



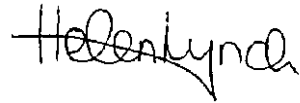
Local Government Act 1972

I Hereby Give You Notice that an **Ordinary Meeting** of the **Durham County Council** will be held in the **Council Chamber - County Hall, Durham** on **Wednesday 23 January 2019 at 10.00 am.** to transact the following business:-

1. To confirm the minutes of the meeting held on 5 December 2018 (Pages 3 - 10)
2. To receive any declarations of interest from Members
3. Chairman's Announcements
4. Leader's Report
5. Questions from Area Action Partnerships
6. Questions from the Public
7. Petitions
8. Report from the Cabinet (Pages 11 - 20)
9. Members Allowance Scheme - Recommendations of the Independent Remuneration Panel - Report of Corporate Director of Resources (Pages 21 - 66)
10. Establishment of a Head of Corporate Property and Land - Report of Corporate Director of Regeneration and Local Services (Pages 67 - 76)
11. Motions on Notice
12. Questions from Members

And pursuant to the provisions of the above-named act, **I Hereby Summon You** to attend the said meeting

Dated this 15th day of January 2019

A handwritten signature in black ink that reads "Helen Lynch". The signature is written in a cursive style with a prominent loop at the end of the word "Lynch".

Helen Lynch
Head of Legal and Democratic Services

To: All Members of the County Council

DURHAM COUNTY COUNCIL

At an Ordinary Meeting of the County Council held in the Council Chamber - County Hall, Durham on **Wednesday 5 December 2018 at 10.00 a.m.**

Present:

Councillor J Lethbridge in the Chair

Councillors E Adam, J Allen, J Atkinson, B Avery, A Bainbridge, B Bainbridge, A Batey, A Bell, D Bell, E Bell, J Bell, R Bell, H Bennett, J Blakey, G Bleasdale, L Boyd, D Boyes, P Brookes, D Brown, J Brown, L Brown, C Carr, J Chaplow, J Clare, J Clark, M Clarke, I Cochrane, J Considine, K Corrigan (Vice-Chairman), P Crathorne, R Crute, G Darkes, M Davinson, S Dunn, D Freeman, A Gardner, J Grant, D Hall, K Hawley, S Henig, K Hopper, L Hovvels, P Howell, S Iveson, I Jewell, O Johnson, P Jopling, C Kay, B Kellett, A Laing, K Liddell, H Liddle, L Maddison, J Maitland, R Manchester, C Marshall, L Marshall, C Martin, E Mavin, L Mavin, S McDonnell, M McGaun, I McLean, O Milburn, S Morrison, J Nicholson, R Ormerod, A Patterson, C Potts, S Quinn, A Reed, G Richardson, J Robinson, J Rowlandson, A Savory, E Scott, K Shaw, A Shield, M Simmons, A Simpson, H Smith, T Smith, J Stephenson, B Stephens, D Stoker, A Surtees, P Taylor, O Temple, K Thompson, T Tucker, A Watson, M Wilkes, A Willis, C Wilson, M Wilson, S Wilson and D Wood

Apologies for absence were received from Councillors J Charlton, N Grayson, O Gunn, C Hampson, D Hicks, A Hopgood, S Hugill, E Huntington, L Kennedy, A Napier, H Nicholson, P Oliver, S Robinson, L Taylor, F Tinsley and J Turnbull

Prior to the commencement of the meeting the Chairman of the County Council with great sadness reported the deaths of:

- Former Easington District Councillor Eunice Jacques. Eunice represented the Eden Hill Ward on the District Council for 20 years from 1979 to 1999;
- Former Leader of Durham City Council Tom Gill who represented the Brandon Ward.

1 Minutes

The minutes of the meeting held on 31 October 2018 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 item of business on the agenda.

3 Chairman's Announcements

The Chairman reminded colleagues that, as Christmas approached, it was important to recognise those who were less fortunate and needed support during the festive season.

Firstly, the Chairman thanked everyone who donated to the Durham Foodbank appeal which closed on Friday. It was humbling to see the large amount of goods placed in the collection boxes each day at County Hall and this had been replicated at other Council premises across the County.

The Chairman's toy appeal was now underway. Toys could be placed under the Christmas tree in the Durham Room, unwrapped, before the 17 December. As in previous years, the toys collected would be given out by the Salvation Army to those families in need.

Friday 14 December was a day to celebrate all things Christmas, where for a donation of at least £1 to the Chairman's chosen charity, the Royal British Legion, Officers and Members could wear festive clothing.

Finally, the Chairman reminded Members about the Christmas Carol Concert taking place in the Durham Room on Thursday 6 December at 1 p.m. The Concert would be facilitated by the Durham Music Service and last approximately an hour with festive refreshments afterwards.

4 Leader's Report

Prior to presenting his report, the Leader of the Council asked the Chair of the Adults, Wellbeing and Health Overview and Scrutiny Committee, Councillor John Robinson, to briefly report to Council on the meeting held on 15 November to discuss the future of Ward 6 of Bishop Auckland Hospital.

Councillor Robinson thanked Councillors Hovvells and Laing for their commitment to the Adults, Wellbeing and Health Overview and Scrutiny Committee.

Following a letter from Scrutiny the Trust had halted their closure plans for Ward 6. The meeting of the Adults, Wellbeing and Health Overview and Scrutiny Committee held on 15 November had been well-attended and had lasted for 4¹/₂ hours, with another meeting held on 4 December lasting 3¹/₂ hours. The Trust had agreed to halt their plans and had undertaken to discuss future plans for the Ward with staff who worked on it. It would come back to the Council in January with details of these discussions. Councillor Robinson assured the Council that the Adults, Wellbeing and Health Overview and Scrutiny Committee would invoke a call-in if needed, but stressed that to do this the correct procedure needed to be followed. There was cross-party support at the meeting.

The Leader informed Members that on 20 November the Council took part in the Local Government Association's annual #Our Day social media campaign to highlight the everyday efforts of staff to help improve residents' quality of life.

Council tweets about its staff reached 30,000 people and highlighted everything from the 1,600 weddings which had been officiated this year to the 780,000 sausages served to pupils by catering staff. A tweet about Gary, a gritter driver, was chosen by the LGA as their first message to highlight as part of the campaign. A short video featuring staff explaining what their day entailed was also watched more than 5,000 times.

Last month, Remembrance parades and services took place across the County on Armistice Day, to mark the 100th anniversary of the end of First World War. The Council worked with the Northern Echo to produce a commemorative edition, which was available to buy between 7 November, and 11 November. The special edition featured many stories from the Durham County Record Office and DLI Collections.

There was also a visit by children from Kreis Weisel in Germany, to Park View School in Chester-le-Street. The children discussed their different perceptions of the First World War and took part in the Remembrance concert at Durham Cathedral.

HOPE, a commemorative light and sound installation, was installed in Millennium Place, while the Durham Hymns captivated audiences at the Gala Theatre. The artwork and concert were both inspired by the diaries and letters of County Durham people who experienced the war.

The Council also arranged for a life-size replica Spitfire to be located in Durham Market Place to provide a fitting backdrop for the annual military parade.

In November, HRH The Earl of Wessex presented the Council with a Ministry of Defence's Gold Award, as part of the Defence Employer Recognition Scheme. The award recognised employers who demonstrated outstanding assistance towards serving and ex-members of the Armed Forces.

Free after 3 car parking was again available in Council car parks in December. The popular scheme allowed visitors to park for free after 3 p.m., attracting more people into towns for shopping and leisure activities during the festive period. Last Saturday was Small Business Saturday, a day to support local independent businesses, and all Council car parks countywide and on-street parking in Durham City was free from 10am.

Planning was underway for next year's Lumiere and a 'one year to go' launch event took place in November, attended by local businesses and the media, including ITV Tyne Tees and BBC Look North. As part of the launch, the Heron installation was lit up for the first time at its permanent location on the riverside. The Heron was the third Lumiere legacy piece and followed the Light Bench near the Passport Office and Helvetitoc in Millennium Place.

The place marketing programme, Celebrate Durham, continued with prominent poster and digital display campaigns featuring Lumiere highlights to promote County Durham across the country. These were displayed at Newcastle International Airport and along the East Coast Main Line at King's Cross, Leeds, York and Edinburgh Waverley stations. On 29 December Durham would feature in

a Times supplement. This would focus on business, culture and places with a specific focus on the people who made it so special. Members could also see the County Durham message wall at its new temporary location at The Louisa Centre in Stanley.

The Leader thanked and congratulated everyone who had helped the many events currently taking place, including in Crook which witnessed the biggest and brightest Winter Light Parade the community had ever seen attracting local, national and international visitors a week last Sunday. There had been many uplifting seasonal events across the county to lighten up the dark nights with a lot of hard work put in by a lot of people.

The Leader also congratulated everyone who took part in the annual Environment Awards which next year will celebrate its 30th anniversary, the annual Best Bar None Awards, organised in partnership with Durham Constabulary, the retail awards and also all of the tourism businesses and accommodation providers who won awards at the North East England Tourism Awards where there were five Gold Award winners from Durham. Meanwhile Hardwick Park was voted as the best destination for a free family day out in the inaugural Family Favourites Awards, organised by Daysoutwiththekids.co.uk.

The annual local government funding settlement was expected tomorrow, assuming this wasn't delayed by other national debates. The Council had made clear the pressures that it and other councils were now facing, particularly in terms of rising demand in children's and adult services. Last month the Leader warned in the Journal newspaper that the future of children's services across the country was becoming a real issue and there had been a huge increase in the number of special needs pupils needing support, with the council spending several millions more in this area than it had available in Government funding. Schools were under massive financial pressure and the Council was trying to support them. However, the Council had needed to apply to the Secretary of State for Education to transfer some funding from the Schools Block Dedicated Schools Grant to help meet the shortfall.

Although one-off funding was announced in the chancellor's budget statement this would not be enough to meet the demands being faced. Councils needed sustainable funding to meet these demands in the long-term and if the government was serious about an end to austerity real changes would be expected when the local government settlement was announced.

The Council also continued to lobby the government regarding potential changes to public health funding which could see Durham County Council lose £19 million funding from 2020 with counties such as Surrey and Hertfordshire set to gain. The Leader welcomed the support received from MPs and local CCGs and asked everyone to join this campaign.

As the festive period approached Christmas parcel collections for County Durham Foodbank had been organised at all of the Council's main offices and depots. There was a fantastic response and the Leader thanked everyone for their generosity.

Still on the theme of staff, the shortlist of finalists for the Inspiring People Staff Awards was available on the intranet ahead of the awards event tonight. The Council thanked everyone for their nominations and congratulated all of the winners and nominees.

The Leader concluded by thanking everyone for their hard work over the last year, and wished everyone a Merry Christmas and a Happy New Year.

5 Questions from Area Action Partnerships

Questions had been received from 3 Towns Area Action Partnership and East Durham Area Action Partnership relating to the following:

- Which sections of the County Council engaged with residents aged 50 and over who potentially could be socially isolated and how could the AAP work in partnership with other sections of the County Council to share information with residents and identify potential barriers to participation to consider and as a result direct action;
- What support the Council was providing to organisations dealing with people tackling issues brought on by Universal Credit and other welfare reforms.

