

Cabinet

7 May 2024

(2.00pm)

Meeting held in: The Council Chamber, County Hall, Durham

Minutes

Present: Mayor Kim McGuinness
Councillor Tracey Dixon
Councillor Martin Gannon
Councillor Amanda Hopgood
Councillor Nick Kemp
Councillor Claire Rowntree
Dame Norma Redfearn DBE
Councillor Richard Wearmouth
Lucy Winskell OBE

C1/5/24 Apologies for Absence and Substitutes

Apologies for absence were received from:

Councillor Graeme Miller. Councillor Claire Rowntree attended the meeting as his substitute.

Councillor Glen Sanderson. Councillor Richard Wearmouth attended the meeting as his substitute.

C2/5/24 Declarations of Interest

There were no declarations of interest.

C3/5/24 Mayor's Announcements

The Mayor commented on the significance of the day as the new North East Combined Authority took control of a range of powers devolved from Government and began the task of making decisions locally to improve the lives of communities in the region. She thanked and congratulated Council leaders for securing the North East Devolution Deal and she hoped further deals could be agreed in the future to obtain greater powers. The Mayor also stated that she had asked officers to begin the process of taking control of local bus services as this had been a major issue raised during her election campaign.

In response Cabinet members congratulated the Mayor on her election. They too highlighted the significance of the day and the importance of the Devolution Deal for the region. They expressed their desire to work collaboratively to deliver the deal for the benefit of communities and businesses across the region and to secure additional powers and funding.

C4/5/24 Appointments to Cabinet

The Cabinet considered a report from the Interim Monitoring Officer in relation to the appointment of members to the Cabinet.

Each constituent council was required to appoint one elected member to serve as a Cabinet member and two other elected members who may act as substitute members in their absence. It was reported that the constituent councils had appointed the following members as Cabinet Members and Substitute Cabinet Members:

Authority	Cabinet Member	Substitute Members
Durham	Councillor Amanda Hopgood	Councillor Richard Bell Councillor Elizabeth Scott
Gateshead	Councillor Martin Gannon	Councillor Catherine Donovan Councillor John Adams
Newcastle	Councillor Nick Kemp	Councillor Karen Kilgour Councillor Paul Frew
North Tyneside	Dame Norma Redfearn DBE	Councillor Carl Johnson Councillor Karen Clark
Northumberland	Councillor Glen Sanderson	Councillor Richard Wearmouth Councillor Wojciech Ploszaj
South Tyneside	Councillor Tracey Dixon	Councillor M Meling (another substitute member to be confirmed.)
Sunderland	Councillor Graeme Miller	Councillor Claire Rowntree Councillor Paul Stewart

The Cabinet would be required to appoint a Business Board at a future meeting. The Chair of the Business Board would be a member of the Cabinet. It was proposed that the former Chair of the North East Local Enterprise Partnership (LEP) Board, Lucy Winskell OBE, initially be appointed Chair of the Business Board and therefore be appointed to Cabinet as the Business Board Member. It was also proposed that Mark Thompson (who was also a member of the former LEP Board) be appointed as the Substitute Business Board Member.

The Cabinet was also required to appoint a Community and Voluntary Sector (CVS) Member. It was proposed that the Head of Paid Service be authorised to undertake a process to appoint the CVS Member and Substitute CVS Member, and that the proposed appointments be reported to Cabinet for approval at a future meeting.

Resolved that:

- (1) the appointment by the constituent councils of the members and substitute members set out above be noted;
- (2) the requirement that the Mayor must appoint one of the above Cabinet Members as the Deputy Mayor to act in their absence be noted;
- (2) Lucy Winskell OBE be appointed as the Business Board Member and Mark Thompson be appointed as the Substitute Business Board Member; and
- (3) the Head of Paid Service be authorised to undertake a process to appoint the Community and Voluntary Sector (CVS) Member and Substitute CVS Member, and that the next steps and proposed appointments be reported to Cabinet for approval at future meetings.

C5/5/24 Governance Arrangements

The Cabinet considered a report from the Interim Monitoring Officer in relation to the adoption of a constitution and other governance arrangements.

The Cabinet were presented with:

- a) a proposed constitution which set out the roles and responsibilities within the Authority in terms of decision-making, the various procedural rules which would apply to decision-making, and the codes and protocols which members and officers must follow when acting on behalf of the Authority. The constitution and its operation would be reviewed and revised as the Authority developed its ways of working;
- b) a proposed common seal which would be required for use when the Authority entered into certain contracts and other documents as deeds;
- c) a proposal that the principal office of the Authority should be the office formerly occupied by the North of Tyne Combined Authority at the Lumen in Newcastle. The requirement to specify a principal office was purely for administrative purposes for the service and acceptance of documents; and
- d) a proposed Single Assurance Framework which set out the key roles and responsibilities in relation to decision-making on the allocation of the Investment Fund. It had also been designed to include the Authority's approach to assurance for all funding streams for which it had responsibility.

The Cabinet would consider the appointment of its committees and boards at its next meeting. The appointments would include the appointment of an independent co-opted member as Chair the Audit and Standards Committee and at least one Independent Person for the purposes of the Authority's standards regime. The Authority could only appoint to these positions after it had advertised them and considered applications received. It was therefore proposed that the Interim Monitoring Officer, in consultation with the Mayor, be authorised to undertake the processes to appoint to these positions with the final decision in each case being made by Cabinet at a subsequent meeting.

