

NORTHUMBERLAND COUNTY COUNCIL

CABINET

At a meeting of the **Cabinet** held at County Hall, Morpeth on Tuesday, 8 March 2022 at 10.00 am.

PRESENT

Councillor G. Sanderson
(Leader of the Council, in the Chair)

CABINET MEMBERS

Horncastle, C.	Riddle, J.R.
Pattison, W.	Watson, J.G.
Ploszaj, W.	Wearmouth, R.
Renner-Thompson, G.	

OTHER MEMBERS

Stewart, G.	Seymour, C.
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OFFICERS IN ATTENDANCE

Aviston, S.	Head of School Organisation
Baker, M.	Service Director for Climate Change, Business Intelligence and Corporate Performance
Binjal, S.	Interim Monitoring Officer
Dorward, N.	Senior Manager - Education Development & Collaborative Projects
Hadfield, K.	Democratic and Electoral Services Manager
Hunter, P.	Interim Senior Service Director
Lally, D.	Chief Executive
Lancaster, H.	Deputy Monitoring Officer
McEvoy-Carr, C.	Executive Director of Children's Services and Adult Social Care
Murfin, R.	Interim Executive Director of Planning and Local Services
O'Farrell, R.	Interim Executive Director of Place and Regeneration

Ch.'s Initials.....

Roll, J.	Head of Democratic and Electoral Services
Taylor, M.	Interim Executive Director for Communities and Business Development
Willis, J.	Interim Executive Director of Finance and S151 Officer

93. MINUTES

RESOLVED that the minutes of the meeting of Cabinet held on 8 February 2022, as circulated, be confirmed as a true record and signed by the Chair.

94. DISCLOSURES OF INTEREST

The Leader declared a non pecuniary and non personal interest in the RDA report as he knew the landowner of the property on which the current centre was located.

Councillors Ploszaj, Watson, Renner Thompson and Riddle declared interests in item 13 on the agenda as directors of Advance Northumberland and advised that they would not take part in that item.

95. REPORT OF THE INTERIM EXECUTIVE DIRECTOR OF FINANCE AND S151 OFFICER

Financial Performance 2021-22 - Position at the end of December 2021

The report informed the Cabinet of the current financial position for the Council against the Budget for 2021-22 (copy attached to the signed minutes as Appendix F).

Councillor Wearmouth detailed the main points of the report for members.

RESOLVED that:-

- i. The report be noted;
- ii. Cabinet note the projected underspend of £3.711 million and the assumptions outlined in the report;
- iii. Cabinet note the pressures currently identified, including the impact of Covid-19 (Table 6.1), plus additional £8.992 million Covid-19 related expenditure funded from the Contain Outbreak Management Fund (Table 6.3);

- iv. Cabinet note that it is anticipated that the Council will receive further funding of £0.270 million in relation to the income that the Council has “lost” as a result of Covid-19 for April to June 2021;
- v. Cabinet approve re-profiling to the Capital Programme of £26.560 million from 2021-22 to 2022-23 to reflect estimated expenditure levels in the current financial year;
- vi. Cabinet approve reprofiling to the Capital Programme of £0.600 million from 2022-23 to 2021-22 for the Ad Gefrin Distillery and Visitor Centre as the works have progressed faster than previously anticipated;
- vii. Cabinet approve an addition of £0.282 million to the Capital Programme to fund works repairing the damage to the highways network caused by Storm Arwen to be funded from a revenue contribution;
- viii. Cabinet approve the new grants and amendments to existing grants at Appendix A and the required changes to the budgets;
- ix. Cabinet note the progress on the delivery of the approved savings at Appendix B;
- x. Cabinet note the use of the contingency shown at Appendix Q;
- xi. Cabinet note the use of reserves shown at Appendix R;
- xii. Cabinet note the virements requested by services shown at Appendix S;
- xiii. Cabinet approve the following which are assumed in the forecast position:
 - o approve the transfer of the unused balance of £1.227 million on the NHS Partnership Agreement Reserve to the Strategic Management Reserve.
 - o approve an increase of £5.000 million to the Severe Weather Reserve which will provide the Council with the resilience to fund future repairs to highways following severe weather conditions. This is in accordance with the Department for Transport’s recommendation that local highways authorities ensure they retain a contingency for repairing damage to local highways and associated assets caused by extreme weather. This has been assumed in the forecast position.
 - o approve the transfer of £0.425 million to the Planning Delivery Reserve in relation to the review of the Local Plan and £0.085 million for a Gypsy and Local Travellers Plan due to the delay in adopting the Local Plan;
- xiv. Cabinet recommend full Council to agree in principle to the addition of the Wide Area Network (WAN) project to the Capital Programme, pending the submission of a comprehensive business case by the Director of Information and Technology; and
- xv. Cabinet recommend full Council to agree that the approval of the business case and agreement to the signing of the WAN contract is delegated to the

Council's Section 151 Officer in conjunction with the Portfolio Holder for Corporate Services.

