



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Karon Hadfield

Email:

Democraticservices@northumberland.gov.uk

Tel direct: 0345 600 6400

Date: Thursday, 10 November 2022

Dear Sir or Madam,

Your attendance is requested at a meeting of the **CABINET** to be held in **COUNCIL CHAMBER - COUNTY HALL** on **THURSDAY, 17 NOVEMBER 2022** at **2.00 PM**.

Yours faithfully

Rick O'Farrell
Interim Chief Executive

To Cabinet members as follows:-

G Renner-Thompson, J Riddle, G Sanderson (Chair), J Watson, R Wearmouth (Vice-Chair), C Horncastle, W Pattison and W Ploszaj



Rick O'Farrell, Interim Chief Executive
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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
- 12)

Minutes of the meeting of Cabinet held on 11 October 2022, as circulated, to be confirmed as a true record and signed by the Chair.

3. DISCLOSURE OF MEMBERS' INTERESTS

Unless already entered in the Council's Register of Members' interests, members are required where a matter arises at a meeting;

a. Which directly relates to Disclosable Pecuniary Interest ('DPI') as set out in Appendix B, Table 1 of the Code of Conduct, to disclose the interest, not participate in any discussion or vote and not to remain in room. Where members have a DPI or if the matter concerns an executive function and is being considered by a Cabinet Member with a DPI they must notify the Monitoring Officer and arrange for somebody else to deal with the matter.

b. Which directly relates to the financial interest or well being of a Other Registrable Interest as set out in Appendix B, Table 2 of the Code of Conduct to disclose the interest and only speak on the matter if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain the room.

c. Which directly relates to their financial interest or well-being (and is not DPI) or the financial well being of a relative or close associate, to declare the interest and members may only speak on the matter if members of the public are also allowed to speak. Otherwise, the member must not take part in discussion or vote on the matter and must leave the room.

d. Which affects the financial well-being of the member, a relative or close associate or a body included under the Other Registrable Interests column in Table 2, to disclose the interest and apply the test set out at paragraph 9 of Appendix B before deciding whether they may remain in the meeting.

e. Where Members have or a Cabinet Member has an Other Registerable Interest or Non Registerable Interest in a matter being considered in exercise of their executive function, they must notify the Monitoring Officer and arrange for somebody else to deal with it.

NB Any member needing clarification must contact monitoringofficer@northumberland.gov.uk. Members are referred to the Code of Conduct which contains the matters above in full. Please refer to the guidance on disclosures at the rear of this agenda letter.

4. REPORT OF THE JOINT INTERIM DIRECTOR OF CHILDREN'S SERVICES

(Pages
13 - 216)

Outcomes of Statutory Consultation on Proposals for the Coquet Partnership

This report sets out an analysis of the representations and responses received from interested parties and stakeholders during the four-week statutory consultation, which commenced on 22 September and closed on 20 October 2022, in relation to proposals for the Coquet Partnership. The report also sets out an analysis of the responses received to the four-week statutory consultation in relation to proposals for Barndale House Special School, which was also published 22 September 2022 and closed on 20 October 2022. The two published statutory proposals set out the following proposed prescribed changes to the schools within the Coquet partnership and to Barndale House Special School:

- Extend the age range, from 9 years to 11 years, for Amble First School, Amble Links First School, Broomhill First School, Red Row First School and Grange View First School from 1st September 2024.
- Reducing the age range, from 9 to 18 years to 11 to 18 years, for James Calvert Spence College commencing on 1st September 2024.
- To create a satellite provision of Barndale House School on the South Avenue, Amble site from 1st September 2024.
- Increase the planned pupil numbers at Barndale House School from 60 to 110 from 1st September 2024.

Cabinet is asked to make a final decision on whether or not to approve the prescribed changes for schools in the Coquet Partnership and for Barndale House Special School, as set out in the Statutory Proposals, for implementation with effect from 1st September 2024. At the same time, Cabinet is requested to consider and approve the non-statutory proposal to extend the age range of Grange View Church of England First Schools with effect from 1st September 2024 as it is linked to the other proposals outlined above (Appendix A).