Eddie Tomlinson, 3 Towns Area Action Partnership Chair and Malcolm Fallow, East Durham Area Action Partnership Vice-Chair were in attendance to ask their questions. Councillor L Hovvells, Portfolio Holder for Adult and Health Services thanked the 3 Towns AAP for their question and provided a response.

Councillor J Brown, Portfolio Holder for Social Inclusion and HR thanked East Durham AAP for their question and provided a response.

6 Questions from the Public

There were no questions from the public.

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 Cabinet on 17 October and 14 November 2018 (for copy see file of Minutes).

Councillor Temple asked the following question on Item 6 of the Cabinet report:

With regard to writing off a £3.4 million deficit at Wellfield School, the 2014 Ofsted Report stated 'The school is currently in a deficit budget but strong plans are in place with the local authority to ensure that the school has financial stability within the next three years.'

Four and a half years later, as it plans to write off the debt, does the Portfolio holder agree that Cabinet has been negligent in failing to prevent this £3.4 million hit to the public purse? And what assurance can the Portfolio holder provide to Members that the Cabinet will never again leave the Council open to such losses?

In the absence of the Portfolio holder, Councillor Hovvels provided Councillor Temple with a response as follows, and informed Councillor Temple that the Portfolio holder was prepared to meet with him afterwards.

The Council took its responsibility for Education very seriously and this extended to the proper governance and financial management of its maintained schools. Councillor Temple was pointed to the full response provided to Cabinet by Councillor Napier on 14 November 2018, following a very similar question from Councillor Hopgood.

The Council monitored schools financial performance on a termly basis and provided regular updates to Cabinet and Overview and Scrutiny Committee on a quarterly basis. It provided both challenge and support to School Governing Bodies in dealing with the financial challenges they faced.

Wellfield School suffered a reduction in pupil numbers from around 2010/11 which accelerated in 2012 when the school received an Ofsted judgement of 'inadequate' and was at that time required to be sponsored by an existing Multi-Academy Trust. At the point that the Ofsted judgement was received the school had a surplus brought forward of in the region of £201,000. Pupil numbers then fell in the following four years.

A new head teacher was appointed in September 2012 and the school, supported by the Council's School Improvement Team, began to address the concerns raised by Ofsted. Across the next two financial years the Regional Schools Commissioner attempted to find a sponsor for the school.

They could not find a sponsor and in 2014 the school was re-inspected by Ofsted and categorised as a 'Good' school. At that point the school was no longer mandated to become a sponsored academy.

The Ofsted figures to which Councillor Temple referred were based on forward projections of increases in admissions that would have brought the in-year budget into balance within three years, but the numbers of pupils did not materialise as quickly as was being envisaged at that time.

The Council had continued to support and challenge the school and its governing body to make efficiencies to bring its budget into balance in year, pending the review of schools provision in this area.

In the current year the school had, for the first time in seven years, been able to set an in-year balanced budget, with the outlook for future years indicating a strengthening financial position.

The position at Wellfield was at least in some part a legacy of the time taken to try and find a sponsor for the school, but also a symptom of the under-funding of schools more generally, where they have faced real terms cuts in funding as the Dedicated Schools Grant had not kept pace with inflationary pressures.

While Wellfield had exceeded the three-year rule in terms of carry forward of deficits, this had been a managed position, balancing the impact on school performance, school educational outcomes and finance considerations. The Council's External Auditors had been kept fully involved throughout this process.

In terms of the actions the Council had out in place to stop this happening again the Council had strengthened its corporate recording and monitoring of schools, it continued to work closely with the Regional Schools Commissioner, and had instigated an area by area review of education provision across the county, with the outcome being a more financially sustainable provision going forward.

Councillor Temple replied that in the absence of the Portfolio Holder it would be impossible to ask a meaningful supplemental question. However the reply provided did not correspond with the figures he had been provided. He would raise the issue with the Portfolio Holder outside of the meeting and also request Scrutiny to oversee the issue.

9 Mid-Year Review Report on Treasury Management for the period to 30 September 2018

The Council considered a report of the Corporate Director of Resources which provided information on the treasury management mid-year position for 2018/19 and provided a summary of the Council's treasury position, borrowing activity, investment activity, treasury management and prudential indicators (for copy see file of Minutes)

Councillor C Martin referred to the liquidity premium and asked whether consideration had been given to longer-term investments to increase levels of return. The Corporate Director of Resources replied that advice current was that because of uncertainty around Brexit and markets investments should be for no longer than one year. This would be considered again once the period of uncertainty was over.

In response to a question from Councillor R Bell the Corporate Director of Resources confirmed that borrowing was well within parameters and that as at 30 September 2018 the Council had under-borrowed by £70m the amount that could be borrowed.

Resolved:

That the report be noted.

10 West Rainton Community Governance Review - Final Recommendations

The Council considered a report of the Head of Legal and Democratic Services which advised of the final stage of consultation that had been

undertaken as part of the Community Governance Review in relation to West Rainton, and made a final recommendation in this regard (for copy see file of Minutes).

Moved by Councillor Henig, **Seconded** by Councillor Stephens and

Resolved:

(1) That:-

- (a) With effect from 1 April 2019 the change of name of the parish/ Parish Council be changed to West Rainton and Leamside;
- (b) With effect from the ordinary elections in 2021 the parish council size be reduced from 11 to 9 councillors.

(2) The final recommendation be published on 12 December 2018, and the Re-organisation order be made one month later.

11 Review of the Council's Statement of Gambling Policy

The Council considered a report of the Corporate Director of Regeneration and Local Services regarding a Statement of Principles (Gambling Policy) for 2019 to 2021 in accordance with the Gambling Act 2005 which, once adopted, would enable the Council to continue to make decisions when exercising its responsibilities as the Licensing Authority under the Gambling Act 2005 for the next three years (for copy see file of Minutes).

Moved by Councillor C Carr, **Seconded** by Councillor B Stephens and

Resolved:

That the revised Statement of Gambling Policy be approved.

12 Motions on Notice

There were no motions for consideration.

13 Questions from Members

There were no questions from Members.

The Chairman thanked all Members for their support in 2018 and wished them and their families' best wishes for Christmas and the New Year.

23 January 2019

Report from the Cabinet



Purpose of the Report

To provide information to the Council on issues considered by the Cabinet on 12 December 2018 to enable Members to ask related questions.

Contents

12 December 2018

- Item 1 Mainstream Primary and Secondary Formula Funding 2019-20 and Transfer to High Needs Block [Key Decision: CORP/R/18/06]
- Item 2 Town and Village Centres – Way Forward
- Item 3 Joint targeted area Inspection (JTAI) of the multi-agency response to domestic abuse in Durham – Action Plan
- Item 4 Regional Adoption Agency

1. **Mainstream Primary and Secondary Formula Funding 2019-20 and Transfer to High Needs Block**
Key Decision: CORP/R/18/06
Deputy Leader of the Council, and Cabinet Portfolio Holder–
Councillors Alan Napier and Olwyn Gunn
Contact – Paul Darby 03000 261930

We have considered a joint report of the Corporate Director of Children and Young People’s Services and the Corporate Director of Resources which requested approval of the local funding formula for mainstream primary and secondary schools from 1 April 2019 and academies from 1 September 2019.

The report follows on from the report to Cabinet in 17 October 2018 where a number of options were considered and a preferred option was agreed, subject to the outcome of consultation. The report provided the outcome of the consultation that has been made to the Secretary of

State for Education to agree to a transfer of funding from the Schools Block Dedicated Schools Grant (DSG) to the High Needs Block DSG, equivalent to 0.5% (£1.535 million) and the impact on the local funding formula for mainstream primary and secondary schools for 2019/20. The report also set out the proposals for the use of council reserves in 2019/20 to augment the High Needs Budget.

Funding for the mainstream primary and secondary schools formula is provided through the Dedicated Schools Grant (DSG) and since 2013-14, the DSG has been split into different funding blocks, Early Years, Schools and High Needs (for Special Educational Needs and Disabilities - SEND) and from 2018-19 a Central School Services Block (CSSB) - the latter includes funding formerly included in the Schools Block and Education Services Grant.

The DfE had previously announced that local formulas would be replaced by the National Funding Formula (NFF) from 2020-21, however, in July 2018, the DfE announced that this has been postponed and local authorities will continue to set local formulas for 2020-21.

In setting the funding formula for mainstream primary and secondary schools for the current financial year, the Council took the decision to use a transitional formula, intended to smooth the transition from the local formula in place in 2017/18 to the National Funding Formula based allocations for individual schools over three years (2018/19 to 2020/21), with the plan to converge in 2020/21.

In October, Cabinet considered a range of options with regards to the local formula that could be applied in 2019/20 and resolved to continue with the strategy agreed last year, subject to the outcome of consultation.

From 2013-14 to 2017-18 funding for the High Needs Block (HNB) was largely based on historic patterns of budget allocation in County Durham. The HNB is now based on a national formula. However, the amount of funding being provided by Government is insufficient to meet demand, where pressure on this area of the budget has increased significantly as a result of the SEND Reforms in 2015/16.

In 2017-18 there was an overspend against the HNB of £4.652 million. For the current year, the updated forecast overspend is indicating a £5.431 million overspend. The QTR2 outturn forecast reported to Cabinet on 14 November shows a c£5.284 million overspend. In 2019/20 HNB spending is forecast to exceed the budget by circa £5.6 million.

No additional High Needs DSG funding allocations were announced in the Budget on 29 October 2018. The grant settlement was expected on

6 December 2018 and the final DSG allocations are expected later in December.

In the absence of additional government funding, to help alleviate some of these continuing pressures, Cabinet (17 October) considered and approved proposals to seek to transfer funding up to the maximum permissible from the DSG Schools Block to the HNB in 2019/20, to help address the current shortfall, subject to the outcome of consultation.

An application to transfer funding from the Schools Block needed to be submitted to the Secretary of State for Education by 30 November.

On 5 November 2018 the Schools Forum met to consider the options available with regards to the formula and the proposals to transfer funding from the DSG Schools Block to the High Needs block in 2019/20.

The Schools Forum resolved to ask the Council to consider slowing down the rate of transition towards the National Funding Formula and instead of reaching convergence in 2020/21 aim to reach convergence a year later. In addition, whilst sympathetic to the financial pressures being experienced in the High Needs Block, the Schools Forum resolved not to support any transfer from the DSG Schools Block.

On 30 November 2018 an application was submitted to the Secretary of State for Education to transfer funding from the Schools Block Dedicated Schools Grant (DSG) to the High Needs Block DSG, equivalent to 0.5% (£1.535 million). This is insufficient to meet the financial pressures within the High Needs Budget next year, but represents the amount that could have been agreed locally by the Schools Forum without the need to apply to the Secretary of State for Education.

In making this application, the Council has recognised the financial pressures all schools are under as a result of real terms cuts to the DSG. A review of High Needs spending is underway and the Council will continue to lobby Government for additional DSG. As a one-off measure, the shortfall in the High Needs Budget will be met from the Council's Budget Support Reserve in 2019/20. This is not however a sustainable long term solution. The Councils MTFP will therefore factor in a £4.1 million budget pressure in 2019/20, funded through a one off application of Budget Support Reserve to augment the High Needs budget in 2019/20 and allow a balanced budget to be set.

