

DURHAM COUNTY COUNCIL

At an **Ordinary Meeting** of the County Council held **remotely via Microsoft Teams** on **Wednesday 20 January 2021** at **10.00 a.m.**

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, D Brown, J Brown, L Brown, J Chaplow, J Charlton, J Clare, J Clark, M Clarke, B Coult, P Crathorne, R Crute, M Davinson, S Dunn, S Durham, D Freeman, A Gardner, J Grant, O Gunn, D Hall, C Hampson, T Henderson, S Henig, D Hicks, J Higgins, A Hopgood, K Hopper, L Hovvels, E Huntington, S Iveson, I Jewell, O Johnson (Vice-Chair), P Jopling, 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, S Robinson, J Rowlandson, A Savory, E Scott, P Sexton, K Shaw, A Shield, J Shuttleworth, M Simmons, A Simpson, H Smith, T Smith, W Stelling, 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 H Bennett, G Bleasdale, P Brookes, C Carr, J Carr, I Cochrane, J Considine, I Geldard, N Grayson, K Hawley, P Howell, S Hugill, G Huntington, C Kay and P Oliver

1 Minutes

The minutes of the meetings held on 2 and 16 December 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

The Chair informed Council that the meeting had a lengthy agenda and sought agreement from to waive standing orders to allow for the extension of the meeting should it go beyond 2 and a half hours, and if time allowed for motions goes beyond 30 minutes. **Seconded** by Councillor O Johnson.

Resolved:

That standing orders be waived to allow for the extension of the meeting should it go beyond 2 and a half hours, and if time allowed for motions goes beyond 30 minutes.

The Chair congratulated everyone from County Durham who were acknowledged in the Queens New Year Honours.

The Chair thanked staff who had continued to work incredibly hard during the pandemic. While the festive period had provided a short respite for some, many staff had worked during this time. The Chair expressed her gratitude and thanks to all Council staff for all they had done over the past year and was sure that all Members would agree that the Council place on record its thanks.

4 Leader's Report

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

- The Leader wished everyone a happy new year. While it had not been the start to 2021 that many would have liked and it may be some time before life returned to anything near normal, the vaccination programme was now well underway and a wide range of positive work was taking place across the County.
- County Durham and other parts of the north-east had seen increased restrictions introduced following the emergence of a more infectious strain of coronavirus. This resulted in moving from Tier 3 to Tier 4 and then into a national lockdown across England to reduce the infection rate. In December 2020, along with the other LA7 Councils, Durham launched a campaign to thank people for following the rules for so long and to urge everyone to keep going. It followed research commissioned by all 7 Councils that found more than half of north-east residents wanted to comply with social distancing measures but some found this hard and many felt frustrated. Durham was working to support people during this challenging time but it was important to thank everyone for all the efforts they were making.
- At the end of November, the Council launched its Covid Community Champions Scheme which built upon the efforts of the Council and the voluntary and community sector to ensure residents were kept up to date with the latest coronavirus information and guidance. Volunteers

were provided with support and training to become trusted voices within their community. The Leader thanked everybody who had volunteered so far to become a Covid Community Champion.

- The Council's virtual community hub, County Durham Together, continued to support residents who were clinically extremely vulnerable or socially vulnerable, those who were self-isolating and those who needed support to access food and potential supplies. It had also helped those who were isolated or lonely and those who had any concerns linked to coronavirus. The Council had written to all residents identified as clinically extremely vulnerable to make them aware of the help and support that was available.
- Cabinet had agreed to invest a further £5m in helping businesses impacted by the pandemic. The Durham Business Recovery Grant Scheme would provide up to £40,000 in financial assistance to companies across the County to help implement recovery plans to tackle the effects of the pandemic. It would support more than 880 businesses and would have the potential to safeguard 1760 jobs.
- The Council had begun to offer coronavirus vaccinations to front line social care workers through a vaccination hub in the Durham Room at County Hall. The site would also be providing vaccinations for NHS workers and care home staff to help stop the spread of the virus and reduce the pressure on the NHS. Sadly there were some who sought to gain from the current circumstances, with fraudsters using the pandemic to exploit people, businesses and public and private organisations using sophisticated methods to callously scam people out of money. The Leader was pleased to report that the Council's Corporate Fraud team had helped to prevent 58 attempted frauds since the start of the pandemic with a value of around £³/₄m.
- Following the appointment of John Hewitt as Interim Chief Executive, Paul Darby had been appointed as Interim Corporate Director of Resources.
- Although getting together for events and festivals was currently difficult, the Council remained committed to promoting culture in the County. Ahead of the much-anticipated return of Lumiere to Durham later in the year the producers had launched a nationwide commissioning scheme which sought six new works for the event. The Brilliant Scheme was a fantastic opportunity for people to have their work featured at the festival and would help to strengthen Durham's reputation as a place of culture and creativity.
- Last month the Council was able to support local traders who would have appeared at the popular food and drink festivals in the region through the virtual Durham Festival of Food and Drink. The event included demonstrations from a number of celebrity chefs as well as allowing local businesses to connect with customers both new and old.
- The Council had planted 100 cherry trees at Riverside Park in Chester le Street marking 150 years of friendship between Japan and the UK.

