

## **NORTHUMBERLAND COUNTY COUNCIL**

At a meeting of the **Northumberland County Council** held at County Hall, Morpeth on Wednesday 9 January 2019 at 3.00 pm.

### **PRESENT**

Councillor R.R. Dodd  
(Leader of the Council) in the Chair

### **MEMBERS**

Armstrong, E.	Moore, R.
Bawn, D.	Murray, A.H.
Beynon, J.	Nisbet, K.
Bridgett, S.C.	Oliver, N.
Campbell, D.	Parry, K.
Cartie, E.	Pattison, W.
Castle, G.	Pidcock, B.
Cessford, T.	Purvis, M.
Clark, T.	Quinn, K.
Crosby, B.	Reid, J.
Dale, P.A.M.	Renner-Thompson, G.
Daley, W.	Richards, M.E.
Davey, J.G.	Rickerby, L.J.
Dunbar, C.	Riddle, J.R.
Dungworth, S.	Robinson, M.
Dunn, L.	Roughead, G.
Flux, B.	Sanderson, H.G.H.
Foster, J.	Seymour, C.
Gallacher, B.	Sharp, A.
Gibson, R.	Simpson, E.
Gobin, J.J.	Stewart, G.
Grimshaw, L.	Stow, K.
Hepple, A.	Swinburn, M.
Hill, G.	Swithenbank, I.C.F.
Homer, C.	Thorne, T.N.
Horncastle, C.W.	Towns, D.
Hutchinson, J.I.	Wallace, R.
Jackson, P.A.	Watson, J.G.
Jones, V.	Wearmouth, R.W.
Kennedy, D.	Webb, G.
Lang, J.A.	Wilson, T.
Ledger, D.	

### **OFFICERS**

Angus, K.

Executive Director of HR/OD and  
Deputy Chief Executive

Elsdon, A.  
Hadfield, K.

Henry, L.  
Johnston, P.  
Mitchell, A.  
Roll, J.

Service Director: Finance  
Committee Services and Scrutiny  
Manager  
Legal Services Manager  
Interim Executive Director, Place  
Head of Corporate Assurance  
Democratic Services Manager

Around 12 members of the press and public were in attendance.

## **52. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Cessford, S. Davey, Dickinson and Lawrie.

## **53. MINUTES**

With regard to Minute No.44 (Member Question No.3), Councillor Pidcock asked the Leader whether he had read the articles he had sent him from New Statesman regarding austerity, and he asked the Leader to confirm whether he had said that austerity was over at the previous meeting, and whether he thought it was accurate, because if so, it wasn't true.

**RESOLVED** that the minutes of the meeting of County Council held on 7 November 2018, as circulated, be confirmed as a true record, signed by the Business Chair and sealed with the Common Seal of the Council.

## **54. DISCLOSURE OF MEMBERS' INTERESTS**

Mr Henry drew members' attention to the minutes of the Cabinet meeting of 19 December 2018 which had been circulated in the chamber, and which were to be dealt with as item 7(3) on the agenda. Minute No. 74 of these minutes (Approval of the Council Tax Support Scheme 2019-20) required Council approval as part of the budget and policy framework. He advised that some members may be in receipt of Council Tax support, or have family members in receipt of Council Tax support. This needed to be declared if so. However, he was of the opinion that such an interest was not so significant as to constitute a prejudicial interest, and therefore the member would not need to withdraw. The following members declared such an interest in this item:-

M.E. Richards  
J. Foster  
V. Jones  
A. Hepple  
K. Nisbet.

Councillors Reid, Daley, Jackson and Wearmouth declared a personal interest in item 15 on the agenda (Enterprise Zone - Northumberland Energy Park East Sleekburn (NEP1) as Directors of Advance Northumberland.

Councillor Davey declared an interest in Member Question No.2 from Councillor Hill to the Leader as a material witness for the Police in the matter concerned and understood he would have to leave the chamber. Mr Henry advised that this was just a member question, not a matter for consideration, so there was no absolute necessity for Councillor Davey to withdraw, but this was a matter for his own discretion.

Councillor Jackson and Riddle declared disclosable pecuniary interests in Minute No.60 of the 13 November 2018 Cabinet meeting (Provision of Indemnities in respect of Legal Costs), advising that they would withdraw should there be any discussion on it.

## **55. ANNOUNCEMENTS**

The Business Chair made the following announcements:-

### **(1) NCC Holocaust Memorial Day Event**

The annual NCC Holocaust Memorial event would take place on Thursday 24 January in the Council Chamber and members were encouraged to attend. The event was open to the public and would start with the raising of the Holocaust Memorial Flag and a blessing by Rabbi Lipsey at 3:45 pm prior to the service at 4:00 pm. The event would be hosted by our Voices for Choices young people and last around 90 minutes. The theme this year was 'Torn from Home' and would include music contributions and hearing the experiences of some refugees. As part of the memorial event, The Fuse Centre at Prudhoe would be showing films free of charge on 29 and 30 January including Life is Beautiful, Schindler's List and Escape from Sobibor.

### **(2) Social Worker of the Year Award**

Zoe Williamson from Rothbury had won the category of Mental Health Social Worker of the Year and Overall Social Worker of the Year, thereby taking the title of the "Best Social Worker in Britain 2018". The Chief Executive and Leader of the Council would write to congratulate her.

### **(3) 2019 LGC Awards**

Northumberland had been shortlisted in three categories -

- Digital Impact
- Health and Social Care
- Public/Public Partnerships

The winners would be announced on 13 March 2019.

