

DURHAM COUNTY COUNCIL

At a Ordinary Meeting of the County Council held in the Council Chamber, County Hall, Durham on **Wednesday 29 October 2014 at 10.00 am**

Present:

Councillor J Blakey in the Chair

Councillors E Adam, J Allen, J Alvey, B Armstrong, J Armstrong, L Armstrong, B Avery, A Batey, D Bell, E Bell, J Bell, R Bell, H Bennett, G Bleasdale, A Bonner, D Boyes, P Brookes, J Brown, J Buckham, Carr, C Carr, J Chaplow, J Clare, P Conway, K Corrigan, P Crathorne, R Crute, K Davidson, M Davinson, K Dearden, S Forster, N Foster, D Freeman, I Geldard, B Glass, B Graham, J Gray, O Gunn, C Hampson, J Hart, J Hillary, M Hodgson, G Holland, A Hopgood, K Hopper, L Hovvels, E Huntington, S Iveson, I Jewell, C Kay, A Laing, J Lee, J Lethbridge, H Little, R Lumsdon, J Maitland, C Marshall, L Marshall, N Martin, J Maslin, P May, P McCourt, B Moir, S Morrison, A Napier, R Ormerod, A Patterson, M Plews, L Pounder, G Richardson, K Shaw, J Shuttleworth, M Simmons, M Simpson, Smith, T Smith, B Stephens, D Stoker, P Stradling, A Surtees, L Taylor, P Taylor, O Temple, K Thompson, R Todd, E Tomlinson, J Turnbull, A Turner, A Watson, M Wilkes, M Williams, A Willis, C Wilson, S Wilson, R Young and S Zair

Apologies for absence were received from Councillors A Bell, J Charlton, J Clark, J Cordon, M Dixon, S Guy, D Hall, B Harrison, K Henig, S Henig, D Hicks, O Johnson, P Lawton, J Measor, O Milburn, T Nearney, M Nicholls, H Nicholson, P Oliver, T Pemberton, C Potts, J Robinson, S Robinson, J Rowlandson, A Savory, A Shield, W Stelling and R Yorke

1 Minutes

The minutes of the meeting held on 17 September 2014 were confirmed by the Council as a correct record and signed by the Chairman.

2 Declarations of Interest

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

3 Chairman's Announcements

By-Elections

The Chairman extended a warm welcome to the following:

- Councillor Maureen Stanton, the newly elected Councillor for the Crook Electoral Division;
- Councillor Joanne Carr, the newly elected Councillor for the Burnopfield and Dipton Electoral Division;

- Councillor Heather Smith, the newly elected Member for the Evenwood Electoral Division.

Awards

International School Award.

The Chairman was delighted to inform Council of the success of a local school where she was governor during the regional presentations of the International School Award.

The award recognised exceptional success in embedding an international perspective to the learning of young people and helping learners be best equipped for a future in the global workplace.

County Durham remained one of the areas with the highest level of award recipients in the whole of the UK, with the region and particularly the County Council being singled out for praise by the award organisers.

The Council's international relations team had supported our schools through the three challenging levels of the award. This year, sixteen Durham schools were formally accredited for their work.

The Chairman asked that the Council's congratulations be sent to all sixteen County Durham Schools on their recent achievement.

Britain in Bloom

The Chairman was pleased to inform Council that Durham City had won a gold gilt award in the 'Large Town' category of the Royal Horticultural Society Britain in Bloom UK Finals held earlier in the month.

Durham represented Northumbria in the highly competitive large town category where it narrowly missed out to Truro. Sedgefield also impressed in the small town section, which was won by Dunnington.

Judges were full of praise for both Durham's and Sedgefield's entries and hailed the teamwork and spirit involved. They also commented on how both campaigns were close to coming out on top in their respective categories.

While it was unfortunate that Durham just missed out on the top accolades this did not detract from a fantastic year. More than 1,000 volunteers dedicated nearly 4,000 hours to making Durham City look 'altogether greener' the Chairman asked that Council place on record its thanks and congratulations to everyone involved and for their hard work and dedication.

The County Durham Reuse forum

The Chairman was delighted to report that once again the County Council had picked up a national award for a scheme which had seen more than 2,200 tonnes

of furniture and household items saved from disposal and provided for families on low income.

The County Durham Reuse forum received the prestigious Best Partnership Award from the Local Authority Recycling Advisory Committee, the national local authority watchdog on recycling standards.

