

NORTHUMBERLAND COUNTY COUNCIL

CABINET

At a meeting of the **Cabinet** held in Committee Room 1, County Hall, Morpeth on Tuesday 10 September 2019 at 10.00am.

PRESENT

Councillor W. Daley
(Deputy Leader of the Council, in the Chair)

CABINET MEMBERS

Jones, V.
Sanderson, H.G.H.

Wearmouth, R.

OTHER MEMBERS

Bowman, L.
Dodd, R.
Flux, B.

Gallacher, B.
Grimshaw, L.
Swithenbank, I.C.F.

OFFICERS IN ATTENDANCE

Aviston, S.

Head of School Organisation and Resources

Bryden, L.
Hadfield, K.

Senior Manager, Commissioning Committee Services and Scrutiny Manager

Henry, L.
Jackson, D.

Legal Services Manager
Service Director, Education and Skills

McEvoy-Carr, C.

Executive Director of Adult Social Care and Children's Services

Murfin, R.
Sanderson, J.

Director of Planning
Senior Planning Manager (Planning Policy)

Soderquest, P.

Head of Housing and Public Protection

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3 members of the press and public were in attendance.

32. MINUTES

RESOLVED that the minutes of the meeting of Cabinet held on 6 August 2019, as circulated, be confirmed as a true record and signed by the Chair.

33. DISCLOSURES OF INTEREST

Councillor Wearmouth disclosed an interest in item 7 (Grant to Morpeth Town Council) as a member of Morpeth Town Council, and advised that he would leave the room whilst the matter was discussed.

34. REPORTS OF THE EXECUTIVE DIRECTOR OF ADULT SOCIAL CARE AND CHILDREN'S SERVICES

The report of the Family and Children's Services OSC on these matters had been circulated (copy attached to the signed minutes).

Proposal to Extend the Age Ranges of Bedlington Whitley Memorial CE and West End First Schools

The report set out the outcomes of the formal statutory proposal published on 11 July 2019, setting out the Council's proposal to extend the age range of Bedlington West End First School to become a primary school with effect from 1 September 2020.

The formal statutory proposal also referenced the linked non-statutory proposal to extend the age range of Bedlington Whitley Memorial Church of England First School from 1 September 2020. Cabinet was asked to consider whether or not to approve the implementation of both of these linked proposals together (copy attached to the signed minutes as Appendix A).

The Chair advised that he proposed to take Appendix A and Appendix B together. He then read out a statement which set out the procedure which would be followed at the meeting. Mrs Jane Bushell, the headteacher from West End First School was present.

Mrs Aviston then set out the main points of the report. She referred to the consultation process and the clear support in becoming primary schools. Consultation had also been held on the need for changes to catchment areas, but none were required. Regarding additional secondary provision for Years 7-8, discussions were ongoing with Bedlingtonshire and Benet Biscops Academies to provide places in September 2020.

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Members' questions included:-

- How long would the process take? Mrs Aviston advised that temporary accommodation would need to be used for around 30 Year 7 places and these would be in place for September 2020.
- How did the Authority take account of a decreasing birth rate and increased housebuilding in and around the catchment area in determining numbers? Mrs Aviston advised that these factors were built into the projections using the national formula of 3 children per year group per 100 houses built. The experience was that this ran true.
- Were parents aware of potential transport issues they might have? Mrs Aviston replied that the potential impact was detailed in the report, but the vast majority of pupils did not receive transport within the Council's Policy.

Mrs Bushell then addressed Cabinet members with a number of points:-

- The Head and staff were confident that this proposal was well within their capacity and were delighted with the responses from parents, governors, staff and the local community to the consultation.
- Staff were very excited about the challenges ahead. Many were Primary trained so felt well prepared.
- The children were also excited, especially those in Year 4, and staff were keen to ensure that they felt ownership and responsibility for their new experience.
- She was aware that there were challenges, not least the age of the building, but she was confident that the changes could be managed effectively. The staff were creative and enthusiastic, and challenges had been overcome before.