96. REPORT OF THE EXECUTIVE DIRECTOR OF ADULTS AND CHILDREN'S SERVICES

Final Decision on the Statutory Proposals for Atkinson House

The report set out an analysis of the representations (responses) received from interested parties during the four-week statutory consultation, which began on 13 January and closed on 10 February 2022, on proposals for Atkinson House Special School, Seghill, the secondary provision for boys with Social, Emotional and Mental Health needs (SEMH) in Northumberland. The published statutory proposal set out the following proposed prescribed changes to the school: -

1. To relocate Atkinson House Special School from its current site in Seghill, Northumberland to the former Richard Coates school site in Ponteland, Northumberland with effect from 1 September 2022;
2. To change the designation of the school from single sex to co-educational with effect from 1 September 2022, thus enabling the enrolment of girls onto the school roll;
3. Increasing the planned pupil places at the school from 80 to 100 with effect from 1 September 2022.

Cabinet was asked to make a final decision on whether or not to approve the prescribed changes as set out in the Statutory Proposal for implementation with effect from 1 September 2022 (copy attached to the signed minutes as Appendix A, along with the report of the FACS OSC circulated at the meeting).

Mr Paul Sampson (Headteacher) and Mr David Harrison (Chair of Governors) from Atkinson House School, and Mr Mike Brown, local resident of Ponteland, were also present for this item.

The Leader outlined the procedure that would be followed at the meeting. Councillor Renner Thompson spoke briefly on the main points of the report. A full presentation on the detail of the report was then made by Mrs Sue Aviston.

Councillor Wearmouth left the meeting at 10.24.

The Leader invited Mr Brown to speak to his representations. Mr Brown felt that the interaction between the new school and other schools could be potentially problematic and that the consultation with the public had been very limited as it had not been possible to hold public meetings. He acknowledged that SEMH provision was an essential part of the school system and he did not object to it being located in Ponteland, but did not feel it was appropriate to be so close to other schools. He welcomed the revised

recommendations to improve the separation of the schools and if Cabinet agreed them, he hoped members would commit to the completion of the recommendations.

Mrs Aviston replied that there was a significant budget allocated to the project which would address these concerns.

The Headteacher Mrs Paul Sampson then addressed members and provided them with some background to what the school was about and the importance of its pupils receiving the emotional and social support they needed, as well as the academic support.

The Leader referred to the points raised by FACS OSC around highways issues and security. Mrs Aviston replied that traffic volume would be reduced as there were 250 less pupils coming to the site than previously. Specific transport arrangements would be put in place with dedicated drop off areas for taxis, all of which would take place on the school site. Regarding security, the Authority would follow DfE guidelines for fences and acoustic barriers. She also advised that the Roman Catholic Diocese fully supported the proposals. Cllr Renner Thompson added that there had been a meeting of local county councillors already to discuss local concerns and these meetings would continue.

Councillor Horncastle spoke in support of the proposals and Councillor Riddle asked whether 100 places would be sufficient given current numbers. Mrs Aviston advised that the data indicated that this number was sufficient and that a cohort would be leaving the school at the end of term.

Councillor Renner Thompson move the report's recommendations which were seconded by Councillor Riddle.

The Deputy Monitoring Officer then provided the Cabinet with extensive legal advice on the relevant issues.

RESOLVED that:-

- (a) Cabinet note the Council's statutory proposal published on 13 January 2022 to make prescribed changes to Atkinson House Special School to take effect from 1 September 2022, which is attached at Appendix 1 of the report;
- (b) Cabinet note the responses to the Statutory Proposal and the commentary contained within the report;
- (c) In the light of all the information provided in this report and taking into account the Statutory Guidance from the Department for Education's (DfE) 'Statutory Guidance for proposers and decision-makers: 'Making significant changes ('prescribed alterations') to maintained schools attached at Appendix 2, Cabinet approve for implementation the

following prescribed alterations to Atkinson House Special School as set out in the statutory proposal:

- **Change in number of pupils in a special school**

The current number of planned pupil places at Atkinson House School is 80. The proposed number of planned pupil places is 100 to take effect from 1 September 2022.

