

NORTHUMBERLAND COUNTY COUNCIL

At a meeting of the **Northumberland County Council** held at County Hall, Morpeth on Wednesday, 5 April 2017 at 3.00 pm.

PRESENT

Councillor S.J. Dickinson
(Business Chair, in the Chair)

MEMBERS

Arckless, G.R.	Lang, J.A.
Armstrong, E.	Ledger, D.
Burt, E.	Lindley, I.P.
Cairns, H.	Murray, A.H.
Cairns, K.	Nisbet, K.
Campbell, D.	Parry, K.
Cartie, E.	Pidcock, B.
Dale, P.A.M.	Pidcock, L.
Davey, J.G.	Purvis, M.A.
Davey, S.	Reid, A.W.
Dodd, R.R.	Reid, J.
Dungworth, S.	Richards, M.E.
Fearon, J.B.	Rickerby, L.J.
Flux, B.	Riddle, J.R.
Foster, J.D.	Robson, T.
Gallacher, B.	Sambrook, A.G.
Gibson, R.	Sanderson, H.G.H.
Gobin, J.J.	Sharp, A.
Graham, K.O.	Simpson, E.
Grimshaw, L.	Smith, J.E.
Hepple, A.	Swithenbank, I.C.F.
Homer, C.	Tebbutt, A.
Hunter, E.I.	Thorne, T.N.
Hutchinson, J.I.	Tyler, V.
Jackson, P.A.	Wallace, A.
Johnstone, T.	Watson, J.G.
Jones, G.W.	Webb, G.
Jones, V.	Wilson, T.S.
Kelly, P.	Woodman, J.
Kennedy, D.	

OFFICERS

Hadfield, K.	Committee Services Manager
Henry, L.	Legal Services Manager
Lally, D.	Deputy Chief Executive
Mason, S.	Chief Executive

Before commencing the meeting, the Business Chair asked all members to stand for a minute's silence in memory of Councillor Milburn Douglas, who had sadly passed away on 25 February 2017.

83. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Bridgett, Castle, Daley, Horncastle and Watkin.

84. MINUTES

RESOLVED that the minutes of the following meetings of the County Council, as circulated, be confirmed as a true record and sealed with the Common Seal of the Council:-

- (a) Wednesday 22 February 2017 at 3.00 pm
- (b) Wednesday 22 February 2017 at 7.50 pm (extra-ordinary meeting)

85. QUESTIONS to be put to the Business Chair, a member of the Cabinet or the Chair of any Committee or Sub Committee, in accordance with the Constitution's Rules of Procedure No.10.

Question 1 from Councillor G. Sanderson to Councillor I. Swithenbank

Why did the Council not obtain a Forestry Commission Felling Licence before embarking on the large scale felling of trees on the County Hall site?

Response

The County Council considers that the felling of trees at County Hall was exempt from the requirements of a felling licence in accordance with the relevant provisions of Section 9 of The Forestry Act 1967.

It was considered necessary to undertake the works to the front of County Hall prior to the determination of the planning application for a new First School at the site, to avoid the risk of nesting birds causing a delay and additional costs for the proposed development of a much needed replacement for Morpeth First School. Taking action to mitigate this risk was considered appropriate as any delays would result in the school not being ready for the start of the academic year in Sept 2018, causing disruption to the education of children attending the school who would then have to relocate to a new school part way through a new academic year.

The Forestry Commission have undertaken an on-site investigation into the felling activity and have submitted their findings to their National Office. The National Office have not yet determined the outcome of their investigation.

It should be noted that in accordance with the County Council's Tree Strategy, we aim to replant 2 new trees for every tree that has to be felled, where appropriate to do so. This does not necessarily mean that trees are replanted in the same location as the felled tree, but we do aim for them to be in the local area where possible.

We have therefore already advised the Forestry Commission of our plans to replant over 300 trees to replace the 90 trees that had to be felled at the front of County Hall, with some replanting already taking place at Deuchar Park and the full scheme will be implemented during 2017/18. It is envisaged that this will more than satisfy any requirements for restocking should the Forestry Commission's interpretation of the exemptions differ from that of the County Council.

Councillor Swithenbank reiterated officer advice that permission had not been needed.

Councillor Sanderson felt this was a serious issue. Trees had been felled without warning, consultation or negotiation, which he felt had brought shame on the Council and had incurred replanting costs. He asked whether the portfolio holder had read the requirements on page one of the felling licence, or whether these had been read and ignored, and he asked whether the member would apologise.

