

1. Introduction to the County Council and the County of Northumberland

1.1 Northumberland is a historic county and unitary authority area in North East England. It is the northernmost county of England and has borders with Cumbria to the west, County Durham and Tyne and Wear to the south and the Scottish Borders to the north. To the east is the North Sea coastline, with a coastal path 100 kilometres long.

1.2 The County has a land area of 5,013 sq kilometres, much of which is undeveloped, high moorland protected as the Northumberland National Park. Of its total land area, 97% is classed as rural.

1.3 Half of the county's population live in 3% of urban land in the south-east. Northumberland is the least densely populated county in England, with only 63 people per square kilometre. Its population (mid-2019 estimate) is 320,274.

1.4 Well-known landmarks in the County are the Cheviot Hills in the north west, the Whin Sill (on which Hadrian's Wall runs) and the Farne Islands.

1.5 Northumberland's flag is a banner of the arms of Northumberland County Council, featuring the traditional 'pales' of Northumberland interlocked to represent the stones of Hadrian's Wall, which runs through the county. The arms were granted to the County Council in 1951, and were adopted as the flag of Northumberland in 1995.

1.6 Before April 2009 Northumberland had a two-tier system of local government, with one county council and six districts, each with their own district council, responsible for different aspects of local government. The districts were abolished on 1 April 2009, when the county council became a unitary authority. The Council, based in Morpeth, is the largest English unitary in area.

1.7 The County Council has 67 Councillors each representing an electoral division, except in the case of the Alnwick Division which has two members. Each Councillor is elected for a four-year term of office. Members are democratically accountable to residents in their electoral division. Members' overriding duty is to the whole community of Northumberland, but they have a special duty to their constituents, including those who did not vote for them. All members have to agree to follow a Code of Conduct to ensure high standards in the way they undertake their duties.

1.8 Northumberland has four Members of Parliament representing the UK Parliamentary constituencies, Berwick-upon-Tweed, Blyth Valley, Wansbeck and Hexham.

1.9 Evidence of the County's proud history of large-scale coal mining and heavy industry can be found in the Council's Archives Service at the Museums Northumberland Woodhorn & Berwick sites.

1.10 Since the mine closures and decline of heavy engineering ~~in the 1990's~~ new industries including pharmaceuticals, healthcare, biotechnology and renewable energy have become significant in the County. Tourism is one of the key industrial growth opportunities identified within the county's economic strategy, contributing over £1 billion to Northumberland's economy and supporting over 13,000 direct employment jobs.

1.11 The Council engages in a wide range of partnerships to drive economic growth across the County, including with neighbouring authorities Newcastle City Council and North Tyneside Council. In 2019, the three authorities formed a Mayoral Combined Authority for the area - the North of Tyne Combined Authority - with the aim of driving inclusive economic growth. *The Council also partners with the North East Local Enterprise Partnership (NELEP) which leads and facilitates the delivery of the regional Strategic Economic Plan (SEP) across the NE region.*

Council services include:

- Adult Social Care services
- Children's services
- Public health
- Regeneration and Economy
- Planning
- Housing
- Local services
- Fire & Rescue
- Public protection.

~~1.12 The Council employs over 10,000 people and its budget requirement for 2020/2021 is £319.02 million.~~

2. Political Governance Arrangements

2.1 The County Council's political governance arrangements have to meet the requirements of law, particularly the Local Government Act 2000 and regulations made under it.

2.2 Accordingly the Council operates a Leader and Cabinet system with the Leader elected by the Council for a four year term of office. He or she then appoints between one and eight other elected members to form a Cabinet. The Cabinet is responsible for the executive functions of the Council, and operates within the budget and policies approved by the full County Council meeting.

2.3 Five Local Area Councils take decisions on local issues and the Committees appointed by Annual Council each May deal with a range of non - executive functions. A range of functions are delegated to senior council officers and these are set out in the scheme of Delegations to Officers.

2.4 The way the County Council works, and how decisions are made, is set out fully in the Council's Constitution. The Constitution is a lengthy document consisting of 18 Articles setting out the basic rules with procedures and protocols providing more detailed procedures. This short guide is intended to provide a brief summary and overview of the Constitution and how the County Council decision making processes work. (NB Please click on the relevant link to see the full information).

