

## **DURHAM COUNTY COUNCIL**

At a Ordinary Meeting of the County Council held in the Council Chamber, County Hall, Durham on **Wednesday 3 December 2014 at 10.00 a.m.**

**Present:**

**Councillor J Robinson in the Chair.**

Councillors E Adam, J Allen, B Armstrong, J Armstrong, L Armstrong, B Avery, A Batey, A Bell, D Bell, R Bell, H Bennett, J Blakey (Vice-Chairman), G Bleasdale, D Boyes, P Brookes, J Brown, J Buckham, Carr, C Carr, J Chaplow, J Clare, J Clark, P Conway, J Cordon, K Corrigan, P Crathorne, R Crute, K Davidson, K Dearden, M Dixon, S Forster, N Foster, D Freeman, B Glass, B Graham, J Gray, O Gunn, S Guy, C Hampson, J Hart, K Henig, S Henig, D Hicks, J Hillary, M Hodgson, G Holland, A Hopgood, K Hopper, L Hovvels, E Huntington, S Iveson, O Johnson, C Kay, A Laing, P Lawton, J Lee, J Lethbridge, R Lumsdon, C Marshall, L Marshall, N Martin, P May, O Milburn, B Moir, S Morrison, A Napier, M Nicholls, H Nicholson, P Oliver, T Pemberton, M Plews, C Potts, L Pounder, G Richardson, S Robinson, J Rowlandson, A Savory, K Shaw, H Smith, T Smith, M Stanton, W Stelling, B Stephens, D Stoker, P Stradling, A Surtees, L Taylor, P Taylor, O Temple, K Thompson, R Todd, E Tomlinson, J Turnbull, A Turner, A Watson, M Wilkes, M Williams, A Willis, C Wilson, S Wilson, R Yorke and R Young

Apologies for absence were received from Councillors J Alvey, E Bell, J Bell, A Bonner, J Charlton, M Davinson, I Geldard, D Hall, B Harrison, I Jewell, H Liddle, J Maitland, J Maslin, P McCourt, J Measor, T Nearney, R Ormerod, A Patterson, A Shield, J Shuttleworth, M Simmons, M Simpson and S Zair

### **1 Presentation of the Chairman's Medal**

The Chairman informed the Council that he wished to present two Chairmans' medals. The medal was the highest honour the County Council could award and was given to individuals or groups who had contributed significantly to communities in County Durham. The first medal was to the Durham Light Infantry Association.

The Chairman remarked that it was fitting that the award was being presented at the last Council meeting of the calendar year, a year which also saw the DLI Memorial statue unveiled in the Market Place, Durham as part of the World War I commemoration events.

Accepting the award, Major Paul Wharton M.M., Chairman of the DLI Association commented that it was an honour and a privilege to accept the award on behalf of the DLI Association. The Association were ever grateful to the County Council for their continued support and cooperation and for keeping the DLI to the fore.

The second medal was awarded to Mrs Mary Platten of Derwentside who played a key role in a town twinning group who had fostered links with the German town of

Werdhol for the past three decades. The club had fostered countless friendships through a programme of exchange visits which ranged from cultural to sports and social activities.

Mrs Platten explained her surprise at receiving the award and admitted that she had been lost for words when she found out about the award. In receiving the award she remarked how she could not have achieved it on her own and the award was for everyone who had assisted her throughout the years.

## **2 Employee Awards**

The Chairman announced that a Maintenance Officer from the Council, Scott Creighton had been named Employee of the Year. Scott had shown 'unfailing dedication' and a can-do attitude. The Chairman also informed the Council that Scott had been one of a group of six people who had conquered a cross channel swim in aid of the Great North Air Ambulance Service (GNAAS) and raised more than £10,500.

The Chairman also announced that Emily Stewart had been named Apprentice of the Year. Emily was working in the procurement section of the Resources Service.

### **Resolved**

That the Council place on record its congratulations to both members of staff on their achievement and to all the other finalists in the Council's Great Staff, Great Stuff awards.

## **3 Minutes**

The minutes of the meeting held 29 October 2014 were confirmed by the Council as a correct record and signed by the Chairman.

## **4 Declarations of interest**

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

## **5 Chairman's Announcements**

The Chairman extended a warm welcome to teachers, governors and pupils from Belmont Infant and Junior School and the School's Councils who were attending the meeting to observe proceedings and the debate.

The Chairman informed the Council that he had written on their behalf, to Beryl Anderson, a member of staff in the Events Management Team who had recently assisted in a situation whereby a school crossing patrol person had collapsed. Beryl had parked up her vehicle, assisted school children to cross the road safely and contacted the emergency services.

The Chairman advised that Alderman Len O'Donnell, who had cycled across America in 2002 while Chairman of the County Durham and Darlington Fire and

Rescue Authority, was present in the Council Chamber foyer with copies of the book he has recently had published.