Councillor Swithenbank replied that he had nothing to apologise for. Actions had been taken on the professional advice of officers and currently, no offence had been committed. He suggested that, in light of the recent call in of the school planning application on the county hall site causing undue delay and cost, members of the Conservative Group might feel they should apologise. If it emerged that a felling licence was not required, he asked whether Councillor Sanderson would apologise.

Question 2 from Councillor G. Sanderson to Cllr G.R. Arckless

How many extra school places will be required in Morpeth and the surrounding area in the Council's detailed projections for the next ten years and what measures are the Council taking to ensure that new families moving into the Morpeth area are able to place their children into local Morpeth schools?

Response

It is too simplistic to assume that the number of school-age children that will arise from the new house-building programmes planned in Morpeth in coming years will require additional school places to be created in Morpeth Schools.

Schools in the Morpeth Partnership across all phases are among the most popular in Northumberland; King Edward IV High School (KEVI) is particularly popular, therefore any spare places in the schools that are not taken up by catchment children are taken up by children outside of the greater Morpeth catchment area. Under the Admissions Code, where a parent applies for a place at a school and there is a place available, then that place must be offered wherever the child resides.

Furthermore, KEVI, Chantry and Newminster Middle Schools form the Three Rivers multi-academy trust, which has the power to set its own admission arrangements. Currently, the Trust's Admissions oversubscription criteria gives a higher priority to children who have attended a feeder school of the middle and high schools for 2 or more years (whether or not the child lives in or outside of the schools' catchment areas) than children who live in the catchment area but who have attended a feeder school for less than 2 years. For example, a child moving into the greater Morpeth Catchment area in Year 4 into a Morpeth first school (perhaps as a result of a house-move) would be given lower priority for a place in Chantry or Newminster Middle School in Year 5 than a child who lived in Berwick, but who had attended a Morpeth first school for 2 or more years. This therefore creates an additional difficulty for the local authority in trying to place middle school age children in particular in their local school when they move into the Morpeth town middle school catchment areas.

Overall, there is enough capacity within Morpeth schools in all phases to accommodate the children who live in the greater Morpeth catchment area. Between 17% and 40% of the children on the rolls of the first schools that feed into the Morpeth town middle schools live outside of the greater Morpeth catchment. 26% of children attending Chantry Middle School and 18% of children attending Newminster Middle School live outside of the greater Morpeth catchment and this rises to 30% in relation to KEVI. This indicates that there is in fact enough capacity within Morpeth schools to meet the increase in pupils arising from new house-building in Morpeth as the number of pupils that will be generated by the new houses does not exceed the current capacity in the Morpeth schools.

As the time-period over which houses are generally built is usually between 5 and 15 years, this means that the children generated by these houses will similarly arise over time. To create additional places in Morpeth now in anticipation of these children will not resolve the issue, as these places will be taken up by children from outside of the greater Morpeth catchment and as previously stated, places must be offered to children if they are available and cannot be reserved. Over time, as the children arising from the new house-building enter the Morpeth school system in the first schools, they will take up the spare capacity in those schools and eventually they will have priority for entry into the middle and high schools. In the meantime, the Council is working with Morpeth schools and the Three Rivers Trust to identify shorter-term solutions that will enable children moving into housing in Morpeth to attend a local school.

Councillor Sanderson queried what was meant by shorter term. Councillor Arckless responded that he could not fully reply to that as he understood it was a difficult issue. However, he assured Councillor Sanderson that this was being looked at and would be taken forward by the new Council.

Question 3 from Councillor P. Jackson to the Leader

Could you inform the Council of the total cost, including all associated overheads, of the following items of County Council expenditure over the last seven months up to the current date and provide the comparable expenditure on these items in the same period during the prior year?

1. The advertising including the Council Leader on the Fire Service vehicles including the costs of removal.
2. The advertising including the Council Leader on the Council's refuse vehicles including the costs of removal.
3. The total cost of the Council's advertising in newspapers including the whole page "promoted by" sections in the local newspapers.
4. The total cost of advertising undertaken by Active Northumberland
5. The total cost of advertising undertaken by ARCH.

Response

1 - Last seven months £4,664. Zero for previous year

2 - Last seven months £8,000 (the imagery was on removable panels which were simply removed as part of regular maintenance/cleaning of vehicles). Zero for previous year.

