

DURHAM COUNTY COUNCIL

At an Ordinary Meeting of the County Council held in the Council Chamber, County Hall, Durham on **Wednesday 21 September 2022 at 10.00 am**

Present:

Councillor B Bainbridge (Chair)

Councillors E Adam, R Adcock-Forster, V Andrews, J Atkinson, P Atkinson, A Batey, K Batey, A Bell, C Bell, R Bell, G Binney, J Blakey, D Boyes, D Brown, L Brown, J Chaplow, I Cochrane, J Cosslett, B Coult, R Crute, M Currah, S Deinali, T Duffy, K Earley, J Elmer, L Fenwick, C Fletcher, D Freeman, J Griffiths, O Gunn, D Hall, A Hanson, K Hawley, P Heaviside, T Henderson, S Henig, J Higgins, C Hood, A Hopgood, L Hovvels, D Howarth, J Howey, C Hunt, G Hutchinson, A Jackson, M Johnson, N Jones, P Jopling, C Kay, B Kellett, 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 Nicholls, J Nicholson (Vice-Chair), D Oliver, R Ormerod, E Peeke, R Potts, P Pringle, J Purvis, J Quinn, S Quinn, A Reed, G Richardson, J Rowlandson, A Savory, E Scott, K Shaw, A Shield, J Shuttleworth, M Simmons, A Simpson, T Smith, M Stead, W Stelling, A Sterling, D Stoker, T Stubbs, A Surtees, D Sutton-Lloyd, P Taylor, S Townsend, C Varty, E Waldock, M Walton, A Watson, M Wilkes, M Wilson, S Wilson, D Wood and R Yorke

Apologies for absence were received from Councillors R Charlton-Lainé, J Charlton, C Hampson, D Mulholland, S Robinson, K Robson, K Rooney, F Tinsley and S Zair

1 Presentation to Honorary Alderman Kevin Thompson

The Chair presented the title of Honorary Alderman to Kevin Thompson.

2 Minutes

The minutes of the ordinary and extraordinary meetings held on 20 July 2022 were confirmed by the Council as a correct record and signed by the Chair.

3 Declarations of interest

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

4 Chair's Announcements

The Chair had no announcements to make.

5 Leader's Report

Councillor A Hopgood, Leader of the Council said that we had all been deeply saddened by the passing of Her Majesty Queen Elizabeth II, a sentiment she said that was shared by residents across our county.

The Leader said that as Britain's longest serving monarch, The Queen had demonstrated remarkable commitment to her country. The mood of the nation and our communities here in County Durham during the period of mourning had clearly reflected the influence she had on all of our lives. The Council had played a key role during recent events. This had included supporting the proclamation of the new King by the High Sheriff for County Durham in Durham Market Place and arranging a local proclamation in the Council Chamber. The Council had also invited people to gather in Durham Market Place in marking the national Moment of Reflection. Our teams had supported residents wishing to pay their respects by providing books of condolence and dedicated locations for the laying of floral tributes.

The Leader passed on her thanks to all of those staff involved in this work.

The Leader would save her message of condolence for the motion later in the agenda but reminded members aware that the book of condolence in the Durham Room would remain open until the end of the day on 21 September 2022.

6 Petitions

There were no petitions for consideration.

7 Report from the Cabinet

The Council noted a report from the Cabinet which provided information on issues considered at its meetings held on 15 June and 13 July 2022 (for copy see file of Minutes).

8 Local Government Boundary Commission Review

The Council considered a report of the Corporate Director of Resources that sought agreement on the Council's draft submission to the Local Government Boundary Commission England (LGBCE) in respect of Council Size (for copy see file of Minutes).

The Head of Legal and Democratic Services explained the purpose of the review and highlighted paragraph 10 of the report which advised of the variances. She pointed out an error in the LGBCE guide for Councillors on page 17 which referred to the number of councillors being 63 rather than 126. A member officer working group had been established to oversee the preparation of the Council's initial submission on Council Size and the data requirements around housing and electoral forecasts, the deadline of which was 4 October 2022.

With regards to housing forecast data the Head of Legal and Democratic Services informed Council that up to date figures would be presented to LGBCE up to

August 2022, rather than April 2022, giving a more accurate reflection of the projected number of houses to be built.

In moving the report Councillor A Hopgood, Leader of the Council said that the Local Government Boundary Commission Review presented an opportunity for the Council to reflect on how it operated currently and consider how it should operate in the future. It had been ten years since the Boundary Commission last conducted a review of Council size and therefore this review, which primarily sought to address the electoral imbalance across 20 out of the 63 electoral divisions, was timely. It was understood that Durham was one of a number of Councils in the north-east currently being reviewed.

