

DURHAM COUNTY COUNCIL

At a Meeting of **Cabinet** held in Council Chamber, County Hall, Durham on **Wednesday 15 March 2023 at 9.30 am.**

Present:

Councillor A Hopgood (Leader of the Council) in the Chair

Cabinet Members:

Councillors R Bell (Deputy Leader of the Council), T Henderson, C Hood, S McDonnell, E Scott, A Shield, J Shuttleworth and M Wilkes

Apologies:

Apologies for absence were received from Councillor James Rowlandson

The Leader of the Council referred to the passing of the Chair of the Council, Councillor Beaty Bainbridge and paid a warm tribute.

The Cabinet then held a moments reflection as a mark of respect.

The Leader of the Council informed Cabinet that she had agreed to re-order the business on the agenda and would take Item No. 6 (Providing a Sustainable Solution for Wellfield School) following Item No. 3 (Declarations of Interest).

1 Public Questions

There were no public questions.

2 Minutes

The minutes of the meeting held on 8 February 2023 were agreed as a correct record and signed by the Chair.

3 Declarations of interest

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

4 Providing a Sustainable Solution for Wellfield School

The Cabinet considered a joint report of the Corporate Director of Children and Young People's Services and Corporate Director of Resources which provided details of the current position of Wellfield school and detailed the steps taken since 2016 to prevent the school's significant deficit budget, increasing further. The report set out the challenges the school was facing and the difficulty of current curriculum planning, whilst still being impeded by its historic financial position.

The report recommended that the Council writes off the accumulated deficit of the school at the point of conversion to academy with New College Durham Academies Trust (NCDAT) Multi Academy Trust. This would support the Trust and school to secure the current good standard of educational provision for the communities the school serves (for copy of report see file of minutes).

Councillor T Henderson, Cabinet Portfolio Holder for Children and Young People's Services supported the proposals set out in the report. Joining an established Multi Academy Trust would be enabled by the Council writing off the historic deficit to provide sufficient high quality education to children living in the area.

The Council had a strong and effective working relationship with the academy trust and the Department for Education were supportive of the proposal to develop and expand the Multi Academy Trust. This would be a viable financial solution for the future of the school in terms of sustaining and maintaining educational standards.

Councillor R Bell, Cabinet Portfolio Holder for Finance supported the proposals set out in the report and explained that the financial issues at Wellfield started over ten years ago due to falling standards. It had been agreed in 2018 to write off the deficit if the school joined a Multi Academy Trust, however, the move never materialised. Since that time the school had worked hard to improve standards of learning and found itself in a much better position. There was a continuing challenge because of the legacy deficit. The full allocation of money to support curriculum development and learning would be met from earmarked reserve and was consistent with previous Cabinet decisions.

Councillor M Wilkes, Cabinet Portfolio Holder for Neighbourhoods and Climate change explained that the financial issues at Wellfield were due to the failure by the Labour Administration to lead on. There was an obligation on all schools, governing bodies and local authorities to ensure that education was set at the highest possible standards. It was most concerning that issues around finance at Wellfield School had dragged on for many

years. It was clear that the new Joint Administration were properly managing the public finance of schools and protecting the public purse, thus ensuring the best possible education for young people. Failure by the previous Labour run Council had cost the public £7m and the Council were now required to clear the debt to allow the transfer to an academy trust.so it could be sustainable going forward.

Extensive cabinet and portfolio oversight and determination to act would ensure, unlike Labour, that one of the Council's Schools would never be allowed to get into the levels of debt seen in this case and underlined why Labour should not be allowed to take over and run the County ever again.

Resolved:

That the recommendations in the report be approved.

5 Forecast of Revenue and Capital Outturn 2022/23 - Period to 31 December 2022 and Update on Progress towards achieving MTFP(12) savings

The Cabinet considered a report of the Corporate Director of Resources which provided information on:

- (a) the updated forecast revenue and capital outturn for 2022/23, based on the position to 31 December 2022;
- (b) the dedicated schools grant and updated forecast schools position as at 31 March 2023, based on the position to 31 December 2022;
- (c) the updated forecast for the council tax and business rates collection fund position at 31 March 2023, based on the position to 31 December 2022; and
- (d) details of the updated forecast use of and contributions to earmarked, cash limit and general reserves in 2022/23 and the estimated balances that will be held at 31 March 2023.

To report sought approval of the revised capital programme 2022/23, other budget adjustments and proposed sums treated as outside of the cash limit in year and provided an update on progress towards achieving MTFP(12) savings in 2022/23 (for copy of report see file of minutes).

Councillor R Bell, Cabinet Portfolio Holder for Finance and Deputy Leader of the Council thanked the Corporate Director of Resources and his staff for the comprehensive report and continued focus which had been recognised by internal auditors. Councillor R Bell spoke of the significant demands on

Council finance and unavoidable cost pressures which were unprecedented at the current time and impacted on everything the Council purchased. There were significant cost pressures in terms of social care and home to school transport. All other services were predicted to overspend this year. Councillor R Bell placed on record his thanks to all managers involved in managing their budgets which was difficult at the best of times.

Resolved:

That the recommendations in the report be approved.

6 Annual Review of the Constitution

The Cabinet considered the report of the Head of Legal and Democratic Services and Monitoring Officer which presented the proposed changes to the Council's Constitution as part of the annual review, for adoption by Council on 24 May 2023. The Deputy Monitoring Officer informed Cabinet that they were required to approve the delegation of executive powers and the recommendation for this had been updated since the initial report had been published (for copy of report see file of minutes).

The Leader of the Council informed Cabinet that the Constitution set out how the Council operated with functions set out in law or other functions introduced through local choice. Councillor Hopgood highlighted the importance of regularly reviewing the Constitution and the report summarised work carried out throughout the year. The revised structure, format and appearance of the Constitution meant that the document would be more accessible and user friendly. The cross-party Constitution Working Group had been consulted on the proposed changes particularly in relation to the Council Procedure Rules and Code of Practice for Planning matters.

Councillors R Bell and A Shield echoed the comments made by the Leader of the Council and welcomed the proposed reformatting of the document and updated Officer Scheme of Delegations.

Resolved:

Cabinet approved the delegation of executive powers as set out in report along with the proposed amendments to the officer scheme of delegation as set out at paragraphs 40 to 56 of the report and recommend that Council agree the proposed amendments to the Council's Constitution at its meeting on 24 May 2023.

7 County Durham Partnership Update

The Cabinet noted a report of the Corporate Director of Neighbourhoods and Climate Change that provided an update on issues being addressed by the County Durham Partnership (CDP). The report also included updates on other key initiatives being carried out in partnership across the county (for copy of report see file of minutes).

The Leader of the Council commented on the good news and hard work being undertaken across the County. Some of the recent highlights included 175 premises registered as warm spaces, the continuing work carried out by Area Action Partnerships and partnership work carried out at a local level on issues such as Cybercrime, tackling isolation and loneliness in older people. Councillor Hopgood applauded the work of the partnership with vital humanitarian support work and the inspiring projects, both large and small and excellent work taking place across the County.

Councillor E Scott, Cabinet Portfolio Holder for Economy and Partnerships echoed the comments expressed by the Leader of the Council in a report which highlighted the impressive extent of partnership working taking place across the County with everyone working together with common goals. Councillor E Scott informed Cabinet that the review of Community Engagement had made excellent progress since the last stage. Proposals were now being consulted upon with both partners and residents.

Resolved:

That the report be noted.