

DURHAM COUNTY COUNCIL

At an **Ordinary Meeting** of the County Council held in the **Remote Meeting - This meeting is being held remotely via Microsoft Teams** on **Wednesday 21 October 2020** at **10.00 am**

Present:

Councillor K Corrigan in the Chair

Councillors E Adam, J Allen, J Atkinson, P Atkinson, B Avery, A Bainbridge, B Bainbridge, A Batey, A Bell, D Bell, E Bell, J Bell, R Bell, J Blakey, L Boyd, D Boyes, P Brookes, D Brown, J Brown, L Brown, J Chaplow, J Charlton, J Clare, J Clark, M Clarke, J Considine, B Coult, P Crathorne, R Crute, M Davinson, S Dunn, D Freeman, O Gunn, D Hall, C Hampson, T Henderson, S Henig, J Higgins, A Hopgood, K Hopper, L Hovvels, P Howell, S Hugill, E Huntington, G Huntington, I Jewell, O Johnson (Vice-Chair), P Jopling, C Kay, B Kellett, L Kennedy, A Laing, J Lethbridge, K Liddell, H Liddle, L Maddison, J Maitland, J Makepeace, R Manchester, C Marshall, L Marshall, C Martin, E Mavin, L Mavin, S McDonnell, M McKeon, I McLean, O Milburn, S Morrison, A Napier, J Nicholson, R Ormerod, A Patterson, C Potts, L Pounder, S Quinn, A Reed, G Richardson, J Robinson, J Rowlandson, A Savory, E Scott, P Sexton, K Shaw, A Shield, J Shuttleworth, M Simmons, A Simpson, H Smith, T Smith, J Stephenson, B Stephens, D Stoker, A Surtees, P Taylor, O Temple, K Thompson, F Tinsley, T Tucker, J Turnbull, A Watson, M Wilkes, A Willis, C Wilson, M Wilson, S Wilson, D Wood, R Yorke and S Zair

Apologies for absence were received from Councillors G Bleasdale, C Carr, J Carr, I Cochrane, S Durham, A Gardner, I Geldard, J Grant, N Grayson, K Hawley, D Hicks, S Iveson, P Oliver, S Robinson and W Stelling

1 Minutes

The minutes of the meeting held on 26 February 2020 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

Covid-19

The Chair informed Council that the coronavirus pandemic was one of the biggest challenges and that times were difficult indeed. She expressed her condolences to all those who had lost loved ones and been impacted by Covid.

However, it was truly inspirational and a testament to the people of County Durham the way in which communities, local groups, organisations, charities and businesses across the County had responded to the pandemic.

Teams of volunteers had responded in a host of ways, from making and delivering meals on wheels to collecting prescriptions, walking dogs, delivering shopping and running food banks.

The Chair placed on record her sincere thanks to all communities for their amazing efforts. She also placed on record her thanks to the Council's Chief Executive, the Corporate Management Team, all staff and especially frontline workers for their hard work.

The Chair also made a special mention to those working in the NHS and Care Sector.

Chair's Charity

The Chair informed Council that nearly £14,500 had been raised through a range of events and activities during her term of office. This would be split between her two chosen charities, Age UK County Durham and the Cheesy Waffles Project.

The Chair placed on record her sincere thanks to everyone who had made a donation or held a fundraising activity to support her chosen charities.

Due to the Coronavirus pandemic the Council had not held its Annual Meeting this year, and the Chair had continued in her role as Chair of the Council.

The Chair had now started raising money for the chosen charity of the Vice Chairman, Cllr Ossie Johnson, the Fire Fighters Charity.

Queen's Birthday Honours

The Chair placed on record congratulations to all those people from County Durham who were acknowledged in the Queen's Birthday Honours List, published earlier in the month.

This year's list included those who had contributed and continue to contribute to the huge voluntary effort in response to COVID-19.

4 Leader's Report

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

The past six months had been incredibly challenging and the Leader extended his thoughts to all those who had been directly affected by coronavirus. The Leader thanked staff across the council for their ongoing hard work and commitment during the pandemic, keeping services operating and providing vital support to residents. Many staff members had taken on different roles or re-trained in order to help out, with a large number supporting the County Durham Together community hub.

Council teams had also been working hard to support the business community, with more than £104 million being paid to more than 9,500 businesses across County Durham through the government's Business Support Grants and the Local Discretionary Grants.

