

DURHAM COUNTY COUNCIL

At an **Ordinary Meeting** of the County Council held in the **Council Chamber, County Hall, Durham** on **Wednesday 24 January 2024** at **10.00 am**

Present:

Councillor J Nicholson in the Chair

Councillors M Abley, E Adam, R Adcock-Forster, V Andrews, J Atkinson, P Atkinson, A Batey, K Batey, C Bell, R Bell, C Bihari, G Binney, J Blakey, D Boyes, D Brown, L Brown, J Cairns, J Chaplow, R Charlton-Lainé, J Charlton, J Cosslett, B Coult, R Crute, M Currah, S Deinali, T Duffy, K Earley, J Elmer, K Fantarrow, L Fenwick, C Fletcher, D Freeman, J Griffiths, O Gunn, D Hall, C Hampson, D Haney, A Hanson, P Heaviside, T Henderson, S Henig, L A Holmes, C Hood, A Hopgood, L Hovvels, J Howey, C Hunt, G Hutchinson, A Jackson, M Johnson, N Jones, P Jopling, B Kellest, C Lines, L Maddison, R Manchester, C Marshall, C Martin, E Mavin, L Mavin, B McAloon, S McDonnell, M McGaun (Vice-Chair), D McKenna, M McKeon, I McLean, S McMahan, J Miller, B Moist, 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, S Robinson, K Robson, K Rooney, J Rowlandson, A Savory, E Scott, J Scurfield, P Sexton, K Shaw, A Shield, J Shuttleworth, M Simmons, A Simpson, G Smith, T Smith, M Stead, W Stelling, A Sterling, D Stoker, T Stubbs, A Surtees, D Sutton-Lloyd, P Taylor, F Tinsley, S Townsend, E Waldock, M Walton, A Watson, M Wilkes, M Wilson, S Wilson, D Wood and R Yorke

Apologies for absence were received from Councillors A Bell, I Cochrane, K Hawley, J Higgins, D Howarth, C Kay, P Molloy, C Varty and S Zair

Prior to the commencement of the meeting the Chair announced with great sadness the death of former Derwentside District Councillor and Leader of Derwentside Council Joe Rhind. Joe was elected to represent the Dipton Ward on Derwentside District Council between 1987 and 1991.

Members stood for a moments silence out of respect to Joe.

1 Minutes

The minutes of the meeting held on 6 December 2023 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 since the last Council meeting she had attended various events including the 'Inspiring People' Staff awards. The Chair referenced that the work carried out by staff and teams within the Council was truly magnificent and it had been wonderful to come together in celebrating the achievements of the workforce.

Prior to the Christmas break the Chair was honoured to attend the unveiling of a new commemorative bench dedicated to the memory of former Councillor and Chair, Beaty Bainbridge in Riverside Park at Chester le Street which was a place much treasured by Beaty.

The Chair also reported a number of successes since the last Council meeting, including.

- The opening of Durham City's new bus station in early January. The new bus station was located on the site of the former bus station on North Road and provided high quality facilities as well as being a modern transport hub that offered a safe and welcoming space for residents and visitors alike;
- A programme of world-class events, skills development and community-led activities had received a £1.25million Place Partnership award from the Arts Council England through the National Lottery. The award came about from bid on behalf of a consortium of the council, the Culture Durham Partnership and Durham University to support the £7.2million 'Into the Light' programme which would begin in 2025; and
- Ofsted inspectors had praised the work the Council did to prepare and support young people as they left care and remarked that Durham was diligent in its efforts to ensure that care-experienced young people were given the opportunity to achieve their goals.

The Chair referenced that Family Hub staff, including County Council and health colleagues, were located in the Foyer and were showcasing the support on offer from Family Hubs across County Durham. Credit card style cards with QR codes had been circulated around the Chamber prior to the meeting which provided easy access to the website and to the Family Hub registration form.

Also within the Foyer was information about fly tipping, and staff would be available for any Member who wished to discuss the issue.

4 Leader's Report

The Leader of the Council welcomed Members to the first full council meeting of 2024.

