

## DURHAM COUNTY COUNCIL

At an **Ordinary Meeting** of the County Council held in the **Council Chamber - County Hall, Durham** on **Wednesday 22 May 2019** at **10.00 a.m.**

**Present:**

**Councillor J Lethbridge** in the Chair.

Councillors E Adam, J Allen, J Atkinson, P Atkinson, A Bainbridge, B Bainbridge, A Batey, A Bell, E Bell, R Bell, H Bennett, J Blakey, P Brookes, D Brown, J Brown, L Brown, C Carr, J Carr, J Clare, J Clark, M Clarke, I Cochrane, K Corrigan (Vice-Chairman), B Coult, P Crathorne, R Crute, M Davinson, S Dunn, S Durham, D Freeman, A Gardner, J Grant, N Grayson, O Gunn, D Hall, C Hampson, T Henderson, S Henig, D Hicks, J Higgins, A Hopgood, K Hopper, L Hovvels, P Howell, S Hugill, E Huntington, S Iveson, O Johnson, P Jopling, B Kellett, A Laing, K Liddell, H Liddle, L Maddison, J Maitland, J Makepeace, R Manchester, C Marshall, L Marshall, C Martin, E Mavin, S McDonnell, M McKeon, I McLean, S Morrison, A Napier, A Patterson, C Potts, L Pounder, S Quinn, A Reed, G Richardson, J Robinson, S Robinson, J Rowlandson, A Savory, E Scott, P Sexton, K Shaw, J Shuttleworth, H Smith, T Smith, W Stelling, B Stephens, D Stoker, A Surtees, P Taylor, O Temple, K Thompson, J Turnbull, A Watson, M Wilkes, A Willis, C Wilson, M Wilson, S Wilson, D Wood and S Zair

Apologies for absence were received from Councillors B Avery, D Bell, J Bell, G Bleasdale, L Boyd, J Chaplow, J Charlton, J Considine, K Hawley, I Jewell, L Kennedy, L Mavin, O Milburn, J Nicholson, R Ormerod, A Shield, M Simmons, J Stephenson and T Tucker

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

- former Durham City Councillor Stuart Walton who served the Shadforth and Sherburn Ward from 2003 to 2009;
- Honorary Alderman and former Easington District Councillor Frank Shaw who served the Dawdon Ward on the District Council from 1973 to 2009;
- Roger Kelly, who started his local government career as a Highways Solicitor at Durham County Council. He later became Deputy Director of Legal Services at Gateshead Council and went on to be their Chief Executive before retiring in 2012. Following his retirement he became the driving force behind the relaunch of Ushaw College in Durham as a cultural centre and visitor attraction and Chaired the County Durham Cultural Partnership.

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

## **1 Election of Chairman**

**Moved** by Councillor A Laing, **Seconded** by Councillor R Crute and

**Resolved:**

That Councillor K Corrigan be elected to the Office of Chairman of the Council for the ensuing year.

Councillor K Corrigan subscribed the Statutory Declaration accepting the Office.

Councillor J Lethbridge vacated the Chair.

### **Councillor K Corrigan in the Chair**

In accepting the Office of Chairman of the Council the Chairman informed Council that it would be an honour and privilege to carry out such a role.

The Chairman informed Council that the charity she would be supporting during her Term of Office was Age UK County Durham.

## **2 Presentation to retiring Chairman**

The Chairman paid tribute to the services of Councillor Lethbridge during his term of office and presented a Past Chairman's Medal to Councillor Lethbridge incorporating the Council's Coat of Arms as a token of the Council's appreciation of his services during his period of office. The Chairman also paid tribute to Councillor Lethbridge's consort, Mrs Lethbridge, who had been a great support to Councillor Lethbridge during his period of office.

Further tributes to Councillor Lethbridge's ambassadorial service, the diligent, exceptional, professional and dignified way he had conducted himself during his term of office both locally, regionally, nationally and internationally were given by Councillor Henig (Leader of the Labour Group), Councillor Hopgood (Leader of the Liberal Democrat Group), Councillor Shuttleworth (Leader of the Durham County Council Independent Group), Councillor R Bell (Leader of the Conservative Group), Councillor S Zair (On behalf of the Durham Independent Group), Councillor Maddison (Leader of the Spennymoor Independent Group) and Councillor McDonnell (On behalf of the North East Group).

