

Council Agenda



6.00 pm Thursday, 5 December 2019
Council Chamber, Town Hall,
Darlington. DL1 5QT

Members of the Public are welcome to attend this Meeting.

1. Introductions / Attendance at Meeting.
2. Minutes - To approve the Minutes of the Meetings of this Council held on 19 September and 26 September 2019 (Pages 1 - 6)
3. Declarations of Interest.
4. Sealing.
5. Announcements.
6. Questions - To answer questions (where appropriate notice has been given from):-
 - (a) The Public;
 - (b) Members to Cabinet/Chairs;
 - (c) Members to the Acting Police, Crime and Victims' Commissioner for Durham and Darlington.
7. Council Reports.
 - (a) Scrutiny Committees - Proposed Terms of Reference – Report of the Managing Director (Pages 7 - 34)
 - (b) Joint Health Scrutiny Committee – Report of the Managing Director (Pages 35 - 44)

8. Cabinet Reports.
 - (a) Overview Report of the Leader of the Council; (Pages 45 - 46)
 - (b) Overview Report of the Adults Portfolio; (Pages 47 - 48)
 - (c) Overview Report of the Children and Young People Portfolio; (Pages 49 - 52)
 - (d) Overview Report of the Economy Portfolio; (Pages 53 - 56)
 - (e) Overview Report of the Health and Housing Portfolio; (Pages 57 - 60)
 - (f) Overview Report of the Local Services Portfolio; (Pages 61 - 64)
 - (g) Overview Report of the Resources Portfolio; and (Pages 65 - 66)
 - (h) Overview Report of the Stronger Communities Portfolio. (Pages 67 - 70)
 - (i) Council Tax Support - Scheme Approval 2020-21 –
Report of the Managing Director
(Pages 71 - 116)
 - (j) Council Tax Empty Property Premium –
Report of the Managing Director
(Pages 117 - 148)
9. Scrutiny Reports - To consider Scrutiny Overview Reports:-
 - (a) Adults and Housing Scrutiny Committee; (Pages 149 - 150)
 - (b) Children and Young People Scrutiny Committee; (Pages 151 - 152)
 - (c) Efficiency and Resources Scrutiny Committee; (Pages 153 - 154)
 - (d) Health and Partnerships Scrutiny Committee; and (Pages 155 - 156)
 - (e) Place Scrutiny Committee. (Pages 157 - 158)
10. Notice of Motion - To consider a Motion submitted by Councillor Harker, and seconded by Councillor Paley –

This Council agrees:

'To urge the Executive to make immediately available to all Darlington Borough Councillors a written copy of the presentation given on Thursday, 31st October 2019, regarding traffic modelling associated with the draft Local Plan, on the understanding that councillors can share the information with the public.'
11. Membership Changes - To consider any membership changes to Committees, Subsidiary Bodies and Other Bodies.



Luke Swinhoe
Assistant Director Law and Governance

Wednesday, 27 November 2019

Town Hall
Darlington.

Membership

The Mayor, Councillors Ali, Allen, Baldwin, Bartch, Bell, Boddy, Dr. Chou, Clarke, Cossins, Crudass, Crumbie, Mrs Culley, Curry, Donoghue, Dulston, Durham, Harker, Haszeldine, Heslop, Holroyd, Howarth, Howell, C L B Hughes, L Hughes, Johnson, B Jones, Mrs D Jones, Keir, Laing, Layton, Lee, Lister, Lucas, Marshall, McCollom, McEwan, Mills, Newall, K Nicholson, M Nicholson, Paley, Preston, Renton, A J Scott, Mrs H Scott, Snedker, Tait, Tostevin and Wright

If you need this information in a different language or format or you have any other queries on this agenda please contact Paul Dalton, Elections Officer, Resources Group, during normal office hours 8.30 a.m. to 4.45 p.m. Mondays to Thursdays and 8.30 a.m. to 4.15 p.m. Fridays Email: paul.dalton@darlington.gov.uk or Telephone 01325 405805

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COUNCIL

Thursday, 19 September 2019

PRESENT – The Mayor, Councillors Ali, Bartch, Bell, Dr. Chou, Clarke, Cossins, Crumbie, Curry, Dulston, Durham, Harker, Haszeldine, Heslop, Holroyd, Howarth, Howell, C L B Hughes, L Hughes, Johnson, B Jones, Mrs D Jones, Keir, Laing, Lee, Lucas, Marshall, McCollom, McEwan, Mills, K Nicholson, M Nicholson, Paley, Preston, A J Scott, Mrs H Scott and Tostevin

APOLOGIES – Councillors Allen, Baldwin, Crudass, Mrs Culley, Donoghue, Layton, Lister, Newall, Renton, Tait and Wright

ABSENT – Councillors Boddy and Snedker

21 **DECLARATIONS OF INTEREST.**

There were no declarations of interest reported at the meeting.

22 **TO CONFER THE TITLE OF HONORARY FREEMAN ON FORMER COUNCILLOR BILL DIXON, AND TO CONFER THE TITLE OF HONORARY ALDERMAN ON FORMER COUNCILLORS DAVID LYONETTE AND TONY RICHMOND**

The Mayor welcomed Members to the meeting, and advised that, on 18 July 2019, this Council had resolved to hold this Special Meeting to bestow the title of Honorary Freeman of the Borough on former-Councillor William Gene Dixon, and the title of Honorary Alderman on former-Councillors David Aloysious Lyonette and Edward Anthony Richmond.

RESOLVED – (a) That, in pursuance of the power conferred upon the Council by the Local Government Act 1972, William Gene Dixon be admitted as an Honorary Freeman of the Borough of Darlington in recognition of his long and eminent service to the Borough of Darlington.

(b) That, in pursuance of the power conferred upon the Council by the Local Government Act 1972, David Aloysious Lyonette be admitted as an Honorary Alderman of the Borough of Darlington in recognition of his long and eminent service to the Borough of Darlington.

(c) That, in pursuance of the power conferred upon the Council by the Local Government Act 1972, Edward Anthony Richmond be admitted as an Honorary Alderman of the Borough of Darlington in recognition of his long and eminent service to the Borough of Darlington.

(Note: Over two thirds of the Members present at the meeting voted in favour of each of the above Motions).

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COUNCIL

Thursday, 26 September 2019

PRESENT – The Mayor, Councillors Ali, Allen, Baldwin, Bartch, Bell, Boddy, Dr. Chou, Clarke, Cossins, Crudass, Crumbie, Mrs Culley, Curry, Donoghue, Dulston, Harker, Haszeldine, Holroyd, Howarth, Howell, C L B Hughes, L Hughes, Johnson, B Jones, Mrs D Jones, Keir, Laing, Layton, Lee, Lucas, Marshall, McCollom, McEwan, Mills, Newall, K Nicholson, M Nicholson, Paley, Preston, Renton, A J Scott, Mrs H Scott, Snedker, Tait, Tostevin and Wright

APOLOGIES – Councillors Durham, Heslop and Lister

23 MINUTES - TO APPROVE THE MINUTES OF THE MEETING OF THIS COUNCIL HELD ON 18 JULY 2019

Submitted – The Minutes (previously circulated) of the meeting of this Council held on 18 July 2019.

RESOLVED – That the Minutes be approved as correct records.

24 DECLARATIONS OF INTEREST.

There were no declarations of interest reported at the meeting.

25 SEALING.

Presented – The Register showing the documents which had been sealed since the last meeting of Council.

26 ANNOUNCEMENTS.

There were no announcements made at the meeting.

27 QUESTIONS - TO ANSWER QUESTIONS (WHERE APPROPRIATE NOTICE HAS BEEN GIVEN FROM):-

(1) THE PUBLIC;

There were no questions, with notice, 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) MEMBERS TO THE POLICE, CRIME AND VICTIMS' COMMISSIONER FOR DURHAM AND DARLINGTON.

The Acting Police, Crime and Victims' Commissioner for Durham and Darlington attended the meeting on behalf of the Police, Crime and Victims' Commissioner for Durham and Darlington, advised Members that the Police, Crime and Victims'

Commissioner was unwell, and that he had been appointed to undertake the role on behalf of the Police, Crime and Victims' Commissioner for Durham and Darlington.

The Acting Police, Crime and Victims' Commissioner for Durham and Darlington addressed Members and answered questions thereon.

28 COUNCIL REPORTS.

(1) MEMBERS ALLOWANCES REVIEW

The Managing Director submitted a report (previously circulated) requesting that Members give consideration to a review of the Members' Allowances Scheme.

The submitted report stated that the Council's Members' Allowances Independent Panel was constituted to review the Council's Members' Allowances Scheme in 2003, when a full review of allowances was undertaken, and subsequently in 2006, 2008, 2011 and 2015. It was reported that Councils must establish and maintain an Independent Remuneration Panel which made recommendations about the allowances paid to Elected Members, including the level of basic allowance for all Members, and on whether a dependant's carers allowance, travel and subsistence allowances, and co-optees allowances, etc. should be paid, and the levels of such allowances.

The submitted report outlined that the Local Authorities (Members' Allowances) (England) Regulations 2003 states that Councils must not rely on any index-linked figure for longer than a period of four years, and therefore, as the current indexing came into effect on 1 April 2016, a revision was required to introduce a new scheme with effect from 1 April 2020.

The submitted report outlined details regarding the composition of the Independent Remuneration Panel, the terms of reference, and a proposed date for the initial meeting.

RESOLVED – (a) That the Membership of the Council's current Independent Remuneration Panel be confirmed,

(b) That a review of the Council's Members' Allowances Scheme be undertaken by the Council's Independent Remuneration Panel, and

(c) That the Terms of Reference for the Panel, as detailed in Appendix A of the submitted report, be approved for the review.

REASONS – (a) To ensure that the allowances paid to Members are appropriate for the office that is held.

(b) To ensure that this Council reviews its Members' Allowances Scheme to meet legislative requirements.

29 CABINET REPORTS.

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.

(1) TREASURY MANAGEMENT ANNUAL REPORT AND OUTTURN PRUDENTIAL INDICATORS 2018/19

The Managing Director submitted a report (previously circulated) to provide important information regarding the regulation and management of the Council's borrowing, investments and cash-flow. The submitted report also sought approval of the Prudential Indicators results for 2018/2019, in accordance with the Prudential Code.

The submitted report outlined the circumstances with regard to treasury management for 2018/2019. It was reported that due to low returns on cash investments new ways to improve investment returns were sought, and that it had been agreed that that alternative investment types to increase return were looked at. The submitted report stated that the cost of borrowing remained low throughout 2018/19, and that it was anticipated that the cost of shorter term borrowing would remain low for a number of years in the future.

The submitted report stated that the Council had complied with its legislative and regulatory requirements, and that the need for borrowing was only increased for capital purposes.

The submitted report stated that at 31st March 2019, the Council's external debt was £179.161m, which was £19.000m more than the previous year. It was reported that the average interest rate for borrowing was down to 3.22%, from 3.84% in 2017/18, and that investments totalled £55.849m at 31st March 2019, in comparison to £52.433m at 31st March 2018, earning interest of 0.69% on short term cash investments, and 2.3% on Property Fund units net of cost.

RESOLVED – (a) That the outturn 2018/19 Prudential Indicators within the submitted report, and those contained within Appendix 1 of the submitted report, be noted.

(b) That the Treasury Management Annual Report for 2018/19 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 requirements of the Local Government Act 2003.

30 SCRUTINY REPORTS - TO CONSIDER SCRUTINY OVERVIEW REPORTS:-

The 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.

31 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO COMMITTEES, SUBSIDIARY BODIES AND OTHER BODIES.

There were no membership changes reported at the meeting.

**COUNCIL
5 DECEMBER 2019**

SCRUTINY COMMITTEES – PROPOSED TERMS OF REFERENCE

**Responsible Cabinet Member - Councillor Heather Scott
Leader and all Cabinet Members**

**Responsible Director -
Paul Wildsmith, Managing Director**

SUMMARY REPORT

Purpose of the Report

1. To consider and approve a number of changes to the names and Terms of Reference for the Council's Scrutiny Committees and to enable the necessary consequential amendments to the Council's Constitution to be made.

Summary

2. Following changes to the Cabinet Portfolios (**Appendix 1**), made by the Leader (with effect from 1 December 2019), Officers were requested to review the current Terms of Reference for the Council's Scrutiny Committee's with a view to aligning them more closely with those amended Cabinet Portfolios.
3. The proposed changes to the Scrutiny Committee names and remits have been considered by each of the Council's Scrutiny Committees and no further amendments have been proposed.
4. Council is now requested to approve those changes with immediate effect and to authorise necessary amendments to the Council's Constitution to be made.

Recommendation

5. It is recommended that :-
 - (a) the proposed changes to the Scrutiny Committee names and remits, as set out in **Appendix 2** to this report, be approved.
 - (b) The Assistant Director, Law and Governance be authorised to make the consequential amendments to the Council's Constitution.

Reasons

6. The recommendations are supported by the following reasons :-
 - (a) To align the remit and names of the Scrutiny Committees so that they correlate better to the changes being made to the Cabinet Portfolios

- (b) To ensure the changes are reflected in the Council's Constitution.

**Paul Wildsmith
Managing Director**

Background Papers

No background papers were used in the preparation of this report

Shirley Wright: Extension 5998

S17 Crime and Disorder	This report has no implications for Crime and Disorder
Health and Well Being	This report has no direct implications to the Health and Well Being of residents of Darlington.
Carbon Impact and Climate Change	There are no issues which this report needs to address.
Diversity	There are no issues relating to diversity which this report needs to address
Wards Affected	The impact of the report on any individual Ward is considered to be minimal.
Groups Affected	The impact of the report on any individual Group is considered to be minimal.
Budget and Policy Framework	This report does not represent a change to the budget and policy framework.
Key Decision	This is not a key decision.
Urgent Decision	This is not an urgent decision
One Darlington: Perfectly Placed	The report contributes to the Sustainable Community Strategy in a number of ways through the involvement of Members in contributing to the delivery of the five themes.
Efficiency	The Work Programmes are integral to scrutinising and monitoring services efficiently (and effectively), however this report does not identify specific efficiency savings.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

7. Following a number of changes to the Cabinet Portfolios, which took effect from 1 December 2019, Officers were requested to review the current Terms of Reference for the Council's Scrutiny Committee's with a view to aligning them more closely with the Cabinet Portfolios.
8. A summary of the main changes to the Scrutiny Committees are set out in the table below. The detailed proposed Terms of Reference are set out in **Appendix 2** :-

Scrutiny Committee	Re-named Scrutiny Committee	Main Changes
Efficiency and Resources	Economy and Resources	To mirror the Economy and Resources Portfolios
Adults and Housing	Adults	To mirror the Adults Portfolio
Health and Partnerships	Health and Housing	To mirror the Health and Housing Portfolio
Children and Young People	No change	To mirror the Children and Young People Portfolio
Place	Communities and Local Services	To mirror the Stronger Communities and Local Services Portfolios

9. Each individual Scrutiny Committee has considered the proposals at their meetings held during October 2019 and no comments or amendments were made to the proposals.

Terms of Reference

10. The draft Terms of Reference are attached at **Appendix 2**.

Outcome of Consultation

11. No formal consultation has been undertaken on the content of this report other than with the Council's Scrutiny Committees.

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APPENDIX 1

THE EXECUTIVE

The Executive's Terms of Reference

CABINET

MEMBERSHIP	
DARLINGTON BOROUGH COUNCIL 8 Conservative Group Members	
OTHER MEMBERS	0
TOTAL MEMBERSHIP –	8
QUORUM –	3

ROLE –

Cabinet will carry out all of the Local Authority’s functions which are not the responsibility of any other part of the Local Authority, whether by law or under this Constitution.

Form and Composition -

Cabinet consists of the Leader and Deputy Leader and a number of other Members appointed by the Leader.

The Leader will decide the size of the Cabinet and allocate the Portfolios below to each Cabinet Member :-

- Adults
- Children and Young People;
- Stronger Communities;
- Economy;
- Health and Housing;
- Resources; and
- Local Services.

Membership Protocols -

Cabinet Members cannot serve on Scrutiny Committees.

Cabinet Members cannot be the Mayor or Deputy Mayor.

Cabinet Members cannot be appointed as Chairs or Vice-Chairs on the Planning Applications or the Licensing Committees.

Roles and Responsibilities –

The Cabinet is made up of the Leader, Deputy Leader and six other Members. It has seven functional portfolios and has the following responsibilities:-

PORTFOLIO	RESPONSIBILITY
<p>Collective Responsibilities</p>	<p>1. All Cabinet Members will have the general responsibility to ensure the effective management and delivery of services within their areas of responsibility, and within the following framework :-</p> <ul style="list-style-type: none"> • the Council’s overall strategic, corporate and policy objectives; • the budgets set for the services and this Council’s Financial Procedure Rules; and • the Law and this Constitution. <p>2. Collective responsibilities are :-</p> <p>(a) developing, co-ordinating, promoting and submitting proposals on this Council’s corporate strategies, policies, objectives and initiatives;</p> <p>(b) overseeing, developing, promoting and monitoring the performance of services provided directly by this Council within this Council’s approved budget and policy framework;</p> <p>(c) overseeing services provided by joint arrangements with other Councils and agencies;</p>

PORTFOLIO	RESPONSIBILITY
	<ul style="list-style-type: none"> <li data-bbox="587 271 1434 568">(d) promoting the interests of the Borough, its residents, businesses and other organisations and taking a community leadership role across the public, voluntary and business sectors, to develop working links with and to monitor the work of, bodies providing public services in the Borough; <li data-bbox="587 613 1434 954">(e) the formulation of the revenue and capital budgets for consideration by Council; and, in doing so consulting with Members and stakeholders in the community as necessary on the budget; and taking in-year decisions on resources and priorities to deliver strategies and the budget (within the discretions agreed for the time being by Council); <li data-bbox="587 999 1434 1249">(f) the maintenance and development of processes for effective communication and consultation with the community, consultation Forums and other agencies especially in relation to the Council's policies and strategies; <li data-bbox="587 1294 1434 1545">(g) promoting the mainstreaming of equal opportunities, sustainability, social inclusion and health and community safety in relation to the provision of this Council's services, and the delivery of services in the Borough by other agencies; <li data-bbox="587 1590 1434 1760">(h) dealing with all matters which are within the duties of this Council which are not specifically delegated to any other body within the democratic structure <li data-bbox="587 1805 1434 1975">(i) maintaining and developing frequent and effective dialogue with all Members especially in relation to the work of the Scrutiny Committees; <li data-bbox="587 2020 1434 2060">(j) seeking the advice of Scrutiny Committees

PORTFOLIO	RESPONSIBILITY
	<p>before taking significant decisions and being responsive to any recommendations those Committees may make and, where they differ from its own policy agenda, justifying its own policies to Council;</p> <p>(k) leading the community planning process in partnership with other agencies;</p> <p>(l) overseeing the development of the Council's Corporate Strategies and Policies;</p> <p>(m) ensuring that all relevant services represent value for money;</p> <p>(n) maintaining positive relationships with relevant external agencies such as the Council's Auditors;</p> <p>(o) being the focus for forming partnerships with other agencies, businesses and voluntary sector bodies;</p> <p>(p) recognising the possible impact of policies on implementing sustainable development;</p> <p>(q) having responsibility for contracts that are subject to Procurement;</p> <p>(r) considering and making recommendations on the Council's Capital and Revenue Medium-Term Financial Plans;</p> <p>(s) that, in relation to responsibility for land :-</p> <ul style="list-style-type: none"> (i) the Cabinet is the holding body for all Council-owned land; (ii) the power to lodge planning applications to develop council land on behalf of the Council, be delegated to Chief Officers, subject to consultation with the relevant Cabinet Member; and

PORTFOLIO	RESPONSIBILITY
	<p>(iii) the Cabinet is responsible for all disposals of land whether by sale, lease or licence and all acquisitions, taking into account any delegations and the Contract and Property Procedure Rules.</p> <p>(t) Corporate Risk Management;</p> <p>(u) Transformation projects, as required;</p> <p>(v) ensuring efficiency is fully taken into account when taking any decisions; and</p> <p>(w) ensuring resources within the portfolios are utilised in an efficient manner.</p>
<p>Leader</p>	<ol style="list-style-type: none"> 1. To appoint a Deputy Leader for a four-year term of office. 2. To appoint the number of Cabinet Members, a minimum of three and a maximum of nine, and allocate the Portfolio's to each Cabinet Member. 3. To make decisions, draw up the budget and make new policies alone or with Cabinet (a simple majority of Councillors can reject a proposal from the Leader/Cabinet). 4. To make arrangements for the discharge of the functions which under Regulations are the responding of Cabinet. 5. In addition to leadership of corporate strategy for the Council, including reputation, legislation, partnerships and policy, the Leader will :- <ul style="list-style-type: none"> • represent the Council as required at national and regional level and on Regional and Tees Valley bodies, including the Tees Valley Combined Authority; • lead on Transformation and the Business

PORTFOLIO	RESPONSIBILITY
	<p>Model; and</p> <ul style="list-style-type: none"> • lead on international partnerships and Town Twinning; • lead on Darlington Partnership
Deputy Leader	<ol style="list-style-type: none"> 1. To assist the Leader with their responsibilities. 2. To deputise for the Leader in their absence.
Economy	<ul style="list-style-type: none"> • ‘Place’ Strategy, Policy and Performance • Planning and Related Policy • Economy and Housing Policy • Environment, Urban Design, Heritage and Sustainability • Climate Change • Development Management (Local Planning Authority matters – except where delegated to Planning Applications Committee) <p>Economic Development and Regeneration:</p> <ul style="list-style-type: none"> • Employability • Business Support • Business Engagement • Inward Investment • Regeneration and Development • Town Centre • Environmental Health • Building Control
Stronger Communities	<ul style="list-style-type: none"> • Policing • Community safety. • Council’s responsibilities for Fire and Rescue Services • Street Scene Enforcement • Illegal Encampments • Private Sector Housing • Licensing of premises (except where delegated to Licensing Committee) • Hackney carriage and private hire vehicles (except where delegated to the Licensing Committee) • Trading Standards and Animal Welfare • Co-ordination of the Council's responsibilities under the Floods and Water Act

PORTFOLIO	RESPONSIBILITY
	<ul style="list-style-type: none"> • Civil Contingencies and Emergency Planning • Parking Enforcement • CCTV • Voluntary sector • Community Development • Decision making on applications for community grants, subject to existing criteria • Equalities • Cabinet Champion for equalities
<p>Children and Young People</p>	<ul style="list-style-type: none"> • Education • Adult and Community Learning • Children’s safeguarding and assessment • Looked after children (including fostering and adoption) • Care Leavers • Life Stages (0 – 25 years)
<p>Resources</p>	<ul style="list-style-type: none"> • Financial Management within the Council including Medium Term Financial (MTFP), Treasury management, local taxation and Risk management and Insurance • Oversight of Transformation and Business Model implementation • Oversight of the Council’s Corporate Planning process including the Organisational Development Strategy (ODS), Performance management and the efficiency programme • Corporate Landlord, • Land and Property Asset Management • Corporate Procurement • Information Communication Technology (ICT) • Human Resources • Health and Safety • Communications and One Darlington magazine • Oversight of the Building Services division • Housing Benefits • The Council’s Customer Strategy and oversight of the Council’s Customer Services and insight functions • Legal/Democratic/Registrars • Oversight of the Councils Shared Services Partnership Xentrall

PORTFOLIO	RESPONSIBILITY
	<ul style="list-style-type: none"> • Oversight of the capital projects and design services management
Adults	<ul style="list-style-type: none"> • Adult Mental Health • Mental Health Services for Older People, Mental Capacity Act/Deprivation of Liberty Safeguards, and Approved Mental Health Practitioners • Assessment and Reviews, Physical and Sensory Impairment, First Point of Contact, Safeguarding Adults, On-going and Complex Care and Occupational Therapy • Life Stages Services (26 years plus) • Day Services • Supported Living • Reablement • Learning Disability Services
Health and Housing	<ul style="list-style-type: none"> • Public Health functions • Integrated health commissioning • NHS • Sports and physical activity programme • Dolphin Centre • Eastbourne Sports Complex • Council Housing Services including Lifeline and Homelessness
Local Services	<ul style="list-style-type: none"> • Street Scene Policy (refuse/recycling/street cleaning/grounds maintenance) • Crematorium and Cemeteries • Arboriculture • Countryside and Allotments • Parks, Open Spaces and Play Areas • Waste Management • Fleet Management and Maintenance • Head of Steam • Hippodrome • Events and Programming • Library Service • Strategic Arts • 2025

PORTFOLIO	RESPONSIBILITY
	<p data-bbox="523 226 826 264">Transport Policy</p> <ul data-bbox="523 315 1414 786" style="list-style-type: none"><li data-bbox="523 315 1414 353">• Highway Authority responsibilities, including :-<ul data-bbox="571 360 1414 786" style="list-style-type: none"><li data-bbox="571 360 1414 488">• Transport and Highways Asset Management (roads, paths, rights of way, street lighting, traffic signals, signage);<li data-bbox="571 495 1414 568">• Transport and Highways Network Management and Improvement Schemes<li data-bbox="571 575 1414 613">• Road Safety<li data-bbox="571 620 1414 658">• Parking Policy<li data-bbox="571 665 1414 739">• Supported Bus Services and Concessionary Fares<li data-bbox="571 745 1414 786">• Sustainable Transport

The following pages set out the membership and Terms of Reference of the Council's Scrutiny Committees.

1. Economy and Resources Scrutiny Committee
2. Adults Scrutiny Committee
3. Health and Housing Scrutiny Committee
4. Children and Young People Scrutiny Committee
5. Communities and Local Services Scrutiny Committee

ECONOMY AND RESOURCES SCRUTINY COMMITTEE

MEMBERSHIP	
<p>DARLINGTON BOROUGH COUNCIL</p> <p>5 Conservative Group Members, 4 Labour Group Members, 1 Liberal Democrat Group Member and 1 Independent Member</p>	<p>5 x 4 x 1 x 1 x 0</p>
OTHER MEMBERS	
TOTAL MEMBERSHIP –	11
QUORUM –	3

PROTOCOLS

The Scrutiny Committee cannot include any Member of Cabinet in its membership.

The Chair/Vice-Chair of a Scrutiny Committee cannot be the Chair/Vice-Chair of the Licensing or Planning Applications Committees.