A sustainable solution will have to be found in partnership with schools to this issue and further reports will be considered by cabinet over the coming months on this issue.

Appendix 3 sets out details of the impact on the local funding formula for mainstream primary and secondary schools for 2019/20, including the impact of the application to Secretary of State for Education to agree to a transfer of funding from the Schools Block Dedicated Schools Grant (DSG) to the High Needs Block DSG, equivalent to 0.5% (£1.535 million). Comparative figures with no transfer and with the maximum transfer possible are also provided to put the 0.5% transfer in context.

Appendix 4 provides details of the local formula factors to be applied in 2019/20, which are draft at this stage. The final formula factors will be determined in January following receipt of the final confirmed pupil numbers and DSG funding allocations.

Decision

We have:

- (a) Agreed to adopt a local funding formula for mainstream primary and secondary schools for 2019/20 that continues the transition towards the National Funding Formula, but at a slower rate of transition, with convergence of the local formula factors in 2021/22;
- (b) Noted the significant financial pressures being experienced in the High Needs DSG budget and the need to set a balanced budget in 2019/20, which has necessitated an application to the Secretary of State for Education to transfer funding from the Schools Block Dedicated Schools Grant (DSG) to the High Needs Block DSG, equivalent to 0.5% (£1.535 million);
- (c) Agreed to apply up to £4.1 million of Budget Support Reserve to augment the High Needs budget in 2019/20 and allow a balanced budget to be set;
- (d) Noted that further lobbying will be undertaken to try and secure more funding from Government to address these pressures in the High Needs DSG budget and that further reports will be submitted following the completion of the High Needs review.
- (e) Noted that the position will be reviewed in 12 months' time, in advance of agreeing the local funding formula for mainstream primary and secondary schools for 2020/21.

2. Town and Village Centres – Way Forward
Cabinet Portfolio Holder– Councillor Carl Marshall
Contact – Sarah Robson 03000 267332

We have considered a report of the Corporate Director of Regeneration and Local Services which set out proposals for an enhanced approach to the regeneration of towns and villages across the county. The report sought to:

- (a) Confirm the continuation of town centre regeneration in line with the suite of established masterplans for the main centres;
- (b) Highlight the opportunities for a renewed regeneration focus in towns and villages across the county; and
- (c) Highlight opportunities for concerted programmes of activity to make step change improvements in selected centres.

The Council's Regeneration Statement identifies the key priorities for investment to transform the economy of the county and ensure residents and businesses benefit from the opportunities delivered. Since 2010, there have been a wide range of successful regeneration projects and programmes delivered by the Council and its partners across the County. Building on this success the council is looking to develop a stronger focus on local priorities in towns and villages. The report set out issues identified through discussions with local members and highlights a number of action available to the council and its partners to tackle them. Issues range from the need to support local retail, problems with vacant buildings and land, the condition of the environment and the impact of private landlords and empty properties and it also identifies additional capital funding to help deliver the local projects and programmes.

The guiding principles for the next phase of town and village regeneration are recommended to include:

- (a) Concentrating retail uses – shortening traditional high streets where demand for extra space no longer exists and filling retail gaps.
- (b) Targeted work to address empty and/or poor quality and wrongly configured property through support, conversion, acquisition and assembly. This may lead to demolition of problem local buildings.
- (c) Utilising enforcement powers to their maximum benefit to address those issues that are dragging down the rest of a community or place;
- (d) Working with private landlords to raise the quality of the offer in the private rented sector;

- (e) Maximising partnership opportunities with private and public sector investors to deliver a wider range of uses in town centres that address the decline in retail use.
- (f) The introduction of alternative uses including leisure, commercial and residential schemes as appropriate to local needs.
- (g) Responding to market trends, eg Click and Collect and working with local companies to maximise such opportunities.
- (h) Maximising the impact of council land and facilities in and around centres, providing visible facilities, driving building efficiencies and securing capital receipts where possible.
- (i) Improving accessibility – focussing on transport improvements.
- (j) Development of digital programmes to reflect channel shift in retailing and customer expectations.
- (k) Maintaining a targeted recruitment and training approach to ensure local residents and businesses benefit from the investment and new job opportunities across centres.
- (l) Ensuring other elements that make up a town are well managed and support local communities, especially cleansing and environmental maintenance.

The approach set out within the report aims to build on the work successfully delivered since 2009 but through a revised and wider approach, ensure that local community concerns and town and village centre opportunities are tackled at different levels to ensure the whole county benefits.

Further reports will be presented on strategic schemes where opportunities suggest larger scale investment and change that will benefit a wider area are deliverable.

Decision

We have:

- (a) Agreed the approach to the delivery of an enhanced town and village programme.
- (b) Supported an increase in capital programme investment through the capital bidding process.
- (c) Supported further work being undertaken to identify strategic town centre regeneration schemes that alongside partner investment can deliver transformational change in key town centres.
- (d) Agreed the programme management approach outlined in the report.

**3. Joint targeted area Inspection (JTAI) of the multi-agency response to domestic abuse in Durham – Action Plan
Cabinet Portfolio Holder– Councillor Olwyn Gunn
Contact – Julie Scurfield 03000 261630**

We have considered a report of the Corporate Director of Children and Young People’s Services which provided an update following the Joint Targeted Area Inspection of the multi agency response to children living with or experiencing domestic abuse in County Durham.

Between 9 and 13 July 2018, Ofsted, the Care Quality Commission, Her Majesty’s Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) and HMI Probation undertook a joint inspection of the multi-agency response to domestic abuse in Durham. This inspection included a ‘deep dive’ focus on the response to children of all ages living with domestic abuse.

Key findings from the inspection were contained in a letter which was provided to all key partners which included a number of strengths, one area for priority action and a number of areas for improvement.

The Corporate Director of Children’s Services is the lead officer and was required to work with Chief Officers of the Local Safeguarding Children’s Board (LSCB) to provide a response to the letter by 3 December 2018 with a written statement of proposed actions to the findings.

29 areas of strength in relation to practice across the partnership were identified. These were summarised in the report.

Inspectors identified one area for Priority Action and required the partnership to act swiftly to improve the functioning of Strategy meetings, which are held when risk of significant harm to children is considered to be high. Strategy Meetings bring key partners together swiftly and usually within 24 hours. Key partners are set out within Working Together 2018 and include Children’s Social Care, Police, Health and other relevant agencies such as schools and/or nursery providers. Inspectors identified that when the threshold for a Strategy meeting is reached, there was significant variation in how long it took for the meetings to be convened. They were critical of agencies with key information either failing to attend Strategy meetings or to provide relevant information to inform the meeting and to enable an effective risk assessment to take place. Records of the key actions and agreements of the meeting were not always shared.

There were 42 areas for improvement identified following the inspection which are set out within the letter. For the purposes of developing a coherent action plan, these 42 areas, together with the Priority Action

were grouped into 5 multi-agency improvement areas which were outlined in the report.

Work has been ongoing with partners to develop a multi-agency JTAI Improvement Action Plan which sets out the detailed actions partners will take to address the inspection findings. The plan includes a description of the expected impact of each action and sets out a programme of scrutiny and audit to assure partners that the required impact has been achieved.

Decision

We have approved the JTAI Improvement Action Plan and the proposed governance arrangements.

4. Regional Adoption Agency Cabinet Portfolio Holder– Councillor Olwyn Gunn Contact – Paul Darby 03000 261930

We have considered a report of the Corporate Director of Children and Young People's Services which sought agreement for the future structure of adoption services for County Durham to meet the requirements of Government to be part of a Regional Adoption Agency (RAA) which considered Durham's position in relation to the Host Model and risks of being the host organisation and risk of not.

The Council has responded to the Government requirements to move to RAAs where its aspiration is to have fewer organisations recruiting and assessing adopters and having organisations that are operating at much greater scale.

This intention was set out in the Education and Adoption Act 2016 which introduced power in March 2018 for the Secretary of State to require local authorities to carry out their adoption functions jointly.

In December 2016 Durham County Council, Cumbria County Council and Together for Children/Sunderland City Council began working together with assistance from the Department for Education (DfE) to consider how they could develop a RAA. Durham successfully led the bid outlining the proposals to develop the RAA and to ensure that the three Local Authorities would comply with the DfE requirements. This was approved by the DfE in March 2018.

Since then the Corporate Director of Children's Services for Durham County Council has chaired the Governance Board which was awarded a grant from the DfE of £670,000 to establish the new organisation by October 2019.

The future governance arrangements for the RAA have now been explored where there are four potential legal forms:

- RAA hosted by a single lead Council.
- RAA established as a jointly owned Local Authority Company.
- RAA established as a Joint Venture Company between the Councils and Voluntary Adoption Agency (VAA).
- Appoint a third company to act as the RAA.

The Governance Board concluded in October 2018 that option (a) where the hosted model by a single lead Council was the most cost effective and efficient model. It was also the most popular model adopted by other RAAs already ahead in their transformation plans and those which had already gone “live”.

The preferred model will need to be agreed by all three Local Authorities, and each Local Authority will need to decide if it wishes to be the lead Local Authority. In the event of more than one Local Authority wishing to be the lead, an independent competitive process will be established.

The outline business case was attached to the report. The Governance Board has oversight of the Project as it moves forward and the Project Board has a number of Working Groups across Legal Services, Finance and IT Systems as well as the development of adoption practices within the RAA. These Groups will steer the required work to set out a full business case by the summer of 2019. The full business case will be presented to Cabinet when agreement to proceed with the Full Business Case is agreed by the Governance Board.

Decision

We have:

- (a) approved the principle of forming a RAA comprising the areas of County Durham, Sunderland(Together for Children) and Cumbria and five Voluntary Adoption Agencies in accordance with statutory requirements;
- (b) considered and approved the outline business case for the RAA;
- (c) agreed that Durham County Council should bid to become the host authority when the RAA is established.

**Councillor S Henig
Leader of the County Council**

15 January 2019

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County Council

23 January 2019

Members Allowance Scheme –

Recommendations of the

Independent Remuneration Panel



Report of Corporate Management Team

John Hewitt, Corporate Director of Resources

Electoral division affected:

Countywide

Purpose of the Report

- 1 To advise Council of the outcomes of the review of the Members' Allowances Scheme carried out by the Independent Remuneration Panel for 2019/20, and to ask Council to agree a scheme of allowances for that financial year, taking into account the views of the Panel.

Executive summary

- 2 The Council is required to have a scheme which makes provisions for the payment of allowances and expenses to elected members, and council is to consider the scheme to make for 2019/20. When approving any changes to the scheme council must have regard to any recommendations of the Independent Remuneration Panel. The Panel have met in October and December 2018, and January 2019, and included in the report are its recommendations for council to consider. At its meeting on 11 January 2019 Constitution Working Group considered the Panel's recommendations, and were not minded to support any change to the allowances scheme for the next financial year.

Recommendation

- 3 Council is asked to consider the recommendations of the Independent Remuneration Panel for the Members' Allowances Scheme for

2019/20 and determine whether the allowances scheme should be amended.

