

DURHAM COUNTY COUNCIL

At an **Ordinary Meeting** of the County Council held in the **Council Chamber - County Hall, Durham** on **Wednesday 18 September 2019** at **10.00 a.m.**

Present:

Councillor K Corrigan in the Chair.

Councillors E Adam, J Allen, J Atkinson, B Avery, A Bainbridge, B Bainbridge, A Batey, D Bell, J Blakey, G Bleasdale, L Boyd, D Boyes, D Brown, L Brown, C Carr, J Carr, J Chaplow, J Clare, J Clark, M Clarke, J Considine, B Coult, P Crathorne, R Crute, M Davinson, S Dunn, D Freeman, A Gardner, Geldard, J Grant, O Gunn, D Hall, C Hampson, K Hawley, T Henderson, S Henig, D Hicks, J Higgins, A Hopgood, L Hovvels, P Howell, E Huntington, G Huntington, S Iveson, I Jewell, O Johnson, P Jopling, C Kay, B Kellett, J Lethbridge, K Liddell, H Liddle, L Maddison, J Maitland, R Manchester, L Marshall, C Martin, E Mavin, S McDonnell, M McKeon, I McLean, O Milburn, S Morrison, A Napier, J Nicholson, P Oliver, A Patterson, L Pounder, S Quinn, A Reed, S Robinson, J Rowlandson, A Savory, E Scott, K Shaw, A Shield, J Shuttleworth, M Simmons, A Simpson, H Smith, J Stephenson, B Stephens, D Stoker, A Surtees, O Temple, K Thompson, F Tinsley, T Tucker, J Turnbull, A Watson, M Wilkes, A Willis, M Wilson, D Wood and S Zair

Apologies for absence were received from Councillors P Atkinson, A Bell, E Bell, J Bell, R Bell, P Brookes, J Charlton, I Cochrane, S Durham, K Hopper, S Hugill, A Laing, J Makepeace, C Marshall, L Mavin, R Ormerod, C Potts, G Richardson, P Sexton, T Smith, P Taylor and S Wilson

Death of John Jennings

Prior to the commencement of the meeting, the Chair reported the sad news of the death of John Jennings. John had worked in local government in Durham for over three decades and had been the Director of Environmental Services at the former Durham City Council.

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

1 Minutes

The minutes of the meeting held on 17 July 2019 were confirmed by the Council as a correct record and signed by the Chair.

2 Declarations of interest

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

3 Chair's Announcements

The Chair extended a warm welcome to pupils from Years 4 and 5 from Dean Bank, Ferryhill Station, Chilton and Cleves Cross Primary School's who were working towards becoming Ambassadors for Community Change with Approach Too, a Community Interest Company, to help them develop skills, knowledge and motivation for participation.

The Chair referred to the Pennies from Heaven scheme which allowed staff and Members to donate to charity via payroll deductions and thanked the Council for their support.

The Chair referred to the 'PREVENT' agenda and presentation about far-right extremism which would follow the meeting. Councillor A Patterson provided the Council with a brief synopsis of the event and hoped that the one-off training opportunity would benefit members and officers.

4 Leader's Report

The Council noted a report of the Leader of the Council as follows:

- September marked the start of the new school year, a time when many young people across County Durham were commencing further and higher education courses after successfully achieving GCSE's and A-level qualifications. The County's exam results had been excellent with the average attainment grade at A-level increasing, compared to the national average. An increase in the proportion of students achieving a grade B or above in key subjects such as Maths, English and Science had increased to just under 14% compared to 10% the previous year. At GCSE level, the proportion of successful pupils achieving Grade 4 or above in both English and Maths was 60% which matched last years performance but was a significant improvement from 2017. The Leader congratulated all pupils for their achievements, particularly given all the recent changes to the exam systems;
- The Leader took the opportunity to welcome the 74 new apprentices who had started work with the Council the previous week and wished them every success in their new roles;
- Care providers and those wishing to pursue a career in the care sector could now access free training through the County Durham Care

Academy to improve skills and resilience in the care sector. The academy offered support across a range of different areas. The academy was part of a broader programme of work aimed at supporting independent adult social care providers across the County. The Leader explained that Adult Health and Social care roles made up a large proportion of employment opportunities across the County. According to the independent charity 'Skills for Care', 10% of adult and social care roles were vacant in County Durham which equated to 1400 vacancies at any one time. The average age of a care worker in was 44, with 25% of the workforce aged over 55 and due to reach retirement age within the next 10 years. This was set against an increasing demand for care as the older population continued to grow. To help providers meet this need the care academy had provided a route into an adult and social care with the introduction of a course which would commence in September and was just one of a broad range of training opportunities on offer;

