add - Member of West Allotment Social Club

Delete - Member of Camperdown Social Club



North Tyneside Council

Revision to Statutory Register of Members' Interests Form

From: Councillor James Matthew Allan

Ward: Camperdown

Date: 8 July 2013

The following information amends my Register of Members' Interests:
(please identify whether your amendment relates to Form 1 or Form 2 and specify the particular Question amended)

Form 1

Question 10

Delete – Governor of Burradon Community Primary School

Add – Newcastle Airport Local Authority Holding Company (Alternate)

Question 15

Add: Member of West Moor Social Club
Member of Killingworth Social Club
Member of Camperdown Social Club

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North Tyneside Council

Form 1

REGISTER OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND OTHER REGISTERABLE PERSONAL INTERESTS

(1) Members

This form comprises the entry in the Register of Interests of the Member named below. The interests which a Member is required to register are set out in Annex 2 and Annex 3 to the Council's Code of Conduct for Members.

The Register of Interests is maintained by the Monitoring Officer in accordance with Section 29 of the Localism Act 2011 and is required to be published on the Council's Website.

Name of Member Jim Allan.....(Please Print)

Signature [Redacted].....

Date 9th August 2012.....

If you require any assistance as to how to complete this document, please contact the Head of Legal, Governance and Commercial Services for assistance.

1	Are you employed – whether full or part time? (This does not include a remunerated director – this is dealt with at question 4) If NO go to question 2. If YES state the name of your employer(s):	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> <u>Ezee Scaffolding Ltd.</u>
1.1	In relation to your above employment, are you in a position of general control or management? If NO go to question 2. If YES go to question 1.2.	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
1.2	Does your employer have any contract(s) with the Council for goods, services or work? (A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.) If NO/NOT KNOWN go to question 1.3. If YES give details of the goods, services or works provided:	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> NOT KNOWN <input type="checkbox"/>

1.3	<p>Does your employer have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 2.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES []</p> <p>NO <input checked="" type="checkbox"/></p> <p>NOT KNOWN []</p>
2	<p>Are you self-employed or do you run a business?</p> <p>If NO go to question 3.</p> <p>If YES state the name of your business(es):</p>	<p>YES <input checked="" type="checkbox"/></p> <p>NO []</p> <p>Ezee Scaffolding Ltd</p>
2.1	<p>Do you, or your business have any contract(s) with the Council for goods, services or works?</p> <p><i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</i></p> <p>If NO go to question 2.2.</p> <p>If YES please provide details of the goods, services or works provided:</p>	<p>YES []</p> <p>NO <input checked="" type="checkbox"/></p>
2.2	<p>Do you, or your business have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO go to question 3.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES []</p> <p>NO <input checked="" type="checkbox"/></p>
3	<p>Are you a partner in any business?</p> <p>If NO go to question 4.</p> <p>If YES state the name of the business(es):</p>	<p>YES <input checked="" type="checkbox"/></p> <p>NO []</p> <p>Ezee Scaffolding Ltd. JSN Developments</p>
3.1	<p>Does the business have any contract(s) with the Council for goods, services or works?</p> <p><i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking of works for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 3.2.</p> <p>If YES please provide details of the goods, services or works provided:</p>	<p>YES <input checked="" type="checkbox"/></p> <p>NO <input checked="" type="checkbox"/></p> <p>NOT KNOWN []</p>

3.2	<p>Does the business have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 4.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES []</p> <p>NO <input checked="" type="checkbox"/></p> <p>NOT KNOWN []</p>
4	<p>Are you a <u>remunerated</u>* director of a company? (see note at end of form)</p> <p>If NO got to question 5.</p> <p>If YES state the name of the company/companies:</p>	<p>YES []</p> <p>NO <input checked="" type="checkbox"/></p>
4.1	<p>Does the company have any current contract(s) with the Council for goods, services or works?</p> <p><i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 4.2.</p> <p>If YES please give details of the goods, services or works provided:</p>	<p>YES []</p> <p>NO <input checked="" type="checkbox"/></p> <p>NOT KNOWN []</p>
4.2	<p>Does the company have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 5.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES []</p> <p>NO <input checked="" type="checkbox"/></p> <p>NOT KNOWN []</p>
5	<p>Has any person or body made a payment to you in respect of your election expenses in the last 12 months?</p> <p>If NO go to question 6.</p> <p>If YES please provide details:</p>	<p>YES <input checked="" type="checkbox"/></p> <p>NO []</p> <p>North Tyneside Labour Party</p>