Background

- 4 All local authorities are required to have a scheme which makes provision for the payment of a range of allowances and expenses to elected members. Each local authority must appoint an Independent Remuneration Panel (IRP) to make representations on allowances, including the amounts payable. When approving any changes to its Scheme, the Council must have regard to the Panel's recommendations.
- 5 The last changes made to the Member Allowance Scheme were for the year 2014/15. At that time, the IRP recommended a 1% increase to the basic allowance. Council considered that recommendation and decided not to introduce an increase. However, when Council set its budget for 2014/15 it agreed to reduce the Members Mileage Allowance to 0.45p per mile in line with HMRC rate. This is the only change to the scheme since it was adopted in 2009, following LGR.
- 6 The Council's Member's Allowance Scheme for 2018/19 was considered by the Panel on 23 October and 4 December 2017 when no changes were recommended. Council considered the IRPs reasons at its meeting on 24 January 2018 and agreed that no changes would be made for the forthcoming year.

Independent Remuneration Panel

- 7 On 24 October and 4 December 2018, and 8 January 2019 the Panel met to consider the review of the allowances scheme for 2019/20.
- 8 In reviewing the Members Allowance Scheme, the Panel was made aware of the changes to the Council's Committee Structures and the scheme since the last review which included:-
 - (a) At the annual council meeting in May 2018 it was agreed to discontinue the Human Resources Committee given the low level of business it had been conducting. Oversight of health and safety obligations were transferred to the Audit Committee, and the Corporate Director of Resources was given delegated authority in-line with appropriate consultation to make decisions on Early Retirement and Voluntary Redundancy applications, and compassionate pension cases. The special responsibility allowances paid to the Chairman and Vice Chairman of the Human Resources Committee now represents a reduction in the allowances paid of £2660, and £1330 respectively.
 - (b) The number of political groups on the council has increased to 7 from 6 due to the formation of the North East Party Group in May 2018. As a result, there is an increase in the number of opposition group leaders who are able to claim the allowance

of £3325 per annum, which is the rate where the group has less than 20% membership of the council members.

- (c) The list of outside bodies in the appendices to the scheme have been reviewed and updated to reflect the appointments made following annual council.
- 9 In preparation for the review of the scheme by the Independent Remuneration Panel, elected Members were asked to express views or make submissions to be considered by the Panel, and the following responses were considered:-
- (a) An allowance for Cabinet support officers should be considered.
- (b) As with other authorities, councillors be allowed free off-peak parking in council car parks. Thereby reducing the paper work on expense claims for council business on those car parks, and a cost neutral benefit to councillors to make use of council facilities.
- (c) Two councillors requested that there be no change to allowances. One of whom referencing that as the council was in some degree of financial crisis there should be a freeze on allowances.
- 10 In the past the Panel have found it helpful to be aware of any changes to allowances schemes for other councils. At its meeting in October the Panel had been provided with the current rates of basic allowance that are paid by councils in the region to its members and which shows where changes were made to the basic allowances for 2018/19 (Appendix 2). There were also tables to show comparisons with other authorities for the cost per head of the allowances scheme.
- 11 At the Panel meeting on 4 December 2018 members were provided with additional information which they had sought from their first meeting. This included:
- Role of the Cabinet Support Members
 - Information from Neighbouring Authorities on Cabinet support members and Special Responsibility Allowances, car park concessions, and plans for amending members allowance scheme for 2019/20.
- 12 The Panel took into consideration all of the information provided, and unanimously agreed that an additional allowance should not be paid to Cabinet Support Members and that members should not be offered free off peak parking in Council car parks. The majority view of the Panel was to recommend a 1% increase to the members basic allowance.

In summary the reasons included:-

- There was a lack of evidence to support payment of a special responsibility allowance to Cabinet Support Members;
- There was no case for a change in the car parking arrangements and the management of such a scheme was likely to increase administrative costs.
- It has been a number of years since the IRP last recommended an increase and Member Allowances have remained at the same level since 2009;
- An increase of 1% to the basic allowance acknowledged in part the increased costs of living since 2009;
- An increase to the allowance this year would help ensure that allowances remain at an appropriate level to avoid potentially larger increases;

13 If Council were to accept the IRP's recommendation, the basic allowance would increase by £133 from £13,300 to £13,433.

Constitution Working Group

14 At its meeting on 11 January 2019 Constitution Working Group considered the Panel's recommendations, and were not minded to support any change to the allowances scheme for the next financial year.

Next Steps

15 Council is asked to consider and agree a scheme of allowances for the next financial year taking into account the views of the Independent Remuneration Panel. The current scheme of allowances is appended to the report at Appendix 3. If the Council was to agree with the recommendations of the Panel, then the allowance scheme document as attached would be amended accordingly, and be agreed for 2019/20.

Background papers

The Local Authorities (Members' Allowances) (England) Regulations 2003

Contact: John Hewitt

Tel: 03000 261943

Appendix 1: Implications

Legal Implications

The Local Authorities (Members' Allowances) Regulations (England) Regulations 2003 (as amended) require the Council to review members allowances at least once every four years for the purpose of agreeing how it will index link its scheme of allowances. Before any amendments to the Scheme are made, the County Council must have regard to the recommendations made by the IRP and determine whether and how these are implemented.

Finance

There are 126 members and a basic allowance of £13,300 is paid to each. There are also special responsibility allowances for members taking on additional responsibility for example, cabinet or chairing roles and these are set out in the scheme.

Consultation

Members were invited to submit representations for consideration by the IRP.

Equality and Diversity / Public Sector Equality Duty

None specific within this report.

Human Rights

None specific within this report.

Crime and Disorder

None specific within this report.

Staffing

None specific within this report.

Accommodation

None specific within this report.

Risk

None specific within this report.

Procurement

None specific within this report.

Appendix 2: Basic Allowances- councils in the region

Authority	Basic Allowance per member 17/18 £	Basic Allowance per member 18/19 £
Darlington	8,027	8,188
Durham	13,300	13,300
Gateshead	10,550	10,550
Hartlepool	7,792	7,948
Middlesbrough	6,253	6,378
Newcastle	8,775	8,775
North Tyneside	9,956	10,155
Northumberland	12,625	12,625
Redcar and Cleveland	9,550	9,550
South Tyneside	7,370	7,370
Stockton-on-Tees	9,300	9,300
Sunderland	8,369	8,369

DURHAM COUNTY COUNCIL

MEMBERS' HANDBOOK

AND

ALLOWANCES GUIDE

Allowances as at 1 April 2018

Preface

This booklet is intended to provide Councillors with a detailed guide to the rules governing the payment of allowances together with details of the amounts payable and the procedures to be followed in making claims, etc.

CONTENTS

- 1. Allowances Payable**
- 2. Definition of Approved Duties**
- 3. Claim Forms**
- 4. Members Appointed to Other Bodies**
- 5. Income Tax**
- 6. Pensions**
- 7. Insurance**
- 8. Social Security**
- 9. Sick Pay**
- 10. Members' Surgeries**

APPENDICES

- A** Distribution of Special Responsibility Allowance
- B** Ground rules for Travel and Subsistence
- C** Travelling Allowances
Subsistence Allowances for Approved Duties
Travel Outside the United Kingdom
- D** Schedule of Outside Organisations, attendance at which qualifies for Travel and Subsistence Allowances
- E** Schedule of Outside Organisations which pay Travelling and Subsistence Allowances to Members
- F** Schedule of Outside Organisations which pay Attendance Allowance to Members
- G** Association of North East Councils Members' Allowances Scheme

H North East Regional Employers' Organisation Scheme

I LGA Members' Allowances Scheme

J List of ABI approved insurance companies

1. ALLOWANCES PAYABLE

- 1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 require that an authority shall make a scheme in respect of the succeeding financial year on or before 31st March each year. The scheme may be amended at any time but may only be revoked with effect from the beginning of a year.
- 1.2 Under these regulations Councils are required to establish and maintain an independent remuneration panel to provide the local authority with advice on its scheme and the amounts to be paid. Local authorities must have regard to this advice.
- 1.3 The prescribed components of the County Council Scheme are as follows:

(a) **Basic Allowance**

- (i) Payable to each Member of the authority who is a County Councillor. Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a financial year the amount of basic allowance due is calculated as follows:

$$\frac{\text{Number of days in office}}{\text{Number of days in year}} \times \text{annual basic allowance}$$

- (ii) Basic Allowance is intended to recognise the time commitment of all Councillors, including such inevitable calls on their time as meeting with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs such as the use of their homes. The allowance is also intended to cover the cost of meals and other incidental expenses incurred within the region.
- (iii) The amount of allowance per Member as at 1st April 2018 is £13,300 per annum and is to be paid at £1108.33 per month.

(b) **Special Responsibility Allowance**

- (i) Payable to Members of the Council specified in the Scheme who have special responsibilities. Where a Councillor takes up or relinquishes any special responsibility otherwise than at the beginning or end of the financial year the amount of special responsibility allowance payable is calculated as follows:

Number of days performing <u>special responsibility</u>	X	annual special responsibility allowance
Number of days in year		allowance

- (ii) No Member can receive more than one Special Responsibility Allowance.
- (iii) The amounts currently payable are shown in Appendix A.

(c) **Dependant Carers' Allowance**

- (i) A dependant carers' allowance is payable at a rate not exceeding £7.38 an hour to those Councillors who incur expenditure for the care of dependent relatives or children whilst undertaking approved duties. "Approved duties" are specified in the Regulations and are as follows:
- (ii)
 - a. A meeting of the Executive;
 - b. A meeting of a committee of the Executive;
 - c. A meeting of the Authority;
 - d. A meeting of a committee or sub-committee of the authority;
 - e. A meeting of some other body to which the authority makes appointments or nominations; or
 - f. A meeting of a committee or sub-committee of a body to which the authority makes appointments or nominations;
 - g. A meeting which has both been authorised by the authority, a committee, or sub-committee of the authority or a joint committee of the authority and one or more other authorities, or a sub-committee of a joint committee;
 - h. A meeting which has both been authorised by the authority, a committee, or sub-committee of the authority or a joint committee of the authority and one or more other authorities, or a sub-committee of a joint committee; and
 - i. to which representatives of more than one political group have been invited (if the authority is divided into several political groups) or to which two or more councillors have been invited (if the authority is not divided into political groups);
 - j. A meeting of a local authority association of which the authority is a member;

- k. Duties undertaken on behalf of the authority in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- l. Duties undertaken on behalf of the authority in connection with arrangements made by the authority for the attendance of pupils at a school approved for the purposes of section 342 of the Education Act 1996.

- (iii) Payment is claimable in respect of children aged 16 or under and in respect of other dependants where there is medical or social work evidence that care is required. Evidence would take the form of a letter from a doctor or social worker stating the maximum time that the dependant could be left without care.
- (iv) The allowance is paid against actual expenditure evidenced by receipts. The allowance is not payable to a member of the claimant's household. The maximum rate payable will be increased each October in line with the national minimum wage. (The hourly rate is paid in line with national minimum wage at age 21). This will be increased each October in line with national changes.