The Chair referred to the report from the Family and Children's Services OSC which had been circulated. The Committee had supported the recommendations. He thanked the schools in the Partnership who had identified the best option for children in the area.

He then proposed that members deal with Appendix B, Expansion of Whytrig Middle, Horton Grange Primary and New Delaval Primary Schools.

Expansion of Whytrig Middle, Horton Grange Primary and New Delaval Primary Schools

The report set out the outcomes of the formal statutory proposals to make permanent the expansions at Whytrig Middle, Horton Grange Primary and New Delaval Primary Schools and requested Cabinet approval for

implementation with effect from 1 October 2019 or as soon as possible thereafter (copy attached to the signed minutes as Appendix B).

Mrs Aviston highlighted the main points. No responses had been made in respect of Horton Grange or New Delaval Primary Schools proposals as they were non contentious. One response had been made in respect of Whytrig Middle School around the impact of increased traffic on residents. She advised that an additional pedestrian crossing was proposed for Elsdon Avenue to access to site, and highways officers were considering whether any further measures were needed. Traffic impact assessment results would be addressed as part of the wider development of the site.

Councillor Sanderson queried whether the mobile classrooms were good quality. Mrs Aviston confirmed that they were, and that they could be relocated for use at other locations.

The Chair referred to the report from the Family and Children's Services OSC which supported the report's recommendations.

Mr Henry then provided detailed legal advice to Cabinet on the matters Cabinet needed to satisfy itself on in relation to both reports.

(1) Proposal to Extend the Age Ranges of Bedlington Whitley Memorial CE and West End First Schools

RESOLVED that:-

- 1) the responses to the statutory proposal for Bedlington West End First School published on 11 July 2019 be noted and the extension of the age range of the school from an age 4-9 first school to an age 4-11 primary school to take effect from 1 September 2020 be approved;
- 2) the non-statutory proposal to extend the age range of Bedlington Whitley Memorial Church of England First School be noted, and the extension of the age range of this school from an age 3-9 first school to an age 3-11 primary school to take effect from 1 September 2020 be approved, noting that this proposal is linked to and referenced within the Statutory Proposal for Bedlington West End First School set out in Recommendation 1;
- 3) it be agreed that the current catchment areas as operated by the Council for Bedlington West End First School and Bedlington Whitley Memorial Church of England First School should remain unchanged from 1 September 2020 and that the catchment area of Meadowdale Academy as operated by the Council should be discontinued from 1 September 2020 for the reasons set out in paras. 14-15;

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- 4) the implications of the proposals on pupils, parents, staff and the local community as set out in the Statutory Proposals and included with the Background Papers to the report be noted;
- 5) the implications for Home to School Transport (where relevant) of the statutory proposals as set out in the report be noted;
- 6) the Department for Education's (DfE) school organisation guidance 'Making significant changes ('prescribed alterations') to maintained schools; statutory guidance for proposers and decision makers, October 2018' attached to the report at Appendix 3 be taken into account and approval be given to approve the proposal without modification;
- 7) the indicative budget for capital funding for Bedlington West End First School of £1.6m as outlined at para. 23 of the report be noted, and the funding for the works required to be allocated from the School Capital Maintenance Grant Fund 2019/2020 allocation in the Council's Capital Programme be approved;
- 8) it be noted that the Council would be expected to contribute 10% of the costs of the capital funding for works at Bedlington Whitley Memorial Church of England First School in line with previous school reorganisations, and that the indicative budget indicates this would be a contribution of £10,300. This contribution to be made from the School Capital Maintenance Grant Fund 2019/2020 allocation in the Council's Capital Programme. The remaining 90% to be funded via the Diocese's Local Authority Coordinated Voluntary Aided Programme (LCVAP) capital funding programme;
- 9) Resolutions 1) and 2) to be conditional upon the granting of planning permission by 31 August 2020 in relation to the building works at Bedlington West End First School;
- 10) the award of the contract for the capital works at West End First School be delegated to the Executive Director of Adults and Children's Services in consultation with the Cabinet Member for Children's Services; and
- 11) the report of the Family and Children's Services OSC be noted.