The Leader reported that the Member Working Group were aware of the demands on Councillors time under the current arrangements. Those who responded to the Member survey all commented that the hours worked were well in excess of 16 hours a week. It could therefore be argued that the number of Councillors across County Durham should at least stay the same, if not increase. However, the Group acknowledged that maintaining the status quo or increasing the number of Councillors was likely to be unacceptable to the Boundary Commission. As had been explained, the Council was now an outlier in terms of the number of Councillors and recent reviews of similar authorities had resulted in recommendations on council size in the region of 100 Councillors.

The Group considered that it was better for the Council to seek to influence and shape the proposals in respect of County Durham rather than have arrangements simply imposed. The draft proposal therefore represented a pragmatic approach, which sought to balance the aims of the review against the needs of the residents of County Durham.

In seeking to agree a consensus, the Group had to compromise and therefore, the Leader encouraged individual political groups and/or Councillors to engage with the process and submit their own proposals to the Commission.

The Group would continue to work with Officers to finalise the response as outlined by the Head of Legal and Democratic Services. Once the response had been submitted to the Boundary Commission, the Group would begin working on the second phase of the review relating to warding patterns. Again, the Leader would encourage all Councillors to engage in that process at the appropriate time.

The Leader thanked all of the Officers who have been involved in preparing the Council's submission and supported the Member Working Group and moved the recommendations.

In seconding the report, Councillor R Bell, Deputy leader and Portfolio Holder for Finance said that he supported the approach taken by the Member Working Group in seeking to agree a pragmatic response to the review. In preparing the response, the Group did consider the approaches taken by other Councils, which in some cases had relied heavily on significant delegation to Officers in order to achieve a reduction in Council size. Whilst some delegation to Officers was undoubtedly

necessary and appropriate, the Group was keen to ensure that any proposals in Council size did not inadvertently create a democratic deficit.

Councillor R Bell noted the rationale for including housing projection data up to 30 April 2022 but considered it preferable that data up to 31 August 2022 was submitted. Whilst the projections may not change significantly, it was important that Members had confidence that the most up to date data was submitted.

He advised that the working group would be meeting shortly to agree the approach in relation to warding patterns. Once the Boundary Commission had made their recommendation in relation to Council Size in November, the Council would then be in a position to engage with all Members on warding patterns. Throughout the process to date, many of the questions that had been asked, related to the current stage of the review. Councillor Bell would therefore encourage all Members to take the time to understand, engage and help shape the process.

Councillor R Bell added his thanks to the Officers and all those involved in preparing the response and seconded the recommendations.

Resolved:

That the recommendations in the report be approved.

9 Treasury Management Outturn Report 2021/22

The Council noted a report of the Corporate Director of Resources which provided information on the treasury management outturn position for 2021/22 (for copy see file of Minutes).

Councillor R Bell, Deputy Leader and Portfolio Holder for Finance thanked officers for the comprehensive update on the treasury management outturn position as at 31 March 2022. He asked members to note that the Council had fully complied with all of the requirements around the treasury management policy and strategies, carefully managing cash flow, external borrowing and investment, whilst maintaining compliance with the code of practice in line with the Council's framework.

Resolved:

That the report be noted.

10 Corporate Parenting Panel Annual Report 2021-22

Councillor M Simmons, Chair of the Corporate Parenting Panel (CPP) presented the Annual Report for information, following endorsement at Cabinet on 14 September 2022.

Councillor Simmons thanked the officers from the Corporate Parenting Panel along with all of the young people who had made the Annual Report possible.

The annual report covered the period April 2021 to March 2022 and covered a wide range of work taking place across the board to support the children and young people in our care, as well as our care leavers.

Councillor Simmons alluded to some of the 2021-22 achievements CPP were particularly proud of, including college bus pass deductions no longer being taken from care experienced young people's bursaries at new College Durham.

In addition, all care experienced young people in County Durham who were in years 12 and 13 had been awarded an 'all time top up bus pass' to use anytime, not just when they were going to college.

Further discussions around transport were continuing into 2022/23, as this continued to be a challenge, particularly for care leavers.

Another achievement was the Art Stops initiative, which had been hugely successful, and had helped to increase positive images and reduce stigma of Care Experience young people with their art work and designs being displayed on bus stops across the County.

Although the recent Ofsted inspection fell outside of the Annual Reports timeframes, the results were certainly an achievement, with us being graded as 'good' overall with the impact of leaders on social work practice being 'outstanding'. In addition, Ofsted noted our Corporate Parenting Strategy being noted as ambitious.