3 - Last seven months £29,586. Previous year comparison £13,372.

As reported to last full Council, the images on fire appliances and a range of other Council vehicles were commercially designed to promote that advertising space is available for hire on Council vehicles as well as the achievements and work of Northumberland County Council. It is an area which the last independent Peer Review of the authority, carried out by the Local Government Association led by Conservative Lead Peer, Cllr Baroness Scott of Bybrook, highlighted the Council fell somewhat short in, although the Review was otherwise generally a very positive one about the performance of the Council. It is considered that these images keep residents informed and involved about our drive to revitalise Northumberland's market towns by returning jobs and frontline services to where local people want them.

The vehicle images are part of the Council's commitment to open government and were displayed on a range of vehicles across the county.

They are also part of the Council's Communications Strategy. The inclusion within this promotional material of images of the Leader and Deputy Leader of the Council are designed to attempt to "humanise" the public profile of the authority. All too often public sector organisations of the size and scope of the Council are accused of being faceless and much too remote from the communities which they serve.

It would seem perfectly legitimate then for the authority to seek to identify to the public the most senior councillors of the Council, who together with their colleagues on the Council's Cabinet, are responsible for many of the most

important decisions taken by the Council, and do so in a positive manner which also assists the development of those much valued principles of transparency and accountability.

It should be noted that prior to Purdah the imagery was either covered over or removed to ensure we fully complied with electoral guidelines

The newspaper advertising costs are not restricted to the communications department and include adverts taken out by departments including the Family Placement Team and the Fire and Rescue Service. The 2016/17 figure is also higher due to advertising related to the highly successful North Sea Tall Ships Regatta and the council's joint sponsorship of this year's Journal Culture Awards.

4 - the figures had not changes since the question was last asked.

5 - Sep 15-Feb 16 £49,092

Sept 16-Feb 17 £89,905

This excluded:-

- Sponsorship of events
- Event Costs – Hosts
- Inward Investment activities
- Tall ships
- Website Costs
- Banner stands
- General Marketing

It included:

- General Adverts in press
- Site signage
- Costs of Hoardings at various sites (but just cost incurred in requested periods)

Councillor Jackson suggested that the Administration was embarrassed by these figures as they had not been shared with members prior to the meeting as he had requested. Arch advertising costs had doubled and the political nature of the advertising, he felt, stretched the purdah rules. It had been reported to him that it had been very difficult to remove the images from the fire service vehicles to comply with purdah rules, and he asked what time costs had been incurred in their removal.

The Leader replied that fire service personnel had completed this work whilst waiting for call outs.

Question 4 from Councillor P. Jackson to the Leader

In view of the official Call-in notice for the three planning applications for the County Hall site in Morpeth and surrounding area will the Leader of the Council admit that there could well have been flaws in the planning process, and could the Leader inform the Council as to his Plan B for the site in the event that the applications are not allowed?

Response

The planning applications recently considered by NCC Strategic Planning Committee are 'Plan B'.

You obviously don't recall that in November 2015 we announced that we would like to regenerate this site and published plans to develop replacements for Chantry Middle School, Newminster Middle School, Goosehill First School and KEVI secondary academy along with a £25M Leisure Centre.

As you are well aware, this administration want to see all young people educated in first class facilities and the public to have at their disposal, quality, modern leisure facilities that to enjoy their free time in.

We had planned to spend over £50M on the initial build and were also ready to purchase additional land to ensure future growth and sporting ambitions could be fulfilled by the group of schools involved with the site. Our ambitious outturn costs may have fallen into the £90M plus bracket.

The group of schools turned down the offer and you may wish to enlighten us with the detail of who from a Morpeth political perspective was involved in advising the schools on coming to that decision.

Following that snub from Morpeth, we decided to look at a plan B, I will go on to explain things in regard to Plan B.

The Council is confident that the three planning applications are robust and in the normal course of events there should have been no call in as there are no valid planning grounds. In my opinion this is simply a case of politics being played at the expense of the Northumberland council tax payer. The call in's will cost circa £200,000 each for what is, in reality, a political dispute.

The known savings from the move over to Ashington is £600,000 annually, therefore you have used up year one savings for the council tax payer through your demands for a ridiculous call-in.

The school is in accordance with national policy and I can only assume that in the haste to call these applications in and in a mistaken view that this will create political capital for you and your party, an error was made.

This error could result in no new school being delivered, or at least a significant delay; playing politics with children's education is not something I

would condone or seek to raise at a Council meeting. But, of course, we are very different and have very different values.