In 2024, the Council would look to strengthen its position as The Culture County, building on the legacy of the UK City of Culture bid. In early summer, The Story would open its doors at Mount Oswald. This new, world class attraction would bring together the Council's archives and registrar services.

A new exhibition space was due to open at Locomotion in Shildon in the spring. New Hall would create the largest collection of historic rail vehicles, under cover, on one site, anywhere in the world.

Major developments were also due to be completed at Raby Castle and Beamish Museum and first division County cricket would be welcomed back after a great season last year for Durham County Cricket team.

The Council's world class festivals and events would continue to bring communities together and attract thousands of visitors into County Durham towns and villages. From Bishop Auckland and Seaham Food Festivals to the musical extravaganza that was Brass these festivals and events did more than just entertain. They boosted County Durham's visitor economy, raised its profile as a place to live, work and invest and inspired young people. The Leader hoped that all Members would join her in looking forward to maximising the benefits for communities.

Councillor C Marshall asked whether the Leader agreed, given the precarious financial position of the Council, that a full cost benefit analysis should be undertaken at the earliest opportunity on the art gallery and restaurant at the former DLI Museum.

The Leader of the Council replied that budgets were kept under constant review and Councillor Marshall had the opportunity to attend Cabinet meetings where such questions could be asked. A report was agreed by Cabinet last week which contained a fully programmed paper about creating a CIO which would enable cultural projects to access other forms of funding and not be reliant on the public purse. This was a way forward to ensure that both current and future residents were protected.

Councillor Marshall did not consider that the Leader of the Council had answered his question. Questions on the Leaders report were to allow the

Leader to provide a response to Council rather than at Cabinet meetings. The Leader of the Council responded that questions should relate to matters contained within the Leaders report and this question was on a topic not contained within the report, adding that she was happy to speak to Councillor Marshall outside of the meeting on this matter.

Councillor P Sexton referred to The Story at Mount Oswald and asked the Leader how late the project was in being delivered and at what cost. The Leader of the Council replied that she did not have this information to hand but would provide Councillor Sexton with the information after the meeting.

5 Questions from the Public

The Chair informed Council that one public question had been received for the meeting, from Mr Nixon who was in attendance to put his question.

Mr Nixon then put the following question:

Can the relevant portfolio holder or leader of the council, please explain how it is possible Stanley Civic Centre, which is the responsibility of Stanley Town Council, but owned by Durham County Council, has been allowed to deteriorate to such an extent by the Labour-run Town Council, which is required under its full repairing lease to ensure the property is kept in good condition.

Councillor James Rowlandson, Cabinet Portfolio Holder for Resources, Investment and Assets thanked Mr Nixon for his question and provided the following response:

I was asked in October 2021 by the then Stanley Town Clerk to visit the Civic centre to discuss any help I, as assets is in my portfolio, could give the Town Council to put the problems right that the building had.

When I was there I discovered a hole in the roof, leaking water onto the stage area and that all three of the boilers heating the building were broken.

I clarified that, in accordance with the lease agreement, it is the responsibility of the Town Council to uphold the maintenance of the building.

The Town Council engaged a consultant at the cost in excess of £30,000 to advise them on how to take forward the building and its responsibilities to provide cultural and statutory duties for its residents.

Despite the significant financial burden imposed on the residents of Stanley, the Town Council chose to disregard the valuable advice provided to them.

Stanley Town Council had a precept in 23/24 of £818,000 and since they have taken over the building they have received £7.8m in public money.

Officers from Durham County Council's Assets department have conducted a comprehensive survey of the building following the departure of Stanley Town Council in February 2023 which has demonstrated that there are hundreds of thousands of pounds worth of repairs required to bring it to a suitable standard, all of which come under the responsibility of the Town Council.

I am at a loss to understand that a Town Council the size of Stanley has not been able to deal with its obligations to maintain the building to an adequate standard. I do wonder if the fact that this Labour-run town council who have had 10 town clerks and 5 deputy town clerks in the 10 plus years since being created may have something to do with these complete failures.