Work was continuing to address the 2022-23 priorities identified in the annual report, which include personalised care, staff in Children's Homes and Foster Carers, and Family Time and Councillor Simmons looked forward to providing a progress update in the next annual report. She added that throughout the year CPP continued to meet with young people from the children in care council, who held us to account on the progress we were making against these priorities, and rightly so. She thanked everyone involved in the work of the Corporate Parenting Panel and introduced Luke, a member of the Children in Care Council, and one of the co-opted members of the Corporate Parenting Panel.

Luke explained to members how young people contributed to, and influenced the work that took place across the service to improve outcomes for young people, like himself who was care experienced.

He said that he loved the quote on the front of the Annual Report 'children are like boats and just need a little bit of guidance to go down the right path' which he found so true, and he added that CPP helped to promote that they were more than 'children in care' that they were young people with a range of skills, abilities and talents. To support this, he explained how service leads now shared proud moments and at each CPP meeting to showcase some of their achievements, no matter how big or small.

Luke went on to explain that one of the key things discussed this year had been the use of language, and the importance of using words and phrases that young people

were familiar with and more importantly, that they understood. Language was personal to each young person, and in response to discussions they had had, their care plans now reflected their own preferences.

He was looking forward to the proposed development of a young people's Scrutiny Panel where young people would ask questions, review services, and make recommendations for improvements and he would encourage young people to get involved in this.

Across the year lots of work had been done, but there was still a lot to do. Luke was confident that young people were being listened to, and their ideas were being actioned.

Luke thanked all of the elected members for being corporate parents and for the opportunity to attend this meeting, and to be involved in this work to make positive changes for other young people.

Councillor Gunn commented that the clear message in the report was that the voice of the young person was crucial, and thanked Luke for speaking at the meeting.

Resolved:

- (a) That the content of the Corporate Parenting Panel Annual Report be noted;
- (b) That the Corporate Parenting Panel Annual Report, which provided oversight of the work undertaken during 2021-22, and the priorities for the year ahead be endorsed.

11 Overview and Scrutiny Annual Report 2021/22

Councillor Martin, Chair of the Corporate Overview and Scrutiny Management Board presented the Scrutiny Annual Report for 2021/22, setting out some of the work undertaken in the past year.

Councillor Martin said that it had been his privilege to steer the work of the scrutiny function and that he had encouraged an open and transparent approach, continuing to develop our input into policy development. He wanted all overview and scrutiny members to be involved to ensure scrutiny was effective.

Councillor Martin would continue 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 take responsibility for their role
- To drive improvement in public services

The annual report reflected the four principles which underpinned all of the work undertaken and highlighted some examples of the work covered.

- The Corporate Overview and Scrutiny Management Board scrutinised the Cabinet's MTFP proposals and comments were included in the final budget report to Council. This was a significant role and responsibility for the Board.
- Adults, Wellbeing and Health OSC, chaired by Cllr Patricia Jopling, had continued to oversee the work undertaken by the Council and partners in respect of Covid-19 Pandemic service restoration with particular emphasis on access to GP Services, NHS Dentistry service availability, and winter preparedness. The Committee had also examined the establishment of the Integrated Care System and its role in taking over from Clinical Commissioning Groups as well as continued oversight of the Shotley Bridge Hospital project.
- Children and Young People OSC, chaired by Cllr Chris Hood until recently, had scrutinised Child and Adolescent Mental Health Services and Children and Young People's Mental Health and Emotional Wellbeing and these important issues continued to be a focus of the committee in 2022/2023. The committee had provided comment on the New SEND Strategy and Growing up in County Durham a new children, young people and families strategy.
- Economy and Enterprise OSC, chaired by Cllr Bill Moist had considered the development of the key strategic employment sites across the county and the number and quality of jobs delivered. They had also considered how change was being managed and the Council's pivotal role in shaping planning and development across our Towns and Villages through the Town and Villages Programme and the further development of Masterplans in the county. The committee had also provided comments as part of the Big Conversation to help develop the Inclusive Economic Strategy and would continue to monitor the development and delivery of this strategy as part of its 2022/23 work programme.
- Environment and Sustainable Communities OSC, chaired by Cllr Bev Coult had carried out a review to consider whether DCC should declare an Ecological Emergency. The recommendations of the committee were incorporated into a report to Cabinet in April 2022. The committee had given particular focus to the Climate Emergency Response Plan and this focus continued. The Committee had also provided comments on the Leisure Transformation Programme and the draft physical activity strategic framework.
- Safer and Stronger Communities OSC, chaired by Cllr Joyce Charlton had provided comment on the Safe Durham Partnership Plan and County Durham and Darlington Fire & Rescue Service's Community Risk Management Plan.

