

NORTHUMBERLAND COUNTY COUNCIL

CABINET

At a meeting of the **Cabinet** held at County Hall, Morpeth on Tuesday 10 January 2017 at 10.00 am.

PRESENT

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

CABINET MEMBERS

Arckless, G.R.
Dungworth, S.
Hepple, A.
Kelly, P.

Ledger, D.
Reid, J.
Swithenbank, I.C.F.
Tyler, V.

OTHER MEMBERS

Cairns, K.
Dickinson, S.
Gallacher, B.
Gobin, J.J.

Graham, K.O.
Sambrook, A.G.
Simpson, E.

OFFICERS IN ATTENDANCE

Hadfield, K.

Henry, L.
Ketley, M.
Mason, S
Simpson, P.

Committee Services and Scrutiny
Manager
Legal Services Manager
Head of Planning Services
Chief Executive
Public Health Protection Manager

54. MINUTES

RESOLVED that the minutes of the meeting of Cabinet held on Tuesday 6 December 2016, as circulated, be confirmed as a true record and signed by the Chair.

Ch.'s Initials.....

55. REPORTS OF THE DIRECTOR OF PLANNING AND ECONOMY

(1) Planning Protocol on the Pre-Application Advice Process and Planning Applications Validation Checklist

The report sought approval of a new planning protocol relating to the Pre-Application Advice Process and also proposed changes to the Planning Application Validation Checklist (copy attached to the signed minutes as Appendix A, along with the report of the Economic Growth and Strategic Transport OSC).

Councillor Sambrook advised that he had nothing further to add to the report from the Economic Growth and Strategic Transport OSC.

Members supported the report's recommendations without dissent.

RESOLVED that:-

- (a) the new Pre-Application Advice Protocol be approved;
- (b) the revised Planning Application Validation Checklist be approved and authority delegated to the Head of Planning Services to make any necessary amendments to the document following expiry of the formal consultation period on 25 January 2017; and
- (c) the report of the Economic Growth and Strategic Transport OSC be noted.

(2) Commuted Sum (Section 106 Agreements) Developer Fund for Affordable Housing Protocol

The report sought approval for the publication and implementation of a Commuted Sums (Section 106 Agreements) - Developer Fund for Affordable Housing Protocol which would be used to determine and secure off-site affordable housing contributions and provide a framework for the future allocation and use of commuted sums (copy attached to the signed minutes as Appendix B, along with the report of the Economic Growth and Strategic Transport OSC).

Councillor Sambrook drew members' attention to the recommendation from Scrutiny that a member from each political group be involved in the Housing Developer Fund Evaluation Panel, though he acknowledged this was a decision for Cabinet.

The Leader advised that members already had an input through the Housing Cabinet Advisory Group and through the Economic Growth portfolio.

Councillor Hepple commented that the report's proposals would help to deliver much needed affordable housing. He could not support the Scrutiny

recommendation regarding member involvement because a similar protocol in leisure and sport provision did not involve members and operated successfully. He also feared the possibility of undue influence on the process should members become involved.

Councillor Kelly expressed some concern about the development of off site affordable housing as he felt developers could use this as an excuse for not including it on site, which was where it should be to provide balanced communities.

Mr Ketley reassured members that there was no suggestion in the protocol to permit off site affordable housing development. The presumption would always be in favour of on site, but there were cases where this was not possible and alternatives had to be found.

Councillor Swithenbank agreed with Councillor Kelly's view but commented that there were occasions when it was more financially advantageous to accept a commuted sum for off site provision.

Members supported the report's recommendations without dissent.

RESOLVED that:-

- (a) the draft Commuted Sums (Section 106 Agreements) - Developer Fund for Affordable Housing Protocol be approved;
- (b) the measures set out within the draft Protocol by which commuted sums for affordable housing purposes are to be allocated be approved;
- (c) the draft Housing Developer Fund application form for use with immediate effect be approved;
- (d) the proposed membership of the Housing Developer Fund evaluation panel be approved authority delegated to the panel to make recommendations for approval of successful applications to facilitate further affordable housing delivery across the County; and
- (e) the report of the Economic Growth and Strategic Transport OSC be noted, but the recommendation regarding the addition of elected members not be accepted.

56. REPORT OF THE CHIEF FIRE OFFICER

Environmental Enforcement Fixed Penalty Notice Policy 2017

The report asked Cabinet to consider the Environmental Enforcement Fixed Penalty Notice Policy 2017 (copy attached to the signed minutes as Appendix C, along with the report of the Communities and Local Services OSC). Members noted that this was only one element of a wider policy to improve the environment of the County and the initiative to retrain enforcement officers had been very successful, resulting in many more convictions. This was appreciated by the general public.