- The Leader expressed his delight that one of the new Azuma trains, built in County Durham and by north east workers, had stopped at Durham for the first time. The image was featured on the front page on the latest edition of the County Durham News;
- Transformations were underway to turn Bishop Auckland Town Hall into a thriving cultural hub with the investment of £1.5m to refurbish and redefine the hall with improved layout and modern facilities which would allow for a more enticing programme of activities and events. The venue would be closed until Spring 2020;
- Bishop Auckland was one of 51 local areas picked to go through to the next round of the Future High Streets Fund and would receive upto £150,000 worth of funding to work up detailed projects to regenerate and redevelop the town centre, and, if successful would eventually receive multi-million pound funding to complete the project.
- In Durham City the new Odeon Luxe cinema had opened on the Riverwalk. The first phase of Milburngate and the development of the Council's new smaller Headquarters were underway. The new HQ would free up the current Aykley Heads site to be one of the best new business parks in the North East providing a £400m economic boost for the County and creating 6,000 jobs;
- The Council had secured £1.6m from the National Lottery Heritage fund for the redevelopment of the Seaham Townscape Heritage project, a 3-year project focussing on the heritage and regeneration of historic properties in Church Street, Seaham. The Leader congratulated everyone involved;

- The year of culture continued at the Apollo Pavilion in Peterlee, which was the focus of an artist's creative vision as part of its 50th anniversary;
- Next month would see the return of the annual Durham Book Festival, the completion of the Auckland project multi-million pound development of Auckland Castle and the return of the tenth anniversary of the Lumiere festival, the UK's largest light festival. The event promised to be very special and the full programme would be launched in October;
- Other events that had been held included the annual brass festival, the Flying Scotsman visit to Locomotion at Shildon, the Durham City Run festival and the final performance of Kynren at Bishop Auckland had taken place.
- The Cycling Tour of Britain which some of the worlds best cyclists competed in, had travelled through the west of the County. There had been lots of support from the roadside and the event had featured heavily on local and national news bulletins, as well as being broadcast on ITV4. Record crowds also turned out for the Wolsingham Show, one the biggest shows in the agricultural calendar;
- In relation to health issues, the Leader informed the Council that increased mental health would be supported for children and young people following a successful funding application. Teams would work in schools and colleges in areas of social disadvantage, with the County being one of 57 areas across the country chosen by NHS England. The application was made by a partnership of agencies. The new support teams would start work in 2020;
- Stoptober would launch on 19 September and would continue throughout October. The campaign was based on research that if you could stop smoking for 28 days you were five times more likely to stop smoking for good. The ambition for County Durham was a reduction of 5% smoking prevalence by 2025. The current level was at 15%. The Leader explained that the impact of smoking had been a key challenge over many years and progress had already been made with reduced levels of smoking in the county;
- County Durham businesses were able to access support to reduce their carbon footprint and save money thanks to a £1.5m funding stream, having been accepted as part of an EU project that helps small and medium sized businesses change their energy behaviour, reduce operational costs and cut carbon emissions. £160,000 was available

from the fund which was available to support projects from now until July 2022. Durham had been welcomed into the scheme because of its successful business energy efficiency project which had helped 200 local businesses improve their energy performance;

- The Leader congratulated the Council's Facilities Management and Building Cleaning Service which had won the Best Service Team of the Year in the Association for Public Service Excellence Awards 2019;
- The Leader of the Council welcomed John Pearce, the new Corporate Director of Children and Young People's Services and James Etherington, the recently appointed Deputy Monitoring Officer to the Council;
- Finally, the Leader placed on record his congratulations to Michael Stevens who had completed 50 years of service with the Authority, having joined Durham City Council in 1969 as an apprentice. The Chief Executive and Head of Environment had joined Michael and his colleagues for a much deserved celebration, where Michael was presented with a certificate and shopping vouchers as a thank you for his hard work, dedication and long service.

Councillor F Tinsley thanked the Leader for his comprehensive report and noted the comments made regarding the Azuma trains. Councillor Tinsley expressed concern at an article which had appeared in the local media regarding the loss of a £500m contract for the new Nexus trains for the Tyne and Wear Metro and wished to record his anger at the decision and asked the Council to do all it could prior to the final decision being made in January.

5 Presentation by Area Action Partnership

The Council received a presentation from the AAP Coordinator and the Chair of Weardale Area Action Partnership (for presentation see file of Minutes).

