

DURHAM COUNTY COUNCIL

At a Ordinary Meeting of the County Council held in the Council Chamber, County Hall, Durham on **Wednesday 24 February 2016 at 10.00 am**

Present:

Councillor J Blakey in the Chair

Councillors E Adam, J Alvey, B Armstrong, J Armstrong, L Armstrong, B Avery, A Batey, D Bell, E Bell (Vice-Chairman), J Bell, R Bell, H Bennett, G Bleasdale, D Boyes, P Brookes, J Brown, C Carr, J Carr, J Chaplow, J Charlton, J Clare, J Clark, P Conway, J Cordon, K Corrigan, P Crathorne, R Crute, K Davidson, M Davinson, M Dixon, S Forster, N Foster, I Geldard, B Glass, B Graham, O Gunn, C Hampson, J Hart, T Henderson, K Henig, S Henig, J Hillary, M Hodgson, G Holland, A Hopgood, L Hovvels, E Huntington, S Iveson, I Jewell, O Johnson, C Kay, B Kellett, A Laing, P Lawton, J Lee, J Lethbridge, H Liddle, J Lindsay, A Liversidge, R Lumsdon, J Maitland, C Marshall, N Martin, P May, O Milburn, B Moir, S Morrison, A Napier, T Nearney, M Nicholls, H Nicholson, P Oliver, A Patterson, T Pemberton, M Plews, C Potts, L Pounder, G Richardson, J Robinson, S Robinson, J Rowlandson, K Shaw, J Shuttleworth, M Simmons, H Smith, T Smith, M Stanton, W Stelling, B Stephens, A Surtees, L Taylor, P Taylor, O Temple, K Thompson, F Tinsley, E Tomlinson, J Turnbull, A Turner, A Watson, M Wilkes, M Williams, A Willis, C Wilson, S Wilson and R Yorke

Apologies for absence were received from Councillors J Allen, A Bell, A Bonner, K Dearden, D Freeman, J Gray, D Hall, D Hicks, K Hopper, L Marshall, J Maslin, J Measor, R Ormerod, A Savory, A Shield, M Simpson, D Stoker, P Stradling, R Young and S Zair

Prior to the commencement of the meeting the Chairman of the Council formally reported the death of former Durham City Councillor for Cassop-cum-Quarrington, John Kelly from Croxdale.

The Council stood for a moments silence as a mark of respect.

1 Minutes

The minutes of the meeting held on 20 January 2016 were confirmed by the Council as a correct record and signed by the Chairman.

2 Declarations of Interest

There were no declarations of interest in relation to any items of business on the agenda.

3 Chairman's Announcements

The Chairman informed Council that she would be using her discretion under rule 13.4 of the Council's Rules of Procedure to allow Group Leaders more than the allotted 5 minutes when discussing the budget.

The Chairman also proposed that the Council waived standing order 4.2(a) of the Council Procedure Rules to extend the time allowed for the length of the meeting, in the event that proceedings took longer than two and a half hours.

Resolved:

That the proposal be approved.

The Chairman was pleased to announce the following two awards:

The Social Value Leadership Award had been received for a council initiative designed to support the local economy in County Durham.

After the Government's Public Services (Social Value) Act came into force in 2012 to increase spending by authorities within their own area, the council set up a Social Value Taskforce. Made up of the council, led by its Business Durham team, the Federation of Small Businesses and other local partners, the taskforce was the first of its kind in the region when it was created. The council went beyond the legislation by ensuring local firms could tender for the supply of goods and to carry out works outside of the scope of the act.

The receipt of this top award was testament to the hard work and dedication to everyone involved and recognised the County Council's drive and approach to ensure that local businesses benefited from its spending, money was kept in the local economy and helping the county's businesses grow, whilst ensuring jobs for residents.

The second award was for the Warm and Healthy Homes project run by the Council's Housing Regeneration Service, commissioned and funded by Public Health in partnership with local Clinical Commissioning Groups, Age UK (County Durham), Warm Up North, Managing Money Better and Welfare Rights had received an award from National Energy Action, the national fuel poverty charity.

