

DURHAM COUNTY COUNCIL

At an Ordinary Meeting of the County Council held in the Council Chamber - County Hall, Durham on **Wednesday 31 October 2018 at 10.00 am.**

Present:

Councillor J Lethbridge (Chairman)

Councillors E Adam, J Allen, J Atkinson, P Atkinson, B Avery, A Bainbridge, B Bainbridge, A Batey, A Bell, D Bell, E Bell, J Bell, R Bell, H Bennett, J Blakey, G Bleasdale, P Brookes, D Brown, J Brown, L Brown, C Carr, J Chaplow, J Clare, J Clark, M Clarke, I Cochrane, J Considine, K Corrigan (Vice-Chairman), P Crathorne, R Crute, G Darkes, M Davinson, S Dunn, D Freeman, A Gardner, J Grant, O Gunn, D Hall, C Hampson, K Hawley, T Henderson, S Henig, D Hicks, A Hopgood, K Hopper, L Hovvells, P Howell, E Huntington, S Iveson, I Jewell, O Johnson, P Jopling, C Kay, B Kellett, L Kennedy, A Laing, K Liddell, H Liddle, J Maitland, J Makepeace, R Manchester, C Marshall, L Marshall, C Martin, E Mavin, S McDonnell, M McGaun, M McKeon, I McLean, A Napier, J Nicholson, A Patterson, L Pounder, S Quinn, A Reed, G Richardson, S Robinson, J Rowlandson, A Savory, E Scott, P Sexton, K Shaw, A Shield, J Shuttleworth, A Simpson, H Smith, T Smith, W Stelling, B Stephens, A Surtees, P Taylor, O Temple, K Thompson, F Tinsley, T Tucker, J Turnbull, A Watson, M Wilkes, A Willis, C Wilson, M Wilson, S Wilson, D Wood and S Zair

Apologies for absence were received from Councillors L Boyd, J Charlton, N Grayson, S Hugill, L Maddison, L Mavin, O Milburn, S Morrison, H Nicholson, P Oliver, R Ormerod, C Potts, M Simmons, J Stephenson, D Stoker, L Taylor and R Yorke

Prior to the commencement of the meeting the Chairman of the County Council with great sadness reported the deaths of:

- former Durham County Councillor, Wear Valley District Councillor and West Auckland Parish Councillor Andrew (Andy) Turner. Andy was a Wear Valley District Councillor from 1999-2003 and served on Durham County Council from 2008-2017 representing the West Auckland Division and Evenwood Division over two terms of office.
- former Durham City Councillor Robert (Bob) Wynn. Bob served on Durham City Council for 10 years from May 1999 to 2009 representing the Elvet Ward and Crossgate and Framwelgate Ward and served as Mayor of the City of Durham in 2007-08.

The Council stood for a moments silence as a mark of respect.

1 Minutes

The minutes of the meeting held on 19 September 2018 were confirmed by the Council as a correct record and signed by the Chairman.

Councillor Shuttleworth informed Council that he had made a statement on the work of the Audit Committee report which was considered at Council on 19 September 2018 and requested that the minutes be amended to reference his comments. The Head of Legal and Democratic Services advised Council that she would resolve the issue outside of the meeting.

2 Declarations of Interest

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

3 Chairman's Announcements

The Chairman referred Council to the beauty of the County, which was made more welcoming for residents and visitors alike by the abundance of flower displays in many towns and villages. These included work by the Council, Parish Councils, community groups, businesses and many more.

The Chairman had recently attended the Northumbria in Bloom finals where many settlements achieved the highest standard of gold, and others achieved best in class. Ovington in the south of the County achieved Gold and Best New Entry in its first year of taking part in the competition.

Durham City also scooped gold and was category winner, also judged to be the best in Northumbria overall.

Additionally Durham City also won the Best Small City Category in the national Britain in Bloom finals and its fourth national gold in a row.

Several members of the Councils team that helped to achieve these results were in attendance and the Chairman presented them with the awards. The Chairman also invited Council to place on record its congratulations and thanks to those involved.

4 Leader's Report

The Leader informed Council that the Council was prepared for winter, with new replacement gritters and 42,000 tonnes of salt to keep County Durham's roads moving. As in previous years, the Council was supporting the NHS winter wellness messaging and the flu vaccination campaign with staff being offered free vaccination if they came into contact with vulnerable adults and children as part of their jobs.

World Mental Health Day took place on 10 October and that Council and partners signed the 'Time to Change' pledge at the County Durham Partnership's annual event held on the same day. The pledge demonstrated the Council's commitment to introducing positive changes to how it thought and acted about mental health in the workplace.