As part of the Secure a Cherry Tree project the Council had worked with sponsors NSK to ensure County Durham was included in the national scheme to plant more than 5,000 trees throughout the UK.

- Social care was currently a key priority and staff across the County were working hard to support the most vulnerable residents. In recognition of some of the fantastic work taking place at the end of last year the Health Call Digital Care Home programme achieved success in the national HSJ 2020 Patient Safety Virtual Awards 2020. This was a pioneering piece of digital technology created to allow care providers in County Durham and Darlington to record and share important health check data quickly and easily.
- Aycliffe Secure Centre had received a very positive report following a recent Ofsted inspection demonstrating that it continued to provide outstanding care. The findings from November's visit praised staff for building supportive relationships with young people and for being nurturing in their care of young people with complex need.
- The Leader extended congratulations to staff and pupils at Sedgefield Community College which was named the Sunday Times North East Secondary School of the Decade by Parent Power. The newspaper's schools guide 2021 identified the 2,000 highest achieving schools in the UK ranked by their most recently published examination results.
- A further £10m in funding had been provided to help support young people into education, employment and training across County Durham. The Durham County Council led partnership programme DurhamWorks had been awarded the funding from the European Social Fund to extend its support to young people who were not in education, employment or training or who were at risk of becoming so.
- In December The Council was praised for having one of the top climate response plans in the country for tackling food emissions. A study from the organisation Sustain found that Durham County Council was one of only 13 local authorities in the UK that had outline proposals in its plan to tackle food emissions at an adequate scale. More recently the Council's Low Carbon Team was named as having the best Climate Action Initiative at this year's Association for Public Service Excellence Awards which recognised the very best in local government frontline services across the UK.
- The award-winning Climate Action Emergency Response Plan involved schemes such as the on street residential charge point scheme where the Council aimed to build around 100 electric vehicle charge points across the County in the next 15 months. This would enable more residents to make the switch to electric vehicles which would help reduce air pollution and CO₂ emissions as well as allowing people to save money on fuel costs. Even in this time of Covid it was important the Council maintained its work on long term challenges such as tackling climate change

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 on 16 December 2020 (for copy see file of Minutes).

8 Members Parental Leave Policy

The Council considered a report of the Interim Corporate Director of Resources regarding the adoption of a Parental Leave Policy for Members, which would provide Members with an entitlement to maternity, paternity, shared parental and adoption leave (for copy see file of Minutes).

Moved by Councillor A Patterson, **Seconded** by Councillor F Tinsley and

Resolved:

That the adoption of the Policy attached at Appendix 2 of the report and implementation of a Parental Leave Policy for Members which covered maternity, paternity, adoption, shared parental leave be approved.

9 Members Allowance Scheme 2021-22

The Council considered a report of the Interim Corporate Director of Resources regarding the outcome of the review of the Members Allowances Scheme by the Independent Remuneration Panel and sought agreement to a scheme of allowances for 2021/22 taking into account the view of the Panel (for copy see file of Minutes).

The Interim Corporate Director of Resources informed Council that the Independent Remuneration Panel had recommended an increase in Members Basic Allowance of 0.7% for 2021/22 in line with the Consumer Price Index. The recommendation had been considered by the Constitution Working Group on 8 January 2021 which was minded not to support the increase, while noting it was for Council to determine.

The Leader of the Council proposed that, notwithstanding the recommendation of the Independent Remuneration Panel, no change be made to the Members' Allowances Scheme for 2021/22. The Leader added that he considered decisions on Members allowances should not be made by

Members at full Council, however this change would require a national change. The Constitution Working Group had agreed to make representations to Government on this and the Leader proposed that this also be part of Councils recommendations. **Seconded** by Councillor A Napier.