The aim of the project was to improve the health and wellbeing of residents by reducing the numbers of excess winter deaths and cold related illness while eradicating fuel poverty and other fire related risks.

The award also recognised the success achieved in delivering the Warm and Healthy Homes project through partnership with County Durham and Darlington Fire and Rescue Service who had commenced new 'Safe and Wellbeing' visits across County Durham and Darlington.

4 Leader's Report

The Leader of the Council informed Council that the two items in his report were included as agenda items for the meeting, these being the budget and devolution.

The Leader welcomed Terry Collins to his first Council meeting as Chief Executive and Oliver Sherratt who was Interim Corporate Director of Neighbourhood Services.

5 Questions from Area Action Partnerships

Questions had been received from the 4-Together Area Action Partnership and the Great Aycliffe and Middridge Area Action Partnership (GAMP) relating to the following:

- Whether the Council was supportive of the possibility of re-instating the train stop at Ferryhill station in order to widen job opportunities.
- Whether there were any procedures for relocating demountable structures for community use if they become available following service changes.

Lee Copeland, 4-Together AAP Coordinator was in attendance to ask their question and Brian Riley, GAMP AAP Coordinator was in attendance to ask their question.

Councillor N Foster, Portfolio Holder for Economic Regeneration thanked the 4-Together AAP for their question and provided a response. Councillor E Tomlinson, Portfolio Holder for Assets, Strategic Housing and Rural Issues thanked the GAMP AAP for their question and provided a response.

The Head of Legal and Democratic Services informed the Council that the questions, together with the responses, would be placed on the Council's website and a copy of the response would also be sent to the Area Action Partnerships.

6 Questions from the Public

A question had been received from Alderman Phil Stoddart regarding a new bus station for Durham City.

Alderman Stoddart was in attendance to ask his question and received a response from Councillor N Foster, Portfolio Holder for Economic Regeneration.

The Head of Legal and Democratic Services informed the Council that Alderman Stoddart would receive a written response to his question and both the question and response would be published on the Council's website.

7 Petitions

There were no petitions for consideration.

8 Report from the Cabinet

The Leader of the Council provided the Council with an update of business discussed by the Cabinet at its meetings held on 13 January and 10 February 2016 (for copy see file of Minutes).

9 Budget 2016/17 - Report under Section 25 of Local Government Act

The Council considered a report of the Corporate Director of Resources which provided information on the robustness of the estimates and the adequacy of reserves in the Council's Budget for 2016/17 (for copy see file of Minutes).

Resolved:

That the Council have regard to the statement when approving the budget and the level of Council tax for 2016/17.

10 Medium Term Financial Plan 2016/17 to 2018/19, Revenue and Capital Budget 2016/17

The Council considered a report from Cabinet which detailed budget recommendations for the 2016/17 Revenue and Capital Budget and Medium Term Financial Plan (MTFP (6)) 2016/17 to 2019/20 (for copy see file of Minutes). In **Moving** adoption of the Cabinet report, Councillor Henig made a statement on the Budget and Precept for 2016/17, summarised as follows:

The budget process for the forthcoming financial year had been subject to an extensive consultation process which had involved members of the public, trade unions, businesses and overview and scrutiny. Councillor Henig thanked all those who had taken part in the consultation process.

Since 2011 the Council had delivered savings of £153m and an additional £37m of saving would need to be delivered during the 2016/17 financial year. The MTFP for the period 2017/18 to 2019/20 identified that additional savings of £67m would need to be delivered. The priority of protecting frontline services while making such savings would become increasingly difficult, although the Council would endeavour to continue to protect the public from such brutal budget cuts.

Feedback from the consultation process was that the Council should keep the same strategy as it adopted in 2010 to protect basic needs and support service for vulnerable people, to focus on job creation and to support adults in their own homes. The consultation also resulted in the Council achieving a score of 7.5 on a scale of 1-10, 1 being poor and 10 being excellent, on how it had managed budget reductions to date.

Councillor Henig highlighted the following key points:

- The settlement figures had only been confirmed on the afternoon of 8 February which had resulted in the need for a special Cabinet meeting and the circulation of the Budget report after the despatch of Council papers.