The forum had six reuse schemes across the county and in 2012/13 some 24,000 households received a wide variety of items ranging from sofas and beds to tables and chairs. The forum also provided 189 full or part-time jobs with help from 210 volunteers and 84 work training placements and was another fitting example of successful partnership working involving the County Council and other organisations.

The Chairman invited Council to join with her in placing on record congratulations to everyone involved and to:

- Kings Church Furniture Reuse
- County Durham Furniture Help Scheme (CDFHS)
- East Durham Partnership
- Woodhouse Close Church Furniture Project
- Consett YMCA and
- Haswell Mencap Furniture Enterprise.

Dynamo

The Chairman informed Council that Dynamo, a new venture made up of leading technology organisations, was an organisation working to develop the ICT industry across the North East. Amongst Dynamo's aims was to double the ICT sector and make the North East the location of choice for technology firms and make use of talent within the region, with a key part of its mission being to highlight the potential for North East firms to work together.

At Dynamo's first awards evening held on 15 October, the Digital Durham programme was presented with an award in recognition of their work in bringing ten local authorities together to improve broadband access and the economic, learning and social benefits this would bring. This reflected the hard work put in by the Digital Durham team, the other local authorities, BT and Broadband delivery UK.

Resolved:

That the Council place on record its congratulations to all those involved in the above mentioned awards.

4 Leader's Report

The Chairman reported that the Leader of the Council could not attend the meeting because he was chairing a meeting of Labour council leaders with the Leader of the Opposition and Shadow Chancellor in London. The Leader would provide his report to the December meeting of the Council.

5 Questions from the Public

A question had been received from the Chairman of Belmont Parish Council, Councillor Dennis Southwell, regarding the introduction of 20 m.p.h. zones.

Councillor Southwell was in attendance to ask his question and received a response from Councillor Stephens, Cabinet Portfolio Holder for Neighbourhoods

The Head of Legal and Democratic Services informed the Council that Councillor Southwell would receive a written response to his question and both the question and response would be published on the Council's website.

6 Petitions

There were no petitions for consideration.

7 Report from the Cabinet

The Council noted the latest report of the Cabinet detailing business from 10 September and 15 October 2014 which included a range of reports including the Housing Stock Transfer and NHS/Social Care reforms (for copy see file of Minutes).

8 Review of the Council's Statement of Licensing Policy

The Council considered a report of the Corporate Director, Neighbourhood Services which sought approval for the adoption of the revised Statement of Licensing Policy to replace the existing version (for copy see file of Minutes).

The Corporate Director, Neighbourhood Services informed the Council that a revised Appendix B to the Draft Statement of Licensing Policy 2014 to 2019 had been circulated.

Councillor C Carr, in **Moving** approval of the recommendations contained in the report, informed the Council that this was the second review of the Statement of Licensing Policy since it was introduced, and had been the subject of a wide consultation exercise. The Draft Statement of Licensing Policy had been approved by the General Licensing and Registration Committee on 9 October 2014 and sought to balance the legitimate needs of businesses against the needs of residents in County Durham.

Councillor Stephens, Cabinet Portfolio Holder for Neighbourhoods, **Seconded** approval of the recommendations.

Resolved:

That the revised statement of licensing policy incorporating recommended frameworks hours be approved.

9 Sustainable Community Strategy

The Council considered a report of the Assistant Chief Executive which provided details of amendments made to the Sustainable Community Strategy (SCS) 2014-2030 and sought delegated authority for future amendments (for copy see file of Minutes).

Councillor Martin referred to the projected population figure for County Durham of 560,700 by 2030 quoted in the SCS and queried why this differed to the figure quoted in the emerging County Durham Plan and also the estimated figure produced by the Office of National Statistics (ONS) which was 549,000. Councillor Napier, Deputy Leader of the Council replied that while some ONS estimates were not always correct, the estimates would be re-examined. The Assistant Chief Executive added that the estimate quoted in the emerging County Durham Plan was based on the Plan being agreed and increased employment being generated within the County, which would increase the population figure. The Assistant Chief Executive informed Councillor Martin that she would supply him with a full report on this issue.

In response to a question from Councillor Hopgood, the Assistant Chief Executive confirmed that if there were any substantial changes made to the SCS through her delegated authority, Members would be advised of these.

Moved by Councillor Napier, **Seconded** by Councillor Stephens and

Resolved:

That the County Council:

- (i) Note the amendments to the Sustainable Community Strategy detailed at paragraph four of the report
- (ii) Agree that any future changes to the SCS 2014-2030 version be delegated to the Assistant Chief Executive through delegated authority.