Councillors R Bell, A Hopgood and J Shuttleworth all supported the recommendations made by the Leader of the Council not to recommend an increase and to make representations to the Government for the setting of Members allowances.

Resolved:

- i) That the Members' Allowances Scheme remain unchanged for 2021/22
- ii) That representations be made to government regarding the setting of Members' Allowances.

10 Independent Persons

The Council considered a report of the Interim Corporate Director of Resources regarding the recruitment of the Independent Persons to take place prior to the expiry of the term of office of the existing Independent Persons on 21 September 2021 and a revision to the duration of the term of office of the Independent Persons for future appointments (for copy see file of Minutes)

Moved by Councillor Kellett, **Seconded** by Councillor Atkinson

Resolved:

That:

- i) A recruitment exercise be undertaken for the appointment of two Independent Persons and that this be conducted by the Head of Legal and Democratic Services (Monitoring Officer), the Deputy Monitoring Officer and the Chair of the Standards Committee;
- ii) The term of office and re-appointment of Independent Persons be brought in line with the recommendations of the Committee for Standards in Public Life to a two-year term of office which is limited to one re-appointment only;
- iii) A further report be received in July 2021 following recruitment to appoint two new Independent Persons.

11 Annual Report of the Standards Committee 2019/2020

The Council noted a report of the Head of Legal and Democratic Services which presented the Annual Report of the Standards Committee for 2019/20

and set out the future direction the Committee intended to take during 2020/21 (for copy see file of Minutes).

Councillor Kellett, Chair of the Standards Committee informed the Council that the Standards Committee had continued to promote the principles and values of good governance within the Council and across the County. The Members of the Standards Committee were committed and dedicated to ensuring that high standards of conduct were maintained by all local elected Members.

Councillor Kellett thanked the Monitoring Officer, staff and Independent Persons for their support during the year.

12 Report of the Audit Committee - September 2019 to August 2020

The Council noted a report of the Chair of the Audit Committee which informed the Council of the work of the Audit Committee during the period September 2019 to August 2020 and how the Committee continued to provide good governance across the Council (for copy see file of Minutes).

Councillor E Bell, Chair of the Audit Committee provided an update on the work of the Committee during the period outlined in the report. Through careful consideration and challenge of a wide range of officer reports the Committee had fulfilled its role in gaining assurances as to the adequacy and effectiveness of the Council's governance arrangements including the effectiveness of the Risk Management framework and associated control environment.

In relation to financial reporting of the Council's Statement of Accounts the Committee had ensured that any issues arising from the process of compiling, auditing, and certifying the accounts were dealt with properly. This had been achieved during extremely challenging circumstances following the onset and continuous impact of the Coronavirus pandemic.

Three key areas were drawn to the Council's attention:

- The role and work of Internal Audit. The Audit Committee continued to promote and champion the work of Internal Audit across the organisation. As such the Committee agreed the Internal Audit Strategy and Charter and the Internal Audit Plan proposed by the Chief Internal Auditor and Corporate Fraud Manager. The Committee had challenged and supported the work which was proposed and agreed the work programme for the year. The work completed by Internal Audit continued to provide assurance to the Committee that the Council's control environment, governance arrangements and management of its risks was sound. Internal Audit continued to update

the Committee on a quarterly basis and the Committee provided appropriate challenge.

- The outcome of the Council's External Audit of the Statement of Accounts. In June the Committee received a report from the Corporate Director of Resources which presented a draft unaudited Statement of Accounts of the Council for the year ending 31 March 2020. The draft accounts were certified and provided to External Audit within the statutory deadline which, due to the impact of COVID on local authorities, was extended from 31 May to 31 August. The deadline for publication of the final audited accounts was also moved from 31 July to 30 November. The accounts were approved by the Committee at its September meeting, which was a substantial achievement.
- The continuing good work of the Council's Corporate Fraud Team. The Interim Chief Internal Auditor and Corporate Fraud Manager continued to update the Committee on the excellent work being completed in terms of proactive counter-fraud work. The report demonstrated the work which had been completed in order to deter fraud from occurring at the outset. To give some context the Corporate Fraud Team in 2019/20 completed 721 investigations over a wide range of areas including Blue Badge abuse, Council Tax claims, bogus insurance claims and housing tenancy. Over the year the Team had recovered £3.5m of public money from fraud. As a result, the team had an excellent local and national profile for their work and had developed strong, partnerships with other public sector organisations which had continued to enhance the reputation of the Council.