- Following a Conservative rebellion by shire counties the Government had provided £150m of Transitional funding for both 2016/17 and 2017/18 whilst also increasing the Rural Services Delivery Grant by £61m. However, Durham would receive none of this additional funding while shire county councils and southern unitary authorities would receive significant budget increases for both 2016/17 and 2017/18.
- The Net Budget Requirement for 2016/17 was £401.5m
- Base budget pressures of £26m for 2016/17 had been absorbed
- Savings targets had been reduced by £20m over a four year period because of the receipt of Better Care Funding from 2017/18 to 2019/20 and the forecasted council tax income of £15m from 2016/17 to 2019/20 from the Government's 2% adult social care precept.
- £5.8m of reserves would be used during 2016/17 and £12m of reserves used during 2017/18 to meet savings targets.
- The Council would continue to face a challenging financial position over the next four years and all services would be affected. The period of austerity and cuts had lasted longer than the Chancellor had originally indicated.

However, on a positive note, Councillor Henig informed Council that the County Council had achieved the following, despite the budget cuts:

- The Council had continued to protect vulnerable people by maintaining a Council Tax Reduction Scheme which provided up to 100% Council Tax Reduction in line with the Council Tax Benefit system which was abolished by the Government in 2013. Durham was only one of two councils in the north east to provide this, and one of only 50 councils nationally.
- A Capital Programme of £135m for 2016/17, details of which were included at Appendices 8 and 9 of the report.
- Details of savings targets across all Services were detailed at Appendix 4 of the report and all savings had undergone an Equality Impact Assessment.

Paragraph 91 of the report identified the need for a reduction of approximately 400 posts, including the deletion of an anticipated 60 vacant posts, from the Councils establishment for 2016/17. The Council would seek voluntary redundancies and early retirement to minimise the number of compulsory redundancies.

In summary Councillor Henig informed the Council that, in light of huge Government cuts, this was a well thought out, sensible and prudent budget. The Council would remain aligned to its priorities and would protect frontline services as far as it could.

In **Seconding** adoption of the Cabinet report Councillor Napier, Portfolio Holder for Finance informed the Council that he was proud to be a councillor on the County Council given all it had achieved since LGR in 2009, when eight local authorities were combined into one and the complexities that brought. Since LGR there had been a large legislative programme enforced upon local authorities and savage and draconian cuts. All involved in the County Council should be proud of the achievements of the Council and all Members should support the budget for 2016/17 which had been carefully planned and worked up and was balanced while being reliant on £37m of savings. This was the highest savings target since

2010/11, the first year of austerity, when £66m of savings needed to be made, and this was more than the combined Revenue budgets of all former District Councils.

There would be ongoing cuts up until 2020 and the funding formula for the distribution of Government grant was unfair with some more affluent areas of the country not experiencing the same level of funding cuts.

The Council was positive moving forward with its budget strategy and robust planning and Councillor Napier was proud that the vulnerable and needy had been protected with welfare assistance, the Council Tax Reduction Scheme, the use of reserves and a £135m Capital Programme.

Although it was forecast the Council would need to reduce posts by approximately 400, it was working diligently to keep the number of compulsory redundancies to a minimum and was working closely with Trade Unions.

Councillor J Armstrong, Chairman of the Overview and Scrutiny Management Board, advised that there had been close scrutiny of the budget proposals, although this had been hindered by the late announcement of the settlement. There was concern that the final settlement figures were unfair in that additional funding had been made to shire councils in more affluent areas of the country but none had been made to Durham. Councillor Armstrong congratulated Cabinet for producing the budget proposals.

An amendment was **Moved** by Councillor R Bell, **Seconded** by Councillor T Henderson as follows:

The Council to make additional savings by:

- Stopping the publication of County Durham News from April 2016 but retaining the Events Guide and Guide to Services. This would produce an annual saving of £137,000.
- Continuing in 2016 the programme of centralising all back office and support functions including Policy, Planning, and Performance. This would produce an estimated full year effect saving of £450,000.

