

NORTHUMBERLAND COUNTY COUNCIL

At a meeting of the **Northumberland County Council** held on Wednesday 22 March 2023 at County Hall, Morpeth at 3.00 pm.

PRESENT

Councillor B. Flux
(Business Chair) in the Chair

MEMBERS

Ball, C.	Mather, M.
Bawn, D.	Morphet, N.
Beynon, J.	Nisbet, K.
Bowman, L.	Oliver, N.
Carr, D.	Parry, K.
Cartie, E.	Pattison, W.
Castle, G.	Ploszaj, W.
Cessford, T.	Reid, J.
Chicken, E.	Renner-Thompson, G.
Clark, T.	Richardson, M.
Dale, P.A.M.	Riddle, J.R.
Daley, W.	Robinson, M.
Darwin, L.	Sanderson, H.G.H.
Dickinson, S.	Seymour, C.
Dunbar, C.	Sharp, A.
Ezhilchelvan, P.	Simpson, E.
Gallacher, B.	Stewart, G.
Grimshaw, L.	Swinbank, M.
Hardy, C.R.	Swinburn, M.
Hill, G.	Taylor, C.
Horncastle, C.	Thorne, T.N.
Humphrey, C.	Waddell, H.
Hunter, I.E.	Wallace, A.
Hutchinson, J.I.	Watson, J.
Jones, V.	Wearmouth, R.W.
Kennedy, D.	Wilczek, R.
Lang, J.A.	

OFFICERS

Binjal, S. (remote)	Monitoring Officer
Hadfield, K.	Democratic and Electoral Services Manager
Hunter, P.	Interim Senior Service Director
Kingham, A.	Executive Director – Children and Young People
Masson, N.	Deputy Monitoring Officer
O'Neill, G.	Executive Director for Public Health,

Roll, J.	Inequalities & Stronger Communities Head of Democratic and Electoral Services
Rose, J.	Interim Executive Director of Regeneration
Willis, J. (remote)	Executive Director for Resources & Transformation (S151)

87. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Bridgett, Dodd, Dunn, Fairless-Aitken, Ferguson, Foster, Lee, Murphy, Purvis, Scott, Towns and A. Watson.

88. MINUTES

RESOLVED that the minutes of the meeting of County Council held on Wednesday 22 February 2023, as circulated, be confirmed as a true record, signed by the Business Chair and sealed with the Common Seal of the Council.

89. DISCLOSURES OF MEMBERS' INTERESTS

Councillor Hill disclosed a personal, non-prejudicial interest in agenda item 9 (Challenge Board Interim Report 2 for the Member Oversight Group) through her involvement with the LGA, as detailed in her register of interests.

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

The Leader reported that the devolution consultation continued with visits across the County. He had addressed a meeting of business leaders, and had met with NALC. He thanked the staff for their work on this and the feeling so far seemed to be supportive. Responses were being collated for a presentation to all Councils in June.

Councillor Flux reported to members on the tragic passing of two young people in a car accident in Morpeth. Their parents were Council employees and on behalf of all members, he expressed condolences to their families and friends.

91. MEMBER QUESTIONS

Question 1 from Councillor Hill to the Leader

Spittal beach is one of 83 beaches in the country which have recently been deemed unsafe because of raw sewage being dumped into the sea.

Does the Council have any plans to take this up (the specific issue at Spittal and generally) with the local water company and / or the government?

The Leader responded that Northumberland County Council worked closely with both the Environment Agency and Northumbrian Water on flood risk and water quality issues as part of the North-East Integrated Drainage Partnership (NIDP). The County Council was aware that in response to DEFRA's announcement in 2022 of the Storm Overflows Discharge Reduction Plan, which set stringent new targets to protect people and the environment from storm water overflows, NWL had developed a Drainage and Wastewater Management Plan (DWMP). This plan had focused on reduction of spills from storm overflows and they had identified 19 high priority storm overflows in Berwick with a number of these being located in Spittal. These high priority storm overflows had been targeted by NWL for work in 2025-2030 and this work would help to further improve water quality in the area.

Question 2 from Councillor Taylor to Councillor Riddle

The riverside footpath between Attlee Park and Plessey Woods has deteriorated further, can I say many thanks for your very swift response with my recent alert. The Council has assigned funding to this via the LTP, can you advise when works will commence on repairs and what will be the priority?

Councillor Riddle replied that the Council allocated £15,000 in 2022/23 to repair and reconstruct the riverside footpath at Humford Mill. A further £85,000 had now been allocated to implement the scheme to repair and reconstruct the riverside footpath. To undertake the works it was necessary to secure consent from the Environment Agency (EA). Subject to this, it was envisaged that the works would be undertaken this summer.

