

NORTHUMBERLAND COUNTY COUNCIL

At the Annual Meeting of the **Northumberland County Council** held at County Hall, Morpeth on Wednesday 1 May 2019 at 3.00 pm.

PRESENT

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

MEMBERS

| | |
|------------------|---------------------|
| Armstrong, E. | Kennedy, D. |
| Bawn, D. | Lang, J.A. |
| Beynon, J. | Ledger, D. |
| Campbell, D. | Moore, R. |
| Cartie, E. | Murray, A.H. |
| Castle, G. | Nisbet, K. |
| Cessford, T. | Oliver, N. |
| Clark, T. | Parry, K. |
| Crosby, B. | Pattison, W. |
| Dale, P.A.M. | Purvis, M. |
| Daley, W. | Quinn, K. |
| Davey, J.G. | Reid, J. |
| Davey, S. | Renner-Thompson, G. |
| Dickinson, S. | Riddle, J.R. |
| Dodd, R.R. | Roughead, G. |
| Dunbar, C. | Sanderson, H.G.H. |
| Dungworth, S. | Seymour, C. |
| Dunn, L. | Sharp, A. |
| Flux, B. | Simpson, E. |
| Gallacher, B. | Stewart, G. |
| Gibson, R. | Stow, K. |
| Gobin, J.J. | Swinburn, M. |
| Grimshaw, L. | Swithenbank, I.C.F. |
| Hepple, A. | Thorne, T.N. |
| Hill, G. | Towns, D. |
| Homer, C. | Wallace, R. |
| Horncastle, C.W. | Watson, J.G. |
| Hutchinson, J.I. | Wearmouth, R.W. |
| Jones, V. | Webb, G. |

OFFICERS

| | |
|-----------------|--|
| Bradley, N. | Service Director: Strategic Commissioning and Finance |
| Elsdon, A. | Service Director: Finance |
| Hadfield, K. | Committee Services and Scrutiny Manager |
| Henry, L. | Legal Services Manager |
| Johnston, P. | Interim Executive Director of Place |
| Lally, D. | Chief Executive |
| McEvoy-Carr, C. | Executive Director of Adult Social Care and Children's Services |
| Roll, J. | Democratic Services Manager |

Around 4 members of the press and public were in attendance.

1. ELECTION OF BUSINESS CHAIR AND DEPUTY BUSINESS CHAIR

The Leader nominated Councillors Dodd and Flux respectively. This was seconded by Councillor Daley. On being put to the vote, it was **RESOLVED** by a substantial majority that Councillor Dodd be elected Business Chair, and Councillor Flux be elected Deputy Business Chair for the ensuing year.

Councillor Dodd in the Chair

2. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Bridgett, Foster, Lawrie, Richards, Rickerby, Robinson and Wilson.

3. APPOINTMENT OF CIVIC HEAD AND DEPUTY CIVIC HEAD

The Leader nominated Councillor Hutchinson as Civic Head, which was seconded by Councillor Watson. He then nominated Councillor Armstrong as Deputy Civic Head, which was seconded by Councillor Homer.

It was **RESOLVED** that Councillors Hutchinson and Armstrong be appointed Civic Head and Deputy Civic Head respectively for the ensuing year.

Councillor Watson thanked all members for their support during the course of a very interesting year, which had involved many kinds of events. In particular, he expressed his thanks to Susan Taylor, Tracy Hollan and Jackie Roll for their hard work and support during the year, and to his wife June. During the year, £16,409 had been raised for his chosen charity, the British Legion, which was a tremendous achievement, and he wished Councillor Hutchinson well for the year ahead.

Councillor Hutchinson thanked members for their support and looked forward to representing the Council in the forthcoming year. His chosen charities were the Alzheimer's Society and the My Name's Doddy Foundation.

4. MINUTES

With reference to Minute No.73 (Charges for Care and Support Services for Adults), Councillor Jones asked that the last line before the vote was taken regarding genuine concerns be removed as she had not said it.

With regard to that same minute and the point she had raised, Councillor Cartie advised that her point had been that mortality rates were **increasing**.