Councillor A Savoury explained that Weardale Area Action Partnership had one of the smallest populations in the County, but were one of the largest, geographically. The AAP started at Witton le Wear, with the fantastic nature reserve of Low Barns and climbed up to Killhope, a Museum which covered aspects of rural life and lead mining. Each of the numerous hamlets within Weardale held their own unique characteristics.

The presentation focussed on key areas and gave an insight into some of the projects the AAP had delivered, such as:

- More and better – projects were carried out around rural skills training whereby the AAP had asked farmers what courses or training they would like developing for them. The AAP utilised the skills sets of Upper Teesdale Agricultural Support Services, listened to the feedback and worked together to develop a bespoke training package;
- developing unique apprentices from outdoor activity workers to sports activators;
- helping people live long, better and independent lives – whereby the AAP engaged with the community through the employment of a wellness coordinator who visited people in their own homes, to address issues that allowed them to have happier healthy lives staying in their own homes. In 2018, the wellness coordinator had identified three cases of AF – arterial fibrillation* (abnormality of the heart which is associated with strokes, heart attacks and dementia.);
- secured over £105k of unclaimed benefits through the use of a rural advice worker;
- worked with the Women’s Institute supporting an open house drop-in, which over 20 local residents attended and helped towards reducing social isolation;
- supported and helped to develop a writing group “The North Pens” which had now been successfully managed to link the group into the Durham Book Festival;
- worked with young people harnessing the potential of the community to bring a skatepark to the area. The project involved school children who helped with public meetings, a social media campaign and consultation meetings. Funding was sourced from LEADER, Sport England and Wolsingham Parish Council;
- Connecting communities through the ‘We Are Weardale Project’ working with older residents, sharing memories and stories, holding workshops from creative writers to support children to understand their heritage and culture;
- Created a Weardale Tub, utilising a similar methodology of inter-generational work, workshops working with a ceramic glass panels, that were then fused together and placed as panels to form a lead mining tub. The project had been nominated as a regional example of community arts work.

These projects provided a small sample of the work undertaken by the AAP. The AAP always took the opportunity to talk to the community, at agricultural shows, meetings or gatherings. They had held over 500 positive conversations, listened to the community, built on and developed programmes for future years.

It was important to highlight that a vast community network had been developed in the Weardale area. Everyone in Weardale could benefit from AAP funding. The AAP worked proactively in this regard and met individuals, groups and worked through funding applications. The AAP also explored areas where joint working could take place and how additional funding could be sought to enable sustainable projects to be delivered. Many other agencies tapped into the AAP network to help make the area a better place.

The Chair and AAP Coordinator finished their presentation by thanking everyone for having the faith, kindness and compassion to let AAPs do their job, not only in Weardale but across County Durham.

The Chair thanked the AAP Chair and Coordinator for their presentation.

6 Questions from the Public

One public question had been received from a member of the public. The question related to Durham County Council planning policies and higher energy conservation standards for new buildings.

In the absence of the questioner, the Chair advised the Council that a written response would be provided following the meeting.

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 considered by Cabinet at its meeting held on 10 July 2019 (for copy see file of Minutes).

The Chair informed the Council that one question had been received from Councillor Craig Martin, in relation to Item 4 of the Cabinet Report (2018/19 Final Outturn for the General Fund and Collection Fund), as follows:

Considering there is a net underspend of £11 million from 2018/19 Final Outturn. Which resulted in an increase in earmarked reserves of £5.6 million, following a review of reserves, post year end.

Would the Portfolio Holder reallocate this money for spending on items identified by members for much needed extra funding such as highways, community centres, introducing 20mph speed limits, and dealing with backlog of dropped kerbs?

The Chair of the Council invited the Cabinet Portfolio Holder for Finance, Councillor A Napier to respond.

Councillor Napier thanked Cllr Martin for his question and explained that the cabinet report referred to clearly set out how the change in reserves was allocated as part of the close-down of the year end accounts.

Councillor Napier explained that all Councillors should understand the importance of the areas identified in the question and everyone was more than aware of all the financial pressures faced and dealt with by the Council. The Council needed to reflect that it had been through ten years of austerity, through which time it had managed its finances very well by maintaining investment in frontline services despite cuts made to grants year after year. Councillor Napier reminded the Council that over the last two years £12m had been invested in Children's Services, whilst the government continued to reduce funding and that was why any decisions relating to the use of the budget were made as part of the Council's budget setting process where all opposition groups had the opportunity to set out their proposals prior to the budget being agreed.

The Council had already agreed to use £5.5 million pounds of reserves to set the budget for the current financial year.

Councillor Napier looked forward to the budget debate taking place over the coming months through the established and transparent procedures that were already in place.