TERMS OF REFERENCE

To undertake the Council's Scrutiny functions in relation to the following services

RESOURCES PORTFOLIO

Financial Management within the Council, including the Medium-Term Financial Plan (MTFP), Treasury Management, Local Taxation and Risk Management and Insurance

Transformation and Business Model Implementation

The Council's Corporate Planning Process, including the Organisational Development Strategy (ODS), Performance Management and the Efficiency Programme

Corporate Landlord

Land and Property Asset Management

Corporate Procurement

Information Communication Technology (ICT)

Human Resources

Health and Safety

ECONOMY PORTFOLIO

Place Strategy, Policy and Performance

Planning and Related Policy

Economy and Housing Policy

Environment, Urban Design, Heritage and Sustainability

Climate Change

Development Management (Local Planning Authority matters)

Economic Development and Regeneration

- Employability
- Business Support
- Business Engagement
- Inward Investment
- Regeneration and Development
- Town Centre
- Environmental Health
- Building Control

Communications and One Darlington
Magazine

Building Services Division

Housing Benefits

The Council's Customer Strategy and
oversight of the Council's Customer
Services and insight functions

Legal/Registrars and Democratic
functions

The Council's Shared Services
Partnership Xentrall

The Council's capital projects and
design Services management

ADULTS SCRUTINY COMMITTEE

MEMBERSHIP	
<p>DARLINGTON BOROUGH COUNCIL</p> <p>5 Conservative Group Members, 4 Labour Group Members, 1 Liberal Democrat Group Member and 1 Green Party Member</p>	<p>5 x 4 x 1 x 0 x 1</p>
OTHER MEMBERS	
TOTAL MEMBERSHIP –	11
QUORUM –	3

PROTOCOLS

The Scrutiny Committee cannot include any Member of Cabinet in its membership.

The Chair/Vice-Chair of a Scrutiny Committee cannot be the Chair/Vice-Chair of the Licensing or Planning Applications Committees.

TERMS OF REFERENCE

To undertake the Council’s Scrutiny functions in relation to the following services

ADULTS PORTFOLIO

Adult Mental Health

Mental Health Services for Older People, Mental Capacity Act / Deprivation of Liberty Safeguards, and Approved Mental Health Practitioners

Assessment and Reviews, Physical and Sensory Impairment, First Point of Contact, Safeguarding Adults, On-going and Complex Care and Occupational Therapy

Life Stages Service (26 years and above)

Day Services

Supported Living

Reablement

Learning Disability Services

HEALTH AND HOUSING SCRUTINY COMMITTEE

MEMBERSHIP	
<p>DARLINGTON BOROUGH COUNCIL</p> <p>5 Conservative Group Members, 4 Labour Group Members, 1 Independent Group Member</p>	<p>5 x 4 x 0 x 1 x 0</p>
OTHER MEMBERS	
TOTAL MEMBERSHIP –	10
QUORUM –	3

PROTOCOLS

The Scrutiny Committee cannot include any Member of Cabinet in its membership.

The Chair/Vice-Chair of a Scrutiny Committee cannot be the Chair/Vice-Chair of the Licensing or Planning Applications Committees.

TERMS OF REFERENCE

To undertake the Council's Scrutiny functions in relation to the following services

HEALTH AND HOUSING PORTFOLIO

Public Health functions

Integrated Health Commissioning

NHS

Council Housing Services, including Lifeline and Homelessness

Dolphin Centre

Eastbourne Sports Complex

Sports and Physical Activity Programme

PROTOCOLS

The Scrutiny Committee cannot include any Member of Cabinet in its membership.

The Chair/Vice-Chair of a Scrutiny Committee cannot be the Chair/Vice-Chair of the Licensing or Planning Applications Committees.

The voting representatives shall always be included in the membership.

TERMS OF REFERENCE

To undertake the Council's Scrutiny functions in relation to the following services

CHILDREN AND YOUNG PEOPLE PORTFOLIO

Education

Adult and Community Learning

Children's Safeguarding and Assessment

Looked After Children (including fostering and adoption)

Care Leavers

Life Stages (0-25)

COMMUNITIES AND LOCAL SERVICES SCRUTINY COMMITTEE

MEMBERSHIP	
<p>DARLINGTON BOROUGH COUNCIL</p> <p>5 Conservative Group Members, 4 Labour Group Members, 1 Liberal Democrat Group Member and 1 Independent Group Member</p>	<p>5 x 4 x 1 x 1 x 0</p>
OTHER MEMBERS	
TOTAL MEMBERSHIP –	11
QUORUM –	3

PROTOCOLS

The Scrutiny Committee cannot include any Member of Cabinet in its membership.

The Chair/Vice-Chair of a Scrutiny Committee cannot be the Chair/Vice-Chair of the Licensing or Planning Applications Committees.

TERMS OF REFERENCE

To undertake the Council's Scrutiny functions in relation to the following services

STRONGER COMMUNITIES PORTFOLIO

Policing

Community Safety

Community Development

Community Grants

The Council's responsibilities for the Fire and Rescue Services

Street Scene Enforcement

Illegal Encampments

Private Sector Housing

Licensing of premises (except where delegated to the Licensing Committee)

Hackney Carriage and Private Hire Vehicles (except where delegated to the Licensing Committee)

Trading Standards and Animal Welfare

Co-ordination of the Council's responsibilities under the Floods and Water Act

Civil Contingencies and Emergency Planning

LOCAL SERVICES PORTFOLIO

Street Scene Policy (refuse/recycling/street cleaning/grounds maintenance)

Crematorium and Cemeteries

Arboriculture

Countryside and Allotments

Parks, Open Spaces and Play Areas

Waste Management

Fleet Management and Maintenance

Head of Steam

Hippodrome

Events and Programming

Library Service

Strategic Arts

2025

Parking Enforcement

Transport Policy
Transport and Highways Asset
Management (roads, paths, rights
of way, street lighting, traffic
signals, signage)

CCTV

Transport and Highways Network
Management and Improvement
Schemes

Equalities

Road Safety

Voluntary Sector

Parking Policy

Supported Bus Services and
Concessionary Fares

Sustainable Transport

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**COUNCIL
5 DECEMBER 2019**

JOINT HEALTH SCRUTINY COMMITTEE

Responsible Cabinet Member - Councillor Heather Scott, Leader

Responsible Director - Paul Wildsmith, Managing Director

SUMMARY REPORT

Purpose of the Report

1. To consider the establishment and appointment of Members to a Joint Health Scrutiny Committee with Durham County Council, to consider the proposed changes to County Durham and Darlington Stroke Rehabilitation Services and General Inpatient Rehabilitation Services (Ward 6) at Bishop Auckland Hospital.

Summary

2. The three NHS Clinical Commissioning Groups in County Durham and Darlington (NHS Durham Dales, Easington and Sedgefield CCG (DDES), Darlington CCG and North Durham CCG) have launched two public consultations to ask local people to share their views and ideas on Stroke Rehabilitation Services and Inpatient Rehabilitation (Ward 6) at Bishop Auckland Hospital.
3. As the proposals are believed to be of 'significant development or substantial variation' in NHS Services, the establishment of a Joint Health Scrutiny is required, in order to provide a formal response to those consultations.
4. This Council's representation on the Joint Health Scrutiny Committee would consist of four Members (two Conservative and two Labour Group Members) from this Council's Health and Partnerships Scrutiny Committee

Recommendation

5. It is recommended :-
 - (a) That, as the proposals relating to the changes to County Durham and Darlington Stroke Rehabilitation Services and General Inpatient Rehabilitation Services (Ward 6) at Bishop Auckland Hospital, are regarded as significant, the establishment of a Joint Health Scrutiny Committee, be supported.
 - (b) That the Conservative and Labour Group be requested to nominate two Members each, from their membership of the Health and Partnerships Scrutiny Committee, to sit on the Joint Committee.

Reasons

6. The recommendations are supported by the following reasons :-
- (a) To ensure that this Council can participate in the review of proposals for the County Durham and Darlington Stroke Rehabilitation Services and General Impatient Rehabilitation Services (Ward 6) at Bishop Auckland Hospital
 - (b) To ensure that this Council is represented on the Joint Overview and Scrutiny Committee.

**Paul Wildsmith
Managing Director**

Background Papers

No background papers were used in the preparation of this report.

Lynne Wood ext 5803

S17 Crime and Disorder	This report has no implications for Crime and Disorder.
Health and Well Being	This report has implications on those residents who access these services.
Carbon Emissions	There are no direct implications to Carbon Emissions which this report needs to address.
Diversity	There are no direct implications to Diversity which this report needs to address.
Wards Affected	There is no direct impact on any individual Ward
Groups Affected	There are no Groups affected.
Budget and Policy Framework	This report does not represent a change to the budget and policy framework.
Key Decision	This is not an Executive decision
Urgent Decision	This is not an Executive decision
One Darlington: Perfectly Placed	There are no links.
Efficiency	There are no efficiency proposals identified as part of this review.
Impact of Looked After Children and Care Leavers	This report does not impact on Looked After Children

MAIN REPORT

Information and Analysis

7. The three NHS Clinical Commissioning Groups in County Durham and Darlington (NHS Durham Dales, Easington and Sedgefield CCG (DDES), Darlington CCG and North Durham CCG) have launched two public consultations to ask local people to share their views and ideas on Stroke Rehabilitation Services and Inpatient Rehabilitation (Ward 6) at Bishop Auckland Hospital. The proposals affect the population covered by the County Durham and Darlington NHS Foundation Trust.
8. As the proposals are believed to be of 'significant development or substantial variation' in NHS services, the establishment of a Joint Health Scrutiny with Durham County Council is required, in order to provide a formal response to those consultations.
9. This Joint Committee, if agreed, will be established in accordance with the Local Authority (Public Health, Health and Well Being Boards and Public Health) Regulations 2013, for the purposes of formal consultation by the relevant NHS Bodies.
10. The Joint Committee will be politically balanced and will consist of Members from both this Council and Durham County Council who sit on their respective Health Scrutiny Committees.

Terms of Reference

11. A draft terms of reference for the Joint Scrutiny Committee is attached at Appendix 1.

Outcome of Consultation

12. No formal consultation has been undertaken on the content of this report other than with the Leader of the Council and the Leader of the Opposition Group in respect of their nominees to sit on the Joint Committee.

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APPENDIX 1

Protocol for the Joint Health Scrutiny Committee

Review of Stroke Rehabilitation Services in County Durham and Darlington and the future of Inpatient Rehabilitation services (Ward 6) Bishop Auckland Hospital

1. This protocol provides a framework under the Local Authority (Public Health, Health and Wellbeing Boards and Public Health) Regulations 2013 for considering and providing a formal consultation response in relation to proposals affecting the population covered by County Durham and Darlington NHS Foundation Trust, in particular:
 - (a) The proposed review of Stroke Rehabilitation Services in County Durham and Darlington.
 - (b) The future of Inpatient Rehabilitation Services across County Durham and Darlington (Ward 6 Bishop Auckland Hospital).
2. The terms of reference of the Health Scrutiny Joint Committee is set out at Appendix 1.
3. The Health Scrutiny Joint Committee formed for the purpose of the consultation outlined at paragraph 1 will, following approval of this protocol at its first meeting, circulate copies of the same to:-

Darlington Borough Council; Durham County Council

("the constituent authorities")

Darlington CCG

Durham Dales, Easington and Sedgefield CCG

North Durham CCG

County Durham and Darlington NHS Foundation Trust

North East Ambulance Service NHS Foundation Trust

("the relevant NHS Bodies")

Health Scrutiny Joint Committee

4. A Health Joint Scrutiny Committee ("the Joint Committee") comprising Darlington Borough Council and Durham County Council ("the constituent authorities") has been established in accordance with the Local Authority (Public Health, Health and Wellbeing Boards and Public Health) Regulations 2013 for the purposes of formal

consultation by the relevant NHS Bodies in relation to the matters referred to at paragraphs 1(a) of this protocol, and in particular in order to be able to:-

- (a) make comments on the proposals consulted on, to the relevant NHS Bodies under the Local Authority (Public Health, Health and Wellbeing Boards and Public Health) Regulations 2013;
- (b) require the relevant NHS Bodies to provide information about the proposals under the Regulations; or
- (c) require an officer of the relevant NHS Bodies to attend before it under the Regulations to answer such questions as appear to it to be necessary for the discharge of its functions in connection with the consultation;
- (d) make recommendations to the relevant NHS Bodies and expect a response within 28 days.

Membership

5. The Joint Committee will consist of a total of 25 members (21 Durham CC and 4 Darlington B.C.) representing the health scrutiny committees of each of the constituent authorities. A Healthwatch representative from each constituent authority area will be entitled to attend in a non-voting capacity.
6. The term of office for representatives will be for the period from the date of their appointment by their constituent authorities until their relevant authority's next annual council meeting. If a representative ceases to be a Councillor, or wishes to resign from the Joint Committee, the relevant council shall inform the joint committee secretariat and the replacement representative shall serve for the remainder of the original representative's term of office.
7. To ensure that the operation of the Joint Committee is consistent with the Constitutions of all the constituent authorities, those authorities operating a substitution system shall be entitled to nominate substitutes.
8. The Joint Committee may ask individuals to assist it (in a non-voting capacity) and may ask independent professionals to advise it for the purposes of the consultation process.
9. The quorum for meetings of the Joint Committee shall be a minimum of three member representative from each of the constituent authorities.

Chair and Vice-Chair

10. The Chair and the Vice-Chair of the Joint Committee will be a Member representative from Durham County Council. The Chair will not have a second or casting vote.
11. If the agreed Chair and Vice-Chair are absent from a meeting, the Joint Committee shall appoint a member to chair that meeting from the representatives present who are members of the same constituent Council as the Chair.

Terms of Reference

12. The Joint Committee will be the formal consultee under the Regulations and the Directions for the purposes of the consultation by the relevant NHS Bodies

concerning those matters outlined at paragraphs 1(a) and will have the functions specified at paragraphs 4(a) - (d) inclusively of this protocol. Terms of reference are set out at Appendix 1.

Administration

13. Meetings shall be held at the times, dates and places determined by the Chair in consultation with each of the constituent authorities.
14. Agendas for meetings shall be determined by the secretariat (Durham County Council) in consultation with the Chair.
15. Notice of meetings of the Joint Committee will be sent to each member of the Joint Committee at least 5 clear working days before the date of the meeting and also to the Chair of the constituent authorities' relevant overview and scrutiny committees (for information). Notices of meetings will include the agenda and papers for meetings. Papers "to follow" should be avoided where possible.
16. Minutes of meetings will be supplied to each member of the Joint Committee and to the Chairs of the constituent authorities' relevant overview and scrutiny committees (for information) and shall be confirmed at the next meeting of the Joint Committee.

Final Report and Consultation Response

17. The Joint Committee is independent of its constituent councils, executives and political groups and this independence should not be compromised by any member, officer or relevant NHS bodies. The Joint Committee will send copies of its final report and formal consultation response to the relevant NHS Bodies and the constituent authorities.
18. The primary objectives of the Joint Committee will be to reach consensus, but where there are any aspects of the consultation as regards which there is no consensus, the Joint Committee's final report and formal consultation response will include, in full, the views of all of the constituent authorities, with the specific reasons for those views, regarding those areas where there is no consensus, as well as the constituent authorities' views in relation to those matters where there is a consensus.

Principles for joint health scrutiny

19. The constituent authorities and the relevant NHS Bodies will be willing to share knowledge, respond to requests for information and carry out their duties in an atmosphere of courtesy and respect in accordance with their codes of conduct. Personal and prejudicial and/or disclosable pecuniary interests will be declared in all cases in accordance with the code of conduct and Localism Act 2011.
20. The Joint Committee's procedures will be open and transparent in accordance with the Local Government Act 1972 and the Access to Information Act 1985 and meetings will be held in public. Only information that is expressly defined in regulations to be confidential or exempt from publication will be able to be considered in private. Papers of the Joint Committee may be posted on the websites of the constituent authorities as determined by them.

21. Communication with the media in connection with the Joint Committee's views will be handled in conjunction with each of the constituent local authorities' press officers.

APPENDIX 1

JOINT HEALTH SCRUTINY COMMITTEE

TERMS OF REFERENCE

1. To consider the proposals affecting the population covered by County Durham and Darlington NHS Foundation Trust, in particular:
 - (a) The proposed review of Stroke Rehabilitation Services in County Durham and Darlington.
 - (b) The future of Inpatient Rehabilitation Services across County Durham and Darlington (Ward 6 Bishop Auckland Hospital).
2. The Joint Committee will as part of this process consider the following:-
 - the service model options being consulted upon together with associated consultation and engagement plans/process in respect of the proposed review of Stroke Rehabilitation Services in County Durham and Darlington and the future of Inpatient Rehabilitation Services across County Durham and Darlington (Ward 6 Bishop Auckland Hospital);
 - the results of the Consultation feedback in respect of the proposed review of Stroke Rehabilitation Services in County Durham and Darlington and the future of Inpatient Rehabilitation Services across County Durham and Darlington (Ward 6 Bishop Auckland Hospital);
 - how the respective consultation feedback has shaped the respective recommended preferred future service model options in respect of the proposed review of Stroke Rehabilitation Services in County Durham and Darlington and the future of Inpatient Rehabilitation Services across County Durham and Darlington (Ward 6 Bishop Auckland Hospital);
 - the Joint OSCs response to the consultation process and future service model in respect of the proposed review of Stroke Rehabilitation Services in County Durham and Darlington and the future of Inpatient Rehabilitation Services across County Durham and Darlington (Ward 6 Bishop Auckland Hospital);
3. In order to be able to formulate and provide views to the relevant NHS bodies on the matters outlined in paragraphs 1 and 2 above, the Joint Committee may:-
 - a) require the relevant NHS Bodies to provide information about the proposals the subject of the consultation with the constituent local authorities and the Joint Committee; and

- b) require an officer of the relevant NHS Bodies to attend meetings of the Joint Committee, in order to answer such questions as appear to them to be necessary for the discharge of their functions in connection with the consultation.
4. To formulate a final report and formal consultation response within the consultation and decision making timetable to the relevant NHS Bodies on the matters referred to at paragraphs 1 and 2 above, in accordance with the protocol for the Health Scrutiny Joint Committee and the consultation timetable established by the relevant NHS Bodies.
5. To ensure the formal consultation response of the Joint Committee includes, in full, the views of all of the constituent authorities, with the specific reasons for those views, regarding those areas where there is no consensus, as well as the constituent authorities' views in relation to those matters where there is a consensus.
6. Each constituent Authority will retain their powers of referral to the Secretary of State for Health and Social Care.

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**COUNCIL
5 DECEMBER 2019**

LEADER OF THE COUNCIL PORTFOLIO OVERVIEW

Darlington Partnership

1. The Darlington Partnership Board met on Wednesday 2 October. It received a presentation on the Index of Multiple Deprivation which is the official measure of relative deprivation in England. Darlington is still performing well in comparison to the Tees Valley and the North East. Overall, Darlington is in relative terms more polarized than elsewhere in terms of deprivation, and where there are areas of deprivation, these tend to be more extreme. The presentation was welcomed particularly by public sector agencies as it provided useful context for their service planning.
2. An update was also received on the 'Fairer, Richer Darlington' programme (now the 'Local Wealth Building and Social Value in Procurement' programme) outlining progress to date and a summary of projects being developed.
3. I had the pleasure of attending the first 'Love Darlo' Awards evening at the Hippodrome, where I was overwhelmed at the positivity, passion and pride shown by all the participants in the ceremony. I hope the Awards go on from this to an even greater celebration of all that is good in Darlington.
4. I would also like to mention the recent article in the North East Times of an interview with the Director of Economic Growth. The article highlights the considerable developments in the pipeline, and the sustained progress we are making across Darlington. Promoting the success of the private sector is crucial if we are to continue to succeed, grow and create the opportunities for all of Darlington to benefit.
5. A report is coming to the next Cabinet on a pilot project in the Northgate ward to look at ways to improve outcomes in one of our most deprived wards and the learning from this pilot can be used more widely.

Strategic Transport

6. The Strategic Transport Plan for the Tees Valley is being consulted upon and comments will be reviewed and considered in producing a final plan for which will be presented to Tees Valley Cabinet in January.
7. On the strategic roads projects an outline business case has been submitted to the Department for Transport for the New A19 Tees Crossing. Development work continues on Darlington Northern Link road to develop the Strategic Outline business case. Major roads projects of this nature have very long development periods and need to be built into long term government programmes which work on 5-year cycles. The New Tees Crossing project is seeking commitments during the next investment period which is 2020 to 2025 and the Darlington Northern Link road would be looking into a future period. I organised a tour for the members of

the Transport Committee with officers to see first hand the various plans. We also visited the Wheels to Work project in Redcar and encourage the take up in Darlington.

8. Both Darlington and Middlesbrough rail station projects form the basis of infrastructure improvements that enable the potential for increased train services in the future. It is the intention to submit an outline business case to the Department for Transport early in the New Year to progress Darlington station to the next funding gateway. I attended an LNER stakeholder event in York and raised with Network Rail the importance of the Darlington Station upgrade for the region and connectivity to Tees Valley.
9. Demand responsive travel will launch across the Tees Valley in January 2020 and this will be promoted but Members are also encouraged to promote this service in the areas that it will serve. This is pilot programme and as such it will be evaluated on how well it performs.

Council Plan

10. I along with Cabinet colleagues and officers have been working on providing a new Council Plan which will set out for consultation and ultimate consideration by Council the vision and key actions for the Council for the next few years.

Towns Fund

11. The Council has been selected to be a recipient of the Towns Fund, which if our submission is successful, we could receive up to £25m to help stimulate our economy. Officers are working on initial ideas for a bid which will be submitted next summer. In the meantime, the Council must establish a Town Deal Board, with partners across the Borough, and the proposal for the Board needs submitted to Government by January 2020 and the Board will work on the development of the bid.

**Councillor Mrs Heather Scott OBE
Leader of the Council Portfolio**

COUNCIL 5 DECEMBER 2019

OVERVIEW OF ADULTS PORTFOLIO

Purpose of the Report

1. To inform and update Members on progress within Adult Social Care since the last meeting of Council. The following are the main areas of work under the Portfolio for Adults.

Strategic Commissioning

2. Building on the findings of a consultation event with people with dementia and their families/carers, work is ongoing to support the development of a more Dementia Friendly Darlington. The Report from this event has been distributed widely to a range of partners and a number of actions have been identified to take this piece of work forward.
3. A new residential care home, Auguste Care Communities, has opened on the outskirts of Middleton St George providing support for older people and older people with dementia. The provider has initially made 21 beds available, although there are plans to increase this to 83 beds, as the home becomes more established. The opening of the home offers older people additional choice when selecting a care home, and in this particular instance offers a more rural location, than the existing contracted care homes.

Operational Services

4. Occupational Therapy Week 2019 took place from 4 to 10 November, and focused on the theme: *Small Change, Big Impact*. The aim of the week was to celebrate and champion the impact of occupational therapy on the lives of service users and to recognise the positive difference that our Occupational Therapy Team makes. For example, Occupational Therapists are a central part of our Reablement Service, which works with people to maximise their independence, enabling them to remain at home for as long as possible.
5. Our short break centre for adults with learning disabilities, Holicote, was inspected on 11 September 2019 by the Care Quality Commission (CQC). It is pleasing to report that the CQC have, once again, rated Holicote as 'Good'. The inspection highlighted that individuals and their families find the service to be a positive and enjoyable experience. The people who attend receive person-centred support and the staff know them well. It was also recognised that individuals are supported to build and maintain important personal relationships which matter to them. The inspection found that individuals are supported to have a high level of choice and control over how their support is provided.

Workforce Development

6. Relational Practice training is being delivered across Adult Services. This forms part of our strength based practice model and promotes the development of strong professional relationships with the individuals and families that we work with, enabling a culture of 'High Support, High Challenge'. This approach is being mirrored across the Directorate and staff from different teams and sectors are working closely to develop whole family approaches to issues, with a focus on developing independence.

Darlington Safeguarding Partnership

7. The first meeting of the Multi-Agency Safeguarding Partnership Group took place on 7 October 2019. This was a well-attended meeting with wider partners coming together under the new Darlington Safeguarding Partnership arrangements.
8. The Chairs of the sub groups provided assurance that key pieces of work are progressing well. The Terms of Reference and membership of each group has now been finalised, ensuring that they are fit for purpose with the right people engaged with the work programme.
9. A discussion took place regarding the recent issues highlighted at Whorlton Hall, Newbus Grange and West Lane Hospitals. Assurance was provided in respect of any ongoing investigations being undertaken by the police and regulators.
10. Group members highlighted that there is a real appetite to do things differently and future agendas will focus on key themes identified locally, as well as issues highlighted regionally and nationally.

Councillor Rachel Mills
Cabinet Member with Portfolio for Adults

COUNCIL 5 DECEMBER 2019

OVERVIEW OF CHILDREN AND YOUNG PEOPLE PORTFOLIO

1. Since the last meeting of Council, the following are the main areas of work undertaken under the Children and Young People Portfolio.

In2 Project

2. Cabinet agreed to allocate the remaining budget of £208,000 secured from capital receipts from the Darlington Arts Centre and Eastbourne School, to support a three-year programme of activity, working with Darlington Schools through art and sport to encourage wellbeing and a successful transition from primary to secondary school.
3. This focus has been informed by learning taken from the In2 pilot programme which ran from May to July 2019 and responds to the longstanding challenges facing Darlington and the North East schools around transition from primary to secondary.
4. The proposed three-year programme will focus on work with a small cohort of pupils in depth and seeks to support those children engaged through the transition from Year 6 to Year 8. We will receive annual updates on the three-year programme which is proposed to commence in 2019/20.

Special Educational Needs and Disabilities (SEND) Capital Projects – Release of Funds

5. Cabinet agreed to approve the release of £3,099,209 of schools capital funding to support the development of two Special Educational Needs resource bases for pupils with Social, Emotional and Mental Health (SEMH) needs at Red Hall Primary School for 16 pupils and a unit at Rise Carr College for 15 pupils plus four assessment places.
6. The Council has been allocated £848,337 by the Department for Education from the Special Provision Fund and we have agreed that £700,000 from that fund will fund these two projects and the remainder of the funding will be drawn down from the Basic Need Capital allocation.
7. Development of these units will provide a vital link in the escalation process for children and young people with SEND.
8. The planned construction start date is anticipated for January 2020 with a target occupation by September 2020.