(2) Expansion of Whytrig Middle, Horton Grange Primary and New Delaval Primary Schools

RESOLVED that:-

- 1) the responses (where applicable) to the statutory proposals for Horton Grange Primary School, New Delaval Primary School and Whytrig Community Middle School published on 11 July 2019 be noted, and the making permanent of the enlargements to these schools' premises with effect from 1 October 2019 or as soon as possible thereafter be approved;
- 2) the implications of the proposals on pupils, parents, staff and the local community as set out in the Statutory Proposals and included with the Background Papers to the report be noted;
- 3) the Department for Education's (DfE) school organisation guidance 'Making significant changes ('prescribed alterations') to maintained schools; statutory guidance for proposers and decision makers, October 2018' attached to the report at Appendix 3 (via electronic link) be taken into account and approval be given to approve the proposals without modification; and
- 4) the report of the Family and Children's Services OSC be noted.

The Chair then adjourned the meeting so that the decisions, and the reasons for them, could be written up. On the meeting being reconvened, the Chair read out the following statement:-

Proposal to Extend the Age Ranges of Bedlington Whitley Memorial CE and West End First Schools

Having considered all of the responses to the formal consultation, the proposals to extend the age ranges of Bedlington West End First School and Bedlington Whitley Memorial Church of England First School should be adopted and implemented without modification for the following reasons:

- 1) The Governing Bodies of the schools and the majority of parents and staff who responded to the informal and statutory consultations support the proposals.
- 2) The extension of the age ranges of the schools to become primary schools will bring them into line with the prevalent primary/secondary organisation in the Bedlington Partnership, bringing clarity and confidence in the educational pathway for pupils and parents across the partnership in the light of the transition of Meadowdale Academy to primary status with effect from 1 September 2020.

3) £1.6m will be invested into the buildings at Bedlington West End Primary School (as it will become) and the Council will contribute 10% to the investment into the buildings of Bedlington Whitley Memorial Church of England Primary School (as it will become).

4) The retention of the current catchment areas for Bedlington West End First and Bedlington Whitley Memorial Church of England First Schools provides continuity and clarity for parents and in any event the Council's Home to School Transport Policy allows for parents to express a preference for a place for their child at the catchment, nearest or nearest faith school if eligibility criteria are met.

5) Parents will retain the ability to express a preference for a place for their child in any school in Northumberland or another local authority.

The consultation on this proposal has been very extensive, reasonable and robust.

Expansion of Whytrig Middle, Horton Grange Primary and New Delaval Primary Schools

Having considered the responses to the formal consultation, the proposals to make permanent the expansions to the buildings of Horton Grange Primary, New Delaval Primary and Whytrig Middle Schools should be adopted and implemented without modification for the following reasons:

- 1) The Governing Bodies and the majority of the staff and parents who responded to the informal consultation supported the proposals.
- 2) Data and information gathered by the Council indicates there has been a need to provide additional accommodation for pupils living in the catchment areas of the 3 schools.
- 3) Funding for the expansion of the schools has been via the Basic Need grant provided by the Government.

The consultation on this proposal has been very extensive, reasonable and robust.

(3) Alternative Education Provision

The report requested approval to proceed with a tender exercise to create a framework to support the provision of Alternative Education for children of statutory school age. The request was necessary due to the approaching expiry of an existing tender, together with a substantial increase in the number of permanent exclusions which had led to increased levels of expenditure (copy attached to the signed minutes as Appendix C).

The report was presented by Ms Bryden who highlighted the main points.