The Partnership event attracted 200 participants from community groups across the County and featured key speakers who highlighted innovative approaches to supporting people with mental health needs and the importance of promoting mental health awareness. Delegates received an update on successful projects and were encouraged to share ideas on how to empower communities to become more resilient. Discussions were also held on themes including children and young people, men's wellbeing and tackling stigma and discrimination.

The Council had also signed the 'Dying to Work' pledge with trade union representatives before the Cabinet meeting on 17 October 2018, as part of the TUC campaign for greater employment security for terminally ill workers. Signatories included representatives from the Regional TUC, GMB, Unison and Unite.

The Council had again provided free healthy snacks for children during the half term holiday. Aimed at tackling holiday hunger and child poverty, the programme ran from all of the Council's leisure centres with swimming pools.

Durham Book festival, which took place in October, attracted several thousand visitors to a wide variety of events, of which the leader had attended a number, and 3,000 people engaged with the Big Read.

Planning was underway for next year's tenth anniversary Lumiere and a sponsorship launch event would take place in November when the Heron installation would be lit up at its permanent location in the River Wear as a third Lumiere legacy piece permanently on display in Durham.

As part of the Council's Inward Investment campaign the Council's marketing programme, Celebrate Durham, continued with poster and digital display campaigns featuring Lumiere, including at Newcastle International Airport and along the East Coast Main Line at King's Cross, Leeds, York and Edinburgh Waverley stations.

The Leader referred to the Armistice centenary which took place in a few days' time and marked 100 years since the First World War Armistice on 11 November 1918. A number of events were taking place.

The Council was working with the Northern Echo to produce a commemorative edition to be published on Sunday 11 November. 'Hope', a sound and light installation, would be in Millennium Place, Durham to coincide with the centenary from 9 to 15 November. Alongside 'Hope' a special performance of the Durham Hymns would take place in the Cathedral on Sunday 11 November.

The musical play, 'The Muddy Choir' would be performed at the Gala Theatre on 1 November while the BBC were shortly to undertake some filming in Witton park to feature the story of the Fighting Bradfords in one of their centenary pieces.

In addition a host of community commemorations were taking place across County Durham. An information section had been set up on the Council's website and would be live from 1 November.

Referring to funding, a Cambridge University study had named County Durham among the worst areas in the country affected by austerity. According to the findings of this independent study the county had seen spending levels slashed by approximately one third between 2010 and 2017.

This week's Chancellor's Budget had seen some additional resources in some areas, although details in terms of how much would be allocated to County Durham was awaited. However, claims that austerity was over appeared to be wide of the mark. Since 2010 the Council had needed to cut its budget by more than £220 million anticipated that reductions in the revenue support grant would continue in the forthcoming 2019/20 financial year. Thereafter the situation remained uncertain, partly as a consequence of the government's Fair Funding review which had yet to report and which could seek to redistribute funding to wealthier areas in the south.

In face of this uncertainty the Council, alongside all north east councils, was proactively campaigning for genuinely fairer funding on the basis of need. The Council was also warning about the potential impact of a change in the way Public Health grant was allocated, which could see County Durham as the worst affected local authority in the country, losing almost £20 million, while areas in the south, without anything like the health needs, could gain by almost as much. The Council had started to lobby to save the public health budget and would ask everyone to join in this.

Councillor Gunn, Portfolio Holder for Children and Young People's Services had written to the governing bodies of all schools and academies in the County to share the Council's concerns about the financial pressures they were currently facing as a result of the government's lack of investment, which would not be ended by the purchase of a couple of whiteboards, a suggested use for the very small additional sums given to schools in the Budget.

5 Questions from Area Action Partnerships

Questions had been received from Four Together Area Action Partnership and Greater Aycliffe and Middridge Area Action Partnership relating to the following:

- How the County Council was working with the bus operators to extend their current offer and how residents could feed in their concerns to ensure that local transport met local need;
- What were the County Council's next plans for the Great Aycliffe Economy and what GAMP could do to assist?

Lee Copeland, Four Together AAP Coordinator and Brian Riley, Greater Aycliffe and Middridge AAP Coordinator were in attendance to ask their questions. Councillor C Marshall, Portfolio Holder for Economic Regeneration thanked both Area Action Partnerships for their questions and provided responses to both.

6 Questions from the Public

A public question had been received asking the precise plans for traffic in the centre of Durham City should the proposed northern and western relief roads be built and

what evidence there was that building these new roads would have the effect of reducing overall traffic, pollution etc. in the broader Durham City area.