School Forum

9. The Forum met on 15 October. Forum received the regular update on the Dedicated Schools Grant budget, which is projected to be £1.2 million overspend in

year due to high needs budget pressures. Forum were also given an update on the funding arrangements for 2020/21.

Education

10. Marchbank Free School, which is a primary special school in the Education Village Academy Trust, was inspected by Ofsted on 9 and 10 July 2019. The school has been placed in special measures. Darlington Borough Council are liaising with the Regional Schools Commissioner and Education Village Academy Trust to ensure that the necessary steps are being taken regarding the safety of all pupils on roll, as well as improvements in the standard of education provided.
11. Corporation Road Primary School was inspected by Ofsted on 24 and 25 September 2019. The overall effectiveness of the school was judged to be requires improvement. The behaviour and attitudes and personal development of pupils were both judged to be good.

Meet and Greet

12. The Managing Director has introduced a series of meetings with Head Teachers, Lead Member and Senior Officers to establish working relationships and improve outcomes for children within geographical areas.

Childhood Healthy Weight Plan Event

13. In September, a multi-agency event was held to officially launch the Darlington Childhood Healthy Weight Plan. Attendees are scheduled to have further sessions to develop plans for taking the work forward.

Corporate Parenting Panel

14. The Panel had a meeting in the Dolphin Centre on 15 October 2019, at which they had a presentation about an app known as Mind of My Own, and undertook work on how Corporate Parents can share their knowledge and skills with our children in care.

Darlington Safeguarding Partnership

15. The first meeting of the Multi-Agency Safeguarding Partnership Group took place on Monday 7 October 2019. This was a well-attended meeting with wider partners coming together under the new Darlington Safeguarding Partnership arrangements.
16. The Chairs of the sub groups provided assurance that key pieces of work are progressing well. The Terms of Reference and membership of each of the groups are under review to ensure they are fit for purpose and that the right people, with the relevant skills, are sitting on the groups.
17. A discussion took place regarding the recent issues highlighted at Whorlton Hall, Newbus Grange and West Lane Hospitals. Assurance was provided in respect of any ongoing investigations being undertaken by the police and regulators.

18. Group members highlighted that there is a real appetite to do things differently and future agendas will focus on key themes identified locally, as well as issues highlighted regionally and nationally.

Child in Need/Child Protection/Looked After Children Statistics/ and Care Leavers

19. As at 21 October 2019 there were:

- 391 children in need
- 97 children subject to a Child Protection Plan
- 277 Looked After Children
- 126 Care Leavers

Children's Commissioning and Contracts

20. The re-procurement of community short breaks for Darlington Children and Young People with Special Educational Needs and Disabilities (SEND) is underway. Provider evaluations have commenced for new service arrangements which will become effective from 1 February 2020. Children's commissioners are working alongside Social Workers, providers and parent/carers to ensure a seamless implementation of the new contract agreement, which places a focus on the impact and outcomes from service provision for Children and Young People.
21. The Framework Agreement for Children's Residential Care is also currently out to procurement. This is a collaborative procurement led by Darlington Borough Council involving all Councils within the Tees Valley. The new Framework Agreement will take effect from 1 April 2020.

Fostering Services

22. Due to the improved recruitment and retention for mainstream foster carers, the Local authority continue to see an increase in recruitment activity. Between May and September 2019 there has been approval of eight internal placements and six new fostering households. The service continues to assess and support kinship foster carers, and supported lodgings providers, and also offers post Special Guardian Order support.

**Councillor Paul Crudass
Children and Young People Portfolio**

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**COUNCIL
5 DECEMBER 2019**

OVERVIEW OF ECONOMY PORTFOLIO

1. Since the last meeting of Council, the following are the main areas of work undertaken under the Economy Portfolio.

Town Centre

2. Members will be aware that the Council's Expression of Interest for funding from the Future High Streets Fund was successful. Officers are now completing the early draft business case which needs to be submitted to Government by 30 January 2020. To support the development of the business case the Council has been granted £150,000 to commission external support with the final business case being submitted by 30 April 2020.
3. In September the Council launched the Shop Front and Business Improvement Scheme and several businesses have already applied for funding. Initially the scheme is aimed at business premises along Post House Wynd but will be extended to businesses in the town centre conservation area in the new year.

Towns Fund

4. In November it was announced that Darlington had been selected to form part of the Towns Fund initiative. With local partners, the Council will act as the lead authority in developing a Town Deal which if successful could release £25m of government funding into the borough. The aim of this funding is to help to increase economic growth with a focus on regeneration, improved transport, better broadband connectivity, skills and culture. Government expects the Council to submit its Town Deal by summer 2020

Estates and Property and Business Investment

5. A further Town Centre Strategic Acquisition has taken place with the purchase of the former Argos property at 13-16 Skinnergate. Negotiations with the owners of the adjacent building is expected to be concluded imminently. Designs for the proposed residential development will be finalised before the end of the calendar year with a planning application being submitted in Spring 2020 following public consultation on design and proposals.
6. Business Week took place from 7 to 11 October 2019 and great feedback has been received from companies hosting events and attendees. There were 26 events spread across the week, aimed at supporting businesses of all sizes and stages. Numbers of attendees throughout the week were around 500. Through the Business Development Team appointments have been made with a number of companies looking at business growth and premises expansion needs on the back of the events held.
7. The recruitment fair had 28 businesses attending and 622 members of the public visited on the day. Early feedback from the companies was very positive with all

wanting to attend next year and some already commencing recruitment from applicants identified through the fair and interviews are taking place over the coming weeks.

Development Management

8. Over the last few months permissions have been granted for the development of Stag House and Section 106 Agreements have been completed for Oak Meadows Farm, Middleton St. George which means that the commencement of development is imminent. Further work is being undertaken relating to the Development Management Charter, which sets out the reasonable expectations of both Developers and objectors within the Development Management System. A report will be brought back to Members for consideration when complete.
9. An engagement process with Parish Councils has been completed to explain the planning process with focus on Section 106 legal agreements. A presentation was given by the Head of Development Management and Environmental Health to the Association of Parish Councils.

Environmental Health

10. In October 2019 a presentation was given to members of the Place Scrutiny Committee on the work carried out by all aspects of the Environmental Health team. The presentation was well received by members and they fully appreciated the extensive and important work carried out by officers. Examples of some of the work are detailed in the paragraphs below.
11. **Allergy Training for Business:** In recent years the Environmental Health section were receiving a significant number of complaints from consumers who had an allergic reaction following the ordering of food at premises or where the knowledge of the food business was lacking with regards to allergens. To deal with this we have carried out the following (using funding provided by the Director of Public Health team):
 - (a) A series of 4 training sessions were implemented targeting these business (caterers/take-aways/lunch clubs & Indian/Bangladeshi restaurants). These were done free of charge for the business and held at The Kings Centre Church & local restaurants where participants were likely to feel most at ease and so that practical activities could take place to aid understanding. Businesses were also provided with an information pack and signposted to information in other languages. We experienced a very good turnout and the feedback following the events was very positive.
 - (b) Training has been provided at Darlington College for 1st Year Catering students in order to engage with the chefs of the future.
 - (c) Formal food samples have been obtained from food premises where intelligence suggests more action is needed (currently being tested at a public analysts' laboratory).
 - (d) The Environmental Health team have been the lead authority in a partnership with Public Health England in setting up a pilot hospital notification system that will allow A&E departments to notify other local authorities about patients

attending hospital as a result of an allergy attack linked to a food premises. (Shortly to be trialled at Darlington Memorial/ Northern Children's hospital/ & RVI) If successful this trial could be rolled out nationally

12. **Disused Garage/Warehouse, Four Riggs:** Following the receipt of complaints from residents, the Environmental Health Team led a multi-agency operation to close down an illegal and dangerous construction project in Four Riggs Darlington. Officers found Chinese nationals working in appalling welfare conditions with their employer appearing to be failing in their responsibilities in relation to Health & Safety legislation. The operation also involved the Health and Safety Executive (HSE) and Immigration, the Environment Agency (EA) and the Gang Masters and Labour Abuse Authority have all been notified and are to carry out their own investigations into the relevant parties.
13. **Shisha Bar, Northgate:** Following the opening of a Shisha Smoking Bar on Northgate officers from Environmental Health received complaints relating to customers smoking in prohibited areas within the building. A joint visit with Northern Gas Networks at the premises found that residents living in a flat above the business were exposed to dangerous levels of carbon monoxide and the business was subsequently served with a prohibition notice. The officer established that the lighting of the coals in the Shisha Bar was being carried out in a dangerous manner.
14. The Environmental Health Section responded to 1354 requests for service in Quarter 2. The main categories of these requests are:
 - (a) Food (133)
 - (b) Licensing (100)
 - (c) Noise (215)
 - (d) Planning Consultations (80)
 - (e) Refuse (69)
 - (f) Pest (202)
15. Additionally, the Commercial Team carried out the following proactive Food Inspections:
 - (a) Food Safety (139)
 - (b) Food Standards (105)

Local Plan

16. Officers continue to work on the Local Plan with further updates expected in the New Year. I would like to remind Members of the importance of having an up to date Local Plan. The adoption of an up to date, sound and sustainable Local Plan will ensure the Council has control as to where, how and when development can take place and give clarity and confidence to residents and other partners. In addition, our new Local Plan will act as a major instrument for the delivery of our overall corporate objective for growth and prosperity of the Borough.

Climate Change

17. Following the successful climate change seminar held on 23 September 2019, a meeting of the Climate Change Cross Party Working Group has been held on 29

October 2019 and Terms of Reference agreed for the group. The group chaired by Councillor Lee and joined by Councillors Curry, Howarth, Snedker and Tait will report back to Cabinet and Council at regular intervals.

18. In October we advertised for the recruitment to our Sustainability and Climate Change Lead Officer. We had a tremendous response to the advert with 21 applications. Interviews have been held in late November and officers are completing the recruitment process.

Councillor Alan Marshall
Economy Portfolio

**COUNCIL
5 DECEMBER 2019**

OVERVIEW OF HEALTH AND HOUSING PORTFOLIO

Purpose of the Report

1. Since the last meeting of Council, the main areas of work under my Health and Housing Portfolio were as follows:-

Housing Allocations Policy

2. Cabinet has approved the proposed amendments to the Tees Valley Common Allocations Policy for the Tees Valley Lettings Partnership to ensure that the legislative requirements of the Homelessness Reduction Act 2017 have been met; that Council meets its commitments in respect of the Tees Valley Letting Partnership; and to ensure a consistent policy across the sub region.
3. A review of the Tees Valley Common Allocations Policy, which had been in place since 2012, was undertaken, with extensive consultation by the five Tees Valley local authorities and registered provider partners with tenants, applicants, staff, stake-holders and partners. The feedback from the consultation has been reflected in the policy.

Survey Results

4. An independent specialist organisation was appointed recently to undertake a telephone survey of 1000 Council tenants which represents around 20 per cent of all Council tenancies. Tenants were asked a range of questions and to identify what was most important to them. Their top three were:-
 - (a) Being treated fairly as a customer
 - (b) Safety and security
 - (c) Overall quality of the home
5. The satisfaction results for these were all high varying from 8.2 to 8.4 out of 10. The Council's overall score for Value for Money was also very good at 8.3.
6. In terms of areas identified for improvement, communication was highlighted, particularly in terms of offering a wider range of communication methods, as well as, better informing and involving tenants more in planned programmes of work. A significant amount of work has already taken place to improve waiting times for customers wanting to contact us. Telephone waiting times have reduced from an average of 5.07 minutes in September last year to 3.08 minutes currently, whilst customers calling in person are now waiting on average 5.36 minutes against a target of 10 minutes compared to 11.10 minutes in September last year. We are increasingly developing ways in which customers can self-serve in general and, in terms of Housing Services, tenants can now manage their tenancies on line,

including reporting repairs on line and viewing their rent accounts. Housing Officers are also increasingly engaging with tenants at community events in order to seek their views rather than rely on traditional consultation methods such as formal meetings.

Rough Sleepers Counts

7. The Government have set a vision to half rough sleeping by 2022 and to end it by 2027. Local Authorities in England must provide an annual snapshot of numbers sleeping rough in their Borough.
8. We are working with all the local authorities in the North East as part of a Rough Sleeping Initiative funding which has involved looking at specialised workers being employed to try and better understand this cohort. This includes specialisms around mental health, substance misuse and tenancy sustainment.
9. We are working toward delivering a No First Night Out policy to prevent anyone having to sleep out for one night and are carrying out regular outreach work and street support with partners including ASB, Police, Community Safety etc. We are placing clients in interim accommodation and identifying support regardless of their priority need which is proving very effective.
10. Housing Officers have carried out a number of small rough sleeper counts in the early hours with our third sector partners (700 Club) and have not found anyone on these occasions. Strong partnership working continues as well as an increased understanding of the difference between begging and homelessness

Public Health

11. On 24 September, a multi-agency event was held to officially launch the Darlington Childhood Healthy Weight Plan and to bring partners together to develop clear actions to tackle childhood obesity across the borough. The event was attended by 50 partners from a range of organisations including the local authority, schools, NHS and the voluntary and community sector. Our vision is that more children in Darlington leave primary school a healthy weight. The presentations and interactive workshop sessions held on the day ensured that all partners were committed to a collaborative approach to taking this work forward.
12. Feedback from the event has been circulated to all partners and actions will include work with schools, business engagement, maternal health and early years and physical activity. An engagement group will be established to take this work forward.
13. Public Health have been supporting County Durham and Darlington NHS Foundation Trust to make all their sites, including Darlington Memorial Hospital, smoke free zones from 1 October 2019. This reflects the Trusts' commitment to improving health and wellbeing and the environment for patients, visitors and staff.
14. From 1 October the Trust has put into place different measures to deter smoking on the site and help smokers quit. Patients needing support during their hospital stay will be given Nicotine Replacement Therapy and those wishing to stop smoking can access expert help from the local Stop Smoking Service.

15. Darlington participates in a North East Suicide Prevention Network and has received Public Health England funding for grass roots community organisations to deliver programmes that contribute to suicide prevention locally. Four organisations benefited from this funding in in 2018/19 totalling £17,000. It delivered Men's Sheds, community awareness and training and employment support. We have launched the programme for 2019/20.

Health and Well Being Board

16. The Health and Well Being Board held on 28 November focussed on 'Living and Ageing Well', with a presentation on 'Winter Planning'. A number of updates were also provided including Mental Health, Darlington Suicide Prevention Plan and the Public Health England Annual Health Protection Report 2018/19.
17. Other issues considered at the meeting included an update on the Better Care Fund and Carers update.
18. A consultation response was submitted to the Department of Health and Social Care on "Advancing our health: Prevention in the 2020s." We welcome the government's ambition to place prevention at the heart of the health agenda.

Tees Valley Health and Well Being Board Chairs Network

19. On 24 October, there was a meeting of the Tees Valley Health and Well Being Board Chairs Network at which I was appointed to the position of Chair until 2021. The terms of reference for the network were reviewed and the forward plan was considered.
20. An update was provided on Tees Valley oral health and we agreed to receive the Technical Appraisal at the next meeting of the Network.

Holiday Enrichment Project

21. During the summer holiday period, the Move More Team planned and delivered a four-week programme of sport and positive activity. The four schools targeted for this project were Skerne Park, Rydal Academy, Corporation Road and Northwood, with the aim of helping with the transition from Primary to Secondary school and to support raising aspirations and improving self-development.

Health in Haughton Matters Project

22. The project commenced in September 2019 with the aim of helping the residents of Haughton to move more. Activities included family events, such as orienteering and archery in Rockwell Nature Reserve, one-hour walks around the ward, chair-based exercise and a group which focussed on enabling people to move from their couch to running 5km.

Councillor L Tostevin
Cabinet Member with Portfolio for Health and Housing

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**COUNCIL
5 DECEMBER 2019**

OVERVIEW OF LOCAL SERVICES PORTFOLIO

1. Since the last meeting of Council, the following are the main areas of work undertaken under the Local Services Portfolio.

Highway Maintenance Programme

2. Highway Maintenance Schemes complete:
 - (a) B6280 Carmel Road North: Carriageway reconstruction (0.667 km)
 - (b) A167 North Road. Whessoe Road to Westmoreland Street: Carriageway retexturing (0.393 km)
 - (c) C40a Burtree Lane: Carriageway reconstruction (1.175 km)
 - (d) Unc. Abbey Road: Carriageway Reconstruction (0.125 km)
3. Highway Maintenance Schemes ongoing:
 - (a) Micro-Asphalt Programme: Carriageway Surfacing – 103 sites
 - (b) C39 School Aycliffe Lane. The Chestnuts to boundary (DCC): Carriageway reconstruction and resurfacing (1.100 km)
 - (c) A1150 Whinfield Road: Carriageway resurfacing (0.480 km)
 - (d) A6072 Main Road, Redworth: Carriageway reconstruction (0.587 km)
 - (e) C34a C38 Great Stainton to Bishopton: Carriageway reconstruction (2.750 km)

Highway Improvement Schemes

4. Works on an improvement scheme to change the B6279 Tornado Way thoroughabout to a conventional roundabout has commenced. This is programmed for completion in April 2020.
5. Lingfield Way/Yarm Road traffic signalled controlled junction is currently under construction and is programmed to be complete by the end of February 2020. This includes a new footway/cycleway on Lingfield Way.

Town Centre Car Parking

6. Cabinet considered car parking initiatives in the town centre to support the town centre economy and agreed to the introduction of a Free on Sunday initiative to be introduced from 1 November 2019 in all Council operated pay and display car parks, Feethams multi-storey and on-street pay and display parking bays. This initiative will run until 1 May 2020.
7. Cabinet also agreed that the parking offer introduced in June 2018 be continued to cover the same period as the Free on Sunday initiative and that the Free on Sunday initiative and parking offers be reviewed ahead of May 2020.

8. Cabinet has agreed that plans be developed to be consulted on to increase the parking spaces available in Duke Street and the Imperial Quarter areas.

Transport Awards

9. The Council was shortlisted for a National Transport Award in the 'Excellence in Technology' category. This was for an app that was developed by digital company Hush, also based in Darlington, to improve the efficiency and effectiveness of delivering personalised travel planning to households across the Tees Valley as part of the Let's Go Tees Valley travel behaviour change programme. The awards were presented on 31 October. Although the Council did not win, being shortlisted was a fantastic achievement in a tough category that was ultimately won by a consortium of Jacobs, Scotland TranServ, Transport Scotland and Sibbald for their 'Virtual Reality Roadworker' training package.
10. The Council and EE were shortlisted for a Modeshift National Sustainable Travel Award in the 'Best Sustainable Travel Initiative – Business' category. The submission was for a car sharing scheme at EE, which has seen benefits for employees, EE and the wider community. The scheme is now being developed further so that it can be automated and provided to other businesses. The awards were presented on 7 November and the EE Car Share scheme was 'highly commended'. The Head of Contact Centre Operations at EE attended the event and is determined to continue to work on the car share scheme and enter the awards again next year.

Darlington Crematorium Refurbishment

11. To ensure the cremation service meets today's requirements, Cabinet has approved the improvements to the Crematorium in accordance with Option 3, replacement of the existing cremators as well as redeveloping the existing chapel into a bereavement service officer and new chapel within West Cemetery on part of the land identified for future burials, and the release of capital funding of £4.5m.
12. Cabinet also approved the release of capital funding of £0.4m already approved in the Capital Programme for the laying out of West Cemetery.
13. Cabinet agreed to add the project for the new crematorium to the Annual Procurement Plan to be designated as a strategic contract and noted that works would be procured in accordance with the Council Contract Procedure Rules and the Public Contracts Regulations 2015.
14. Cabinet also agreed that authorisation be given to the Assistant Director, Law and Governance on behalf of the Council to complete the required deeds and contracts to deliver the works in accordance with the agreed option.

Darlington Hippodrome

15. An exhibition celebrating the 40th anniversary of the Darlington Embroiders' Guild was on display until the end of November and featured work accumulated over a twelve-month period by members of the Guild, who attended tours of Darlington Hippodrome to take inspiration from the story, characters and the building itself to each develop a piece of embroidery with a connection to the theatre.

16. Darlington Hippodrome was shortlisted for a Living North Award for 'Best Programme at a Venue 2019/2020'. Unfortunately, the Hippodrome was unsuccessful at the awards ceremony on 1 November 2019, however it was pleasing to make the shortlist.

Head of Steam

17. The museum has been awarded £1,000 from Tees Valley Museums Creative Case for Diversity Fund to work with the Darlington LGBTQ community and the local Quaker Meeting House to produce a piece of art that will be an integral part of a forthcoming exhibition.
18. The museum team hosted an exchange visit from the British Museum in October. The visit enabled staff to share skills and benefit from each other's experience and knowledge.
19. Over 700 people attended the 194th Stockton and Darlington Railway celebrations on 29 September.

Crown Street Library

20. Darlington Libraries Summer Reading Challenge saw an increase in uptake of 34 per cent on last year's figures, showing that more children continued to read for pleasure over the six-week break. Darlington Libraries are now on Instagram and having accrued over 350 followers, we hope to reach a younger demographic in Darlington to showcase what libraries can offer them.
21. In partnership with Tracks and Creative Darlington, the Library hosted 'HARK!', an evening of stories and music inspired by the past.
22. The Centre for Local Studies hosted an interactive 'Crime Day' with displays and stalls from Durham County Record Office, Head of Steam and Darlington Hippodrome. Those in attendance had the opportunity to explore records relating to their own family history.

Creative Darlington

23. Darlington based painter Colin Graham exhibited 'Colourscapes' in the gallery at Darlington Library from Saturday 7 September to Thursday 3 October and attracted 1,875 visits. The artist also held a talk and made sales during the exhibition.
24. Darlington MIND's Art and Creative Crafts group exhibited in the gallery at Crown Street Library during October to coincide with World Mental Health Day on Thursday 10 October.
25. The Town Hall Exhibition Space hosted 'Ephemeral Light', an exhibition by photographer Elaine Vizor, from Monday 19 August to Friday 4 October. Following this, a new exhibition was installed from Darlington Society of Arts, which was on display until Friday 22 November.

26. Creative Darlington supported three performances of a Stephenson and Pease production on Sunday 29 September, at the Head of Steam Museum. The performances formed part of the Head of Steam's Family Fun Day celebrating the 194th anniversary of the Stockton and Darlington Railway. 702 people were involved in an audience and participant capacity on the day.

Environmental Services

27. Following the introduction of the Garden Waste Collection Service this year it has proved to be very successful, with 4,800 properties subscribed. As a result, the Council intend to offer this service again in Summer 2020.
28. Grass cutting and horticultural services throughout the Borough received many plaudits: in particular, floral displays throughout the town (wildflower and bedding plants) were well received. Further, the town was successful in winning the 'Best Town Centre' category in Northumbria in Bloom, which is a great testament to all those involved in making Darlington cleaner, safer and greener.

**Councillor Mrs Heather Scott OBE
Leader of the Council**

COUNCIL 5 DECEMBER, 2019

OVERVIEW OF RESOURCES PORTFOLIO

Since the last meeting of Council, the following are the main areas of work under the Resources Portfolio

Sale of Four Riggs Car Park, Off Bondgate, Darlington

1. Cabinet has declared the Four Riggs Car Park, off Bondgate, as surplus to requirements.
2. For a number of years, the car park has been used for contract parking serving businesses on Bondgate and the surrounding area, however, it has been very much underused and there is sufficient alternative car parking provision nearby in the Upper Archer Street car park to meet that need. Enquiries have been received from two interested parties to acquire the land and terms of sale have been agreed with both parties.

Release of Capital Allocation

3. Cabinet has agreed to release funding allocated in the 2019-20 - 2022-23 capital programme to undertake Capitalised Repairs. The release of this funding will enable the toilets within Block D of the Town Hall to be refurbished and for essential remedial works to the roof and windows to be undertaken at The Bridge.

Investment Fund Update

4. In November 2016, the Council established an Investment fund to be used for innovative investment opportunities beyond the traditional Treasury Management Strategy in order to achieve greater returns given the low returns on investments.
5. The fund provision of £50 million is currently being utilised as envisaged in the original reports to Council to facilitate wide economic benefits as well as a direct positive impact on the Council's financial position. To date, the fund has been used for eight schemes and Council has agreed that once the funding has been repaid, the amount can be recycled back into the fund for future use.

Regulation of Investigatory Powers

6. Cabinet has received an update on the use of the Regulation of Investigatory Powers Act 2000, which enables the Authority to carry out certain types of surveillance activity as long as specified procedures have been followed.

Review of Outcome of Complaints Made to the Ombudsman

7. Cabinet has been updated on the outcome of a number of cases which have been determined by the Local Government and Social Care Ombudsman (LGSCO) and

the Housing Ombudsman (HO) in relation to Council's activities, together with the actions taken by the Council as a result of those outcomes.

Complaints, Compliments and Comments Annual Reports 2018/19

8. In relation to the Council's Complaints, Compliments and Comments Policy, the Council has received a total of 825 complaints during 2018/19, a decrease from 871 complaints during 2017/18, an increase in compliments from 116 in 2017/18 to 280 in 2019/20 and a total of 240 comments, an increase from 224.

General Election

9. Staff in Democratic Services have been working hard to ensure that everything is in place for the General Election on the 12 December 2019. This has been a significant resource issue at a busy time generally.

Councillor Charles Johnson
Cabinet Member with Resources Portfolio

**COUNCIL
5 DECEMBER 2019**

OVERVIEW OF STRONGER COMMUNITIES PORTFOLIO

1. Since the last meeting of Council, the following are the main areas of work undertaken under the Stronger Communities Portfolio.

Civic Enforcement Service

National Award for Dog Warden Service

2. Darlington's Dog Warden Service has once again been awarded the Stray Dog Gold Standard in the RSPCA's Paw Prints Awards. The scheme rewards those organisations exceeding basic and statutory service requirements with the aim of achieving higher animal welfare standards.