The Chair commented that a number of contracts were ending so this was a good opportunity to go to the market place and ensure robust arrangements were in place. There had also been a reduction in the number of exclusions, largely due to sharing good practice with one particular school. This has resulted in a 26% reduction in fixed term exclusions and a 28% reduction in permanent exclusions.

In response to a question from a member, Mr Jackson advised that the decision to exclude lay with the school, not the local authority. The Scrutiny task and finish group had been looking intervention measures to prevent things getting to the point of exclusion and work was ongoing with other authorities on this. Mrs McEvoy-Carr added that investment was being made in early help services with two partnership academies to identify pupils who were at risk of exclusion at an early stage. A time out option from the original school was also being considered.

The Chair referred to the report from the Family and Children's Services OSC which had supported the report's recommendations.

RESOLVED that:-

- (a) the content of the report be noted, acknowledging that the underlying issues relating to rising numbers of permanent and fixed term exclusion within Northumberland schools and academies was reported to the Families and Children's Services Scrutiny Committee on the 8th November 2018. This resulted in a task and finish group being established to:
 - Investigate the causes of substantial increases in both fixed and permanent exclusions
 - Identify good practice models both locally and nationally for inclusion.
 - Make recommendations as to where the Council's limited resources should be targeted to have the greatest impact;

- (b) approval be given to proceed with a tender exercise which will ensure that appropriate contractual arrangements are in place by the 1st January 2020. This will support the Council in fulfilling its statutory duty to ensure that full time schooling is provided from the 6th school day without committing to an underlying level of expenditure which is driven by demand; and
- (c) the report of the Family and Children's Services OSC be noted.

35. REPORTS OF THE INTERIM EXECUTIVE DIRECTOR OF PLACE

(1) Northumberland Housing Services Domestic Abuse Policy 2019

Members were presented with the new draft Northumberland County Council Housing Services Domestic Abuse Policy 2019, which informed how Northumberland County Council's Housing Service would assist and support tenants experiencing or threatened with domestic abuse (copy attached to the signed minutes as Appendix D). The report of the Communities and Place OSC was attached to the back of the report.

Councillor Jones introduced the report, highlighting that it incorporated the Home Office's most recent definition of domestic abuse. Scrutiny had made some valuable points about the report, particularly around gender and safeguarding issues, and she was content that the policy was robust. She was pleased to report that Housing Services was also now a member of the Domestic Abuse Housing Alliance.

Mr Soderquest added that staff were well placed to identify abuse and that the aim was to seek full accreditation with DAHA. The policy was intended to be gender neutral and would be reviewed to ensure the correct terminology was used throughout. The Council's services should protect tenants in their homes, and experience was bearing this out when staff were trained.

Councillor Gallacher presented the report from Communities and Place OSC. The Committee had supported the draft policy. He welcomed the clarification on gender neutrality, reference to the policy on the Homefinder website and staff training. The Committee had considered the report in some depth, and he thanked the staff for the work done.

RESOLVED that:-

- (a) the draft Domestic Abuse Policy, which sets out how the Council will respond to tenants who may be either victims or perpetrators of domestic abuse, be approved; and
- (b) the report of the Communities and Place OSC be noted.

(2) Food and Feed Safety and Standards Service Plan 2019/20

The report presented to Cabinet, for its consideration and endorsement, the Food and Feed, Safety and Standards Service Plan for 2019/20 (copy attached to the signed minutes as Appendix E). The report of the Communities and Place OSC was attached to the back of the report.

Mr Soderquest highlighted the main points of the report which detailed how the service deployed its resources on an annual basis. A high percentage of 3-5 star premises presented less risk, and they therefore dropped down the inspection regime. There was no statutory responsibility to display ratings on the premises, and the inspection covered the premises and management, not the quality of the food. Regarding performance, the service had achieved or exceeded all of its performance indicators for 2018-19, whilst still supporting the Produced in Northumberland initiative (now 115 organisations).

In response to a question regarding charging, Mr Soderquest advised that the Council was not entitled to charge, but consultation and advice was offered over and above the standard inspection programme and charges were implemented where possible.