RESOLVED that the minutes of the meeting of County Council held on Wednesday 20 February 2019, as circulated, be confirmed as a true record, signed by the Business Chair and sealed with the Common Seal of the Council, subject to the above amendments.

5. DISCLOSURE OF MEMBERS' INTERESTS

Councillor Sharp disclosed an interest in Minute No.97 of the Cabinet meeting of 9 April (Haltwhistle and District Joint Burial Committee) as Chair of the Haltwhistle and District Joint Burial Committee.

Councillor Towns disclosed an interest in item 8 on the agenda (Appointments to Outside Bodies) as his wife worked at the Royal Grammar School, and he sat on the Board of Governors at Northumberland College Board.

6. APPOINTMENTS

RESOLVED that the appointment of the Deputy Leader and Cabinet Members, and the portfolios (as revised by the note circulated at the meeting), be noted (copy attached to the sealed minutes).

7. COMMITTEE APPOINTMENTS

The Leader welcomed Councillors Dungworth and Dickinson to their first Council meeting as the newly elected Chair and Vice Chair of the Labour Group.

(1) CHAIRS AND VICE CHAIRS

RESOLVED that the Chairs and Vice Chairs be appointed to the Committees and Working Groups listed in Appendix One to the rear of the agenda.

(2) APPOINTMENT OF COMMITTEES

RESOLVED that the Committees and Working Groups listed in Appendix One be appointed, and their terms of reference and delegated powers (as revised by the note circulated at the meeting, and taking into account the Labour Group nominations) be confirmed.

8. APPOINTMENTS TO OUTSIDE BODIES

RESOLVED that the following nominations be made to the outside bodies listed below:-

| Organisation | Representation |
|---|--|
| Environment Agency's Northumbria Regional Flood & Coastal Cttee | N. Oliver |
| Kielder Water & Forest Park Development Trust | C. Homer, J.I. Hutchinson |
| National Park Authority | E. Cartie, A.H. Murray, M. Purvis, J. Riddle, H.G.H. Sanderson, A. Sharp |
| Newcastle Royal Grammar School | T. Thorne |
| North East Joint Transport Committee (Overall - 4 members from NECA and 3 members from NoT) | P. Jackson Sub: W. Daley |
| North East Joint Transport Committee - Overview and Scrutiny Committee (Overall - 8 members from NECA and 6 members from NoT) | G. Sanderson, G. Castle Subs: R. Gibson, G. Stow |
| North East Joint Transport Committee - Audit Committee (Overall - 4 members from NECA and 3 members from NoT) | M. Swinburn Sub: J. Watson |
| North of England Reserve Forces & Cadets Association | G. Castle |
| North of Tyne Combined Authority Audit and Standards | M. Swinburn, J. Watson, S. Dickinson Subs: C. Seymour, J.I. Hutchinson, One TBC (Lab) |
| North of Tyne Combined Authority Cabinet | P. Jackson, W. Daley Subs: C. Homer, N. Oliver |
| North of Tyne Combined Authority Housing and Land Board | J. Riddle, R. Moore |
| North of Tyne Combined Authority Overview and Scrutiny | G. Roughead, G. Stewart, S. Dungworth Subs: R. Dodd, B. Flux, One TBC (Lab) |
| North Pennines AONB Partnership | C. Horncastle |
| Northumberland Coast AONB Partnership | R. Moore, G. Renner Thompson, J. Watson, One TBC (Lab) |
| Northumberland College Board of Governors | TBC |
| Northumberland Inshore Fisheries & Conservation Authority | E. Cartie, L. Dunn, W. Pattison, G. Renner Thompson, G. Roughead, C. Seymour |
| Northumbria Police and Crime Panel | J. Riddle, R. Moore |

| | |
|--|-----------|
| NTC Touring Theatre Company | B. Flux |
| Pupil Referral Unit Management Committee | C. Dunbar |

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

Councillor Dodd advised that Councillor Richards' husband had passed away very recently, and Councillor Richards herself was now in hospital. Councillor Wilson was also in hospital. He would arrange for the Council's regards to be sent to them both.