Back Lanes Initiative

3. Community Services and partners, including Durham Constabulary and County Durham and Darlington Fire and Rescue, launched an initiative to tackle problems associated with fly-tipping and dumping waste in back lanes on 15 October.
4. The project aims to educate residents in relation to bin collections, issue bin stickers in an attempt to encourage people to take responsibility for their property and provide education regarding the consequences of offending. The work will also involve local surveys and engagement with landlords around their responsibilities.
5. This is a pilot project, which if successful will be extended to other areas of the borough. The areas selected for the initiative (based on Darlington Borough Council and CDDFR data) include:
 - (a) Brighton / Lewes / Falmer
 - (b) China / Ruby / Dublin
 - (c) Bedford Street / Clifton Road area
 - (d) Chandos / Barron / Wilson
 - (e) Beaconsfield / Salisbury / Barningham

Trading Standards

6. On 26 and 27 September 2019, Trading Standards participated in Operation Haddock, a multi-agency operation supported by Darlington and Tees Valley Authorities, DVSA, HMRC and Police to conduct checks on waste carriers.

7. Trading Standard's role was to carry out weighbridge checks on vehicles and their loads, inspect licensed scrap yards as part of multi-disciplinary visits, and deal with any issues that arose.
8. On 3 October 2019, Robin Howe, Quantity Surveyor from Northallerton, was found guilty of fraud by abuse of position under Section 1 of the Fraud Act 2006 after being prosecuted by the Authority following an investigation by Trading Standards. Mr Howe provided a quantity surveying service for Darlington victims who wanted to extend their home. He used his position to promote the services of a particular builder, who was awarded the contract, and encouraged staged payments to the builder despite problems with the work being carried out. He also failed to disclose to the victims that he had received an 'introductory fee' from the builder. .
9. Trading Standards delivered a 'hot topic' session on the subject 'Trade Fairly, Trade Successfully' as part of this year's Darlington Business Week. The session highlighted Better Business for All (BBfA), a Government initiative to strengthen relationships that regulatory services have with local businesses and remove regulatory barriers to growth. Trading Standards also showcased a video, produced under the BBfA initiative, of a local trader on his positive experiences with regulatory services in Darlington.

Private Sector Housing

Gas Safety

10. Further to the national Gas Safety Week campaign in September 2019, the Private Sector Housing Team continue to make sure that any gas appliances and flues provided for tenants are safe for continued used. Landlords must arrange for gas safety appliances to be safety checked every twelve months by a Gas Safe Registered Engineer.

Houses in Multiple Occupation

11. A review of the safety certification for licensed houses in multiple occupation has been carried out over the past four months. Certification for all properties has been reviewed, including: gas safety certificates, electrical conditional reports and fire safety risk assessments.
12. The Authority currently has 35 licensed houses in multiple occupation; properties where there are two of more households sharing amenities with five or more occupiers.

PREVENT

13. The Community Resilience Officer continues to deliver WRAP (Workshop to Raise Awareness of Prevent) 'train the trainer' sessions in partnership with Durham County Council colleagues.

Community Engagement

14. The Community Resilience Officer attended the Darlington Unity Group meeting, chaired by Chief Inspector Steve Ball. Initial ideas discussed, included: encouraging young people to join the group and engage in community building activities; improving the representation of the group to include LGBTQ+, Jewish and Polish communities and others; organising more community events to be attended by a more diverse audience.

Hate Crime Awareness Week (12 – 19 October)

15. The Joint Hate Crime Action Group reciprocally supported and promoted all participating organisations' activities during Hate Crime Awareness Week. Darlington Borough Council continues to utilise the 'Hate Hurts' campaign and communications pack provided by the Durham PCVC earlier in the year.

Purple Flag

16. The Disability Sub-Group met for the first time on 26 September, chaired by the Community Resilience Officer. The discussion focussed on the idea of an award scheme for shops, restaurants, bars and other service providers that met a minimum standard set out by the scheme.

Licensing

17. The Licensing Division co-ordinated the week long 'Operation Haddock', which was aimed at tackling metal theft by targeting unlicensed scrap metal collectors. Prior to its commencement in late September, awareness raising took place through the press and social media, which then concluded with enforcement throughout the Tees Valley area.
18. Licensing have been working with Police and Immigration Officers targeting licensed premises in the town centre where intelligence suggests there are illegal workers. Intelligence has been developed during multi-agency inspections to ensure these premises are compliant with the Licensing Act legislation.

**Councillor Jonathan Dulston
Stronger Communities**

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**COUNCIL
5 DECEMBER 2019**

ITEM NO.

COUNCIL TAX SUPPORT – SCHEME APPROVAL 2020-21

**Responsible Cabinet Member - Councillor Charles Johnson,
Efficiency and Resources Portfolio**

Responsible Director – Paul Wildsmith, Managing Director

SUMMARY REPORT

Purpose of the Report

1. To approve the Council Tax Support (CTS) scheme for 2020-21.

Summary

2. On 22 November 2018, Council approved the local CTS scheme for 2019-20 and the scheme became operational on 1 April 2019.
3. Councils are required to set a CTS scheme each year and as part of that exercise:
 - (a) Consider whether any changes should be made to the existing scheme, and
 - (b) Where changes are made, consider what transitional protection, if any, should apply to anyone affected by those changes.
4. This report sets out the details of the CTS scheme for 2020-21. No changes are proposed to the existing scheme.
5. This report was submitted to the Efficiency and Resources Scrutiny Committee on 31 October 2019. It was noted that no changes were recommended to the 2020-21 CTS Scheme.
6. This report was considered by Cabinet on 5 November 2019, who agreed its onward submission for consideration by Council.

Recommendation

7. It is recommended that Council:-
 - (a) Consider the contents of this report.
 - (b) Approve the CTS scheme for 2020-21 at **Appendix 1** which is to:-

- (i) Continue providing up to 100% CTS for care leavers under the age of 25, and
- (ii) Continue providing up to 80% CTS for all other working people.

Reasons

8. The recommendations are supported by the following reasons:-

- (a) The Council is required to publish a local CTS scheme for 2020-21 by 11 March 2020.
- (b) The CTS schemes since 2013 have all been implemented successfully without any major challenges.
- (c) The continued application of a reduced entitlement for working aged people is still appropriate, given the current financial position of the Council.

Paul Wildsmith
Managing Director

Background Papers

- (i) Local Government Finance Bill 2012
- (ii) Council Tax Reduction Schemes (Prescribed Requirements) Regulations 2012
- (iii) Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (England) (Amendment) Regulations 2012
- (iv) Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2013
- (v) Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2014
- (vi) Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2015
- (vii) Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2016
- (viii) Council Tax Reduction Schemes (Amendment) (England) Regulations 2017
- (ix) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2018.

Anthony Sandys: Extension 6926

S17 Crime and Disorder	There are no issues
Health and Well Being	The CTS scheme may have an adverse impact on the health and well-being of low income groups
Carbon Impact	There is no carbon impact in this report
Diversity	Working aged recipients of CTS are treated differently to pensioners, whose CTS entitlement is decided under a national set of regulations.
Wards Affected	All wards are affected, but in particular those with higher numbers of people claiming CTS

Groups Affected	Working age recipients of CTS are affected by the local scheme. Pensioners are protected under a national set of regulations.
Budget and Policy Framework	The issues contained within this report do not represent a change to Council budget or the Council's policy framework
Key Decision	This is not an Executive decision
Urgent Decision	This is not an Executive decision
One Darlington: Perfectly Placed	This report has implications for the 'Healthy Darlington' and 'Prosperous Darlington' themes of the Sustainable Community Strategy.
Efficiency	The operation of the local CTS scheme continues to represent a significant financial challenge to the Council and other precepting authorities
Impact on Looked After Children and Care Leavers	Young care leavers, who do not have the family support most young people have to establish themselves in the community, can receive up to 100% CTS

MAIN REPORT

Information and Analysis

9. Since 2013, the previous national Council Tax Benefit scheme was replaced with local CTS schemes, designed and administered by local authorities. Grants are paid to local authorities to fund CTS, but the overall amount does not fully meet actual expenditure levels.
10. The Council is required to design and publish a new CTS scheme each year, in time to implement for annual Council Tax billing. A full public consultation exercise and an equality impact assessment were undertaken on the initial scheme in 2013.
11. Each year, the Council has to consider whether any changes should be made to the existing scheme and, where changes are made, consider what transitional protection, if any, should apply to anyone affected by those changes.
12. Each year's scheme then must be approved by full Council.
13. The key feature of Darlington's CTS scheme is that most working aged people can only receive a maximum of 80% support towards their Council Tax. Young care leavers can receive up to 100% support (introduced in April 2018) and pensioners are also protected under a national set of regulations.
14. No changes are recommended for the 2020-21 CTS scheme.

Financial Implications

15. The recommendations in paragraph 5 will not have any significant financial implications and therefore it is not intended to amend the budget in the MTFP.

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Darlington Borough Council
Council Tax Support scheme
2020 - 2021

1 Introduction

- 1.1.1 Council Tax Support (also referred to as Council Tax Reduction) is the means of helping people on low incomes pay their Council Tax. Each Council Tax billing authority is responsible for setting its own local Council Tax Support scheme every year.
- 1.1.2 Pensioners are protected from the effects of local schemes by a national framework of rules and eligibility. Working aged people however are subject to the provisions of the locally defined scheme.
- 1.1.3 On 22nd November 2018, Darlington Borough Council approved the Council Tax Support scheme for 2019-2020, which became operational from 1st April 2019.
- 1.1.4 This document sets out Darlington Borough Council's scheme for 2020-2021 and should be read in conjunction with:
 - 1.1.4.1 The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012.
 - 1.1.4.2 The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (England) (Amendment) Regulations 2012.
 - 1.1.4.3 The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2013.
 - 1.1.4.4 The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2014.
 - 1.1.4.5 The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) (No. 2) Regulations 2014.
 - 1.1.4.6 The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2015.
 - 1.1.4.7 The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2016.
 - 1.1.4.8 The Council Tax Reduction Schemes (Amendment) (England) Regulations 2017.
 - 1.1.4.9 The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2018.

2 Executive Summary

2.1 Prescribed requirements

- 2.1.1 There are a number of prescribed requirements that will apply to all local Council Tax Support schemes and are therefore not included in Darlington's local scheme. These are set out in the regulations referred to in 1.1.4.1 to 1.1.4.9, copies of which can be found at: www.legislation.gov.uk
- 2.1.2 Where the prescribed regulations apply, reference has been made to the relevant parts in the Council Tax Support scheme. For the purpose of this document, "the regulations" are the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, as amended. A summary of the key features of the regulations are as follows:
- 2.1.3 There is a prescribed scheme for persons who have reached the qualifying age for state Pension Credit. 'Working aged' is defined as people who have not yet reached the qualifying age for state Pension Credit.
- 2.1.4 There are restrictions excluding foreign nationals with limited immigration status and non-economically active European Union individuals.
- 2.1.5 Individuals with refugee status, humanitarian protection, discretionary or exceptional leave to remain granted outside the immigration rules and who are exempt from the habitual residence test are entitled to support with their Council Tax.
- 2.1.6 Regulations allow arrangements for a person to act on behalf of another, for example where a person has been granted a power of attorney over a liable Council Tax payer.
- 2.1.7 Formal rights of appeal are set out in the regulations and appeals are heard by Valuation Tribunals.
- 2.1.8 Billing authorities are required to consider whether to revise or replace their Council Tax Support schemes each year and under such circumstances, to consider what transitional arrangements may be required to move from an existing local scheme to a replacement scheme. Schemes cannot be amended within a financial year.

2.2 Key features of Darlington's Council Tax Support scheme

- 2.2.1 The requirements for Council Tax Support schemes are set out in an amendment to the Local Government Finance Act 1992, under schedule 1A.
- 2.2.2 Council Tax Support for most working aged claimants will be based on 80% of their Council Tax liability (as opposed to pensioners, where entitlement is based on 100%).
- 2.2.3 Entitlement to Council Tax Support will be means tested. The amount of Council Tax Support awarded will depend on:
 - 2.2.3.1 The circumstances of the claimant and their family, such as their income and savings.
 - 2.2.3.2 The number of children who live in the household and their circumstances.
 - 2.2.3.3 The number of other adults who live in the household and their circumstances.
 - 2.2.3.4 The amount of Council Tax, less any other discounts or reliefs.

2.3 Temporary absence from home

- 2.3.1 There are no temporary absence rules for working aged people in Darlington's Council Tax Support scheme. Anyone who is liable for Council Tax on a dwelling which is their sole or main residence and not subject to a Council Tax exemption is able to claim Council Tax Support. Temporary absence rules for pensioners are set out in the regulations.

2.4 Students

- 2.4.1 There are no specific exclusions for students in the Council Tax Support scheme. Anyone who is liable for Council Tax and not subject to the Council Tax student exemption is able to claim Council Tax Support.

2.5 Extended payments

- 2.5.1 Under the Council Tax Support scheme, anyone losing entitlement to a qualifying benefit, such as Income Support, income based Jobseekers Allowance, income related Employment and Support Allowance or Universal Credit due to moving into work or increasing their hours or pay, automatically qualifies for a 4 week run on of their Council Tax Support.

2.6 Backdating

- 2.6.1 An automatic backdating rule exists for Council Tax Support claims. Claims can be paid for any period where entitlement to Council Tax Support exists. Backdating rules for pensioners are set out in the regulations.

2.6.2 There is no requirement for a person to show 'good cause' as to why they didn't claim earlier.

2.7 Discretionary discounts

2.7.1 The Council has the power under section 13A of the Local Government Finance Act 1992, to reduce the Council Tax liability of a person "to such an extent as it thinks fit". This includes the power to reduce the amount to nil.

2.7.2 The Council has a Council Tax Discretionary Discount policy, details of which can be found at: [Darlington Borough Council - Discounts and Exemptions](#).

3 People who can claim Council Tax Support

3.1 Who can claim

3.1.1 The rules for making an application to Council Tax Support is set out in schedule 8, part 2, paragraph 4 of the regulations. These state:

- In the case of a couple or members of a polygamous marriage an application is to be made by whichever one of them they agree should apply or, in default of agreement, by such one of them as the council decides
- Where the person who is liable for Council Tax is unable to act the Council will accept or appoint a person who may make an application on their behalf, in accordance with the provisions contained within this part of the regulations.

3.1.2 The classes of working aged people entitled to a reduction under the Council's scheme are as follows:

3.2 People in receipt of a qualifying benefit

People in receipt of a qualifying benefit are classed as:

- Working aged
- Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- Entitled to Income Support, income-based Jobseekers Allowance or income-related Employment and Support Allowance.

3.2.1 Having claimed Council Tax Support, this class of people will be entitled to the maximum support of 80% of their eligible Council Tax, less any deductions for non-dependants.

3.3 People with income equal to or less than their applicable amount

People with income equal to or less than their applicable amount are classed as:

- Working aged
- Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- Capital is less than £16,000
- Income is equal to or less than their applicable amount.

3.3.1 Having claimed Council Tax Support, this class of people will be entitled to the maximum support of 80% of their eligible Council Tax, less any deductions for non-dependants.

3.4 People with income more than their applicable amount

People with income more than their applicable amount are classed as:

- Working aged
- Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- Capital is less than £16,000
- Income is more than their applicable amount

3.4.1 Having claimed Council Tax Support, this class of people will have their income compared to their applicable amount. The amount of Council Tax Support will be reduced by 20% of the amount the income exceeds the applicable amount. Entitlement will be up to a maximum of 80% of their eligible Council Tax, less any deductions for non-dependants.

3.5 People receiving Universal Credit with income equal to or less than their Universal Credit maximum award

People receiving Universal Credit with income equal to or less than their Universal Credit maximum award are classed as:

- Working aged
- Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- Capital is less than £16,000
- In receipt of Universal Credit
- Assessment of income provided by Universal Credit plus the award of Universal Credit is equal to or less than their Universal Credit maximum award.

3.5.1 Having claimed Council Tax Support, this class of people will be entitled to the maximum support of 80% of their eligible Council Tax, less any deductions for non-dependants.

3.6 People receiving Universal Credit with income more than their Universal Credit maximum award

People receiving Universal Credit with income more than their Universal Credit maximum award are classed as:

- Working aged
- Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- Capital is less than £16,000
- In receipt of Universal Credit
- Assessment of income provided by Universal Credit plus the award of Universal Credit is more than their Universal Credit maximum award.

- 3.6.1 Having claimed Council Tax Support, this class of people will have their assessment of income provided by Universal Credit plus the award of Universal Credit compared to their Universal Credit maximum award. The amount of Council Tax Support will be reduced by 20% of the amount the income exceeds the Universal Credit maximum award. Entitlement will be up to a maximum of 80% of their eligible Council Tax, less any deductions for non-dependants.

3.7 Young care leavers in receipt of a qualifying benefit

Young care leavers in receipt of a qualifying benefit are classed as:

- Aged 18 to 24
- A care leaver, as defined by the Children (Leaving Care) Act 2000
- Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- Entitled to Income Support, income-based Jobseekers Allowance or income-related Employment and Support Allowance.

- 3.7.1 Having claimed Council Tax Support, this class of people will be entitled to the maximum support of 100% of their eligible Council Tax, less any deductions for non-dependants.

3.8 Young care leavers with income equal to or less than their applicable amount

Young care leavers with income equal to or less than their applicable amount are classed as:

- Aged 18 to 24
- A care leaver, as defined by the Children (Leaving Care) Act 2000
- Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- Capital is less than £16,000
- Income is equal to or less than their applicable amount.

- 3.8.1 Having claimed Council Tax Support, this class of people will be entitled to the maximum support of 100% of their eligible Council Tax, less any deductions for non-dependants.

3.9 Young care leavers with income more than their applicable amount

Young care leavers with income more than their applicable amount are classed as:

- Aged 18 to 24
- A care leaver, as defined by the Children (Leaving Care) Act 2000
- Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- Capital is less than £16,000

- Income is more than their applicable amount

3.9.1 Having claimed Council Tax Support, this class of people will have their income compared to their applicable amount. The amount of Council Tax Support will be reduced by 20% of the amount the income exceeds the applicable amount. Entitlement will be up to a maximum of 100% of their eligible Council Tax, less any deductions for non-dependants.

3.10 Young care leavers receiving Universal Credit with income equal to or less than their Universal Credit maximum award

Young care leavers receiving Universal Credit with income equal to or less than their Universal Credit maximum award are classed as:

- Aged 18 to 24
- A care leaver, as defined by the Children (Leaving Care) Act 2000
- Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- Capital is less than £16,000
- In receipt of Universal Credit
- Assessment of income provided by Universal Credit plus the award of Universal Credit is equal to or less than their Universal Credit maximum award.

3.10.1 Having claimed Council Tax Support, this class of people will be entitled to the maximum support of 100% of their eligible Council Tax, less any deductions for non-dependants.

3.11 Young care leavers receiving Universal Credit with income more than their Universal Credit maximum award

Young care leavers receiving Universal Credit with income more than their Universal Credit maximum award are classed as:

- Aged 18 to 24
- A care leaver, as defined by the Children (Leaving Care) Act 2000
- Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- Capital is less than £16,000
- In receipt of Universal Credit
- Assessment of income provided by Universal Credit plus the award of Universal Credit is more than their Universal Credit maximum award.

3.11.1 Having claimed Council Tax Support, this class of people will have their assessment of income provided by Universal Credit plus the award of Universal Credit compared to their Universal Credit maximum award. The amount of Council Tax Support will be reduced by 20% of the amount the income exceeds the Universal Credit maximum award. Entitlement will be up to a maximum of 100% of their eligible Council Tax, less any deductions for

non-dependants.

3.12 The classes of pensioners who are entitled to a Council Tax reduction are set out in schedule 1 of the regulations, as follows:

3.13 Pensioners with income equal to or less than their applicable amount

Pensioners with income equal to or less than their applicable amount are classed as:

- Pension aged
- Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- Not absent from the dwelling, as defined in schedule 1, part 1, paragraph 5 of the regulations
- Capital is less than £16,000
- Income is equal to or less than their applicable amount.

3.13.1 Having claimed Council Tax Support, this class of people will be entitled to the maximum support of 100% of their eligible Council Tax, less any deductions for non-dependants.

3.14 Pensioners with income more than their applicable amount

Pensioners with income more than their applicable amount are classed as:

- Pension aged
- Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- Not absent from the dwelling, as defined in schedule 1, part 1, paragraph 5 of the regulations
- Capital is less than £16,000
- Income is more than their applicable amount.

3.15 Having claimed Council Tax Support, this class of people will have their income compared to their applicable amount. The amount of Council Tax Support will be reduced by 20% of the amount the income exceeds the applicable amount. Entitlement will be up to a maximum of 100% of their eligible Council Tax, less any deductions for non-dependants.

3.16 Alternative maximum Council Tax Support

People entitled to alternative maximum Council Tax Support are classed as:

- Pension aged
- Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- Not absent from the dwelling, as defined in schedule 1, part 1, paragraph 5 of the regulations

- One or more people reside with the claimant who are not a member of their family
- No other resident in the dwelling is liable to pay rent to the claimant in respect of that dwelling.

3.16.1 Having claimed Council Tax Support, this class of people will have their Council Tax Support calculated on the income, or aggregate incomes, of one or more people who reside in the dwelling, up to a maximum of 25% of their eligible Council Tax.

3.17 Pensioners with war pensions

Pensioners with war pensions are classed as:

- Pension aged
- Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- Not absent from the dwelling, as defined in schedule 1, part 1, paragraph 5 of the regulations
- In receipt of War Disablement Pension, War Widow's Pension or War Widower's Pension

3.17.1 Having claimed Council Tax Support, this class of people will be assessed in accordance with the prescribed regulations for pensioners. War Disablement Pension, War Widow's Pension and War Widower's Pension will be fully disregarded.

3.18 Pensioners

3.18.1 The provisions for pensioners are set out in Schedules 1 to 6 of the regulations.

3.18.2 The meaning of who is and who is not a pensioner is set out in paragraph 3 of the regulations. These state:

- A person is a 'pensioner' if they have attained the qualifying age for state Pension Credit; and
- They, or their partner are not in receipt of Income Support, income-based Jobseekers Allowance, income related Employment and Support Allowance, or Universal Credit
- A person is 'not a pensioner' if they have not attained the qualifying age for state Pension Credit; or
- They have attained the qualifying age for state Pension Credit and they, or their partner are in receipt of Income Support, income-based Jobseekers Allowance, income related Employment and Support Allowance, or Universal Credit.

3.19 Membership of a family

3.19.1 The meaning of a 'couple' is set out in paragraph 4 of the regulations. These state a 'couple' is:

- A man and woman who are married to each other and are members of the same household; or
- A man and a woman who are not married to each other but are living together as husband and wife
- Two people of the same sex who are civil partners of each other and are members of the same household; or
- Two people of the same sex who are not civil partners of each other but are living together as if they were civil partners.

3.19.2 The rules for polygamous marriages are set out in paragraph 5 of the regulations. This regulation applies to:

- A person who is a husband or wife by virtue of a marriage entered into under a law which permits polygamy, and
- Either party to the marriage has for the time being any spouse additional to the other party.

3.19.3 The meaning of 'family' is set out in paragraph 6 of the regulations. These state a 'family' is:

- A couple
- A couple and a member of the same household for whom one of them is or both are responsible and who is a child or a young person
- A person who is not a member of a couple and a member of the same household for whom that person is responsible and who is a child or a young person
- A child or young person includes those in respect of whom section 145A of the Social Security Child Benefit Act 2005 applies for the purposes of entitlement to Child Benefit
- A young person does not include those who are in receipt of Income Support, income-based Jobseekers Allowance, income related Employment and Support Allowance, Universal Credit; or a person to whom section 6 of the Children (Leaving Care) Act 2000 applies.

3.19.4 The rules for circumstances in which a person is to be treated as responsible or not responsible for another are set out in paragraph 7 of the regulations. These state:

- A person is to be treated as responsible for a child or young person who is normally living with them
- Where a child or young person spends equal amounts of time in different households, or where there is a question as to which household they are living in, they will be treated as normally living with;
 - the person who receives Child Benefit in respect of that child or young person, or
 - if there is no such person, the person who has claimed Child Benefit, or the person who has the primary responsibility for them.

3.19.5 The rules for membership of a household are set out in paragraph 8 of the regulations. These state:

- The claimant and any partner who are treated as responsible for a child or young person, that child or young person and any child of that child or young person, are to be treated as members of the same household
- A child or young person is not treated as a member of the claimant's household where they are;
 - placed with the claimant or their partner by a local authority under section 22C or 23(2)(a) of the Children Act 2002 or by a voluntary organisation under section 59(1)(a) of that Act, or
 - placed with the claimant or their partner prior to adoption, or
 - placed with the claimant or their partner in accordance with the Adoption and Children Act 2002
- A child or young person is not treated as a member of the claimant's household where they are not living with the claimant as they are;
 - being looked after by a local authority under a relevant enactment, unless they live with the claimant for part or all of a relevant week or the authority considers it reasonable to do so taking into account the nature and frequency of that child's or young person's visits, or
 - placed with a person other than the claimant prior to adoption, or
 - placed for adoption in accordance with the Adoption and Children Act 2002.

3.20 Non-dependants

3.20.1 The meaning of non-dependants is set out in paragraph 9 of the regulations. These state a 'non-dependant' is:

- Any person who normally resides with the claimant or with whom the claimant normally resides
- This excludes;
 - any member of the claimant's family,
 - a child or young person who is living with the claimant but is not classed as a member of their household,
 - any person who is jointly and severally liable to pay Council Tax in respect of the dwelling,
 - any person who is liable to make payments on a commercial basis to the claimant or their partner in respect of occupation of the dwelling, unless that person is a close relative of the claimant or their partner, or the tenancy or other agreement between them is other than on a commercial basis, or where it appears to the authority to have been created to take advantage of a scheme
 - a person who lives with the claimant in order to care for them or their partner and who is engaged with a charitable or voluntary organisation which makes a charge to the claimant or their partner for the services provided by that person.