2.5 Where it is necessary to hold a virtual meeting the proceedings will be streamed on the Council's you tube site at youtube.com/NorthumberlandTV

3. The Full Council

3.1 The 67 elected members of the County Council meet as a body referred to as "full Council" several times a year.

3.2 The role and responsibilities of the **full Council** are set out fully in Part 3 of the Constitution and in the **Council Procedure** Rules in Part 5. These include:

- Approval or amendment of the Council's Constitution
- Appointment of the Leader of the County Council
- Appointment of the Business Chair and Civic Head of the County Council
- Appointment of Chairs, Vice Chairs and elected members to the Council's committees
- Approval of the County Council's revenue and capital budget and the setting of Council Tax
- Approval or amendment of plans or strategies which form part of the Council's policy framework
- Appointment of the Head of Paid Service and the designation of statutory officers

- Conferring the title of Honorary Aldermen or Freeman of the County
- Adopting or amending the Code of Conduct for elected members

3.4 The order of business for Council meetings and the time limits for the consideration of the various items of business are set out in the **Council Procedure Rules** at Part 5 of the Constitution.

3.5 The **Business Chair of the Council** (Article 5) is elected by the full Council and is responsible for presiding impartially at full Council meetings so that business can be carried out efficiently and having regard to the rights of Councillors and in the overall interests of the residents of Northumberland. It is their role to ensure that the Council meeting is a forum for debate on matters of local concern and the place at which members who are not on the Council's Cabinet may hold Portfolio holders to account.

3.6 Council meetings normally take place on a Wednesdays at the Council offices in Morpeth at 3.00 pm, unless otherwise agreed with the Business Chair of the Council. Meetings are usually open to the public and streamed live on [youtube.com/NorthumberlandTV](https://www.youtube.com/NorthumberlandTV). Further details can be found on the **Council's website**.

4. The Cabinet

4.1 The Council's **Cabinet** (Article 6) comprises the Leader, the Deputy Leader and up to eight other members and is responsible for carrying out the Council's executive functions.

4.2 The Cabinet must make decisions which are in line with the Council's overall policies and budget known as the **Budget and Policy Framework** (Article 4) which are set by full Council. Any decision outside the budget or policy framework must be referred to Council as a whole to decide in accordance with the **Budget and Policy Framework Procedure Rules** (Part 5).

4.3 The Leader of the Council will normally hold office for a four year term until the next whole council elections. However, there is provision to remove the Leader from office by resolution of the Council. Only the Leader may remove the Deputy Leader and members of the Cabinet.

4.4 The Leader has substantial discretion to determine how executive functions are carried out and may determine who to appoint to the Cabinet and the responsibilities within individual portfolios. The Cabinet can form sub-committees or working groups to deal in more depth with particular political and council priorities.

4.5 Only elected members may be appointed to the Cabinet and co-opted members, deputies or substitutes for Cabinet members are not permitted. Neither the Business Chair nor Deputy Business Chair of the Council may be appointed to Cabinet.

4.6 The **Cabinet Procedure Rules** are set out in Part 5 of the Constitution and regulate the conduct of Cabinet meetings.

4.7 Cabinet members have the following **portfolios**, (Article 6) although formal decisions are taken collectively by the full Cabinet:

- Leader
- Deputy Leader and Cabinet Secretary
- Corporate Services
- Adults Wellbeing
- Community Services
- Business and Tourism
- Children and Young People
- Healthy Lives.

4.8 Individual Cabinet members hold office until either they resign from the Cabinet, or are no longer Councillors or they are removed from the Cabinet by the Leader.

4.9 Notice of key decisions to be taken by the Cabinet is published in the Forward Plan giving 28 Days' notice before the decision is made, in so far as this can be anticipated. A **Key Decision** (Article 13) is an executive decision which is likely to result in the Council;

- incurring expenditure or making savings which are significant having regard to the Council's budget for the service or the function to which the decision relates; or
- significant in terms of effects on communities living or working in an area comprising two or more electoral divisions within the area of the Council.

4.10 Cabinet meetings are open to the press and public and take place on a Tuesday every four weeks, usually at the Council offices in Morpeth. Details are available on the Council's website.

5. Overview and Scrutiny Committees

5.1 Overview and Scrutiny Committees provide checks and balances within the Council and are the principal means by which the Cabinet is held to account. Most importantly, the Committees also assist in the development of County Council policy by looking at existing policies and the effectiveness of their delivery, and reviewing whether new policies or changes to existing policies are needed. Overview and Scrutiny Procedure Rules are set out in Part 5 of the Constitution.