### **(4) HM Queen New Years Honours List**

A number of people associated with the region had received honours in HM the Queen New Years Honours list as follows:-

### **KNIGHTS BACHELOR**

James Mackey. Chief Executive Northumbria Healthcare NHS Foundation Trust. For services to health in England and to the community in North Tyneside and Northumberland. (Ponteland, Northumberland)

### **OBE**

Shirley Anne Atkinson. Formerly vice-chancellor The University of Sunderland. For services to widening participation in higher education. (Hexham, Northumberland)

John James Lawlor. Chief executive Northumberland, Tyne and Wear NHS Foundation Trust. For services to the NHS. (Northumberland)

Diane Spence. Senior Crown Prosecutor, North East Complex Casework, Crown Prosecution Service. For services to law and order. (Northumberland)

John Richard Healy, Private secretary, Office of the Parliamentary Counsel. For public services. (Bedlington).

### **MBE**

Margaret Barrett. Social worker fitness to practice panels, Health and Care Professions Tribunal Service. For services to leadership for adult social services. (Northumberland)

Dr Stanley Gregory Beckensall. For services to prehistoric rock art and history in Britain. (Hexham)

Helen Marion Susan Milner. For services to education and to the community in North East England. (Hexham, Northumberland)

Yvonne Armstrong Ormston. Chief executive North East Ambulance Service NHS Foundation Trust. For services to Healthcare in North East England. (Morpeth)

Susan Pearce. Joint chief executive officer, Rape Crisis Tyneside and Northumberland. For services to victims of sexual violence. (County Durham)

### **BEM**

Alan Geoffrey Bell. For services to flood risk management in Morpeth. (Northumberland)

The Reverend Janet Lesley Jackson. For services to bereaved families in North East England. (Hexham)

Kenneth Sidney John. For services to the community in Wylam Northumberland. (Wylam)

David Anthony O'Connor. For services to the community in Northumberland. (Fenwick, Northumberland)

Peter Craig Robertson. For services to rugby in Scotland and North East England. (Hexham)

Diana Robison. For services to the community in Haltwhistle, Northumberland. (Haltwhistle)

The Leader was pleased to announce that Northumberland had won the best UK Holiday County in the British Travel Awards which was a magnificent achievement.

## **56. MEMBER QUESTIONS**

### **Question 1 from Councillor Hill to Councillor Oliver**

What progress has been made following the decision made by this authority, some months ago, to review its constitution ?

Councillor Oliver advised that, following the decision taken by full Council, officers had been conducting a preliminary review of the Constitution to ensure that it properly reflected the changes agreed by full Council since it was last published in November 2017. Due to other work commitments that review had taken longer than expected but he was pleased to advise that it had now been completed and a meeting of the Working Group was being arranged for an early date.

Councillor Hill sought assurances that this review would be thorough and involve councillors, with sufficient methodology employed and comparisons made to other authorities. Councillor Oliver confirmed this would be the case.

### **Question 2 from Councillor Hill to Councillor Jackson**

Can you confirm that Northumberland County Council is doing everything in its power to help the users of the Briardale Centre in Blyth following the recent, damning news about management problems at the Centre?

The Leader responded that this was a very serious situation. The County Council had been notified in November that the charity responsible for the running of the Briardale Community Centre was in serious financial difficulties with salaries not being paid for several months. The charity had requested and was given support for salaries and running costs as well as officer support to identify the extent of the issues.

A thorough assessment had been carried out by officers including adequacy of the financial governance procedures. There had been allegations of money

going missing and the bankruptcy of the organisation seemed certain, but the Council could not support the charity until the situation had been fully assessed, and that had now been done.

The County Council had made the trustees aware of the serious governance concerns by letter, and had made a repayable loan to the charity so that the overdue salaries could be paid. This was an important community facility and the Administration was determined not to let it fail because of the mismanagement of others.

The Trustees had been advised that they had a formal duty to report a Serious Incident to the Charity Commission and they were informed of the process to follow. It was not known whether this had been done yet. The County Council had also made its own referral to the Charity Commission and had advised the charity in writing of what action had been taken to date.

The County Council had liaised with Blyth Community and Voluntary Association (CVA) and Blyth Town Council to provide as much support to the Briardale Community Centre as possible. The Trustees asked the County Council to take temporary management of the Centre as the Trustees viewed the continued future operation of the Centre unviable at the time. Officers arranged a handover meeting on 31st December 2018 and a formal handover of keys and the centre took place on 2nd January 2019.

Since the 2nd of January Council officers had undertaken an assessment of the Briardale Community Centre which had included:

- A full overview of the services provided;
- A full review of a health and safety matters which had raised some serious concerns;
- A full financial overview and arranging basic cash flow systems;
- A full inventory and establishment of an asset register;
- A full review of insurance arrangements;

It was important to note that the Trustees remained fully responsible for the liabilities of the Charity and its operation. The temporary support provided by the County Council did not absolve the Trustees of this responsibility. The support from the County Council had been provided to ensure that vital local services for some of the most vulnerable residents could continue to be provided from the centre. The County Council was now working with Blyth CVA and other stakeholders to try and ensure that vital council services were maintained with a new provider, and the Council would continue to provide as much support as possible.

Councillor Hill felt that residents would be concerned on two points. The first had been addressed by the Leader regarding the attempts being made to put things right for vulnerable people. The second was whether there had been negligence, and if so, would there be accountability for that? She asked how this situation had been allowed to happen.

The Leader responded that to date, the County Council had had no involvement in the running of the centre, which had been done by the Trustees. There were matters of serious investigation to be undertaken both for the County Council and other organisations, for example why it had taken only 9-10 months for a community centre which had been running on a reasonable basis to get to a position of utter collapse. There had been issues with the management appointment process, and issues with financial management and tracking of funds, and the matter was now subject to a police investigation. He suggested that the Trustees should recognise their role in this and resign with immediate effect, and if they were representatives of the community, they should admit responsibility and the failings of the centre.

### **Question 3 from Councillor Dale to Councillor Dodd**

Please could Health and Wellbeing O & S and the West Area Committee have the opportunity to review the provision of overnight services at Hexham Hospital without further delay?

Councillor Dodd advised that the January Health and Well Being OSC had received an update on winter planning from the CCG and Trust, which included staffing at the Hexham hospital service.