Given that there are no planning reasons to alter our approach I can only assume the Council is in your hands in terms of what your Government will permit in Morpeth, compared to their National policy, which presumably applies elsewhere in the country.

I will therefore not develop the current Plan B, which also includes a phase two of a new leisure and cultural centre, a new hotel and a new multi-storey car park in Morpeth and await the outcome of the call in and subsequent public enquiry. If your underhand approach results in a smaller capital receipt you will again be penalising the residents of Northumberland. Perversely you will not be encouraging economic growth or access to affordable housing, both of which I am led to believe are at the heart of your Government's policies.

I hope Councillor Jackson is suitably pleased with himself.

Councillor Jackson commented that this was another example of the Administration playing politics with the planning system, adding that the recent call in had been sought by the people of Morpeth not the Conservative Group. The Morpeth Neighbourhood Plan was very specific on what should happen to the County Hall site, and he asked whether the Leader would now recognise the weight which should be given to that Neighbourhood Plan and stick with it.

The Leader responded that he was aware Morpeth Councillors had accompanied the the minister on the visit to London. Officers had advised the Planning Committee on these applications and he had had no involvement in the Committee's decision. Nor did the issue impact on the Morpeth Neighbourhood Plan or the Core Strategy.

Question 5 from Councillor P. Jackson to the Leader

Northumberland County Council has withdrawn all public notices from the main local newspaper in the west of the county, the Hexham Courant. This has meant that residents in that entire area have not been receiving essential information about a whole range of matters which affect their lives such as road closure notices, changes in traffic regulations such as speed limit alterations and planning applications which will have a significant effect on many communities.

By not publishing such public notices the County Council is not complying with Government regulation and is denying a large part of the county information which is published for other areas.

When will the Leader recognise that this action is both unfair and discriminatory and will he undertake to reinstate the public notices to the Hexham Courant immediately?

Response

Northumberland is a large geographic County and it is clear that no individual newspaper publication achieves significant penetration across the whole of the area. A small sample undertaken by the Hexham Courant demonstrates moderate penetration within Hexham itself but not the wider area.

Previous governments have reviewed the issue of statutory notices given the advent of technology and the changing way the population access news and information. I am sure Councillor Jackson is broadly aware of the declining circulation of newspapers as the population increasingly access information online.

The Council faces significant funding challenges as a consequence of government policy and in order to protect front line service delivery managers routinely review expenditure. At present there is a pilot exploring whether it is cost effective to publish notices in the Hexham Courant given that this information is routinely available via Public Notices displayed within the vicinity of changes, on the Council's website, on the website of Northumberland Gazette and within paper copies of the Northumberland Gazette which are made available within the Queen's Hall, Wentworth Leisure Centre, Prudhoe Leisure Centre and Ponteland Leisure Centre.

The Council is therefore not denying this information to the public and does not believe it is in breach of government guidance.

It is unfortunate that you have sought to make a political issue out of this pilot with allegations of censorship which are both unfounded and unhelpful.

Councillor Jackson responded that a recent readership survey carried out by JI Crag showed that the Hexham Courant had an adult readership of 36,000 in that part of the County. The Northumberland Gazette readership was not measurable. This issue was affecting people - a major planning application in Newbrough had been submitted and local people did not know it was happening. He asked when public notices were going to be reinstated in the Hexham Courant.

The Leader responded that the Hexham Courant had carried out its own survey, which had shown little penetration in the area. He did not feel that it was sensible from a business perspective for the Hexham Courant to over-rely on the County Council for business, particularly when the Authority had to make cuts to its revenue expenditure. Had the paper's survey shown significant penetration figures, then the situation may have been different.

Question 6 from Councillor G. Jones to the Business Chair

Many of the users of public leisure centres in Northumberland have been referred due to illness or risk of illness. To ensure public leisure centres are accessible to users of all levels of ability and health, and that users are safeguarded while exercising, will this Council provide an assurance that gyms operating in Council owned Leisure Centres will be staffed at all times?

Response

The Business Chair advised that he had written to the Active Northumberland Board and Chief Executive and would circulate the response to all members when this had been received.

Councillor Hutchinson asked that all members be sent a copy of the written responses provided.