5.2 The guiding principle for the work of the Overview and Scrutiny Committees is that it should involve constructive criticism, with the aim of improving decision making. The emphasis of the work is on making a positive contribution to the development of policy and performance and this is largely carried out through the work of task and finish groups. These are member bodies set up with a specific remit to consider how a particular service or services could be improved.

5.3 Overview and Scrutiny Committees can:

- Undertake policy reviews and make recommendations to Cabinet
- Review and scrutinise any area of the Council's performance or its policy objectives
- "Call in" a decision of the Cabinet for review before implementation and refer the decision back to the Cabinet or to full Council
- Make observations and comments on matters coming before the Cabinet (pre-scrutiny).

5.4 The Council has appointed four Overview and Scrutiny Committees (see Article 7 and Part 3 for detailed Terms of Reference)

- Communities and Place
- Corporate Services and Economic Growth
- Family and Children's Services
- Health and Well Being

5.5 Members of the Cabinet may not be members of an Overview and Scrutiny Committee.

5.6 Overview and Scrutiny Committees are important in demonstrating accountability. They can require Cabinet members and officers to attend their meetings to account for and justify decisions and how they are taken and may also invite outside organisations and representative groups to attend meetings to give their views on service or policy issues. They may undertake site visits, conduct surveys, hold public meetings or commission research to inform their deliberations and assist in reaching an outcome and making recommendations.

6. Local Area Councils

6.1 Local Area Councils (Article 10 and Part 3) form an important part of the decision making structure. They have delegated responsibility for a range of functions where decisions are taken by local members, reflecting local circumstances. Local Area Councils have wider terms of

reference than the previous Area Committees including, local planning decisions and recommending adjustments to budget priorities in relation to local transport plan issues within their area. They aim to empower citizens, strengthen communities and improve services. They involve councillors for each particular area and their meetings are held in public.

6.2 The five Local Area Councils are:

- North Northumberland
- Tynedale
- Castle Morpeth
- Ashington and Blyth and Cramlington
- Cramlington, Bedlington and Seaton Valley.

7. Other Council Committees and Panels

7.1 Full Council also appoints the following Committees or Panels at each annual Council (full details are set out in Part 3)

(a) Appointments Committee (School Governors and Academies)

Deals with the selection or removal of Local Authority representative appointments to maintained Schools and Academies.

(b) Audit Committee

The Committee provides assurance of the adequacy of the risk management framework and internal control environment of the council, and oversight of the financial reporting process. It also acts as the parent Audit Committee for all entities within the County Council accounting group boundary.

(c) County Emergency Committee

Acts under emergency legislation before during or after a significant incident or emergency and deals with the Council's civil contingencies functions.

(d) Dismissal Advisory Committee

Provides independent advice to full Council in relation to any proposal to dismiss the Head of Paid Service, Monitoring Officer or Section 151 Officer.

(e) Disputes Panel (Fire and Rescue Service)

Hears disputes in accordance with provisions in the Scheme of Conditions of Service of Local Authority Fire Brigades.

(f) Fostering Panel

Deals with applications to become a foster parent and works with the Fostering Service provider as required by the Fostering Service (England) Regulations.

(g) Governing Body of Netherton Park

Exercises the functions of the Responsible Body of the Home.

(h) Health and Wellbeing Board

Coordinates the commissioning and delivery of health and social care services providing a forum for Health and well Being Board partners to improve the health and well being of the population of Northumberland and reduce health inequalities.

(i) JCC

Brings together Councillors and employees to consult on key issues affecting Council services.

(j) Licensing Committee

Deals with matters under the Licensing Act 2003 and Gambling Act 2003.

(k) Licensing and Regulatory Committee

Determines matters relating to suspension or revocation of licences and applications for refusal to grant, vary or renew licences under various Acts and recommends to Council on Licensing Policy and byelaws.

(l) Firefighters Pension Scheme (FPS) Local Pension Board

Assists the County Council as FPS Scheme Manager in legislative compliance and the efficient governance and administration of the scheme.

(m) Local Government Pension Scheme (LGPS) Local Pension Board

Assists the County Council as LGPS Scheme Manager in legislative compliance and the efficient governance and administration of the scheme.