He also reported that the Lady Joicey had been appointed by HM the Queen as the High Sheriff of Northumberland, and that Bamburgh had been awarded the Which Magazine best coastal destination in the UK.

The Leader reported the Council's Highways team had won a national award for its innovative approach in delivering winter maintenance services throughout Northumberland. The team had collected a prestigious Association for Public Service Excellence (APSE) award for the service they provided, beating teams from other local authorities across the UK for the innovative way they engaged with the public and updated road users, along with their work with contractors and neighbouring authorities.

The Council was also in the running in the Municipal Journal Awards, after being named as a finalist in the Workforce Transformation category. The winners would be announced in London on June 26th.

Finally, it was the North of Tyne Combined Authority Mayoral Election the following day. Polling stations would be open from 7am to 10pm, with a new mayor announced on Friday afternoon. He thanked the elections team for their usual sterling work in the run-up and over the coming days.

10. **CABINET MINUTES**

The Leader moved the following minutes of Cabinet:

- (1) **Tuesday, 12 February 2019**
- (2) **Tuesday, 12 March 2019**
- (3) **Tuesday, 9 April 2019**
- (4) **Tuesday 29 April 2019** (circulated in the Chamber)

and asked members to approve the following resolution as it involved budget and policy framework matters requiring Council approval:-

- (i) **Minute No. 86(3)(c)** of the 12 February 2019 meeting relating to the Northumberland Line Develop Stage - Finance.

With regard to Minute No. 94 of the 9 April meeting (Recommendation from the Audit Committee), Councillor Hill advised that her comments regarding the retention of benefits for the consultant at the bottom of page 71 should have

referred to four directors of Arch. Regarding the county councillor endorsing the Police and Crime Commissioner, this should have referred to the Police and Crime Commissioner endorsing at least one of these county councillors, which raised issues of public confidence in her political impartiality.

In accordance with Minute No. 5 above, Councillor Sharp left the chamber at this point.

With regard to Minute No. 97 (Haltwhistle and District Joint Burial Committee), Councillor Roughead queried whether the Parish Council which had not been content with the proposals had ever responded to the County Council to say they were happy. The Monitoring Officer replied that that Parish Council had not responded, but the power existed for the County Council to make the arrangements in the event of disagreement so the decision of Cabinet stood. Councillor Roughead commented that it would have been preferable to make arrangements based on a consensus of opinion, rather than imposing those which not all of the Parish Councils were happy with. The Monitoring Officer replied that if all of the burial authorities involved had been in agreement, there would have been no need for the County Council to exercise its powers.

Councillor Dodd referred to the need to approve Minute No. 86(3) (Northumberland Line Develop Stage - Finance) as set out in the agenda. Councillor Oliver commented this was a huge opportunity to regenerate parts of the County and a significant project for both Northumberland and the North East. The proposal was to fund the next stage of the study through current year's underspends. That was working its way through and the outturn should report should be available shortly, but current indications were that there would be sufficient funds available.

Councillor Gallacher welcomed this but it was disappointing that local members had not been invited to a recent event on the Northumberland Line. He asked that local members be involved in future.

The Leader commented that the early work on this had been really positive. The cross benefit ratios were coming out really well and there had been early positive feedback from the DoT. He would update Council when the report had been completed and more detail was available, which would include local members. The recent event had involved a train journey down a very short stretch of the track,

Councillor Dungworth urged members to treat this as a Northumberland County Council project and achievement, not a party political one as the initiative had received cross party support for a number of decades.

The Leader replied that it had been definitive facts and figures which were needed and this recent work had tied that down. He confirmed all of the Council would be included going forward.

It was **RESOLVED** by a substantial majority that:-

(a) the minutes detailed above be received; and

- (b) the resolution detailed in **Minute No. 86(3)(c)** of the 12 February 2019 meeting relating to the Northumberland Line Develop Stage - Finance be approved.

11. COMMITTEE MINUTES

(1) Corporate Services and Economic Growth OSC

These were presented by Councillor Bawn.

RESOLVED that the minutes of the Corporate Services and Economic Growth OSC be received.

(2) Family and Children's Services OSC

These were presented by Councillor Renner Thompson.