3.21 Persons from Abroad

3.21.1 The rules for persons treated as not being in Great Britain are set out in paragraph 12 of the regulations. These state:

- Persons treated as not being in Great Britain are a class of person prescribed for the purposes of paragraph 2(9)(b) of Schedule 1A to the 1992 Act and which must not be included in the Council's scheme
- A person is to be treated as not being in Great Britain if the person is not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland, except;
 - a qualified person (or their family member), for the purposes of regulation 6 of the EEA regulations 2006 as a worker or self-employed person,
 - a person who has a right to reside permanently in the United Kingdom by virtue of regulation 15(1)(c), (d) or (e) of the EEA regulations 2006,
 - a person recorded by the Secretary of State as a refugee within the definition in Article 1 of the Convention relating to the Status of Refugees, as extended by Article 1(2) of the Protocol relating to the Status of Refugees,
 - a person who has been granted leave outside of the rules under section 3(2) of the Immigration Act 1971 where that leave is discretionary leave to enter or remain in the United Kingdom, leave to remain under the Destitution Domestic Violence concession, or leave deemed to have been granted by virtue of regulation 3 of the Displaced Persons (Temporary Protection) Regulations 2005,
 - a person who has humanitarian protection granted under those rules,
 - a person who is not subject to immigration control within the meaning of section 115(9) of the Immigration and Asylum Act 1999 and who is in the United Kingdom as a result of their deportation, expulsion or other removal by compulsion of law from another country to the United Kingdom,
 - a person in receipt of Income Support or income related Employment and Support Allowance,
 - a person in receipt of income based Jobseekers Allowance and has a right to reside in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland,
 - a person who is treated as a worker for the purpose of the definition of a 'qualified person' in regulation 6(1) of the EEA regulations 2006 pursuant to regulation 5 of the Accession of Croatia (Immigration and Worker Authorisation) Regulations 2013 (right of residence of a Croatian who is an "accession state national subject to worker authorisation"),
 - a Crown servant or member of HM forces posted overseas and the person is performing overseas the duties of a Crown servant or member of Her Majesty's forces and was, immediately before the posting or the first of consecutive postings, habitually resident in the United Kingdom.
- A person must not be treated as habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland unless the person has a right to reside in one of those places
- A right to reside does not include a right which exists by virtue of, or in accordance with;

- regulation 13 of the EEA regulations 2006 or Article 6 of Council Directive 2004/38/EC,
- regulation 14 of the EEA regulations 2006, but only in a case where the rights exist under that regulation because the person, or a family member, is a jobseeker for the purpose of the definition of a 'qualified person' in regulation 6(1) of those regulations,
- article 45 of the Treaty on the functioning of the EU (in a case where the person is seeking work in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland)
- regulation 15A(1) of the EEA regulations 2006, but only in a case where the right exists under that regulation because the claimant satisfies the criteria in paragraph (4A) of that regulation or Article 20 of the Treaty on the Functioning of the EU (in a case where the right to reside arises because a British citizen would otherwise be deprived of the genuine enjoyment of their rights as a European Union citizen).

3.21.2 The rules for persons subject to immigration control are set out in paragraph 13 of the regulations. These state:

- Persons subject to immigration control are a class of person prescribed for the purposes of paragraph 2(9)(b) of Schedule 1A to the 1992 Act and which must not be included in the Council's scheme, except;
 - a person who is a national of a state which has ratified the European Convention on Social and Medical Assistance, or a state which has ratified the Council of Europe Social Charter and who is lawfully present in the United Kingdom
- 'Persons subject to immigration control' has the same meaning as in section 115(9) of the Immigration and Asylum Act 1999.

3.22 Applicable amounts

3.22.1 The applicable amount will be made up of a number of elements. These may include, depending upon individual circumstances:

- A personal allowance for the claimant and their partner
- An amount for every child or young person who is a member of the family
- A family premium where at least one child or young person is part of the household
- Premiums for people in receipt of Employment and Support Allowance
- Premiums which may apply in special circumstances.

3.22.2 The weekly amounts to be included in the applicable amount are detailed below. The qualifying conditions for each of these personal allowances and premiums are set out in Schedule 3 of The Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012. These are summarised in **Table 1**. The applicable amounts for pensioners are set out in schedule 2 of the regulations.

3.22.3 The amounts detailed below in **Table 1** are those stated within the 2019-2020 scheme and will be updated for 2020-2021. The updated amounts will be

calculated with reference to the amended regulations and Social Security Up-rating Order 2019.

3.22.4 People in receipt of Universal Credit will have their Council Tax Support calculated based on their Universal Credit maximum award.

3.22.5 The Family Premium does not apply from 1st May 2016, unless the conditions in 3.22.6 apply.

3.22.6 Claims for Council Tax Support where the Family Premium applied at 30th April 2016 will continue to be entitled to the Family Premium from 1st May 2016 until their claim for Council Tax Support ends or their household no longer includes at least one child or young person.

Table 1: Applicable Amounts

Personal allowances	Weekly amount 2019-2020	Weekly amount 2020-2021
Single claimant aged 18 to 24	£57.90	
Working aged single claimant aged 25 or over	£73.10	
Single claimant entitled to main phase Employment and Support Allowance	£73.10	
Working aged lone parent	£73.10	
Working aged couple	£114.85	
Couple entitled to main phase Employment and Support Allowance	£114.85	
Single claimant or lone parent who has attained pensionable age	£181.00	
Couple where one or both members have attained pensionable age	£270.60	
A child or young person until the day before their twentieth birthday	£66.90	
Family premium	Weekly amount 2019-2020	Weekly amount 2020-2021
A household which includes at least one child or young person (but see 3.22.5 and 3.22.6)	£17.45	
Employment and Support Allowance premiums	Weekly amount 2019-2020	Weekly amount 2020-2021
The claimant or their partner are in receipt of the work related activity component of Employment and Support Allowance	£29.05	
The claimant or their partner are in receipt of the support component of Employment and Support Allowance	£38.55	
Special circumstances premiums (entitlement limited to only one of the premiums below)	Weekly amount 2019-2020	Weekly amount 2020-2021
Disability premium (single) – the claimant is registered blind, or in receipt of one or more of the following: <ul style="list-style-type: none"> • Attendance Allowance • Disability Living Allowance • Mobility Supplement • Long term Incapacity Benefit • Severe Disablement Allowance 	£34.35	

<ul style="list-style-type: none"> • The disability or severe disability element of Working Tax Credit • Personal Independence Payment • Armed Forces Independence Payment 		
<p>Disability premium (couple) – the claimant or partner is registered blind, or in receipt of one or more of the following:</p> <ul style="list-style-type: none"> • Attendance Allowance • Disability Living Allowance • Mobility Supplement • Long term Incapacity Benefit • Severe Disablement Allowance • The disability or severe disability element of Working Tax Credit • Personal Independence Payment • Armed Forces Independence Payment 	£48.95	
<p>Carers premium – the claimant or partner is entitled to Carers Allowance</p>	£36.85	
<p>Special circumstances premiums (entitlement can be applied on top of any other premiums awarded)</p>	Weekly amount 2019-2020	Weekly amount 2020-2021
<p>Severe disability premium (single rate) - for a single claimant, lone parent or couple where:</p> <ul style="list-style-type: none"> • The claimant or partner is receiving Attendance Allowance, or the care component of Disability Living Allowance at the higher or middle rate, or the daily living component of Personal Independence Payment, or Armed Forces Independence Payment, and • No non-dependants aged 18 or over reside with them, and • No one is in receipt of a Carers Allowance or the carer element of Universal Credit for looking after them. 	£65.85	
<p>Severe disability premium (double rate) - for a couple where:</p> <ul style="list-style-type: none"> • Both the claimant and partner are receiving Attendance Allowance, or the care component of Disability Living Allowance at the higher or middle rate, or the daily living 	£131.70	

<p>component of Personal Independence Payment, or Armed Forces Independence Payment, and</p> <ul style="list-style-type: none"> • No non-dependants aged 18 or over reside with them, and • No one is in receipt of a Carers Allowance or the carer element of Universal Credit for looking after both of them. 		
<p>Enhanced disability premium (single) – where:</p> <ul style="list-style-type: none"> • The claimant has limited capability for work related activity, or • The highest rate care component of Disability Living Allowance is payable for the claimant or any member of the claimant’s family, or • The daily living component of Personal Independence Payment is payable for the claimant or any member of the claimant’s family. 	<p>£16.80</p>	
<p>Enhanced disability premium (couple) – where:</p> <ul style="list-style-type: none"> • The claimant or partner has limited capability for work related activity, or • The highest rate care component of Disability Living Allowance is payable for the claimant or any member of the claimant’s family. 	<p>£24.10</p>	
<p>Enhanced disability premium (disabled child) – where:</p> <ul style="list-style-type: none"> • The highest rate care component of Disability Living Allowance is payable for a child or young person, or • The daily living component of Personal Independence Payment is payable for a child or young person. 	<p>£26.04</p>	
<p>Disabled child premium – where a child or young person:</p> <ul style="list-style-type: none"> • Receives Disability Living Allowance, or • Receives Personal Independence Payment, or 	<p>£64.19</p>	

• Is registered blind.		
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4 Making a claim

4.1.1 The rules by which a person may apply for a reduction under an authority's scheme are set out in Schedule 7, Part 1 of the regulations. These state that:

- The claim may be made in writing, by electronic communication means or by telephone
- A claim made in writing must be made to the Council on a properly completed form
- A claim is considered properly completed if it has been completed in accordance with the instructions on the form, including any instructions to provide information and evidence in connection with the claim
- Where a claim is defective because it has not been made on a form approved for the purpose, the Council may request the claimant to complete an approved form
- Where a claim is defective because it is not accepted as being properly completed, the Council may allow the claimant sufficient time to provide information and evidence in connection with the claim, or request further information and evidence
- If a claim made by electronic communication is defective, the Council must provide the claimant with an opportunity to correct the defect. A claim made by electronic communication is defective if the claimant does not provide all the information the Council requires.

4.2 Time and manner of making a claim

4.2.1 A claim for Council Tax Support may be made with the Council by completing the on-line claim form on the 'Council Tax Support' page of the Darlington Borough Council website. Where the Council holds sufficient information to decide entitlement to Council Tax Support, the claim may be made by telephone.

4.2.2 Where the Council becomes aware that a person may be entitled to Council Tax Support, or where a claim form has been requested, they will invite a claim by asking them to complete the on-line claim form or by contacting them by telephone.

4.2.3 Where a claim is made for Housing Benefit and the claimant or their partner is liable for Council Tax in respect of that dwelling, the claim for Housing Benefit will be deemed to be a claim for Council Tax Support.

4.2.4 Where a claimant notifies the Department for Work and Pensions of their intention to apply for Council Tax Support and as a consequence of this notification, the Department for Work and Pensions share details of the claimant's Department for Work and Pensions benefit with the Council, this data share will constitute an application for Council Tax Support.

4.2.5 The Council will offer assistance to the claimant to make their claim for Council Tax Support, where this is required.

4.3 Information and evidence

4.3.1 The rules for the information and evidence required to support a claim or ongoing award of Council Tax Support is set out in Schedule 8, Part 2, paragraph 7 of the regulations. These state:

- The claim must be accompanied by a statement of the claimant's (and any other person in respect of whom they are making an application) national insurance number and information or evidence to establish that that number has been allocated to that person
- Where the person has applied for a national insurance number, the claim must be accompanied by evidence of the application for a national insurance number to be allocated
- The claim must be accompanied by any certificates, documents, information and evidence in connection with the claim or an award as may reasonably be required by the Council to decide the claim or a continuing award
- The claimant must provide the Council with the information and evidence it requires to decide the claim or a continuing award within one month of a request to do so, or such longer time as the Council may consider reasonable
- The claimant is not required to provide evidence of any income or capital which are disregarded under the Council Tax Support scheme.

4.3.2 Where information and/or evidence has already been verified by the Department for Work and Pensions in relation to a claim for Income Support, Jobseekers Allowance, Employment and Support Allowance or Universal Credit, the Council will also accept this as verified for any Council Tax Support claim or a continuing award.

4.4 Amendment and withdrawal of claim

4.4.1 The rules for the amendment and withdrawal of a claim for Council Tax Support is set out in Schedule 8, Part 2, paragraph 8 of the regulations. These state:

- A person who has made a claim may amend it at any time before a decision has been made on it
- A person who has made a claim may withdraw it at any time before a decision has been made on it.

5 Income and capital

5.1 Treatment of income

5.1.1 The income of the claimant and their partner will be added together, for the purpose of calculating entitlement to Council Tax Support. Where the person is receiving Universal Credit, the income will be the assessment of income provided by Universal Credit, plus the award of Universal Credit.

5.1.2 'Income' includes any of the following:

- Earnings
- Social Security Benefits
- Tax credits
- Pensions
- Maintenance
- Income from rent / board and lodgings
- Royalties
- Student grants
- Compensation payments.

5.1.3 Income will be calculated on a weekly basis. Any income paid for a period other than on a weekly basis, will be converted to a weekly figure. All income will be taken into account in full, unless a disregard applies.

5.1.4 The income to be taken into account will be the actual weekly income or likely average weekly income of the claimant and partner. This will be calculated over such a period as is likely, in the opinion of the Council, to provide the most accurate estimate.

5.1.5 In the case of earnings from employment, the earnings will be taken into account for the period they relate to, even if the person does not actually receive the earnings from their employer during that period.

5.1.6 In the case of earnings from employment, where employment is due to commence, an estimate of likely earnings will be based on whatever information is available from the person or the person's employer.

5.1.7 The treatment of income for a pensioner is set out in schedule 1 of the regulations.

5.2 Earnings

5.2.1 The meaning of remunerative work is set out in paragraph 10 of the regulations. These state:

- A person must be treated as in remunerative work if they are engaged on average, for not less than 16 hours a week, in work for which payment is made or expected
- Where a person's working hours fluctuate, regard must be had to the normal cycle of work, the number of hours they are expected to work, or

the 5 weeks immediately prior to the date of claim or such other length of time that may allow the person's weekly average hours of work to be determined

- Where a person works at a school or other educational establishment, any vacation periods or holidays where they are not required to work will be disregarded for establishing the average hours for which they are working
- Where no recognisable cycle can be established in respect of a person's work, regard must be had to the number of hours or average hours where these fluctuate, which they are expected to work in a week
- Any periods of absence from work, such as holiday, will be disregarded for establishing the average hours for which the person is working
- A person will not be treated as engaged in remunerative work if they are on maternity leave, paternity leave, adoption leave, or if they are absent from work because they are ill.

5.2.2 'Earnings' mean any remuneration or profit derived from that employment and includes:

- Bonuses or commission
- Payments in lieu of remuneration
- Payments in lieu of notice
- Holiday pay
- Payments by way of a retainer
- Payments for expenses not wholly, exclusively and necessarily incurred in the performance of the employment
- Statutory sick pay, maternity pay, paternity pay or adoption pay.

5.2.3 A claimant or partner's net earnings will be the gross earnings less:

- Income Tax
- National Insurance contributions
- Half of any sum paid by the employee towards an occupational or personal pension scheme.

5.2.4 Where the person is receiving Universal Credit, the earnings will be the assessment of earnings provided by Universal Credit.

5.2.5 The calculation of earned income for pensioners is set out in schedule 1 of the regulations.

5.2.6 The following sums will also be disregarded in the calculation of earnings:

- Temporary care provision payments in the calculation of earnings
- Payments relating to former employment paid after retirement
- Compensation payments for loss of employment
- Guarantee payments on medical or maternity grounds
- Payments for expenses wholly, exclusively and necessarily incurred in the performance of the employment
- For a single person, the first £5.00 per week of any earnings
- For a couple, the first £10.00 per week of any earnings
- For a lone parent, the first £25.00 per week of any earnings

- For people in receipt of contribution-based Employment and Support Allowance, Incapacity Benefit or Severe Disablement Allowance, where a permitted earnings disregard applies, the first £131.50 per week of any earnings
- For people entitled to the disability premium, the severe disability premium or one of the Employment and Support Allowance premiums, the first £20.00 per week of any earnings, except where the permitted earnings disregard applies
- For people entitled to the carers premium, the first £20.00 per week of any earnings
- For people in certain special occupations, the first £20.00 per week of any earnings. These are:
 - Part-time fire-fighters
 - Auxiliary coastguards
 - Part-time life-boat workers
 - Members of the Territorial Army or similar reserve force
- For people in receipt of the additional earnings disregard in Working Tax Credit, an additional disregard of £17.10 per week of any earnings. If the additional disregard would result in a negative earned income figure, the disregard will be made from their Working Tax Credit
- Disguised remuneration lump sum payments
- Child care charges (see below).

5.2.7 The sums disregarded from pensioner's earnings are set out in schedule 4 of the regulations.

5.3 Child care charges

5.3.1 Child care charges up to a maximum of £175.00 per week for one child, or £300.00 per week for two or more children, will be deducted from earned income, plus any Working Tax Credit and Child Tax Credit where:

- A lone parent works 16 hours per week or more, or
- Both members of a couple work 16 hours per week or more, or
- One member of a couple works 16 hours per week or more and the other member of the couple is disabled, and the disability premium or one of the Employment and Support Allowance premiums is included in the couple's applicable amount due to this disability, or
- One member of a couple works 16 hours per week or more and the other member of the couple is on maternity leave and receiving Statutory Maternity Pay or Maternity Allowance, or
- One member of a couple works 16 hours per week or more and the other member of the couple is in hospital or prison.

5.3.2 The child must be under 15 years of age, or 16 if they are disabled, and the care must be provided by one of the following:

- A registered child minder
- A registered nursery or play scheme
- An out of hours scheme run by an approved provider

- An out of hours club provided by a school on school premises (this applies only if the child is aged 8 or over).

5.3.3 The treatment of child care charges for pensioners is set out in schedule 1 of the regulations.

5.4 Self-employed earnings

5.4.1 The weekly earnings of a self-employed claimant or partner will be calculated based on:

- The most recent year's trading accounts, if the claimant or partner have been self-employed for one year or more, or
- The estimated net weekly profit figure provided by the claimant or partner, if they have been self-employed for less than a year, together with any evidence of their recent actual income and expenses.

5.4.2 In calculating the estimated net weekly profit figure, the Council will use the gross income of the employment, less any expenses which are wholly and reasonably incurred for the purpose of the business. The following will not be allowable in the calculation of the estimated net weekly profit figure:

- Sums employed or intended to be employed in setting up or expanding the business
- Capital repayments on business loans, except where these are for replacing business equipment or machinery
- Any other capital expenditure
- Depreciation of any capital asset
- Losses incurred before the beginning of the assessment period
- Debts, other than proven bad debts
- Business entertainment
- Any sum for domestic or private use
- Drawings from the business.

5.4.3 For child minders, one third of the gross profit will be used to calculate the gross income.

5.4.4 The net income will then be calculated by deducting an amount for tax, national insurance contributions and half of any pension contributions from the gross pre-tax profits.

5.4.5 In cases where the actual tax and national insurance contributions are not provided, the Council will estimate the likely tax and national insurance contributions payable.

5.4.6 The treatment and calculation of self-employed earnings for pensioners is set out in schedule 1 of the regulations.

5.5 Student income

5.6 Student grant

5.6.1 The whole amount of a person's grant income will be taken into account, with the exception of the following:

- Payments for tuition fees or examination fees
- Payments in relation to the student's disability
- Payments for term-time residential study away from the student's educational establishment
- Payments for another home at a place other than which the student resides during the course
- Payments for books and equipment
- Payments for travel expenses to attend the course
- Payments for child care costs
- Any special support grant, education maintenances allowances, 16-19 bursary fund payments, higher education grant, or higher education bursary for care leavers
- Any other amounts intended for expenditure necessary to attend the course.

5.6.2 A student's grant income will be apportioned over the period of study the grant relates to.

5.7 Covenant income

5.7.1 Where a student is receiving a grant and a contribution has been assessed, the whole of the covenant income will be taken into account.

5.7.2 A student's covenant income will be apportioned over the whole calendar year and an amount of £5.00 per week will be disregarded.

5.7.3 Where a student is not receiving a grant, the whole of the covenant income will be taken into account. In these circumstances, a student's covenant income will be apportioned as follows:

5.7.3.1 Any covenant income up to the amount of the standard maintenance grant will be apportioned over the period of study, less any amounts to be disregarded as set out above in 'Student grant'.

5.7.3.2 Any covenant income over the amount of the standard maintenance grant will be apportioned over the whole calendar year and an amount of £5.00 per week will be disregarded.

5.8 Student loans

5.8.1 The whole amount of a person's student loan will be taken into account, less any amounts to be disregarded in the same way as set out above in 'Student grant'. A student's loan will be apportioned over the period of study the loan relates to and an amount of £10.00 per week will be disregarded.

5.8.2 A person will be treated as having a student loan in respect of an academic year where:

- A student loan has been made to them for that year, or
- They could have taken reasonable steps to acquire a loan. In these cases, the amount to be taken into account will be the maximum amount they could have acquired for that year.

5.8.3 A loan for fees, known as a fee loan or a fee contribution loan will be fully disregarded.

5.9 Payments from access funds

5.9.1 A payment from access funds will be disregarded as income, with the exception of any payments intended for:

- Food
- Ordinary clothing or footwear
- Household fuel
- Water charges
- Rent
- Council Tax.

5.9.2 In these circumstances, the whole amount will be taken into account and an amount of £20.00 per week will be disregarded.

5.9.3 Where a payment from access funds is made to bridge the period until a student loan is received, the whole amount will be disregarded.

5.10 Student income treated as capital

5.10.1 The following amounts paid to students will be treated as capital:

- A refund of tax deducted from a student's covenant income
- An amount paid from access funds as a single lump sum, whatever the purpose of the payment.

5.11 Notional income

5.11.1 A claimant will be treated as possessing income of which they or their partner have deliberately deprived themselves of, to qualify for Council Tax Support.

5.11.2 The treatment of notional income for pensioners is set out in schedule 1 of the regulations.

5.12 Tariff income from capital

5.12.1 Where the claimant and their partner have capital in excess of £6,000 (but less than £16,000), a tariff income of £1.00 per week will be taken into account for every £250, or part of £250, over £6,000.

5.12.2 The calculation of tariff income from capital for pensioners is set out in schedule 1 of the regulations.

5.13 Other income

5.13.1 Any other income of the claimant or partner will be taken fully into account, with the exception of 'income disregarded' below.

5.13.2 Where deductions are being made from income in the recovery of overpayments or taxes, by public bodies, the gross income amount will be taken into account.

5.14 Income disregarded

5.14.1 The following income paid to the claimant or partner will be disregarded in full, unless otherwise stated:

- Any payment of expenses for participation in 'work for your benefit' schemes
- Any payment of expenses for attending mandatory work activity, employment, skills or enterprise schemes
- Any payment of expenses for a person who is a volunteer for a charitable or voluntary organisation
- Any payment of expenses for a person who participates as a service user
- Certain state benefits and pensions:
 - Attendance Allowance
 - Child Benefit
 - Disability Living Allowance
 - Discretionary Housing Payments
 - Education Maintenance Allowance
 - Guardian's Allowance
 - Housing Benefit
 - Income Support
 - Income based Jobseekers Allowance
 - Income related Employment and Support Allowance
 - Mobility supplements
 - Personal Independence Payments
 - Armed Forces Independence Payments
 - War Disablement Pensions
 - War Widow's Pensions
 - War Widower's Pensions
 - Widowed Mother's Allowance
 - Widowed Parent's Allowance
- The income of a person in receipt of Income Support, income based Jobseekers Allowance or income related Employment and Support Allowance
- Any payment made to a person as a holder of the Victoria Cross or George Cross
- Charitable or voluntary payments
- Any income from capital
- Any payments received from dependants or non-dependants
- The first £20.00 per week of any rental payments from a person, other than a non-dependant, who occupies the claimant's home

- The first £20.00 per week, and then 50% of any income over £20.00 per week, of any rental payments from a boarder, other than a non-dependant, who occupies the claimant's home
- Any payment in kind made by a charity
- Any income payable outside the United Kingdom where there is a prohibition against the transfer to the United Kingdom of that income
- Any payment made for adoption, fostering, guardianship support or supported lodgings
- Any payment made for a person who is not normally a member of the claimant's household, but is temporarily in their care
- Any payment made by a Local Authority under section 17 of the Children's Act 1989
- Any payment ordered by a court for a personal injury, accident or disease in respect of the claimant or their family
- Any payment made under an agreement to settle a claim for personal injury
- Any payment received under an insurance policy taken out to insure against the risk of being unable to maintain repayments of a loan
- Any income treated as capital
- Social Fund payments or its equivalent
- Any payment for banking charges or commission, to convert a payment of income to sterling
- Any payment made under the following:
 - The Macfarlane Trust
 - The Eileen Trust
 - The Independent Living Fund
 - The Skipton Fund
 - The Caxton Foundation
 - The London Bombing Relief Charitable Fund
 - The London Emergencies Trust
 - The We Love Manchester Emergency Fund
 - The Variant Creutzfeldt-Jacob Disease Trust
 - An approved infected blood support scheme
 - The Thalidomide Health Grant or other Thalidomide Trust
 - The Windrush Compensation and Exceptional Payments Scheme
- Any payment of expenses for jurors, witnesses or prison visitors
- Any refund of Council Tax
- Any payment of child maintenance
- The first £15.00 per week of any maintenance, other than child maintenance
- Sports awards.

5.14.2 The income disregarded for pensioners is set out in schedule 5 of the regulations.

5.15 Capital

5.15.1 The capital of the claimant and their partner will be added together, for the purpose of calculating entitlement to Council Tax Support. Where the person

is receiving Universal Credit, the capital will be the assessment of capital provided by Universal Credit.

5.15.2 All capital of the claimant or partner will be taken fully into account, with the exception of 'capital disregarded' below.

5.15.3 Where capital is jointly held by the claimant or partner and one or more other persons, the Council will apportion the capital to decide what share is held by the claimant or partner.

5.15.4 Where the value of the capital item is not known, the Council will calculate the value of the capital item using the information available to provide the most accurate estimate, including:

- The current market or surrender value of the capital item
- Less any costs for selling the capital item
- Less any debt or charge secured against the capital item.

5.15.5 The treatment and calculation of capital for pensioners is set out in schedule 1 of the regulations.

5.16 Income treated as capital

5.16.1 The following payments will be treated as capital:

- Holiday pay, paid 4 weeks or more after termination of employment
- Tax refunds
- Lump sum charitable or subsistence payments
- Arrears of Tax Credits.

5.17 Notional capital

5.17.1 A claimant will be treated as possessing capital of which they or their partner have deliberately deprived themselves of, to qualify for Council Tax Support.

