



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Jackie Roll

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Tel direct: (01670) 622603

Date: 28 August 2018

Dear Sir or Madam,

Your attendance is requested at a meeting of the **COUNTY COUNCIL** to be held in the Council Chamber, County Hall, Morpeth, NE61 2EF on **WEDNESDAY 5 SEPTEMBER 2018** at **3.00 PM** to transact the business mentioned in the accompanying agenda paper.

Yours faithfully,

Daljit Lally

Chief Executive

To the members of the County Council



Daljit Lally, Chief Executive
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NORTHUMBERLAND COUNTY COUNCIL

5 SEPTEMBER 2018

AGENDA PAPER

Business to be transacted at a meeting of the County Council, to be held on the 5th day of September 2018

1. APOLOGIES FOR ABSENCE

2. MINUTES

Minutes of the meeting of County Council held on 2 July 2018, as circulated, to be confirmed as a true record, signed by the Business Chair and sealed with the Common Seal of the Council (see pages 9-22).

3. DISCLOSURE OF MEMBERS' INTERESTS

Unless already entered in the Council's Register of Members' interests, members are required to disclose any personal interest (which includes any disclosable pecuniary interest) they may have in any of the items included on the agenda for the meeting in accordance with the Code of Conduct adopted by the Council on 4 July 2012, and are reminded that if they have any personal interests of a prejudicial nature (as defined under paragraph 17 of the Code Conduct) they must not participate in any discussion or vote on the matter and must leave the room

NB Any member needing clarification must contact Liam Henry, Legal Services Manager, on 01670 623324. Please refer to the guidance on disclosures at the rear of this agenda letter.

4. ANNOUNCEMENTS by the Business Chair, Leader or Head of Paid Service.

5. CORRESPONDENCE (if any) to date of meeting.

6. POLICING IN NORTHUMBERLAND

Northumbria Police Chief Constable, Winton Keenan, will be in attendance.

7. 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.

8. TO RECEIVE THE MINUTES OF THE CABINET MEETINGS HELD ON:-

- (1) Tuesday, 10 July 2018 (see pages 23-42)**
- (2) Tuesday 24 July 2018 (see pages 43-46)**

AND TO APPROVE the following resolutions as they involve budget and policy framework matters requiring Council approval:-

- (i) Minute No. 21 of the 10 July 2018 meeting relating to recommendations from the Capital Strategy Group.**
- (ii) Minute No. 25 of the 24 July 2018 meeting relating to recommendations from the Capital Strategy Group.**

9. TO RECEIVE AND CONSIDER MINUTES from the following Committees:-

- (1) Corporate Services and Economic Growth OSC (see pages 47-50)**
- (2) Family and Children's Services OSC (see pages 51-58)**
- (3) Communities and Place OSC (see pages 59-70)**
- (4) Health and Wellbeing OSC (see pages 71-84)**
- (5) Audit Committee (see pages 85-92)**

10. DELEGATED DECISIONS

To receive details of delegated decisions taken since those last reported to Council (agenda item 12(1) also refers) **(see pages 93-94)**.

11. MOTIONS

Motion No.1

In accordance with Council Rules of Procedure No.10, Councillor Roughead to move the following motion, received by the Democratic Services Manager on 6 July 2018:-

"With the Constitution of Northumberland County Council having last been reviewed and adopted on 01st October 2014, it is therefore proposed that;

Council establishes a Cross-Party Task and Finish Working Group to give Members the opportunity to discuss and facilitate the process of updating our Authority's Constitution. Any draft updated Constitution authored by the aforementioned Cross-Party Task and Finish Working Group would be brought back to Council for consideration and adoption".

Motion No.2

In accordance with Council Rules of Procedure No.10, Councillor Roughead to move the following motion, received by the Democratic Services Manager on 20 July 2018:-
“With the ongoing behind the scenes development of the emerging 'Borderlands Inclusive Growth Deal' for the area covering Northumberland County Council, Scottish Borders Council, Cumbria County Council, Carlisle City Council and Dumfries and Galloway Council, it is therefore proposed that;

Council establishes a Cross – Party Working Group for 'Borderlands Inclusive Growth Deal' comparable to that of this Authority's Cross – Party Working Group on Newcastle, North Tyneside and Northumberland Devolution, with terms of reference and membership to be later agreed;

Council write to Her Majesty's Government, namely the First Lord of the Treasury (Prime Minister), the Secretary of State for Housing, Communities and Local Government and the Secretary of State for Scotland to formally request that Government create and appoint a 'Minister for Borderlands'. It is envisaged that should Government agree, a 'Minister for Borderlands' would:

(a) Be the five Councils' (Northumberland, Scottish Borders, Cumbria, Carlisle and Dumfries and Galloway) principal contact with the United Kingdom Government pertaining to Borderlands Inclusive Growth Deal issues

(b) Be of Parliamentary Under – Secretary of State rank and work across Government Departments, principally the Ministry of Housing, Communities and Local Government and the Scotland Office

(c) Work and engage with Councils, communities and stakeholders across the Borders region

(d) Promote the Borderlands Agenda within both central Government and Parliament;

Council write to Northumberland's Members of Parliament requesting that as a means of promoting our County and the wider Borderlands region within Westminster, they work collaboratively with MPs representing constituencies in Scottish Borders, Cumbria and Dumfries and Galloway Authority areas and create an All-Party Parliamentary Group for 'Borderlands Inclusive Growth Deal'.