Councillor Dale responded that she had originally asked this question in November and had had to chase up a response. The Chief Executive had advised her to ask the question of the Trust. However, she felt that the people of the Tynedale area should be able to have a discussion at Tynedale LAC on the next available date so they could know what evening service would be available at Hexham. Councillor Dodd responded that the matter had now been considered by the Scrutiny Committee as per the Chief Executive's advice. Councillor Dale responded that this was misinformation and she would take it up with him.

### **Question 4 from Councillor Dale to Councillor Renner Thompson**

When will Children's Services O & S be able to review the updated Schools funding formula?

Councillor Dale welcomed that this was going to FACS OSC on 10 January 2019 and Cabinet on 15 January 2019 but asked that the Committee look at formula funding for first schools and those becoming primaries, and the benefits of federations, as the west of the County was very keen to retain its first schools. Councillor Renner Thompson replied that this could be discussed at the meeting, and he encouraged Councillor Dale to email him or officers with queries at any time, rather than have to raise them at Council.

## **57. CABINET MINUTES**

The Leader moved the following minutes of Cabinet:-

- (1) Tuesday 13 November 2018**
- (2) Tuesday 11 December 2018**
- (3) Wednesday 19 December 2018** (circulated at the meeting)

and asked members to approve the following resolution as it involved budget and policy framework matters requiring Council approval:-

**(i) Minute No. 74 relating to the Council Tax Support Scheme**

Regarding Minute No. 74 of the 19 December 2018 meeting, Councillor Davey stated that Councillor Oliver's comment about a proposed 50% cut in Council Tax support by the previous Administration was categorically not correct. It may have been in officer plans, but it had not been brought to the Labour Group.

Councillor Oliver confirmed that there was a proposal for consideration by Cabinet in October 2017 and Council in November 2017. He found it alarming if Councillor Davey had not known about it as it was a significant policy change only a few months ahead of it going to Cabinet.

Councillor Grimshaw reminded members that she had advised Council at the last meeting that the Labour Group would have vehemently opposed any proposal to tax the most vulnerable members of society. She asked how many people had responded to the consultation including those with learning disabilities and those who had no access to computers, and how many people in different categories had been asked whether they wanted it implemented or not.

Councillor Oliver replied that it had been part of the overall budget savings of the Council, and had Labour been successful in the May 2017 the timetable would have been as he had already outlined involving a three month consultation process from June 2017. Regarding the consultation process, there had been around 500 responses. He did not know precisely what proportion were in receipt of council tax support, but the letters sent out were sent proportionately to people in receipt of council tax support. The consultation had been very well publicised across social media and in newspapers across the County and in many other ways, and there had been a reasonable response.

Councillor Grimshaw did not feel 500 was a reasonable response and asked how many people had been informed. Councillor Oliver reiterated that this was not something the Administration was undertaking lightly but he reminded members that people would be better off under this proposal than they would have been under Labour.

Councillor Reid asked whether the Administration had considered how difficult it would be to collect small sums of money from the most vulnerable in the County. People would have to be taken to court, which would obviously be

traumatic, but the real difficulty would be actually getting the money. The implications of the proposal were immense.

Councillor Oliver appreciated that the task would be difficult. The Council had one of the best collection rates in the region, and the rate for this element had been benchmarked at 83%. Every other local authority in the region apart from Durham charged a proportion of their Council Tax, and the proposal would still mean the Authority had the second lowest charge in the region.

A number of comments were made including:-

- Councillor Campbell had previously asked the Administration to look at this again and show some compassion on this issue, and felt that it was not right to charge a percentage just because other authorities were doing it. This would add to the already horrendous pressures on families when attempts were made to try and collect it. She had not been elected to the authority to do this to the poorest families and urged the Administration to have a re-think for the small amounts of money involved.
- Councillor Grimshaw agreed that the Council Tax collection rate was something to be proud of but that rate would not apply to this. She asked whether people would be evicted by the Authority if they could not pay.
- Councillor Dale referred to children in need which were her main concern. The overspend on this budget was currently £5.6m. This proposal would impact on such children and she felt it was wrong to introduce it at this time, particularly when Universal Credit had proved to have errors.
- Councillor Dungworth was proud that the Council had been one of only two authorities to maintain full support. The plight of the working poor had been well documented, and this would affect families already living on the very edge. Whilst some of the figures being mentioned may not mean much to members in the Chamber, they did mean a lot to some, and would involve serious and substantial choices for those people. This measure did not need to be taken and she wouldn't support it.
- Councillor Hill was disappointed that members were being asked to vote on this today when they had not known about it. She appreciated that there were tough financial decisions to be made but the line had to be drawn when the most vulnerable members of society would be affected.
- The Leader agreed that this was a very difficult decision but a £65m black hole had been inherited and the financial challenges to balance the budget remained. 51-52% of those surveyed had agreed that everyone should make a contribution to County Council services. Some of the pressures on the Authority included a rapidly ageing population and a higher number of children with special educational needs and special needs generally. Day to day services also had to be maintained, and income was needed to do that. A small contribution towards services was being sought and the level would not be raised under the current Administration.
- Councillor Oliver agreed this was a very difficult decision but reminded members that savings had to be made, and the contribution of £1m from this proposal was less than 3% of the total savings needed. Other areas were being asked to make much greater savings. The Administration was adopting a different approach to dealing with the problems it faced including rebasing budgets, taking a realistic approach to what services cost to run, and making

access to services cheaper. The money would be used to provide better support for the vulnerable across the County. There were major shifts being made in policy areas to improve prospects for people across the County, but this needed to be funded.