5.17.2 The treatment of notional capital for pensioners is set out in schedule 1 of the regulations.

5.18 Capital disregarded

5.18.1 The following capital held by the claimant or partner will be disregarded in full, unless otherwise stated:

- The dwelling normally occupied by the claimant as their home
- Any property which is actively being sold
- Any property acquired by the claimant which they intend to occupy as their home, whilst they are preparing for occupation
- Any property acquired by the claimant, which they intend to occupy as their home, which is undergoing essential repairs or alterations
- The proceeds of sale of any property formerly occupied by the claimant as their home, which is to be used for the purchase of another property intended for their occupation

- Any property occupied by a partner or relative of the claimant or any member of their family, where that person is a pensioner or is disabled
- Any property occupied by the former partner of the claimant as their home, where the former partner is a lone parent, or where the property is actively being sold
- The capital of a person in receipt of Income Support, income based Jobseekers Allowance or income related Employment and Support Allowance
- Any future interest in property, other than land or premises where the claimant has granted a lease or tenancy
- The assets of any business owned by the claimant for the purpose of their self-employment
- Any arrears of state pensions, benefits or tax credits
- Any amount paid to the claimant, or acquired by the claimant as a loan, as a result of damage or loss of the home or personal possessions and intended for its repair or replacement
- Any amount deposited with a Registered Provider, which is to be used for the purchase of another property intended for occupation
- Any personal possessions
- The value of the right to receive any income under an annuity or the surrender value of an annuity
- Where the funds of a trust resulted from a payment for a personal injury to the claimant or their partner, the value of the trust fund and the right to receive any payment under that trust
- The value of the right to receive any income under a life interest or from a life rent
- The value of the right to receive any income payable in a country outside the United Kingdom where there is a prohibition against the transfer to the United Kingdom of that income
- The surrender value of any life insurance policy
- Where payments of capital are made by instalments, the value of the right to receive any outstanding instalments
- Any payment made by a local authority under section 17 of the Children Act 1989
- Any payment made for adoption, fostering, guardianship support or supported lodgings
- Any social fund payment or its equivalent
- Any refund of tax deducted on a payment of loan interest for the purpose of acquiring a home or carrying out repairs or improvement to the home
- Where a payment of capital is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling
- Any payment made under the following:
 - The Macfarlane Trust
 - The Eileen Trust
 - The Independent Living Fund
 - The Skipton Fund
 - The Caxton Foundation
 - The London Bombing Relief Charitable Fund

- The London Emergencies Trust
- The We Love Manchester Emergency Fund
- The Variant Creutzfeldt-Jacob Disease Trust
- An approved infected blood support scheme
- The Thalidomide Health Grant or other Thalidomide Trust
- The Windrush Compensation and Exceptional Payments Scheme
- The value of the right to receive any rent
- Any payment in kind made by a charity
- Any refund of Council Tax
- Any payment made by a local authority to the claimant, to be used to purchase a property for occupation as their home, or to carry out repairs or alterations to the home
- Any payments for:
 - travel expenses for hospital visits
 - medical supplies and vouchers
 - health in pregnancy grants
- Home Office payments for prison visits
- Any payment made to assist a disabled person to obtain or retain their employment
- Any payment made by a local authority under the Blind Homeworkers' Scheme
- Any capital administered on behalf of a person by the High Court, County Court, or the Court of Protection
- Any payment to the claimant as a holder of the Victoria Cross or George Cross
- Any payment made to assist a person under the self-employment route
- Any payment of a sports award
- Any payment of an education maintenance allowance
- Any payment made by a contractor for a person participating in an employment zone programme
- Any arrears of subsistence allowance
- Any payment made by a local authority for a service which is provided to develop or sustain the capacity of the claimant or their partner to live independently in their accommodation, including personal budgets.

5.18.2 The capital disregarded for pensioners is set out in schedule 6 of the regulations.

6 Calculation of entitlement

6.1 Maximum Council Tax Support

6.1.1 The amount of a person's maximum Council Tax Support for a day which they are liable to pay Council Tax will be 80% (100% for Young Care Leavers).

6.1.2 The amount of Council Tax Support will be calculated as A divided by B and multiplied by 80% (100% for Young Care Leavers) where:

- A is the amount of Council Tax set for the financial year for the dwelling the person resides in and for which they are liable, less any discount which applies
- B is the number of days in that financial year
- Less any non-dependant deductions.

6.1.3 Where a person is jointly and severally liable for Council Tax, which they are liable with one or more other persons, the maximum amount of Council Tax Support will be the amount in A divided by the number of people who are jointly and severally liable. This will not apply if the only person they are jointly and severally liable with is their partner.

6.1.4 The maximum Council Tax Support for pensioners is set out in schedule 1 of the regulations.

6.2 Council Tax Support taper

6.2.1 The percentage of excess income over the applicable amount (or Universal Credit maximum award) which will be deducted from the weekly maximum Council Tax Support will be 20%.

6.3 Non-dependant deductions

6.3.1 A deduction from a person's maximum Council Tax Support will be made for non-dependants, as follows. The amounts detailed below are those stated within the 2019-2020 scheme (**Table 2**) and will be updated for 2020-2021. The updated amounts will be calculated with reference to the amended regulations 2019.

Table 2: Non-dependant deductions 2019-2020

Non-dependant type	Weekly amount
A non-dependant aged 18 or over in remunerative work where their normal gross weekly income is:	
• Less than £207.70	£4.00
• Not less than £207.70 and less than £360.10	£8.10
• Not less than £360.10 and less than £447.40	£10.20
• Not less than £447.40	£12.20
A non-dependant aged 18 or over not in remunerative work	£4.00

- 6.3.2 In calculating the gross income of a non-dependant, any amounts which would normally be disregarded for a Council Tax Support claimant, will also be disregarded for a non-dependant.
- 6.3.3 Only one non-dependant deduction will be made for a couple, and the amount deducted will be based on their joint income, calculated as above.
- 6.3.4 Where a person is jointly and severally liable for Council Tax for a dwelling they reside in, which they are liable with one or more other persons, the amount of the non-dependant deduction will be apportioned equally between those liable persons.
- 6.3.5 Non-dependant deductions will not be made in the following circumstances:
- Where the claimant or their partner is blind
 - Where the claimant or their partner receives Attendance Allowance, or the care component of Disability Living Allowance, or the daily living component of Personal Independence Payment, or Armed Forces Independence Payment
 - Where the non-dependant normally resides elsewhere
 - Where the non-dependant receives a training allowance
 - Where the non-dependant is a full-time student
 - Where the non-dependant is not residing with the claimant because they have been an in-patient for more than 52 weeks (without any break exceeding 28 days)
 - Where the non-dependant receives Income Support, income based Jobseekers Allowance, income related Employment and Support Allowance, or Pension Credit
 - Where the non-dependant receives Universal Credit, where the award has been calculated on the basis that they do not have any earned income
 - Where the non-dependant is aged under 18
 - Where the non-dependant is not residing with the claimant because they are a member of the armed forces and they are absent, while on operations, from the dwelling usually occupied as their home.
- 6.3.6 Where the income of the non-dependant is not known or has not been provided, the Council will assume that the maximum deduction will apply.
- 6.3.7 The rules for non-dependant deductions for pensioners are set out in schedule 1 of the regulations.

6.4 Date on which a claim is made and entitlement begins

- 6.4.1 The rules for the date on which a claim is made are set out in schedule 8, part 2, paragraph 5 of the regulations. These state:
- Where an award of Pension Credit (guarantee credit), Income Support, income-based Jobseekers Allowance, income-related Employment and Support Allowance, or Universal Credit has been made to the claimant or their partner; and the claim for Council Tax Support is made within one

month of the date of the claim for one of those benefits; the date of claim will be the first day of entitlement to those benefits

- Where the claimant or their partner is receiving Pension Credit (guarantee credit), Income Support, income-based Jobseekers Allowance, income-related Employment and Support Allowance, or Universal Credit; and they become liable for Council Tax for the first time; and the claim for Council Tax Support is made within one month of the date of the change; the date of claim will be the date on which the change takes place
- Where the claimant is the former partner of a person who was entitled to Council Tax Support before the date of death or separation; and the claimant makes a claim for Council Tax Support within one month of the date of death or separation; the date of claim will be the date of death or separation
- Where the claim for Council Tax Support is made within one month of a request to claim Council Tax Support, or such longer period as the Council considers reasonable, the date of claim will be the date on which the request was made
- In all other cases, the date of claim for Council Tax Support will be the date the claim form is received by the Council.

6.4.2 Council Tax Support will begin on the Monday following the date of claim unless:

- The claimant requests the claim is paid for an earlier period, or
- The Council identifies entitlement to Council Tax Support for an earlier period.

6.4.3 Council Tax Support will be awarded for an earlier period once the Council has received sufficient information and evidence to calculate entitlement to Council Tax Support for the earlier period.

6.4.4 The rules for the backdating of claims for pensioners are set out in schedule 8, part 2, paragraph 6 of the regulations.

6.5 Duration of award and reviews

6.5.1 Council Tax Support will be awarded for an indefinite period, until:

- Council Tax liability ends
- A change in the claimant or partner's circumstances results in Council Tax Support ending
- The claimant fails to respond to a request for information or evidence in connection with their claim or an award.

6.5.2 The Council may review a person's entitlement to Council Tax Support at any time.

6.6 Extended reductions

6.6.1 A person who is entitled to Council Tax Support will be entitled to an extended reduction where:

- The claimant or their partner were entitled to a qualifying benefit or any combination of those benefits of either;
 - Income Support, or
 - Jobseekers Allowance (income based or contributory), or
 - Employment and Support Allowance (income related or contributory), or
 - Universal Credit, or
 - Incapacity Benefit, or
 - Severe Disablement Allowance.
- Entitlement to a qualifying benefit ceased because the claimant or their partner;
 - Commenced employment as an employed or self-employed earner, or
 - Increased their earnings from their employment, or
 - Increased the number of hours in their employment.

6.6.2 Providing that the claimant remains liable for Council Tax at the dwelling in which they reside during the extended reduction period.

6.6.3 The extended reduction period will start on the day after Council Tax Support would normally have ended after the qualifying benefit has ceased and will last for 4 weeks or up to the day Council Tax liability at the dwelling in which they reside ends, if this is earlier.

6.6.4 The amount of the extended reduction will be the higher of:

- The amount of Council Tax Support which the claimant was entitled to before the qualifying benefit ceased, or
- The amount of Council Tax Support which the claimant is entitled to after the qualifying benefit ceased.

6.6.5 The rules for extended reductions for pensioners is set out in schedule 1 of the regulations.

6.7 Extended reductions – movers into Darlington

6.7.1 The rules covering people who move into Darlington who are in receipt of an extended reduction is set out in Schedule 8, Part 1 of the regulations. These state:

- Where a claim for Council Tax Support is made and the claimant or their partner is in receipt of an extended reduction from another authority, the Council must reduce any entitlement to Council Tax Support by the amount of that extended reduction.

7 Decision making and notifications

7.1 Decisions and notification

7.1.1 The rules by which the Council must make and notify decisions for Council Tax Support are set out in Schedule 8, Part 3 of the regulations. These state:

- The Council must make a decision on a Council Tax Support claim within 14 days of receiving all the information and evidence for that claim, or as soon as reasonably practicable after that date
- The Council must notify the claimant in writing of any decision relating to a Council Tax Support claim within 14 days of making the decision, or as soon as reasonably practicable after that date
- The decision notice must include a statement informing the claimant of their duty to notify changes of circumstances, explaining the consequences of failing to comply with that duty, and setting out the changes which may affect entitlement to Council Tax Support
- Where the decision is to award Council Tax Support, the notice must include a statement as to how it will be paid
- The decision notice must include the procedure by which an appeal may be made
- The claimant may request a statement of reasons about the notification, within one month of the date of the notification. The statement of reasons must then be sent to the claimant within 14 days of the request, or as soon as reasonably practicable after that date
- A person affected by a decision relating to Council Tax Support will be the claimant, or where the person who is liable for Council Tax is unable to act, the accepted or appointed person who has made an application on their behalf.

7.2 Payment of Council Tax Support

7.2.1 The rules for the payment of Council Tax Support are set out in Schedule 8, Part 4 of the regulations. These state:

- Payment of Council Tax Support will be made to the person entitled to the reduction of their Council Tax liability
- Where a person is jointly and severally liable for Council Tax, payment of Council Tax Support will be paid to the person entitled to the reduction of an appropriate amount of their Council Tax liability, rounded to the nearest penny.

7.2.2 Payment of Council Tax Support will be made by reducing the Council Tax liability of the person entitled to the reduction.

7.3 Electronic communications

7.3.1 The rules by which the Council can undertake electronic communications is set out in Schedule 7, Part 4 of the regulations. These state:

- The Council must meet certain conditions to allow electronic communication in relation to its Council Tax Support scheme
- The Council may use intermediaries in connection with electronic communication in relation to its Council Tax Support scheme
- Any information delivered by the Council by electronic means must meet all the other conditions relating to its Council Tax Support scheme
- Proof of identity of the sender or recipient of information will need to be verified where information is sent or received by electronic means
- The Council will need to establish procedures to verify delivery of information by electronic means.

8 Changes in decisions

8.1 Duty to notify changes of circumstances

8.1.1 The duty to notify changes of circumstances is set out in Schedule 8, Part 2, paragraph 9 of the regulations. These state:

- The claimant, or a person acting on their behalf, must notify the Council of any changes of circumstances which they might reasonably be expected to know may affect their entitlement to Council Tax Support
- Notification of a change of circumstances may be made in writing, by telephone or by any other means agreed by the Council and within 21 days of the change occurring, or as soon as reasonably practicable after that date.

8.1.2 Notifications of changes of circumstances in writing may be made by completing the on-line change of circumstances form on the 'Council Tax Support' page of the Darlington Borough Council website.

8.2 Date on which a change of circumstances will affect Council Tax Support

8.2.1 The Council will review the amount of Council Tax Support, following a change of circumstances, as follows:

- Where entitlement to Council Tax Support continues after the change, Council Tax Support will change on the Monday following the date the change occurred
- Where entitlement to Council Tax Support ends after the change, Council Tax Support will end on the Sunday of the week in which the change occurred
- Where Council Tax liability changes or ends, Council Tax Support will be changed or ended on the same day.

8.3 Ending Council Tax Support

8.3.1 Council Tax Support will end in the following circumstances:

- Council Tax liability ends
- A Council Tax exemption applies
- A change of circumstances occurs, which ends entitlement to Council Tax Support
- A change of circumstances occurs, but there is insufficient information or evidence to decide if entitlement to Council Tax Support will continue
- The claimant fails to provide, when requested, sufficient information or evidence to decide if entitlement to Council Tax Support will continue, one month following the date of the request or such longer time as the Council considers reasonable

8.4 Revisions

8.4.1 An original decision relating to a claim for Council Tax Support may be revised by the Council at any time.

8.5 Appeals

8.5.1 The rules by which a person may make an appeal against certain decisions of the authority are set out in Schedule 7, Part 2 of the regulations. These state:

- A person who disagrees with a decision in relation to their Council Tax Support claim may appeal in writing, stating their grounds for appeal
- The Council must consider the appeal and notify the person in writing of the outcome of their appeal and the reasons for the decision, within 2 months of the appeal being received
- If the person is still aggrieved or if the Council fails to notify the person of the outcome of their appeal within 2 months of receiving their appeal, they may appeal to a valuation tribunal under section 16 of the 1992 Act.

8.6 Downward adjustments of Council Tax Support

8.7 Any additional Council Tax liability created as a result of a downward adjustment of Council Tax Support entitlement, will be treated under the national Council Tax regulations.

8.8 Discretionary reductions

8.8.1 The rules for an application for a discretionary reduction are set out in Schedule 7, Part 3 of the regulations. These state:

- An application for a reduction under section 13A(1)(c)(a) of the 1992 Act may be made in writing, by telephone, or by electronic means
- A claim for Council Tax Support may also be treated as an application for a reduction under section 13A(1)(c) of the 1992 Act.

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**COUNCIL
5 DECEMBER 2019**

ITEM NO.

COUNCIL TAX EMPTY PROPERTY PREMIUM

**Responsible Cabinet Member - Councillor Charles Johnson,
Efficiency and Resources Portfolio**

Responsible Director – Paul Wildsmith, Managing Director

SUMMARY REPORT

Purpose of the Report

1. To approve changes to the Council Tax empty property premium.

Summary

2. A 50% Council Tax premium (additional charge) was introduced in April 2013 for all unoccupied and unfurnished domestic properties which have been empty for 2 years or more, this being the maximum the Council was permitted to charge.
3. New legislation was introduced in November 2018 allowing Councils to:
 - (a) Increase the Council Tax premium for properties empty for 2 years or more to 100% (double the Council Tax normally charged)
 - (b) Increase the Council Tax premium for properties empty for 5 years or more to 200% (treble the Council Tax normally charged)
 - (c) Increase the Council Tax premium for properties empty for 10 years or more to 300% (quadruple the Council Tax normally charged).
4. Consultation has been undertaken with the owners of long-term empty properties and this report sets out the changes to the Council Tax empty property premium from April 2020.
5. This report was submitted to the Efficiency and Resources Scrutiny Committee on 12 September 2019. They confirmed support of the proposed changes.
6. This report was considered by Cabinet on 5 November 2019, who agreed its onward submission for consideration by Council.

Recommendation

7. It is recommended that Council:-
- (a) Consider the contents of this report.
 - (b) Approve the changes to the Council Tax empty property premium which is to:-
 - (i) Increase the Council Tax premium for properties empty for 2 years or more to 100% from April 2020,
 - (ii) Increase the Council Tax premium for properties empty for 5 years or more to 200% from April 2020,
 - (iii) Increase the Council Tax premium for properties empty for 10 years or more to 300% from April 2021, and
 - (iv) Provide protection for those owners who are making genuine efforts to bring their long-term empty properties back into use.

Reasons

8. The recommendations are supported by the following reasons :-
- (a) To further encourage landlords and property owners to bring their empty homes back into use as soon as possible.
 - (b) To reduce the detrimental impact long-term empty properties can have on other nearby properties and local communities.
 - (c) To increase the supply of much needed housing in Darlington, as most long-term empty properties could be brought back into use as affordable homes.
 - (d) To penalise those owners who deliberately leave their properties empty for years.

**Paul Wildsmith,
Managing Director**

Background Papers

- (i) The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018

Anthony Sandys: Extension 6926

S17 Crime and Disorder	There are no issues
Health and Well Being	There are no issues
Carbon Impact	There is no carbon impact in this report
Diversity	The impact of this proposed change on Diversity has been considered and is set out in the main report
Wards Affected	All wards may be affected but particularly those with high numbers of long-term empty properties

Groups Affected	Owners of long-term empty properties will be impacted upon in this report
Budget and Policy Framework	This report does not represent a change to the budget or policy framework
Key Decision	This is not an Executive decision
Urgent Decision	This is not an Executive decision
One Darlington: Perfectly Placed	The report has no particular implications for the Sustainable Community Strategy
Efficiency	Changes to the Council Tax empty property premium will potentially generate extra income for the Council
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

Background

9. The Local Government Finance Act 2012 introduced a new provision for the application of a Council Tax premium for long-term empty properties. In order for the empty property premium to apply, the following conditions have to be met:
 - (a) The property must have been unoccupied and substantially unfurnished for a continuous period of 2 years.
 - (b) Once the property is occupied and/or substantially furnished, the empty property premium no longer applies. If the property then becomes unoccupied and substantially unfurnished again, the empty property premium would not apply until a further period of 2 years has elapsed.
 - (c) However, periods of occupation of 6 weeks or less do not count. In these circumstances, the empty property premium would apply straight away if the property became unoccupied and substantially unfurnished again.
 - (d) Councils have the discretion to charge up to 50% extra Council Tax for the property.
10. Following consultation, the Council decided in January 2013 to implement a 50% Council Tax empty property premium from April 2013. This decision was in line with most other Councils.

New Legislation

11. The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 introduced new powers for Councils to increase the Council Tax empty property premium for long-term empty properties, as follows:
 - (a) From April 2019, allowing Councils to increase the Council Tax premium for properties empty for 2 years or more to 100% (double the normal Council Tax

charged).

- (b) From April 2020, allowing Councils to increase the Council Tax premium for properties empty for 5 years or more to 200% (treble the normal Council Tax charged).
- (c) From April 2021, allowing Councils to increase the Council Tax premium for properties empty for 10 years or more to 300% (quadruple the normal Council Tax charged).

12. The purpose of the new legislation is to:

- (a) Further encourage landlords and property owners to bring their empty homes back into use as soon as possible.
- (b) Reduce the detrimental impact long-term empty properties can have on other nearby properties and local communities.
- (c) Increase the supply of much needed housing in Darlington, as most long-term empty properties could be brought back into use as affordable homes.
- (d) Penalise those owners who deliberately leave their properties empty for years.

13. The late publication of the legislation in 2018 did not allow sufficient time for the Council to undertake consultation and consider the changes in time for the Council Tax billing for 2019-20. Therefore, these changes are being considered for introduction in April 2020.

Analysis

- 14. As at June 2019, there were 154 domestic properties in Darlington classed as "long-term empty" where the Council Tax empty property premium applies. This represents 0.3% of all domestic properties in Darlington. Of these 154 properties, 54 have been empty for 5 years or more and 23 have been empty for 10 years or more.
- 15. For 2019-20 the Council Tax empty property premium will generate an additional £106k of Council Tax income.
- 16. The number of long-term empty properties has reduced slightly since the Council Tax empty property premium was introduced in April 2013 (200 properties), but has remained at around 150 properties since then.
- 17. Periodic reviews of long-term empty properties are carried out by Revenues and Benefits Inspection Officers. Based on their observations, the current situation with the 154 long-term empty properties are as follows:
 - (a) 27 are up for sale.
 - (b) 6 are to let.
 - (c) 24 are being refurbished.

- (d) 3 are due for demolition.
- (e) 11 are 'no action'. This is where contact has been made with the owner and they have no immediate intention of refurbishing, occupying, selling or letting the property.
- (f) 83 are 'not known'. In some cases this is because the property is inaccessible (an upstairs flat or a house on a gated development). In all cases the properties do not appear to be undergoing any refurbishment or redevelopment and there are no 'for sale' or 'to let' signs on the properties. Contact cannot be made with the owners, some of whom reside outside of Darlington. Some of the properties have been boarded up and appear to have been abandoned.

18. However, out of the 154 long-term empty properties, only 25 are in arrears with their Council Tax, which means that the majority of the owners (84%) are paying the Council Tax empty property premium. This includes the majority of the properties in the 'no action' or 'not known' category (those that are not being refurbished or actively sold or let).

Impact of the new legislation

19. Table 1 below shows the estimated Council Tax charges on long-term empty properties if the Council introduced these changes from April 2020. The amounts are based on a standard band D property charge (not including any parish precept) for 2019-20 (and therefore not including any uplifts for future years).

Table 1: Potential Council Tax Charges for Long-Term Empty Properties

	Standard Band D charge 2019-20	With 50% premium for 2019-20	With 100% and 200% premiums for 2020-21	With 300% premium for 2021-22
Empty for 2 years or more	£1,814.38	£2,721.57	£3,628.76	£3,628.76
Empty for 5 years or more	£1,814.38	£2,721.57	£5,443.14	£5,443.14
Empty for 10 years or more	£1,814.38	£2,721.57	£5,443.14	£7,257.52

20. Table 2 shows the potential extra Council Tax income that could be generated by increasing the empty property premium from April 2020 and April 2021.

Table 2: Potential Council Tax income from increasing the empty property premium

Year	Total income from the empty property premium	Additional income from increasing the empty property premium
2019-20	£105,939	£0
2020-21	£286,471	£180,532
2021-22	£316,711	£210,772

21. The existing legislation allows Councils to consider any types of property where the Council Tax empty property premium would not apply. In addition to the proposals for increasing the premium from April 2020, following protection is also proposed (where the Council Tax empty property premium would not apply):
 - (a) Properties being marketed for sale or rent. The Council would need to see evidence that the property is actively being marketed for sale or rent (for example through an estate or letting agent) and that the sale/rental price is reasonable taking into account the size, location and condition of the property.
 - (b) Properties being renovated. The Council would need to see evidence that the property requires major renovation work and that this work is currently being carried out with a view to bringing the property back into use.
 - (c) Properties where there is a legal or other reason preventing the property from being occupied, sold or rented. The Council would need to see evidence of this, for example from a solicitor.
22. It is important that we introduce these exemptions as part of the package of changes we are considering, as it will be difficult, for example for an owner to sell a long-term empty property in need of renovation, where a Council Tax empty property premium will apply straight away to the new owner.
23. Advice and assistance is available to owners of long-term empty properties from the Council's Private Sector Housing team and details are available on our website at: www.darlington.gov.uk/housing/private-sector-housing/empty-properties/
24. Other Council Tax exemptions already exist in certain cases, where Council Tax is not charged (and therefore the empty property premium would not apply). These include:
 - (a) Empty properties where the owner has died and the executors of the estate are awaiting grant of probate.
 - (b) Empty properties where the occupier is in detention.
 - (c) Empty properties where the occupier is resident in a hospital, care home or nursing home.
 - (d) Empty properties where the occupier is receiving other care away from their home.
 - (e) Empty properties where the occupier is providing care to someone else away from their home.
 - (f) Empty properties where occupation is prohibited by law.
 - (g) Empty properties repossessed by a mortgage lender.
25. In addition, where the property is derelict and uninhabitable, the owner can request the Valuation Office Agency to take the property out of the Council Tax list.

Outcome of consultation

26. In May 2019, the Revenues and Benefits service undertook a public consultation exercise about the proposed changes. 160 letters were sent to the owners of long-term empty properties. The letters explained the details of the proposed changes and the financial impact on their properties. The owners were invited to complete a paper survey, or log on to an on-line survey for their views. In addition, the on-line survey was also available on the Darlington Borough Council website for anyone to complete.
27. At the end of the consultation exercise, 26 responses were received in total, 19 of these from owners of long-term empty properties (a 12% response rate). The results of the consultation exercise are given at **Appendix 1**, with a summary as follows.
28. Respondents were asked if they supported the proposed increases in the Council Tax empty property premium and not surprisingly 20 people (77%) did not support the proposals.
29. Respondents were asked if the proposed increases would affect them and 17 out of the 19 property owners (89%) stated that the proposed increases would affect them. Some of the concerns raised by respondents included:
 - (a) Owners on a low income
 - (b) Properties that require renovation
 - (c) Owners being unable to afford the mortgage
 - (d) Difficulties in selling the properties
 - (e) Properties that are prohibited from being let.
30. Respondents were asked about their current plans for their properties:
 - (a) 7 respondents (37%) were selling the property
 - (b) 6 respondents (32%) were letting the property
 - (c) 2 respondents (11%) were refurbishing the property
 - (d) 1 respondent (5%) was keeping the property empty
 - (e) 3 respondents (16%) had no plans or did not know.
31. Respondents were asked if the proposed increases would change their future intentions for the property and 9 respondents (47%) said they would.
32. Respondents were also asked to give their comments about the proposals, and these are included in Appendix 1. In addition, an Equality Impact Assessment has been completed in relation to these proposals, and this is given at **Appendix 2**.