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6	<p>Does any person or body <u>other than the Council</u> make a payment to you in respect of any of your expenses incurred in carrying out your duties as a Councillor?</p> <p><i>(Include the name of the political party and any other person paying any expenses incurred by you in carrying out your duties (e.g. travel expenses received from other bodies, such as local authority associations.)</i></p> <p>If NO go to question 7.</p> <p>If YES please give details:</p>	<p>YES <input type="checkbox"/></p> <p>NO <input checked="" type="checkbox"/></p>
7	<p>Do you have beneficial interest in a class of securities of a corporate body that has a place of business in the Council's area that exceeds the nominal value of £25,000 or 1/110 of the total issued shared capital of that body?</p> <p><i>(If you own shares or other form of equity in a company or other body which has a place of business within the authority's area, you will need to consider whether the interest is to be included. Identify the nominal value; this is the amount of shares indicated on the certificate, not the market value. If this exceeds £25,000, you need to register the name of the company or body. If this is less than £25,000, but your holding is more than 1% of the total issued share capital, you need to register the name of the company or body.)</i></p> <p>If NO go to question 8.</p> <p>If YES please provide details:</p>	<p>YES <input checked="" type="checkbox"/></p> <p>NO <input type="checkbox"/></p> <p>Ezeo Scaffolding Ltd JSN Developments</p>
8	<p>Do you have a beneficial interest in any land in the Council's area?</p> <p><i>(Please provide details of any land in the Borough of North Tyneside in which you have a beneficial interest (that is, in which you have some proprietary interest for your own benefit). You should give the address or a brief description to identify it. You should include your home under this heading as owner, lessee or tenant.</i></p> <p><i>You should also include any property from which you receive rent, or of which you are a mortgagee.</i></p> <p><i>"Land" includes any buildings or parts of buildings.)</i></p> <p>If NO go to question 9.</p> <p>If YES please provide the address(es) or other description(s) of any land interest:</p>	<p>YES <input checked="" type="checkbox"/></p> <p>NO <input type="checkbox"/></p> <p>Home owner:- 11 Bannockburn Killingworth NE12 6QT</p>

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9	<p>Do you have a licence (alone or with others) to occupy any land in the Council's area for 28 days or longer? <i>(This includes grazing agreements, allotments, garage licences and other short term arrangements in respect of the Council's land or property.)</i></p> <p>If NO go to question 10.</p> <p>If YES please provide the address(es) or other description(s) of the land:</p>	<p>YES [] NO [✓]</p>
10	<p>Are you a member or part of any body to which you have been appointed <u>by the Council</u> as its representative? <i>(Include statutory boards (e.g. Police, Fire and transport), School governing bodies, housing trusts, local organisations, charities, local authority associations etc.)</i></p> <p>If NO go to question 11.</p> <p>If YES please provide details of the body/bodies:</p>	<p>YES [✓] NO []</p> <p>Governor of:- Burradon Community Primary School ANEC LG A TWITA Local Transport Plan Working Group</p>
10.1	<p>Are you in a position of control or management in any of the bodies listed at question 10 above?</p> <p>If NO go to question 11.</p> <p>If YES please provide details:</p>	<p>YES [] NO [✓]</p>
10.2	<p>Do any of the bodies listed in question 10.1 above have any current contract(s) with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking of any work for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 10.3.</p> <p>If YES please provide details of the body and the goods, services or works provided:</p>	<p>YES [] NO [✓] NOT KNOWN []</p>
10.3	<p>Do any of the bodies listed in question 10.1 above have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 11.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES [] NO [✓] NOT KNOWN [✓]</p>

