

## **NORTHUMBERLAND COUNTY COUNCIL**

### **CABINET**

At a meeting of the **Cabinet** held in the Council Chamber, County Hall, Morpeth on Tuesday 9 April 2019 at 10.05am.

### **PRESENT**

Councillor P. Jackson  
(Leader of the Council, in the Chair)

### **CABINET MEMBERS**

Daley, W.  
Homer, C.  
Jones, V.  
Oliver, N.

Riddle, J.  
Sanderson, H.G.H.  
Wearmouth, R.

### **OTHER MEMBERS**

Davey, J.G.  
Dodd, R.  
Dunbar, C.

Flux, B.  
Hill, G.  
Lang, J.

### **OFFICERS IN ATTENDANCE**

Angus, K.	Executive Director HR/OD and Deputy Chief Executive
Aviston, S.	Head of School Organisation and Resources
Bradley, N.	Service Director: Strategic Commissioning and Finance
Hadfield, K.	Committee Services and Scrutiny Manager
Jackson, D.	Service Director, Education and Skills
Johnson, P.	Interim Executive Director of Place
Lancaster, H.	Principal Solicitor
McEvoy-Carr, C.	Executive Director of Adult Social Care and Children's Services
Roll, J.	Democratic Services Manager
Scholes, A.	Interim Executive Director of Finance

Ch.'s Initials.....

6 members of the press and public were in attendance.

**91. MINUTES**

**RESOLVED** that the minutes of the Cabinet meeting held on 12 March 2019, as circulated, be confirmed as a true record and signed by the Chair.

**92. REPORTS OF THE EXECUTIVE DIRECTOR OF ADULT AND CHILDREN'S SERVICES**

**(1) Outcome of the Local Authority Special Free School Bid**

The report advised Cabinet of the outcome of the Local Authorities bid for a Special Free School (copy attached to the signed minutes as Appendix A).

Councillor Daley introduced the report, highlighting the 50% increase since 2013 in the number of pre-school children with complex needs, and the 32% increase in children and young people in maintained special schools. Some work had already been done to put in additional capacity at Hexham Priory and Ashdale. These proposals progressed on that with support for secondary aged children and provided details about the next stage in the process. A site had been identified in Blyth and neighbouring authorities had committed to commissioning places in the new school. He commended the staff for the work they had put into getting to this stage.

These comments were echoed by the Leader who stated that the Administration was now at the forefront of tackling these real structural issues in special educational needs.

**RESOLVED** that:-

- (a) the content of the report and the potential capital implications for the authority associated with the project be approved; and
- (b) approval be given to the conditions of the offer to progress to the next stage of the process and begin the trust competition with the publication of the Local Authorities specification on the Council's website from Tuesday 19 March 2019.

**(2) Proposed Consultation on Extending the Age Ranges of Whitley Memorial CE and Bedlington West End First Schools**

The report set out a request from the Governing Bodies of Whitley Memorial CE First School and Bedlington West End First School to carry out a consultation on a proposal to extend the age ranges of these two schools to become primary schools with effect from 1 September 2020. A recommendation was set out in the report to request that Cabinet agree to permit an informal consultation on this proposal. Cabinet may be requested to permit the publication of a Statutory Proposal at a future date following the outcome of consultation (copy attached to the signed minutes as Appendix B, along with the report of the Family and Children's Services OSC circulated at the meeting).

Councillor Daley advised that the report stemmed from a decision by Meadowdale Academy to seek primary school status, which impacted on other schools in the area. The issue of surplus places also needed to be taken account of. At this stage, Cabinet was being asked only to agree that an informal consultation take place.

The Leader referred to the report from FACS OSC, which supported the recommendations.