Motion No.3

In accordance with Council Rules of Procedure No.10, Councillor Bawn to move the following motion, received by the Democratic Services Manager on 24 July 2018:-

“This Council employs a Chief legal officer whose main responsibility is to provide legal and procedural advice and guidance to the Council and to Members of the Council.

Whilst it is the prerogative of any Member to disagree with any legal advice given by the Chief Legal Officer in this regard, and to obtain independent legal advice of their own, this Council moves that any such independent legal advice relied upon by any Member of the Council in the proceedings or business of this Council must be disclosed

in full at or prior to the meeting on which it is intended to be relied upon, and shall include a declaration of the names of the qualified individual or firm providing such advice and full details of who has paid for or commissioned such advice”.

12. REPORTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND DEPUTY CHIEF EXECUTIVE

(1) Amendment to Capital Programme 2018-19 - Lady’s Walk River Wall

The purpose of this report is to request a change to the Capital Programme, pursuant to a Delegated Decision taken on 20th July 2018 to undertake urgent works to the river wall at Lady’s Walk, Morpeth. In accordance with normal practice, a summary of that decision is included elsewhere on this agenda.

The works were required urgently to reconstruct a collapsed section of wall thereby mitigating the risk of further collapse and associated property damage and enabling the adjacent homeowner to return to her property.

Due to the nature of this issue an urgent decision was required outside the budget or policy framework as it was not practical to convene a quorate meeting of the full Council within the timescales required for a decision.

Council is asked to confirm that this project be added to the Council’s 2018-19 Capital Programme (**see pages 95-98**).

(2) Annual Treasury Management (year end) Report

The report provides details of performance against the Treasury Management Strategy Statement (TMSS) 2017-18, approved by the County Council on 22 February 2017. The report provides a review of borrowing and investment performance for 2017-18, set in the context of the general economic conditions prevailing during the year. It also reviews specific Treasury Management prudential indicators defined by the (CIPFA) Treasury Management Code of Practice and CIPFA Prudential Code for Capital Finance in Local Authorities, (the Prudential Code), and approved by the Authority in the TMSS (**see pages 99-118**).

13. EXCLUSION OF PRESS AND PUBLIC

Council is invited to consider passing the following resolution:

- (a) That under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the Agenda as they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the 1972 Act, and
- (b) That the public interest in maintaining the exemption outweighs the public interest in disclosure for the following reasons:-

Agenda Item Paragraph of Part I of Schedule 12A

- 14(1-2) 3 - Information relating to the financial or business affairs of any particular person (including the Authority holding that information).
The public interest in seeking this exemption outweighs the public interest in disclosure because disclosure would adversely affect the Authority's ability to conduct its affairs.

14. REPORTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND DEPUTY CHIEF EXECUTIVE

(1) Enterprise Zone - Ashwood Business Park

The purpose of this report is consider a Council loan towards the Ashwood Business Park, Enterprise Zone Infrastructure works (**see pages 119-132**).

(2) Enterprise Zone - Bates Terminal Blyth - Infrastructure Works

The purpose of this report is to consider a Council loan towards the Port of Blyth, Bates Terminal, Enterprise Zone Infrastructure works (**see pages 133-146**).

IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:

- Declare it and give details of its nature before the matter is discussed or as soon as it becomes apparent to you.
- Complete this sheet and pass it to the Democratic Services Officer.

Name (please print):
Meeting:
Date:
Item to which your interest relates:
Nature of Registerable Personal Interest i.e. either disclosable pecuniary interest (as defined by Annex 2 to Code of Conduct or other interest (as defined by Annex 3 to Code of Conduct) (please give details):
Nature of Non-registerable Personal Interest (please give details):
Are you intending to withdraw from the meeting?

1. Registerable Personal Interests – You may have a Registerable Personal Interest if the issue being discussed in the meeting:

- a) relates to any Disclosable Pecuniary Interest (as defined by Annex 1 to the Code of Conduct); or
- b) any other interest (as defined by Annex 2 to the Code of Conduct)

The following interests are Disclosable Pecuniary Interests if they are an interest of either you or your spouse or civil partner:

- (1) Employment, Office, Companies, Profession or vocation; (2) Sponsorship; (3) Contracts with the Council; (4) Land in the County; (5) Licences in the County; (6) Corporate Tenancies with the Council; or
- (7) Securities - interests in Companies trading with the Council.

The following are other Registerable Personal Interests:

- (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 Council; (2) any body which (i) exercises functions of a public nature or (ii) has charitable purposes or (iii) one of whose principal purpose 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); or (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 Council.

2. Non-Registerable Personal Interests - You may 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 below to a greater extent than most inhabitants of the area affected by the decision.

The persons referred to above are: (a) a member of your family; (b) any person with whom you have a close association; or (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.

3. Non-Participation in Council Business

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 below 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.

The criteria for the purposes of the above paragraph 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 above 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 above or in any of your register entries.

This guidance is not a complete statement of the rules on declaration of interests which are contained in the Members' Code of Conduct. If in any doubt, please consult the Monitoring Officer or relevant Democratic Services Officer before the meeting.