86. CABINET MINUTES

The Leader moved, duly seconded, the following minutes of Cabinet:-

- (i) Thursday, 16 February 2017**
- (ii) Tuesday 7 March 2017**

With regard to Minute No.81 (Report of the Audit Committee Working Group), Councillor Dale referred to the grave concerns she had regarding the new schools funding formula and the impact it would have on Northumberland schools. A letter had been sent to the prime minister on behalf of the F40 Group and she urged all members to work together to make this a priority and persuade the Government to review its proposals.

Councillor Arckless confirmed he had signed the letter on behalf of the Authority, adding that 38 of the 40 F40 Councils had signed it. He had also written separately to the Government based on the work of the Schools Forum.

RESOLVED that the following minutes of Cabinet be received:-

- (i) Thursday, 16 February 2017
- (ii) Tuesday 7 March 2017

87. COMMITTEE MINUTES

(a) Economic Growth and Strategic Transport OSC

These were presented by Councillor Sambrook.

RESOLVED that the minutes of the Economic Growth and Strategic Transport OSC be received.

(b) Family and Children's Services OSC

These were presented by Councillor Gallacher.

RESOLVED that the minutes of the Family and Children's Services OSC be received.

(c) Communities and Local Services OSC

These were presented by Councillor B. Pidcock, who drew members' attention to Minute No.59 (Domestic Violence and Abuse Northumberland). He hoped this initiative would be taken forward by the new Council after May.

RESOLVED that the minutes of the Communities and Local Services OSC be received.

(d) Care and Wellbeing OSC

These were presented by Councillor Wallace.

With regard to Minute No. 51 (Food Banks in Northumberland), Councillor Tebbutt expressed concern that, with regard to resolution (2), the Council appeared to be taking a mixed stance on the issue as it did not fund referrals from organisations other than NETs. Some action was needed to regularise the situation regarding this issue and he asked that the Council look at all other referrals for food banks.

The Business Chair advised that Councillor Dungworth would pick this up as part of the Health and Wellbeing Board agenda.

RESOLVED that the minutes of the Care and Wellbeing OSC be received.

(e) Corporate Performance OSC

These were presented by Councillor K. Cairns.

With regard to Minute No. 23.2 (Performance Management - Hate Crime), Councillor G. Jones commented that he had been subjected to a long campaign of harassment and humiliation with no protection from Northumbria Police. He asked what the Council would do to support him on this.

The Business Chair responded that he would ask Councillor Simpson to pursue this issue through the Police and Crime Commissioner and the Safer Northumberland Partnership.

RESOLVED that the minutes of the Corporate Performance OSC be received.

(f) Corporate Resources & Regional Affairs OSC

These were presented by Councillor Lindley.

RESOLVED that the minutes of the Corporate Resources and Regional Affairs OSC be received.

(g) Audit Committee

These were presented by Councillor Dale.

RESOLVED that the minutes of the Audit Committee be received.

88. DELEGATED DECISIONS

RESOLVED that the delegated decision be received.

89. ANNUAL TIMETABLE OF MEETINGS 2017-18

Council was asked to approve a timetable of meetings for 2017-18.

Councillor Jackson advised that his Group could not accept the timetable as presented because they did not feel it was the committee structure the Council should operate with. The feeling was that it was too centralised and did not take into account public views.

Councillor Dale felt it was useful to have dates to put in diaries, particularly for May, even if there were further discussions to have about how Scrutiny would work.

Councillor Tebbutt supported this as some committees needed to make arrangements for early meetings after the election, such as Planning. He urged the Conservative Group to support the timetable as changes could be made afterwards if needed.

Councillor Flux asked that consideration be given to an additional Council meeting in January to avoid the gap and accumulation of business between the December and February meetings. The Business Chair agreed that this could be looked at after May.

On the proposed timetable being put to the vote, by show of hands members voted as follows:-

FOR: 41; AGAINST: 15; ABSTENTIONS: 2

It was therefore **RESOLVED** that the timetable of meetings for 2017-18 be agreed.

90. ANNUAL REPORTS OF THE SCRUTINY COMMITTEES

Council was asked to receive and consider the annual reports from the Council’s Scrutiny Committees.

RESOLVED that the Annual Reports of the Scrutiny Committees be received.

On behalf of all members, the Business Chair wished those members who were not standing for re-election well for the future. This was Councillors Arckless, Fearon, Kelly, Robson, Smith and Woodman,

The Common Seal of the County Council
of Northumberland was hereunto affixed
in the presence of:-

.....
Chair of the County Council

.....
Duly Authorised Officer