10 Review of the Early Retirement Policy

The Council considered a report of the Corporate Director, Resources which sought approval for the revised Early Retirement Policy due to legislative changes (for copy see file of Minutes).

Moved by Councillor Brown, **Seconded** by Councillor Surtees and

Resolved:

That the revised Early Retirement policy be approved.

11 Local Council Tax Reduction Scheme Review 2015/16

The Council considered a report of the Corporate Director, Resources which sought approval for the continuation of the Local Council Tax Reduction Scheme for a further year into 2015/16 (for copy see file of Minutes).

In **Moving** the report, Councillor Napier, Deputy Leader and Cabinet Portfolio Holder for Finance, informed the Council that there was no sign of austerity ending and that Local government had borne the brunt of funding cuts. Since the Local Council Tax Reduction Scheme was approved in 2013 it had been kept under review to ensure its affordability. In 2013 the Government abolished the national Council Tax Benefits System and replaced it with a requirement for local authorities to work with precepting bodies to establish a Local Council Support Scheme. At the same time, the funding made available to support the Local Council Tax Support Schemes was reduced to 90% of the funding available under the abolished Council Tax Benefit Scheme. The Scheme for 2015/16 would continue to protect all claimants in line with what their entitlement would have been under the Council Tax Benefit System and was in line with the Cabinet's priority to protect low income households within the County. The Scheme for 2015/16 would also continue to pass on to Town and Parish Councils element of its formula grant in 2015/16 as detailed in the report.

Councillor Napier informed the Council that nationally, evidence showed an increase in Council Tax arrears where a local authority had not introduced a Local Council Tax Reduction Scheme. Financial pressures on low income households had been exacerbated by the Welfare Reform agenda, including the introduction of Universal Benefit, and these were unprecedented times for such households. Councillor Napier urged all Members to endorse the decision of Cabinet taken on 16 July 2014 to continue the Local Council Tax Reduction Scheme for 2015/16.

In **Seconding** the report, Councillor Surtees informed the Council that she was pleased to endorse the Scheme which would help over 34,000 households within the County.

Councillor R Bell, while welcoming the report and extension of the Scheme for 2015/16, sought clarification of what the cost of the Scheme would be 2015/16 and what the Scheme had cost for 2013/14 and 2014/15. Councillor Bell also asked whether it was known how much was included in the Council's formula grant for a Local Council Tax Support Scheme.

The Corporate Director, Resources replied that when the Scheme was introduced in April 2013 the cost was £4.6m. Two years on the cost had reduced slightly because of a reduced caseload. If the Scheme was not to be adopted, the Council £4.6m would be returned to the Council's budget. Referring to formula funding arrangements, the Corporate Director, Resources informed the Council that while separate figures for funding were published in 2013/14 and 2014/15, there was no longer any visibility over what level of funding was actually contained now within the formula for Council Tax Reduction Schemes.

Councillor Wilkes expressed his support for the continuation of the Local Council Tax Reduction Scheme for 2015/16 which helped to support the most vulnerable within County Durham.

Resolved:

That the County Council:

- (i) Continue the current Local Council Tax Reduction Scheme into 2015/16 which retained the same level of support to all council tax payers as the previous Council Tax Benefit Scheme which was abolished on 1 April 2013;
- (ii) Agree that the extension to the Scheme be initially for one year only and be kept under continuous review with a further decision to be considered by Cabinet in July/September 2015 and full Council by January 2016.

12 To Propose a New Process for Travel, Accommodation and Subsistence Arrangements for Members

The Council considered a report of the Corporate Director, Resources which sought approval for the adoption of a new process for Members' travel, accommodation and subsistence claims to be in line with the claims process for employees and for the Members' Handbook in Part VI of the Constitution to be updated accordingly (for copy see file of Minutes).

In **Moving** the report, Councillor Napier, Deputy Leader and Cabinet Portfolio Holder for Finance informed Council that the proposed new process had been approved by the cross party Constitution Working Group on 3 October 2014. The process would bring the Members claim process into line with that for employees and would be more effective and efficient to produce savings.

Seconded by Councillor Hopgood and

Resolved:

That the Council

- (i) Agree that Members should book their accommodation and travel arrangements in advance with the Business Support Team in the Resources Service Grouping
- (ii) Agree that the proposed new system retains flexibility for members to be able to submit retrospective claims where there have been exceptional circumstances which should be supported by receipts.
- (iii) Approve the updated policy at Appendix 2 of the report to replace the current 'ground rules' text in Appendix B of the Members Handbook and the Council's constitution.

