

## **NORTHUMBERLAND COUNTY COUNCIL**

### **CABINET**

At a meeting of the **Cabinet** held in Committee Room 1, County Hall, Morpeth on Tuesday, 11 September 2018 at 1.30 pm.

### **PRESENT**

Councillor P.A. Jackson  
(Leader of the Council, in the Chair)

### **CABINET MEMBERS**

Daley, W.  
Homer, C.  
Jones, V.

Oliver, N.  
Sanderson, H.G.H.  
Wearmouth, R.

### **OTHER MEMBERS**

Cessford, T.  
Davey, J.G.  
Dodd, R.R.

Gallacher, B.  
Pidcock, B.

### **OFFICERS IN ATTENDANCE**

Angus, K.

Executive Director of HR & OD and  
Deputy Chief Executive

Hadfield, K.

Committee Services and Scrutiny  
Manager

Henry, L

Legal Services Manager

Lally, D.

Chief Executive

McEvoy, C.

Executive Director of Children's  
Services

Naples, R.

Planning Officer

Scarr, B.

Executive Director of Finance and  
Deputy Chief Executive

Soderquest, P.

Head of Housing and Public  
Protection

Ch.'s Initials.....

4 members of the press and public were present.

**29. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Riddle.

**30. MINUTES**

**RESOLVED** that the minutes of the following meetings of Cabinet, as circulated, be confirmed as a true record and signed by the Chair:-

- (a) Tuesday 10 July 2018
- (b) Tuesday 24 July 2018

**31. DISCLOSURE OF MEMBERS' INTERESTS**

Councillor Homer disclosed an interest in item 8 on the agenda (Current Status of Active Northumberland Terms and Conditions/Job Evaluation Negotiations). She advised that she was still a Board member of Active Northumberland, but a departing member. She would therefore not take part in the discussion, but would remain in the room.

**32. REPORTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND DEPUTY CHIEF EXECUTIVE**

**(1) Budget 2019-20 and Medium Term Financial Plan 2019-22**

The report provided an update on the development of the 2019-20 budget and the Medium Term Financial Plan covering the period 2019 to 2022 (copy attached to the signed minutes as Appendix A, along with the report of the Corporate Services and Economic Growth circulated at the meeting).

The Leader reported that significant progress had been made to reduce the £65m budget deficit which had been in existence when the current Administration had taken over, and the gap was now £36m. There was still a lot of work to be done but the Council was now working much more efficiently, and he reiterated the Administration's priority to maintain and improve front line services and do more with less.

Councillor Oliver stressed that the £36m deficit was not in addition to the original £65m as had been reported in social media. Savings had been identified from:-

Ch.'s Initials.....

*Cabinet, 11 September 2018*

- Changes in assumptions in social care
- Changes in government funding and better information on which to forecast and budget
- Increased income from council tax and new homes bonus
- Grants revised to reflect current levels
- Reductions to the cost of servicing debt.

A more prudent approach to managing the Council's finances had resulted in savings to the revenue budget and he commended Mr Scarr and officers for the way in which they had responded to the challenge. An interim report would be made to Scrutiny soon, and when the consultation process had been completed, then a MTFP and Budget report would progress through the full process at a much earlier stage than in the past.

Councillor Sanderson endorsed these comments.

**RESOLVED** that:-

- the revisions to the assumptions within the Medium Term Financial Plan covering the period 2019-22, including, the projected budget gap of £36 million over the period 2019 to 2022 be noted;
- it be noted that an additional £27 million of spending reductions are required over the period of the Medium Term Financial Plan; and
- the report of the Corporate Services and Economic Growth OSC be noted.

**(2) Council Tax Support**

The report sought approval to carry out statutory consultation with council taxpayers, claimants and other stakeholders to reduce the level of council tax support to claimants from 1 April 2019 (copy attached to the signed minutes as Appendix B, along with the report of the Corporate Services and Economic Growth circulated at the meeting).