**RESOLVED** that:-

- (a) Cabinet agree that an informal consultation takes place as requested by the Governing Body of Whitley Memorial CE First School on a proposal to extend the age range of the school from an age 3 to 9 first school to become an age 3 to 11 primary school with effect from 1 September 2020;
- (b) Cabinet agree that an informal consultation take place as requested by the Governing Body of Bedlington West End First School on a proposal to extend the age range of the school from age 4 to 9 first school to become an age 4 to 11 primary school with effect from 1 September 2020;
- (c) the decision to undertake any necessary further consultation on the proposal be delegated to the Executive Director of Adults and Children's Services in consultation with the Cabinet Member for Children's Services;
- (d) it be noted that a further report following informal consultation will be submitted to a future meeting of Cabinet, at which a decision on whether or not to issue a Statutory Proposal in relation to the proposed age extensions as set out at resolution (a) above would be made;

- (e) it be noted that neither Whitley Memorial CE First School nor West End First School are listed as rural schools on the DfE's List of Designated Rural Primary Schools 2018 and therefore this legislation would not need to be a factor to be considered by Cabinet in relation to any future decision on the proposal set out at resolution (a); and
- (f) the report of the Family and Children's Services OSC be noted.

### **93. REPORTS OF THE INTERIM EXECUTIVE DIRECTOR OF PLACE**

#### **(1) Establishment of a Regeneration Development Reserve**

The report sought endorsement of the establishment of a £2.55 million revenue Regeneration Development Reserve fund to be used for the development of priority regeneration and economic growth projects (copy attached to the signed minutes as Appendix C, along with the report of the Corporate Services and Economic Growth OSC).

Councillor Wearmouth introduced the report highlighting the proposal to set up a reserve to look at the development of schemes in the region. The pipeline development process and the delegation levels were set out in the report. 78 projects were currently at varying levels of development.

The Leader reiterated the Administration's ambitions for the County. There were a number of opportunities where the Authority could step in and make a difference. He advised members that, as the regeneration reserve was part of the budget framework, Cabinet had the authority to approve the transfer from the reserve, and did not have to refer the issue to Council.

#### **RESOLVED** that:-

- (a) Cabinet approve the transfer of £2 million from the Council's Strategic Management Reserve, in line with the Council's medium term financial priorities, to be used for the development of regeneration and economic growth projects;
- (b) Cabinet approve the following delegated limits for approval of funds from the Regeneration Development Reserve:
  - Upto £100,000 - Head of Economy & Regeneration in consultation with the Portfolio Holder Economic Development

- £100,001 - £500,000 - Chief Executive in consultation with the Leader of the Council
- £500,001 and above - Cabinet; and

(c) the report of the Corporate Services and Economic Growth OSC be noted.

**(2) Homelessness and Rough Sleeper Strategy for Northumberland 2019-21**

The report presented members with the refreshed Homelessness & Rough Sleeper Strategy for Northumberland 2019 - 2021, updated following changes to legislation and requirements by Government to recognise and support the needs of Rough Sleepers. The strategy provided updated details of the strategic objectives for the Council's Homelessness & Housing Options Service for the following three years (copy attached to the signed minutes as Appendix D, along with the report of the Communities and Place OSC).

Councillor Riddle advised that this was a refresh of the Strategy following changes in legislation and Government requirements to encompass those at risk.

Phil Soderquest confirmed that this had come about because of changes to legislation, and that a new strategy would still be delivered in 2021. Engagement had taken place with partners to establish the priorities, all of which had equal weight. The Homelessness Reduction Act placed a duty on Authorities to prevent homelessness and to work with people to maintain their tenancies, and was linked to getting people back into work. He was pleased to report that grant funding had been received for additional resources to identify those most at risk and to provide greater capacity on the ground to work with the homeless and signpost them to services.

The Leader advised that the level of work undertaken demonstrated how seriously this issue was being taken. The points raised by Communities and Place OSC, which had supported the recommendations, would be taken into account.

Councillor Daley commented that though the numbers in Northumberland were low, they were still too high. He highlighted priority 5 to prevent youth homelessness and the important work to identify this at an early stage. Mediation training to prevent family breakdown was vital.

**RESOLVED** that:-

- (a) the refreshed Homelessness Strategy, which supports the delivery of the Council's statutory obligations for residents who are homeless or at risk of homelessness, be approved; and
- (b) the report of the Communities and Place OSC, and the points raised, be noted.