13 Community Governance Review of Barnard Castle and the Surrounding Area

The Council considered a report of the Head of Legal and Democratic Services which provided an update on the outcome of the final stage of consultation undertaken as part of the community governance review of Barnard Castle and surrounding area and made a final recommendation in this regard (for copy see file of Minutes).

Moved by Councillor Napier, **Seconded** by Councillor R Bell and

Resolved:

That the final recommendation of the Community Governance Review that the parished areas of Barnard Castle, Marwood, Stainton, Streatlam and Whorlton and Westwick remain unchanged be approved.

14 Members Allowances - Recommendation of the Independent Remuneration Panel for 2015/16

The Council noted a report of the Head of Legal and Democratic Services which provided details of the recommendations of the Independent Remuneration Panel in relation to the Scheme of Allowances for the year 2015/16 (for copy see file of Minutes).

15 Review of Polling Districts and Polling Places

The Council considered a report of the Head of Legal and Democratic Services which presented the draft review of polling districts and places for approval (for copy see file of Minutes).

Moved by Councillor Napier, **Seconded** by Councillor Hopgood and

Resolved:

That the Council

- (i) Approve the polling districts and places as set out in the review;
- (ii) Delegate authority to the Head of Legal Services to make changes to the polling places if required, in consultation with the Leader of the Council as Chairman of the Constitution Working Group.

16 Civic Handbook

The Council considered a report of the Head of Legal and Democratic Services which provided details of the production of a Civic Handbook which would be used as a guide for any Member fulfilling the joint role of Chairman of the County Council and Mayor of the City of Durham and sought approval to its inclusion in the Constitution (for copy see file of Minutes).

In **Moving** the report, Councillor Napier, Deputy Leader and Cabinet Portfolio Holder for Finance informed Council that the Civic Handbook update was needed to reflect the combined role of Chairman of the County Council and Mayor of the City of Durham. Councillor Hopgood welcomed the Civic Handbook which provided clarity around the two roles.

Councillor Holland referred to the protocol for the use of facilities at Durham County Cricket Club and asked why, after the facilities had been in use for 5 years, a protocol had only now been provided. The Corporate Director, Resources replied that a protocol for the use of facilities at the Durham County Cricket Club was currently in place but the Civic Handbook aimed to make the protocol more transparent so all were aware of it. Councillor Stoker requested to be provided with a copy of the current protocol.

Councillor Stephens, Cabinet Portfolio Holder for Neighbourhoods, **Seconded** the report and it was

Resolved:

That the Civic Handbook be approved and included in the Constitution

17 Changes to the Constitution

The Council noted a report of the Head of Legal and Democratic Services which provided details of amendments to the constitution made by the Head of legal and Democratic Services to reflect changes brought about by new legislation which affect Local Authorities in their day-to-day administration and enforcement of the Blue Badge Scheme (for copy see file of Minutes).

18 Statement of the Returning Officer

The Council noted a Statement of the Returning Officer which showed details of the person elected as County Councillor for the Crook Electoral Division.

19 Motions on Notice

There were no motions for consideration.

20 Questions from Members

In accordance with the Council Procedure Rules, the following questions were asked

Councillor O Temple

Can the Portfolio Holder for Children and Young People's Services explain why schools, the only major users and bankers of cash within this authority, were not consulted before this council's new procurement specification for banking services was drawn up which excludes any ability to pay cash in, or withdraw cash, across the counter of either banks or post offices?

Councillor Napier, Deputy Leader and Cabinet Portfolio Holder for Finance thanked Councillor Temple for his question, to which he would provide a reply in the absence of Councillor Johnson, Portfolio Holder for Children and Young People's Services.

The Co-op Bank was the council's current banker and had a commercial relationship with the Post Office which enabled cash to be paid in to the Council's bank account by schools at local post offices.

The Co-op Bank had advised all local authorities that they were withdrawing from the local government banking market which meant the council needed to go through a procurement process to appoint a new bank by 31 March 2016 when the council's current contract with the Co-op ran out.

Officers had held a number of discussions with the major banks before beginning the procurement process. Of the major banks, the Royal Bank of Scotland/Nat West Bank was the only one other than the Co-op who had a commercial relationship with the Post Office in relation to the paying in of cash. RBS/Nat West however along with the other major banks had recommended that the council promote the utilisation of the courier service and move away from considering using the post office and local bank branches for paying in of cash.

