

## **DURHAM COUNTY COUNCIL**

At an **Ordinary Meeting** of the County Council held in the **The Main Hall - Spennymoor Leisure Centre** on **Wednesday 26 January 2022** at **10.00 am**

**Present:**

### **Councillor W Stelling (Chair) in the Chair**

Councillors M Abley, E Adam, R Adcock-Forster, V Andrews, J Atkinson, P Atkinson, B Bainbridge (Vice-Chair), A Batey, K Batey, R Bell, G Binney, J Blakey, D Boyes, D Brown, L Brown, J Cairns, J Chaplow, I Cochrane, J Cosslett, B Coult, R Crute, S Deinali, T Duffy, K Earley, J Elmer, L Fenwick, C Fletcher, D Freeman, J Griffiths, O Gunn, C Hampson, D Haney, A Hanson, K Hawley, T Henderson, S Henig, L A Holmes, L Hovvells, D Howarth, J Howey, C Hunt, G Hutchinson, A Jackson, M Johnson, N Jones, P Jopling, C Kay, B Kellett, L Kennedy, C Lines, L Maddison, R Manchester, C Marshall, C Martin, E Mavin, L Mavin, B McAloon, S McDonnell, M McGaun, D McKenna, M McKeon, I McLean, S McMahan, J Miller, P Molloy, D Mulholland, D Nicholls, D Oliver, R Ormerod, E Peeke, R Potts, P Pringle, J Purvis, J Quinn, S Quinn, A Reed, G Richardson, I Roberts, K Robson, K Rooney, J Rowlandson, A Savory, E Scott, P Sexton, K Shaw, J Shuttleworth, M Simmons, A Simpson, T Smith, M Stead, A Sterling, D Stoker, T Stubbs, A Surtees, D Sutton-Lloyd, F Tinsley, S Townsend, C Varty, M Walton, A Watson, M Wilkes, M Wilson, S Wilson, D Wood, R Yorke and S Zair

Apologies for absence were received from Councillors A Bell, C Bell, J Charlton, M Currah, K Fantarrow, D Hall, P Heaviside, J Higgins, C Hood, A Hopgood, J Nicholson, S Robinson, A Shield, P Taylor and E Waldock

Prior to the commencement of the meeting the Chair referred to the sad passing of Councillor Mark Idwal-Roberts earlier in the month. Mark was elected to the Council in May 2021 and represented the West Auckland Electoral Division. In the relatively short space of time following his election Mark's vision, passion and commitment for the community became immediately obvious. He was a thoroughly likeable, respectful gentleman who would be sorely missed by his family, friends and colleagues.

The Chair also announced with great sadness the passing of former Sedgfield Borough Councillor and Great Aycliffe Town Councillor and once Town Mayor Barbara Clare, wife of former County Councillor John Clare. Barbara was deeply passionate about her local community and was involved in many local organisations encompassing mental health and citizens advice.

Barbara's contributions to Aycliffe were significant and she would be very much missed by her family, friends and colleagues.

The Council stood for a moments silence as a mark of respect to Councillor Idwal-Roberts and Barbara Clare.

## **1 Presentation to Honorary Aldermen and Honorary Alderwomen**

The Chair presented Certificates of Office to the following former Councillors made Honorary Aldermen/Alderwomen at the Extraordinary Meeting of the County Council held on 8 December 2021:

Edward Bell  
Derek Hicks  
Eunice Huntington  
Sarah Iveson  
Ossie Johnson  
John Lethbridge  
Owen Temple  
John Turnbull

The Chair thanked the Aldermen/Alderwomen for their services and for representing the Council and their communities.

## **2 To confirm the minutes of the meetings held on 8 December 2021**

The minutes of the meetings held on 8 December 2021 were confirmed by the Council as a correct record and signed by the Chair.

## **3 To receive any declarations of interest from Members**

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

## **4 Chair's Announcements**

The Chair informed Council that many of his recent events had been curtailed due to the ongoing pandemic. However, he had been able to attend the County Durham Together Awards which took place on 9 December 2021. This was a chance to celebrate some of the incredible individuals and outstanding organisations that made Durham an extraordinary county and was enjoyed by the inspirational nominees and award supporters and sponsors.