11	<p>Are you a member or part of any public authority or body exercising functions of a public nature in <u>your own right</u>? (Include statutory consumer bodies, health authority bodies.)</p> <p>If NO go to question 12.</p> <p>If YES please provide details of that body/bodies:</p>	<p>YES [] NO [<input checked="" type="checkbox"/>]</p>
11.1	<p>Are you in a position of control or management of the body/bodies?</p> <p>If NO go to question 12.</p> <p>If YES please provide details:</p>	<p>YES [] NO []</p>
11.2	<p>Do any of the bodies listed in question 11.1 above have any contracts with the Council for goods, services or works? (A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</p> <p>If NO/NOT KNOWN go to question 11.3.</p> <p>If YES please provide details of the body and the goods, services or works provided:</p>	<p>YES [] NO [] NOT KNOWN []</p>
11.3	<p>Do any of the bodies listed in question 11.1 above have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 12.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES [] NO [] NOT KNOWN []</p>
12	<p>Are you a member or part of any body that undertakes charitable purposes? (Include charities of which you are a member (e.g. RSPCA, NSPCC etc.). Membership of a charity would include where you pay a membership fee, or have voting rights at a meeting of the charity, or you receive a regular newsletter or other publication.)</p> <p>If NO go to question 13.</p> <p>If YES please provide details of the body/bodies:</p>	<p>YES [<input checked="" type="checkbox"/>] NO []</p> <p>Trustee of Killingworth Community Consortium.</p>

12.1	<p>Are you in a position of control or management of the body/bodies?</p> <p>If NO go to question 13.</p> <p>If YES please provide details:</p>	<p>YES <input checked="" type="checkbox"/></p> <p>NO <input type="checkbox"/></p> <p>Trustee</p>
12.2	<p>Do any of the bodies listed in question 12.1 above have any contract(s) with the Council for goods, services or works?</p> <p><i>(A contract is usually written and includes any agreement or arrangement for the supply of goods or services or for undertaking any works for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 12.3.</p> <p>If YES please provide details of the body and the goods, services or works provided:</p>	<p>YES <input type="checkbox"/></p> <p>NO <input type="checkbox"/></p> <p>NOT KNOWN <input checked="" type="checkbox"/></p>
12.3	<p>Do any of the bodies listed in question 12.1 above have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 13.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES <input checked="" type="checkbox"/></p> <p>NO <input type="checkbox"/></p> <p>NOT KNOWN <input checked="" type="checkbox"/></p>
13	<p>Are you a member or part of any body whose <u>principal purpose</u> includes the influence of public opinion?</p> <p><i>(Include political parties, lobby groups and pressure groups.)</i></p> <p>If NO go to question 14.</p> <p>If YES please provide details of the body/bodies:</p>	<p>YES <input checked="" type="checkbox"/></p> <p>NO <input type="checkbox"/></p> <p>Member of the Labour Party. Member of Association of Labour Councils Life Member of Unison Member of North Tyneside Labour Group</p>
13.1	<p>Are you in a position of control or management of the body/bodies?</p> <p>If NO go to question 14.</p> <p>If YES please provide details:</p>	<p>YES <input checked="" type="checkbox"/></p> <p>NO <input type="checkbox"/></p> <p>Leader of North Tyneside Labour Group Chair of Camperdown Ward Labour Party</p>

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13.2	<p>Do any of the bodies listed in question 13.1 above have any contract(s) with the Council for good, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 13.3.</p> <p>If YES please provide details of the body and the goods, services or works provided:</p>	<p>YES []</p> <p>NO [✓]</p> <p>NOT KNOWN []</p>
13.3	<p>Do any of the bodies listed in question 13.1 above have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 14.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES []</p> <p>NO [✓]</p> <p>NOT KNOWN []</p>
14	<p>Are you a member of any trade union or professional association? <i>(Include all trade unions and professional associations of which you are a member.)</i></p> <p>If NO go to question 15.</p> <p>If YES please provide details of the body/bodies:</p>	<p>YES [✓]</p> <p>NO []</p> <p>Life Member of Unison</p>
14.1	<p>Are you in a position of control or management of the body/bodies?</p> <p>If NO go to question 15.</p> <p>If YES please provide details:</p>	<p>YES []</p> <p>NO [✓]</p>
14.2	<p>Do any of the bodies listed in question 14.1 above have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 14.3.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES []</p> <p>NO []</p> <p>NOT KNOWN [✓]</p>