- **Change from single sex school to co-educational**

Atkinson House School currently has provision for boys aged 11 to 16. It is proposed that the school becomes co-educational i.e., admits boys and girls aged 11 to 16, the change to take effect from 1 September 2022.

- **Transfer to a new site**

In order to facilitate the above proposals, transfer the site of Atkinson House School from its current site at Seghill, Northumberland to a new site at the former Richard Coates site in Ponteland, Northumberland, to take effect from 1 September 2022:

The above prescribed alterations were published under Section 19(1) of the Education and Inspections Act 2006;

- (d) Cabinet note the increase of £122k to meet the Home to School transport costs of this proposal, this increase can be met through the £1m growth in the home to school transport budget. Also note the implications for Home to School Transport of the statutory proposal as set out in para. 28 of the report;
- (e) £5.5m be allocated from the Council's Medium Term Financial Plan to accommodate the capital costs as set out in para. 32 necessary to support the implementation of the prescribed changes set out in Recommendation c above;
- (f) Cabinet approve the implementation of the proposed building solution set out in para. 32 of the report.

All of the above conditional upon:

- the granting of planning permission by 31 August 2022 in relation to the proposed building works; and
- (g) the report of the FACS OSC be noted.

The Chair then adjourned the meeting so that the decision, and the reasons for it, could be written up. On the meeting being reconvened, the Leader read out the following statement:-

- 1) The educational rationale of the proposal to increase SEMH places in Northumberland to meet the growing need for both boys and girls is sound.
- 2) The proposed building in Ponteland is an appropriate location for Atkinson House, being a former school.

- 3) The staff and Governing Body of Atkinson House School are fully supportive of the rationale and the proposal.
- 4) The funding for the necessary suitability works to the proposed building is in place.
- 5) Cabinet recognises and has considered the safeguarding concerns raised during consultation by Pele Trust, parents at the neighbouring provision and residents. Therefore, it is an expectation that NCC officers will work with neighbouring schools to ensure that the proposed safeguarding measures to the building are made in collaboration and agreed before putting in place. There is also an expectation that Atkinson House School will plan for an effective transition of its students, again working collaboratively on an ongoing basis with its neighbours to ensure that these concerns are allayed.
- 6) In the light of point 5), Cabinet will require an update on how the transition and operation of the school has worked within 12 months of implementation.
- 7) This consultation has been appropriate and robust.

97. REPORT OF THE SERVICE DIRECTOR FOR CLIMATE CHANGE, BUSINESS INTELLIGENCE AND CORPORATE PERFORMANCE

Climate Change Update

The report provided an update on progress against the Climate Change Action Plan 2021-23, published in January 2021 (copy attached to the signed minutes as Appendix B, along with the report of the Communities and Place OSC circulated at the meeting).

The report was introduced by the Leader. Mr Baker highlighted the changing position in light of recent world events, and what had been achieved in the last 12-18 months to engage with a wide range of communities. A range of inward investment had been secured and some social inequality had been tackled. There was now a good platform to build on the next stage of the Action Plan which would be published in January 2023. He stressed that the progress achieved thus far had been the result of a collaborative effort across all services.

Communities and Place OSC had made three suggested amendments to the recommendations which members had details of.

Regarding the recommendation on planning developments, Mr Murfin confirmed that his staff had been working closely with the climate change team on rolling out advice to residents and businesses about climate change in planning.

Councillor Watson commented on the large number of EV chargers planned for the County Hall car park and felt this might raise some questions. Mr Baker advised that the EV charging points had been connected with the funding from government. Having the facility there would encourage uptake

and those using the charging points would be expected to move their vehicles once they were charged.

Mr Murfin advised members that on many new planning schemes, officers were negotiating 100% coverage on EV chargers. New building regulations would make this mandatory in 18 months.

The Leader proposed that Cabinet accept the recommendations from Scrutiny, which was seconded by Councillor Renner Thompson.