#### **94. REPORT OF THE CHIEF EXECUTIVE**

##### **Recommendation from Audit Committee**

The report provided members with the minuted recommendation from a meeting of the extraordinary Audit Committee which took place on 22nd March 2019 which considered the report of the Chief Internal Auditor regarding Arch Group (dated October 2017) under the County Council's framework of governance, risk management and control.

It requested that members 'as those charged with governance' make a formal decision on whether to approve the recommendation put forward by the Council's Audit Committee *"that another Police Force investigates the allegations and that simultaneously, Northumbria Police be asked whether anyone has been interviewed in relation to these matters and whether there has been any referral to the Crown Prosecution Service"* (copy attached to the signed minutes as Appendix E).

The report was introduced by Councillor Oliver, who commended the painstaking work done by Audit staff on this. The four main areas of concern discussed at Audit Committee had been:-

- The purchase of the house belonging to the former CEO of Arch
- The remuneration and benefits package for consultant C and the level of work provided in return
- Investments in Ashington Community Football Club
- The renewable energy company

There were also a number of concerns about governance generally. A detailed report had been provided to Northumbria Police in 2017, supported by 3,500 pages of evidence, and despite a statement from them in August 2017 that the information provided to them by the Council would warrant the

commencement of a criminal investigation, they had now stated that they had not identified any criminal offences as having occurred and no investigation had taken place. The Audit Committee had been concerned that no investigation had taken place, and were recommending that the Chief Executive write to the Home Office to ask another police force to investigate the allegations, and to also seek clarity from Northumbria Police about whether anyone had been interviewed about the matters and whether there had been any referral to the Crown Prosecution Service.

Councillor Homer identified a couple of inaccuracies in the draft Audit Committee minutes to be addressed before they were submitted to the next Audit Committee for approval. She acknowledged the work which had gone into the investigation and those involved should be credited for that. She referred to the definite statement from Northumbria Police in August 2017 that there were criminal matters to investigate. This had then been retracted and she felt people should be able to understand the reasons for that.

Councillor Hill commented that the Audit Committee had been very concerned about various aspects of the report and it was felt that there was probably still more to come out. In addition to the questions regarding interviews and referrals to the CPS, there were questions around the methodology and conflicting statements from Northumbria Police. There were lots of questions to ask of the Police and the Committee very much wanted an impartial police force to get involved.

The Leader commented that it had been clear that in August 2017 the information provided by the Council warranted a criminal investigation. It was not clear how any investigation had been conducted and the response to that was very unsatisfactory. Much information had been provided to the Police but he was not aware that anyone had been formally interviewed. He was aware that there was potential for criminality in some of the activities described in the report, and felt that the public wanted these issues thoroughly investigated.

Councillor Hill commented that she had made the point to the Chief Constable that there needed to be public confidence that there would be no political interference. She reminded members that five County Councillors had signed a letter requesting the ten year retention of benefits for Consultant C, and one of these had endorsed the current police and crime commissioner.

Councillor Wearmouth commented that he was amazed that the data he had seen did not warrant some questioning by Northumbria Police, and this was not something he said lightly as most members had good relationships with the police in their wards. It was important that the public had faith that there was no political interference from the police and crime commissioner because that was a fundamental part of their role, and he felt sure she would welcome the opportunity to confirm she had not met any of the individuals involved during the course of the investigation or the last two years. Also, he felt that some assurance needed to be given that where money was resting in people's accounts, that it was actually just resting.

Councillor Oliver commented that, as far as he was aware, no investigation had ever been opened. Eighteen months had gone by whilst evidence was assessed ultimately for the Police to decide that nothing warranted investigation.

Councillor Riddle commented that transparency and accountability were very important from a public confidence point of view and that it was also important to maintain professional working relationships with the police.

**RESOLVED** that the recommendation from the Council's Audit Committee that another Police Force investigate the allegations be approved, and that simultaneously, Northumbria Police be asked whether anyone has been interviewed in relation to these matters and whether there has been any referral to the Crown Prosecution Service.