14.3	<p>Do any of the bodies listed in question 14.1 above have any contract(s) with the Council for good, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 15.</p> <p>If YES please provide details of the body and the goods, services or works provided:</p>	<p>YES [] NO [] NOT KNOWN [✓]</p>
15	<p>Are you a member of any private club or other organisation not otherwise listed on this form?</p> <p>If NO go to question 16.</p> <p>If YES please provide details:</p>	<p>YES [✓] NO []</p> <p>Member of West Allotment Social Club Member of Innisfree Social Club</p>
15.1	<p>Are you in a position of control or management of the club or organisation?</p> <p>If NO go to question 16.</p> <p>If YES please provide details:</p>	<p>YES [] NO [✓]</p>
15.2	<p>Do any of the bodies listed in question 15.1 above have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 15.3.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES [] NO [] NOT KNOWN []</p>
15.3	<p>Do any of the bodies listed in question 15.1 above have any contract(s) with the Council for good, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 16.</p> <p>If YES please provide details of the body and the goods, services or works provided:</p>	<p>YES [] NO [] NOT KNOWN []</p>

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16	<p>Do you carry on any profession or vocation for gain or profit (other than as set out earlier in this form)?</p> <p>If YES please provide details of the profession or vocation:</p>	<p>YES []</p> <p>NO [✓]</p>
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* Question 4 - "remunerated" means that you receive payment, goods, services or other benefits from the company other than authorised expenses.

Please return this form to the Head of Legal, Governance and Commercial Services, Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY

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North Tyneside Council

Form 2

REGISTER OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND OTHER REGISTERABLE PERSONAL INTERESTS

(2) Members' Spouses or Civil Partners (including any person whom a Member lives with as if as husband and wife, or as if as civil partners)

This form comprises the entry in the Register of Interests in respect of the spouse or civil partner of the Member named below (or of any person with whom the Member lives as if as husband and wife, or as if as civil partners). The interests held by the spouse or partner of a Member which are required to be registered are set out in Annex 2 to the Council's Code of Conduct for Members. By signing where indicated below the Member confirms the accuracy of the information provided in respect of the interests held by his/her spouse or civil partner (or person living with the Member in that capacity).

The Register of Interests is maintained by the Monitoring Officer in accordance with Section 29 of the Localism Act 2011 and is required to be published on the Council's Website.

In this form "you" refers to the spouse or civil partner of the Member (or a person living with the Member in that capacity).

Name of Member Cllr Jim Allan(Please Print)

Signature.....

Date 10th August 2012

If you require any assistance as to how to complete this document, please contact the Head of Legal, Governance and Commercial Services for assistance.

1	Are you employed – whether full or part time? (This does not include a remunerated director – this is dealt with at question 4) If NO go to question 2. If YES state the name of your employer(s):	YES [] NO <input checked="" type="checkbox"/>
1.1	In relation to your above employment, are you in a position of general control or management? If NO go to question 2. If YES go to question 1.2.	YES [] NO []

1.2	<p>Does your employer have any contract(s) with the Council for goods, services or work? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</i></p> <p>If NO/NOT KNOWN got to question 1.3.</p> <p>If YES give details of the goods, services or works provided:</p>	<p>YES [] NO [] NOT KNOWN []</p>
1.3	<p>Does your employer have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 2.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES [] NO [] NOT KNOWN []</p>
2	<p>Are you self-employed or do you run a business?</p> <p>If NO go to question 3.</p> <p>If YES state the name of your business(es):</p>	<p>YES [] NO [✓]</p>
2.1	<p>Do you, or your business have any contract(s) with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of good or services or for undertaking any work for the Council.)</i></p> <p>If NO go to question 2.2.</p> <p>If YES please provide details of the goods, services or works provided:</p>	<p>YES [] NO []</p>
2.2	<p>Do you, or your business have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO go to question 3.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES [] NO []</p>