The total estimated saving is £587,000

The Council increase the budget on:

- Roadside gully cleaning through the engagement of an additional tanker at a cost of £159,000 a year, and
- To keep open the Durham Light Infantry museum at a cost of £242,000 a year.

The total cost is £401,000

The surplus savings, notionally £186,000, to be transferred to the Regeneration & Economic Development Car Parking Revenue Budget pending a review of car parking charges, which will include some reductions, to be implemented by April 2017.

For the Amendment

Councillors R Bell, T Henderson, G Holland, A Hopgood, N Martin, P Oliver, G Richardson, J Rowlandson, J Shuttleworth, M Simmons, W Stelling, O Temple, M Wilkes and A Willis.

Against the Amendment

Councillors E Adam, J Alvey, B Armstrong, J Armstrong, L Armstrong, A Batey, D Bell, E Bell, J Bell, H Bennett, J Blakey, G Bleasdale, D Boyes, P Brookes, J Brown, C Carr, J Carr, J Chaplow, J Charlton, J Clare, J Clark, P Conway, J Cordon, K Corrigan, P Crathorne, R Crute, K Davidson, M Davinson, M Dixon, S Forster, N Foster, I Geldard, B Glass, B Graham, O Gunn, C Hampson, J Hart, S Henig, K Henig, J Hillary, M Hodgson, L Hovvels, E Huntington, S Iveson, I Jewell, O Johnson, C Kay, B Kellett, A Laing, P Lawton, J Lee, J Lethbridge, H Liddle, J Lindsay, A Liversidge, R Lumsdon, J Maitland, C Marshall, P May, O Milburn, B Moir, S Morrison, A Napier, T Nearney, M Nicholls, H Nicholson, A Patterson, T Pemberton, M Plews, C Potts, L Pounder, S Robinson, J Robinson, K Shaw, H Smith, T Smith, M Stanton, B Stephens, A Surtees, P Taylor, L Taylor, K Thompson, F Tinsley, E Tomlinson, A Turner, J Turnbull, A Watson, Mac Williams, C Wilson, S Wilson and R Yorke.

The Amendment was **Lost**.

An Amendment was **Moved** by Councillor J Shuttleworth, **Seconded** by Councillor T Henderson as follows:

Highways Maintenance (Revenue)

In order to improve the roads and pathways across the county, an extra £1,000,000 of revenue patching work should be carried out every year to repair and make good the increasing numbers of pot holes across the county. Also, in order to reduce risks of flooding, following recent storms, invest a further £140,000 in cleaning out gullies on a more regular basis.

Additional cost = £1,140,000

Funded by:

- (i) reducing the corporate risk contingency budget = £500,000
- (ii) downsizing the corporate policy, press office and communications = £500,000
- (iii) stop publishing County Durham News saving £140,000

For the Amendment

Councillors R Bell, T Henderson, A Hopgood, N Martin, P Oliver, G Richardson, J Rowlandson, J Shuttleworth, M Simmons, W Stelling, O Temple, M Wilkes and A Willis.

Against the Amendment

Councillors E Adam, J Alvey, B Armstrong, J Armstrong, L Armstrong, A Batey, D Bell, E Bell, J Bell, H Bennett, J Blakey, G Bleasdale, D Boyes, P Brookes, J Brown, C Carr, J Carr, J Chaplow, J Charlton, J Clare, J Clark, P Conway, J Cordon, K Corrigan, P Crathorne, R Crute, K Davidson, M Dixon, S Forster, N Foster, I Geldard, B Glass, B Graham, O Gunn, C Hampson, J Hart, S Henig, J Hillary, M Hodgson, L Hovvels, E Huntington, S Iveson, I Jewell, O Johnson, C Kay, B Kellett, A Laing, P Lawton, J Lee, J Lethbridge, H Liddle, J Lindsay, A Liversidge, R Lumsdon, J Maitland, C Marshall, P May, O Milburn, B Moir, S Morrison, A Napier, T Nearney, M Nicholls, H Nicholson, A Patterson, T Pemberton, M Plews, C Potts, L Pounder, S Robinson, J Robinson, K Shaw, H Smith, T Smith, M Stanton, B Stephens, A Surtees, P Taylor, L Taylor, K Thompson, F Tinsley, E Tomlinson, A Turner, J Turnbull, A Watson, , Mac Williams, C Wilson, S Wilson and R Yorke,

The Amendment was **Lost**.