1.4 The amounts specified in paragraph 1.3(a) and Appendix A of this document are subject to an annual review by the Independent Remuneration Panel.

Foregoing Allowances

1.5 A member may, by notice in writing given to the Corporate Director of Resources, elect to forego any part of his / her entitlement to an allowance under this scheme.

Co-opted Members

a. Co-opted Members (including Parent Governor Representatives) are entitled to claim travelling allowance at the rates given in Appendix C. This allowance is taxable. A claim form should be completed and forwarded to the Committee Services contact as soon as practicable after the duty has been performed.

2. DEFINITION OF APPROVED DUTIES

Travelling and Subsistence Allowances

2.1 Payable in respect of expenditure incurred in the performance of approved duties. Subsistence allowance is not payable for duties performed within the boundaries of the counties of Durham (including Darlington) and Northumberland, and the former administrative counties of Tyne & Wear and Cleveland.

2.2 The definition of an approved duty is as follows:

- (a) A meeting of the County Council or of the Cabinet or of any committee, or sub-committee of the County Council, or of any body to which the County Council makes appointments or nominations, or of any committee or sub-committee of such a body.

A list of bodies covered by this paragraph is given in Appendix D.

A number of such bodies operate their own schemes of allowances. A list of these is given at Appendix F.

- (b) Any other meeting the holding of which is authorised by the County Council, a committee or sub-committee of the County Council, or a joint committee of the County Council and one or more other authorities, or a sub-committee of such a joint committee, provided that it is a meeting to which Members of at least two political groups have been invited.
- (c) A meeting of any association of authorities of which the County Council is a member.
- (d) The performance of any duty in connection with arrangements made by the County Council for the attendance of pupils at any school approved for the purposes of Section 342 (approval of non-maintained special schools) of the Education Act 1996.
- (e) Any other duty approved by the County Council in connection with the discharge of the functions of the Council or of any of its committees or sub-committees including the making of official and courtesy visits on behalf of the authority. Tasks so approved are shown below:
 - (i) Attendance by County Councillors at County Hall to read official papers and deal with correspondence.
 - (ii) Attendance by chairmen and vice-chairmen of committees and sub-committees at pre-meeting discussions with officers.
 - (iii) Attendance at a meeting to which the Member is invited whether as chairman, vice-chairman or otherwise, by or on behalf of the Chief Executive, the Director of Resources or another chief officer to discuss matters or consider issues relating to the functions of the County Council, including meetings with third parties such as government departments, statutory bodies, other local authorities, trade unions and the public.
 - (iv) Attendance at press conferences to which the Member is invited by the Corporate Director, Resources in

consultation with the appropriate chairman or vice-chairman.

- (v) Attendance by a Member at the request of the Local Government Ombudsman, for interview by an officer of the Ombudsman in relation to a complaint against the County Council.
- (vi) Attendance at a meeting with the appropriate officer(s) of any of the bodies listed in Appendix D to which the Member is invited by the body, or attendance at a meeting with third parties when representing the body by virtue of his or her position as chairman or vice-chairman of the body or one of its committees or sub-committees, the purpose of his or her attendance being to discuss matters arising for the purpose of or in connection with the functions of the body.
- (vii) Attendances at conferences or meetings held inside or outside the United Kingdom and convened by any person or body (other than a person or body convening it in the course of a trade or business or a body the objects of which are wholly or partly political) for the purpose of discussing matters which in their opinion relate to the interests of their area or any part of it or the interests of the inhabitants of their area or any part of it.
- (viii) Official openings of County Council establishments, Developments and Exhibitions at the invitation of the appropriate Chief Officer in consultation with the Leader or Deputy Leader of the County Council. This is intended to cover situations where Members are required to perform a duty such as perform an opening ceremony, make a speech, give prizes etc. Courtesy invitations issued to several or all Members are functions which do not qualify for payment. Members are advised to seek guidance from appropriate Chief Officers.

2.3 Invitations from groups or bodies to attend meetings as a Local Member are not approved duties for the payment of travelling and subsistence allowances. These duties are constituency matters not connected with the discharge of the functions of the County Council.

2.4 Details of the travelling and subsistence allowances currently payable are shown in Appendix C.

Travelling to conferences, seminars, etc.

2.5 Members who in their capacity as a County Councillor receive an invitation directly to a conference, seminar etc. should, if they wish to attend, contact Member Development on 03000 265 346 who will consult with the appropriate designated Member.

Payment of expenses of official and courtesy visits, etc.

- 2.6 Subject to paragraph 2.7 the County Council will pay the cost of any travelling or other expenses reasonably incurred by or on behalf of any members in making official and courtesy visits, whether inside or outside the United Kingdom, on behalf of the County Council.
- 2.7 In the case of a visit within the United Kingdom, the amount paid under this section in respect of the expenses of any member of the County Council shall not exceed the payments which he would have been entitled to receive by way of travelling allowance or subsistence allowance if the making of the visit had been an approved duty of that member.

Ground rules for travel

- 2.8 Ground rules for Members' Claims for Travel and Subsistence are set out in Appendix B.

Meals on Trains

- 2.9 Members may claim full reimbursement of the reasonable cost (including VAT) of a main meal (full breakfast, lunch or dinner) taken on a train. Members wishing to claim must submit receipts. Where full reimbursement is claimed the allowance for the meal provided cannot also be claimed, i.e. breakfast, lunch, dinner, etc.

Travel outside the United Kingdom

- 2.10 Members may claim for reimbursement of reasonable expenses incurred. Receipts for all expenses must be submitted with any claim, as set out in Appendix B.

Out of Pocket Expenses

- 2.11 Where the attendance fee for a course or conference includes accommodation and meals, an out-of-pocket expense allowance is payable in place of the normal subsistence allowances.
- 2.12 The current rates are set out in Appendix C.

Special Functions and Occasions

- 2.13 Elected Members on occasions are invited or feel it necessary to attend functions or occasions which have a social element. No allowances are paid to Members of the Council on these occasions unless the Member is undertaking the performance of a specific duty, e.g. making a speech or distributing prizes when travel and subsistence allowances may be paid. Courtesy invitations issued to several or all Members are functions which do not qualify for payments.

3. CLAIM FORMS

Completion

- 3.1 The attention of Members is drawn to the following points when completing a claim form:
- (a) The claim form must be completed and signed in ink.
 - (b) Full details/description of an approved duty must be given
 - (i) if the reason for claiming travelling or subsistence allowances is a qualifying meeting, the full title of the meeting should be given;
 - (ii) for conferences, seminars, etc., full details must be given, including names of any officers involved, conference title and location, etc;
 - (iii) VAT receipts for purchase of petrol should be attached to all claims

Submission

- 3.2 Payment of allowances is made monthly. All deadlines and payment dates are published in advance and are available to view on the Councillors page of the Intranet.
- 3.3 All travel and subsistence claims are paid along with any allowances direct into a bank/building society of your choice. There is no facility for cheque payment in relation to Allowances or claims.
- 3.4 The Local Authorities (Members' Allowances) (England) Regulations 2003 prescribe that claims **must** be submitted within two months of the date of the meeting for which the claim is made.

Advances

- 3.5 In exceptional cases, payment of an advance can be arranged via the Business Support Team on 03000 263 751

Avoidance of Duplication of Allowances

- 3.6 A councillor performing approved duties as a member of more than one body or becoming entitled to payments under any other legislation must ensure that only one claim is made for that duty.

Withholding Allowances

- 3.7 Where payment of any allowance has already been made in respect of any period during which the member concerned:-
- (a) ceases to be a member of the County Council, or

- (b) is in any other way not entitled to receive the allowance in respect of that period, the County Council requires that such part of the allowance as relates to any such period be repaid to the County Council.

4. **MEMBERS APPOINTED TO OTHER BODIES**

Special arrangements apply to Members who are appointed to certain bodies, such as the Local Government Association, the North East Regional Employers' Organisation and the Association of North East Councils, which operate their own allowances schemes. Notes are attached in Appendices G to I which deal with the individual schemes. Attendance allowances payable under these schemes are in addition to the basic allowance from the County Council.

5. **INCOME TAX**

Tax is payable on basic allowances, special responsibility allowance, attendance allowance payable by other bodies, dependant's carers' allowance and co-optees' allowance. Her Majesty's Revenue & Customs (HMRC) is notified of all new Members. However, as Members' circumstances vary, and their tax may be dealt with at other HMRC offices, it is advisable for Members to make arrangements with their Tax Inspector for a tax code number to be allocated.

6. **PENSIONS**

With effect from the local elections in May 2017, no councillors have access to the Local Government Pension Scheme.

7. **INSURANCE**

The County Council has arranged travel insurance for its Members while travelling abroad on County Council business. Cover is provided for medical expenses, baggage, cash and personal public liability: details are available from the Insurance Officer on **(03000) 269 666**.

8. **SOCIAL SECURITY**

National Insurance Contributions

- 8.1 National Insurance contributions are payable on all basic allowances, special responsibility allowances, attendance allowances payable by other bodies, plus elements of mileage allowances, provided the aggregate amount of these allowances reaches a lower earnings limit (£116 per week or £503 per month) and the Member is under state pension age. Members who are state pension

age – are not liable to pay National Insurance contributions provided confirmation is provided of their age in the form of a birth certificate or passport (originals only) which should be sighted by the Business Support Officer. Alternatively a certificate of non-liability could be supplied by the local office of the Department of Work and Pensions.

- 8.2 There is an annual maximum contribution liability for people with more than one job and, in some instances, Members in this position may be entitled to a refund of contributions; alternatively they may apply to the DWP to defer payment of contributions in their capacity as councillors.

Benefits

- 8.3 The National Insurance contributions paid by Members count towards the full range of contributory benefits, including statutory sick pay, state pensions, unemployment benefits, etc.

Advice

- 8.4 Advice on contributions and benefits can be obtained from the local office of the Department of Work and Pensions.

9. SICK PAY

Members who fall ill will receive their basic allowance and special responsibility allowance, as normal. As there is no deduction for being off sick, Statutory Sick Pay is not payable in addition to these allowances and it is not necessary to submit a self-certification of sickness form or a doctor's sick note when you are ill.

10. MEMBERS' SURGERIES

- 10.1 The County Council will pay the cost for one surgery per month. Invoices for room hire can be sent to Durham County Council for payment or alternatively can be reclaimed from Resources, Business Support on production of a receipt.
- 10.2 Please note that attendances at surgeries **DO NOT** qualify for travelling and subsistence, and other expenses such as advertising costs must be borne by the Members who incur them.

