

Pam Smith
Chief Executive
Newcastle City Council

by email

11th July 2023

Dear Pam,

City Council Audit Committee interest in the East Jesmond Low-Traffic Neighbourhood trial

We write following the *Evening Chronicle* piece headlined "Internal review into Newcastle's Low Traffic Neighbourhoods to take place after a public outcry" (7th July) which reported that "*David Wilkinson, of Jesmond, was granted "exceptional" rights to speak to [Newcastle City Council's] audit committee on Friday to voice his concerns.*"

This followed an article published on 25th March, "Council chiefs grilled over Jesmond road closures as low traffic neighbourhood design put under review", in which the Chair of the Audit Committee, Hamish Moore, was quoted as stating that the introduction of East Jesmond LTN "*does not look like good governance*".

We attach the utmost importance to good governance and the assurance that proper independent external scrutiny provides. We wish to understand the remit of the Audit Committee in relation to the Council's low-traffic neighbourhoods programme in general and the East Jesmond LTN trial scheme in particular.

1. Our understanding is that the purpose of Audit Committee is to assure the Council's financial probity and to advise the Council on audit, risk and governance matters as they relate to the Council's finances. Please would you explain what part of the Audit Committee's remit legitimises it scrutinising policy matters such as low-traffic neighbourhoods?
2. LTNs have been implemented in several areas of the city, always with a degree of controversy, following a similar process and in line with the controlling party's longstanding manifesto commitments to cleaner, safer streets in Newcastle. Please can you explain why the Audit Committee has apparently taken an interest in the policy only following introduction of the East Jesmond trial scheme?
3. Please would you set out the process by which David Wilkinson came to be allowed to make a "speech" to the Audit Committee? Did he approach a member of the Committee or was he invited? Who granted him "exceptional" rights to speak? Was he granted those rights by virtue of his former professional status, or of his being a Jesmond resident vocally opposed to the Council's policy on the East Jesmond LTN trial? If the former, why wasn't the fact of the latter deemed something that might cloud his professional objectivity and judgement?
4. Please could you explain what qualifies Mr Wilkinson, as a retired accountant, to have addressed the Audit Committee on the Council's application of transport policy, legislation and guidance? If the Committee thought it appropriate to its remit to hear advice on the application of such policy, legislation and guidance, why did it not invite someone with proper independent expertise in the topic?
5. Do you think the fact that the Chair of the Audit Committee, Hamish Moore, has declared personal interests as a Director of Rockhampton Limited, a company which lets and operates property and which owns properties in Jesmond and Gosforth, and of Mistletoe Lettings, a company which lets and manages properties in Jesmond, Heaton, Sandyford and Gosforth, means it might have been appropriate for Mr Moore to recuse himself from Committee discussions on East Jesmond LTN to avoid any perception of a conflict of interest? Do you think it might have been appropriate for Wendy Lawson, a Committee member who has a declared personal interest in property in Jesmond, to do similarly?

6. Are you satisfied that the Audit Committee has followed all proper processes in this matter, and that no individual has sought to exploit, nor obtained personal benefit from, their membership of the Committee? (In this circumstance, we would suggest that negative publicity relating to the East Jesmond LTN in two *Chronicle* articles could be seen to constitute a personal benefit for an individual opposed to the scheme.)

We are sorry for the length and number of these questions, and aware that answering them will take up valuable officer time that could be better spent on other things. But it is plainly essential to the standing of a committee whose function is assure to the probity of the Council that its own conduct and that of its members be entirely beyond reproach. We are concerned that the natural 'lay' reading of the situation is that the Audit Committee has gone freelancing into policy matters in which it has no locus or competence on spurious "good governance" grounds because some of its members for whatever reasons personally disagree with the Council's policy on LTNs in general and/or East Jesmond LTN in particular.

We would also ask, in the interest of transparency, that the terms of reference for the "internal review" referred to in the *Chronicle* piece be published. There must be some concern that carrying out such a review during a live consultation could open claims of inappropriate procedure where such claims would not previously have been valid. We trust that any review will address the fact that numerous Cabinet papers over an extended period have openly explored, developed and adopted the Council's approach to safer, cleaner, greener neighbourhoods, including the "Reframing Transport in Newcastle" report of October 2022 which affirmed the Council's commitment "to lower traffic levels in residential neighbourhoods and seek to ensure motor vehicle traffic travels through areas on main roads".

For what it's worth, we agree with Mr Wilkinson that the Council should not just "listen to the loudest voices" on the matter of the Jesmond or any other LTN, and this is an important reason why one influential resident opining to a committee that possibly has no business holding hearings on the subject in the first place is not an appropriate way to conduct the discourse. We also agree with Mr Wilkinson and Mr Moore that decisions on the future of the East Jesmond and other LTNs should be taken following principles of good governance, and should therefore draw on appropriate data, evidence, consultation feedback and officer expertise, and have proper regard to the legitimacy of the elected Council's manifesto and policies.

Yours sincerely,



cc:
John Softly, Assistant Director Legal Services