

DURHAM COUNTY COUNCIL

At an Ordinary Meeting of the County Council held in the Council Chamber, County Hall, Durham on **Wednesday 21 September 2016 at 10.00 a.m.**

Present:

Councillor E Bell in the Chair

Councillors E Adam, J Allen, J Alvey, B Armstrong, J Armstrong, B Avery, A Batey, A Bell, D Bell, J Bell, R Bell, H Bennett, J Blakey, G Bleasdale, A Bonner, D Boyes, P Brookes, J Brown, C Carr, J Carr, J Chaplow, J Clare, J Clark, P Conway, J Cordon, P Crathorne, R Crute, K Davidson, M Davinson, K Dearden, M Dixon (Vice-Chairman), S Forster, N Foster, D Freeman, I Geldard, B Glass, B Graham, J Gray, O Gunn, C Hampson, J Hart, T Henderson, K Henig, S Henig, D Hicks, J Hillary, M Hodgson, A Hopgood, K Hopper, L Hovvels, E Huntington, S Iveson, I Jewell, O Johnson, C Kay, B Kellett, A Laing, P Lawton, J Lee, J Lethbridge, H Liddle, J Lindsay, A Liversidge, R Lumsdon, J Maitland, L Marshall, J Measor, O Milburn, S Morrison, A Napier, T Nearney, M Nicholls, H Nicholson, A Patterson, T Pemberton, M Plews, L Pounder, G Richardson, J Rowlandson, A Savory, K Shaw, J Shuttleworth, M Simmons, H Smith, T Smith, M Stanton, B Stephens, D Stoker, A Surtees, L Taylor, P Taylor, O Temple, K Thompson, F Tinsley, E Tomlinson, J Turnbull, A Turner, A Watson, M Williams, A Willis, C Wilson, R Yorke, R Young and S Zair

Apologies for absence were received from Councillors L Armstrong, K Corrigan, G Holland, C Marshall, J Maslin, P May, B Moir, R Ormerod, C Potts, S Robinson, A Shield and M Wilkes

1 Minutes

The minutes of the meeting held on 20 July 2016 were confirmed by the Council as a correct record and signed by the Chairman.

2 Declarations of Interest

Councillors S Henig and L Marshall declared an interest in Agenda Item No. 11 as Members of Pelton Fell Community Partnership.

Councillor P Brookes declared an interest in Agenda Item No. 14 as his daughter was a community pharmacist.

Councillor Henig declared an interest in Agenda Item No. 13 as an employee of the University of Sunderland.

3 Chairman's Announcements

- The Chairman announced that this week, he had been honoured to attend the British Memorial to the Missing of the Battle of the Somme at Thiépval and to unveil the memorial to the Durham Pals.

On 1st July 2016, 100 years to the day since the start of the battle, 100 pupils from the County took part in the national commemorations at the same site.

The County had been officially linked to the Somme since 1980 and last week he had signed a new memorandum of understanding with the French Education Ministry to further enhance privileged links between the two areas.

On behalf of the Council he thanked each of the 100 pupils and their teachers from the schools for their magnificent contribution to such a prestigious event which had again helped place Durham County on the world map.

- The Chairman announced that the following areas had been successful in the Northumbria in Bloom Awards for 2016:-
 - Middleton in Teesdale who won Best Village;
 - Chester-le-Street who won Best Large Town;
 - Belmont who won Best Urban Community;
 - Stanley who took 'Silver' in the town category; and
 - Durham City who won the 'Bob Wooley award' following a closely fought contest with Moorsholm, Warkwarth, Sedgefield and Morpeth.

In addition to this, Peter Lee, Clean and Green Open Space Development and Project Coordinator had won a special award for an 'Outstanding Salaried Contribution' employee to the competition.

The results of the RHS Britain in Bloom were expected on 14 October 2016 where Durham City was also a contender in the 'Champion of Champions' category for the national title.