In the absence of the member of the public the Head of Legal and Democratic Services informed the Council that the questioner would receive a written response to the question and both the question and the response would be published on the Council's website following the meeting.

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 considered by Cabinet on 12 September 2018 (for copy see file of Minutes).

Councillor Hopgood asked whether the Leader could confirm if there would be any increase in the financial contribution that Durham paid as a result of the changes to the North East Combined Authority (NECA) following the creation of a new North of Tyne Mayoral Authority, and if so when and how Members would be consulted on the proposals.

Councillor Henig, Leader of the Council replied that changes to the NECA were in the process of taking place and were expected to be formalised within the next few weeks.

Councillor Hopgood asked whether Members would be advised of any additional costs and if so, when.

Councillor Henig replied that any budget proposals for the NECA costs would be subject to the normal budget process which would include the scrutiny process.

9 Modern Slavery Charter

The Council considered a report of the Corporate Director of Adult and Health Services which presented a Modern Slavery Charter and sought agreement to the Charter (for copy see file of Minutes).

Moved by Councillor Hovvels, **Seconded** by Councillor J Brown and

Resolved:

That the Modern Slavery Charter be approved and placed on the Council's website.

10 Co-opted Members to the Audit Committee

The Council considered a report of the Corporate Director of Resources which sought approval on the appointment of co-opted Members to the Audit Committee (for copy see file of Minutes).

Moved by Councillor E Bell, **Seconded** by Councillor Rowlandson and

Resolved:

That the appointment of the current co-opted members of the Audit Committee be extended until 30 April 2023.

11 Local Council Tax Reduction Scheme 2019/20

The Council considered a report of the Corporate Director of Resources which sought approval for the continuation of the Local Council Tax Reduction Scheme (LCTRS) for a further year into 2019/20 (for copy see file of Minutes).

In **Moving** the report, Councillor Napier, Deputy Leader and Cabinet Portfolio Holder for Finance, informed the Council that despite many years of ongoing austerity the Council had been able to protect the most vulnerable people it served.

The LCTRS was unchanged and ensured that the Council continued to be one of the few councils to continue to offer the same level of benefit as was the case under the old council tax benefit rules. This was despite Government cutting funding for the scheme every year since 2011, when it was cut by 10% before being handed to local government, which was a £4.6m hit to the Council.

These continued to be unprecedented times, with a government paralysed by Brexit with significant risk and uncertainty surrounding future economic prospects and future local government funding.

The decade of imposed austerity continued to hit the Council, but also hit the most vulnerable residents hard. Local people who had seen cuts to their benefits and allowances by a government that did not understand. A government that continued to roll out the Universal Credit scheme despite the bank of evidence which showed how the scheme was not working for vulnerable people, putting people who need the most in an even more vulnerable position.

Cabinet was satisfied that the Council could continue to protect the 34,000 low income households across the County to help them make ends meet by awarding them up to 100% council tax support for 2019/20. Durham was one of only two councils in the region, and one of a dwindling number of councils across the country which continued to grant up to 100% support for working age council tax payers in receipt of low income. Evidence showed that in areas where the LCTRS was not maintained council tax collection rates decreased and the issuing of summons increased. Bailiffs then became involved and this led to the most vulnerable spiralling into debt.

As more local council tax support claimants were in receipt of Universal Credit, where the level of their income could change frequently meaning there could be many changes to their entitlement, changes to the LCTRS may need to be made and officers had been asked to consider this.

In **Seconding** approval of the Scheme Councillor J Brown, Portfolio Holder for Social Inclusion informed the Council that she was proud that the County Council, which had worked hard to protect the Scheme, was one of a few Councils to continue to support such a Scheme. There was evidence that in areas which had drawn back from such level of support families were pushed further into the poverty trap.

Resolved:

- (a) That the current Local Council Tax Reduction Scheme be continued into 2019/20, which would retain the same level of support to all working age council tax payers on low incomes;
- (b) That the extension to the Scheme be initially for a further year only and be kept under continuous review with a further decision on the Scheme to apply in 2020/21 to be considered by Cabinet in spring/summer 2019 and Full Council by 11 March 2020.

12 Annual Report of the Standards Committee 2017/2018

The Council noted a report of the Head of Legal and Democratic Services which presented the Annual Report of the Standards Committee for 2017/18 and set out the future direction the Committee intended to take during 2018/19 (for copy see file of Minutes).