Councillor Oliver advised that the proposals represented an 8% reduction in the support scheme. He recognised that this would be a not insignificant amount to some, but pointed out that it would still leave the Authority as the most generous in the region, apart from Durham. However, the results of the consultation would be listened to and if appropriate, the proposals would be amended.

**RESOLVED** that:-

- approval be given to consult on the implementation of a reduction in the level of council tax support for working age claimants to 92%; and

- (b) the report of the Corporate Services and Economic Growth OSC be noted.

**(3) Update on Shared Services Due Diligence**

On 9 January 2018 Cabinet approved the establishment of a shared service with Newcastle City Council, subject to due diligence and appropriate consultation, including consultation with staff, and the completion of an economic impact assessment of the proposals (copy attached to the signed minutes as Appendix C, along with the report of the Corporate Services and Economic Growth circulated at the meeting).

Councillor Oliver reported that, following the last report to Cabinet, due diligence had been carried out, and as a result, a phased approach to implementation was being recommended. This would allow the systems, processes and relationships to be tested and would remove risks associated with the implementation of Universal Credit.

In response to a question from Councillor Sanderson, Mr Scarr advised that an update on the establishment could be provided in December.

**RESOLVED** that:-

- (a) the result of the due diligence services and the significant impact that Universal Credit would have on the proposal agreed on 9 January 2018 be noted;
- (b) a revised approach be taken to the implementation of a shared service (NNTS) with Newcastle City Council;
- (c) the the following services be included in phase 1:
- Accounts Payable
  - Income Management
  - Employee Services
- (d) it be noted that further services will be included at a later date;
- (e) it be noted that the requirement for additional accommodation and TUPE of staff is not necessary at this point;
- (f) it be noted that all other recommendations and delegations included in the Cabinet report on 9 January 2018 remain extant other than the changes set out above; and

- (g) the report of the Corporate Services and Economic Growth OSC be noted.

### **33. REPORT OF THE HEAD OF PROPERTY SERVICES**

#### **Proposed Transfer of 5 Palace Street East, Berwick upon Tweed**

The report sought approval to the Council acting in its capacity as a trustee to transfer 5 Palace Street East (including the Mansion House and Hall) to Berwick Youth Project and to appoint an additional trustee, in an administrative position, to enable the property to be transferred (copy attached to the signed minutes as Appendix D, along with the report of the Corporate Services and Economic Growth circulated at the meeting).

**RESOLVED** that:-

- (a) the transfer of 5 Palace Street East to Berwick Youth Project (BYP) to enable the charity to offer additional services specifically to young people and the wider Berwick population through the redevelopment of this former Community Centre building be approved;
- (b) the appointment of Mike Turner, Head of Property Services and Capital Programme, as an additional trustee be approved; and
- (c) the report of the Corporate Services and Economic Growth OSC be noted.

### **34. REPORTS OF THE EXECUTIVE DIRECTOR OF PLACE**

#### **1) (1) Hexham Business Improvement District (BID) Termination (Part 1)**

Cabinet was asked to confirm the recommended approach to terminate the Hexham Business Improvement District (BID) in line with legislative requirements outlined in the report (copy attached to the signed minutes as Appendix E, along with the report of the Corporate Services and Economic Growth circulated at the meeting).

Councillor Wearmouth advised that the 10th Sept marked the end of the 28 day notice period and the termination process could now begin involving the return of levy funds to NCC and the refund process. This would take around 4-6 months and was governed by a somewhat complicated legal process due to the early closure of the BID company.

Councillor Homer felt it was important to move the town on positively and quickly to other projects, and to not hold up the process any more than was required by regulation.

**RESOLVED** that:-

- (a) the approach and process to terminate the Hexham BID arrangements be agreed;
- (b) approval of key decisions relating to the termination process be delegated to the Chief Executive, in consultation with the Leader;
- (c) a final report on completion of the process outlined, summarising the actions taken and key decisions made during the termination process be made to Cabinet in due course; and
- (d) the report of the Corporate Services and Economic Growth OSC be noted.