On the required number of members requesting a named vote on the recommendations of Cabinet detailed at Minute No.74 of the 19 December meeting, the votes were cast as follows:-

**FOR: 31** as follows:-

Armstrong, E.	Oliver, N.
Bawn, D.L.	Pattinson, W.
Beynon, J.A.	Quinn, K.R.
Castle, G.	Renner-Thompson, G.
Daley, W.	Riddle, J.R.
Dodd, R.R.	Roughead, G.A.
Dunbar, C.	Sanderson, H.G.H.
Flux, B.	Seymour, C.
Gibson, R.	Stewart, G.
Homer, C.	Stow, K.
Horncastle, C.W.	Swinburn, M.
Hutchinson, J.I.	Thorne, T.N.
Jackson, P.A.	Towns, D.
Jones, V.	Watson, J.G.
Moore, R.	Wearmouth, R.W.
Murray, A.H.	

**AGAINST: 26** as follows:-

Bridgett, S.C.	Hill, G.
Campbell, D.	Kennedy, D.
Cartie, E.	Lang, J.A.
Clark, T.S.	Ledger, D.

Dale, P.A.M.	Nisbet, K.
Davey, J.G.	Parry, K.
Dungworth, S.	Pidcock, B.
Dunn, L.	Purvis, M.
Foster, J.	Richards, M.E.
Gallacher, B.	Simpson, E.
Gobin, J.J.	Swithenbank, I.C.F.
Grimshaw, L.	Webb, G.
Hepple, A.	Wilson, T.S.

**ABSTENTIONS: 6** as follows:-

Crosby, B.	Robinson, M.
Reid, J.	Sharp, A.
Rickerby, L.J.	Wallace, R.

**RESOLVED** that:-

(a) the following minutes be received:

- (1) Tuesday 13 November 2018**
- (2) Tuesday 11 December 2018**
- (3) Wednesday 19 December 2018**

(b) the following resolution be approved as it involved budget and policy framework matters requiring Council approval:-

- (i) Minute No. 74 relating to the Council Tax Support Scheme**

**58. COMMITTEE MINUTES**

**(1) Family and Children's Services OSC**

These were presented by Councillor Swinburn who drew members' attention to Minute No. 34.1 (Update on Academic Outcomes). A significant improvement had been made with the Authority moving up in place from 121 to 91 in the tables, though there was still a long way to go.

Regarding Minute No. 34.3 (Schools Capital Programme), he was pleased to report that the proposed investment of £42.9m over 70 projects bucked the trend of many councils, and a task and finish group had now started its work on children permanently excluded from school.

On this subject, Councillor Pidcock commented that the majority of exclusions were from academies, and he queried how valid information could be obtained from them in order to do a thorough job. He also referred to the FACS OSC meeting which had agreed to a cut in the youth service, asking when those minutes would come to members.

Councillor Daley advised that he had already had meetings with Blyth Academy and a relationship had now been established with the Regional Schools Commissioner, so he was confident that they would get that detailed piece of work. The Working Group was cross party and he was happy that the Group would take ownership of the situation and get the work completed. Regarding the youth service, he confirmed that front line services were being preserved. Savings identified were management level only and there was a overwhelming support for the County's youth service offer, which was being targeted to all the hotspot areas it was needed. Councillor Pidcock responded that members had been advised at the Committee that levels of management would be taken away. These no longer existed, and young people would therefore be affected. Councillor Daley reiterated that the savings were management level only.

Councillor Dale asked that the Committee look at pupils who were regularly excluded where each exclusion counted as a separate figure, and which created a fundamental problem for the future of that child.

**RESOLVED** that the minutes of the Family and Children's Services OSC be received.

## **(2) Communities and Place OSC**

These were presented by Councillor Reid.

Regarding Minute No.42 (Improvements and Investment in Car Parking Provision), Councillor Cartie did not feel that the minutes accurately reflected the discussion at the meeting. Many of the concerns raised had not been referred to and there had been no mention of the petitions raised in opposition. Implementing the proposals would also be contravening the Council's own policy.

Councillor Reid advised that the minutes did fairly reflect what had happened, and some of the issues which Councillor Cartie had raised had not been mentioned at the meeting. The contravention of Council policy had been referred to but that was a matter for the Administration to deal with. Councillor Cartie may not support the Administration's proposals, however they were eventually implemented, but these points did not mean the minutes were incorrect.

Councillor Davey advised that the Council's policy had included a consultation with town and parish councils so they could decide on the implementation of charges within their area. Some had chosen to retain them, including Seahouses Parish Council, which had now been subject to recent media attention and requests from the public not to have charges in their area. He advised that, in order to make any changes to the current arrangements by imposing charges in areas where town and parish councils didn't want them, the County Council would have to repeal its existing policy. Also, his administration had increased the Council Tax in the 2014 budget to fund maintenance and improvement of car parks across the County, so the public could not therefore be charged again. He urged the Administration to re-think it.

With regard to this item (paragraph 7), Councillor Dunn advised that she was not the ward member. Also with regard to this item (paragraph 6), Councillor Pattison advised that it should read "...**increased** parking charges..."

Councillor Renner-Thompson confirmed that Seahouses Parish Council were not against charges as they already applied. There had been some concerns about the policy, which had been fed back into the consultation.

Councillor Swithenbank advised that introducing charges would impact on those who had to drive somewhere to go for a nice walk, such as at the country parks. He had never seen such expressions of outrage as he had in Blyth recently at the suggestion that charges could be introduced where it had always been free. He asked for reassurances that the Petitions Committee would be given proper cognisance about the strength of feeling which existed.

With regard to Councillor Davey's remarks on the Council Tax, Councillor Oliver advised that this was not correct. The Council Tax was for all services, not specific ones. There had been no investment in car parks in the west of the County for a very long time, and it was only now that any real improvements were being delivered.

Councillor Sanderson commented that he was very proud of what County Council staff did to deliver front line services every day and he would not cut those or borrow money to pay for a car park expansion programme and investment in country parks and play areas. He felt this was a fair way to meet the costs of the expansion programme, but would listen to reasonable and not political points made as part of the consultation.

**RESOLVED** that the minutes of the Communities and Place OSC be received.

### **(3) Health and Wellbeing OSC**

These were presented by Councillor Watson.