An Amendment was **Moved** by Councillor N Martin, **Seconded** by Councillor O Temple as follows:

That the proposed 1.99% council tax increase in 2016/17 to fund Council services is withdrawn.

Additional cost in 2016/17 = £3.556m

To be initially funded by use of £3.556m from the Council's General Reserves balance.

The General Reserves balance should then be replenished from any permanent underspends identified at 2016/17 financial year end.

For the Amendment

Councillors R Bell, T Henderson, A Hopgood, N Martin, G Richardson, J Rowlandson, J Shuttleworth, M Simmons, W Stelling, O Temple, K Thompson and M Wilkes.

Against the Amendment

Councillors E Adam, J Alvey, B Armstrong, J Armstrong, L Armstrong, A Batey, D Bell, E Bell, J Bell, H Bennett, J Blakey, G Bleasdale, D Boyes, P Brookes, J Brown, C Carr, J Carr, J Chaplow, J Charlton, J Clare, J Clark, P Conway, J Cordon, K Corrigan, P Crathorne, R Crute, K Davidson, M Dixon, S Forster, N Foster, I Geldard, B Glass, B Graham, O Gunn, C Hampson, J Hart, S Henig, J Hillary, M Hodgson, L Hovvels, E Huntington, S Iveson, I Jewell, O Johnson, C Kay, B Kellett, A Laing, P Lawton, J Lee, J Lethbridge, H Liddle, J Lindsay, A Liversidge, R Lumsdon, J Maitland, C Marshall, P May, O Milburn, B Moir, S Morrison, A Napier, T Nearney, M Nicholls, H Nicholson, P Oliver, A Patterson, T Pemberton, M Plews, C Potts, L Pounder, S Robinson, J Robinson, K Shaw, H Smith, T Smith, M Stanton, B Stephens, A Surtees, P Taylor, L Taylor, F Tinsley, E Tomlinson, A Turner, J Turnbull, A Watson, Mac Williams, A Willis, C Wilson, S Wilson and R Yorke.

The Amendment was **Lost**.

A vote was then taken on the main Motion which was the recommendations contained within the report.

For the Motion

Councillors E Adam, J Alvey, B Armstrong, J Armstrong, L Armstrong, A Batey, D Bell, E Bell, J Bell, H Bennett, J Blakey, G Bleasdale, D Boyes, P Brookes, J Brown, C Carr, J Carr, J Chaplow, J Charlton, J Clare, J Clark, P Conway, J Cordon, K Corrigan, P Crathorne, R Crute, K Davidson, M Dixon, S Forster, N Foster, I Geldard, B Glass, B Graham, O Gunn, C Hampson, J Hart, S Henig, J Hillary, M Hodgson, L Hovvells, E Huntington, S Iveson, I Jewell, O Johnson, C Kay, B Kellett, A Laing, P Lawton, J Lee, J Lethbridge, H Liddle, J Lindsay, A Liversidge, R Lumsdon, J Maitland, C Marshall, P May, O Milburn, B Moir, S Morrison, A Napier, T Nearney, M Nicholls, H Nicholson, P Oliver, A Patterson, T Pemberton, M Plews, C Potts, L Pounder, S Robinson, J Robinson, K Shaw, H Smith, T Smith, M Stanton, B Stephens, A Surtees, P Taylor, L Taylor, F Tinsley, E Tomlinson, A Turner, J Turnbull, A Watson, Mac Williams, A Willis, C Wilson, S Wilson and R Yorke.

Against the Motion

Councillors R Bell, T Henderson, G Holland, A Hopgood, N Martin, G Richardson, J Rowlandson, M Simmons, W Stelling, O Temple, K Thompson, M Wilkes and A Willis.

The Motion was **Carried**.

Resolved:

That the report and its recommendations be adopted in full.