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

(3) Communities and Place OSC

These were presented by Councillor Reid.

With regard to Minute No. 47.1 (Review of Waste Strategy - Kerbside Collection of Household Waste), Councillor Dale welcomed any moves to improve recycling rates but felt more people should be using HWRCs rather than having recyclable materials collected as this was more cost effective. She asked that the Scrutiny Committee look at this element when it was next reviewed. Councillor Reid advised that this could be done if a report was produced by the Administration.

Councillor Sanderson commented that the HWRCs had been a potential target for efficiencies in this budget but this had been decided against. Many positive comments were received about the service provided by HWRCs and the aim was to pilot a kerbside glass collection service. The 38% recycling rate needed to be improved upon.

Councillor Campbell agreed and expressed her thanks to the staff at Bebside HWRC who she felt did a marvellous job.

The Leader felt a new recycling strategy was needed for Northumberland. 38% was not good enough, and if it cost a bit more to deal with waste effectively, then so be it.

RESOLVED that the minutes of the Communities and Place OSC be received.

(4) Health and Wellbeing OSC

These were presented by Councillor Watson.

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

(5) Health and Wellbeing Board

These were presented by Councillor Dodd.

RESOLVED that the minutes of the Health and Wellbeing Board be received.

(6) Audit Committee

These were presented by Councillor Hill, who referred to the extra meeting held on 22 March 2019 to consider a very detailed report produced by Internal Audit. She thanked the staff involved in producing this and urged all members to read it if they hadn't done so. She added that the Chief Executive had been asked to contact the Home Secretary with a request that another police force investigate the allegations.

Councillor Beynon asked whether there were any plans to invite in those involved so that members could ask the questions of them that they wanted to ask about the situation. The Chief Constable had attended the Council meeting in September and Councillor Hill had asked a pertinent question of him, which he believed had now been replied to. He asked what the content of that reply had been.

Councillor Hill replied that previous invites had been issued to the Police and Crime Commissioner and to Councillor Grant Davey, and invites would be issued to the specific councillors, and former Directors of Arch mentioned in the report so that they had a right of reply. Anyone else could present their side of the case if they wished.

Councillor Hill felt there were many questions still to be answered regarding the Police investigation and sequence of events around it. The most important aspect was that the public could have confidence in the investigation. With the Chair's permission, she began to read the response she had received from Northumbria Police to members. The Chair reminded Councillor Hill that purdah restrictions were in operation and there was a risk of straying into debate when the question had been seeking information. Councillor Hill advised that she could make the letter available to any member on request.

Councillor Beynon understood the timing issues but felt the answer was important because his residents wanted to know what the response was. He felt this should come back in future.

RESOLVED that the minutes of the Audit Committee be received.

(7) Brexit and Devolution Working Group

These were presented by Councillor Jackson.

RESOLVED that the minutes of the Brexit and Devolution Working Group be received.

12. DELEGATED DECISIONS

RESOLVED that the delegated decisions taken since those last reported to Council be received.

13. REPORT OF THE EXECUTIVE DIRECTOR OF ADULT SOCIAL CARE AND CHILDREN'S SERVICES

Equalities Education

The report detailed the current offer of equalities education within Northumberland Schools (this had also been considered by Cabinet on 29 April 2019 and the draft minutes of that meeting had been circulated).

Councillor Daley advised that he wanted to make sure all members were up to speed with the compulsory changes being made to the delivery of equalities education from September 2019 and the implementation of statutory relationships education from 2020. In common with other Councils, the Authority was in the process of developing innovative and enhanced ways of delivering anti discrimination work. The changes in contractual arrangements with Show Racism the Red Card (SRtRC) did not mean that the Council was walking away from its vital work in this area. In fact, the Council was establishing an equalities fund which all organisations could apply to so they could deliver against the new anti discrimination requirements, including SRtRC. He had had many conversations with SRtRC including discussion about the opportunities ahead to work with the County Council and with schools direct. He then drew members' attention to the anti discrimination work totalling £137,000 which had been carried out in the last couple of years. He felt it was important to bring this information forward so all members, as corporate parents, could understand that the current work was being enhanced, improved and increased.