The Leader also acknowledged the considerable efforts of communities over the past few months in helping each other and in particular the most vulnerable residents. Community and voluntary groups had played a huge part in the combined response to the pandemic and the Leader expressed his enormous gratitude.

County Durham was currently in Tier 2 of the Government's system of coronavirus restrictions, along with the Tees Valley and the other members of the LA7. The fact that County Durham had been able to remain in Tier 2 was very much down to the efforts of residents, businesses and communities in following the rules and guidance. These combined efforts had helped the number of coronavirus cases to stabilise, but the County remained at a very critical point and it was essential that everyone continued to 'do their bit' in order to avoid the introduction of harsher restrictions.

The Council continued to engage with government about the need for crucial economic support as well as localised control of Test and Trace and was committed to ongoing, constructive dialogue.

The Council had joined with councils across the North East to write to the Government to call for a financial settlement that allowed a continued response to the coronavirus pandemic while also ensuring the maintenance of key services that residents relied on. The letter which the Leader sent as Chair of the Association of North East Councils sought assurance that resources would be made available in the Local Government Financial Settlement, as local authorities considered their budgets for 2021/22.

The Leader reported that he would continue to circulate a weekly update each Friday, bringing Members as well as stakeholders across County Durham up to date with the latest position on coronavirus.

The council's chief executive Terry Collins had announced his planned retirement towards the end of the year after a successful 43-year career in local government. During his five years as chief executive, Terry had expanded the council's culture-led regeneration programme and in turn increased its national reputation as a great place to invest and visit, boosting the county's economy, including welcoming the millionth visitor to Lumiere in November 2019, on its 10th anniversary. He was also leading the council through its response to the Covid-19 pandemic. The all-party Chief Officer Appointments Committee agreed to appoint an interim chief executive from among the current Corporate Management Team and would meet to do this at the end of the week.

Last night had seen the first of the Council's AAP Autumn Events – Better for Everyone - at which people were able to have their say on the future of their area, with Derwent Valley hosting the first event albeit this was held virtually. Over the next few weeks there would be a meeting for each of the 14 Area Action Partnerships at which people would be asked for their views and suggestions, particularly on the Council's £20 million plans to make towns and villages around the county more vibrant.

The events also included an update on the coronavirus pandemic from Amanda Healy, Director of Public Health, and details of how residents could play their part in reducing the spread of the coronavirus by becoming community champions.

The ongoing and outstanding community response to Coronavirus would also be recognised at each session, which aimed to provide an opportunity to give thanks to the many groups and individuals who had played such a tremendous role in their community response over the past six months.

As part of the Council's £31million investment in frontline services over the next two years, 11 new neighbourhood wardens had been employed across the County to help keep enviro-crimes like fly-tipping and anti-social behaviour under control. This was part of a commitment to enhance the

services that residents valued and which were important in maintaining communities as clean and green places to live, in which people felt safe and protected.

Attracting investment to create and safeguard jobs was a key priority. In August, the Council welcomed news that Morrisons was opening a new store at Dalton Park, creating 150 jobs. The Council had worked closely with both Dalton Park and Morrisons to ensure they were able to meet the timescales for the store.

Following the opening of a new railway station at Horden in the summer, plans had also been approved to replace Durham Bus Station with a modern and spacious new building, with work set to start soon. This investment would improve transport links, regenerate North Road in Durham and increase footfall in the city centre.

The Council had been awarded £750,000 to fund projects that would have an immediate impact in Bishop Auckland and help build a stronger and more resilient economy. The grant was part of an advanced allocation from the government's Towns Fund, to help maximise opportunities for local people and businesses by spending on projects that would immediately make a difference to the area.

In September, the Council announced that regeneration plans for the former Festival Walk shopping centre at Spennymoor would commence in October. The Council had put £600,000 towards the redevelopment of the site which would include a new car park, a new ALDI store and additional retail space.

Work had also begun to enhance Seaham's rich heritage through the £2.25million Seaham Townscape Heritage Project. The Council had a £1.6 million grant from The National Lottery Heritage Fund towards the works which would breathe fresh life into Seaham's historic town centre and focus on the regeneration of targeted properties in the Church Street area.

