

**COUNCIL**  
25<sup>th</sup> January 2018

**PRESENT** – The Mayor; Councillors Baldwin, Cartwright, Cossins, Coultas, Crichlow, Crumbie, Mrs. Culley, Curry, Dixon, Donoghue, Galletley, Grundy, Harker, Haszeldine, C. L. B. Hughes, L. Hughes, Johnson, B. Jones, Kelley, Kelly, Knowles, Lawton, Lee, Lister, Lyonette, Marshall, McEwan, Mills, Newall, K. Nicholson, Rahman, E. A. Richmond, S. Richmond, Mrs. H. Scott, Storr, C. Taylor, Tostevin, Wright and York. (40)

**APOLOGIES** – Councillors Carson, Copeland, Mrs. D. Jones, Kane, M. Nicholson, Nutt, Regan, A. J. Scott and Wallis. (9)

**ABSENT** – Councillor Crudass. (1)

**37. MINUTES** – Submitted – The Minutes (previously circulated) of the meeting of this Council, held on 23 November 2017.

**RESOLVED** – That the Minutes be approved as a correct record.

**38. DECLARATIONS OF INTEREST** – There were no declarations of interest reported at the meeting.

**39. ORDER OF SEALING DOCUMENTS** – Presented – The Register showing the documents which had been sealed since the last meeting of Council.

**40. ANNOUNCEMENTS – (1) Death of Colin Morris, former Director of Social Services** – The Mayor paid tribute to Colin Morris, a former Director of Social Services for Darlington Borough Council, who had recently passed away. The Mayor reported Colin was the first Social Service Director after Darlington became a unitary council and did great work to establish a strong department. The Mayor advised Members that after leaving the Council, Colin was appointed as the first Chief Executive of Darlington Primary Care Trust, and more recently played important roles in children's safeguarding, including chairing the Council's Local Safeguarding Children Board. The Mayor informed Members that away from Darlington, Colin had led a team to Romania to investigate the international adoption of children in orphanages, and that in 1999, Colin undertook an inquiry into child abuse in Mauritius on behalf of UNICEF.

As a mark of respect, Members held a short silence in memory of Colin.

**(2) Acts of Bravery and Skill** – The Mayor acknowledged two acts of bravery and skill demonstrated by staff. The Mayor stated that the first incident related to a new CCTV operative who worked closely with police to avert a potentially tragic situation, and that the second incident involved two members of staff from the Dolphin Centre

who demonstrated quick thinking and skill to tend to a gentleman experiencing a heart attack until the emergency services arrived.

**(3) Holocaust Memorial Day 2018** – The Mayor reminded Members of a series of events scheduled to take place to commemorate Holocaust Memorial Day 2018.

**41. QUESTIONS – TO ANSWER QUESTIONS (WHERE NOTICE HAS BEEN GIVEN) FROM – (1) The Public** – There were no questions from members of the public.

**(2) Members to Cabinet/Chairs** – There were no questions from Members, where notice had been given, for the Mayor, Members of the Cabinet, or the Chairs of the Scrutiny Committees.

**(3) Police, Crime and Victims' Commissioner for Durham and Darlington** – The Police, Crime and Victims' Commissioner for Durham and Darlington, had submitted his apologies for the meeting.

**42. COUNCIL REPORTS – (a) Council Tax Calculation of Tax Base 2018/19** – The Director of Neighbourhood Services and Resources submitted a report (previously circulated) to determine the Council's tax base for 2018/19.

The submitted report stated that, in accordance with Section 33 of the Local Government Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base) Regulations 2012, the Council had to decide its tax base by 31 January in the year preceding that for which the tax base applies.

**RESOLVED** – (a) That the calculation of the Council's tax base for the year 2018/19, be approved.

(b) That the tax base for the Council and the individual tax base for the parishes, as set out at Appendix 2 of the submitted report, be approved.

**REASON** - To comply with statutory requirements, enabling the Council Tax for 2018/19 to be set by Council in February 2018.

**43. CABINET REPORTS – (a) Overview Reports of Cabinet Members** – The Cabinet Members each gave a report (previously circulated) on the main areas of work undertaken under their relevant portfolio during the previous cycle of meetings. Cabinet Members answered questions on their portfolios.