- The Chairman was pleased to announce that he had presented the Chairman's Medal to 16 year old Olympic Rio 2016 gymnast Amy Tinkler at a civic reception earlier this month following an open top bus parade through Bishop Auckland and Spennymoor. The medal was for her stunning performance in Rio and Amy was a role model to countless gymnasts, not only here in County Durham but across Great Britain.

The Chairman's Medal was also awarded to her mentors and coaches Nicola Preston and Rachael Wright.

- The Chairman announced the retirement of Jon-Lewis Dickinson, a boxer of note from Edmondsley, who he had also presented the Chairman's medal to.

- The Chairman congratulated Jessica Eddie from Durham for her success in the rowing in the Olympics and also congratulated all the Paralympians from the North East.

4 Leader's Report

The Leader of the Council provided an update to the Council as follows:-

- The Leader had given a verbal update to Cabinet on 14 September 2016 on devolution. Following the referendum result in June, NECA had sought assurances from the Government over funding for the region, particularly in relation to the future of EU funding, a major part of the proposed devolution agreement.

The Government had confirmed that funding for projects contracted prior to the Autumn Statement would be guaranteed but provided little clarity on the remaining resource. Only a minority of funding allocated to both the North East and County Durham had been allocated to projects and therefore the majority of funding was at risk.

Unfortunately despite meetings, letters and dialogue over the summer, the Government had not provided assurances on future funding. Consequently the NECA Leadership Board had decided by a majority not to progress to the next stage of devolution at this time. In response the Government had withdrawn the devolution deal.

The Leader had given an opportunity to all groups to comment at last week's Cabinet meeting and was in no doubt that the decision not to proceed was supported by all.

He had stated at the meeting of NECA that true devolution must be a bottom-up process involving communities and residents, which was how devolution had developed in Scotland.

- The Leader reported that initial proposals for revised parliamentary boundaries across the whole country had been released. The initial recommendations proposed that County Durham would retain six constituencies, although there were significant changes proposed and no fewer than five of them would now include wards from neighbouring local authority areas. Previously the Constitution Working Group had considered proposals for changes to boundaries and he suggested that the same process be followed in respect of the recent proposals.
- The Leader reported that on top of the £180 million already cut from budgets since 2011, it was anticipated that a further £64 million of savings would need to be achieved by 2020, £29 million of which needed to be made in 2017/18. It was becoming more and more difficult to deliver services as a decade of austerity was approached.

Major budget consultations had been carried out in 2011 and 2013 in order that the public could determine which areas should be prioritised in the face of such large budget reductions and the Council was now consulting again to establish if the public's priorities had changed. It was vital that the public again had a say on how the Council moved forward in these times of sharply reduced spending.

- The Leader highlighted the summer of events held across County Durham, including the hugely successful Kynren which had brought tens of thousands of visitors into County Durham. He congratulated the organisers and volunteers from Bishop Auckland and surrounding areas.

5 Questions from Area Action Partnerships

Questions had been received from Stanley Area Action Partnership and Durham Area Action Partnership relating to the following:

- Information on progress with discussions regarding the development sites in Stanley and the support that was in place for businesses through Business Durham to increase employment.
- The SCOOT system in Durham and impact on visitor numbers to the City.

Daniel O'Brien, Stanley AAP Co-ordinator and Chris Tindale, Chair of Durham AAP were in attendance to ask their questions.

Councillor N Foster, Portfolio Holder for Economic Regeneration thanked the AAPs for their questions and provided responses.

The Head of Legal and Democratic Services informed the Council that the questions, together with the responses, would be placed on the Council's website and a copy of the responses would be sent to the Area Action Partnerships.

6 Questions from the Public

There were no questions from the public.

7 Petitions

There were no petitions for consideration.

8 Report from the Cabinet

The Leader of the Council provided the Council with an update of business discussed by the Cabinet at its meetings held on 13 and 20 July 2016 (for copy see file of Minutes).