In response, Councillor Martin asked how a significant surplus of £11m had been generated and why the Council felt the need to spend this on PFI costs, academisation of schools and capital projects.

Councillor Napier explained that all Members ought to be aware of the excellence of the Council's strategic financial management, throughout a period of ever reducing resources, going back to 2009. The Council prided itself on its medium-term financial planning and highlighted some of the uncertainties that the Council was facing, including the recently announced 'spending round', which detailed one-off areas for 2020 but nothing beyond that point. Councillor Napier questioned how the Council could plan on this basis.

Councillor Napier also informed the Council that delays to areas such as the fair funding review, comprehensive spending review and business rate retention, which incorporated the revenue support grant and public health grant and could potentially mean a reduction in revenue £18.6m in 2021 had been extremely unhelpful.

Finally, Councillor Napier referred to the Shared Prosperity Fund (the replacement for the European Structural Investment Fund) which the Council should have been consulted about in late 2018. The Council had been lobbying the government through the Industrial Communities Alliance around three very important areas - What is the amount? How will it be distributed? and What are the governance arrangements? The government had been non-committal in respect of these matters.

Councillor Napier explained that the areas highlighted were very important, however, it was imperative to continue with the budget setting process as opposed to choosing one-off areas.

9 Treasury Management Outturn 2018/19

The Council noted a report of the Corporate Director of Resources regarding the treasury management outturn position for 2018/19. The report provided a summary of the Council's treasury position, borrowing activity, investment activity, treasury management and prudential indicators (for copy see file of Minutes).

The Corporate Director of Resources informed Members that the Council had adopted the latest CIPFA Code of Practice on Treasury Management was regarded as best practice in ensuring adequate monitoring of the Council's capital expenditure plans and its Prudential Indicators. All of the Council's investment activity had remained within the benchmarks for managing investment risk which were included in the Annual Treasury Management Strategy.

In conclusion, the Corporate Director of Resources informed the Council that it had complied with its Treasury Management Strategy 2018/19 for its full year activity covering the period to 31 March 2019.

10 Audit Committee Terms of Reference

The Council considered a report of the Corporate Director of Resources regarding proposed changes to the Audit Committee Terms of Reference which were intended to update and make clear the specific purpose, roles and responsibilities the Committee undertake following new CIPFA guidance which expanded and provided more detail on the role of the Audit Committee (for copy see file of Minutes).

The Corporate Director of Resources informed the Council that in May 2019 the Audit Committee reviewed its arrangements against the new CIPFA Guidance and recommended the changes proposed within the report to the Constitution Working Group.

Many of the areas raised in the new CIPFA guidance had been operating in practice through the Committee prior to the formal release of the publication. However, the Terms of Reference for the Committee required updating and made clear the specific purpose, roles and responsibilities the Committee undertake.

The proposed changes would ensure that the Council's audit arrangements continued to reflect best practice.

Moved by Councillor Shuttleworth, **Seconded** by Councillor Rowlandson and

Resolved

That the Council agree the changes to the Audit Committee Terms of Reference and delegate authority to the Head of Legal and Democratic Services to make the consequential amendments to the Constitution.

11 Report of Audit Committee September 2018 to August 2019

The Council noted a report of the Chair of the Audit Committee which informed the Council of the work of the Audit Committee during the period September 2018 to August 2019 and how the Committee continued to provide good governance across the Council (for copy see file of Minutes).

In the absence of the Chair of the Audit Committee, the Vice-Chair provided an update on the work of the Committee during the period outlined in the report. The Vice-Chair explained that during the year, CIPFA had updated their best practice for audit committees which had led to the change in the Committee's Terms of Reference which had been agreed in the previous report.

Three key areas were drawn to the Council's attention:

- The work of Internal Audit - the Audit Committee continued to promote and champion the work of Internal Audit across the organisation and had agreed a revised version of the Internal Audit Strategy Charter and the Annual Internal Audit Plan. The Committee had also challenged and supported the work that was proposed and agreed the work programme for the coming year. The work completed by Internal Audit continued to provide assurance to the Committee that the Council's control environment, governance arrangements and management of

risks were sound. Internal Audit also continued to update the Committee on a quarterly basis;