Question 3 from Councillor Taylor to Councillor Riddle

A terrible accident happened in the plantation area of Bedlington (the woods behind the police station down to Gallagher Park) last week when a residents dog was fatally injured via a freak accident which occurred following some work which was being carried out to fell and chip the woodlands. When alerted I contacted officers and received a super fast response, they visited the resident to collect facts, can you please advise what if any remedial action will be taken to prevent further accidents?

Councillor Riddle replied that the Council had been in contact with the owner of the dog to investigate the accident which occurred in an area of woodland which had suffered from extensive damage during Storm Arwen and which had recently been cleared by forestry contractors acting on behalf of the Council. Having inspected the area it was considered that the contractors had left the area in an acceptable condition. The Council's first priority to ensure public safety at the park was to make sure that all dangerous damaged trees were removed following Storm Arwen, and it was considered that the works undertaken had fulfilled that duty of care. Unfortunately, this was a freak accident, and it was not considered that any further actions would be proportionate to the risk posed at this and other similar sites across the county.

Councillor Taylor asked Councillor Riddle if he would visit the area with her as she felt it was dangerous and he agreed that he would.

Question 4 from Councillor Lee to Councillor Horncastle

How many unoccupied council houses are in Cramlington East and how does this compare to the rest of Northumberland?

As Councillor Lee was not present his question was withdrawn.

Question 5 from Councillor Dale to Councillor Wearmouth

At the Council's Cabinet meeting held on Tuesday 14th March, 2023 the Cabinet made a decision to agree that the original conditions relating to the Call Option on land NEP3 are amended to ensure that the project can proceed. This was further discussed under Part 2. Was a Risk Appraisal Panel called to discuss this agenda item with Group Leaders prior to the Cabinet meeting held on 14th March, 2023?

Councillor Wearmouth responded that a Risk Appraisal Panel had not been convened to discuss the proposed amendments to the buyback clause prior to the Cabinet decision on 14th March because its role was assess the risk associated with projects, where successful completion was a condition of any grant; and/or there was a continuing obligation to a third party, or risk associated with proposals requiring a strategic policy decision; and/or entering into a partnership; and involving elements of serious risk.

The matter considered by Cabinet did not meet this criteria and on that basis a Risk Appraisal Panel was not convened. Full advice had been taken from both the legal team and the commercial team at Advance and this had informed the decision which Cabinet had taken.

Councillor Dale felt that the proposal should have been shared with Group Leaders. Councillor Wearmouth replied that the Leader had made attempts to get Group Leaders to meet with the new owners.

92. REPORT OF THE CHAIR OF THE STAFF AND APPOINTMENTS COMMITTEE

Appointment of the Council's Monitoring Officer

Section 5 of the Local Government & Housing Act 1989 required the Council to designate one of its Officers as Monitoring Officer. In accordance with the Local Authorities (Standing Orders) (England) Regulations 2000, matters relating to the appointment of a Monitoring Officer are reserved to the Full Council. The report asked members to consider the recommendation of the Staff and Appointments Committee held on 9 March 2023 to appoint Stephen Gerrard as the Council's Monitoring Officer (MO).

This recommendation was the subject of the following published report for the Staff and Appointments Committee on 9 March 2023. Mr Gerrard's CV was attached as a confidential appendix.

The report was presented by the Leader. He moved the report's recommendations, which was seconded by Councillor Wearmouth.

A number of points were made including:-

- Councillor Morphet asked whether this was a full or part time post, and how often would Mr Gerrard be in county hall. Members were advised that this was a full time post and Mr Gerrard had indicated that his presence in the office would be key for the next two years.
- Councillor Hill felt it was a positive move that the MO team had grown and that there was now more than one independent person. She hoped this would continue.
- The Leader agreed this was a good position to be in and over time the already good team would grow and be able to take on the MO role from in house. He thanked Suki Binjal for the work she had done during her time with the Authority.
- Councillor Bawn agreed with the comments regarding the interim MO. She had steered the Council through difficult times with skill, determination and fairness. Sincere thanks should be recorded.

RESOLVED that:-

- (a) Council accept the recommendation from the Staff and Appointments Committee to appoint Stephen Gerrard as the Council's Monitoring Officer for a fixed period of two years; and
- (b) Council note that the effective date of commencement of employment is to be confirmed following all the necessary pre-employment checks. The commencement date had been provisionally agreed as 5 June 2023.

Members welcomed Mr Gerrard to the meeting.

The Business Chair then reported that from March next year there would be an annual report from the Scrutiny Chairs outlining the work the Scrutiny Committee had taken forward. The following report would also be an annual report setting out the key achievements of the preceding twelve months

93. REPORT OF THE LEADER OF THE COUNCIL

Council Achievements 2022-23

The report highlighted key achievements of the Council in the year 2022-23.