## **(2) Stannington Neighbourhood Plan**

The report sought approval to formally 'make' the Stannington Neighbourhood Plan. The Plan passed independent examination on 24 April 2018. A local referendum held in the Parish of Stannington on 19 July 2018 returned a majority vote in favour of using the Plan to make decisions on planning applications. The Council was now obliged by statute to make the Neighbourhood Plan unless it considered that doing so would breach European Union obligations (copy attached to the signed minutes as Appendix F).

Members spoke in appreciation of the amount of work which volunteers from the community put into neighbourhood plans in order to bring them to fruition.

**RESOLVED** that:-

- (a) the referendum outcome of 19 July 2018 be noted;
- (b) Cabinet agree to formally 'make' the Stannington Neighbourhood Plan in accordance with section 38A(4)(a) of the Planning and Compulsory Purchase Act 2004;
- (c) Cabinet approve the decision statement (attached to the report at Appendix 1) required under Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 as amended; and
- (d) both the Stannington Neighbourhood Plan and the decision statement be published on the Council's website and publicised elsewhere in order to bring it to the attention of people who live, work or carry out business in the neighbourhood area; and the decision statement be sent to the qualifying body and anyone else who asked to be notified of the decision.

### **(3) Food & Feed, Safety & Standards Service Plan 2018/19**

The report presented to Cabinet, for its consideration and endorsement, the Food and Feed, Safety and Standards Service Plan for 2018/19 (copy attached to the signed minutes as Appendix G, along with the report of the Communities and Place OSC).

Mr Soderquest highlighted a typo on page 14 of the report - the figure of 234 for unrated premises should read "262".

Members were pleased to note that the Authority's performance compared favourably with other authorities both in the region and nationally, with a high percentage of good quality food businesses. The "Produced in Northumberland" scheme was receiving national recognition and was highly valued by businesses. In addition, a recent Which report had reviewed all 389 local authorities in the country for food hygiene standards, and Northumberland had ranked 37th, putting it in the top 10%.

Councillor Sanderson queried what action would be taken in rechecking those premises where it was known there were issues. Mr Soderquest advised that general advice would be issued to the sector to ensure compliance. It was not practical to inspect and survey 100% of premises, even with unlimited resources, and would be extremely challenging. The issue was around allergens in food, which could be bought from any shop, and how food was packaged. It would be impossible to provide 100% assurance that all businesses were safe.

Councillor Oliver remarked on the added security which was provided by well publicised food safety cases and the heavy fines which were being imposed.

**RESOLVED** that:-

- (a) the Food and Feed, Safety and Standards Service Plan for 2018/19 be received and the content adopted;
- (b) the report of the Communities and Place OSC be noted.

## **35. REPORT OF THE EXECUTIVE DIRECTOR OF CHILDREN'S SERVICES**

### **Regional Adoption Agency**

The report provided an update to Cabinet on the progress of the development of the proposals of the RAA. It was proposed that North Tyneside Council would act as the host authority for the RAA with the other participating authorities delegating their adoption functions, pursuant to the Local Government Act 2000, to North Tyneside Council (copy attached to the

signed minutes as Appendix H, along with the report of the FACS OSC circulated at the meeting).

Councillor Daley spoke briefly to the report, highlighting the vision to create an excellent service. Ms McEvoy advised that the proposals should improve the timeliness and quality of family placement services and she detailed some of the ongoing workstreams.

**RESOLVED** that:-

(a) the Business Case associated with the delivery of the RAA and the associated funding arrangements in relation to the local authority hosted model, set out at Appendix 1, be noted;

(b) the preferred business model for the RAA be agreed as a local authority hosted model which will operate through the delegation of the Constituent Councils' Adoption Functions (as detailed in the report) to a host local authority pursuant to Sections 9EA and 9EB of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012;

(c) North Tyneside Council act as the Lead and Host Authority for the Regional Adoption Agency, and the new arrangements commence 1st December 2018;

(d) the Heads of Terms, set out at Appendix 2, for the Shared Services Agreement between the Constituent Councils which will govern the provision of the RAA, be agreed;