Plans had been approved for a new history centre to showcase County Durham's rich heritage, paving the way for Mount Oswald Manor House near Durham City to be redeveloped into a vibrant and interactive local history hub. It had recently been announced that the Council was to receive almost £1.5 million from the European Regional Development Fund to include a number of environmentally friendly measures during the restoration of the grade II listed building. The grant would allow the installation of photovoltaic panels, a smart heating and cooling system and a ground source heat pump that could meet almost 90 per cent of the building's heating demand and 60 per cent of its cooling demand.

The £5.5 million infrastructure works at junction 61 of the A1(M) at Bowburn had been completed to significantly improve access to the Integra 61 development, which was primed for a key role in the County's economic recovery from the pandemic.

The Council had improved walking and cycling infrastructure in and around Durham city following almost £400,000 of funding from the government's Emergency Active Travel Fund. Improvement was also being made to improve a popular national cycle route thanks to a grant of almost £1 million from the Department for Transport to improve a 23 mile stretch of the National Cycle Route 1 at South Hetton and between Cold Hesledon and Dawdon.

As well as launching a recruitment campaign to help speed up the training and recruitment process for care providers at this critical time, County Durham Care Academy had secured a £44,000 grant from the Workforce Development Fund to help care providers upskill their staff.

In August, the Council commissioned Hartlepool and East Durham MIND to deliver a free training hub to help raise the standard of mental health support for employees across County Durham and raise awareness of mental health issues in the workplace.

Schools and pupils had faced unprecedented challenges this year and the Leader reiterated the praise given following A-level and GCSE results in the summer. Despite the difficulties presented by the pandemic, A levels remained in line with last year and GCSEs saw improvements in key areas, including Maths and English.

The Leader had asked chief officers to look into all possible options for appeal of a National Valuation Office Agency decision that council tax not be backdated on buildings converted into homes near Durham. As soon as the Council was aware of a potential breach in regulations, council officers investigated the matter. However, while there had been historical breaches of planning and building control regulation, which dated back to the time of the former Durham City Council, the current council was unable to take enforcement action due to the amount of time that had elapsed.

The Leader had asked that all options to appeal this decision be considered. Furthermore, it was imperative that the Valuation Office Agency be made accountable for its decision in Parliament so that public confidence in the council tax was maintained.

The Council's preparations for winter were well underway, with teams fully up and running. The 76-strong fleet of gritters and snowblowers was ready and waiting on standby and the Council had 42,000 tonnes of salt ready to tackle

the ice and snow. More than 2,300 salt bins were located across the county to assist residents and businesses and would be restocked as needed.

An annual festival celebrating the unique history of Bishop Auckland, would return bigger and better this year by holding its festival in partnership with a neighbouring area. Bishop Auckland Heritage Action Zone (HAZ) had teamed up with the Stockton and Darlington Railway HAZ to bring the History and Heritage Festival 2020. The Festival would run from Friday, 23 October to Sunday, 1 November and celebrate the wider history of the North East with a programme of around 50 events that would bring to life the rich heritage of Bishop Auckland and the birthplace of the railway.

In concluding his update, the Leader reported that the Council was finalising plans for Remembrance Day on Sunday 8 November. As a result of the pandemic, this year's events would be different from usual, but the Council would still be taking time to mark the occasion in a number of ways. This included a series of outdoor experiences and digital events to provide everyone with the opportunity to pay their respects safely.

5 Questions from the Public

There were no questions from the public.

6 Petitions

There were no petitions for consideration.

7 Report from the Cabinet

The Leader of the Council provided the Council with an update of business discussed by Cabinet at meetings held on 18 March, 5 June, 8 July and 16 September 2020 (for copy see file of Minutes).

8 Decisions taken under Urgency Powers

The Council noted a joint report of the Corporate Director of Resources and Corporate Director of Neighbourhoods and Climate Change which informed the Council of non-executive decisions taken under urgency powers during the Covid-19 Pandemic (for copy see file of Minutes).

9 County Durham Plan Adoption

The Council considered a report of the Director of Regeneration, Economy and Growth which sought approval to the adoption of the County Durham Plan, including Policies Map, following its Independent Examination by a

planning inspector appointed by the Secretary of State (for copy see file of Minutes).