MEMBERS' ALLOWANCES

SPECIAL RESPONSIBILITY ALLOWANCE

Designation	Amount (£)
Chairman of the County Council	6650
Vice-Chairman of the County Council	3325
Leader of the County Council	36575
Deputy Leader of the County Council	19950
Cabinet Member (x8)	13300
Chairman of Corporate Overview and Scrutiny Management Board	13300
Vice-Chairman of Corporate Overview and Scrutiny Management Board	7980
Chairman of Appeals and Complaints Committee	2660
Vice-Chairman of Appeals and Complaints Committee	1330
Chairman of Audit Committee	2660
Vice-Chairman of Audit Committee	1330
Chairman of Corporate Parenting Panel	2660
Vice-Chairman of Corporate Parenting Panel	1330
Chairman of Highways Committee	2660
Vice-Chairman of Highways Committee	1330
Chairman of General Licensing and Registration Committee	3325

Vice-Chairman of General Licensing and Registration Committee	1662
Chairman of Statutory Licensing Committee	3325
Vice-Chairman of Statutory Licensing Committee x 2	1662
Chairman of General Licensing and Registration Sub-Committee (1)	3325
Chairman of General Licensing and Registration Sub-Committee (2)	3325
Chairman of General Licensing and Registration Sub-Committee (3)	3325
Chairman of County Planning Committee	3325
Vice-Chairman of County Planning Committee	1662
Chairman of Area Planning Committee (North Durham)	3325
Vice-Chairman of Area Planning Committee (North Durham)	1662
Chairman of Area Planning Committee (Central and East Durham)	3325
Vice-Chairman of Area Planning Committee (Central and East Durham)	1662
Chairman of Area Planning Committee (South and West)	3325
Vice-Chairman of Area Planning Committee (South and West)	1662
Chairman of Pension Fund Committee	2660
Vice-Chairman of Pension Fund Committee	1330
Chairman of Children and Young People's Scrutiny Committee	2660
Vice- Chairman of Children and Young People's Scrutiny Committee	1330
Chairman of Safer and Stronger Communities Scrutiny Committee	2660

Vice-Chairman of Safer and Stronger Communities Scrutiny Committee	1330
Chairman of Environment and Sustainable Communities Scrutiny Committee	2660
Vice-Chairman of Environment and Sustainable Communities Scrutiny Committee	1330
Chairman of Economy and Enterprise Scrutiny Committee	2660
Vice-Chairman of Economy and Enterprise Scrutiny Committee	1330
Chairman of Adults, Wellbeing and Health Scrutiny Committee	2660
Vice-Chairman of Adults, Wellbeing and Health Scrutiny Committee	1330
Chairman of Standards Committee	2660
Where an Opposition Group has 20% or more of the Council Members allowance is £6650, where Group has less than 20% membership allowance is £3325	
Leader of Opposition Group (Conservative)membership	3325
Leader of Opposition Group (Liberal Democrats) membership	3325
Leader of Opposition Group (Durham Independent Group) membership	3325
Leader of Opposition Group (DCC Independent Group) membership	3325
Leader of Opposition Group (Spennymoor Independent Group) membership	3325
Leader of Opposition Group (North East Party Group) membership	3325

**GROUND RULES FOR MEMBERS' CLAIMS
FOR TRAVEL AND SUBSISTENCE**

1. Travel by Rail

Rail tickets should be requested from the Business Support Team in the Resources Service Grouping in advance of travel, as the Council's contract provides for a discount.

Members should either contact Members' Support who will liaise directly with Business Support on your behalf, or members can go direct to the Business Support Team.

Standard Class rail travel is the approved class of travel, although first class rail can sometimes be the cheaper option dependent upon the time of booking.

Members wishing to travel first class when it is not the cheapest option can choose to do so but will be required to pay the difference between that cost and the standard cost. The difference will be recovered by payroll deduction.

Tickets can be booked up to 3 months in advance of date of travel. Members should make their requests as far in advance as possible in order to maximise savings and should you have any special requirements to assist you with your journey please advise Members' Support or the Business Support Team at the time of the request.

Members eligible for a Senior Citizens Railcard or any other concessionary travel railcard and who may be required to travel as part of their duties are encouraged to buy one as this results in a further discount on the ticket cost. The cost of the railcard will be reimbursed upon receipt of your first claim for travel and subsistence.

2. Overnight Accommodation

Where it is considered that an overnight stay is required, then accommodation should be organised in advance by the Business Support Team.

Members should contact Members' Support who will liaise with Business Support to organise for you. Alternatively, please contact the Business

Support Team direct who will also be able to satisfy any specific queries or special requirements which you may have.

Accommodation along with Breakfast and Evening meal, if required, will be booked and paid for in advance. Members should make their requests as far in advance as possible in order to achieve best prices and should you have any special requirements in relation to your booking please advise us at the time of the request.

Reimbursement for any additional meals purchased up to the maximum amounts detailed below i.e. breakfast, lunch, tea or evening meal can be claimed retrospectively (less any meals provided) on the production of receipts. Should it not be possible to obtain subsistence within these limits then actual costs can be claimed up to a reasonable amount in liaison with Business Support Manager and upon the production of receipts.

In exceptional circumstances an advance can be given to cover incidental subsistence/travel requirements i.e. lunch, evening meal, taxis, where it has not been possible to organise these prior to travel. Receipts should be retained to cover all advance expenditure and this can be reconciled on return.

Rates are set out below and also for reference shown on members' claim forms.

Allowance	Minimum absence from home	Rate £
Breakfast	2 hours which must be before 11.00am	6.75
Lunch	2 hours which must be between 12 noon and 2.00pm	9.27
Tea	3 hours which must include 3.00pm to 6.00pm	3.65
Evening Meal	3 hours which must be after 7.00pm	11.48

Nb. No reimbursement for alcohol purchased will be made – should this be included on your receipt it will be deducted from the amount claimed.

Whilst it is appreciated that most travel is planned and can be organised in advance there may be exceptional circumstances where Members may need to organise themselves. In such circumstances, retrospective claims for travel or accommodation will be paid when submitted on monthly claim forms and on the production of receipts.

The current rates are laid out below and are intended to cover the costs of accommodation and associated subsistence during a 24 hour period. However, it is also recognised that on occasion it may not be possible to obtain accommodation and subsistence within these limits and therefore higher amounts can be claimed up to a reasonable amount upon presentation of receipts. However only in exceptional circumstances should this be the case.

Overnight allowance		Rate £
London	Up to a maximum claim on production of receipts	£124.76
Outside London	Up to a maximum claim on production of receipts	£109.39

3. Travel by car as an alternative to Rail

As a general rule, journeys outside the locality should be undertaken by rail as this is usually the cheapest mode of travel for someone travelling alone.

The ability to get to a particular destination by rail needs to be taken into account. Where the venue for the meeting is some distance from the railway station, the advantages and disadvantages of alternative methods of travel should be considered. Where Members choose to travel by car on a journey that would be reasonable to travel by rail either mileage or the cost of the cheapest available rail fare will be paid, whichever is the cheaper.

4. Air Travel

The cost of travel by air shall not exceed the cost applicable to travel by appropriate alternative means of transport. Unless in circumstances where the saving in time is so substantial as to justify payment of the fare for travel by air.

All arrangements should be made by contacting Members' Support who will liaise with Business Support to organise for you. Alternatively, please contact the Business Support Team in relation to any specific queries or special requirements which you may have.

5. Travel outside the United Kingdom

The same procedure as shown above will apply.

MEMBERS' ALLOWANCES

Travelling Allowances

Travelling allowances are payable for journeys undertaken in the performance of official duties. The rates are as follows from 1 April 2018

1. The rate for travel by a Member's own private motor vehicle, or one belonging to a member of his/her family or otherwise provided for his use, will be paid at 45.0p a mile
2. The rate for travel by a hired motor vehicle, other than a taxi-cab or cab, shall not exceed the value of the claim which would have been applicable had the vehicle belonged to the Member who hired it.
3. The rate for travel by taxi-cab or cab shall not exceed:
 - in cases of urgency or where no public transport is reasonably available, the amount of the actual fare and any reasonable gratuity paid (receipts should be obtained where possible);
 - in any other case, the amount of the fare for travel by appropriate public transport.

Motor Vehicle Insurance

Members are advised that when using their own vehicle for meetings they will be deemed to be using it on County Council business. It is therefore essential that vehicles should be adequately insured, and Members are therefore required to ensure that insurance covers business use as well as for the usual social, domestic and pleasure categories.

The Association of British Insurers provide a list of approved insurance companies which indemnify local authorities against all third party claims arising out of the use of their vehicle. A copy of the list is shown at Appendix J.

If a Member is covered for business use by a company not on the list, they should contact their insurer and arrange the necessary indemnity, which should be supplied in the form of a letter. An example is given in appendix J. Insurance companies not on this approved list, although they would insure for business use, would not cover injuries to a third party unless the necessary indemnity had been arranged.

Subsistence Allowances

Duties performed within the United Kingdom

When carrying out approved duties “Out of Region”, Members may claim up to the approved rates as follows on production of receipts:

1. For an absence not involving an absence overnight from the usual place of residence:

<i>Allowance</i>	<i>Minimum absence from home</i>	<i>Rate (£)</i>
Breakfast	2 hours which must be before 11.00	6.75
Lunch	2 hours which must include 12.00 to 14.00	9.27
Tea	3 hours which must include 15.00 to 18.00	3.65
Evening Meal	3 hours which must be after 19.00	11.48

Travel Outside the United Kingdom

Members may claim for reimbursement of reasonable expenses incurred. **Receipts for all expenses must be submitted with the claim**, as set out in Appendix B.

Out of Pocket Expenses

Where the attendance fee for a course or conference includes accommodation and meals, an out-of-pocket expense allowance is payable, as follows:

	£ per day
Courses or conferences within the UK	5.00
Courses or conferences overseas	18.00

the day of arrival and departure being counted as one day.

Taxable and Non-Taxable Mileage

From 6 April 2016, following a change in HMRC guidance, all mileage claimed for journeys from this date should be shown as non-taxable mileage.

MEMBERS' ALLOWANCES

Schedule of other bodies, attendance at meetings of which (subject to the approval of a committee or other body) entitles a County Councillor to claim travelling and subsistence allowance.