The Leader presented the report. He felt it was important to spend some time acknowledging the great things which the Council did. It was also important to recognise the strengths, abilities and dedication of all Council staff. He knew that all members appreciated the efforts staff made and so it was important to acknowledge the achievements. He then drew members' attention to the key points of the report. He ended by urging all members to pause and reflect on how good the Council was, how far it had come, how great its ambition was

and how good its staff were. He moved the recommendations, which were seconded by Councillor Wearmouth.

Councillor Dickinson commented that all members had a responsibility as councillors corporately and this document recognised that and the partners it worked with and the organisations which supported it and helped it deliver. The document showed the dedication and commitment of staff and his Group welcomed it. He hoped everyone would read it.

Councillor Reid commented that he did not see the delivery of the Council budget as an achievement as that was something the Council had to do. He also wondered how the provision of additional car parking fitted into the Council's climate change agenda when the aim was to persuade people to use cars less. He felt there should be more focus on bus services, which should be subsidised if needed.

Councillor Morphet appreciated the update on the Council's climate change actions but there was no data to show where the Council was on its journey to net zero. He asked that next year's report contained more data on this, and that an update be provided on the current year on this.

Councillor Oliver commented this was a fantastic list of achievements which demonstrated the wide variety work which the Council did. He asked if there would be an extension to the Corbridge car park included in the report next year.

Councillor Daley commented that a lot had been achieved during troubled times. In 2017 when the Conservative Administration had begun, Children's Services had not been performing well and this had a major impact on children's lives. He welcomed the report but suggested that in future it was structured into themes. He referred to the points in the report on education and highlighted to members what some of the achievements meant to people in real life and the impacts and differences these were making to communities. The report provided a good opportunity to benchmark the Council's position and to aim higher, and showed that where there was clear focus and effort, then excellent results could be achieved. He urged members to work together more to get the best outcomes for communities.

Councillor Gallacher commented that the Leader had referred to Ashington, Newbiggin and Blyth recently at a LAC meeting as rural areas and there had been a pledge from him to respect that. This needed to be rolled out to council departments so the position was clear. The £16.4m investment for Ashington was very much welcomed but the current cost of living did mean that more was needed. He stressed that the delivery and quality of the work which would come from this funding needed to be monitored however.

Councillor Dale welcomed the report but felt there was a need for more focus on performance indicators to show how quickly and well projects were being delivered. There had been a working group in the past which had looked at this and this was still a relevant issue in the light of the current BEST initiative.

Councillor Ball also welcomed the funding for Ashington but agreed that much more was needed. She acknowledged the achievements in the report but felt they could not be celebrated until there was more equality across the county in such matters as mortality rates, literacy and numeracy levels and poverty levels. The report was only the starting point of where the Council needed to be.

Councillor Renner Thompson commented that the report referred to a record 89.6% of schools were rated good or outstanding, but as of today that was 91.4% and he urged members to look at the data available on the Council's education website.

Councillor Grimshaw commented that equalities work was extremely important and felt there should have been more focus on this in the report. There remained a massive amount of work to be done.

In response to some of the points which had been made, Councillor Wearmouth advised that there was Government funding available which reduced bus fares considerably, great progress was being made towards net zero and some information would come on that in due course. The achievements made in school performance and school investment were fantastic. Ashington would also benefit from the investment in the Northumberland Line and the rebuild of Northumberland College and the Ashwood Business Park. There would be something coming forward on key performance indicators towards the end of the summer. What was being delivered by the Council at the minute he felt could rival any other local authority in the country.

The Leader referred to the comments made by Councillors Ball and Grimshaw and responded that this was why the Administration had made tackling inequalities one of its key priorities. Everything was being done that could be to make sure everyone had equal chances in life. There would be local member involvement in the work to be done in Ashington. £9m had been secured from North of Tyne to tackle rural inequalities and he was grateful to them for that. The educational achievements were something everyone should be proud of. He agreed that more needed to be included about progress in achieving net zero and that there could have usefully been some information included about performance indicators. Finally, he was proud of the budget, which contained a 1.9% Council tax rise in times of 10% inflation and he referred to the 9.8% rise in the Police and Crime Commissioner precept by comparison.

RESOLVED that the achievements of the Council in the year 2022-23 be noted.

94. REPORT OF THE LEADER OF THE COUNCIL

Challenge Board Interim Report 2 for the Member Oversight Group

Members were asked to consider and respond to the second interim report of the Challenge Board, provided to the Member Oversight Group on the 3rd March 2023.

The report was proposed by the Leader and seconded by Councillor Stewart.

Councillor Dale commented that she would like to see an overarching plan of how leadership of the Council as a whole would be taken forward, which members could all sign up to. This could be considered by Group Leaders.

The Leader responded that one of the recommendations in the Caller Report was around member development and a template on member personal development plans had been sent to members for them to complete. This would enable them to highlight those areas where they wanted more development and would inform a tailored programme of training beginning in May. This work was being overseen by the Member Services Working Group.