Councillor Dungworth felt that the issue had attracted the publicity it had because of the current climate of rising divisions, rising hate crime and increased concerns those in public life had about their communities. She welcomed the statement from Councillor Daley and SRtRC the previous day,

adding that no-one had accused him of being racist. Her Group might have done things differently, but this issue was too important to be about party politics.

RESOLVED that:-

- (a) the decision not to renew the Service level agreement with Show Racism the Red Card be noted; and
- (b) Council support the alternative ways in which the funding will be used to help schools to tackle all forms of prejudice and discrimination, meet the new OFSTED inspection requirements from September 2019 and implement statutory Relationships Education from September 2020.

14. UPDATE ON PREVIOUS COUNCIL MOTION

The item had been added to the agenda to provide members with an update on Council's motion from January 2019 to write to the NELEP, Transport for the North, all Northumberland MP's and the Chief Executive and Chair of Northern Rail opposing the proposal to remove on-board conductors and to contact the DfT and relevant Government Ministers to ensure on-board conductors were retained within the service specification.

Councillor Dodd commented that this issue had now been resolved.

Councillor Reid queried whether any reply had been received to the Council's letter. He was happy to move that no further updates be received but remained of the opinion that any motions should remain on the agenda until such time as action came from them. The Council was a political force, and members should use that to get things done and follow issues up. Any future motions should remain active on the agenda until a response was received, and this was supported by Councillor Watson. Councillor Flux suggested that this should be considered at the next Constitution Working Group.

Councillor Dale supported Councillor Reid's view and queried whether a response had been received. Councillor Dodd agreed to pursue this.

Councillor Oliver agreed with Councillor Reid's point regarding follow up and on things the Council could influence, but added that a response had been received some time ago, confirming that there would be a second person on the train.

Councillor Bawn agreed that the issue should now come off the agenda and that too often there were irrelevant motions on the Council agenda, or those drafted by other bodies. The Council should concentrate only on those issues where it could have some influence.

Councillor Reid commented that the motion agreed by Council was that any response received should have been shared with all members. He supported the idea that motions and how they were dealt with should be considered in more detail by the Constitution Working Group in order to make them more impactful.

RESOLVED that this motion now be removed from the Council agenda, and the issue of motions and how they are dealt with be considered by the Constitution Working Group.

15. ANNUAL REPORTS

(1) Overview and Scrutiny

(a) Corporate Services and Economic Growth

This was presented by Councillor Bawn who thanked the Committee, the Vice Chair Councillor Grimshaw, the Scrutiny Officer and all officers for their contributions. It had been a busy year with a number of projects looked at.

(b) Communities and Place

This was presented by Councillor Reid who commented on the interesting work which had been done by the Committee in helping the Council to do better going forward.

(c) Health and Wellbeing

This was presented by Councillor Watson who commented that it had been a comprehensive year of work with some significant issues finalised this year.

(d) Family and Children's Services

This was presented by Councillor Renner Thompson who commented that FACS had been the busiest Scrutiny Committee this year, and he thanked the Vice Chair for his detailed work on themed scrutiny.

(2) Standards Committee

This was presented by Councillor Armstrong. With regard to item 4 in the report (R. (Harvey) v Ledbury Town Council - Potential Implications for Northumberland County Council), Councillor Hill asked whether there would be any further consideration of this case by the Authority. She felt there was a danger of looking at this in a narrow "tick box" exercise kind of way and in it

not being dealt with properly. This case had implications for working with town and parish councils and in the area of whistleblowing. She queried whether it was wise for the result to be simply that the Monitoring Officer spoke to the Chief Executive of NALC, given that NALC had been badly compromised in this case and had given bad advice to Ledbury Town Council.

The Monitoring Officer advised that the Chair of the Standards Committee would be keen to ensure that if members of the Standards Committee felt additional work was necessary then it would be brought back at a date of their choosing. The implications of the case had been discussed with the local Northumberland Association of Local Councils Chief Officer and he had done some sterling work on raising the profile of the content of the case, and the implications of it for town and parish councils in Northumberland. He agreed it was an important judgement but he was not sure that it would necessarily stand the test of time. He was happy to continue to work on this the Standards Committee and the local NALC, and he stressed that it had been the local Association of Local Councils which had provided the erroneous advice to Ledbury. He was not sure that that was reflective of the national body's position and did not feel there was any concern in relation to the local County NALC.