5. REPORT OF THE JOINT INTERIM DIRECTOR OF CHILDREN'S SERVICES

(Pages
217 -
274)

SEND Capacity and Place Planning Strategy

To advise Cabinet of the development of a 5 year SEND Capacity and Place Planning Strategy (Appendix B).

6. REPORT OF THE INTERIM EXECUTIVE DIRECTOR OF FINANCE AND SECTION 151 OFFICER

(Pages
275 -

Budget 2023-24 and Medium-Term Financial Plan 2023-2027 05

This report provides an update on the development of the 2023-24 Budget and the Medium-Term Financial Plan (MTFP) covering the period 2023 to 2027 (Appendix C).

- 7. REPORT OF THE INTERIM CHIEF EXECUTIVE** (Pages 289 - 304)
- Bebside to Town Centre Cycling and Walking Corridor: Outline Business Case**

In accordance with the Energising Blyth Programme - Local Assurance Framework, the report seeks the approval of the Town Deal Outline Business Case (OBC) for the Bebside to Town Centre Cycling & Walking Corridor project which is pending approval by the Department of Levelling Up, Housing and Communities (DLUHC). The OBC has been externally appraised with a recommendation to proceed to Full Business Case (FBC). It was approved by Town Deal Board on 28 September 2022 (Appendix D).

- 8. REPORT OF THE INTERIM CHIEF EXECUTIVE** (Pages 305 - 320)
- Northumberland Energy Park (NEP1) – Dock Capping Beam: Updated North East Local Enterprise Partnership (NELEP) Full Business Case 07**

In accordance with the Energising Blyth Programme - Local Assurance Framework, the report seeks the approval of the Town Deal Summary Document which sets out details of an adjusted NEP1 Infrastructure investment which is pending approval by the Department of Levelling Up, Housing and Communities (DLUHC). Members have previously approved an application on 7th December 2021 from Port of Blyth for the original NEP1/Battleship Wharf Project Business Case proposal to build an internal heavy duty access link between NEP1, NEP 2 and Battleship Wharf but this can no longer proceed due to Subsidy Control limitations. An updated NELEP Full Business Case for an alternative scheme and applicant (Advance Northumberland (Commercial) Ltd) towards a new capping beam which will allow the Ash Barge Dock deep water berth (part of NEP1) to become fully operational has been externally appraised with a recommendation to proceed. It was approved by Town Deal Board on 28 September 2022 (Appendix E).

- 9. REPORT OF THE INTERIM CHIEF EXECUTIVE** (Pages 321 - 336)
- Northern Gateway Phase 2: Outline Business Case**

In accordance with the Energising Blyth Programme - Local Assurance Framework, the report seeks the approval of the Town Deal Outline Business Case (OBC) for the Regent Street Improvements (Northern Gateway Phase 2) project which is pending approval by the Department of Levelling Up, Housing and Communities (DLUHC). The OBC has been externally appraised with a recommendation to proceed to Full Business

Case (FBC). It was approved by Town Deal Board on 28 September 2022 .
(Appendix F).

- 10. REPORT OF THE INTERIM CHIEF EXECUTIVE** (Pages 337 - 344)
Northumberland County Council Rationale for the Establishment or Continuation of a Council-owned Company

The purpose of this report is to propose a statement of principles and criteria which form the Strategic Outline Case (SOC) to determine the rationale for the establishment or continuation of any company established by Northumberland County Council (NCC) under the provisions of the Localism Act 2011 or other appropriate powers (Appendix G).

- 11. REPORT OF THE INTERIM CHIEF EXECUTIVE** (Pages 345 - 380)
Applying the Council-Owned Company Rationale to Advance Northumberland Ltd and Update on the Business Strategy Review

At its meeting of 17 November Cabinet will consider a statement of principles and tests for establishing or continuing Council-owned companies established under the Localism Act or other appropriate power, as proposed by the Independent Governance Review (The 'Caller Review') and under action 22 of the subsequent Plan of Action.

In anticipation of agreement to this statement of principles and tests – the Strategic Outline Case (SOC) criteria - for establishing or continuing Council-owned companies, this report sets out the outcome of applying the agreed criteria to Advance Northumberland Ltd (ANL), as an existing company of Northumberland County Council, and provides an update on the Advance Northumberland Ltd Review of Business Strategy (Appendix H).