Outside Bodies

Name of Body

Admissions Forum

Annfield Plain Gleemen

Association for Public Service Excellence

Association of North East Councils – Collaborative Procurement Board

Association of North East Councils – North East Culture Partnership Board

Association of North East Councils – Resources Task and Finish Group

Association of North East Councils - Leaders and Elected Members Board

Barnard Castle School Governing Body

Beamish Museum Board

Bishop Auckland Community Partnership (Four Clocks)

Bishop Auckland Heritage Action Zone Advisory Group

Bowes Museum

Business Durham Advisory Board - Directors

Business Durham Advisory Board - Members

Castle Eden Dene Nature Joint Advisory Committee

CDC Enterprise Agency

Central Durham Joint Crematorium Committee

Chapter Homes

Charter Trustees for the City of Durham

Chester le Street Unit of Sea Cadet Corps

Chester Moor Village Scheme

Children in Care Council

Chilton and Windlestone Community College

Citizens Advice County Durham

Cong Burn Wood Nature Reserve Management Committee

Consett Churches Detached Youth Project

Cornforth Partnership

County Councils Network

County Councils Network - Executive Committee

County Durham and Darlington Fire and Rescue Authority

County Durham and Darlington NHS Foundation Trust Council of Governors

County Durham Children and Families Partnership

County Durham Housing Group Board

County Durham Housing Group Board- Operations Committee

County of Durham School Benevolent Fund

Coxhoe and Quarrington Hill Tarmac Quarries Liaison Committee

Derwent Valley Landscape Partnership- the Land of Oak and Iron in North East England

Derwentside Bereavement Support

Derwentside District Scout Council

Derwentside Enterprise Agency Board

Durham City Access for All

Durham Cricket CIC

Durham Darlington and Teesside, Hambleton, Richmondshire and Whitby STP Joint Health Scrutiny Committee

Durham Heritage Coast Partnership

Durham Johnston Educational Foundation

Durham Tees Valley Airport

Durham Tees Valley Airport Consultative Committee

Durham Villages Regeneration Limited

Easington Colliery Regeneration Partnership

Easington Social Welfare Centre

East Durham Business Service

English Heritage - Historic Environment Local Management

Health and Wellbeing Board

Henry Smith's Charity

Horden Regeneration Partnership

Industrial Communities Alliance

Joint Health Overview and Scrutiny Committee of North East Local Authorities

Lanchester Bowling Club

Laurel Avenue Community Association

Livin Homes Limited

Local Access Forum

Local Government Association

Lord Crewe's Durham Educational Foundation - Representative Trustees

Middleton in Teesdale Community Association

Middleton Plus Development Trust

Mountsett Crematorium Joint Committee

National Association of Councillors

National Railway Museum at Shildon

Newbiggin and District Village Hall Association

Newcastle International Airport Consultative Committee

Newcastle International Airport Limited

Newcastle International Airport Local Authority Holding Company

NEWCO

North East Combined Authority- Leadership Board

North East Combined Authority - Governance Committee

North East Combined Authority - Overview and Scrutiny Committee

North East Combined Authority - Transport for North East Committee

North East Combined Authority- Economic Development and Regeneration Advisory Board

North East Disability Resource Centre

North East Local Enterprise Partnership

North East Purchasing Organisation

North Eastern Inshore Fisheries and Conservation Authority

North Eastern Regional Employers Organisation (NEREO)

North Eastern Regional Employers Organisation (NEREO) - Executive Committee

North of England Reserve Forces and Cadets Association

North Pennines AONB Partnership

North Regional Association for Sensory Support

North Regional Brass Band Trust

North Tees and Hartlepool NHS Foundation Trust Council of Governors

Northumberland, Tyne and Wear and North Durham STP Joint Health Scrutiny Committee

Northumbria Regional Flood and Coastal Committee

PATROL (Parking and Traffic Regulations outside London) Adjudication Joint Committee

Pelton Fell Community Partnership

Police and Crime Panel

Project Genesis

Roseberry Grange Golf Course Committee

Rural Services Network

Ruth First Educational Trust Executive Committee

Sacrison Community Development Group

Safe Durham Partnership

Sherburn House Charity

Standing Advisory Committee for Religious Education

Stanhope Hartwell Educational Foundation

Teesdale Development Company Limited

Teesdale Village Halls Consortium

The Bow Trust (Durham) Ltd

Thrislington Quarry Liaison Committee

Trimdon Community College Association

United Charities of Romaldkirk

Visit County Durham

Wear Valley Women's Aid Limited

Weardale Open Air Swimming Pool Association

Witham Hall Limited

Witton Gilbert Educational Foundation (formerly Jane Finney Trust)

MEMBERS' ALLOWANCES

Schedule of outside organisations which pay travelling and subsistence allowances directly to Members for attendance at meetings convened by the organisation, subject to the Members' attendance having been authorised.

North East Regional Employers' Organisation
Committees
(for further details see Appendix H, paragraph 3)

MEMBERS' ALLOWANCES

Schedule of outside organisations which are recharged by the County Council in respect of attendance allowance paid to Members for attendance at meetings convened by the organisation, subject to the Members' attendance having been authorised.

Association of North East Councils

North East Regional Employers' Organisation

ASSOCIATION OF NORTH EAST COUNCILS

MEMBERS' ALLOWANCES SCHEME

1. Eligible Members

Those eligible for the ANEC scheme are representatives of member authorities at the meetings of the Association, Executive and Standing Committees and the Regional Assembly.

2. Approved Duties

For the purposes of the Association's scheme, approved duties include:

- attendance at meetings of the Association, Executive and Standing Committees and the Regional Assembly;
- duties carried out by Members as the Association's appointed representatives on any public body, charity, voluntary body or other body formed for a public purpose (and not for the personal benefit of its members) except where such remuneration would be prohibited by another enactment;
- attendance on behalf of the Association at briefing meetings, Chairman's meetings and at meetings with Ministers, Government Departments or other bodies.

3. Rate of Allowance 2018/19

An allowance of £22.00 for a twenty-four hour period will be payable, irrespective of the number of duties undertaken.

Travelling and subsistence allowance in respect of attendance at the meetings outlined in paragraph 2 above will be reimbursed by the County Council.

4. Payment Arrangements

The County Council will meet the cost of attendance allowance initially with subsequent reimbursement from the Association.

The County Council is requested to submit invoices monthly, or for longer periods in arrears, to the Association. Each invoice should be supported by a schedule which sets out the following details:

- name of Association representative
- dates of approved duties
- detail of approved duties
- amount of claim

The County Council will be responsible for making the appropriate returns to the Her Majesty's Revenue & Customs (HMRC) and Department for Work and Pensions (DWP).

NORTH EAST REGIONAL EMPLOYERS' ORGANISATION

MEMBERS' ALLOWANCES SCHEME

1. Eligible Members

Those eligible for the North East Regional Employers' Organisation Scheme are representatives of member authorities at meetings of the full North East Regional Employers' Organisation, Councils and Committees.

2. Approved Duties

For the purposes of the Organisation's scheme, approved duties include attendance at meetings of the full North East Regional Employers' Organisation, Councils and Committees.

3. Rate of Allowance 2018/19

An allowance of £21.00 for a twenty-four hour period will be payable, irrespective of the number of duties undertaken.

Members who attend **ALL** meetings of North East Regional Employers' Organisation Committees will be reimbursed the necessary travelling and subsistence expenses, in cash, by the North East Regional Employers' Organisation.

Members who **DO NOT** attend **ALL** meetings of North East Regional Employers' Organisation Committees will be reimbursed travelling and subsistence allowances by the County Council.

4. Payment Arrangements

The County Council will meet the cost of attendance allowance initially with subsequent reimbursement from the Organisation.

The County Council is requested to submit invoices, in arrears, to the Association. Each invoice should be supported by a schedule which sets out the following details:

- name of Member
- date
- association/council/committee attended

The County Council will be responsible for making the appropriate returns to the Her Majesty's Revenue & Customs (HMRC) and Department for Work and Pensions (DWP)

LOCAL GOVERNMENT ASSOCIATION MEMBERS' ALLOWANCES SCHEME

Introduction

1. The Constitution of the Local Government Association empowers the LGA Executive to establish a scheme for payments to members attending meetings and other approved duties of the Local Government Association and in the light of independent advice to make payments to office holders of the Association and such other members as may be specified in recognition of duties carried out on the Association's behalf.

2. In June 1998, the Management Sub-Committee of the LGA appointed an Independent Panel to consider the existing arrangements and to establish a framework on which a suitable scheme for adoption by the Association could be based. The LGA accepted the principles on which the Panel's recommendations were based, and the recommendations themselves, and formally adopted the recommended scheme with the full support of all political parties represented on the Association.

3. The scheme has now been independently reviewed to reflect the changes to the member structure agreed by the General Assembly in July 2004. The proposed changes were agreed by the LGA Executive on 29 July 2004. The revised scheme is set out in the following paragraphs.

Key Features of the Scheme

- Members of all bodies listed in the Annex to the Scheme are paid an allowance reflecting both the time which might be spent and the level of responsibility involved in carrying out these posts (payments agreed by the LGA are set out below).

- The LGA does not pay Travel and Subsistence for attendance at its own meetings (i.e. Boards, Panels, Policy Review Groups, Task Groups), with the exception of the Chairman, 2 Vice chairmen and 4 Deputy Chairmen of the Association; and the Chairmen of the LGA Boards.
- The LGA does not pay Travel and Subsistence for General Assembly, conferences, seminars, etc. where members are representing their local authorities; and
- Allowances are index-linked to the principal local government pay settlement.

MOTOR CONFERENCE

Motor Conference

Motor Conference is the body that represents members of ABI transacting motor insurance business and the motor syndicates of Lloyd's Motor Underwriters Association (LMUA). Motor Conference is representative of some 98% of the motor insurance business transacted in the UK. Many of ABI's activities – for example, representations to Government – are carried out under the auspices of Motor Conference.

A number of undertakings have been given on behalf of all members of Motor Conference to various bodies e.g. Government Departments, local authorities and voluntary organisations. The undertakings allow an individual with motor insurance which includes use for personal business to use his or her own vehicle for the business of their employer. They also provide that the receipt of a mileage allowance will not constitute use for "hire or reward". This is to ensure that individuals in receipt of such an allowance continue to be covered under their insurance policy, notwithstanding any general exclusion of hire and reward use.

Please note that there may be a small number of insurance policies issued by certain insurers that are covered by the undertakings. To check whether any individual insurer not currently listed is a subscriber, contact motor@abi.org.uk

To check whether your insurer is a member of the Association of British Insurers please click this link

[Member directory ABI](#)

SAMPLE

Dear Sirs

Motor Policy No. _____

It is hereby declared and agreed that the policy, which permits the use of the vehicle by the Policyholder in person in connection with his business, shall be deemed to permit such use of the vehicle on the business of the employer and the receipt of an allowance from such employer for such use or in respect of the carriage by him of official passengers shall not be deemed for the purpose of the policy to constitute use hiring or for the carriage of passengers for hire or reward.

We will indemnify Durham County Council in the terms of the Third Party section of the Policy in respect of such use provided that:

- (a) this indemnity does not apply in connection with a vehicle belonging to Durham County Council
- (b) Durham County Council is not entitled to indemnity under any other policy
- (c) Durham County Council shall as though it were the Policyholder observe fulfil and be subject to the terms and exceptions and conditions of the Policy insofar as they can apply.

Yours faithfully

County Council

23 January 2019

**Establishment of a Head of Corporate
Property and Land**



Report of Corporate Management Team

**Ian Thompson, Corporate Director of Regeneration and Local
Services**

**Councillor Kevin Shaw, Cabinet Portfolio Holder for Strategic
Housing and Assets**

Purpose of the Report

- 1 To seek approval from Council to create a Head of Corporate Property and Land position which in accordance with the Council's Pay Policy requires full Council approval due to the salary of the post.

Executive summary

- 2 The proposal to establish a corporate property and land management service under a new Head of Service will:
 - (a) Consolidate and centralise all of the associated functional elements to provide more efficient and effective management of the council's assets.
 - (b) Bring together all strategic and operational property management functions, property budgets and activities into a single functional area within the council's organisational structure.
 - (c) Adopt a full corporate landlord model, with accompanying formally adopted policy and/or protocol on how property decisions will be taken in a strategic manner.
 - (d) Implement a new governance structure for property asset management by establishing an Asset Management Board, comprising key representatives of service areas at an appropriate level, with full reporting protocols and updates through to Cabinet.
- 3 The creation of a Head of Corporate Property and Land does not increase the Head of Service cohort within Real Services. The existing Head of

Economic Development and Housing (Band 1 post) will be deleted when it becomes vacant at the end of January 2019, and its functional areas will be realigned across the wider management team.

