



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Jackie Roll

Email: Jackie.roll@northumberland.gov.uk

Tel direct: 01670 622603

Date: 23 December 2021

Dear Sir or Madam,

Your attendance is requested at a meeting of the **COUNTY COUNCIL** to be held in the meeting space, Floor Two, Block One at County Hall, Morpeth on **WEDNESDAY, 5 JANUARY 2022 at 3.00 PM.**

Yours faithfully

Daljit Lally
Chief Executive

To all members of the County Council

Any member of the press or public may view the proceedings of this meeting live on our YouTube channel at <https://www.youtube.com/NorthumberlandTV>.

Members are referred to the risk assessment, previously circulated, for meetings held in County Hall. Masks should be worn when moving round but can be removed when seated, social distancing should be maintained, hand sanitiser regularly used and members requested to self-test twice a week at home, in line with government guidelines.



Daljit Lally, Chief Executive
County Hall, Morpeth, Northumberland, NE61 2EF
T: 0345 600 6400
www.northumberland.gov.uk



AGENDA

PART I

It is expected that the matters included in this part of the agenda will be dealt with in public.

1. APOLOGIES FOR ABSENCE

2. MINUTES

(Pages 1
- 26)

Minutes of the meeting of County Council held on Wednesday 2 November 2021 as circulated, to be confirmed as a true record, signed by the Business Chair and sealed with the Common Seal of the Council

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 monitoringofficer@northumberland.gov.uk. 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. 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.9.

7. TO RECEIVE THE MINUTES OF THE CABINET MEETINGS

(Pages
27 - 48)

- (1) Tuesday 9 November 2021 (see pages 37-42)
- (2) Thursday 18 November 2021 (see pages 43-48)
- (3) Tuesday 7 December 2021 (see pages 49-58)

8. COMMITTEE MINUTES

(Pages
49 - 106)

TO RECEIVE AND CONSIDER MINUTES from the following Committees:-

- (1) Corporate Services and Economic Growth OSC
- (2) Family and Children's Services OSC
- (3) Communities and Place OSC
- (4) Health and Wellbeing OSC
- (5) Health and Wellbeing Board
- (6) Audit Committee

9. DELEGATED DECISIONS

(Pages
107 -
108)

To note the Delegated Decisions taken since those reported to County Council on Wednesday, 7 July 2021.

10. MOTIONS

Motion No. 1

Councillor Bridgett to move the following motion, received by the Head of Democratic and Electoral Services on 20 December 2021:-

Considering the recent events both during and in the aftermath of Storm Arwen and rather than waiting for some form of national enquiry to take place (if it ever does), this council resolves:-

- to agree that it will undertake its own investigation into what occurred during and after the storm and it will task the most appropriate scrutiny/council committee to carry this out. This will include reviewing our own council policies and procedures and gathering evidence from councillors and council officers, but also questioning and gathering evidence from the utility companies such as Northern Powergrid, BT Openreach, Northumbrian Water and the mobile telecoms operators.
- to request, where necessary, that they come and provide information to the relevant scrutiny committee so that as a council, we can ensure lessons are learnt from this storm to enable all parties to build better resilience into their systems with the ultimate goal of ensuring that our residents will hopefully never have to experience such significant problems as they did as a result of Storm Arwen
- to request that the relevant scrutiny committee (in conjunction with officers) will bring together a report which outlines the issues and how those problems can potentially be mitigated. This will be brought back to the full council for debate and agreement, and will be used by this authority as a formal response should any government body or agency decide to carry out an enquiry into what happened as a result of the storm.

Motion No. 2

Councillor Morphet to move the following motion, received by the Head of

Democratic and Electoral Services on 20 December 2021:-

The Councils for Fair Tax Declaration: An opportunity for the County Council to show support for responsible tax conduct

Full Council notes that:

1. Organisations are morally obliged to pay the right amount of tax, in the right place, at the right time.
2. Polling from the Institute for Business Ethics finds that “corporate tax avoidance” has, since 2013, been the number one concern of the British public when it comes to business conduct.
3. Almost two-thirds (63%) of the public agree that the Government and local authorities should consider a company’s ethics and tax conduct, as well as value for money and quality of service provided, when undertaking procurement.
4. Around 17.5% of public contracts in the UK have been won by companies with links to tax havens.
5. It has been conservatively estimated that losses from multinational profit-shifting (just one form of tax avoidance) could be costing the UK some £7bn per annum in lost corporation tax revenues.
6. The Fair Tax Mark offers a means for business to demonstrate good tax conduct and has been secured by a wide range of businesses across the UK, including FTSE-listed PLCs, co-operatives, social enterprises and large private businesses.