Councillor Kellett, Chair of the Standards Committee informed the Council that the Standards Committee had continued to promote the principles and values of good governance within the Council and across the County. The Members of the Standards Committee were committed and dedicated to ensuring that high standards of conduct were maintained by all local elected Members.

Councillor Kellett thanked the Monitoring Officer, staff and Independent Persons for their support during the year.

13 Motions on Notice

In accordance with a Notice of Motion it was **Moved** by Councillor Wilkes and **Seconded** by Councillor Zair:

This Council confirms its absolute opposition to the closure of Ward 6 of Bishop Auckland Hospital, and calls upon the Secretary of State to intervene and halt County Durham and Darlington NHS Foundation Trust's plan.

Councillor L Hovvels, Portfolio Holder for Adult and Health Services **Moved** the following amendment, **Seconded** by Councillor A Laing:

This Council confirms its support for the campaign led by Helen Goodman MP and local people in relation to the closure of Ward 6 of Bishop Auckland Hospital, planned by the County Durham and Darlington NHS Foundation Trust. It notes that the matter is due to be considered by the Adults, Wellbeing and Health Overview and Scrutiny Committee on 15 November, and calls on scrutiny to provide a thorough examination of what has been carried out and to investigate further how services can be retained.

Upon a vote being taken the Amendment was **carried** and therefore became the Substantive Motion.

Councillor M Wilkes **Moved** the following amendment, **Seconded** by Councillor S Zair:

This Council confirms its support for the campaign led by Helen Goodman MP and local people in relation to the closure of Ward 6 of Bishop Auckland Hospital, planned by the County Durham and Darlington NHS Foundation Trust. It notes that the matter is due to be considered by the Adults, Wellbeing and Health Overview and Scrutiny Committee on 15 November, and calls on scrutiny to provide a thorough examination of what has been carried out and to investigate further how services can be retained and if the Trust fails to halt its closure plans following the Scrutiny meeting, this Council agrees to refer this matter to the Secretary of State.

Upon a vote being taken the Amendment was **lost**.

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

14 Questions from Members

Councillor A Watson

Future Funding for Maintained Nursery Schools Durham County Council was in the Forefront of Early Years education and created Nursery Schools in the 1960's most of which are rated outstanding by Ofsted. Government has stated that when the existing system of supplementary payments for Maintained Nursery School provision is merged into The Early Years single Funding Formula, Local Authorities will still be permitted to provide a higher level of Funding for Maintained Nursery Schools. What assurances can the Portfolio Holder give Members that County Durham will indeed continue to provide the Enhanced Supplement?

Councillor O Gunn, Portfolio Holder for Children and Young People's Services thanked Councillor Watson for his question.

The Department for Education's 2016 document, 'Early years National funding formula', did indeed include the suggestion that local authorities were allowed to continue providing a higher level of funding to maintained nursery schools, but it also required local authorities to set a universal base rate which was the same for all types of provider. So the expectation would be that, although a higher level of funding was permitted prior to the setting of a universal base rate, in due course all providers would be paid at the same rate.

Currently the government provided local authorities with supplementary funding for maintained nurseries. The purpose of a universal rate was to ensure that no Councils unfairly differentiated the funding rates that they paid to different types of providers, a level playing-field for those from the maintained sector and those from the private/voluntary sector was important, particularly so in regard to 30 hours delivery, the majority of which was provided by the private and voluntary sector.

However, the Government's supplementary funding was only guaranteed until the end of the financial year 2019/20. The expectation of the Department for Education was that the Council would by then have set a universal rate from the funding available through the Early Years National Funding Formula, paying all types of providers at the same level.

In the meantime the Department for Education was undertaking a national review of the funding of maintained nursery schools where it was expected Government direction would follow.

Councillor Watson asked the following supplementary question

Does the Portfolio Holder appreciate that if the Enhanced Supplement is not paid then Maintained Nursery Schools in order to set their Budgets for 2019-20, will have little alternative but to make many TA's redundant, indeed some could struggle to prevent closure.

Councillor Gunn replied that she could only repeat what she had previously said regarding funding. Government had been lobbied for increased education funding at all levels. The Council would always give as much as it could but was restricted because the government did not realise the funding crisis in all education provision.

Councillor D Freeman

Can the Portfolio Holder confirm that as in previous years that the Council will again be supporting our shopping centres with 'Free after 3.00' parking during December in its own car parks across County Durham and on street in Durham City?

Councillor C Marshall, Portfolio Holder for Regeneration thanked Councillor Freeman for his question and confirmed that the Council would be supporting shopping centres with 'Free after 3.00' parking during December in its own car parks across County Durham and on street in Durham City.