9 Treasury Management Outturn 2015/16

The Council noted a report of the Interim Corporate Director, Resources regarding the treasury management outturn position for 2015/16. The report was required under the regulatory framework of Treasury Management and provided detailed information of the Council's cash management, loans and investments activity (for copy see file of Minutes).

The Council was informed that the report also incorporated the needs of the 'Prudential Code', regarded as best operational practice, to ensure adequate monitoring of the Council's capital expenditure plans and prudential indicators.

10 County Durham Housing Group Board - Operations Committee

The Council considered a joint report of the Corporate Director, Regeneration and Local Services and the Head of Legal and Democratic Services regarding the governance review of the County Durham Housing Group Board (for copy see file of Minutes).

The report advised of the conclusions of the governance review, and sought nominations to the Operations Committee of the Board.

In **Moving** the report Councillor Tomlinson, Portfolio Holder for Assets, Strategic Housing and Rural Issues stated that the environment within which the social housing sector operated had changed dramatically in the last 2 years. The impact of Welfare Reform had not yet been fully felt but the impact on the Business Plans of all social housing providers had been dramatic. The Group's first regulatory judgement by the Homes and Communities Agency had been satisfactory but had identified that improvements were required to the governance arrangements. The review had been aided by a consultant, and the proposals were supported by the three subsidiaries within the Group.

In **Seconding** the report Councillor Foster, Portfolio Holder for Economic Regeneration emphasised that the proposals were in response to external advice, the financial pressures placed on the organisation and the need to make improvements, whilst balancing efficiencies with doing the best it possibly could for the people the Group served.

Councillor Hopgood noted that the criteria for making nominations to the Operations Committee had been revised and political balance would not apply. The Member was of the view that this was undemocratic and would abstain from voting on the recommendation to agree the revised criteria.

Upon a vote being taken it was **Resolved**:

That recommendations (i) and (iii) in the report be agreed.

The Chairman invited nominations to the Operations Committee of the County Durham Housing Board.

Further Resolved:

That the following Members from the relevant housing areas be nominated to the Operations Committee of the County Durham Housing Group Board:-

Dale and Valley Homes – Councillor C Wilson
Durham City Homes – Councillor B Kellett
East Durham Homes – Councillor K Shaw.

11 Pelton Fell Community Governance Review - Final Recommendations

The Council considered a report of the Head of Legal and Democratic Services which provided an update following publication of the draft recommendations as part of the Community Governance Review of Pelton Fell (for copy see file of Minutes).

Moved by Councillor Napier, **Seconded** by Councillor J Armstrong and

Resolved:

That the current governance arrangements in Pelton Fell remain unchanged and the final recommendations to this effect be published in accordance with the Review timetable.

12 Annual Report of the Standards Committee 2015/2016

The Council noted a report of the Head of Legal and Democratic Services which informed of the work of the Standards Committee during 2015/2016 and set out the future direction which the Committee intended to take during 2016/2017 (for copy see file of Minutes).

Councillor K Shaw, Chairman of the Standards Committee informed the Council that the report advised of the work of the Committee during the previous year and also set out the proposed direction for the current year. Whilst there was no requirement for Standards Committees to produce an annual report, it was felt that doing so demonstrated good practice.

The report set out the Code of Conduct complaints which had been dealt with during the previous two years. There had been an increase in the number of complaints received in 2015/16, however this was partly due to groups of complainants submitting the same complaint. The Code of Conduct was intended to govern serious issues of misconduct.

On 18 November 2015 the Chairman of the Committee and the Monitoring Officer had hosted refresher training on the Code of Conduct for delegates from all Parish and Town Councils. With elections to the County Council and Parish and Town Councils to be held in May 2017 training on the Code of Conduct would be arranged for new members.

Councillor Shaw thanked the Monitoring Officer and her staff for their support during the year, and Councillor Williams, the outgoing Chairman of the Committee.

13 Local Government Standards - Reappointment of Independent Persons

The Committee considered a report of the Head of Legal and Democratic Services which recommended the re-appointment of the two independent persons to the Standards Committee in order to retain continuity of expertise in relation to the Council's standards regime (for copy see file of Minutes).