Full Council believes that:

1. Paying tax is often presented as a burden, but it shouldn’t be.
2. Tax enables us to provide services from education, health care and social care, to flood defences, road maintenance and policing. It also helps to counter financial inequalities and rebalance distorted economies.
3. As recipients of significant public funding, local authorities should take the lead in the promotion of exemplary tax conduct, be that by ensuring contractors are paying their proper share of tax or by refusing to go along with offshore tax dodging when buying land and property.
4. Where substantive stakes are held in private enterprises, then influence should be wielded to ensure that such businesses are exemplars of tax transparency and tax avoidance is shunned. For example, there should be no use of marketed schemes requiring disclosure under Disclosure Of Tax Avoidance Schemes (DOTAS) regulations or arrangements that might fall foul of the General Anti-Abuse Rule.
5. More action is needed, but current law significantly restricts councils’ ability to either penalise poor tax conduct or reward good tax conduct when buying goods or services.
6. Local authorities can and should stand up for responsible tax conduct – by doing what they can within existing frameworks and by pledging to do more, given the opportunity, as active supporters of international tax justice.

Full Council resolves to:

1. Approve the Councils for Fair Tax Declaration.
2. Lead by example and demonstrate good practice in our tax conduct, right across our activities.
3. Ensure contractors implement IR35 robustly and pay a fair share of employment taxes.
4. Not use offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty.
5. Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately as an artificial device to reduce the payment of tax and business rates.
6. Demand clarity on the ultimate beneficial ownership of suppliers and their consolidated profit & loss position.
7. Promote Fair Tax Mark certification for any business in which we have a significant stake and where corporation tax is due.
8. Support Fair Tax Week events in Northumberland and celebrate the tax contribution made by responsible businesses who "say what they pay" with pride.
9. Support calls for urgent reform of UK law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.

11. REPORT OF THE RETURNING OFFICER

THE RETURNING OFFICER TO SUBMIT the return of the person elected as Councillor for Hexham East on Thursday 16 December 2021 as follows:-

Electoral Division

Hexham East

Surname and Other Names

Suzanne Holly Fairless-Aitken

Place of residence

Merry Leazes West
Allendale Road
Hexham
NE46 2NB

Description

Liberal Democrat

12. REPORT OF THE MONITORING OFFICER

(Pages
109 -
112)

CONSTITUTIONAL UPDATES

- (i) **Re-Endorsement of Appointment of Independent Chair of Standards Committee and Independent Person and Appointment of Additional Independent Person**

The purpose of this report is to seek Council's endorsement of the continued appointment of Joe Jackson, the Independent Chair of the Standards Committee and Karen Milner, the Council's Independent Person under the relevant provisions of the Localism Act 2011 and to request that Council delegates to the Standards Committee the process of the appointment of two further Independent Persons.

- 13. REPORT OF THE MONITORING OFFICER** (Pages 113 - 120)
- To create a new Committee known as the Grievance Committee to hear and determine grievances raised by the Chief Executive and Chief Officers and also grievances made against the Chief Executive and Chief Officers.
- 14. REPORT OF THE INTERIM EXECUTIVE DIRECTOR OF FINANCE AND S151 OFFICER** (Pages 121 - 124)
- Arrangements for the Appointment of the Local Auditor (External Auditor)**
- To seek Council approval to opt-in to the Public Sector Audit Appointments (PSAA) Limited arrangements from 1 April 2023 for the five financial years commencing 2023-24 to 2027-28.
- 15. REPORT OF THE LEADER AND COUNCILLOR GORDON CASTLE** (Pages 125 - 136)
- Review of Local Area Councils**
- The report summarises the discussion and recommendations of the Local Area Council Chairs following a review of the current Local Area Council arrangements as requested by the Leader. Council is requested to consider and approve the recommendations within the report
- 16. REVISIONS TO COMMITTEE PLACES AND ELECTION OF VICE CHAIR TO TYNEDALE LAC** (Pages 137 - 160)
- Following the result of the Hexham East Electoral Division by election and the change in the numbers of the political groups, the allocation of seats to be filled by the different political groups has been reviewed in accordance with the requirements of the Local Government and Housing Act 1989. This has resulted in a change in the proportional split on committees, and this is set out in the report detailed at page 139-160 of the agenda. Council is requested to note the change in proportionality and to agree the changes to committee membership, which should be notified by Group Leaders to Democratic Services before the meeting. Subject to the decision taken on item 14 above, Council is also asked to elect a Vice Chair to Tynedale Local Area Council, which is currently vacant.
- 17. REPORT OF THE CHIEF EXECUTIVE** (Pages 161 - 172)
- Executive Management Structure Review**

The purpose of the report is to seek approval to the implementation of the revised Executive management arrangements for Council

IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:

- Declare it and give details of its nature before the matter is discussion 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.