RESOLVED that:-

- (a) Cabinet agree to formalise the role of Climate Change Policy Group in the Council governance processes, with closer links to the Executive Team and Members, through quarterly reports on the impact of policy decisions on the Council's ability to deliver net zero;
- (b) Executive Directors and Cabinet Members be expected to query reports, where the Carbon Impact Assessment has not been completed and it is expected to impact on the Council's ability to deliver net zero, as part of the council's governance arrangements;
- (c) Executive Directors and all Cabinet members should complete carbon literacy training in 2022/23, and carbon literacy training be made available to all elected members, noting that depending on take up additional resources may be required to deliver this training in 2022/23;
- (d) the online Climate Change module should be included in statutory and mandatory training for all staff;
- (e) the provision for targeted grant funding (Climate Change Community Fund £50,000 recurrent) for community climate change initiatives, that has been made in the upcoming Council budget, be approved
- (f) the Free Tree Scheme be continued each year up to the 2030 net-zero target with the intention of offering a tree for every household in Northumberland; and
- (g) the following additional recommendations from Communities and Place OSC be agreed:-
 - all members receive details of how they can raise issues with and seek advice from the Climate Change team;
 - the process for dealing with planning applications include positive consideration of the delivery of low carbon solutions or other solutions that support the delivery of net zero by 2030, be included in the review of the Local Plan and completed jointly by the Planning team and the Climate Change team. This work be completed alongside the Climate Change service continuing

to be a consulted party on all planning applications that impact (positively or negatively) the commitment to deliver net zero by 2030 for the county.

98. REPORT OF THE INTERIM EXECUTIVE DIRECTOR COMMUNITIES AND BUSINESS DEVELOPMENT

Household Support Fund Update

The report provided members with an update of Northumberland County Council's progress for delivery of the DWP Household Support Fund (HSF) for the period 06th October 31st December 2022 (copy attached to the signed minutes as Appendix C, along with the report of the CSEG OSC circulated at the meeting).

The report was introduced by Mrs Taylor. Councillor Pattison reiterated that the Council had used a wide range of data to identify and give support to a broad range of vulnerable households through the provision of free school meals, support for those in food poverty and those experiencing fuel stress.

The Leader noted that Scrutiny had welcomed the recommendations.

RESOLVED that:-

- (a) the content of the report and the DWP initial Management Information return for 31st December 2021 be noted;
- (b) Cabinet help promote awareness of the Households Support Fund with those residents who may need support and assistance; and
- (c) the report of the CSEG OSC be noted.

99. REPORT OF INTERIM EXECUTIVE DIRECTOR OF PLANNING AND LOCAL SERVICES

Development of the Potland Burn Biodiversity Net Gain Site and Approval of Capital and Revenue Expenditure

The report sought approval for the capital and revenue expenditure that would be incurred in the development of the first phase of the Potland Burn biodiversity net gain site and which was fully funded by a S.106 contribution by Britishvolt, and for the capital and revenue budgets to be amended. The report also set out the likely need for further habitat creation at this site to meet the biodiversity net gain requirements for future strategic scale inward investment (copy attached to the signed minutes as Appendix D).

RESOLVED that:-

- (a) Cabinet approve the creation of an earmarked reserve using the developer contributions in order to fund the scheme over the lifetime of the reserve;
- (b) Cabinet approve the creation of a capital expenditure budget of £450,000 (as profiled below) which will be funded from the reserve as a revenue contribution to capital;
- (c) Cabinet approve the creation of a revenue expenditure budget of £1,688,400 (including the revenue contribution to fund the capital expenditure) as set out in paragraphs 4 to 6 of the report, all of which will be externally funded using the developer contributions;
- (d) Cabinet approve the addition of the capital element of expenditure to the capital programme and the amendment to the revenue budget as per the profile in paragraph 7; and
- (e) Cabinet approve the use of the Potland Burn site in meeting future biodiversity net gain requirements for strategic employment sites.

100. REPORT OF THE CHIEF EXECUTIVE

Longframlington Neighbourhood Plan

The report sought approval to formally 'make' the Longframlington Neighbourhood Plan. The Plan passed independent examination in October 2021. A local referendum held in the Parish of Longframlington on 20th January 2022 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 E).

Councillor Horncastle commented on the high level of local support for this given the amount of housing development in the area.

RESOLVED that:-

- (a) the referendum outcome of 20th January 2022 be noted;
- (b) Cabinet agrees to formally 'make' the Longframlington Neighbourhood Plan in accordance with section 38A(4)(a) of the Planning and Compulsory Purchase Act 2004;
- (c) Cabinet approves the decision statement (attached at Appendix 1) required under Regulation 19 of the Neighbourhood Planning (General) Regulations 2012, as amended, and

- (d) Cabinet agrees that both the Longframlington Neighbourhood Plan and the decision statement are published on the Council's website and publicised elsewhere to bring it to the attention of people who live, work, or carry out business in the neighbourhood area; and for the decision statement to be sent to the qualifying body and anyone else who asked to be notified of the decision.