The Chair extended his congratulations to everyone from County Durham who were recognised in the Queen's New Year Honours which included:

- Darren McMahon, one of the driving forces in establishing PACT House at Stanley who was awarded an MBE for voluntary services to young people in Stanley, and
- Alan Gibson, a retired firefighter from Burnhope who dedicated much of his life to working alongside charities to raise vital funds.

## **5 Leader's Report**

Councillor R Bell, Portfolio Holder for Finance and Deputy Leader of the Council informed Council that Councillor Hopgood, Leader of the Council had tested positive for Covid and there would be no Leader's report to Council.

## **6 Questions from the Public**

A public question had been received from Mr M Anderson regarding retrofit emissions reducing systems for vehicles.

In the absence of the questioner the Deputy Monitoring Officer informed the Council that the questioner would receive a written response to the question and both the question and response would be published on the Council's website following the meeting.

## **7 Petitions**

The Council received a petition from Councillor S Deinali for improvement to bus services to support access to work, health services and education.

The Chair thanked Councillor Deinali for presenting the petition which would be forwarded to the appropriate Service for a response as part of the County Council's Petitions Scheme.

## **8 Report from the Cabinet**

The Council noted a report from the Cabinet which provided information on issues considered at its meeting held on 15 December 2021 (for copy see file of Minutes).

## **9 Review of the Council's Hackney Carriage and Private Hire Licensing Policy - Report of Corporate Director of Neighbourhoods and Climate Change**

The Deputy Monitoring Officer informed Council that this item was being deferred at the request of the relevant Portfolio Holder.

## 10 **Draft Revised Local Code of Corporate Governance - Report of Corporate Director of Resources**

The Council considered a report of the Corporate Director of Resources which provided an updated Local Code of Corporate Governance which was approved by Audit Committee on 29 November 2021 (for copy see file of Minutes).

### **Resolved:**

That the updated Local Code of Corporate Governance be received.

## 11 **Members' Allowances Scheme 2022-2023 - Report of Independent Remuneration Panel**

The Council considered a report of the Corporate Director of Resources regarding the outcome of the review of the Members' Allowances Scheme by the Independent Remuneration Panel and sought to agree a scheme of allowances for 2022/23 taking into account the views of the Panel (for copy see file of Minutes).

The Corporate Director of Resources informed Council that, following a change in the Council's administration and groups, the specific amounts listed at Appendix A of the Members' Allowances Scheme for each group leader were out of date. The section which provided an explanation of how group leaders allowances were calculated remained correct, however the amounts shown for each group leader had not been updated since the election and did not reflect the amount paid. It was proposed that rather than bringing this list up to date now, and amending the Constitution when there were any changes in groups and their membership in the future, that the reference to specific amounts paid to individual group leaders be removed from the Annex. The Members Allowances Scheme at Appendix 2 of the report did not reflect any changes to allowances at this stage.

Councillor R Bell, Deputy Leader and Portfolio Holder for Finance thanked the Independent Remuneration Panel (IRP) for their review of the Members' Allowances Scheme and **moved** the recommendation on amendments to Appendix A of the Scheme in terms of payments to group leaders as outlined at paragraph 5.2 of the report. **Seconded** by Councillor J Shuttleworth, Portfolio Holder for Rural Communities and Highways.

In response to a question from Councillor Marshall, the Corporate Director of Resources informed Council that it was not proposed to remove the amounts paid to group leaders from Appendix A but to remove reference to the group structures which existed.

Upon a vote being taken it was

### **Resolved:**

That amendments to Appendix A of the Scheme in terms of payments to group leaders as outlined at paragraph 5 (ii) of the report be approved.

Councillor R Bell, Deputy Leader and Portfolio Holder for Finance referred to the recommendation of the IRP of a 2% increase in Basic Allowance for 2022/23. The Constitution Working Group had resolved not to make a recommendation to Council on this but to leave the decision to each individual Member. Councillor Bell **moved** that Council take a free vote on whether to accept the IRP recommendation in terms of an increase of 2% in Members Basic Allowances for 2022/23. **Seconded** by Councillor J Shuttleworth, Portfolio Holder for Rural Communities and Highways.

Councillor C Marshall **moved** an amendment that Council did not accept the IRP recommendation of an increase of 2% in Members Basic Allowances for 2022/23. **Seconded** by Councillor R Crute.