Stanley Town Council has recently enlisted the services of solicitors to handle their responsibilities. Ongoing discussions between the County Council and the Town Council are taking place regarding the condition of Stanley Civic Hall, the Town Council's repairing obligations as outlined in the lease, and the subsequent steps to be taken.

I sincerely feel sorry for Mr Nixon and all the residents of Stanley being so let down by the clearly inept and incompetent Labour administration running Stanley Town Council.

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 meeting held on 13 December 2023 (for copy see file of Minutes).

8 Updated Local Code of Corporate Governance

The Council received a report of the Corporate Director of Resources which provided an updated Local Code of Corporate Governance which was considered and approved by the Audit Committee on 27 November 2023 (for copy see file of Minutes).

Councillor R Bell, Deputy Leader and Portfolio Holder for Finance thanked officers for the report and Members of the Audit Committee for their oversight and review of the updated Local Code of Corporate Governance, which set

out how the Council complied with the principles of good governance, how decision making and processes were organised to ensure the Council acted in the public interest at all times, how the Council ensured its decision making was underpinned by robust risk assessment and how the Council ensured decision making was transparent and accountable.

9 Review of Polling Districts and Polling Places

The Council considered a report of the Corporate Director of Resources regarding proposed changes to the County Council's polling districts and polling places following a review.

Moved by Councillor A Hopgood, **Seconded** by Councillor R Crute.

Resolved:

That the recommendations in the report be approved.

10 Overview and Scrutiny - Six Monthly Update

The Council noted a six-monthly update report from Overview and Scrutiny (for copy see file of Minutes).

Councillor R Crute, 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 Crute informed Council that the six-month period had again been a very busy period for scrutiny, which continued to encourage inclusiveness and transparency in its work and aimed to increase its input into policy development.

Scrutiny continued to be guided by the four principles of effective scrutiny:

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

Councillor Crute then provided some brief examples of work covered to date.

The Corporate Overview and Scrutiny Management Board had again contributed to the budget process through consideration and scrutiny of the MTFP 14.

The Board had also scrutinised the Council's proposals as part of the Community Engagement Review and in particular the role of the Area Action

Partnerships and potential changes to their Governance arrangements under any revised model.

The Adults, Wellbeing and Health Overview and Scrutiny Committee had examined proposals for the North East North Cumbria Integrated Care Board and its Forward Plan as well as the outcomes of recent CQC Inspections into TEWV and CDDFT.

The Children and Young People Overview and Scrutiny Committee welcomed the opportunity to comment on the Council's Home to School Transport services consultation. The response to the proposals put forward following consultation raised a number of issues that were debated in both Management Board and Council. The Committee had asked for further reports back on several outstanding Home to School Transport Issues.

The Economy and Enterprise Overview and Scrutiny Committee had continued its input into the Inclusive Economic Strategy and its Delivery Plan with a particular focus on the development of the IES Delivery Plan and an associated Investment plan. The Committee continued to monitor progress on some of the Council's major projects including the Leisure Transformation Strategy and masterplans for settlements across the County.

The Environment and Sustainable Communities Overview and Scrutiny Committee had built on previous work in respect of the Council's declaration of an Ecological Emergency by scrutinising the Ecological Emergency Action Plan (EEAP) including actions planned and delivered against key Action Plan themes.

The Safer and Stronger Communities Overview and Scrutiny Committee had examined the Safe Durham Partnership's statutory duties regarding Counter Terrorism. Members noted the "Channel" initiative which adopted a multi-agency approach to identifying and supporting individuals who were vulnerable to being drawn into terrorism.

Councillor Crute thanked all Scrutiny Members for their attendance at Scrutiny meetings, their contributions in driving forward individual thematic work programs and the taking of the opportunity to participate in ongoing training and development sessions. Councillor Crute also thanked the officer team for their part in helping deliver the Work Programs of the Management Board and each of the thematic committees.

11 Motions on Notice

Moved by Councillor A Batey, **Seconded** by Councillor P Sexton

Due to the concerns raised by business and local residents, this Council calls on the Cabinet to reconsider the decision to end Free Parking After 2pm.