In **moving** adoption of the County Durham Plan, Councillor C Marshall, Cabinet Portfolio Holder for Economic Regeneration thanked all staff involved in the production of the Plan. The County Durham Plan was a plan for all of County Durham which sought to ensure that every resident had the best opportunities in terms of employment and housing and built on the Council's record of attracting investment. The strategy of the Plan had remained unaltered and had been accepted as being robust for the future of the County. The Plan delivered housing where it was needed, helped address the cause of climate change, identified infrastructure to support new development and protected landscapes and natural and historic environments. Work on the Plan had involved extensive consultation with residents, businesses and stakeholders from across the County and beyond.

In **seconding** adoption of the County Durham Plan Councillor K Shaw, Cabinet Portfolio Holder for Strategic Housing and Assets informed Council that the County Durham Plan demonstrated the benefits of having a clear strategy which could deliver positive outcomes for communities. The Plan presented a great opportunity to ensure the right type and mix of housing was delivered to meet current and future needs and was a key document to ensure a positive future for County Durham.

Councillors R Bell, C Martin, M Wilkes, A Hopgood, P Sexton, O Temple and J Shuttleworth all expressed concern that the Plan was too Durham City-centric and did not have an emphasis on development of the whole of County Durham and were unable to support adoption of the Plan. Councillor A Shield shared the concerns that the Plan was too focussed on Durham City.

Councillors Tinsley, Patterson and Clare all spoke in support of adoption of the Plan.

Upon a vote being taken it was

Resolved:

That:

- (a) the County Durham Plan 2016-2035, presented in Appendix 3, incorporating the Main Modifications as set out in the Inspector's Final Report and other Additional Modifications, presented in Appendix 4 be adopted. In doing so, this would replace the saved policies from the former district local plans and a number of policies from the existing Minerals and Waste Local Plans;

- (b) the updated Policies Map, presented in Appendix 5 incorporating the Main Modifications as set out in the Inspector's Final Report be approved;
- (c) the Corporate Director of Regeneration, Economy and Growth in consultation with the Portfolio Holder for Economic Regeneration be authorised to make any necessary minor textual, presentational or layout amendments to the County Durham Plan 2016-2035 (Appendix 3);
- (d) the content of the Adoption Statement attached at Appendix 6 prepared in accordance with Regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) Post Adoption Statement (PAS), attached at Appendix 7, prepared in accordance with Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations 2004 be noted.

10 Council Plan 2020-2023

The Council considered a report of the Corporate Director of Resources which sought approval of the Council Plan 2020-23 (for copy see file of Minutes)

In **moving** the report Councillor Henig, Leader of the Council informed Council that the Council Plan was an important document for the years 2020 to 2023. As with the County Durham Vision the Plan was structured around three ambitions of more and better jobs, people live long and independent lives and communities well connected and supportive of each other, with a fourth ambition of an excellent Council.

In **seconding** the report Councillor A Napier, Cabinet Portfolio Holder for Finance informed Council that it was important to have a Plan which reflected the Council's wider partnership vision and focussed on what the Council would do over the coming years to improve the lives of people in County Durham.

Resolved:

That the Council Plan 2020-2023, as the Council's Councils key strategic document which sets out its vision and priorities for improvement, subject to any minor final amends by the Corporate Director of Resources in consultation with the relevant portfolio holder(s) be approved.

11 Treasury Management Outturn 2019/20

The Council noted a report of the Corporate Director of Resources which provided information on the treasury management outturn position for 2019/20 (for copy see file of Minutes).

Councillor M Wilkes referred to the loan from Phoenix Life detailed at paragraph 3 of the report which was at a higher interest rate than the Public Works Loan Board rate and sought clarity around this. The Corporate Director of Resources replied that the decision regarding the pre-agreed borrowing was taken at a previous point in time and took into account the interest rates at that time and guidance from treasury management advisors about the future direction of interest rates.

12 Motions on Notice

In accordance with a Motion on Notice it was:

Moved by Councillor M Wilkes, **Seconded** by Councillor G Huntington that:

This Council recognises the hard work and efforts of town and parish councils across County Durham, and also recognises the disparities between services in parished and unparished areas and between parished areas. Recognising these disparities and the concerns across the County over Double Taxation this council agrees to bring forward a report with a view to identifying how much rebate could be returned to town and parish councils across County Durham. This will include considering all services offered by the Council in unparished areas as well as looking at services offered by town and parish councils.