101. REPORT OF THE INTERIM EXECUTIVE DIRECTOR OF FINANCE AND S151 OFFICER

Summary of New Capital Proposals considered by Officer Capital Strategy Group

The report summarised proposed amendments to the Capital Programme considered by the officer Capital Strategy Group via email on 4 February 2022 (copy attached to the signed minutes as Appendix G).

101.1 A1068 Shilbottle Road Junction Improvements

RESOLVED that Cabinet approve a proposal to design and construct junction improvements at the A1068 junction in Alnwick at a total cost of £1,500,000. Funding of £143,900 has already been secured through a S106 contribution and it is proposed that the balance of £1,356,100 is initially funded through the Strategic Regeneration Projects Budget in the 2022-26 Medium Term Financial Plan. It is anticipated that this funding will then be recouped by the Council against a number of future S106 Developer Contributions associated with planning applications within the Cawledge Business Park and Lionheart Enterprise Park over the period from 2022-29 thereby unlocking the allocated employment sites within the Alnwick and Denwick Neighbourhood Plan and delivering economic growth and employment opportunities.

101.2 Additional Funding for Willowburn GSHP Scheme

RESOLVED that Cabinet approve the request for additional funding of £175,000 for the Ground Source Heat Pump project at Willowburn Leisure Centre currently on site in Alnwick to be provided from the current year contingency to support grant funded projects included in the Council's Capital Programme within the Medium Term Financial Plan.

101.3 Newbiggin Sports Centre Football Foundation Grant

RESOLVED that Cabinet accept the grant award from the Football Foundation of £250,000 and accordingly approve an increase in the overall budget provision for the Newbiggin Sports and Community Centre project from £1,605,000 to £1,855,000.

101.4 Corbridge Middle School 3G Pitch

RESOLVED that Cabinet:

- Accept a contribution of £450,000 from Gladman Development Ltd and £50,000 from Corbridge Middle School to fund the creation of a 3G pitch on the school site and amend the Medium Term Financial Plan accordingly.
- Agree to the scheme being delivered by the Council through the Football Foundation Framework once detailed costs have been established and full funding secured.

101.5 Contracts in excess of £2 million

RESOLVED that following a tender process, Council be authorised to enter into a 2-year contract for £3 million with the successful tenderer to re-roof Council-owned dwellings in line with the agreed programme of works funded through the HRA.

102. 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 items on the Agenda as they involve 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
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12-13	1, 2 and 3 (item 12) - Information relating to an individual, information which is likely to reveal the identity of an individual, and information relating to the financial or business affairs of any particular person (including the authority holding that information) and para 3 (item 13) - information relating to the financial or business affairs of any particular person (including the authority holding that information)
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AND

The public interest in maintaining this exemption outweighs the public interest in disclosure because disclosure would adversely affect the authority's ability to conduct its affairs (Item 12), and disclosure could

adversely affect the business reputation or confidence in the person / organisation and could adversely affect commercial revenue (Item 13).

103. REPORT OF THE EXECUTIVE DIRECTOR OF ADULTS AND CHILDREN'S SERVICES

RDA Relocation from Tranwell (Pegasus Centre) to Kirkley Hall Campus (Northumberland College)

Cabinet considered a report on the above (copy attached to the signed minutes as Appendix H, coloured pink and marked not for publication, along with the report of the FACS OSC circulated at the meeting).

The queries raised by FACS OSC were addressed by officers and members welcomed the proposals.

RESOLVED that:-

- (a) the recommendations in the report be agreed; and
- (b) the report of the FACS OSC be noted.

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

Trading Companies' Financial Performance 2021-22 - Position at the end of December 2021

The report informed Cabinet of the current financial positions of its trading companies for 2021-22 (Appendix I, coloured pink and marked not for publication).

Mrs Willis highlighted the key points of the report for members. The Leader referred to the recommendation from CSEG OSC and confirmed that a further report would be made within the next quarter.

RESOLVED that:-

- (a) the recommendations in the report be agreed; and
- (b) the report of the CSEG OSC be agreed.

CHAIR.....

DATE.....