In closing, the Chair congratulated the team for their work and highlighted that the effectiveness of the Audit Committee was excellent.

13 Motions on Notice

Moved by Councillor O Temple, **Seconded** by A Hopgood

Durham County Council recognises the importance of transparency in the way it conducts its business, and enshrines it in its constitution by asserting that 'The Council is committed to open, fair and transparent decision making.'

Through its constitution the council further seeks to establish how it operates, how decisions are made and the rules and procedures which are followed to ensure that these are efficient, transparent and accountable to local people.

It also requires that all members commit to being as open as possible about all the decisions and actions they take, and give reasons for decisions and

restrict information only when the wider public interest or the law clearly demands it.

It is a matter of regret to this council, therefore, that it has no protocol or procedure to ensure that those matters which are properly and legally considered in Part B of any council meeting, with Press and Public excluded under Schedule 12A of the Local Government Act 1972, are made transparent and accountable to local people once the need for them to remain confidential has expired.

Council therefore requests:

1. That the council's Constitution Working Group devise a protocol which ensures that papers which have been considered in Part B of any council meeting are reviewed on a regular and systematic basis to determine whether the reasons for which they were exempted from public view remain valid.
2. That where such papers are found no longer to have valid reason for exemption, the protocol devised sets out a clear route to their publication on the council's website to ensure that the decisions made, and the reasons for them, are transparent and accountable to local people.

An Amendment was **Moved** by Councillor Henig, **Seconded** by A Napier

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Council therefore requests:

1. That the council's Constitutional Working Group receives a report from the Head of Legal and Democratic Services summarising the reasons ~~devise a protocol for which ensures that papers which have been considered in Part B of any council meeting are reviewed on a regular and systematic basis to determine whether the reasons for which they were exempted from public view remain valid.~~
2. ~~That where such papers are found no longer to have valid reason for exemption, the protocol devised sets out a clear route to their publication on the council's website to ensure that the decisions made, and the reasons for them, are transparent and accountable to local people.~~

Upon a vote being taken the Amendment was **carried** and therefore became the Substantive Motion.

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

Moved by Councillor C Marshall, **Seconded** by Councillor K Shaw

Under government forecasts 2018 figures showed that the North East could be impacted by a loss of productivity of 11% in a deal scenario and 16% in a no deal scenario. This is against a UK forecast of 5% in a deal scenario and 8% in a no deal scenario. For County Durham this equates to at least £900m GVA and 18,000 jobs lost to the economy, this does not include the further impact of Covid-19.

The Council are developing and delivering a number of local schemes and programmes to support the economy and deliver jobs. Over the last 7 years this has included where County Durham have led on the delivery of £155m ring fenced European funding, which has driven the creation of over 3,000 jobs, supporting over 1,000 enterprises, the reduction of 5548 tonnes of green house reduction and supporting 43,000 people with employability. County Durham have also successfully applied for wider funds to support rural economies.

Had the UK remained part of the EU Regional Funding regime after 2020, it was expected that County Durham and the Tess Valley would have a renewed status as 'less developed region' where the funding ring fenced to County Durham is forecast to have doubled to £270m in today prices.

Therefore, this Council formally calls on Government as follows:

1. That the UK Prosperity Fund, which is due to replace the EU Regional Funding should ensure for County Durham that the allocation of funds be based on need fair share and ensure the county is in a 'no worse' financial position that it otherwise would have been from 2020 onwards of £270m. This to be ring fenced directly from Shared Prosperity Fund and that this be in addition to any competitive bids the county otherwise submits into national or devolved programmes as would have been the case previously.
2. Governance should be local responsibility. Under UK prosperity fund the same or more local autonomy is given to County Durham to ensure local decision making and control of investment.

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

14 Questions from Members

In accordance with Council Procedure Rules, the following question was asked by Councillor M Wilkes.

There are over 6000 empty homes in County Durham. At the full council budget meeting in February 2018 we agreed to fund three additional staff for the empty homes department for THREE years. My proposal was the only opposition budget motion to ever get passed by this authority.

Posts were advertised and three employees appointed who started in June 2018.

One left in December 2018 and it took until April 2019 to appoint someone new.

Then in December 2019 the manager left and their post was deleted.

And in April 2020 the two people who were appointed in June 2018 finished because they were not given three year contracts they were only given 2 year contracts.