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

Resolved:

That the independent persons be re-appointed to the Standards Committee with immediate effect for a period of four years.

14 Motions on Notice

In accordance with a Notice of Motion it was **Moved** by Councillor Crute and **Seconded** by Councillor Shaw

Durham County Council believes that issues relating to events at the picketing of Orgreave on 18 June 1984 are of both local and national importance.

In Durham, miners and their families were adversely affected by the events of that day in terms of wrongful arrest, false imprisonment, ill-health, family breakdown and termination of employment and as a direct result of policing tactics at Orgreave. A full investigation into the military style policing used on that day is long overdue and only a full public inquiry can fully investigate this.

Durham County Council therefore calls on the Home Secretary to order a full public inquiry into the deployment and actions of the police on 18 June 1984, and to hold meaningful discussions with the Orgreave Truth and Justice Campaign, The NUM and concerned MPs.

Councillors Napier, R Bell, Brown, Maitland, Foster and Glass all spoke in support of Councillor Crute's motion.

Upon a vote being taken it was **Resolved:**

That the motion be **carried**.

Councillor Brookes left the meeting before the next motion.

In accordance with a Notice of Motion it was **Moved** by Councillor Gunn and **Seconded** by Councillor Tinsley

Durham County Council deplores the Government's plans to cut £170m to the funding of community pharmacies which could result in the closure of 3,000

pharmacies. This Council believes that local pharmacies are a community hub, a source of healthy living advice, a setting for a range of National Health services and a valuable partner for GP and A&E services which are already under pressure.

Moreover, such closures will undoubtedly have a social and economic impact upon our communities in County Durham.

This Council therefore calls on the Government to maintain a fully funded pharmacy service in order to secure this vital local health resource.

Councillors H Smith, R Bell and E Tomlinson all spoke in support of the motion.

Upon a vote being taken it was **Resolved:**

That the motion be **carried.**

15 Questions from Members

Councillor O Temple

Given that the Council has equipped its refuse collection vehicles with cameras, when could they be installed in the Council Chamber to allow the public to watch meetings of the Council via the Council's website?

Councillor J Brown, Portfolio Holder for Corporate Services thanked Councillor Temple for his question and provided a response.

Following the Council meeting on the 24th July 2013, a working group had been set up with each group on the Council invited to send a representative. Also in attendance were officers from ICT and from Corporate Communications. The working group comprised of Councillors Brown, Martin, Hart, Dearden, R Bell, Shuttleworth and Stelling.

The aim of the group was to explore the feasibility of using a webcam to film Council meetings. The general view of the working group was that in the interests of transparency, it was desirable to enable webcasting, provided it was possible to do so at a reasonable cost.

The potential cost of both a turnkey solution and one developed in-house were explored. A turn-key solution would have cost in the region of £15,000 for one year and in the region of £54,000 allowing for a discount for advance payment for five years. An in-house solution was estimated to cost no less because of the resource implications of servicing any system and carrying out video editing. Neither solution would have covered other meetings of the Council such as Cabinet and Committees.

The Head of Legal and Democratic Services presented a report to the Council on 23 July 2014 on the Openness of Local Government Bodies Regulations 2014 in anticipation of the obligation upon Councils to allow those attending meetings of the

Council, Cabinet and Committees to record all but exempted items. The report appended a protocol which was approved by Council.

Therefore in the light of these new Regulations, the protocol and the financial constraints upon the Council the working group agreed that it seemed unnecessary for the Council to incur expenditure broadcasting its meetings. There had been no changes to the law or costs of providing a system that would necessitate a review of this position.

Councillor Temple responded that costs had fallen. The Council had installed 384 cameras in refuse collection vehicles which could observe the performance of the County's citizens, yet it could not find the funds to install a system in the Council Chamber to allow the public to view Council meetings. He asked if the public would view this as an economic decision or a political one.

Councillor Brown advised that a written response would be provided to Councillor Temple.