With regard to Minute No. 43.1 (Charges for Care and Support Services), Councillor Dungworth commented that the minutes did not reflect that members had questioned and challenged and been concerned that, for a lot of people, the proposals would cause hardship. Government policy was driving

the need for such proposals and it was a problem for all councils, including Conservative. Not everything could be blamed on the previous administration; it was about austerity.

**RESOLVED** that the minutes of the Health and Wellbeing OSC be received.

**(4) Health and Wellbeing Board**

These were presented by Councillor Dodd.

**RESOLVED** that the minutes of the Health and Wellbeing Board be received.

**(5) Audit Committee**

These were presented by Councillor Hill, advising that with regard to Minute No.26 (Report of the Chief Internal Auditor - Town and Parish Councils), the debate on the matter continued.

With regard to this minute, Councillor Dungworth expressed concern at the statement from the Chair that many Parish Councils were scarcely acting legally. She was concerned that such a statement had been included in a County Council agenda without any evidence to support it. The County Council had a very good relationship with the town and parish councils, and she felt that such comments brought the Authority into disrepute and jeopardised that relationship. She asked to hear what the evidence was so that it could be recorded in the Council meeting.

Councillor Hill replied that there were town and parish councils all over the country that had issues with wrongdoing and governance, for example Ledbury and Rothbury, so she had provided specific examples in the meeting, and these were not the only instances. She could not see that there was a problem with someone expressing an opinion on an issue that existed within the sector, and if someone objected to that, then that called into question why that objection was being made.

Councillor Dungworth reiterated that the remarks were out of order. If the Chair's personal opinions were being recorded as a matter of fact and as the Council's position in minutes, then this was a real problem. She felt this issue should be reviewed and brought back.

Councillor Roughead commented that, as Chair of the Town and Parish Council Liaison Group, he had been consulted on the report. The report had not accused any specific town or parish council of anything, and had been more of a general report on the setting of the precept. He suggested that any references to town and parish councils should also include community councils as there was one in Northumberland.

**RESOLVED** that the minutes of the Audit Committee be received.

## 59. DELEGATED DECISIONS

**RESOLVED** that the delegated decisions taken since those last reported to Council be received.

## 60. MOTIONS

### **Motion No.1**

In accordance with Council Rules of Procedure No.10, Councillor J.G. Davey moved the following motion, received by the Democratic Services Manager on 18th December 2018:-

*“This Council notes with concern that in the consultation document for the refranchising of Northern Rail and TPE includes a requirement for bidders to outline how they will remove the safety critical role of the guard from their services, i.e.:*

*“On the Northern franchise, we expect to require bidders to set out how DOO (Driver-Only-Operation) may be introduced onto suitable services. On TPE, this will be left at bidders' discretion.”*

*Council is extremely concerned about the potential impact such a retrograde move would have on travellers to and from Local stations and across the region in general. Passenger Focus research demonstrates that passenger's perception of safety and security is greatly enhanced by the presence of conductors on trains in:-*

*Conductors provide an invaluable service to passengers providing:*

- Revenue Protection duties, ensuring all passengers have a valid ticket for travel and selling tickets to those without them. This is vital to deal with high levels of ticketless travel currently occurring on the Northern network.*
- A vital customer service role including, travel information in relation to connections etc. for onward journeys; and very importantly - assist passengers with mobility issues to board and alight trains comfortably and safely.*
- Dealing with issues of anti-social behaviour and reacting to safety and operational incidents.*

*Council therefore instructs the Chief Executive to write to the NELEP, Transport for the North, all Northumberland MP's and the Chief Executive and Chair of Northern Rail to oppose the proposal to remove on-board conductors and contact the DfT and relevant Government Ministers to ensure on-board conductors are retained within the service specification.”*

Councillor Davey introduced his motion, referring to a recent accident on the Carlisle to Newcastle line. Guards had an essential role to play in the safe operation of the trains and had a long list of competencies to meet in order to perform their duties. Their presence was essential at non-manned stations to assist those with mobility issues to access trains safely.

This was seconded by Councillor Purvis who fully supported the motion. As a trade union branch secretary, he had had concerns from young, disabled, and retired members regarding the health and safety implications of not having guards on trains, and he hoped members would support the motion.

Councillor Reid moved an amendment to the final paragraph of the motion as follows:-

*“Council therefore instructs the Chief Executive to write to the NELEP, both Combined Authorities, Transport for the North, all Northumberland MPs, Lord Shipley, Lord Beith, Baroness Maddock, and the Chief Executive and Chair of Northern Rail to articulate the Council’s opposition to any proposal to remove on board conductors for the reasons set out in the motion. Council also instructs the Chief Executive to write to the DfT and relevant Government ministers to lobby for on board conductors to be retained within any train service specification issued for tender in the North East. A copy of all correspondence should be shared with all members as and when it is written or received by the Chief Executive. Also, a report on progress on the issue will be included on all full Council agendas until such time as a majority of Councillors present at a Council meeting vote to no longer receive any more updates.”*

This would let members see the outcome and actions taken reported back. The amendment was seconded by Councillor Rickerby, and accepted by Councillor Davey.

Councillor Wearmouth advised that he had contacted Northern Rail and had received the following reply:-

*“It is correct that Rail North and the DfT have now supported having a second person on every train to look after customer needs. This includes customer assistance, luggage handling, tickets, timetable information and the other things which had been mentioned in the motion. They had invited the RMT to talks through ACAS and also asked for an independent review to be done through ACAS to further understand the reasons why the RMT had suspended all strike actions while ACAS worked through the detail. They have refused the latter and the former was unsuccessful unfortunately.”*

He commented that the main concern for people at the moment was the strikes and these needed to stop. The reason behind the motion was the lack of an additional person on the train to provide the services identified, and yet from the response provided it seemed clear that what was being sought by the motion was going to happen. He could not therefore support the amendment and suggested that there should be another amendment saying that the Council entirely supported the position of Rail North and the DfT of having a

second person on the trains, and that the Council call on the Unions to end the strike action to protect rail users.