The courier service was seen to protect staff but in addition all major banks were looking to significantly reduce 'over the counter' transactions of any description with more and more local bank branches expected to close. After considering the responses from the major banks, the need to protect staff and the need to ensure that the procurement process was competitive a decision was made to recommend the utilisation of the courier service across the council. At the present time all services in the council other than schools already utilised the courier service, for example Sports Centres and Libraries, and 10% of the council's schools also currently utilised the courier service

To ensure schools were informed of the upcoming change, the Council wrote to every school in the county advising them that the cash paying in facility with the Post Office would no longer be available once the council changed its bank. This would be replaced by a cash collection courier service and schools had been advised that the revised arrangements would be phased in from May 2015 to January 2016.

Under the new contract, any school would be able to pay in cash or withdraw cash from the local branch of the council's new bank. The Council's advice to schools however would always be to utilise the courier service due to the health and safety benefits for their employees.

For further information, as part of the Council's Customer First Strategy, developments were also being considered in relation to online payments for schools which would hopefully significantly reduce the number and value of cash transactions in schools that would also reduce the frequency of use of the proposed courier service and save the schools money.

Councillor Napier hoped this answered Councillor Temple's question which explained that there really wasn't anything to consult on and the current service would no longer be an option

Councillor Temple thanked Councillor Napier for his reply and asked why, in the year when the Council knew it would need to appoint a new bank, schools were not consulted. Councillor Napier replied that the Council had written to all schools and added that he would be willing to meet with Councillor Temple to further discuss the issues he had raised.

Councillor M Wilkes

The Council has a £750,000 contract with Citizens Advice Bureau to deliver advice services in County Durham. The Council has asked CAB to work up future plans based on a £150,000 cut to this budget. In light of this, can Councillor Napier be

certain that all residents in need of these services will be able access them should funding be reduced?

Councillor Napier, Deputy Leader and Cabinet Portfolio Holder for Finance thanked Councillor Wilkes for his question.

While it was correct that the Council had a £750,000 annual contract with the CAB covering a range of advice services across the County, additionally the Council also provided the CAB with in-kind support through the lease of two premises that they used on a peppercorn basis, which brought the Council's total support to nearer £800,000 per year.

The current contract covered the period 1 April 2014 to 31 March 2017, which the CAB saw as a positive step and allowed them to plan better rather than under a rolling annual agreement, which produced significant year to year uncertainty for them.

In agreeing the current contract with the CAB, the Council had put in place more robust performance management and better sharing of information arrangements in place to inform the Council's ongoing monitoring of the impact of the Government's Welfare Reforms, which were having significant detrimental impacts on some of the most vulnerable members of the communities.

The Council fully supported the CAB and the valued services they provided. They did a lot of tremendous work as did other advice agencies such as Age Concern and other similar groups that were also doing some great work.

The financial support given to the CAB had remained largely untouched since 2011/12 when a 25% reduction was made to all Council budgets in that year when, as the Leader had mentioned many times, the world changed for local government.

No further cuts in CAB grant had been made since 2011/12 although the Council had asked them to work with it to model how their service offer could be remodelled to achieve savings of around £150,000 in line with the 20% further reductions that the Council was facing with all Council budgets over the next 3 years.

It was emphasised that no decisions had been made at this stage and all the Council had asked the CAB to do was model potential impacts and implications.

From 1 April 2014, the four citizen advice bureaux services combined to create a single countywide CAB service, which released significant efficiencies and back office savings within their organisation. The Council was also working with the CAB and other providers to improve the co-ordination of activity through a countywide Advice in County Durham Partnership to remove duplication of effort and optimise available resources.

These two areas provided an opportunity to further review current arrangements and funding, improve efficiencies and address any gaps in current advice provision.

Councillor Napier assured Councillor Wilkes and all members that the Council would continue to work with the CAB to carefully consider the proposals that were being developed and that due consideration would be given as to whether to bring these proposals forward into the Council's medium term financial plans as budget saving in the future.

All areas of the Council's budget were being reviewed as it faced up to the unprecedented ongoing budget reductions never experienced by Local Government before.

Councillor Wilkes thanked Councillor Napier for his reply and expressed concerns that vulnerable members of the community may experience gaps in the advice service if all funding for the CAB was used within CAB premises, particularly referring to those vulnerable members of the community who were unable to attend the CAB. Councillor Wilkes requested that consideration be given to provide some element of funding to assist such members of the community through, for example, the provision of home visits.

Councillor Napier replied that the Council, while operating in an unprecedented era of austerity and cuts, worked with a range of other agencies to provide services on a co-ordinated and holistic basis. However, the comments made by Councillor Wilkes would be taken forward in future discussions.