Councillor Gallacher advised that Communities and Place OSC had endorsed the report and had discussed the star ratings and preparation for Brexit. He thanked officers for a clear and robust report.

RESOLVED that:-

- (a) the Food and Feed, Safety and Standards Service Plan for 2019/20 be received and adopted; and
- (b) the report of the Communities and Place OSC be noted.

36. REPORT OF THE DIRECTOR OF PLANNING

Northumberland Supplementary Planning Documents Scoping Consultation: Planning Obligations; and Affordable Housing

The report informed members of the intention to consult on two scoping documents for proposed Supplementary Planning Documents (SPDs). One in respect of Planning Obligations and one in respect of Affordable Housing (copy attached to the signed minutes as Appendix F).

Mr Murfin introduced the report, highlighting that this was about improving the planning system to get better outcomes for residents, and was not new policy.

RESOLVED that the proposed approach to planning obligations and affordable housing be noted, and the Supplementary Planning Document (SPDs) Scoping Documents be approved for public consultation.

37. REPORT OF THE SERVICE DIRECTOR, STRATEGIC COMMISSIONING AND FINANCE

Summary of New Capital Proposals considered by Officer Capital Strategy Group

The report summarised proposed amendments to the Capital Programme considered by the officer Capital Strategy Group at its meeting held on 9 August 2019 (copy attached to the signed minutes as Appendix G).

(1) Blyth Sports Centre – NALS Relocation

Members welcomed this important investment.

RESOLVED that the proposal to refurbish space in Blyth Leisure Centre to provide a 'fit for purpose' facility for NALS at a cost of £527,800 be approved. The funding requirement to be met from the existing Leisure Buildings Remedials provision within the 2020-21 approved Capital Programme.

(2) Car Parking Improvements Programme

Members welcomed the proposed investment in Morpeth, which would help in dealing with the additional trains stopping at the station, and in Ashington, where the issue had been raised by the Town Forum. Members thanked Councillor Sanderson and the officer team for their work on this, particularly in working with National Rail.

RESOLVED that:-

- (i) approval be given to a total allocation of £207,000 from the £10 million capital provision in the approved capital programme for parking improvements at Morpeth Railway Station (£157,000) – subject to agreement with Network Rail to purchase the land - and in Ashington (£50,000); and
- (ii) approval be given to a re-profiling of the Car Parking Improvements programme budget from 2020-21 to 2019-20 to accommodate the budget requirements in 2019-20.

In accordance with Minute No. 33 above, Councillor Wearmouth left the meeting at this point.

(3) Grant to Morpeth Town Council

RESOLVED that:-

- (i) a capital grant of £350,000 to Morpeth Town Council be approved to support the Community Asset Transfer of the Pavilion, St James Centre – to be met from the Property Stewardship Fund; and,
- (ii) a re-profiling of the Property Stewardship Fund budget from 2020-21 to 2019-20 be approved to accommodate the £350,000 budget requirement in 2019-20.

(4) Kylee House Grant Awards

RESOLVED that an increase in the Council's 2019-20 Capital programme be approved, to include the grant awards from the DfE and associated budgets, totalling £133,210, for 3 elements of work at Kylee House as detailed in paragraph 9.1.

(5) Alnwick Juniors FC – Other External Grants

RESOLVED that an increase in the project's budget be approved to reflect the other external contributions totalling £599,000, and therefore an overall budget provision of £1,144,000.

38. LOCAL AREA COUNCIL FEEDBACK

To receive feedback from recent Local Area Council meetings (copy attached to the signed minutes as Appendix H).

Councillor Dodd introduced this information report.

With regard to Councillor Campbell's point on a planning enforcement issue detailed on page 11 of the report, Councillor Sanderson advised that all possible action was being taken and Councillor Campbell had been written to about it.

RESOLVED that the information be received.

CHAIR.....

DATE.....

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