A number of comments were made, including:-

- Guards on trains were essential. They were the point of contact with the driver, police, command and for the public in the event of any emergencies.
- The practicalities of having this item on each Council agenda would be difficult.
- The motion was pious as it attempted to reverse the original motion.
- It was good that the amendment looked to the future as well as the current position. It should be written into all transport arrangements with the Combined Authority that all train services operated with a guard.
- The motion should be withdrawn as Northern Rail appeared to be agreeing to what had been asked for, and it had been agreed as part of the tender for the franchise that a second person would be on the train.

Councillor Davey advised members that the motion was about making sure that all train companies employed guards, not just Northern Rail.

On the amendment being put to the vote, there voted **FOR: 33; AGAINST: 25; ABSTENTIONS: 4**. The amendment was therefore carried. On the substantive motion being put to the vote, there voted **FOR: 32; AGAINST: 26; ABSTENTIONS: 2**.

It was therefore **RESOLVED** as follows:-

Council notes with concern that the consultation document for the refranchising of Northern Rail and TPE includes a requirement for bidders to outline how they will remove the safety critical role of the guard from their services, i.e.:

“On the Northern franchise, we expect to require bidders to set out how DOO (Driver-Only-Operation) may be introduced onto suitable services. On TPE, this will be left at bidders' discretion.”

Council is extremely concerned about the potential impact such a retrograde move would have on travellers to and from local stations and across the region in general. Passenger Focus research demonstrates that passengers' perception of safety and security is greatly enhanced by the presence of conductors on trains in:-

Conductors provide an invaluable service to passengers providing:

- Revenue Protection duties, ensuring all passengers have a valid ticket for travel and selling tickets to those without them. This is vital to deal with high levels of ticketless travel currently occurring on the Northern network.
- A vital customer service role including, travel information in relation to connections etc. for onward journeys; and very importantly - assist passengers with mobility issues to board and alight trains comfortably and safely.

· Dealing with issues of anti-social behaviour and reacting to safety and operational incidents.

Council therefore instructs the Chief Executive to write to the NELEP, both Combined Authorities, Transport for the North, all Northumberland MPs, Lord Shipley, Lord Beith, Baroness Maddock, and the Chief Executive and Chair of Northern Rail to articulate the Council's opposition to any proposal to remove on board conductors for the reasons set out in the motion. Council also instructs the Chief Executive to write to the DfT and relevant Government ministers to lobby for on board conductors to be retained within any train service specification issued for tender in the North East. A copy of all correspondence should be shared with all members as and when it is written or received by the Chief Executive. Also, a report on progress on the issue will be included on all full Council agendas until such time as a majority of Councillors present at a Council meeting vote to no longer receive any more updates.

## **61. REPORT OF THE INTERIM EXECUTIVE DIRECTOR OF PLACE**

### **Northumberland Local Plan - Publication Draft Plan (Regulation 19)**

The report sought approval to publish the Northumberland Local Plan - Publication Draft Plan (Regulation 19) and the Northumberland Design Guide Supplementary Planning Document - Scoping Document and the Highways and Transportation Design and Delivery Supplementary Planning Document - Scoping Document for consultation.

It also sought agreement that the Northumberland Local Plan be submitted to the Minister for Housing, Communities and Local Government for Independent Examination, following the conclusion of the Regulation 19 publication period.

Councillor Riddle wished to make it clear from the outset that he was approaching this process with an open mind, and would listen to all comments made before making his decision. He thanked Joan Sanderson and her team, and the LDF Working Group for the massive amount of work they had put in to get to this stage, and then detailed the key aims of the Plan. These included:-

- The importance of the environment in Northumberland
- The importance of Northumberland to the region and the national economy
- The intrinsic links of our economy to neighbouring authorities
- The need to ensure prosperous and sustainable communities

Some of the key things he wanted to highlight were:-

- No new housing allocation for the green belt
- 17,700 housing number - same as first draft but distribution across settlements had altered slightly
- Affordable housing targets variable in line with Government guidelines and with housing values across the County. These were minimums only

- Measures to manage second/holiday homes
- Measures to manage an ageing population
- Measures to support the delivery of better paid and more skilled jobs through employment sites
- Measures to safeguard existing mineral rail links and support improvements to the east coast main line, main road networks, ports and airport
- Support for connections to neighbouring areas
- The economy section had also been amended to recognise the importance of military related activity as a source of employment
- A new chapter had been added on quality and place

He felt the Plan was fit to address future housing and economic needs as well as respecting and protecting the County, and he moved the report's recommendations. This was seconded by Councillor Daley.

As Councillor Dale had left the chamber during Councillor Riddle's introduction, Councillor Riddle read it through again from the start.

With regard to affordable housing figures, Councillor Bridgett did not agree that this should be set at a minimum with the potential for increase. Once a figure was in a document, he felt that developers would always try and get away with as little as possible. In his view, this was the most important policy document that members had ever had to consider and would impact the residents of the County for many years ahead. He had examined all of the documentation thoroughly and many of the policy statements within it were relatively straight forward, but he had concerns about the affordable housing document. This was because it differed from that of other authorities which the Council was often compared to. Affordable housing was a subject which was very important to him, stemming from a target of 35% in the days of Alnwick District Council. The documents today made a mockery of that achievement. He did not agree that targets of 10% or 15% in some areas was acceptable. This meant that developers would make more money, and workers and their families would lose out, and the County would lose its economic vitality. The 10% or 15% targets would not just apply to new applications, but many revised applications would be submitted with lower affordable housing contributions, affecting the whole County. He felt that the affordable housing policy contained within the Plan was a disgrace, and a bad deal for the residents of Northumberland. He would not be supporting the Plan and would be requesting a named vote.