Finally, the Chairman thanked everyone who had attended the Civic Ball. which had raised £1200 towards his chosen charities. He also reminded the Council of the up and coming Carol Service.

## **6 Leader's Report**

The Leader of the Council provided an update to the Council, summarised as follows:

- a second borderlands summit had been hosted by Carlisle City Council which discussed issues around economy and transport. The Association of North East Council's had been represented at the event;
- the Leader spoke of the successes of the Durham Book Festival, the 25th Annual Environmental Awards and the 10th Anniversary of NetPark;
- the Council's Cabinet had visited the new academy and leisure centre currently under development in Consett. The new facilities would not only benefit young people in the town but also the wider community and the local economy;
- The all-party Association of North East Council's Task and Finish Group had met to discuss the forthcoming local government funding settlement;
- More than 150 council leaders had written to the Observer newspaper warning the Chancellor that they simply could not absorb more cuts to Local Government similar to those seen over the last four years. The Council would continue to lobby on this issue and look at the impact of the government's austerity programme;
- There had been a period of rapid development regarding devolution in the wake of the Scottish 'No' vote, with the Smith Commission suggesting that the Scottish Parliament should have the power to set income tax rates and that Air Passenger Duty should be fully devolved. The Leader had written to the Chancellor seeking views on devolution 'south of the border' and that further clarity was needed from the Government regarding Elected Mayors.
- The Shadow Minister for the Department for Communities and Local Government spoke at a recent County Council's Network meeting where it had been interesting to note that many other County areas across the country were moving towards the creation of combined authorities.

Following the Leaders' report, the Chairman of the County Council placed on record his congratulations to Councillor Henig in being named in the top 100 most influential people in Local Government.

## **7 Questions from the Public**

One question had been received from a Member of the Public regarding Broom Cottages Pupil Referral Unit, Ferryhill. In the absence of the questioner, the Head of Legal and Democratic Services informed the Council that a copy of the question, together with the response would be placed on the Council's website and a copy of the response would also be sent direct to the questioner.

## **8 Petitions**

There were no petitions for consideration.

## **9 Report from the Cabinet**

The Leader of the Council provided the Council with an update of business discussed by the Cabinet at its meeting at Auckland Castle held on 19 November 2014 (for copy see file of Minutes).

## **10 A 'Local' Living Wage for County Durham**

The Council considered a report of the Living Wage Working Group which had been established following a resolution by the County Council on 5 December 2012. The working group had been set up to explore the feasibility of implementing the accredited 'living wage' scheme that had been set up by the Living Wage Foundation which was part of the campaigning group 'Citizens UK'.

Prior to moving the report, the Cabinet Portfolio for Finance took the opportunity to thank everyone involved for their work which had culminated in the proposal for a Local Living Wage for Durham County Council. Councillor Napier commented that the hard work and research carried out had been appreciated and thanked everyone for their commitment.

The Portfolio Holder reminded the Council that two years had passed since the motion put forward by Councillor M Dixon regarding a local living wage and made no apologies for the length of time it had taken to produce the report. The underlying principle for the Working Group was to ensure that it did not place the Council at any financial risk, whilst also keeping in tune with national and local developments.

One of the key considerations was the potential impact on school budgets, however, the group had worked diligently with the Schools Forum and obtained unanimous support from them.

The group had proposed that from 1 January 2015 to abolish SCP 5-9 on the NJC Terms and Conditions. The proposal would be fair, affordable and sustainable which would go a long way to improving living standards for all those affected. The Trade Unions had been fully supportive and the report signalled an historic moment for Durham County Council.

Councillor O Johnson added that the Durham Living Wage proposal was a fair and equitable solution for the County Council's lowest paid workers.

Councillor R Bell referred to paragraph 58 of the report and queried any potential impact on benefits. Councillor R Bell also congratulated everyone involved for the work undertaken and expressed his support for the proposal which appeared to have been given proper consideration.

Councillor Napier informed the Council there may be a very slight reduction of housing benefit and housing tax revenue, however, the fact remained that 2,500 employees and their families would be better off.

Councillor D Stoker praised everyone involved what had been a complex process. The task had been well timed, carried out with great thoroughness and hoped that the item would be passed unanimously by the Council.

Councillor M Dixon congratulated everyone for their hard work on what was an scheme which illustrated how the Council aspired to improve the lives of residents in County Durham.

The Chairman congratulated Councillor Napier and those officers involved and spoke of his pride and honour for the Council to be passing the report under his Chairmanship.

**Moved** by Councillor Napier, **Seconded** by Councillor Johnson and

**Resolved**

- (i) That the Council remove Spinal Column Points 5-9 with effect from 1 January 2015 and implement a minimum hourly wage of Spinal Column 10 (£7.43 per hour) for all Durham County Council employees and this be referred to as the 'Durham Living Wage';
- (ii) That a review of the Durham Living Wage rate annually from 1 April 2016.