**(b) Senior Management Restructure** – The Chief Executive submitted a report (previously circulated) which outlined a review of Senior Management structures, and proposed changes resulting in a revenue saving over the Medium Term Financial Plan (MTFP).

The submitted report stated that, since the advent of the Government's austerity programme in public spending, there had been three major reviews of senior management structures delivering ongoing annual savings of circa £2.2m, achieved

primarily through widening the span of responsibility of senior managers, flattening tiers of management, and through alternative delivery vehicles.

The submitted report noted that the Council was now in a more stable financial position, with steady progress in hand for the remaining saving targets, and therefore the focus was now on maintaining a strong operational performance in terms of the agreed core offer, whilst exploring innovative options to enhance growth and revenue returns to deliver funding to support the MTFP. A further reduction was therefore proposed, which merged the positions of Chief Executive and Director of Neighbourhood Services and Resources, with two Directors sitting underneath this role; one covering Place functions, and one covering People functions. It was stated that the Director of Economic Growth (Place) would also absorb the neighbourhood group of services alongside his existing portfolio, and that the Assistant Director for Finance, HRM and Systems would assume responsibility for Section 151 Chief Officer Role, along with corporate strategy, performance and communications functions. The submitted report stated that the proposed changes would result in an annual revenue saving of approximately £171,000, with a saving of around £464,000 over the lifetime of the MTFP, allowing for the costs of implementation. It was reported that Cabinet had considered the senior management restructure proposals on 12 December 2017, and agreed to support the changes proposed.

The submitted report stated that the Human Resources Committee met on 5 January 2018, and, after interviewing the Director of Neighbourhood Services and Resources, had agreed to recommend to Council that Paul Wildsmith be offered the role of Managing Director (Head of Paid Service). It was also reported that an application for early retirement had been received from the Assistant Director, Regulatory Services, and that this had enabled a review to strengthen the focus and coordination of work on community safety and public protection.

**RESOLVED** – (a) That the revenue savings that will be achieved by the proposed changes to senior management be noted.

(b) That the early retirement of the Chief Executive on 31 May 2018, and the early release of entitlement to her local government pension, be approved.

(c) That the recommendation of the Human Resources Committee be noted, and that Paul Wildsmith be appointed to the post of Managing Director (Head of Paid Service) with effect from 1 June 2018.

(d) That Elizabeth Davison be appointed as the Council's Statutory Chief Financial Officer with effect from 1 June 2018.

(e) That the post of Assistant Director, Regulatory Services, be deleted (when it falls vacant).

(f) That the intention to create a Community Safety Division be noted.

(g) That the structural and financial implications, detailed within the submitted report, be approved.

**REASONS** – (a) To further reduce the costs of senior management to facilitate the delivery of MTFP savings.

(b) To ensure that sufficient capacity exists in senior management to meet the financial and business challenges faced by the Council.

(c) To make statutory appointments.

(d) To facilitate restructuring in order to meet identified priorities relating to Community Safety.

**(c) Mid-Year Prudential Indicators and Treasury Management Monitoring Report 2017/18** – The Director of Neighbourhood Services and Resources submitted a report (previously circulated) on the revised Treasury Management Strategy, Prudential Indicators and to provide a half-yearly review of the Council's borrowing and investment activities.

The submitted report stated that the Prudential Indicators were examined by the Audit Committee on 20 December 2017, and it was agreed at that meeting that the updated Prudential Indicators and revised Operational Boundary and Authorised Limit for borrowing be referred to Council, via Cabinet, for approval. It was also reported that the Audit Committee was satisfied with the Council's borrowing and investment activities, the reported Prudential Indicators, and the revised borrowing limits.

The Prudential Indicators were set in three statutory annual reports to Council, and the submitted report followed the Council's approval in February 2017 of the 2017/18 Prudential Indicators and Treasury Management Strategy. The key objectives of the three annual reports were to ensure that governance of the large amounts of public money under the Council's Treasury Management activities complied with legislation and met the high standards set out in the codes of practice, to ensure that borrowing was affordable, and to report performance of the key activities of borrowing and investments.