In response, Councillor Lethbridge thanked both the incoming Chairman and all Councillors for the presentation and expressed his appreciation to all who

had supported and assisted him during the year and thanked Councillor Corrigan for her support as Vice-Chairman throughout the year.

Councillor Lethbridge offered his congratulations to Councillor Corrigan and her consort and wished her well for her year in office. Finally, Councillor Lethbridge thanked his consort for her unwavering support throughout the year.

The Chairman then presented Mrs Lethbridge with a gift in appreciation of her efforts in supporting Councillor Lethbridge during his term of office.

Council then viewed a video of a recent parachute jump undertaken by Councillor Lethbridge in support of his chosen charity, the Royal British Legion.

### **3 Election of Vice-Chairman**

**Moved** by Councillor C Marshall, **Seconded** by Councillor M Clarke and

**Resolved:**

That Councillor O Johnson be elected Vice-Chairman of the Council for the ensuing year.

Councillor Johnson subscribed the Statutory Declaration accepting the Office.

### **4 Minutes**

The minutes of the meeting held on 27 March 2019 were confirmed by the Council as a correct record and signed by the Chairman.

### **5 Declarations of interest**

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

### **6 Chairman's Announcements**

#### **Welcome to New Members**

The Chairman extended a warm greeting to Councillors I Geldard and G Huntington following their success in recent by-elections.

## **Photographs during proceedings**

The Chairman informed Members that photographs would be taken during the course of the meeting and that the traditional Council photograph would be taken at the end of the meeting.

## **Conduct at Meetings**

The Chairman reminded all Councillors of their obligations under the Code of Conduct. The Chairman kindly asked Members to address each other in the correct manner during meetings and also requested that respect was shown from all sides of the Chamber at all times.

## **Register of Interests Forms**

The Chairman reminded all Members of the need to review and update their Register of Interests form, on the basis that appointments to Joint and Other Bodies were agreed at the meeting.

## **Processing following conclusion of Council Meeting**

The Chairman requested that at the conclusion of all meetings all councillors should remain in the Chamber to allow herself and the officials on the dais to leave the Chamber. Members were then free to leave.

## **7 Annual Review of the Constitution**

The Council considered a report of the Head of Legal and Democratic Services which presented proposals for the revision of the Council's Constitution (for copy see file of Minutes).

In **moving** approval of the revision to the Constitution Councillor Henig informed Council that the proposed amendments had been considered by the Constitution Working Group.

**Seconded** by Councillor Hopgood.

Councillor R Bell expressed concern at the proposed prohibition of motions on notice at the annual budget/council tax setting Council.

### **Resolved:**

That the proposed revisions to the Constitution be approved.

## 8 Updated Local Code of Corporate Governance

The Council considered a report of the Corporate Director of Resources which sought approval of the Local Code of Corporate Governance which had been updated following the annual governance review and to reflect changes to the Constitution (for copy see file of Minutes).

**Moved** by Councillor Napier, **Seconded** by Councillor E Bell and

**Resolved:**

That the updated Local Code of Corporate Governance be approved.

## 9 Leader's Announcement of Deputy Leader and Cabinet Members

Councillor Henig announced that there were changes proposed to Cabinet Members and Portfolios for the forthcoming year. Councillors J Brown and O Johnson would be leaving the Cabinet and Councillors A Patterson and A Surtees would join the Cabinet. Councillor Henig thanked Councillors Brown and Johnson for their work while serving as Cabinet Members.

Councillor Henig informed Council that the full details of Cabinet Portfolios and Support Members were as circulated, with Councillor J Clare, Cabinet Support Member for Economic Regeneration becoming the Council's first Climate Change Champion.

This was a strong, highly experienced Cabinet which for the first time had a gender balance.