A named vote on the Amendment was requested.

### **For the Amendment**

Councillors E Adam, R Adcock-Forster, V Andrews, J Atkinson, P Atkinson, A Batey, K Batey, G Binney, J Blakey, D Boyes, L Brown, J Cairns, J Chaplow, I Cochrane, J Cosslett, B Coult, R Crute, S Deinali, K Duffy, K Earley, J Elmer, L Fenwick, C Fletcher, D Freeman, J Griffiths, O Gunn, C Hampson, D Haney, A Hanson, K Hawley, T Henderson, S Henig, L Holmes, L Hovvels, D Howarth, J Howey, C Hunt, G Hutchinson, A Jackson, M Johnson, N Jones, P Jopling, C Kay, B Kellett, L Kennedy, C Lines, L Maddison, R Manchester, C Marshall, C Martin, E Mavin, L Mavin, B McAloon, S McDonnell, M McGaun, D McKenna, M McKeon, I McLean, S McMahan, J Miller, P Molloy, D Mulholland, D Nicholls, D Oliver, R Ormerod, E Peeke, R Potts, P Pringle, J Purvis, J Quinn, S Quinn, A Reed, G Richardson, I Roberts, K Robson, K Rooney, J Rowlandson, A Savory, E Scott, P Sexton, K Shaw, J Shuttleworth, M Simmons, A Simpson, T Smith, M Stead, W Stelling, A Sterling, D Stoker, T Stubbs, A Surtees, D Sutton-Lloyd, F Tinsley, S Townsend, C Varty, A Watson, M Wilkes, M Wilson, S Wilson, D Wood, R Yorke and S Zair.

### **Abstain**

Councillors M Abley, B Bainbridge, R Bell, D Brown and M Walton.

The Amendment was **carried** and therefore became the Substantive Motion.

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

## **12 Request for Dispensation Under Section 85 (1) of the Local Government Act 1972 - Report of Corporate Director of Resources**

The Council considered a report of the Corporate Director of Resources which sought approval to grant a dispensation to Members who were unable to attend any Council meetings for absences that were Covid related (for copy see file of Minutes).

**Moved** by Councillor R Bell, Deputy Leader and Portfolio Holder for Finance, **Seconded** by Councillor P Sexton, Portfolio Holder for Adult and Health Services and

### **Resolved:**

That an automatic dispensation under section 85(1) of the Local Government Act 1972 be given to all councillors up to and including 31 December 2022 if absences were covid-related.

## **13 Overview and Scrutiny Six Monthly Report - Report of Chair of Corporate Overview and Scrutiny Management Board**

The Council noted a six-monthly update report from Overview and Scrutiny.

Councillor C Martin, Chair of the Corporate Overview and Scrutiny Management Board presented the Overview and Scrutiny update which set out some of the activity undertaken in the past six months.

Councillor Martin informed Council that he was honoured to be appointed Chair of the Corporate Overview and Scrutiny Management Board in May 2021 and with the support of his Vice Chair, Cllr Chris Lines, new scrutiny Members and new Chairs and Vice Chairs of committees had been welcomed in the past six months.

Scrutiny was taking a refreshed approach to its work by encouraging inclusiveness and transparency. It was developing its input into policy development and was working hard to ensure scrutiny was effective.

It continued to implement the scrutiny process in accordance with the four principles of effective scrutiny:

- To provide a constructive critical friend challenge
- To amplify the voices and concerns of the public
- To be led by independent minded people who took responsibility for their role
- To drive improvement in public services

Much of the work of Scrutiny had featured the impact of the COVID-19 pandemic on service delivery and more recently understanding service restoration and recovery.

Councillor Martin provided the following examples of the work covered to date.

The Corporate Overview and Scrutiny Management Board had contributed to Cabinet's review on options for the DLI Museum and Art Gallery building and surrounding grounds. The outcomes of a meeting held had formed part of the evidence for the review by Cabinet. The Board had contributed to the budget process through consideration and scrutiny of the MTFP. In these times of financial challenges, uncertainty for local government funding and increasing budgetary pressures this was a significant and important role for scrutiny.