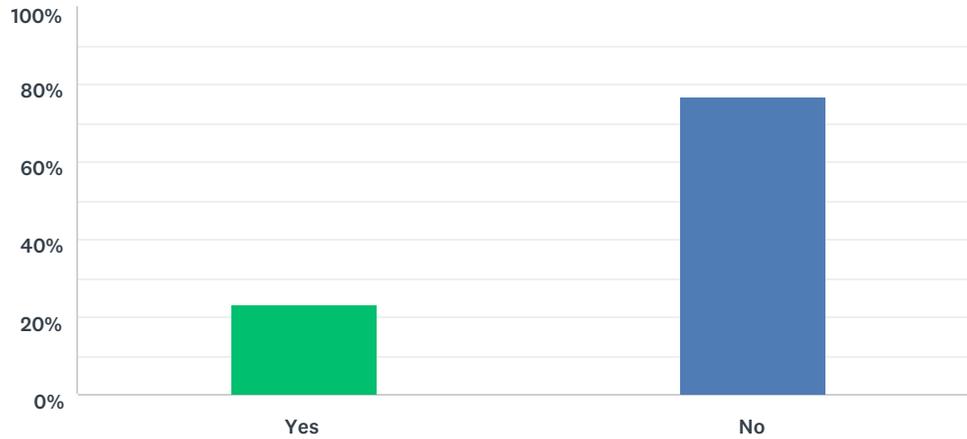
Financial Implications

33. The recommendations in paragraph 5 will not have any significant financial implications and therefore it is not intended to amend the budget in the MTFP.

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Q1 Overall do you support the proposals to increase Council Tax for long term empty properties?

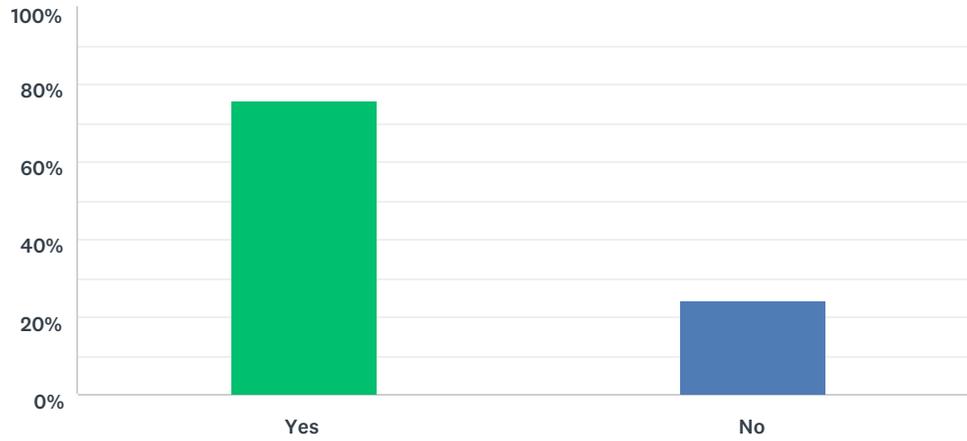
Answered: 26 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	23.08%	6
No	76.92%	20
TOTAL		26

Q2 Do you own a second property that is subject to the current premium charge?

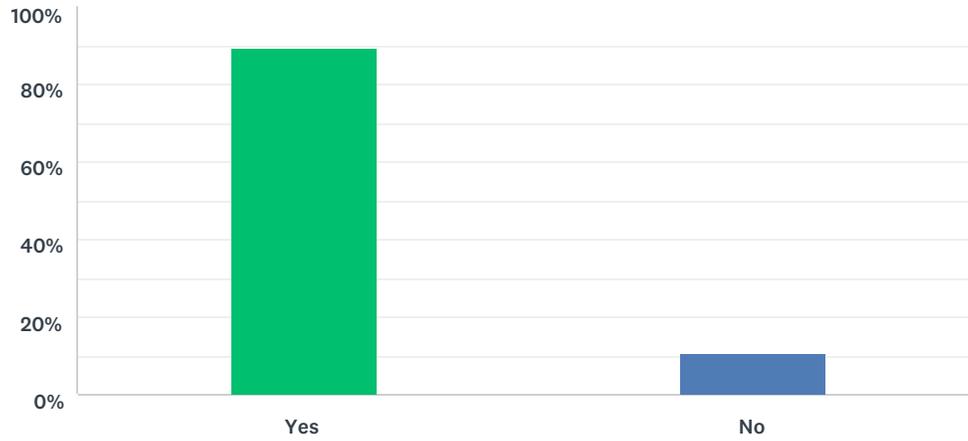
Answered: 25 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	76.00%	19
No	24.00%	6
TOTAL		25

Q3 Will the changes to increase Council Tax for long term empty properties affect you?

Answered: 19 Skipped: 7



ANSWER CHOICES	RESPONSES	
Yes	89.47%	17
No	10.53%	2
TOTAL		19

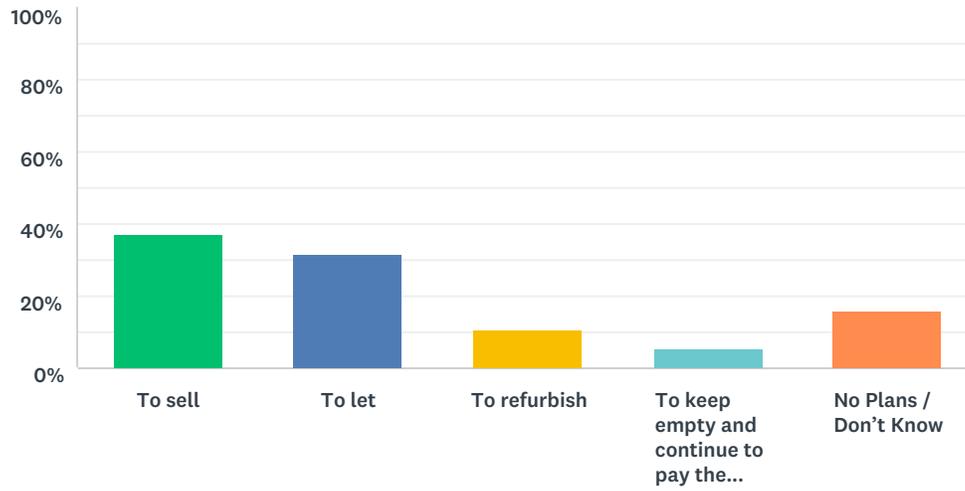
Q4 Please tell us how these changes will affect you.

Answered: 14 Skipped: 12

#	RESPONSES	DATE
1	No Comment.	7/16/2019 4:38 PM
2	one executor is 84 years old and just lost her husband and will find it difficult to pay the bills in any case. The other executor has lost his father in april and was his carer and acquires no allowance now unless he can recieve allowance for his mother.	7/16/2019 2:57 PM
3	The last tenant did not take care of the property. I've spent around £40,000 renevating it however only at weekends thats why its taken so long it should be finished in 3 months	7/16/2019 2:53 PM
4	i will be forced to surrender the properties to the lender	7/16/2019 2:48 PM
5	Obviously because it will directly cost me more monthly when I am already struggling to find the time and funds to bring the property back into a habitable state after being left in excess of £5000 of debt and expenses by the last tenant!	7/16/2019 2:46 PM
6	rented house under refurbishment following poor tenancy	7/16/2019 2:40 PM
7	I have been trying to sell the property for a few years and the price has been dropped from £420k to £320k and still not sold	7/16/2019 2:38 PM
8	we have plans for building but it is currently uninhabitable	7/16/2019 2:35 PM
9	The property is within a military establishment and cannot be used for commercial lettings. MOD are currently not recruiting caretakes, so we are unable to avoid the premium charges.	7/16/2019 2:30 PM
10	no comment	7/16/2019 2:05 PM
11	No Comment	7/16/2019 12:15 PM
12	The properties are derelict and not habitable. Unless a major amount of money is invested in to them (which we cannot afford) then the properties will remain in this way. They are previous farmhouses.	7/16/2019 11:29 AM
13	I am a single woman who can't afford these proposals. The property is empty because I have been trying to sell for the last 10 years without success. Building work since September 2017 has rendered the property uninhabitable and a court case is pending with builder.	7/10/2019 12:35 PM
14	Increased renovation costs	6/18/2019 10:41 PM

Q5 What are your current plans for your property?

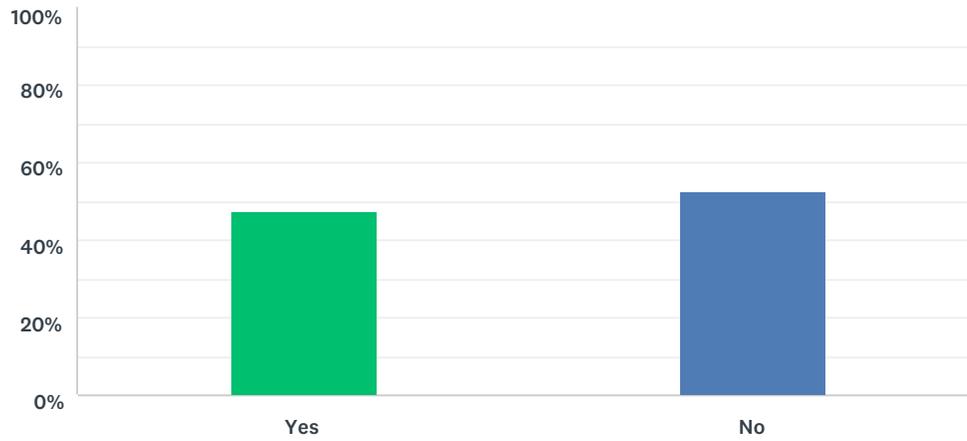
Answered: 19 Skipped: 7



ANSWER CHOICES	RESPONSES	
To sell	36.84%	7
To let	31.58%	6
To refurbish	10.53%	2
To keep empty and continue to pay the increased Council Tax	5.26%	1
No Plans / Don't Know	15.79%	3
TOTAL		19

Q6 Would the proposals change your future intentions for the property?

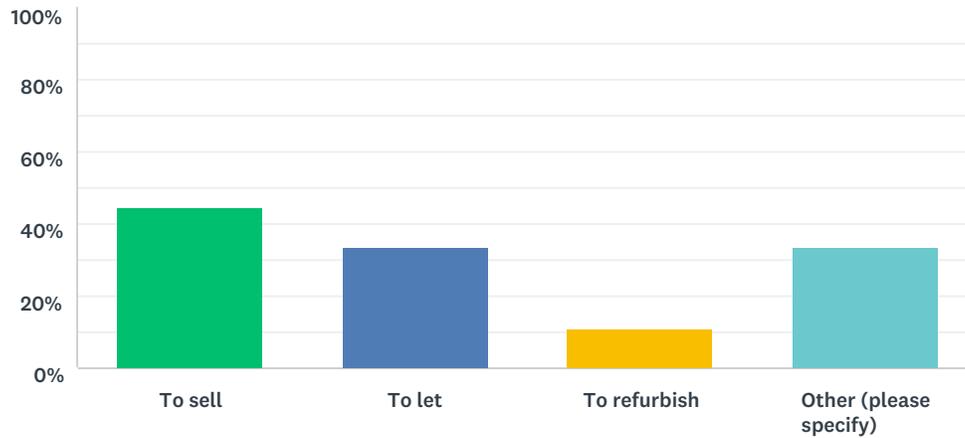
Answered: 19 Skipped: 7



ANSWER CHOICES	RESPONSES	
Yes	47.37%	9
No	52.63%	10
TOTAL		19

Q7 What would be your future intentions for the property?

Answered: 9 Skipped: 17



ANSWER CHOICES	RESPONSES
To sell	44.44% 4
To let	33.33% 3
To refurbish	11.11% 1
Other (please specify)	33.33% 3
Total Respondents: 9	

#	OTHER (PLEASE SPECIFY)	DATE
1	unsure. it feels like the ONLY protection available or help is ONLY aimed at tenants and while there are many good there are increasing numbers of bad	7/16/2019 2:47 PM
2	due to the extra costs i would be forced to lose even more on the property	7/16/2019 2:39 PM
3	The land is currently under an option agreement with a developer - so we cannot do anything with them on the basis that the developer is likely to purchase the full site including the properties in the next 18 months. The developer is likely to demolish the properties due to the current condition that they are in.	7/16/2019 11:31 AM

Q8 If you have any comments about the introduction of Empty Property Premium please add them here.

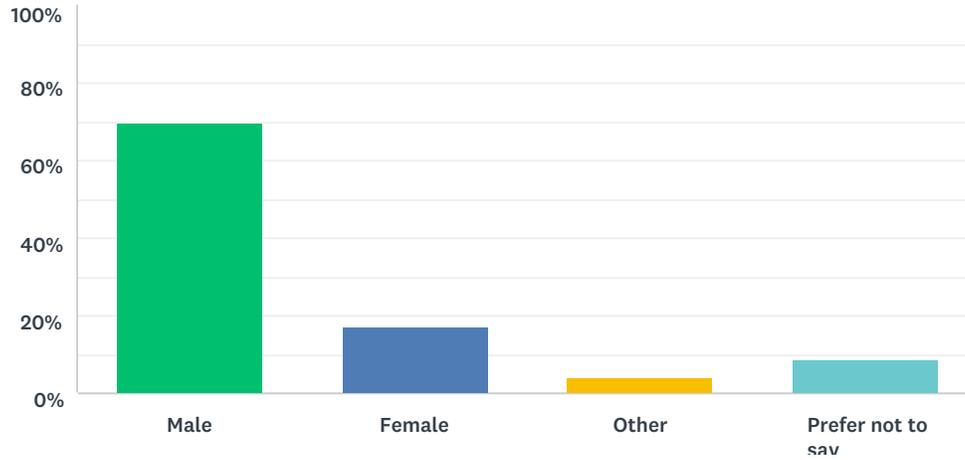
Answered: 15 Skipped: 11

#	RESPONSES	DATE
1	I am a single parent looking after 2 Children. Recieving support of Housing Benefit. I am disabled and have a blue badge. I am awaiting treatment to remove part of my bowl. I am finding it very difficult to mange due to having a recent ankle operation and a replacement left ankle. I have problems with my bowls leading to water infections and accidents with bowl controll.. Hoping you understand my situation more now. Thank you [REDACTED]	7/16/2019 4:44 PM
2	we cannot reduce the value of the property any further because in our opinion it is worth more than the asking price. The property is in a good residential area and the position and size of the flat is of a very high standard. Is it possible to make an appointment to discuss matters with you, because we cannot continue in this way.	7/16/2019 3:00 PM
3	My property has been kept for my son. The plan was that after his studies he could live there. However, over the years he had gone on to achieve an MA. Now his work commitments have taken him south and I cannot see him working in the north east in the near future. Should his situation change, I will not sell, however, in view of the proposed changes to council tax I plan to sell in 2020.	7/16/2019 2:54 PM
4	I tried to apply for discretionary discount online for a further 3 months until I get the yard cleaned up and done finishing touches but found it very difficult to submit. I intended to rent the property again as I would not get a good price for it at today's market value especially after what ive spent on the repair (around £40,000) it has had extensive work, re-wire, cellar tanked central heating, windows etc...	7/16/2019 2:53 PM
5	Unfortunately we ended up with a bad tenant who just left and left the house in a state, then my father fell ill with cancer and I had to nurse him until his death which affected me and the house just got forgot about. I have now come out of the dark times and are feeling better so we are going to get stuck into this house and bring it back to the rental market, unfortunately the extra I have been paying you has left things very tight money wise, I hope to have the house ready in approx. 12 weeks and need to get central heating fitted, also need to get the electric and gas supply reinstated as the metres have been removed so the house is not habitable but I'm still paying council tax.	7/16/2019 2:50 PM
6	I live in Northern Ireland and I was depending on a Darlington Letting Agent [REDACTED] managing these properties. Over a period of 2-3 years they had tenants in and out and never mentioned any issues to me until one day they called me and said we can't let these properties until you have refurbished them. I asked how much it would cost and they said 'they are bad, real bad, you would need to get over here and view them.' I flew to Newcastle and got the train to Darlington and when I got there, I couldn't believe my eyes, the properties were wrecked. When I asked how the properties got into that state they more or less told me to get lost but not before quoting me a huge figure to refurbish the properties. I think it was in the region of £45,000 - £50,000, money I don't have. For example, during the first inspection there were no interior doors, I was informed that the 'druggies' sell them for £5.00 each to reclamation yards to buy drugs. I started to make enquiries and found out that [REDACTED] had been putting people just out of prison into the properties along with drug addicts and other down and outs and then leaving them to their own devices. I don't have the money to fix them up so raising the council tax is not going to force me into taking action, it just makes a bad situation worse. My choice would be to have them tenanted and getting an income rather than them costing me money month in and month out. The only reason I still have them is in the hope that some sort of council or government scheme will appear that will help me bring them back up to standard. I can't afford to pay a higher rate of council tax so when that kicks in I will have to surrender the properties to the lender. I understand your position but as you can see it is not as black and white as the three conditions you outline in your letter.	7/16/2019 2:49 PM

7	If there is a shortage of housing then perhaps it is time for local authorities to go back to actually building some – After all it's because so many council properties were sold they are now so low rent! Quite frankly I am outraged and disgusted far from increasing charges when a property is empty by direct result it means less pull on public services – no one to empty bins for, no one to make use of those other services provided via council tax – police, emergency services, leisure centres, arts – whatever. Services not being used are still being charged for. Anywhere else and you would be in front of a judge for theft.	7/16/2019 2:47 PM
8	I have owned a property since January 2000. It was home for myself and my wife until her death in July 2007. I remained at the residence until August 2009 when I became a Council Approved Landlord renting the flat to two different occupants for a subsequent 18 months, returning to live there in early 2012 to commence refurbishment for sale. I remarried in June moving to live with my new wife while we steadily invested in full renewal, decoration, carpeting, etc... to enhance sale potential. 4 estate agents were consulted. One advised a sale value of £135,000 and the other three £100,000. It was placed on the market in early 2018 for £99,750 but has been faced with competition of an apparent glut of other flats for sale, including significant numbers of more recent build developments. Viewings have sadly been limited in number and we have changed agents and recently agreed a second reduction in asking price to £87,500 but still have received no offers. I have frustratingly then been faced with the imposition of empty property premium despite every effort to achieve a sale. I am reluctant to again pursue the landlord/rental option, but would request that you respect my efforts to dispose of the property with related consideration of reviewing/removing the imposition of the premium.	7/16/2019 2:44 PM
9	I think the premium is high and buildings should be addressed individual not an overall blanket cover for the "empty properties"	7/16/2019 2:36 PM
10	I am a local district councillor in Surrey. So I am aware of the financial problems councils face and the need for empty properties to be used.	7/16/2019 2:34 PM
11	I would welcome your consideration of adding vacant property within a military establishment to your list of local exemptions.	7/16/2019 2:31 PM
12	no comment	7/16/2019 2:05 PM
13	There are some situations such as where a property is derelict and not water tight where the premium (or council tax) is not payable.	7/16/2019 11:32 AM
14	The empty property premium is an unfair tax on people trying to sell in a difficult economic climate. It causes me great financial hardship and these proposals will make that hardship so difficult that I may be forced to sell my current home. The increase in new builds is also having a massive impact on the sale of older properties.	7/10/2019 12:38 PM
15	Difficult when properties are bought as a renovation project that may take over 12 months. Already paying a 50% premium, up to a 300% premium would stop properties from being refurbished in the area and cause areas to become run down and increase the amount of anti social behaviour in the town	6/18/2019 10:43 PM

Q9 What is your sex?

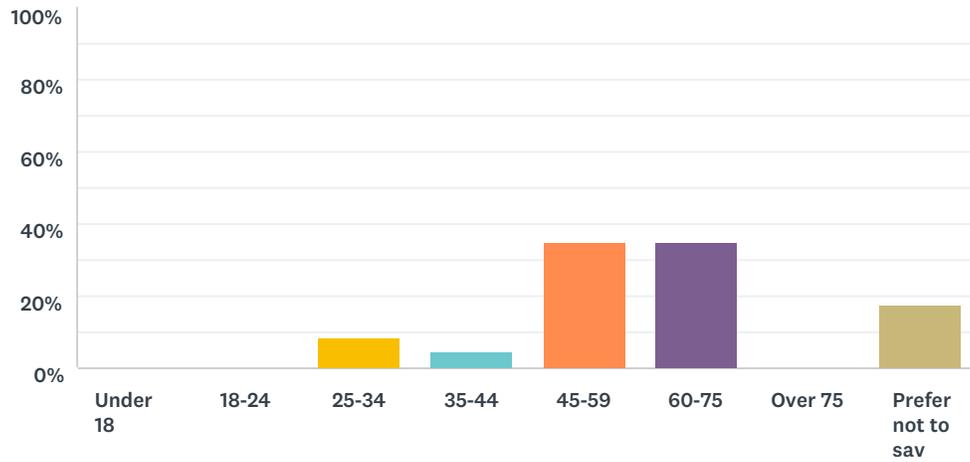
Answered: 23 Skipped: 3



ANSWER CHOICES	RESPONSES	
Male	69.57%	16
Female	17.39%	4
Other	4.35%	1
Prefer not to say	8.70%	2
TOTAL		23

Q10 What was your age on your last birthday?

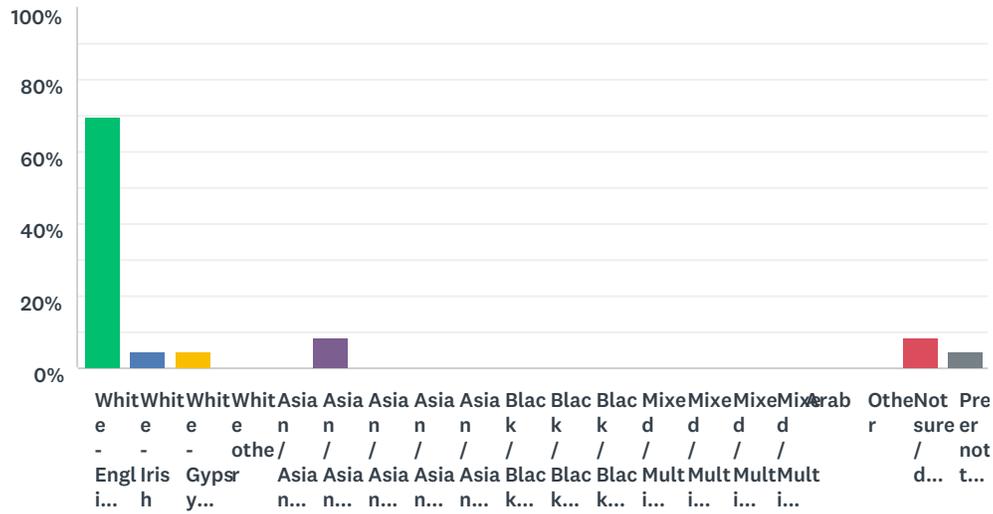
Answered: 23 Skipped: 3



ANSWER CHOICES	RESPONSES	
Under 18	0.00%	0
18-24	0.00%	0
25-34	8.70%	2
35-44	4.35%	1
45-59	34.78%	8
60-75	34.78%	8
Over 75	0.00%	0
Prefer not to say	17.39%	4
TOTAL		23

Q11 Which ethnic group do you belong to?

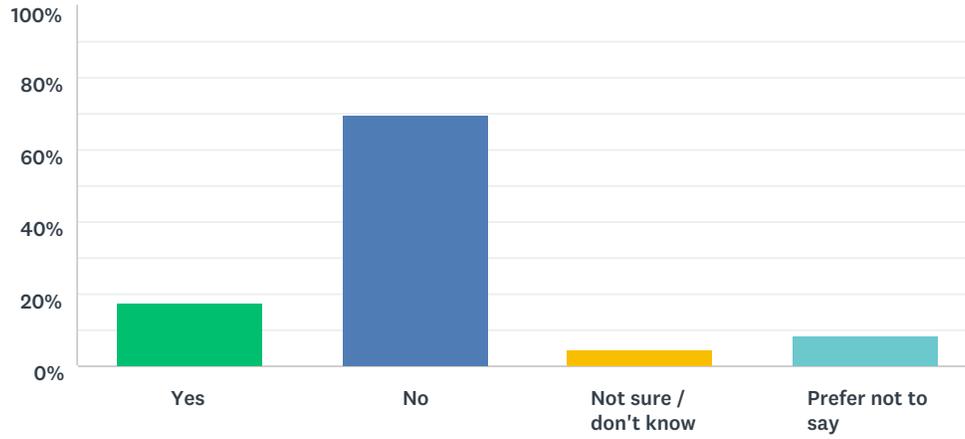
Answered: 23 Skipped: 3



ANSWER CHOICES	RESPONSES	
White - English / Welsh / Scottish / Northern Irish / British	69.57%	16
White - Irish	4.35%	1
White - Gypsy or Irish Traveller	4.35%	1
White other	0.00%	0
Asian / Asian British - Pakistani	0.00%	0
Asian / Asian British - Indian	8.70%	2
Asian / Asian British - Bangladeshi	0.00%	0
Asian / Asian British - Chinese	0.00%	0
Asian / Asian British - Other	0.00%	0
Black / Black British - African	0.00%	0
Black / Black British - Caribbean	0.00%	0
Black / Black British - Other	0.00%	0
Mixed / Multiple Ethnic Groups - White & Black African	0.00%	0
Mixed / Multiple Ethnic Groups - White & Black Caribbean	0.00%	0
Mixed / Multiple Ethnic Groups - White & Asian	0.00%	0
Mixed / Multiple Ethnic Groups - Other	0.00%	0
Arab	0.00%	0
Other	0.00%	0
Not sure / don't know	8.70%	2
Prefer not to say	4.35%	1
TOTAL		23

Q12 Do you consider yourself to have a disability?

Answered: 23 Skipped: 3



ANSWER CHOICES	RESPONSES	
Yes	17.39%	4
No	69.57%	16
Not sure / don't know	4.35%	1
Prefer not to say	8.70%	2
TOTAL		23

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Initial equality impact assessment screening form

This form is an equality screening process to determine the relevance of equality to an activity, and a decision whether, or not a full EIA would be appropriate or proportionate.