Councillor Horncastle objected to Councillor Bridgett raising these issues at this late stage in Council when representations could have been made through himself, officers or the LDF Working Group a long time ago. The Administration wanted as much affordable housing as possible, and the best way to achieve that was not to have a set figure, but to have a sliding scale, which was the professional advice of officers.

Mr Johnson provided some advice to members on some technical issues. Officers were required to produce a Plan which met a particular set of requirements and which he detailed in full. The Plan in front of members today

had been prepared in the context of the up to date National Planning Policy Framework requirements, and based on the evidence available now. It had had the benefit of critical friend review and had gone through a full Regulation 18 consultation phase, and been updated in light of representations made. A Planning Inspectorate advisory visit had also been made in December to review the policies within the draft Plan. All of these measures were designed to ensure as far as possible that the draft Plan met the test of soundness required by the NPPF.

Regarding affordable housing, the evidence showed that Northumberland needed at least 151 additional homes across the county every year for five years, and the Plan had been developed on the basis of those requirements. This equated to 17% of the Plan's minimum overall requirement, which would be the flat rate if this were to be applied across the County. However, the Plan recognised that it was much more difficult to buy property in some parts of the County than others, and the advice from the Planning Inspectorate was that the variable approach proposed was an appropriate way to meet those varying needs. The policy was not prohibitive, and the requirements outlined in the Plan were minimums and didn't prevent negotiation with developers to achieve greater numbers where it was justified. Rural areas could also benefit from more than the minimum policy level, and the Plan actually contained more affordable housing provision than the evidence required. The affordable housing provision requested of developers also had to be viable.

The Leader then advised that, regarding delivery, the strategy for this would come in a couple of months, but he was pleased to inform members that a programme of Council house building would begin in the near future.

Councillor Riddle highlighted the report's recommendations on page 95 which were to publish the Local Plan and submit it to Government for examination. This had been a long time coming and it was time to get on with it.

Member comments on this matter included:-

- Councillor Campbell welcomed the news that Council houses were going to be built again as governments of all parties had failed on this, and private landlords were taking advantage of vulnerable people. The number of homeless people was shocking and she suggested that the Council's empty properties should be offered to the homeless.
- Councillor Wilson felt that what constituted affordable housing was questionable. Social housing was what was needed, which would support rural communities and help keep schools open.
- Councillor Dale commented that all appropriate policies behind the Plan needed to be in place for the Plan to be agreed. She asked where the homes identified for Tynedale would be located. 37% of housing had been removed from the last version of the Plan and she queried the soundness of this given the ageing population and the desire for villages in the west of the County to retain their first schools to maintain economic viability. The Plan did not accurately represent this position, and she felt it should be reviewed again before being published.
- Councillor Bridgett remarked that he had communicated with officers of

the Council on the Local Plan under the last three Administrations and he could provide evidence of that.

- Councillor Oliver commented that Councillor Bridgett's speech had given the false impression that the Administration did not care about affordable housing. This was not true - the Plan contained four different categories and the Administration was determined to deliver as much as possible, in a pragmatic and deliverable way.
- Councillor Pidcock commented that "affordable" for the working class was based on the national minimum wage and the fact that if you spent more than 25% above your weekly income you would go into debt. A person on the national minimum wage had to work 70 hours per week to be able to afford "affordable" housing. Labour had a policy to build a million Council houses, which would take the idea of affordable housing away from developers.
- Councillor Wearmouth commented that the Administration had been very passionate about creating affordable housing and this was being done through Advance Northumberland. The policies in front of members would help deliver the affordable housing which was needed.
- Councillor Robinson felt that the term "affordable housing" was a complete misnomer and should be based on the ability of local people to afford what was on offer. He asked where the proposed Council housing was to be built, and how the better quality housing referred to in the Plan would be achieved, since the build quality of many houses being constructed now was very poor. He felt a minimum level of quality should be guaranteed.
- Councillor Bawn felt the Plan was a good one which had been carefully thought through and all the issues looked at. The Plan included sensible decisions based on economic growth and would safeguard the County far more than the previous version.
- Councillor Wilson felt all affordable housing on a development should be constructed first.
- Councillor Davey commented that the 17,700 housing figure and protection of the green belt would simply dump the vast majority of building into the south east of the County, killing off rural villages in the west of the County and putting major pressure on County Council services in those areas. He referred to the draft Economic Strategy, on which the Local Plan was relying, which had to be proven sound. At this stage, it was still only draft. The Combined Authority and Mayor would also have plans, as would other authorities, which could be at odds with Northumberland. He queried therefore whether this was premature and was concerned that it would not be found sound because it was based on a draft Economic Strategy, an out of date Housing Strategy and low housing numbers in rural areas.
- Councillor Daley felt that members should focus on the key points - that the Local Plan was about economic growth and ambitious links to skills and employment. He reminded members that they were merely being asked to progress the Plan to the next stage. The six week consultation period from 30 January to 13 March would allow anyone to make representations on the grounds detailed in paragraph 44. On behalf of the Administration, he expressed gratitude to Councillor Horncastle and the LDF Working Group, and all members and staff involved in the

development of the Plan.

On the required number of members calling for a named vote on this issue, the votes were cast as follows:-

**FOR: 37** as follows:-

Armstrong, E.	Quinn, K.R.
Bawn, D.L.	Reid, J.
Beynon, J.A.	Renner-Thompson, G.
Crosby, B.	Rickerby, L.J.
Daley, W.	Riddle, J.R
Dodd, R.R.	Robinson, M.
Dunbar, C.	Roughead, G.A.
Flux, B.	Sanderson, H.G.H.
Gibson, R.	Seymour, C.
Hill, G.	Sharp, A.
Homer, C.	Stewart, G.
Horncastle, C.W.	Stow, K.
Hutchinson, J.I.	Swinburn, M.
Jackson, P.A.	Thorne, T.
Jones, V.	Towns, D.
Moore, R.	Wallace, R.
Murray, A.H.	Watson, J.G.
Oliver, N.	Wearmouth, R.
Pattison, W.	

