

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 Hovvels, 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.