<b>Leader of the Council</b>  <b>Cllr Simon Henig</b>	<ul style="list-style-type: none"><li>● Overall co-ordination of policy, including MTFP</li><li>● Council strategy</li><li>● Performance framework and monitoring</li><li>● County Durham Partnership</li><li>● External Partnerships</li><li>● Communications</li><li>● Legal and Democratic Services+</li></ul>
<b>Deputy Leader and Finance</b>  <b>Cllr Alan Napier</b> Cllr Lyn Boyd	<ul style="list-style-type: none"><li>● Finance</li><li>● Legal and Democratic Services+</li><li>● Risk Management</li></ul>

<p><b>Adult and Health Services</b></p> <p><b>Cllr Lucy Hovvels</b> Cllr Audrey Laing</p>	<ul style="list-style-type: none"> <li>● Adult Social Care Services</li> <li>● Adult Safeguarding</li> <li>● Adult Social Care Commissioning</li> <li>● Health and Wellbeing (chair of HWB)</li> <li>● Public Health</li> <li>● Community Safety</li> <li>● Links with Durham Police</li> <li>● Veterans champion</li> <li>● Mental Health champion</li> </ul>
<p><b>Children and Young People's Services</b></p> <p><b>Cllr Olwyn Gunn</b> Cllr Maura McKeon</p>	<ul style="list-style-type: none"> <li>● Education 0-19</li> <li>● Specialist and Safeguarding Children's Services</li> <li>● Youth Services, including Youth Offending Services</li> <li>● Children's Centres</li> <li>● Young carers</li> <li>● Adult learning</li> <li>● Health and wellbeing board member</li> </ul>
<p><b>Corporate Services and Rural Issues</b></p> <p><b>Cllr Andrea Patterson</b> Cllr Jude Considine</p>	<ul style="list-style-type: none"> <li>● Customer Services</li> <li>● Human Resources</li> <li>● Member Development</li> <li>● ICT &amp; Digital agenda</li> <li>● Rural champion</li> </ul>
<p><b>Economic Regeneration</b></p> <p><b>Cllr Carl Marshall</b> Cllr John Clare</p>	<ul style="list-style-type: none"> <li>● Economic Development</li> <li>● Town Centres</li> <li>● Regeneration</li> <li>● Leisure services</li> <li>● Skills agenda</li> <li>● Spatial Planning / County Durham Plan</li> <li>● Strategic Transport / Local Transport Plan</li> <li>● Development Control</li> <li>● Climate change champion: Cllr John Clare</li> </ul>
<p><b>Neighbourhoods and local partnerships</b></p> <p><b>Cllr Brian Stephens</b> Cllr Rob Yorke</p>	<ul style="list-style-type: none"> <li>● Area Action Partnerships</li> <li>● Relationships with Town and Parish Councils</li> <li>● Community Development</li> <li>● Community Facilities</li> <li>● Neighbourhood Streetscene</li> <li>● Environment Policy, including sustainability</li> </ul>

	<ul style="list-style-type: none"> <li>● Environment, Health and Consumer Protection</li> <li>● Highways</li> <li>● Waste Management</li> <li>● Direct Services</li> <li>● Bereavement services</li> </ul>
<p><b>Social Inclusion</b></p> <p><b>Cllr Angela Surtees</b> Cllr Lynn Pounder</p>	<ul style="list-style-type: none"> <li>● Carers</li> <li>● Equality and Diversity</li> <li>● Humanitarian Support Partnership</li> <li>● Welfare reform and impact</li> <li>● Welfare rights</li> </ul>
<p><b>Strategic Housing and Assets</b></p> <p><b>Cllr Kevin Shaw</b> Cllr Mark Davinson</p>	<ul style="list-style-type: none"> <li>● Housing strategy</li> <li>● Homelessness</li> <li>● Private sector housing issues</li> <li>● Fuel poverty / Energy efficiency</li> <li>● Links with Housing providers</li> <li>● Assets (land and property)</li> <li>● Parks</li> <li>● Allotments</li> <li>● Travellers liaison service</li> </ul>
<p><b>Transformation, Culture and Tourism</b></p> <p><b>Cllr Joy Allen</b> Cllr Tracie Smith</p>	<ul style="list-style-type: none"> <li>● Council transformation programme</li> <li>● Archives</li> <li>● Libraries</li> <li>● Culture, Arts and Tourism</li> <li>● Events</li> <li>● Emergency planning / Civil contingencies</li> </ul>

+ shared responsibility

## 10 Appointments of Council Bodies and allocation of seats to Political Groups under Section 15 of the Local Government and Housing Act 1989

The Council considered a report of the Head of Legal and Democratic Services regarding the appointment of Council Bodies and Allocation of Seats to Political Groups under Sections 15 and 16 of the Local Government and Housing Act 1989 (for copy see file of Minutes).