**AGAINST: 1** as follows:-

Bridgett, S.C.	
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**ABSTENTIONS: 22** as follows:-

Campbell, D.	Hepple, A.
Cartie, E.	Lang, J.A.
Clark, T.S.	Ledger, D.
Dale, P.A.M.	Nisbet, K.
Davey, J.G.	Parry, K.
Dungworth, S.	Pidcock, B.
Dunn, L.	Purvis, M.
Foster, J.	Simpson, E.
Gallacher, B.	Swithenbank, I.C.F.
Gobin, J.J.	Webb, G.
Grimshaw, L.	Wilson, T.S.

**RESOLVED** that:-

1. the Northumberland Local Plan – Publication Draft Plan (Regulation 19) (Appendix A - Local Plan and Appendix B - Policies Map) (“the Northumberland Local Plan”) be agreed and published for a period of six weeks from 30 January 2019 to 13 March 2019 for representations as to technical and legal soundness in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (“the 2012 Regulations”);
2. Council agree the submission of the Northumberland Local Plan, along with representations received, to the Minister for Housing, Communities and Local Government for Independent Examination under section 20 of the Planning Compulsory Purchase Act 2004 (as amended) (“the 2004 Act”), together with the submission documents prescribed by Regulation 22 of the 2012 Regulations before 31 May 2019, following the conclusion of the Regulation 19 publication period;
3. the Interim Executive Director: Place be authorised, in consultation with the Cabinet Member for Planning, Housing and Resilience, to make non-material typographical, formatting, mapping and other minor amendments to the Northumberland Local Plan prior to publication on 30 January 2019 and prior to submission of the Local Plan to the Minister for Housing, Communities and Local Government;
4. the Interim Executive Director: Place be authorised, in consultation with the

Cabinet Member for Planning, Housing and Resilience, to write to the Local Plan Inspector appointed to carry out the Examination of the submitted Northumberland Local Plan asking him/her to recommend such modifications of the submitted Northumberland Local Plan as may be necessary to make the Plan sound and legally compliant, in accordance with section 20(7C) of the 2004 Act;

5. the Interim Executive Director: Place be authorised, in consultation with the Cabinet Member for Planning, Housing and Resilience, to produce and submit any supplementary information and documentation to the Local Plan Inspector as may be required to complete the examination;
6. the Interim Executive Director: Place be authorised, in consultation with the Cabinet Member for Planning, Housing and Resilience, to submit a schedule of proposed main modifications of the submitted Northumberland Local Plan to address any issues relating to soundness and legal compliance identified by the Local Plan Inspector;
7. the Northumberland Local Plan be endorsed as a material consideration to be used in the determination of planning applications, with appropriate weight given in accordance with paragraph 48 of the National Planning Policy Framework; and
8. Council agree and publish for consultation the Northumberland Design Guide Supplementary Planning Document - Scoping Document (Appendix C) and the Highways and Transportation Design and Delivery Supplementary Planning Document - Scoping Document (Appendix D) for a period of six weeks from 30 January 2019 to 13 March 2019.

**62. REPORT OF THE EXECUTIVE DIRECTOR OF HR & OD AND ELECTORAL REGISTRATION OFFICER**

**Parish Renaming under Local Government Act 1972, Section 75 Power: Broomley and Stocksfield Parish Council**

The report sought approval for the renaming of Broomley and Stocksfield Parish through the exercise of power granted under Section 75 of the Local Government Act 1972 (section 75) and sought approval for the delegation of this power in future to the Executive Director of HR & OD in their statutory role as the Electoral Registration Officer.

Councillor Roughead moved, seconded by Councillor Hill, that the two recommendations in the report be considered separately. On this being put to the vote, there voted **FOR; 3: AGAINST: a substantial majority**. The motion therefore fell.

**RESOLVED** that:-

- (a) Council agrees the name change of Broomley and Stocksfield Parish to Stocksfield Parish and that this be brought into bring this into force through the laying of a statutory order; and
- (b) future use of the power under section 75 be delegated to the holder of the statutory role of Electoral Registration Officer.

## **63. COMMITTEE MATTERS**

### **(1) Standards Committee - Parish Council Representation**

Members were advised that a vacancy had been created on the Standards Committee following the resignation of one of its Parish Council representatives. The interview panel, with delegated authority from the Standards Committee, had considered two applications and recommended Council to approve the appointment of Councillor Russell Greig, from Prudhoe Town Council to the vacancy.

**RESOLVED** that Councillor Russell Greig, from Prudhoe Town Council be appointed to the vacancy.

### **(2) North Northumberland Local Area Council (LAC)**

Council was asked to note that, in order to manage a large amount of both planning and rights of way business in the North area more effectively, the North Northumberland LAC had established a sub committee specifically to consider rights of way matters. This allowed the LAC to focus on planning applications which had to be determined within set timescales. The sub committee had six members, met bi-monthly and was chaired by the Vice Chair (Planning) of the LAC, Councillor Thorne.

**RESOLVED** that the position be noted.

## **64. 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**

15                    3 - Information relating to the financial or business affairs of any particular person (including the Authority holding that information). The public interest in maintaining the exemption outweighs the interest in disclosure because disclosure would prejudice the Port of Blyth's ability to negotiate with partners and give its competitors a commercial advantage.

**65. REPORT OF THE INTERIM EXECUTIVE DIRECTOR OF PLACE**

**Enterprise Zone - Northumberland Energy Park East Sleekburn (NEP1)**

The report updated Council on emerging investment interest and associated economic outputs at the NEP1 Enterprise Zone at East Sleekburn.

Councillor Wearmouth advised members that NELEP had now approved the revised project business case.

There was cross party support for this proposal.

**RESOLVED** that recommendations 1-8, as detailed in the report, be approved.

The Common Seal of the County Council  
of Northumberland was hereunto affixed  
in the presence of:-

.....  
Chair of the County Council

.....  
Duly Authorised Officer