Children and Young People Overview and Scrutiny Committee, chaired by Councillor Chris Hood with Councillor James Cosslett scrutinised the development of a new SEND Strategy, considered the key findings following the focused Ofsted inspection in 2021 and received an update on Child and Adolescent Mental Health Services.

Economy and Enterprise Overview and Scrutiny Committee, chaired by Councillor Bill Moist with Councillor Andrew Jackson had received a presentation from Visit County Durham looking at the visitor economy.

The Committee had been updated on new masterplans to support potential Levelling Up Fund bids and examined the approach to developing key strategic employment sites in the county.

The Environment and Sustainable Communities Overview and Scrutiny Committee, chaired by Councillor Bev Coult with Councillor Jonathan Elmer had considered the latest Climate Emergency Response Plan and continued to monitor the Single Use Plastics action plan. The Committee had begun work on looking at the evidence base to determine if there was a need to declare an Ecological Emergency in the County, to feed into future decisions Cabinet would make.

The Adults, Wellbeing and Health Overview and Scrutiny Committee, led by Councillor Pat Jopling and Councillor Rochelle Charlton-Lainé had considered proposals to review services provided at Shotley Bridge Community Hospital; examined plans across the health and social care system for both surge and cold weather activity on admissions in 2021 and also reviewed progress against recommendations made by a previous scrutiny review into GP services in County Durham.

The Safer and Stronger Communities Overview and Scrutiny Committee, chaired by Councillor Joyce Charlton with Councillor Brian Avery had considered presentations on arson and deliberate fire setting, received an overview of the Domestic Abuse Act 2021 and had taken part in focused briefing sessions on substance abuse and anti-social behaviour. Councillor Avery was a big loss to the Scrutiny team.

Councillor Martin thanked officers that supported the work of Scrutiny, the chairs and vice chairs who lead the work programs they formulated and all Members who had taken part in the Committees.

## 14 Motions on Notice

**Moved** by Councillor R Crute, **Seconded** by Councillor J Shuttleworth, Cabinet Portfolio Holder for Rural Affairs and Highways:

*During 2022 a number of factors combined will present a significant additional financial burden to the people of County Durham.*

*This council recognises that the people of County Durham are heading towards a 'cost of living' crisis and calls on the government to take immediately any measures necessary to mitigate the impact.*

Councillor P Sexton, Portfolio Holder for Adult and Health Services **Moved** a Procedural Motion that the Motion be put to the vote. **Seconded** by Councillor P Jopling.

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

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

**Moved** by Councillor O Gunn, **Seconded** by Councillor V Andrews:

This Council asserts that the Government must do much more to prevent widespread disruption in County Durham schools and colleges. Furthermore, children, parents, support staff, teachers and school leaders must be equipped with everything they need to protect face to face education as Omicron virus continues to impact on pupil and staff absence rates.

Only 7,000 air filtration devices have been made available for the 300,000 classrooms in the whole of England. Based on those figures if County Durham schools were to receive a fair share only 6.2 units would be available for our 266 schools.



This Council agrees to write to the Secretary of State for Education to request that, as a matter of urgency:

- a) all classrooms in our schools and colleges are equipped with air filtration devices free of charge; and
- b) higher grade medical masks are made available free of charge to at risk staff and pupils previously identified as clinically vulnerable.

An Amendment was **Moved** by Councillor R Bell, Deputy Leader and Portfolio Holder for Finance, **Seconded** by Councillor T Henderson, Portfolio Holder for Children and Young People's Services:

This Council asserts that the Government must do much more to prevent widespread disruption in County Durham schools and colleges. Furthermore, children, parents, support staff, teachers and school leaders must be equipped with everything they need to protect face to face education as Omicron virus continues to impact on pupil and staff absence rates. *It is noted that:*

- ~~Only 7,000 air filtration devices have been made available for the 300,000 classrooms in the whole of England for classrooms where quick fixes to improve ventilation are not possible, such as not being able to open a window. Based on these figures if County Durham schools were to receive a fair share only 6.2 units would be available for our 266 schools. This builds on the 1,000 air purifiers announced for special schools and alternative provision settings.~~
- *350,000 carbon dioxide monitors rolled out across the country are also acting as a helpful tool to manage ventilation.*

This Council agrees to write to the Secretary of State for Education to request that, as a matter of urgency:

- a) all classrooms in our schools and colleges, *where quick fixes to improve ventilation are not possible*, are equipped with air filtration devices free of charge;
- b) *He works with schools to produce consistent, national guidelines for the wearing of facemasks in schools, and continues to provide higher grade medical masks free of charge to at risk staff and pupils previously identified as clinically vulnerable via the PPE cell online portal; and that*
- c) *He considers whether teachers should be given priority status alongside other key workers in any future vaccine rollouts.*

Councillor Crute Moved a Motion without Notice that Standing Order 10.7 be suspended to extend the time for debating Motions on Notice. **Seconded** by Councillor M Wilkes.

The Council **agreed** the suspension of Standing Order 10.7 which related to the time allowed for the discussion of Motions.

A named vote on the Amendment was requested.

### **For the Amendment**

Councillors M Abley, B Bainbridge, R Bell, J Blakey, D Brown, L Brown, J Cairns, J Cosslett, B Coult, K Duffy, J Elmer, D Freeman, D Haney, T Henderson, L Holmes, J Howey, C Hunt, G Hutchinson, A Jackson, P Jopling, C Lines, C Martin, E Mavin, L Mavin, S McDonnell, McGaun, D Oliver, R Ormerod, E Peeke, R Potts, J Quinn, A Reed, G Richardson, K Rooney, J Rowlandson, A Savory, E Scott, P Sexton, J Shuttleworth, M Simmons, A Simpson, W Stelling, A Sterling, D Stoker, T Stubbs, D Sutton-Lloyd, M Walton and S Zair

### **Against the Amendment**

Councillor E Adam, R Adcock-Forster, V Andrews, J Atkinson, P Atkinson, A Batey, K Batey, G Binney, D Boyes, J Chaplow, I Cochrane, R Crute, S Deinali, K Earley, L Fenwick, C Fletcher, J Griffiths, O Gunn, C Hampson, A Hanson, K Hawley, S Henig, L Hovvels, D Howarth, M Johnson, C Kay, B Kellett, L Kennedy, R Manchester, C Marshall, B McAloon, D McKenna, M McKeon, I McLean, S McMahan, J Miller, P Molloy, D Nicholls, P Pringle, J Purvis, S Quinn, I Roberts, K Shaw, T Smith, A Surtees, F Tinsley, S Townsend, A Watson, M Wilson, S Wilson, D Wood and R Yorke.

### **Abstention**

Councillor L Maddison.

The Amendment was **Lost**.

A further vote was taken on the Substantive Motion.

### **For**

Councillors E Adam, R Adcock-Forster, V Andrews, J Atkinson, P Atkinson, A Batey, K Batey, G Binney, D Boyes, L Brown, J Cairns, J Chaplow, I Cochrane, B Coult, R Crute, S Deinali, K Duffy, K Earley, J Elmer, L Fenwick, C Fletcher, D Freeman, J Griffiths, O Gunn, C Hampson, D Haney, A Hanson, K Hawley, S Henig, L Hovvels, D Howarth, G Hutchinson, M Johnson, C Kay, B Kellett, L Kennedy, C Lines, L Maddison, R Manchester, C Marshall, C Martin, E Mavin, L Mavin, B McAloon, S McDonnell, D McKenna, M McKeon, I McLean, S McMahan, J Miller, P Molloy, D Nicholls, R Ormerod, R Potts, P Pringle, J Purvis, S Quinn, A Reed, I Roberts, K Rooney, A Savory, E Scott, P Sexton, K Shaw, M Simmons, A Simpson, T Smith, W Stelling, D Stoker, A Surtees, F Tinsley, S Townsend, A Watson, M Wilkes, M Wilson, S Wilson, D Wood and R Yorke.

**Against**

Councillors M Abley, R Bell, J Blakey, D Brown, T Henderson, G Richardson, J Shuttleworth and D Sutton-Lloyd

**Abstain**

Councillors B Bainbridge, J Cosslett, L Holmes, J Howey, C Hunt, A Jackson, P Jopling, M McGaun, D Oliver, E Peeke, J Quinn, J Rowlandson, A Sterling, T Stubbs, M Walton and S Zair.

The Substantive Motion was **Carried**.

**15 Questions from Members**

There were no questions from Members.