**Moved** by Councillor A Laing, **Seconded** by Councillor J Robinson and

### **Resolved:**

That the recommendations contained in the report be agreed.

## 11 Appointment of Chairmen and Vice-Chairmen of Committees

**Moved** by Councillor Laing, **Seconded** by Councillor Robinson that the circulated list of Chairmen and Vice-Chairmen of Committees and Sub-Committees be approved.

An amendment to the list of Vice-Chairs for Scrutiny Committees was **Moved** by Councillor Wilkes and **Seconded** by Councillor Jopling as follows:

Corporate Overview and Scrutiny Board – Councillor Mark Wilkes  
 Adults, Wellbeing and Health – Councillor Patricia Jopling  
 Economy and Enterprise – Councillor Elizabeth Scott  
 Environment and Sustainable Communities- Councillor Alan Gardner

Upon a vote being taken the amendment was **lost**.

Upon a further vote being taken the circulated list of Chairmen and Vice-Chairmen of Committees and Sub-Committees was **approved**.

<b>Non-Executive/Regulatory Committees</b>	<b>Chair</b>	<b>Vice-Chair</b>
Appeals and Complaints Committee	Councillor J Bell	Councillor D Wood
Audit Committee	Councillor E Bell	*Councillor J Rowlandson
Chief Officer Appointments Committee	Councillor S Henig	Councillor A Napier
Highways Committee	Councillor C Kay	Councillor S Morrison
General Licensing and Registration Committee	Councillor C Carr	Councillor J Maitland
Statutory Licensing Committee	Councillor C Carr	Councillor P Crathorne Councillor L Marshall
General Licensing and Registration Sub-Committee's	Councillor L Marshall (1) Councillor C Carr (2) Councillor P Crathorne (3)	
Statutory Licensing Sub-Committee	Councillor L Marshall (1) Councillor C Carr (2) Councillor P Crathorne (3)	
Standards Committee	Councillor B Kellett	Councillor E Huntington
County Planning Committee	Councillor J Robinson	Councillor F Tinsley
Area Planning Committee (North)	Councillor I Jewell	Councillor S Wilson



Area Planning Committee (Central and East)	Councillor J Clark	Councillor A Laing
Area Planning Committee (South and West)	Councillor J Clare	Councillor J Atkinson
<b>Pension Fund Committee</b>	Councillor M Davinson	*Councillor O Temple
<b>Corporate Parenting Panel</b>	Councillor P Brookes	Councillor H Smith
<b>Overview and Scrutiny Committees</b>		
Corporate Overview and Scrutiny Management Board	Councillor R Crute	Councillor A Batey
Children and Young People's Scrutiny Committee	Councillor H Smith	Councillor C Potts
Safer and Stronger Communities Scrutiny Committee	Councillor D Boyes	Councillor H Liddle
Environment and Sustainable Communities Scrutiny Committee	Councillor E Adam	Councillor O Milburn
Economy and Enterprise Scrutiny Committee	Councillor M Clarke	Councillor R Manchester
Adults, Wellbeing and Health Scrutiny Committee	Councillor J Robinson	Councillor J Chaplow

**\*Minority Group**

## **12 Appointments to Joint Bodies and Other Bodies 2019/20**

The Council considered a report of the Head of Legal and Democratic Services detailing appointments to joint and other bodies for 2019/20 (for copy see file of Minutes).