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

Moved by Councillor A Patterson, **Seconded** by Councillor R Crute that:

This Council:

- *Write to the Secretary of State and ask him to honour his pledge to reimburse Councils in full for financial losses as a result of the Covid-19 pandemic;*
- *Join UNISON to campaign for a decent and fair settlement for local government in the forthcoming Spending Review;*
- *Sign up to the UNISON campaign Back the #10BillionBailout for local services (<https://action.unison.org.uk/page/63837/petition/1?locale=en-GB>); and*
- *Thank all of Durham County Council Staff for their heroic efforts in recent months.*

Councillor R Bell **Moved** an amendment, **Seconded** by Councillor T Henderson as follows:

This Council:

- *Write to the Secretary of State and ask him to honour his pledge to reimburse Councils in full for financial losses as a result of the Covid-19 pandemic;*
- ~~*Join UNISON to campaign for a decent and fair settlement for local government in the forthcoming Spending Review;*~~
- ~~*Sign up to the UNISON campaign Back the #10BillionBailout for local services (<https://action.unison.org.uk/page/63837/petition/1?locale=en-GB>); and*~~
- *Thank all of Durham County Council Staff for their heroic efforts in recent months*

Upon a vote being taken the Amendment was **Lost**.

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

13 Questions from Members

In accordance with Council Procedure Rules, the following question was asked by Councillor L Brown.

In April this year, Durham County Council sent contract addendums to all care homes in County Durham.

The addendum was not seen by cabinet members or any other councillor before it was sent. The addendum forced care homes to either accept Covid or potentially Covid-positive patients from hospitals or not get the financial assistance being provided from government by the council.

This was, as confirmed in parliament, categorically not government policy.

County Durham has the highest death rate from care homes in the entire country. In addition, concerns are continually being raised about the refusal in County Durham by the powers that be to test professionals entering and travelling between care homes.

The public in County Durham must have answers to what happened and what is happening in our care homes - most importantly to make sure we do not see further unnecessary deaths.

Requests to scrutiny for a review have been ignored.

I therefore ask Cabinet: Please will you immediately commission a full, open and transparent review of what has and is happening in our care homes, involving all stakeholders, and including what the impact of the horrendous contract addendum was.

Councillor L Hovvels, Cabinet Portfolio Holder for Adult and Health Services thanked Councillor Brown for her question.

Before responding Councillor Hovvels expressed her sincere condolences to all those who had sadly lost loved ones as a result of the pandemic and placed on record her thanks to all staff working within social care and the NHS during this difficult and unprecedented period.

In March, the Government instructed local authorities including Durham County Council to support with the discharge of patients from hospital to make way for an anticipated surge in the number of admissions due to Covid-19.

Later that month, the Council wrote to care home providers asking for their support in accepting hospital discharges where they had capacity to do so. The Council's approach was based on both government guidance and national advice shared with it by the Local Government Association, but was later revised following the publication of the Government's Adult Social Care Action Plan on April 15.

Supporting care providers had been a key priority for the council.

The support the Council had provided working closely with colleagues in the NHS and other partners had included;

- Extensive financial support totalling over £30m which had been provided to cover additional costs, assist with cashflow and sustainability of services.
- Support with sourcing and provision of PPE, providing in excess of 1.3m pieces of PPE to care providers.
- Support with testing.
- Specialist advice and training on infection control.
- Support with additional staffing support. Through the County Durham Care Academy, the Council had recruited over 40 staff into posts with a further 90 being trained ready for employment.
- Council staff had been in often daily contact with providers to offer support and guidance.
- The Council had also been able to offer psychological support for care workers.

Sadly, between March and June this year, County Durham experienced around 66 deaths for every 1,000 care home beds. While it is unfortunately of little comfort, it was important to note that this rate was in line with many other local authorities across the country and was far from being the worst in the UK. It was also important to note that the County Durham had one of the

largest numbers of care homes in the country, with over 5,000 beds in the county.

All our resources were, understandably, currently focused on managing the evolving situation in County Durham regarding the current, ongoing outbreak of coronavirus. It would not be right, therefore, to divert any of these essential resources away from the matter in hand in order to carry out an investigation at this time.

Councillor L Brown expressed concern that history may repeat itself and asked again that Cabinet commission a full, open and transparent review of what has and is happening in care homes.

Councillor Hovvels reiterated that it would not be right to divert any essential resources away from the matter in hand in order to carry out an investigation at this time.