(3) Pension Fund Panel

This was presented by Councillor Watson who commented on the good collaborative working which had taken place over the year. The Panel had been commended for its diligent work. There was now £1.3bn in the pension fund, which was almost the best it had ever been. Things were going in the right direction and the work done in the past year had helped to achieve a stable position.

(4) Armed Forces and Veterans' Champions

Councillor Castle presented the report and commented that he was honoured to be the Veterans' Champion. The successful achievement of the Gold Award last November reflected very well on the work of Jackie Roll and Nichola Turnbull in supporting the AFF and he was proud to be a part of this. Two outreach workers had now been appointed, which was also a great achievement and reflected well on the whole Council.

Councillor Ledger commented that it had been an honour for him to be Armed Forces Champion for the last six years. Some amazing work had been done by a very small team and Northumberland was now held in very high regard. He chaired the north east network of twelve local authorities and 50% of these were now up to gold standard. He outlined some of the issues and

achievements made adding that it had been a privilege to work alongside those involved.

RESOLVED that the annual reports be received.

16. EXCLUSION OF PRESS AND PUBLIC

RESOLVED

- (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 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
- (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 |
|--------------------|--|
| 19 | 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 of the importance of ensuring that the Council is able to make use of commercially sensitive information relating to the contract. |
| 20 | 1, 3 and 4 - Information relating to any individual, information relating to the financial or business affairs of any particular person (including the Authority holding that information), and information relating to any consultations or negotiations, or contemplated consultations or negotiations in connection with any labour relations matter arising between the Authority or a Minister of the Crown and employees of, or office holders under, the Authority. The public interest in maintaining the exemption outweighs the interest in disclosure because disclosure would adversely affect the Authority's ability to conduct its affairs. |

17. REPORT OF THE INTERIM EXECUTIVE DIRECTOR OF PLACE

Street Lighting Modernisation Project

The report informed Council of the current status of the Council's Streetlighting Modernisation Project in terms of progress towards completion of works, forecast budget outturn position and areas of contractual dispute. This report had been considered by Cabinet on 29 April 2019.

Councillor Sanderson presented the report and provided some background to the current position, the issues with the contract and the actions which had been taken to remedy the position as far as possible.

Members discussed a number of points including:-

- The previous involvement of the Audit Committee
- The need for robust negotiation with the contractor and to take whatever action was necessary for the benefit of the Authority
- The importance of resolving the issues and not apportioning blame given that the programme spanned a number of Administrations
- The way the decision had been taken in the first place.

Councillor Sanderson requested that the matter be referred to the Audit Committee to consider:-

- The information given to members about the benefits of the contract when the decision to enter into the contract was made
- An examination of how the current position had been reached so lessons could be learned
- The assessment made of the risk associated with the Council's approach to dispute management with regard to this contract.

RESOLVED that recommendations 1-5 in the Report of the Interim Executive Director of Place be approved.

18. REPORT OF THE CHIEF EXECUTIVE

Changes to the Executive Management Arrangements of Northumberland County Council

Council was asked to consider a report on the above (report circulated in the chamber, copy attached to the sealed minutes).

The report was introduced by the Chief Executive, who set out the reasons behind the proposed changes. These were to ensure that the Executive Team had sufficient capacity and capability to deliver what was needed and to ensure that the Executive and senior leadership team could demonstrate the

delivery of efficiencies on an ongoing basis through reductions and income generation. There was also a need to maximise income opportunities from the North of Tyne investment fund. Two areas of the organisation were affected - Place Directorate and the Adult Services partnership with Northumbria Healthcare NHS Foundation Trust.

Members were satisfied with the proposals.

RESOLVED that recommendations 1-5 in the Report of the Chief Executive be approved.

The Common Seal of the County Council
of Northumberland was hereunto affixed

in the presence of:-

.....
Chair of the County Council

.....
Duly Authorised Officer