So over three years, instead of having three new employees the council had two employees, working for less than 2 years and another position for significantly less than that.

And the Council got rid of the managers position.

One can only imagine how much More would have been achieved if what we voted on had actually been put in place and the department not slashed.

So can the portfolio holder please explain to us all why when we all voted for three posts for three years, the posts were only for 2 years and why the managers position was scrapped, further depleting the department, and most importantly did he know about any of this?"

Councillor K Shaw, Cabinet Portfolio Holder for Strategic Housing and Assets thanked Councillor Wilkes for his question and provided the following response.

Empty properties have always been a priority for the council and as portfolio holder, I was happy to support your amendment, which then became part of the Substantive Motion, in February 2018 on the basis that we have a need to bring as many empty homes as possible back into use and help us tackle homelessness and meet our housing strategy ambitions.

It is important to consider the outcomes being delivered from whatever investment we make and review our performance to date in considering the best approach to achieve the outcomes we all support.

In the financial year prior to 2018, the empty property team were responsible for bringing 198 properties back into use. In the following year, with all 3 additional members of staff in place, the number brought back into use dropped to 186 (a year on year reduction of 12) before recovering in 2019/20 to 212 (14 more than the pre motion position).

As you will be aware, at the time the motion as agreed in 2018, the intention was to provide additional funding for these posts for three years funded by an expectation of additional New Homes Bonus being generated.

In terms of recruitment, you are right that in June 2018, following the budget amendment, 3 officers were originally contracted for a two-year period and as you state for a 4 month period this number reduced to 2.

I am advised that when a post is classed as temporary, it is Council policy to initially recruit on a two-year basis with the opportunity to extend for further years.

Whilst one of the posts was not filled for four months, this was despite the efforts of the management of the service, with a number of adverts placed to try to recruit to the vacancy. Unfortunately, we were unable to fill the roles due to a lack of experienced or qualified applicants at that time.

The service did, however, make an internal appointment with the view of training the officer, which continues today. This person is still employed by the team providing an important role to support this priority agenda.

In April 2020 when the initial contracts for two of the officers were ending, lockdown was in place and there were few opportunities to take forward the empty property work.

A decision was therefore taken to review the empty property work against the targets and past performance and to look at the potential of work progressing through the pandemic.

The result of this initial review by the service management was that two of the three contracts were not to be extended, with further work to be looked at on how we could better deliver on the outcomes that were agreed by full council

Cabinet will consider in due course if the review will meet the expectations and outcomes on which council previously agreed the additional funding.

Officers were also minded at that time that the budget provision for these posts was due to come to an end at the end of this financial year.

It would be quite wrong of me to pre-empt any decision regarding future funding for these posts outside of the three-year agreed as this is being brought forward next month.

It is clear to me that unless you deal with the problems that creates vacant and long-term void properties, the opportunities of convincing or incentivising an owner to bring it back into use are limited.

Where the council has intervened in a coordinated way, we have seen a dramatic improvement in reducing the numbers of empty properties examples such as in Easington Colliery and Ferryhill Station where selective landlord licencing has been implemented previously; and the introduction of the Local Letting Agency which is buying up or renting empty properties to help our most disadvantaged people.

Councillor Wilkes asked a supplementary question

Could the Portfolio holder please give assurances that the Council will continue to have at least six staff working solely on empty homes and a manager with sufficient time to assist with this

Councillor K Shaw provided the following response:

The Council has, just before Christmas, submitted one of the most comprehensive selective licencing schemes in the country to support the quality and management of the private rented accommodation with over 40% of the private rented sector to be the focus of intensive work, one of the

primary objectives of which was to deal with low demand and if approved by the Secretary of State we will see a significant increase in resource dealing with the problems associated with the private rented sector. We would also be using a multi-agency approach.

We have been successful in bringing over £2m of grant to help residents in fuel poverty which we hope will bring yet more properties back into use and in Horden, funding is now in place to start the regeneration of one of the areas most affected by empty properties.

The measures that have been put in place have reduced management across the service but this has not impacted on either the performance or capacity of the team which has remained consistent.

I would like to take the opportunity, as I know Scrutiny Committee have also done so on a number of occasions, to thank all of the officers involved in our housing service. Particularly the dedication over these challenging times in keeping people in their tenancies, the ground breaking work in preventing evictions and in the support they have provided over 100 rough sleepers to find accommodation as well as ensuring every one of our rough sleepers were housed within 24 hours of the government ask.