- 4 The new post has been evaluated at Head of Service Band 2, thereby resulting in a saving of approximately £18,000 within the Real Management Team.

Recommendation(s)

- 5 Council is recommended to:
 - (a) Approve the establishment of a Head of Corporate Property and Land within Real Services, at HoS Band 2.

Background

- 6 ReaL Services was established in October 2016 following the amalgamation of the former Neighbourhood Services and Regeneration and Economic Development service groupings.
- 7 The current management team comprises seven Heads of Service, as follows:
- Head of Direct Services (Band 1)
 - Head of Economic Development and Housing (Band 1)
 - Head of Culture and Sport (Band 2)
 - Head of Technical Services (Band 2)
 - Head of Planning and Assets (Band 2)
 - Head of Transport and Contract Services (Band 2)
 - Head of Environment, Health and Consumer Protection (Band 3)
- 8 A recent review of the council's approach to the management of its property and land assets concluded that it would be beneficial for the Council to adopt a corporate landlord model.
- 9 The corporate property and land management model will be designed to:
- Enable the council to more efficiently utilise its assets to deliver better services to the community
 - Unlock the value of our assets, seek efficiencies through joint arrangements with other public sector partners and maximise private sector investment
 - Integrate thinking about property with financial, regeneration and other considerations to support the delivery of the council's Corporate Plan.
- 10 Adopting such a model will provide the council with a strong sense of strategic direction in respect of our assets portfolio, with a clear vision, objectives and sense of purpose.
- 11 It is therefore proposed that all estate management, buildings and facilities repairs, design and maintenance, and associated compliance activities will be brought together under the new corporate property and land management function within Durham.

Main implications

- 12 Given the functional areas that will make up the proposed service are currently located within the ReaL Services, the recommendation is to retain the new centrally managed function within this service grouping under a new Head of Service.
- 13 The Head of Economic Development and Housing post will become vacant at the end of January 2019 when the current post holder leaves the organisation. This has presented an opportunity to re-examine all of the functional alignments across the ReaL Services Management Team, and it is recommended that the functions currently reporting through the Head of Economic Development and Housing be disaggregated and realigned across the other Heads of Service where natural synergies exist.
- 14 It is anticipated that capacity is available across those Heads of Service, sufficient to assume these functional areas as a result of the wider realignments associated with the creation of the corporate property and land management service.
- 15 Deleting the Head of Economic Development and Housing vacancy and utilising the budget to fund the new Head of Corporate Property and Land, will therefore represent a neutral position in terms of numbers of Heads of Service and a financial saving of approximately £18,000.

Head of Corporate Property and Land

- 16 The role profile for this post is attached at Appendix 2.
- 17 The position has been subject to evaluation using the Local Government Association (LGA) Senior Scheme, which is consistent with the process for grading all Heads of Service and Strategic Manager posts within Durham. The evaluation for the Head of Corporate Property and Land equates to HoS Salary Band 2 (£100,825 pa).
- 18 Under the Council's Scheme of Delegation, Corporate Directors have authority to create new posts on the establishment up to Head of Service level. However, in accordance with the council's Pay Policy Statement 2018/19, the creation of any new post paying over £100,000 pa, requires approval from full council.
- 19 Subject to this approval, the post will progress to a full recruitment and selection process, led by the Corporate Director Regeneration and Local Services, and the appointment will be made in line with the council's Recruitment and Selection Policy.

Conclusion

- 20 This report proposes the creation of a new Head of Corporate Property and Land in order to provide a co-ordinated approach to all property and land management issues, strategic leadership for the council's asset management strategy, with associated statutory compliance across the council's asset portfolio and in support of the council's wider strategic priorities.

Background papers

- List any papers required by law / None

Other useful documents

- Previous Cabinet reports / None

Contact:	Ian Thompson	Tel: 03000 268081
	Alison Lazazzera	Tel: 03000 264473
	Lisa Mason	Tel: 03000 265449

Appendix 1: Implications

Legal Implications

In February 2012, the Secretary of State issued statutory guidance under S.40 Localism Act 2011. Under the “Openness and Accountability in Local Pay” guidance, elected members should be offered the opportunity to vote on the proposal to create a new Head of Service post with a salary above £100,000. The Council’s Pay Policy Statement 2018/19 reflects these requirements.

Finance

The deletion of a Head of Service Band 1, and the establishment of a Head of Service Band 2, will result in a saving of approximately £18,000.

Consultation

Formal consultation is not required for effecting a realignment process. However, good practice is to ensure there is sufficient engagement with all affected employees in advance of and during the process. Informal consultation with the affected Heads of Service, employees and Trade Unions will be facilitated by HR.

Equality and Diversity / Public Sector Equality Duty

None

Human Rights

None

Crime and Disorder

None

Staffing

These proposals include the deletion of a vacant post and the establishment of a new post. There are no adverse impacts on the grades/salaries as a result of these proposals.

Accommodation

None

Risk

None

Procurement

None

Appendix 2: Role Profile

JOB TITLE	Head of Corporate Property and Land	DIRECTORATE	Regeneration and Local Services
SERVICE	Corporate Property	GRADE	Head of Service Band 2
REPORTING TO	Corporate Director, Regeneration and Local Services		

PURPOSE OF JOB	To lead on and drive the formulation and implementation of a corporate model of service delivery which ensures that all Council property and land is managed to meet wider organisation objectives. To lead on the provision of all property related matters to ensure effective corporate and strategic management of the Council's property portfolio and related services which includes the provision of a proactive and innovative professional property service.
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JOB OUTLINE/KEY RESULT AREAS	STANDARDS OF PERFORMANCE
<p>Generic Key Result Areas</p> <ul style="list-style-type: none"> ➤ Contribute to the strategic development and delivery of Regeneration and Local Services to meet the council's policy and planning requirements; ➤ Manage all employees, relevant budgets, and service performance in accordance with council procedures and objectives; ➤ Contribute to and manage the development and implementation of the service and council wide initiatives to deliver improvements across the council; ➤ Manage relationships with internal and external partners to support the delivery of efficient and effective services. <p>Role Specific Key Result Areas</p> <ul style="list-style-type: none"> ➤ Lead and drive the formulation and implementation of a corporate model of service delivery for all council property and land portfolio 	<p>Generic Standards of Performance</p> <ul style="list-style-type: none"> ➤ Ensure health and safety of self and others within workplace; ➤ Demonstrate leadership qualities and inspire teams to work across the council as services are transformed; ➤ Lead a culture of effective management of resources and budget, applying best value and flexible models of support that reduce costs; ➤ Respond to queries and calls promptly and professionally; ➤ Operate effectively as part of the senior leadership team;

- Lead on implementing the cultural change required across the organisation to implement and deliver a successful model of corporate property delivery for the estate
- Lead the policy making processes of the Council in relation to the strategic and operational management and direction of the Authority's property and land portfolio
- Lead, direct, monitor and control the work of a multi-disciplinary team which includes:
 - Facilities Management
 - Building Design
 - Repairs and Maintenance
 - Compliance
 - Estate Management, and
 - Strategic Asset Management services.
- Lead on understanding, identifying and monitoring property in context of how it impacts on frontline service delivery and targets
- Lead on the identification and quantification of the short, medium and long term capital needs from the property estate
- Lead on the monitoring and assessment of the implications and opportunities for the Council's estate of emerging/anticipated changes in legislation, Government policy, innovation, new technologies and construction techniques
- Lead on the implementation of a comprehensive asset challenge framework
- Lead on the development of a commercial approach to the management of the Council's asset base
- Lead on the development of a property investment strategy
- Lead on the assimilation and accessibility of comprehensive and up to date property related data
- Lead on the development, communication and monitoring of corporate property policies and standards, which safeguard the corporate interest and ensure that the Council's assets are occupied and managed efficiently and effectively

- Effective communication and engagement;
- Ensure principles of equality and diversity and the council's other corporate values are embraced and underpin all work for employees and service users;
- Appropriate multi-agency working and sharing information.

MEASURES OF SUCCESS

Generic Measures of Success

- Achieves service objectives
- Achieves Performance Indicators/Targets
- Customer satisfaction
- Meets budgetary requirements
- Delivers year on year service improvements
- Delivers projects to time, cost, and quality

Role Specific Measures of Success

- Strong strategic asset vision supported by clear deliverables
- Effective performance management framework for the estate
- Asset planning and service business planning are one cohesive activity.
- Maximises the potential for capital receipt/income generation from the estate
- Maximises value from the council's property estate.

QUALIFICATIONS, SKILLS, KNOWLEDGE AND EXPERIENCE REQUIRED FOR POST	SERVICE AREA/TECHNICAL COMPETENCIES REQUIRED	COMPETENCIES REQUIRED (Behavioural Indicators – Leader)
<p>Education & Qualifications</p> <ul style="list-style-type: none"> ➤ Relevant professional qualification at degree level or equivalent <p>Skills</p> <ul style="list-style-type: none"> ➤ Project and change management ➤ Leadership, delegation and team building ➤ Problem solving, financial control and organisation ➤ Political and cultural awareness <p>Knowledge</p> <ul style="list-style-type: none"> ➤ Local government and asset related functions ➤ Statutory asset related activity ➤ Corporate model of service delivery for property and land ➤ Durham CC strategic direction, priorities and specific issues relating to the area <p>Experience</p> <ul style="list-style-type: none"> ➤ Managing delivery of the full range of professional property related services ➤ Managing people and budgets including resolution of conflicting priorities, formulating budgets, and delivery of effective performance management framework ➤ Managing and implementing service improvements 	<p>Leadership</p> <ul style="list-style-type: none"> ➤ Analytical thinking – the mental processes of analysis and evaluation ➤ Strategic thinking – balancing today’s expectations and requirements with the future opportunities, issues and concerns that may affect business results tomorrow ➤ Developing others – to coach or mentor others to achieve their best ➤ Business acumen – the ability to make good business judgements and decisions <p>Service/Technical</p> <ul style="list-style-type: none"> ➤ Asset Management ➤ Asset related financial regulation. ➤ Corporate property functions including Facilities Management, Compliance, Repairs and Maintenance, Design and Project Management ➤ Knowledge of relevant legislation, statutory frameworks, good practice and government initiatives. 	<p>Customer first:</p> <p>Puts the customer first (internal and external) to provide an excellent service.</p> <p>Working with others:</p> <p>Working together to improve how we provide services and supporting each other through change.</p> <p>Communications:</p> <p>Conveys information clearly and effectively, in a way which helps people understand.</p> <p>Personal impact:</p> <p>Is self-aware, acts pro-actively and takes responsibility for achieving results.</p> <p>Building our future:</p>

<ul style="list-style-type: none"> ➤ Assessment and management of property performance ➤ Working with Members ➤ Working with internal and external stakeholders and partners 		<p>Wanting to be the best and working together to achieve this. Making improvements through being efficient and delivering value for money.</p> <p>Delivering results:</p> <p>Continually improving performance and introducing new ideas into the council to achieve results.</p>
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DIMENSIONS
<ul style="list-style-type: none"> ➤ Number of staff: ➤ Revenue budget ➤ Capital budget: ➤ External funding