A named vote on the Motion was requested.

Councillor A Hopgood informed Council, on behalf of Cabinet, that she accepted the Motion as tabled and unamended and **Moved** that the Motion be put to the vote. **Seconded** by Councillor R Bell.

The Head of Legal and Democratic Services explained that a Closure Motion had been moved and seconded to put the question to a vote and it was for the Chair to determine whether the item had been sufficiently discussed, and if so, the Chair would put the Procedural Motion to the vote.

Council unanimously **agreed** the Procedural Motion.

A named vote on the Motion was then taken.

For the Motion

Councillors M Abley, E Adam, R Adcock-Forster, V Andrews, J Atkinson, P Atkinson, A Batey, K Batey, C Bell, R Bell, C Bihari, G Binney, J Blakey, D Boyes, D Brown, L Brown, J Cairns, J Chaplow, R Charlton-Lainé, J Charlton, J Cosslett, B Coult, R Crute, M Currah, S Deinali, T Duffy, K Earley, J Elmer, K Fantarrow, L Fenwick, C Fletcher, D Freeman, J Griffiths, O Gunn, D Hall, C Hampson, D Haney, A Hanson, P Heaviside, T Henderson, S Henig, L A Holmes, C Hood, A Hopgood, L Hovvels, J Howey, C Hunt, G Hutchinson, A Jackson, M Johnson, N Jones, P Jopling, B Kellett, C Lines, L Maddison, R Manchester, C Marshall, C Martin, E Mavin, L Mavin, B McAloon, S McDonnell, M McGaun (Vice-Chair), D McKenna, M McKeon, I McLean, S McMahan, J Miller, B Moist, 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, S Robinson, K Robson, K Rooney, J Rowlandson, A Savory, E Scott, J Scurfield, P Sexton, K Shaw, A Shield, J Shuttleworth, M Simmons, A Simpson, G Smith, T Smith, M Stead, W Stelling, A Sterling, D Stoker, T Stubbs, A Surtees, D Sutton-Lloyd, P Taylor, F Tinsley, S Townsend, E Waldock, M Walton, A Watson, M Wilkes, M Wilson, S Wilson, D Wood and R Yorke

The Motion was **approved**.

Moved by Councillor K Shaw, **Seconded** by Councillor F Tinsley

This Council has incurred costs of £1.2m forming Levelling Up Funding bids which it submitted to Government.

This Council calls on Cabinet to consider seeking a judicial review of the process of how bids were determined by Government in rounds 2 and 3.

In moving his motion Councillor Shaw informed Council that he had written to the Leader of the Council on behalf of the Labour Group on 14 December 2023 asking that a judicial review be sought for reimbursement from Government to recover the costs of refused levelling up bids but unfortunately no response was received.

Councillor A Hopgood informed Council that the Joint Administration accepted the Motion unamended and apologised to Councillor Shaw for the lack of response to his email which, upon checking, did not appear to have been received. Councillor Hopgood **Moved** that the Motion be put to the vote, **Seconded** by Councillor A Shield. Councillor Shaw clarified that the email he was referring to had been sent through the Labour Group Secretary.

Council unanimously **agreed** the Procedural Motion.

Council unanimously **agreed** the Motion.

12 Questions from Members

Councillor A Watson

Will the Cabinet Portfolio Holder for Equality and Inclusion, which includes Humanitarian support write to the Government to voice concern and call for an immediate end to hostilities through a call for a ceasefire, which is affecting civilians on both sides resulting in the loss of innocent lives.

Councillor A Shield, Cabinet Portfolio Holder for Equality and Inclusion thanked Councillor Watson for his question and provided the following response.

I endorse the request that I would write to Central Government supporting our communities concern calling for a cessation to hostilities thus allowing further extensive humanitarian support into Gaza with immediate effect.

I will continue to engage and work collaboratively with other local authorities to highlight the concern of residents and communities to try and alleviate the conflict situation in this part of our troubled world.