- The outcome of the Council's External Audit of the Statement of Accounts – the Committee received the audit completion letters from their External Auditors. It had been very pleasing to receive an unqualified opinion on both sets of financial statements for both the Council and the Pension Fund. The work of officers from Finance to achieve an unqualified opinion had been a fantastic achievement, particularly given the Council's size and complexity. The Council's External Auditors had been very complimentary of the Council's efforts in answering queries and ensuring a timely outcome and an unqualified opinion. The Vice-Chair informed the Council that thanks had been passed onto all those involved in the process;
- The continuing good work of the Council's Corporate Fraud Team – the Committee had continued to note the excellent work being carried out in proactive counter fraud work. The Corporate Fraud Team had completed over 481 investigations in 2018/19 including blue badge abuse, council tax, business rates reduction claims, bogus insurance claims and housing tenancy. Over the year the team had recovered £1.3m of public money from fraud. As a result, the team had an excellent local and national profile for their work and had developed strong, partnerships with other public sector organisations which had continued to enhance the reputation of the Council. The increasing profile had seen the team win a national award in March 2019 and had also been nominated for another national award for excellence in counter fraud.

In closing, the Vice-Chair congratulated the team for their work and highlighted that the effectiveness of the Audit Committee was excellent.

12 Motions on Notice

In accordance with a Motion on Notice it was:

Moved by Councillor A Patterson, **Seconded** by Councillor J Considine that the Council resolves to:

1. Commit to introducing a Parental Leave Policy to give all Councillors an entitlement to parental leave following the birth or adoption of a child;
2. Request that Officers prepare a draft Parental Leave Policy;

3. Request that the Independent Remuneration Panel (IRP) consider appropriate remuneration as part of the Members Allowance Scheme and make appropriate recommendations; and
4. That the draft Policy and IRP recommendations are considered by Constitution Working Group prior to being presented for approval at a future meeting of the Council.

In Moving her Motion, Councillor Patterson explained that the essence behind the motion was to ensure all Councillors have the entitlement to parental leave policy after giving birth or adopting. The implementation of such a policy would ensure that all Councillors regardless of their background or the political party they represented would be appropriately supported in their role. It would also encourage a wider range of people to become Councillors and support existing Councillors and parents to remain as Councillors.

Councillor Patterson informed the Council that research by the Fawcett Society in 2017 highlighted that only 4% of Council's had a parental leave policy in place for Councillors. Since then many Councils across the country had adopted a policy for its Councillors, including neighbouring authorities, Newcastle and Sunderland.

Any such policy would include improved provisions for new parents, contribute to increase diversity of gender, experience, age and background of local authority groups. It would encompass a range of shared parental leave arrangements, adoption leave entitlement and ensure that Councillors with other caring responsibilities would be appropriately supported.

Councillor J Considine, seconding the motion, informed the Council that she had balanced the demands of a new-born baby with her role as a Councillor which had been a relatively good experience. Councillor Considine was concerned that other Councillors in her position may not be as fortunate and a parental leave policy would enable the Council to further develop provision for those becoming new parents or for those adopting a child. Councillor Considine felt that individuals should not be faced with one choice or another, which the introduction of such a policy would address. The policy would assist in attracting a wider range of people to the role.

Councillor Temple felt that the motion presented was a very good idea and supported the proposal because it looked after people who worked within the Council structure which could only be positive.

Councillor Temple hoped that consideration could be given to the great demands placed on residents in circumstances whereby their representation may be affected by a Councillor utilising a Parental Leave Policy, adding that

it was important that any policy looked at what way the resident's interests could be assisted in a cooperative and supportive set-up.

Councillor J Shuttleworth explained that the role of a Councillor was one of a public servant, an elected position without a contract of employment, whereby accessibility to the public was key and queried the legality of the proposal.

The Head of Legal and Democratic Services informed the Council that whilst Councillors did not have contract of employment, the Council had a duty of care to Councillors. A parental leave policy would be consistent in terms of exercising a duty of care and any proposed changes to the Members Allowances Scheme would be proposed by an Independent Remuneration Panel, therefore it was lawful to do so.

In closing the debate, Councillor A Patterson informed the Council that she would take all the comments raised into consideration and felt that everybody in communities should be afforded the opportunity to be able to stand as an elected member without having any barriers in place. The draft policy and any recommendations suggested by the Independent Remuneration Panel would be considered by Constitution Working Group prior to being presented and debated at a future meeting of the Council.

Upon a vote being taken the Motion was carried.

Resolved

That the Council:

1. Commit to introducing a Parental Leave Policy to give all Councillors an entitlement to parental leave following the birth or adoption of a child;
2. Request that Officers prepare a draft Parental Leave Policy;
3. Request that the Independent Remuneration Panel (IRP) consider appropriate remuneration as part of the Members Allowance Scheme and make appropriate recommendations; and
4. That the draft Policy and IRP recommendations are considered by Constitution Working Group prior to being presented for approval at a future meeting of the Council.

13 Questions from Members

There were no questions from Members.