Councillor Martin gave thanks to the members of the overview and scrutiny committees, the chairs and vice-chairs, co-optees, and the scrutiny team for their continued hard work throughout the year.

Councillor Crute thanked the scrutiny officers for all of their hard. He referred to the function of scrutiny which was to hold the executive to account and expressed concern when scrutiny were given the opportunity to participate in work that offered up services for cuts. He went on to explain that he had made his position clear at Corporate Overview and Scrutiny Management Board that scrutiny was not there to do the work of Cabinet, as scrutiny were there to scrutinise the decisions made by Cabinet. Councillor Crute had asked the question as to which scrutiny committees would be involved in this process as he was aware that some had decided not to be involved and he believed that there should be a consistent approach. He stressed that it was important to get this right as thought it was a step to turn governance on it's head and a dangerous step forward. He asked for the thoughts of the Chair of Corporate Overview and Scrutiny Management Board on this.

In response, Councillor Martin said that he wanted to have an open process which empowered the voice of members and was part of the development of policy. He said that scrutiny played an important function to be a critical friend and holding the executive to account. With regards to accountability Councillor Martin said that all members were responsible for the budget as Cabinet put it together to present to full Council where all members have a vote. Councillor Martin was keen to change the way in which scrutiny were involved and that members could have a say in what they wanted to see in the budget. He referred to the four fundamental principles of scrutiny and wanted each committee to take control of their own destiny as he was not a dictator of scrutiny. He advised that Councillor Crute had been sent a report by e-mail which outlined which scrutiny committees were involved in this process.

Councillor Marshall enquired as to which Cabinet members would participate in this process and attend the scrutiny meetings to have meaningful discussions.

Councillor Martin replied that he did not have that information to hand but that each scrutiny committee would be working with the Cabinet portfolio holders in the best way they saw fit.

Resolved:

That the report be received.

12 Annual Report of the Standards Committee 2021/22

Councillor Nicholson, Chair of the Standards Committee presented the annual report of the Standards Committee for the period 2021/22.

Councillor Nicholson said that the report set out the Membership of the committee, including the two new independent persons Alan Fletcher and Kayleigh Louise Wilkinson who were appointed by Council from 22 September 2022 for a two year term. Both Alan and Kayleigh had completed their induction training and had been supporting the Monitoring Officer with standards issues from the outset.

She went on to advise of the Committee's Work Programme, which was consistent with the terms of reference set out in the report at paragraph 13, and attached at Appendix 2 to the report. The Committee had continued to monitor standards and

governance issues nationally. This had included an update on the Government's long-awaited response to the Committee in Standards in Public Life's report on local government ethical standards. The Government had indicated that it would be consulting the sector in relation to some of the recommendations arising out of the CSPL report and the Committee looked forward to responding to such consultations at the appropriate time.

In respect of complaints the position was relatively consistent when compared with the previous year. In 2021/22 there were 49 complaints compared to 48 in 2020/21. There had been a slight increase in the number of complaints referred to local resolution with 20 being referred in 2021/22 (compared with 16 in the previous year). Local resolution may include training, mediation, provision of guidance and where appropriate a requirement for members to apologise. During the period, there was one Standards Hearing Panel in November 2021 which considered complaints against a Town Councillor. The Panel concluded that there had been a breach of the code of conduct and required the Member to provide a written apology to the Complainants and complete training.

Councillor Nicholson informed Council that with the Committee's agreement, an online version of the complaint form was launched in April 2022. This would make it easier and accessible for people to submit complaints. The form was still available to complete by hand and in large print to ensure it was accessible to all. Looking ahead the Committee had agreed a work programme for 2022/23 which included the standing agenda items as well as a review of the arrangements for the local determination procedure. The work programme would continue to be a living document, which would be updated to reflect any developments within the Committee's remit throughout the year.

Finally, Councillor Nicholson thanked the Monitoring Officer and her team for their continuing work with the Committee in assisting to ensure that high standards were achieved by all locally elected members, and she asked the Council to note the report.

Resolved:

That the report be noted.

13 Motions on Notice

The Chair informed Council that there was one Motion for consideration.

This Council expressed its deepest regret and grief at the death of Her Majesty the Queen; conveyed its sincere condolences to His Majesty The King and other members of the Royal Family in their bereavement; affirmed the great affection and esteem in which Her Majesty was held, and expressed gratitude of her life of exceptional public service.

The motion was **moved** by the Chair and **seconded** by Councillor Nicholson.

The Leader, Deputy Leader and the remaining Group Leaders and Councillors S Henig, P Jopling, C Varty, D Sutton-Lloyd and W Stelling all paid tribute to Her

Majesty the Queen, sharing memories and stories of when they had been fortunate to meet her.

The motion was **carried**.