**95. REPORT OF THE EXECUTIVE DIRECTOR OF HR/OD AND DEPUTY CHIEF EXECUTIVE**

**Northumberland Cultural Fund to Support Great Northumberland 2019**

The report presented the proposed application process for a Northumberland Cultural Fund, which will be open for all Northumberland organisations and groups to apply for support as part of Great Northumberland 2019 (GN2019); an arts and cultural programme which will take place across Northumberland this summer (copy attached to the signed minutes as Appendix F, along with the report of the Corporate Services and Economic Growth OSC).

Councillor Homer provided some background to the report. The proposals built on the successful programme delivered in the Summer of 2018, the year of the Great Exhibition of the North. Hundreds of events had been provided

by partners and the plan was for another programme this summer, which would tie in with the work being done on Discover our Land. The fund would have a beneficial impact on health and wellbeing, as well as on tourism and culture. It was very much about putting Northumberland on the map, and keeping it out there.

Councillor Daley welcomed the report and the positive approach being adopted. The report's proposals were closely linked to tourism and promoting the County and he commented that small community initiatives often had a big impact. He welcomed the opportunity for schools to get involved.

The Leader advised that recommendation three needed to be amended as follows:-

“Cabinet approve the transfer of up to £100,000 of funding from the Council's Strategic Management Reserve to support the positive impact of community cultural events to the health and wellbeing of our residents”.

**RESOLVED** that:-

- (a) the application process for the 2019 Northumberland Cultural Fund be endorsed;
- (b) Cabinet welcome the opportunity to seek positive media coverage for Northumberland through GN2019 building on the successes of the dedicated Great Northumberland events website and the Discover our Land campaign;
- (c) Cabinet approve the transfer of up to £100,000 of funding from the Council's Strategic Management Reserve to support the positive impact of community cultural events to the health and wellbeing of our residents; and
- (d) the report of the Corporate Services and Economic Growth OSC be noted.

## **96. REPORT OF THE SERVICE DIRECTOR, STRATEGIC COMMISSIONING AND FINANCE**

### **Summary of New Capital Proposals considered by Officer Capital Strategy Group**

The report summarised proposed amendments to the Capital Programme considered by the officer Capital Strategy Group at its meeting held on 8 March 2019 (copy attached to the signed minutes as Appendix G).

**RESOLVED** that:-

- (a) **Escape Family Support:** a grant award of £28,000 be approved – to be funded from the Adult’s Community Capacity Grant allocation within the Medium Term Capital Programme.
- (b) **Flood and Coastal Erosion Risk Management Programme:** the proposals and reallocation of NCC contributions be approved. Members particularly welcomed this proposal and the work of staff on it.
- (c) **Advance Northumberland – Portland Park, Ashington:** a grant award of £3,000,000 to be funded from the Regeneration Schemes provision be approved; and, a loan to Advance Northumberland for £4,666,469 to be funded from the Loans to Third Parties provision both of which are included in the Medium Term Capital Programme be approved. Approval to be conditional on any State Aid issues being resolved before the grant and loan are awarded. Members fully supported this, which would act as an anchor for change and create a focus for town centre development and a new start for Ashington. There was a lot of business interest, and confidence that the plans were the right way forward for the town.

**97. REPORT OF THE LEGAL SERVICES MANAGER**

**Haltwhistle and District Joint Burial Committee**

Cabinet was asked to consider whether there should be a change to the arrangements under the provisions of Part VI of the Local Government Act 1972 for the discharge of functions by the respective burial authorities collectively forming the Haltwhistle & District Joint Burial Committee, in accordance with the County Council’s powers under Schedule 26, paragraph 4 of the 1972 Act to make such a change (copy attached to the signed minutes as Appendix H).

**RESOLVED** that the alteration to the arrangements, as set out in the draft attached to the report, be approved.

**98. DECISION UNDER FINANCE AND CONTRACT RULES**

Cabinet was advised about a decision taken under Finance and Contract Rule 2.5 as required by Finance and Contract Rules (copy attached to the signed minutes as Appendix I).

Councillor Sanderson was pleased to report that this major project was now underway and should be completed by the Autumn.

Ch.’s Initials.....  
Cabinet, 9 April 2019

**RESOLVED** that the decision be noted.

**CHAIR**.....

**DATE**.....

Ch.'s Initials.....  
*Cabinet, 9 April 2019*