11 Council Tax setting in order to meet the County Council's Budget Requirement for 2016/17

The Council considered a report from Cabinet which detailed the information to calculate and set the Council tax for the Council's area for 2016/17 (for copy see file of Minutes).

Moved by Councillor Henig, **Seconded** by Councillor Napier that the report of the Cabinet and its recommendations be adopted, and with it the setting of the Council Tax.

For the Motion

Councillors E Adam, J Alvey, J Armstrong, B Armstrong, L Armstrong, A Batey, D Bell, E Bell, J Bell, H Bennett, J Blakey, G Bleasdale, D Boyes, P Brookes, J Brown, C Carr, J Carr, J Chaplow, J Charlton, J Clare, J Clark, P Conway, J Cordon, K Corrigan, P Crathorne, R Crute, K Davidson, M Dixon, S Forster, N Foster, I Geldard, B Glass, B Graham, O Gunn, C Hampson, J Hart, S Henig, J Hillary, M Hodgson, L Hovvells, S Iveson, I Jewell, O Johnson, C Kay, B Kellett, A Laing, P Lawton, J Lee, J Lethbridge, H Liddle, J Lindsay, A Liversidge, R Lumsdon, J Maitland, C Marshall, P May, O Milburn, B Moir, S Morrison, A Napier,

T Nearney, M Nicholls, H Nicholson, A Patterson, T Pemberton, M Plews, C Potts, L Pounder, S Robinson, J Robinson, K Shaw, J Shuttleworth, H Smith, T Smith, M Stanton, B Stephens, A Surtees, P Taylor, L Taylor, F Tinsley, E Tomlinson, A Turner, A Watson, Mac Williams, C Wilson, S Wilson and R Yorke.

Against the Motion

Councillors R Bell, G Holland, T Henderson, A Hopgood, N Martin, P Oliver, G Richardson, J Rowlandson, M Simmons, W Stelling, O Temple, K Thompson, M Wilkes and A Willis.

Resolved:

That the following be adopted:

- (a) It be noted that on 18 November 2015 the Cabinet calculated the Council Tax Base 2016/17.
 - i) for the whole Council area as 133,892.4 band D equivalent properties [Item T in the formula in Section 31B of the Local Government Finance Act 1992 (as amended) and
 - ii) for dwellings in those parts of its area to which a Parish precept relates as in the attached Appendix 3.
- (b) The Council Tax Requirement for the Council's own purposes for 2016/17 (excluding Parish precepts and the Charter Trustees for the City of Durham) is £185,798,467.
- (c) Agree the following amounts in accordance with Sections 30 to 36 of the Act:
 - i) being the aggregate of the gross expenditure which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils is £1,210,243,286.
 - ii) being the aggregate of the gross income which the Council estimates for the items set out in Section 31A(3) of the Act is £1,012,932,023.
 - iii) being the amount by which the aggregate at (c) i) above exceeds the aggregate at (c) ii) above in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act) is £197,311,263.
 - iv) being the amount at (c) iii) above (Item R), all divided by Item T ((a) i) above), in accordance with Section 31B of the Act as the basic amount of its Council Tax at Band D for the year (including Parish precepts is £1,473.66.

- v) being the aggregate amount of all special items referred to in Section 34 (1) of the Act: (total of all Parish precepts including Charter Trustees) is £11,512,796.
- vi) being the amount at (c) iv) above less the result given by dividing the amount at (c) v) above by Item T ((a) i) above), in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax at Band D for the year for dwellings in those parts of its area to which no Parish precept relates is £1,387.67.
- (d) It be noted that for 2016/17 County Durham and Darlington Fire and Rescue Authority has recommended the following amounts will be in the precept issued to the County Council, in accordance with Section 40 of the Act, as shown in the table below:

COUNTY DURHAM AND DARLINGTON FIRE AND RESCUE AUTHORITY

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
63.84	74.48	85.12	95.76	117.04	138.32	159.60	191.52

- (e) It be noted that for 2016/17 Durham Police and Crime Commissioner has recommended that the following amounts will be in the precept issued to the County Council, in accordance with Section 40 of the Act, as shown in the table below:

DURHAM POLICE AND CRIME COMMISSIONER

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
110.63	129.07	147.51	165.95	202.83	239.71	276.58	331.90

- (f) That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992 (as amended), hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2016/17 for each part of its area and for each of the categories of dwellings.