Resolved that:

- (1) the Constitution, as appended to the report of the Interim Monitoring Officer, be adopted;
- (2) the principal address of the Authority be The Lumen, St James Boulevard, Newcastle Helix, Newcastle upon Tyne NE4 5BZ;
- (3) the common seal of the Authority, as appended to the report of the Interim Monitoring Officer, be adopted;
- (4) the Interim Monitoring Officer, in consultation with the Mayor, be authorised to undertake recruitment processes to appoint an independent (co-opted) member to chair the Audit and Standards Committee and to appoint an Independent Person for the purposes of the standards regime; and
- (5) the Single Assurance Framework, as appended to the report of the Interim Monitoring Officer, be adopted.

C6/5/24 Designation of Statutory Officers and Continuity Arrangements

The Cabinet considered a report of the Interim Monitoring Officer in relation to the transitional arrangements arising from the abolition of the North of Tyne Combined Authority (NTCA) and former North East Combined Authority (NECA) and the establishment of the new Authority.

The statutory order establishing the Authority provided that it should designate as its statutory officers those officers who held the positions of the Head of Paid Service, Chief Finance Officer and Monitoring Officer at the former NTCA and Scrutiny Officer at the former NECA. Accordingly, it was proposed that Cabinet confirm that the following officers are designated as the Authority's statutory officers:

Head of Paid Service	Dr Henry Kippin
Chief Finance Officer	Janice Gillespie
Monitoring Officer	John Softly
Scrutiny Officer	Gavin Armstrong

A further report would be presented to Cabinet at its meeting on 11 June 2024 regarding the staffing structure and, in the interim, the Head of Paid Service would make arrangements to put in place temporary management capacity to ensure continuity of delivery.

Prior to their abolition, the former NTCA and the former NECA were transport authorities for their areas but exercised their functions through a joint transport committee to ensure a co-ordinated approach to transport across the region. As part of those arrangements, the former combined authorities delegated to Durham and Northumberland County Councils the exercise of certain operational transport functions in their areas. To maintain continuity, it was proposed that the Authority delegate to the county councils the exercise of the following functions in their respective areas:

- a) implementing concessionary travel schemes pursuant to sections 93 -105 of the Transport Act 1985;
- b) determining local bus information to be made available, and the way in which it should be made available, pursuant to sections 139 to 143B of the Transport Act 2000;
- c) determining the operation, performance and development of accessible transport provision (including the provision of grants) pursuant to section 106 of the Transport Act 1985;
- d) all obligations of county councils relating to mandatory travel concessions pursuant to sections 145A to 150 of the Transport Act 2000.
- e) those functions of County Councils set out in Part IV of the Transport Act 1985 (Passenger Transport in areas other than Integrated Transport Areas) under:
 - section 63 – functions of local councils with respect to passenger transport
 - section 81 – provision, maintenance and operation of bus stations
 - section 82 – bus stations: restriction on discriminatory practices.

It was reported that where the former combined authorities had taken certain acts (such as entering into contracts or grant funding agreements), then these were to be treated as acts of the new Authority. There would also be cases where those former authorities had made decisions but these had yet to be fully implemented prior to the abolition of the former authorities and the creation of the new Authority. For the avoidance of any doubt, Cabinet was requested to confirm that such decisions be treated as decisions of the new Authority so that they could be implemented.

Resolved that:

- (1) the designation of the Authority's statutory officers, as set out above, be approved;
- (2) the proposal that a report be presented to the Cabinet on 11 June 2024 regarding the Authority's staffing structure and that, in the interim, the Head of Paid Service will make arrangements to put in place temporary management capacity to ensure continuity of delivery be noted;
- (3) the delegation of operational transport functions to Durham County Council and Northumberland County Council, as set out above, be approved; and
- (4) the formal decisions which the former North East Combined Authority and the former North of Tyne Combined Authority made be treated as decisions of the Authority.

C7/5/24 Mayoral and other Allowances

The Mayor, Kim McGuinness withdrew from the meeting during consideration of this item and took no part in the discussion and decision making. In the Mayor's absence, Dame Norma Redfearn DBE chaired the meeting.

The Cabinet considered a report and recommendations from Durham County Council's Independent Remuneration Panel ("IRP") in relation to the allowances payable to the Mayor, the independent (co-

opted) Chair of the Audit and Standards Committee, and the independent person who is to be appointed for the purposes of the standards regime.

Resolved that:

- (1) an allowance of £92,000 be payable to the North East Mayor;
- (2) the allowance be subject to annual increases linked to the consumer price index (CPI).
- (3) an allowance of £500 plus expenses be payable to the Chair of the Audit and Standards Committee for each committee meeting attended;
- (4) an initial annual allowance of £1,000 for the first twelve months be payable to the Independent Person(s) appointed for the purposes of the standards regime under Section 28 of the Localism Act 2011;
- (5) Durham County Council's IRP be requested to:
 - (i) review the allowances payable to the Chair of the Audit and Standards Committee and Independent Person(s) appointed for the purposes of the standards regime after 12 months of operation; and
 - (ii) undertake further work as to allowances as may be required.

The Mayor returned to close the meeting.