The submitted report also outlined revisions to the Prudential Indicators, which related to lower capital expenditure in 2017/18 due to slippage on some Capital Schemes into 2018/19, however the revised estimate included potential loans to Registered Social Landlords which, if fulfilled, would increase borrowing need for 2017/18 to £105.825M. It was reported that the Operational Boundary would increase to £295.825M, and the Authorised Limit would increase to £310.616M to allow for any additional cashflow requirement.

**RESOLVED** – (a) That the revised prudential indicators and limits within the report in Tables 1 to 6, 8 and 15 to 18, be approved.

(b) That the reduction in the Treasury Management Budget (Financing Costs) of £0.418m, as detailed in Table 12, be noted.

**REASONS –** (a) In order to comply with the Prudential Code for Capital Finance in Local Authorities.

(b) To inform Members of the performance of the Treasury Management function.

(c) To comply with the Local Government Act 2003.

(d) To enable further improvements to be made in the Council's Treasury Management function.

**(d) Darlington Borough Local Plan 2016-36: Housing Targets and Local Plan**

**Timetable –** The Director of Economic Growth submitted a report (previously circulated) seeking approval for a recommended annual housing requirement which would subsequently inform the housing site allocations in the new Local Plan, and the revised timetable and process for producing the new Local Plan (including the revision of the Local Development Scheme).

The submitted report stated that the Government required local planning authorities to prepare an objective assessment of housing need to inform its Local Plan and that assessment should be based on the latest Office of National Statistics (ONS) household and population projections. It was reported that the latest household projections were released in March 2016, and in response consultants had carried out further work to update the objective assessment of housing need, which identified a base need of 389 dwellings per year, with an additional allowance of 33 dwellings per year for elderly people not moving into residential care, which provided an objectively assessed need of 422 dwellings per annum. The submitted report stated that this made no allowance for economic growth, and therefore, based on previous economic performance, it was realistic to assume an additional 70 dwellings per annum would also be required.

**RESOLVED –** (a) That a housing need of 422 dwellings per annum for the period of the plan, 2016 to 2036, equating to 8440 dwellings in total, be approved.

(b) That a planned housing target of 492 dwellings per annum or a total of 9840 dwellings over the plan period for the basis of informing housing site allocations be approved.

(c) That the Local Development Scheme (2018-2021) be approved.

**REASONS –** (a) The National Planning Policy Framework states that local planning authorities should positively seek opportunities to meet the development needs of their area and Local Plans should meet objectively assessed needs.

(b) In addition to meeting basic housing needs the Council needs to plan for realistic economic growth scenarios and the planned housing target of 9840 dwellings is considered to be realistic as derived from current economic growth evidence.

(c) The Council is required to have an up to date Local Development Scheme (Planning and Compulsory Act 2004, as amended by Section 111, localism Act 2011).

**(e) Cabinet Urgent Decisions** – The Director of Economic Growth submitted a report (previously circulated) detailing decisions taken by Cabinet as a matter of urgency and to which the procedure for call-in could not be applied.

**RESOLVED** – That the urgent decisions taken by Cabinet be noted.

**REASON** – To comply with the Council's Constitution.

**44. SCRUTINY REPORTS – OVERVIEW REPORTS** – The five Scrutiny Committee Chairs each submitted a report (previously circulated) on the main areas of work undertaken by their relevant Scrutiny Committee during the last cycle of Committee meetings.

**45. NOTICE OF MOTION** - The following Motion was moved by Councillor S. Richmond, and seconded by Councillor Mrs. H. Scott:

'To note that this year is the 100th anniversary of the Representation of the People Act 1918 which by giving some women the right to vote was a significant step forward in gaining universal suffrage and in advancing gender equality.

That the Council mark this important event over the course of the year with partners and educational institutions.'

The Motion was put to the meeting and carried.

**46. MEMBERSHIP CHANGES** – Consideration was given to membership changes of the Committees, Subsidiary Bodies and Other Bodies for the remainder of the Municipal Year 2017/18.

**RESOLVED** – (a) That Councillor Marshall be appointed to the Corporate Parenting Panel in place of Councillor Mills.