DURHAM COUNTY COUNCIL

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
907.32	1,058.54	1,209.76	1,360.98	1,663.42	1,965.86	2,268.30	2,721.96

DURHAM COUNTY COUNCIL – ADULT SOCIAL CARE

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
17.79	20.76	23.72	26.69	32.62	38.55	44.48	53.38

**AGGREGATE OF COUNCIL TAX REQUIREMENTS
(excluding Parish, Town Council and Charter Trustees)**

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
1,099.58	1,282.85	1,466.11	1,649.38	2,015.91	2,382.44	2,748.96	3,298.76

- (g) The Council has determined that its relevant basic amount of Council Tax for 2016/17 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992 (as amended) and that the increase in Council Tax is not excessive in accordance with the principles approved under Section 52ZC Local Government Finance Act 1992 (as amended).
- (h) As the billing authority, the Council has not been notified by County Durham and Darlington Fire and Rescue Authority and Durham Police and Crime Commissioner, as major precepting authorities, that their relevant basic amount of Council Tax for 2016/17 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992 (as amended).
- (i) The County Council, in accordance with Section 11A (3) of the Act sets a 0% discount for Second and Empty Furnished Homes.
- (j) The County Council, in accordance with Section 11A (4A) of the Act sets a 0% discount for dwellings defined in Classes C or D.
- (k) The County Council, in accordance with Section 11B (1b) of the Act sets a 150% premium for Long Term Empty Homes for 2015/16.
- (l) The Chief Executive be instructed to publish a notice in accordance with Section 38 (2) of the Act, relating to the amounts of council tax set.
- (m) The Chief Executive be instructed to publish a notice in accordance with Section 11A (6) and 11B (6) of the Act, relating to the discount set.

12 North East Combined Authority: Devolution Deal Update and Poll Result

The Council noted a report of the Leader of the Council which provided an update on the proposed devolution agreement, including the results of the County Durham poll, in order to facilitate a debate to influence the required Cabinet decision on whether the Council should agree any final devolution agreement (for copy see file of Minutes).

Councillor Henig informed Council that the results of the County Durham poll, which was the largest consultation on devolution carried out in England, were shown at Appendix 4 of the report as follows:

- There had been over 80,000 responses received
- 59.5% of respondents considered devolution to be a step in the right direction
- 14.9% of respondents considered devolution to be the wrong thing to do
- Approximately $\frac{1}{4}$ of respondents thought that devolution would make little or no difference or did not know.

With regard to the powers of an elected Mayor, Councillor Henig reported the following results:

- 47.8% of respondents considered that the Mayor should have limited power and influence
- 40.3% of respondents considered that the Mayor should have quite a lot of power and influence
- 11.9% of respondents did not know.

The majority of respondents were not sure whether the north should try to get additional powers and resources devolved under the Devolution Deal and 40.5% of respondents considered that the Devolution Deal would help bring jobs and prosperity to County Durham.

The legislation required to enable combined authorities to assume devolved powers was contained in the Cities and Local Government Devolution Act, which had received Royal Assent on 28 January 2016 and would be in force before the end of March. Details regarding the Mayor, Scrutiny and budget setting were contained in paragraphs 31 to 34, 21 to 22, 50 and Appendix 1 to the report, although further discussions would take place with the DCLG and Treasury.

The decision on whether the Council should agree any final devolution agreement would be taken by Cabinet in March and then by the North East Leadership Board. Any views of Council would be taken into account by Cabinet when making its decision.

Councillor R Bell informed Council that the report vindicated the decision to carry out the Durham poll, which had produced a majority in favour of devolution. While the Leader's position appeared to be 'steady ahead' Councillor Bell asked at what point the funding arrangement would be agreed to the satisfaction of all parties and also asked whether there was an exit mechanism.

Councillor Hopgood, while appreciating this was a decision to be made by Cabinet, **Moved** that Council take an advisory vote so that Cabinet would know the feelings of Members. **Seconded** by Councillor Martin.