3	<p>Are you a partner in any business?</p> <p>If NO go to question 4.</p> <p>If YES state the name of the business(es):</p>	<p>YES []</p> <p>NO [✓]</p>
3.1	<p>Does the business have any contract(s) with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking of works for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 3.2.</p> <p>If YES please provide details of the goods, services or works provided:</p>	<p>YES []</p> <p>NO []</p> <p>NOT KNOWN []</p>
3.2	<p>Does the business have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 4.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES []</p> <p>NO []</p> <p>NOT KNOWN []</p>
4	<p>Are you a <u>remunerated</u>* director of a company? (see note at end of form)</p> <p>If NO go to question 5.</p> <p>If YES state the name of the company/companies:</p>	<p>YES []</p> <p>NO [✓]</p>
4.1	<p>Does the company have any current contract(s) with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for the Council.)</i></p> <p>If NO/NOT KNOWN go to question 4.2.</p> <p>If YES please give details of the goods, services or works provided:</p>	<p>YES []</p> <p>NO []</p> <p>NOT KNOWN []</p>

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4.2	<p>Does the company have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 5.</p> <p>If YES please provide the address(es) or description(s) of any such land:</p>	<p>YES []</p> <p>NO []</p> <p>NOT KNOWN []</p>
5	<p>Do you have beneficial interest in a class of securities of a corporate body that has a place of business in the Council's area that exceeds the nominal value of £25,000 or 1/110 of the total issued shared capital of that body?</p> <p><i>(If you own shares or other form of equity in a company or other body which has a place of business within the authority's area, you will need to consider whether the interest is to be included. Identify the nominal value; this is the amount of shares indicated on the certificate, not the market value. If this exceeds £25,000, you need to register the name of the company or body. If this is less than £25,000, but your holding is more than 1% of the total issued share capital, you need to register the name of the company or body.)</i></p> <p>If NO go to question 6.</p> <p>If YES please provide details:</p>	<p>YES []</p> <p>NO [X]</p>
6	<p>Do you have a beneficial interest in any land in the Council's area?</p> <p><i>(Please provide details of any land in the Borough of North Tyneside in which you have a beneficial interest (that is, in which you have some proprietary interest for your own benefit). You should give the address or a brief description to identify it. You should include your home under this heading as owner, lessee or tenant.</i></p> <p><i>You should also include any property from which you receive rent, or of which you are a mortgagee.</i></p> <p><i>"Land" includes any buildings or parts of buildings.)</i></p> <p>If NO go to question 7.</p> <p>If YES please provide the address(es) or other description(s) of any land interest:</p>	<p>YES []</p> <p>NO []</p> <p>Home:- 11 Bannockburn Killingworth NE12 6QJ</p>

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7	<p>Do you have a licence (alone or with others) to occupy any land in the Council's area for 28 days or longer? <i>(This includes grazing agreements, allotments, garage licences and other short term arrangements in respect of the Council's land or property.)</i></p> <p>If NO go to question 8.</p> <p>If YES please provide the address(es) or other description(s) of the land:</p>	<p>YES <input type="checkbox"/></p> <p>NO <input checked="" type="checkbox"/></p>
8	<p>Do you carry on any profession or vocation for gain or profit (other than as set out earlier in this form)?</p> <p>If YES please provide details of the profession or vocation:</p>	<p>YES <input type="checkbox"/></p> <p>NO <input checked="" type="checkbox"/></p>

* Question 4 - "remunerated" means that you receive payment, goods, services or other benefits from the company other than authorised expenses.

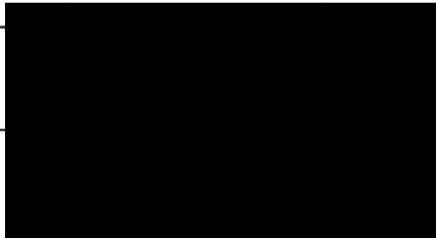
**Please return this form to the Head of Legal, Governance and Commercial Services,
 Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY**

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North Tyneside Council

REGISTRATION OF GIFTS AND HOSPITALITY ELECTED MEMBERS

Councillor Name	Councillor Jim Allan
Donor (company, organisation or individual)	Northumbria Water Guest of Ivan Jepson, Communications Manager
Details of Offer (if an event please state date)	15 March 2013 Guest at Ashington FC's sportsmans dinner
Date Offer Received	14 Feb 2014/3
Offer Accepted / Declined (*Please delete as appropriate)	Accepted
Reason Offer Is Proposed To Be Accepted	
Date: 10 April 2013	Signed: 

Please complete and return to:

The Head of Law and Governance, Quadrant, The Silverlink North, Cobalt Business Park,
North Tyneside, NE27 0BY

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