Moved by Councillor Henig, Seconded by Councillor Napier and

### **Resolved:**

- (a) That the Council agrees the allocation of seats on the County Durham and Darlington Fire and Rescue Authority detailed in Appendix 2.
- (b) That the Council agrees the allocation of the seats on the Business Durham Advisory Board in Appendix 3.
- (c) That the Head of Legal and Democratic Services, in consultation with the appropriate Group Leader(s), be authorised to make appointments to the other outside bodies to which the Council are invited to nominate, in accordance with the following criteria:-

- (i) identify those organisations whose purpose is aligned to a specific Cabinet Portfolio, and nominate Members accordingly.
- (ii) identify local outside bodies from each electoral division and allocate those to local members. If there are more seats on an outside body than local members then the political balance would be applied. For those local bodies which are strategic in nature representation by a specific Cabinet Portfolio would be appropriate.

If a consensus on the allocation of seats to Members within the electoral division could not be reached, should the division be represented by Members from different parties and agreement could not be reached, the party with the largest proportion of seats on the Council would be allocated the seat.

- (iii) the bodies which are not local to a particular electoral division, for example, those with a County or Regional remit, appointments be made in accordance with the overall political proportionality of the Council, except in the case of Housing Associations and bodies providing services in one particular locality, in such circumstances the membership would be from that locality.
- (d) That the Head of Legal and Democratic Services be authorised, in consultation with the appropriate Group Leader(s), to make any changes to memberships of the main outside bodies/joint bodies approved by Council, which may become necessary during the course of 2019/20.
- (e) That the allocation of seats on the Chartered Trust as detailed in Appendix 4 be agreed. That Councillor C Marshall be appointed as the Cabinet Member to serve on the Trust and Councillor J Lethbridge as an additional Member.
- (f) That the allocation of seats on the Police and Crime Panel as detailed in Appendix 5 be agreed.
- (g) That Councillor E Bell be appointed to serve on the Joint Audit Committee to assist the Police and Crime Commissioner and Chief Constable, noting the nomination would be subject to approval of the Police, Crime and Victim's Commissioner.

**Moved** by Councillor A Laing, **Seconded** by Councillor J Robinson and

**Resolved:**

Appointments be made to the positions on the North East Combined Authority as follows:

- a) The Council Representative of the North East Leadership Board (NELB) – Councillor S Henig;
- b) Substitute member of the NELB – Councillor C Marshall;
- c) One member to the Audit and Standards Committee – Councillor E Bell;
- d) Substitute member to the Audit and Standards Committee – Councillor B Kellett;
- e) Two members to be representatives on the Overview and Scrutiny Committee – Councillors R Crute and A Batey;
- f) Substitute members on the Overview and Scrutiny Committee – Councillors M Clarke and R Manchester
- g) One member to the Economic Development and Regeneration Advisory Board – Councillor C Marshall
- h) Substitute member to the Economic Development and Regeneration Advisory Board – Councillor K Shaw

Appointments be made to the positions on the North East Combined Authority and North of Tyne Combined Authority as follows:

- a) The Council Representative of the North East Joint Transport Committee – Councillor C Marshall;
- b) Substitute member of the North East Joint Transport Committee – Councillor S Henig;
- c) Two members to the North East Joint Transport Overview and Scrutiny Committee – Councillors R Crute and A Batey;
- d) Substitute members to the North East Joint Transport Overview and Scrutiny Committee – Councillors M Clarke and R Manchester;
- e) One member to the North East Joint Transport Audit Committee – Councillor E Bell;

- f) One substitute member to the North East Joint Transport Audit Committee – Councillor B Kellett

#### Appointments to Believe Housing

- a) Two members to Believe Housing Board – Councillors D Boyes and K Shaw
- b) One member to Believe Housing – Values Group – Councillor J Clark.

### **13 Statement of Returning Officer**

The Council noted a Statement of the Returning Officer following by-elections held on 21 March 2019 in the Esh and Witton Gilbert Electoral Division and on 2 May 2019 in the Shildon and Dene Valley, and Spennymoor Electoral Divisions.

### **14 Dates of Council meetings for 2019/20**

#### **Resolved:**

That the dates of meetings of the County Council for 2019/20 be as follows:

Wednesday 19 June 2019  
Wednesday 17 July 2019  
Wednesday 18 September 2019  
Wednesday 23 October 2019  
Wednesday 4 December 2019  
Wednesday 22 January 2020  
Wednesday 26 February 2020  
Wednesday 25 March 2020  
Wednesday 20 May 2020