(e) the delegation of the Adoption Functions, as detailed in the report, pursuant to Sections 9EA and 9EB of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012, from each of the Constituent Councils, be accepted;

(f) the Senior Manager; Legal Services and Information Governance in consultation with the Head of Health, Education, Care and Safeguarding, the Head of Finance and the Cabinet Member for Children, Young People and Learning be authorised to negotiate, finalise and complete the Shared Services Agreement between the Constituent Authorities prior to the arrangements set out above commencing;

(g) the RAA be known as "Adopt North East" and the identity and branding proposal set out in Appendix 4 be approved; and



(h) the report of the Family and Children's Services OSC be noted.

**36. JOINT REPORT OF THE EXECUTIVE DIRECTOR OF HR/OD AND DEPUTY CHIEF EXECUTIVE, AND EXECUTIVE DIRECTOR OF FINANCE AND DEPUTY CHIEF EXECUTIVE**

**Current Status of Active Northumberland Terms and Conditions/Job Evaluation Negotiations**

The report:-

- (a) informed members of the progress to date regarding negotiations with the Trade Unions in relation to the proposed new Payline, Terms and Conditions and Job Evaluation process;
- (b) informed members of the proposed 'next steps' to the process;
- (c) informed members of the short term financial commitment required;
- (d) made members aware of the potential risk of claims for breach of TUPE rights which may arise from the process and may require formal support to be given to Active Northumberland by Northumberland County Council (copy attached to the signed minutes as Appendix I, along with the report of the Corporate Services and Economic Growth OSC circulated at the meeting).

Councillor Oliver reported that this marked the end of a long process to unify terms and conditions, which was still ongoing, and which would have significant budgetary implications. The trade unions had indicated that they would recommend their members to support the proposed terms and conditions when it came to a ballot. He hoped this would address the previous long standing management issues and dissatisfaction which had existed within the service.

**RESOLVED** that:-

- (a) the information within the report be noted;
- (b) the implications for the proposed changes in relation to the ongoing changes in the strategic direction of Active Northumberland be noted;
- (c) the short term financial commitment required be approved;
- (d) the potential risk of claims for breach of TUPE rights which may arise from the process be noted; and

Ch.'s Initials.....

*Cabinet, 11 September 2018*

(e) the report of the Corporate Resources and Economic Growth be noted.

### **37. EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED** 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 item on the Agenda as it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A of the 1972 Act, and the public interest in maintaining the exemption outweighs the public interest in disclosure for the following reasons:-

| <b>Agenda Item</b> | <b>Paragraph of Part I of Schedule 12A</b>   |
|--------------------|--|
| 11                 | 3 - Information relating to (the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption outweighs the interest in disclosure because disclosure would prejudice the ability for the County Council to obtain a competitive price through the re-tendering of the design and build contract. |

### **38. REPORT OF THE EXECUTIVE DIRECTOR OF CHILDREN'S SERVICES**

#### **Ponteland Joint School and Leisure Facility Update**

The report updated Cabinet on the status of the joint schools and leisure development project in Ponteland (copy attached to the signed minutes as Appendix J, coloured pink and marked "Not for Publication", along with the report of the FACS OSC circulated at the meeting).

Members were provided with some background to the current position. Tenders were due in by Friday and officers were confident of very competitive bids, enabling a speedy decision to be made. Members were pleased to learn that the original design would be maintained, and supported comments from FACS OSC regarding the use of local suppliers and sub contractors, along with opportunities for training and development through the Apprenticeship programme.

**RESOLVED** that:-

- (a) the update on the status of the project, and the decision of the Chief Executive and Leader of the Council to re-tender the design and build contract for the construction phase of the project, be noted;
- (b) authority be delegated to the Chief Executive, in consultation with the Leader of the Council, to award the contract to construct the Ponteland school and leisure centre buildings to the preferred bidder; and
- (c) the report of the Family and Children's Services OSC be supported.

**CHAIR**.....

**DATE**.....

Ch.'s Initials.....

*Cabinet, 11 September 2018*