Councillor Reid queried how the reduction for early payment was arrived at, and Mr Simpson advised that a 20% reduction for the administration costs of a follow up letter was allowed for.

RESOLVED that:-

- (a) Cabinet receive and adopt the Environmental Enforcement Fixed Penalty Notice Policy 2017; and
- (b) the report of the Communities and Local Services OSC be noted.

57. REPORT OF THE DIRECTOR OF CORPORATE RESOURCES

State of Northumberland and Corporate Plan Progress

The provided updates on information on the State of Northumberland, and on progress in delivering the Corporate Plan (copy attached to the signed minutes as Appendix D, along with the report of the Corporate Performance OSC).

Councillor Cairns highlighted the main points contained in the report from Scrutiny which were of concern, including the number of children in poverty, the prevalence of child obesity and the rise in looked after children. The Committee had referred to the increasing disparity between the older and more affluent communities and the younger, less affluent population which was being priced out of housing in nicer "tourist" areas. Reference had also been made to whether there was a rural/urban split.

Councillor Ledger referred to the severe cuts in funding which the Authority had suffered - a loss of £190m since 2010 - adding that a significant amount had been achieved despite this, including a £238m capital investment programme and the attraction of £292m of private investment into the County. The Government needed to recognise the funding issues the Authority faced and the effect they were having.

Councillor Dungworth commented that the report held no surprises and merely reflected recent Government policy. The issues particular to Northumberland had not gone away; these were recognised and would receive additional support. The report highlighted what the Authority was doing to address the issues despite the circumstances, and at what more could be done, for

example around commissioning. She added that people lived in poverty across Northumberland; it was not a rural v urban issue.

Councillor Ledger commented on the positive economic effects the roll out of superfast broadband had had in the County and on the other positive achievements which had been made in difficult circumstances.

Councillor Kelly agreed that the achievements of the last four years should be recognised. He was glad to have been part of the Cabinet and to share responsibility for the approach and decisions taken to deliver significant achievements when neighbouring authorities were cutting services dramatically.

Councillor Dungworth referred to the areas for improvement highlighted by Scrutiny and reminded members that this needed to be looked at in the context of improvement generally, both on what had been achieved in the past and on going forward into the future.

RESOLVED that:-

- (a) the updated information be noted; and
- (b) the report of the Corporate Performance OSC be noted.

58. REPORT OF THE CHIEF EXECUTIVE

Treasury Management Mid Year Report for the period 1 April 2016 to 30 September 2016

The report presented the Authority's Treasury Management performance to members in compliance with CIPFA's Treasury Management in the Public Services: Code of Practice, (Revised 2011) and the Prudential Code for Capital Finance in Local Authorities 2003, revised 2011. The report advised members of Treasury Management activity and performance against prudential indicators during the period 1 April 2016 to 30 September 2016 (copy attached to the signed minutes as Appendix E).

Councillor Ledger advised that the Authority performed well in comparison to its benchmarking peers.

RESOLVED that:-

- (a) the report be received and the performance of the Treasury Management function be noted; and
- (b) approval of the Treasury Management Practices changes be recommended to Council.

59. REPORT OF THE FAMILY AND CHILDREN’S SERVICES OSC

Cabinet was asked to consider a report from the FACS OSC meeting of 10 November 2016 and the recommendations contained therein (copy attached to the signed minutes as Appendix F).

Councillor Gallacher reported that Scrutiny had endorsed the work of officers and partners and recommended to Cabinet that budget allocation continue to be available to support the Board’s work.

Councillor Arckless reported that the Government would be reviewing how the Board would work in future and reminded members about the good Ofsted inspection result which the Board had achieved. He welcomed the positive view of the Board’s work from Scrutiny and felt that this was an important responsibility which the Authority needed to give priority.

RESOLVED that Council be recommended, as part of its budget discussions, to consider the inclusion of budget allocation to support the Northumberland Local Safeguarding Board in its current form.

60. 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 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 Item	Paragraph of Part I of Schedule 12A
12	3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information) The public interest in seeking this exemption outweighs the public interest in disclosure because of the serious consequences for the Authority and others if the information should come into the public domain.

61. MINUTES

RESOLVED that the confidential minutes of the meeting of Cabinet held on 6 December 2016, as circulated, be confirmed as a true record and signed by the Chair.

CHAIR.....

DATE.....