Councillor Henig replied that Council was the opportunity for Members to give their views and that Members could also give their views to him outside of the meeting. The process of negotiation regarding finance was ongoing and further information was awaited and therefore it would not be helpful to have an advisory vote when there were matters which had not yet been agreed.

Councillor Martin informed Council that while Council had been advised it had no legal right to make the decision regarding being part of devolution, the Council would be held to account for any decision made. The Cabinet decision must be made on behalf of all Members. Councillor Henig had informed Council that there was insufficient information to currently make a decision because negotiations with the DCLG and Treasury were ongoing and Councillor Martin questioned how Cabinet would be able to make a decision in March if that information was still unknown. Council needed to be provided with as much information as Cabinet and Councillor Martin suggested that an Extraordinary County Council meeting could be held on the day before the Cabinet meeting.

Councillor Henig asked the Head of Legal and Democratic Services to explain why the decision must be made by Cabinet. The Head of Legal and Democratic Services informed Council that this was an Executive function and as such was to be made by Cabinet and this was the consensus of all 7 Constituent authorities.

Councillor Henig welcomed the comments of Councillor Bell. Negotiations were continuing between officers from the 7 local authorities and Ministers and it was unknown when any further details would be forthcoming. A Special Cabinet meeting was to be held on 23 March 2016, in line with other authorities, to decide whether the Council should agree any final devolution agreement. Throughout the devolution issue Councillor Henig informed the Council he had tried to be as open as possible and was happy to continue with this approach. All opposition Group Leaders would have an opportunity to present their views to the Special Cabinet meeting and Councillor Henig added that he would be happy to talk to Group Leaders and Members before the Special Cabinet agenda and papers were despatched. Councillor Henig informed Council that he did not consider it necessary to call an Extraordinary meeting of the County Council for a one item agenda and considered that his offer to speak to Group Leaders and Members more appropriate.

Councillor Hopgood replied that in light of Councillor Henig's statement, she would withdraw her request for an advisory vote.

13 Appointment of Co-opted Members to the Audit Committee

The Council considered a report of the Corporate Director of Resources which sought approval on the appointment of two new co-opted Members to the Audit Committee (for copy see file of Minutes).

In **Moving** approval of the report, Councillor E Bell, Chairman of the Audit Committee thanked Tom Hoban and Kathryn Larkin-Bramley for their service to the Audit Committee. **Seconded** by Councillor C Marshall and

Resolved:

That the report be approved.

14 Motions on Notice

There were no motions for consideration.

15 Questions from Members

Councillor O Temple.

In his role as Portfolio Holder with responsibility for Legal and Democratic Services, please can the Leader of the Council confirm how many questions were submitted by individuals to be asked at this council meeting, and the basis on which any were rejected?

Councillor Henig replied that the Legal and Democratic Services Portfolio area which he covered jointly with the Deputy Leader did not cover all parts of the Council's Monitoring Officer, particularly in regards to the operation of the Constitution. Councillor Henig asked the Head of Legal and Democratic Services to respond to the question as there had been no input from him in this process.

The Head of Legal and Democratic Services informed Council that as at 10.15 a.m. on 22 February 129 questions had been received from individuals. They were of such a quantity that they could not have been dealt with in the 10 minutes allocated for public questions in the rules of procedure agreed by Council. Democratic Service staff assessed them as raising the same issues as were raised in previous questions put to the last Council or seeking information, replies to which would require the disclosure of exempt information. After consultation with the Chairman, an email was sent to all enquirers, in the following terms.

Thank you for your email.

Having taken advice from the Head of Legal and Democratic Services regarding your questions and comments received, we are unable to accept your question for our full Council meeting. The question would be in breach of the Council's procedure rules because the issues raised are substantially the same as previously submitted questions. It may be that any response to your question would also require the disclosure of confidential or exempt information.

I understand that this will be disappointing to you, however, I have provided your details and comments to those officers who dealt with the recent consultation. They have advised me that the issues you have raised will be covered in response to the consultation.

Councillor Temple thanked Councillor Henig and the Head of Legal and Democratic Services for their reply.