Councillor Dickinson commented that there were a number of recommendations and issues in the report which members had seen twice now around member engagement and access to information. The Group Leaders were not confident that the MOG was working so he asked how the engagement process could be corrected and how could they be supported in terms of actual oversight of the work being done. There were a number of recommendations which needed to be achieved and quickly, because staff and partner organisations involved with the Council deserved this to be done correctly. To remain on the trajectory which Councillor Wearmouth had previously referred to, the rest had to be got right.

Councillor Hill asked if the Council was going to keep the Challenge Board and if so, what were the timescales. What was the process going to be regarding their work?

In response to these comments, the Leader replied that the next phase would be discussed with the Challenge Board soon. He was confident that the Council was on track meet the recommendations and was keen to maintain the pace of progress, to think of the next big challenges and to place the Council at the forefront of County Councils in the country. He was grateful to the Group Leaders for their collegiate approach and was happy with the progress which had been made.

Councillor Kennedy referred to the comments in the report regarding the budget process and the involvement of the Opposition Groups. The budget was clearly a key milestone and he asked the Leader if this point could be addressed properly in future years. The Leader stressed this was the Challenge Board's report and if there were questions on its content, they should be addressed to the Board.

Councillor Morphet suggested that the report's recommendations should be for the Council to "accept" and not "note" the findings of the Challenge Board report. The Monitoring Officer advised that this was in effect an amendment to the report's recommendation. This would need to be written down and seconded, and then dealt with as an amendment by the Chamber.

The Leader reiterated this was the report of the Challenge Board and the recommendation was to note the findings and suggested next steps, and this was what the Council had been asked to do. He felt members should stick with that. The Monitoring Officer confirmed this report was not the findings of the Council. The cover report allowed the interim report findings to be put to members for their attention. Members were not being asked to accept or to agree, simply to note. Councillor Morphet was entitled to put an amendment but it would need to be dealt with in the way she had outlined. The cover report was a matter of process as outside bodies could not place matters on the Council agenda and it was not a report of the Leader of the Council. The Challenge Board report was a report to the Member Oversight Group which had been laid here and was part of the Leader's promise to members that when there were reports from the Board, they would come to all members.

Councillor Morphet commented that if the Challenge Board was happy with members "noting" their report, then he was satisfied.

Councillor Reid asked how comfortable the Leader was about how uncomplimentary the Challenge Board report was in light of the previous report which had just been considered.

The Leader felt that the previous report had been very complimentary about the Council and its staff. Any questions about the Challenge Board report should be directed to the Board and he had no further comment.

RESOLVED that the findings and suggested next steps proposed in the Challenge Board's second interim report be noted.

95. REPORT OF THE HEAD OF WORKFORCE AND OD

Pay Policy Statement of Northumberland County Council 2023/2024

The Localism Act 2011 required the County Council to prepare and publish a Pay Policy Statement. The purpose of such a statement was to articulate the Council's policies towards a range of issues relating to the pay of its workforce, particularly its senior staff and its lowest paid employees.

The policy statement applied to the 2023-24 financial year. The policy would be reviewed annually and took into account the statutory guidance on openness and transparency issued by the Secretary of State for Levelling Up, Housing and Communities. (DLUHC).

The report was presented by Councillor Wearmouth and seconded by Councillor Reid.

In response to a question from the Leader, Councillor Wearmouth advised that he had a paper to circulate to members that around 60% of the Council's workforce were women and that on balance, they were paid slightly more than men.

With regard to Appendix 2, Councillor Dickinson sought clarification that provisions which had previously been put in for clarification on officer employment terms and conditions were now being proposed for deletion. He queried whether it should be assumed going forward that the Chief Executive was employed under the JNC Chief Executives terms and conditions and that paragraph 9 related to JNC for Chief Officers. He was very keen to ensure that these issues were absolutely clear, and asked why they were being deleted "for legal clarity."

The Monitoring Officer replied that there had been a lot of confusion regarding senior officers' terms and conditions and No.9 had been amended to reflect the work which had been done to get senior officers onto JNC. There were some officers who were employed on Northumberland County Council terms and conditions but efforts were being made to align all of the terms and conditions going forward. Each year things were being found which needed to be tidied up and updated and the Statement was a living document to be updated as necessary. She would ask the Director of HR to respond in writing if she had forgotten anything.

Councillor Morphet welcomed the fact that the pay multiple had fallen, but felt it would be more informative to see the ratio of maximum to minimum pay and he asked if this could be included in future pay policy statements. Councillor Wearmouth agreed to take advice on that and would do so, if it was possible.

RESOLVED that the amended Pay Policy Statement 2023-24 set out at Appendix 1.

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Chair of the County Council

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Duly Authorised Officer