- 12. REPORT OF THE INTERIM EXECUTIVE DIRECTOR OF FINANCE AND SECTION 151 OFFICER** (Pages 381 - 428)
Future of Northumberland Enterprise Holdings Ltd and Northumbria Integrated Consultancy Ltd

The purpose of this report is to:

- A. recommend a course of action for approval by Cabinet regarding the future status of the Council's wholly-owned company Northumberland Enterprise Holdings Ltd and its subsidiary company Northumbria Integrated Consultancy Ltd, in light of current trading activity or prospects;
- B. propose the Role Profile for the Northumberland Enterprise Holdings Ltd Controlling Shareholder's Representative ("CSR");
- C. propose the appointment of the Executive Director of Finance as CSR of Northumberland Enterprise Holdings Ltd to provide alignment and uniformity with the Council's other wholly-owned company, Advance Northumberland Ltd (Appendix I)

- 13. REPORT OF THE DIRECTOR OF SOCIAL SERVICES** (Pages 429 -

Adult Social Care Market Position Statement 2022 482)

To present the updated Adult Social Care Market Position Statement (Appendix J).

14. REPORT OF THE JOINT INTERIM DIRECTOR OF CHILDREN'S SERVICES (Pages 483 - 490)

Family Hubs Development Update

To provide an update in relation to the development of the Family Hubs offer in Northumberland (Appendix K).

15. REPORT OF THE INTERIM EXECUTIVE DIRECTOR OF FINANCE AND SECTION 151 OFFICER (Pages 491 - 500)

Summary of New Capital Proposals considered by Officer Capital Strategy Group

The report summarises proposed amendments to the Capital Programme considered by the officer Capital Strategy Group (CSG) via email on 6 October 2022 (Appendix L).

16. URGENT BUSINESS

To consider such other business as, in the opinion of the Chair, should, by reason of special circumstances, be considered as a matter of urgency.

PART II

It is expected that matters included in this part of the Agenda will be dealt with in private. Reports referred to are enclosed for members and officers only, coloured pink and marked "Not for Publication".

17. EXCLUSION OF PRESS AND PUBLIC

The Committee 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 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 Items	Paragraph of Part I of Schedule 12A
18	3 - Information relating to the financial or business affairs of any particular person (including the authority holding the information).

19 1 - Information relating to an individual

AND The public interest in maintaining the exemption outweighs the interest in disclosure because disclosure could adversely affect the business reputation or confidence in the person / organisation; and could adversely affect commercial revenue (item 18) and because disclosure could identify the individual (item 19).

18. REPORT OF THE INTERIM EXECUTIVE DIRECTOR COMMUNITIES AND BUSINESS DEVELOPMENT (Pages 501 - 738)

Leisure Review - Findings of the Review of NCC Supported Leisure Provision and Consideration of Future Management and Procurement Arrangements

Following completion of an extensive review of Council funded leisure provision this Report provides an overview of key findings and outlines a proposed course of action to maximise both the health and wellbeing potential, and value, of future investment (Appendix M).

19. REPORT OF THE INTERIM EXECUTIVE DIRECTOR OF FINANCE AND SECTION 151 OFFICER (Pages 739 - 744)

Summary of New Capital Proposals considered by Officer Capital Strategy Group

The report summarises proposed amendments to the Capital Programme considered by the officer Capital Strategy Group (CSG) via email on 6 October 2022 (Appendix N).

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:		Date of meeting:	
Meeting:			
Item to which your interest relates:			
Nature of Interest i.e. either disclosable pecuniary interest (as defined by Table 1 of Appendix B to the Code of Conduct, Other Registerable Interest or Non-Registerable Interest (as defined by Appendix B to Code of Conduct) (please give details):			
Are you intending to withdraw from the meeting?		Yes - <input type="checkbox"/>	No - <input type="checkbox"/>

Registering Interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in **Table 1**) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
- a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative or close associate; or
 - c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied
9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well- being:
- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body

	<p>where—</p> <p>(a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <ul style="list-style-type: none"> i. the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or ii. if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* ‘director’ includes a member of the committee of management of an industrial and provident society.

* ‘securities’ means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - i. exercising functions of a public nature
 - ii. any body directed to charitable purposes or
 - iii. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)