(n) Petitions Committee

Considers petitions of a corporate or county wide nature which do not fall within the specific remit of other Council bodies and makes appropriate recommendations depending on the subject matter.

(o) Schools Forum

Acts as the main consultative forum between the County Council and the school community and exercises the advisory and decision making powers specified in the Schools Forums (England) Regulations 2012.

(p) Employment Appeals Committee

Deals with disciplinary action and appeals from Senior Officers, including matters relating to the the Councils Head of Paid Service, Monitoring Officer and Section 151 Officer.

(q) Staff and Appointments Committee

Considers and determines the overall scheme and policies in relation to employee terms and conditions and deal with the appointment of senior officers including making recommendations to Council on the appointment of the Head of Paid Service.

(r) Standards Committee

Promotes and maintains high standards of conduct by councillors, town and parish councillors and co-opted members, advises on the adoption or revision of the member code of conduct and assesses and reviews complaints under the code.

(s) Standing Advisory Council on Religious Education

Advises upon matters connected with religious worship in schools.

(t) Strategic Planning Committee

Deals with minerals and waste planning, major energy and physical infrastructure proposals, large applications for residential housing or commercial space or those which raise significant planning policy issues or significant departure from the Development Plan.

8. Agendas and Reports

8.1 Agendas for all of the Council's main meetings are published five clear working days in advance of the meeting. Copies are sent to all members of the Committees, and can be accessed on the Council's website.

8.2 Access to Information Procedure Rules (Part 5) govern when matters may be heard in private session and set out the rules regarding public inspection, the right to see background papers and attend Council meetings.

9. Codes of Conduct for Members and Officers

9.1 Members must observe the **Members' Code of Conduct**. (Part 6) Amongst other things this requires members to consider whether they have an interest in any matter on the agenda for a meeting and if so whether there is a need to disclose such an interest.

9.2 Officers also must observe the **Officers' Code of Conduct** (Part 6) which sets guidelines on behaviour and standards of conduct at work.

10. Officer Management Structure

10.1 The law makes a clear distinction between the members of a local authority and the paid, professional staff who advise members and manage services under their overall direction. It is an important principle that officers serve the whole Council and must be careful to maintain their political neutrality. Members and officers work closely together in pursuing the interests of the people the County Council serves, while being aware of the fact that their roles are different and complementary. The **Protocol on Member Officer Relations** (Part 6) governs their relationship.

10.2 The Chief Executive ('Head of Paid Service') is the head of the County Council's paid service and the Council's principal adviser on policy. The role is supported by five Executive Directors covering the span of Council services. All Councils must designate a Monitoring Officer who has responsibility for ensuring that the Council acts lawfully and that its actions do not give rise to maladministration or injustice. The **Monitoring Officer Protocol** (Part 6) sets out more details. Councils must also designate a Section 151 Officer is responsible for the proper administration of the Council's financial affairs.

10.3 The **officer structure** is shown in Part 8.

11. Other Rules and Procedures

11.1 The following sections of the Constitution set out the detailed procedural rules or protocols (and which have not been referred to previously in this guide) which must be followed in conducting Council business:

- (a) **Financial Standing Orders** Part 5
- (b) **Contract Procedure Rules** Part 5
- (c) **Officer Employment Procedure Rules** Part 4
- (d) **Guidance for elected members and officers dealing with planning matters** Part 6
- (e) **Guidance for elected members dealing with licensing matters** Part 6
- (f) **The Universal Declaration of Human Rights** Part 8

12. Citizens Local-Residents & the Publics' Rights

12.1 Local Residents and the public have a number of rights in their dealings with the Council which are set out more fully in Article 3. These include the right to:

- Vote at local elections (where eligible)
- Attend Council meetings (unless confidential or exempt information is likely to be disclosed)
- Ask Questions or Petition the Council, the Cabinet or Committees on issues relating to Council business or services
- Contact their local Councillor about any matters of concern to them
- Complain to the Council about standards of service or to the Ombudsman if they feel the Council has not followed proper procedures
- Inspect the Council's accounts and make their views known to the external auditor.

12.2 The Council welcomes participation by ~~its citizens~~ *the public* in its work. For further information on your rights to *engage with the Council as a citizen* please contact Democratic Services at County Hall Morpeth Northumberland NE61 2EF or visit the Council's website at www.northumberland.gov.uk