**11 Mid-Year Report for the Period to 30 September 2014 on Treasury Management Service**

The Council considered a report of the Corporate Director, Resources regarding the mid-year position on the treasury management service to 30 September 2014 (for copy see file of Minutes).

The Corporate Director, Resources informed the Council that the report also included a forward looking annual treasury strategy and backward looking performance against the previous strategy as well as incorporating the needs of the 'Prudential Code', which was regarded as best operational practice.

An update was also provided to the Council in relation to the recovery position regarding deposits made to Icelandic Banks which collapsed in 2008, where the recovery forecast was much better than initially thought.

Councillor Wilkes sought clarification about the future of the Cooperative Bank upto April 2015 and asked for assurances that Council monies would be protected, specifically those of the newly formed Durham Housing Group. The Corporate Director, Resources informed the Council that initial indications were that the Cooperative Bank were likely to pass the 'stress test', however, in any event, the Council held relatively small amounts of monies with the Cooperative Bank and would not be at risk. The procurement process in terms of banking arrangements for 2015 were due to conclude shortly and the Council would be making an announcement over the coming months.

### **Resolved**

- (i) That the mid-year treasury management position be noted; and
- (ii) That the Council agree the proposed rating changes to remove the "standalone" ratings from Fitch (Viability) and Moody's (Financial Strength) as a selection criteria for approved counterparties.

### **12 Changes to the Constitution - Scrap Metal Dealer Licences, Common Land and Town and Village Greens**

The Council noted a report of the Head of Legal and Democratic Services which detailed a number of amendments made to the Constitution to reflect changes in the law or to correct inaccuracies. The changes had been made following consultation with the Leader of the Council in his capacity of Chairman of the Constitution Working Group (for copy see file of Minutes).

### **13 Changes to the Constitution - Officer Scheme of Delegations**

The Council noted a report of the Head of Legal and Democratic Services regarding amendments made to the Officer Scheme of Delegations contained in the Constitution to reflect changes in the law or to correct inaccuracies (for copy see file of Minutes).

### **14 Statement of Returning Officer**

The Council noted the Statement of the Returning Officer following recent by-elections in the Burnopfield and Dipton, and Evenwood Electoral Divisions (for copy see file of Minutes).

### **15 Motions on Notice**

In accordance with a Notice of Motion, it was **Moved** by Councillor B Glass, **Seconded** by Councillor L Armstrong:

*Northern and Transpennine is the largest train franchise in the UK. The franchise runs trains across the North of England, serving a population of nearly 15million, calling at over 500 stations and managing 462 stations.*

*Government proposals on the re-franchising of the network require the loss of hundreds of essential, skilled rail jobs, by introducing driver only trains and removing the roles of conductors and station staff. This will negatively impact on the service with major passenger safety implications.*

*Durham County Council urges the Government and Northern Rail to protect the interests of passengers and the communities who rely on these rail services by withdrawing these proposals and instead to hold meaningful consultations to deliver properly funded, properly staffed and affordable railways in the North.*

In moving his motion, Councillor Glass informed the Council that the measures being introduced would not only result in the loss of hundreds of decent, relatively well paid, skilled jobs in the North but also impact massively on passenger service.

Councillor Glass felt that safety would be compromised with the specific introduction of driver only operation. The loss of train guards/conductors, station de-staffing and ticket office closures would negatively impact on the service with major safety implications and there was a view that maintaining highly visible staffing levels was the most effective way of improving security and safety on the rail network with evidence consistently provided to that effect.

Councillor A Watson agreed with the sentiments of the motion but felt that the purpose of the motion, i.e. 'to hold meaningful consultations' was too late simply because consultation on the issue had ended and that any motion submitted should look to simply look to stop the re-franchising of the network.

Councillor Wilkes felt that the motion presented was ineligible to be voted on in its form and would be proposing an amendment which would seek to ensure that all rail services were protected.

Prior to Councillor Wilkes moving an amendment the Head of Legal and Democratic Services informed the Council that the motion submitted by Councillor Glass was legal and acceptable.

An **Amendment** was **Moved** by Councillor Wilkes, **Seconded** by Councillor Martin that:

*Durham County Council urges the Government and Northern Rail to protect the interests of passengers and staff, and the communities who rely on Northern and Transpennine rail services, whilst recognising that to do this the service must modernise.*

*This Council further supports government proposals to invest billions of pounds of additional capital into rail services in the North of England, and calls on this and any future Government to ensure transparency in all tender processes through the permitting of all interested parties including the public sector to bid for franchises.*

Councillor Glass did not accept the amendment put forward by Councillor Wilkes.

Upon a vote being taken, the Amendment was **lost**.

Upon a further vote being taken the Motion was **carried**.

**16 Questions from Members**

There were no questions from Members.