Directorate:	Economic Growth and Neighbourhood Services
Service Area:	Revenues and Benefits
Activity being screened:	Proposed increases to the Council Tax empty property premium from April 2020
Officer(s) carrying out the screening:	Anthony Sandys – Head of Housing and Revenues Services
What are you proposing to do?	Increase the Council Tax empty property premium in line with the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018
Why are you proposing this? What are the desired outcomes?	The purpose of the proposals is to further encourage landlords and property owners to bring their empty homes back into use as soon as possible and to penalise those owners who deliberately leave their properties empty for years.
Does the activity involve a significant commitment or removal of resources? Please give details	No

Is there likely to be an adverse impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or any other socially excluded groups?

As part of this assessment, please consider the following questions:

- **To what extent is this service used by particular groups of people with protected characteristics?**
- **Does the activity relate to functions that previous consultation has identified as important?**
- **Do different groups have different needs or experiences in the area the activity relates to?**

If for any characteristic it is considered that there is likely to be a significant adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate.

Protected characteristic	Yes	No	Don't know/ Info not available
Age		✓	
Disability			✓
Sex (gender)		✓	
Race		✓	
Sexual Orientation		✓	
Religion or belief		✓	
Gender reassignment		✓	
Pregnancy or maternity		✓	
Marriage or civil partnership		✓	
Other			
Carer (unpaid family or friend)		✓	
Low Income			✓
Rural Location		✓	
Does the activity relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	The activity relates to the ability of owners to bring their long-term empty properties back into use		
Will the activity have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	None expected		
Decision (Please tick one option)	EIA not relevant or proportionate:		Continue to full EIA: ✓
Reason for Decision	To consider the impacts of the proposals on disabled people and those on low incomes who could find it difficult to renovate, sell or rent long-term empty properties		
Signed (Assistant Director)	<i>P. Mitchell</i>		
Date	24/7/19		



Equality Impact Assessment Record Form

This form is to be used for recording the Equality Impact Assessment (EIA) of Council activities. It should be used in conjunction with the guidance on carrying out EIA in **Annex 2** of the Equality Scheme. The activities that may be subject to EIA are set out in the guidance.

EIA is particularly important in supporting the Council to make fair decisions. The Public Sector Equality Duty requires the Council to have regard to the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity and foster good relations.

Using this form will help Council officers to carry out EIA in an effective and transparent way and provide decision-makers with full information on the potential impact of their decisions. EIAs are public documents, accompany reports going to Councillors for decisions and are published with committee papers on our website and are available in hard copy at the relevant meeting.

Title of activity:	Council Tax empty property premium	
Name of Directorate and Service Area:	Economic Growth and Neighbourhood Services Revenues and Benefits	
Lead Officer and contact details	Anthony Sandys – Head of Housing and Revenues Services x6926	
Assistant Director accountable for this EIA	Pauline Mitchell – Assistant Director - Housing and Building Services	
Who else will be involved in carrying out the EIA:	N/a	
When did the EIA process start?	July 2019	

Section 2 – The Activity and Supporting Information

<p>Details of the activity (describe briefly - including the main purpose and aims) (e.g. are you starting a new service, changing how you do something, stopping doing something?)</p>
<p>Proposed increases to the Council Tax empty property premium, which is the charging of additional Council Tax to owners of long-term empty properties (those that have been empty and unfurnished for 2 years or more). If agreed, these changes will be implemented from April 2020.</p>
<p>Why is this being proposed? What are the aims? What does the Council hope to achieve by it? (e.g. to save money, meet increased demand, do things more efficiently)</p>
<p>The purpose of the proposals is to further encourage landlords and property owners to bring their empty properties back into use as soon as possible and to penalise those owners who deliberately leave their properties empty for years. Exemptions from the Council Tax empty property premium are also being proposed for owners actively renovating, selling or renting long-term empty properties.</p>
<p>What will change? What will be different for service users/ customers and/ or staff?</p>
<p>A 50% Council Tax empty property premium already exists for properties empty for 2 years or more. These proposals will:</p> <ul style="list-style-type: none"> (a) Increase the Council Tax premium for properties empty for 2 years or more to 100% (double the Council Tax normally charged) (b) Increase the Council Tax premium for properties empty for 5 years or more to 200% (treble the Council Tax normally charged) (c) Increase the Council Tax premium for properties empty for 10 years or more to 300% (quadruple the Council Tax normally charged).
<p>What data, research and other evidence or information is available which is relevant to the EIA?</p>
<p>There are currently 154 long-term empty properties in Darlington. A mapping exercise has already been undertaken to identify the location of these properties in relation to deprivation data already held. Whilst the locations of long-term empty properties are spread across Darlington, higher concentrations of these properties exist in areas of deprivation (see appendix 1 to this EIA).</p>
<p>Engagement and consultation (What engagement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)</p>
<p>A public consultation exercise has been undertaken in May to June 2019 in the form of an on-line survey. In addition, we wrote to all 160 owners (at that time) of long-term empty properties and invited them to complete a paper or on-line survey. The results are attached on a separate document.</p>
<p>What impact will this activity have on the Council's budget? (e.g. cost neutral, increased costs or reduced costs? If so, by how much? Explain briefly why this is the case)</p>
<p>These proposals will potentially generate more Council Tax income.</p>

Section 3: Assessment

How will the activity affect people with protected characteristics?	No Impact	Positive impact	Negative impact	Why will it have this effect? (refer to evidence from engagement, consultation and/or service user data or demographic information, etc)
Age	✓			Consultation identified that most respondents were aged between 45 and 75 (70%), although there were no specific impacts identified relating to age.
Disability (Mobility Impairment, Visual impairment, Hearing impairment, Learning Disability, Mental Health, Long Term Limiting Illness, Multiple Impairments, Other – Specify)	✓			<p>4 out of the 23 respondents (17%) to the consultation indicated that they considered themselves to have a disability. However, none of the comments indicated that disability would be a barrier for an owner to renovate, sell or rent their long-term empty property.</p> <p>Advice and assistance is available to empty property owners from the Council's Private Sector Housing Team.</p> <p>The Council Tax discretionary discount scheme is available to Council Tax payers who are experiencing severe financial hardship or other crisis or event. Whilst applications are looked at on their own individual circumstances, disability would be a factor in determining an award.</p>
Sex (Gender)	✓			Consultation identified that most respondents were male (70%), although there were no specific impacts identified relating to gender.
Race	✓			No impacts identified
Gender Reassignment	✓			No impacts identified
Sexual Orientation	✓			No impacts identified
Religion or belief	✓			No impacts identified

Appendix 2

Pregnancy or maternity	✓			No impacts identified
Marriage or civil partnership	✓			No impacts identified
How will the activity affect people who:	No impact	Positive Impact	Negative Impact	Why will it have this effect? (Refer to evidence from engagement, consultation and/or service user data or demographic information, etc)
Live in a rural location?	✓			No impacts identified
Are carers?	✓			No impacts identified
Are on a low income?			✓	<p>Consultation indicated that owners of long-term empty properties on a low income would not be able to afford the increases in Council Tax. They may also experience difficulties in refurbishment work for the same reason (properties being renovated would be exempt from the proposals).</p> <p>Free advice and assistance is available to empty property owners from the Council's Private Sector Housing Team.</p> <p>The Council Tax discretionary discount scheme is available to Council Tax payers who are experiencing severe financial hardship or other crisis or event. Whilst applications are looked at on their own individual circumstances, people on low incomes would be a factor in determining an award.</p> <p>Whilst Council Tax Support (CTS) is only available for occupied properties, owners of long-term empty properties receiving CTS for their own home would be considered for assistance from the discretionary scheme, providing it was specifically to assist the owner to renovate, sell or rent their empty property and bring it back into use.</p>

Section 4: Cumulative Impacts

Cumulative Impacts – will the activity affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men – state what you think the effect might be and why, providing evidence from engagement, consultation and/or service user data or demographic information, etc)

Are there any other activities of which you are aware which might also impact on the same protected characteristics?

None

Section 5: Analysis

a) How will the activity help to eliminate discrimination, harassment and victimisation?

Initial research into the location of long-term empty properties has indicated that higher numbers of these properties exist in areas of deprivation. These areas will include higher numbers of people with protected characteristics.

The specific aim of these proposals is to further encourage the owners of these properties to bring them back into use by renovating, selling or renting the properties. This is expected to have an overall positive impact on these areas, providing additional affordable housing, improving the overall quality of neighbourhoods and reducing homelessness.

Whilst some negative impacts have been identified for owners of long-term empty properties, exemptions from these proposals, along with advice, assistance and financial support is available.

b) How will the activity help to advance equality of opportunity?

As above

c) How will the activity help to foster good relations?

As above

During the engagement/ consultation process were there any suggestions on how to avoid, minimise or mitigate any negative impacts? If so, please give details.

Respondents indicated that consideration should be given to owners who are trying to renovate, sell or rent their properties and these are covered by the proposed exemptions to the empty property premium.

Section 6 - Sign-off when assessment is completed

Officer Completing the Form:		
Signed 	Name:	Anthony Sandys
	Date:	24/07/19
	Job Title:	Head of Housing and Revenues Services
Assistant Director:		
Signed 	Name:	Pauline Mitchell
	Date:	24/07/19
	Service:	Housing and Building Services

Section 7 – Reporting of Findings and Recommendations to Decision Makers

<p>Next Steps to address the anticipated impact (Select one of the following options and explain why this has been chosen – remember we have a duty to make reasonable adjustments so that disabled people can access services and work for us)</p>
<p>Negative impact identified – recommend continuing with the activity (Clearly specify the people affected and the impacts, providing reasons and supporting evidence for the decision to continue. The EIA identifies potential problems or missed opportunities. Officers will advise to change the proposal to reduce or remove these adverse impacts, or the Council will achieve its aim in another way which will not make things worse for people. There must be compelling reasons for continuing with the proposal which will have the most adverse impacts.)</p>
<p>Explanation of why the option above has been chosen (Including any advice given by legal services)</p> <p>Potential negative impacts identified relating to owners of long-term empty properties on low incomes. However, sufficient available advice, assistance and financial support has already been identified in this EIA to mitigate these impacts.</p> <p>Positive impacts have also been identified in encouraging owners of long-term empty properties to bring these back into use in areas of high deprivation.</p> <p>There are no impacts identified which should prevent the proposals from continuing.</p>
<p>If the activity is to be implemented how will you find out how it is affecting people once it is in place? (How will you monitor and review the changes?)</p> <p>If the proposals are approved by Council Members, we will contact all the owners of long-term empty properties to explain the additional charges and the exemptions, advice, assistance and financial support available. This will take place before the Council Tax annual billing for 2020-21.</p> <p>After April 2020, if an owner of a long-term empty property falls into Council Tax arrears, again we will attempt to contact them to offer support.</p> <p>We will also monitor the numbers of long-term empty properties in Darlington to measure the effectiveness of these proposals, and in particular, the impacts in areas of higher deprivation.</p>

Section 8 – Action Plan and Performance Management

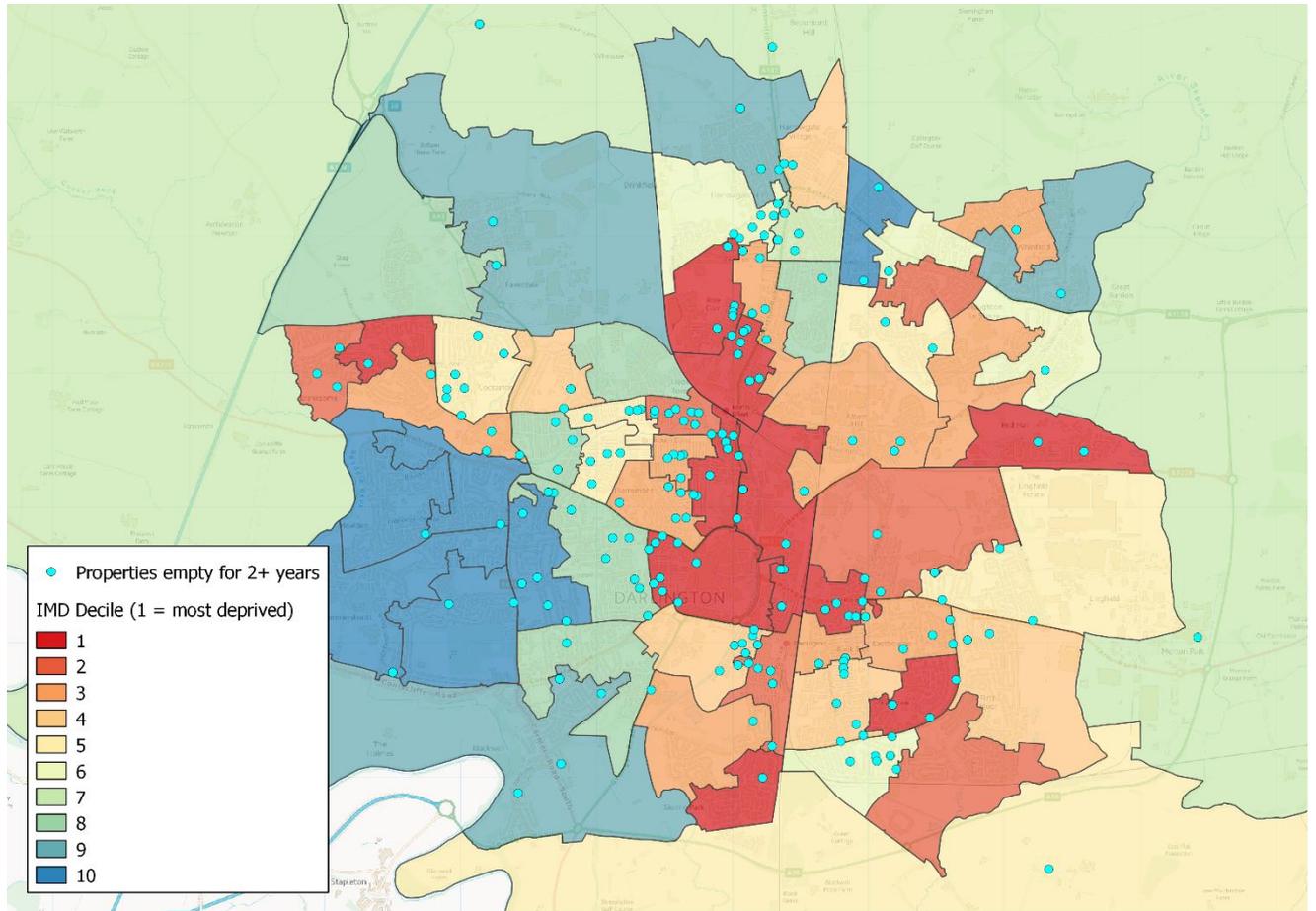
List any actions you need to take which have been identified in this EIA, including post implementation reviews to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics

What is the negative impact?	Actions required to reduce/eliminate the negative impact (if applicable)	Who will lead on action	Target completion date
Owners of long-term empty properties on low incomes	Contact owners to offer advice, assistance and financial support	Head of Housing and Revenues Services	March 2020

Performance Management	
Date of the next review of the EIA	July 2020
How often will the EIA action plan be reviewed?	Annually
Who will carry out this review?	Head of Housing and Revenues Services

Appendix 1

The numbers of long-term empty properties mapped against deprivation data



**COUNCIL
5 DECEMBER 2019**

OVERVIEW OF ADULTS AND HOUSING SCRUTINY COMMITTEE

1. Since the last meeting of the Council, the following are the main areas of work the Adults and Housing Scrutiny Committee has undertaken.

Universal Credit Update

2. We received a report which provided an update on the continued roll-out of Universal Credit in Darlington, and the impact on residents and Council services. The Committee were informed that Universal Credit was replacing a number of existing means tested benefits for working age people, including Housing Benefit which is administered by the local authority, and that the full roll-out of Universal Credit commenced in Darlington in June 2018. It was stated that this meant that most working aged people making a new claim for benefit, or who reported a significant change in their circumstances, would now claim Universal Credit. The subsequent migration of existing claims for Housing Benefit to Universal Credit will take place between 2020 and 2023, although Members heard that the exact timetable was yet to be finalised.
3. The Committee explored the differences between Housing Benefit and Universal Credit, which included the payment frequency, and the impact this had on collection and arrears. It was pleasing to note the role of the Tenancy Sustainment Team, and the support provided by the team in terms of a full welfare benefit check, signposting to other forms of assistance and health referrals.
4. Members expressed an interest in the wider community impact of the implementation of Universal Credit, though it was acknowledged that any report could only reflect the Council's position. Discussion also ensued on rent arrears in the Private Sector, and the recovery of arrears from existing and former local authority tenants. Members were pleased to hear of new software that will monitor arrears on a weekly basis and identify payments patterns.

Safeguarding Adult Partnership Board Annual Report 2018/19

5. The Committee received a report to provide Members with the opportunity to comment upon the Annual Report of the Darlington Safeguarding Adult Partnership Board (DSAPB) for the period 2018/19. Members were interested in the working relationship between the DSAPB and the Care Quality Commission (CQC) and heard that representatives of the CQC attended the Safeguarding Board.
6. We heard that hoarding was an emerging theme, and that this was concerning as it had links to self-neglect, however it was a problem that highlighted the complexity of safeguarding work, and for some it might be a conscious decision.
7. Focus centred on the increase in the conversion rate over the previous three years, and Members, and the period of time a conversion takes.

Adult Social Care Transformation Programme

8. We received a report to update Members on the progress of the Adults Social Care Transformation Programme, which had previously been reported in October 2018.
9. Members were informed that the need for transformation arose due to services needing to be modernised and Care Act compliant, in addition to the increased pressure on Adult Social Care resources. The objective of the Programme is to develop a new, modern operating model that will be sustainable going forward, and this vision is being achieved through a systematic and controlled delivery of projects and task and finish activities, separated into four work streams – managing demand, maximising independence, self-directed support and effective and responsive best value provider economy. The four work streams are underpinned by a number of cross-cutting projects required to support the changes in service delivery.
10. Members were satisfied to hear that Adult Social Care staff now had a greater connection and presence at the Darlington Memorial Hospital, and felt that there was a commendable amount of work being conducted in terms of the projects. Concerns were raised in relation to slippage in some project delivery dates, however Members accepted that there was finite capacity and that work was prioritised to provide the best outcomes for people. The Committee were pleased to learn that, despite some initial issues, the on-line self-assessment tool was scheduled to go live in November 2019.

Loneliness and Connected Communities – Quad of Aims

11. We gave consideration to a request received from Councillor Holroyd that an item in relation to Loneliness and Connected Communities be added to our Work Programme, and the Committee felt that it would be beneficial to establish a Task and Finish Group to look at this area, with an invitation extended to the Health and Partnerships Scrutiny Committee to participate in this as a joint piece of work.

Work Programme

12. Members gave consideration to the Work Programme items scheduled to be considered by this Scrutiny Committee during 2019/20, and to any additional areas that Members would like to be included. The Committee noted a number of updates to the Work Programme, and were informed of the receipt of an invitation to provide representation on a review of CQC Ratings, which was being conducted by the Health and Partnerships Scrutiny Committee.

Scrutiny Committee – Proposed Terms of Reference

13. The Committee received a report to give consideration to the Terms of Reference for the Council's Scrutiny Committees and noted the revised proposals accordingly.

Councillor Anne-Marie Curry
Chair of Adults and Housing Scrutiny Committee

**COUNCIL
5 DECEMBER 2019**

OVERVIEW OF CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE

1. Since the last meeting of the Council, the following are the main areas of work the Children and Young People Scrutiny Committee has undertaken.

Work Programme

2. Members gave consideration to the Work Programme items scheduled to be considered by this Scrutiny Committee during 2019/20, and to any additional areas that Members would like to be included.

Performance Indicators Quarter 1 2019/20

3. We examined Quarter 1 (April-June) 2019/20 performance information and highlighted areas where Children and Young People were performing well and where there was a need to improve.
4. We noted that we are performing well in terms of; referrals being screened and completed within target; repeat referrals are performing better than target; all children with a Child Protection Plan and all Children Looked After have an allocated social worker; 29.6 per cent of Care Leavers are not in employment, education or training (NEET) which is better than our target.
5. The areas highlighted for further improvement as they are slightly behind target this quarter are; the timeliness of children and family assessments; statutory visits for children subject to a child protection plan and those who are in care.
6. Members discussed in particular the percentage of Care Leavers that were not in employment, education or training (NEET) and the reasons for them being NEET. The Assistant Director of Children's Services outlined the work of the monthly NEET Reduction Group who meet to develop plans for each young person who falls into this cohort in an effort to re-engage them in education, employment or training. There is also a NEET tracker that is maintained to support this performance and also the Reduction Group hold regular Job Clubs to offer targeted activities.
7. We also were given assurance on a further two areas; safeguarding interventions put in place for young people prior to an Initial Child Protection and the reporting of young people who go missing from residential care and timeliness of return home interviews, including the level of engagement by the young person.
8. Members are still concerned at the continued increase in the number of children in care and the financial impact on the authority, and the number of young people in addition that are placed here from outside the authority.

Darlington Safeguarding Children's Board Annual Report 2018/19

9. Ann Baxter, previously the Independent Chair of Darlington Safeguarding Board attended the Scrutiny meeting to outline the final Annual Report 2019/19 of the Board. The Annual Report is a statutory requirement and produced to account for the activities and the effectiveness of multi-agency safeguarding arrangements within the local area.
10. The Annual report for 2018/19 was based on the DSCB's three strategic priorities; to ensure effective arrangements are in place that enable children, young people and their families to access appropriate Early Help support when first identified and this support is well coordinated; to ensure effective arrangements are in place to protect children from neglect, abuse and child sexual abuse; and to ensure partners work together to protect children from harm and ensure the voice of the child is evident in all multi-agency work.
11. The Independent Chair also highlighted the new arrangements following a national review on how Local Safeguarding Partnerships should operate in future which will include all partners working together to look at new ways of working for both children and adults as one multi-agency partnership.
12. We discussed the national increase of children coming into care; the increase of home schooling and how this was being monitored from a safeguarding perspective; and how the Home Education Service work with Gypsy Roma Travellers to assist families to place their children in education.
13. Members noted in particular that the breastfeeding rates at 6-8 weeks after birth for Darlington were lower than the England average, although we are better than the Tees Valley; the rate of emergency hospital admissions for children under four in Darlington which was higher than the England average; the rate of inpatient admissions because of self-harm is statistically higher than the England average. Members agreed that these were areas of particular concern that this Scrutiny will be monitoring closely.

Scrutiny Committees – Proposed Terms of Reference

14. We gave consideration to the proposed changes to the Terms of Reference for the Council's Scrutiny Committees following the Leader's intention to implement a number of changes to the Cabinet Portfolios to take effect from December 2019.
15. Members noted the changes to the Terms of Reference with a view to aligning them more closely with the Cabinet Portfolios.

Councillor Jamie Bartch
Chair of Children and Young People Scrutiny Committee

COUNCIL
5 DECEMBER 2019

OVERVIEW OF EFFICIENCY AND RESOURCES SCRUTINY COMMITTEE

1. Since the last meeting of the Council, the following are the main areas of work the Efficiency and Resources Scrutiny Committee has undertaken.

Project Position Statement and Capital Programme Monitoring – Quarter 2 2019/20

2. We were requested to review the current position of the capital resource and commitment position of the Council's capital programme. The Council currently has 33 live projects being managed with an overall projected outturn value of £68.765 million.
3. All project managers are required to provide information for all projects over £75,000 and, although this information was presented to us, we did raise some concern about the level of information within the report to enable us to scrutinise the individual projects in detail. We were advised that some of the information was in summary form for ease of reporting, however, the Council was currently transitioning to a new project management system which would give a much more accurate and detailed representation of the current position.
4. As a Scrutiny Committee, we have previously had a training session on the Council's project management arrangements and a further session will be arranged if it is felt necessary.

Revenue Budget Monitoring 2019/20 – Quarter 2

5. We received the quarter 2 revenue budget outturn report prior to its consideration by Cabinet. The latest position shows an overall decline against the Medium-Term Financial Plan of £0.125 million, a decrease of £0.804 million from the position reported at quarter 1 and this is due to a significant decline in the Children's Services position of £1.822 million which comes from an increase in the numbers of children requiring support from the local authority.
6. We particularly discussed the pressures within the Children's Services budget and the possible reasons for that. We have asked Officers to arrange a joint briefing between our Scrutiny Committee and the Children and Young People Scrutiny Committee so that we can better understand the current situation. We will then follow this up with an update on a project being undertaken in conjunctions with Leeds City Council and the Department for Education which aims to provide better outcomes for children as well as reducing those that come into the Council's care and reduce financial pressures.

Council Tax Support Scheme

7. As you will see from elsewhere on this agenda, the Council is required to approve a Council Tax Support (CTS) scheme each year and we were given the opportunity to review the draft scheme for 2020-21 prior to its consideration this evening.

Proposed Terms of Reference

8. Again, as Members will see elsewhere on this agenda, a number of changes to the Council's Scrutiny Committees have been proposed and we were given the opportunity to comment and recommend any changes on these. No specific comments were made by the Committee and we were in agreement with the proposed changes.

Councillor Scott Durham
Chair Efficiency and Resources Scrutiny Committee

COUNCIL
5 DECEMBER 2019

OVERVIEW OF HEALTH AND PARTNERSHIPS SCRUTINY COMMITTEE

1. Since the last meeting of the Council, the following are the main areas of work the Health and Partnerships Scrutiny Committee has undertaken.

Work Programme 2019/20

2. We have given consideration to the Work Programme for this Committee for the Municipal Year 2019/20 and possible review topics. The work programme is a rolling work programme and items can be added as necessary.
3. Members accepted the invitation from Adults and Housing Scrutiny Committee to participate in the Loneliness and Connected Communities Task and Finish Review. This will be led by the Adults and Housing Scrutiny Committee.
4. Members gave their consideration to a proposal to undertake a piece of work to examine the inconsistency in the CQC ratings across the town. It was agreed to progress with this item, Health and Partnerships will be the lead for the work with involvement from Adults and Housing Scrutiny Committee.

Primary Care Update

5. We welcomed a joint presentation from Karen Hawkins, Director of Commissioning Strategy and Delivery on the Darlington Primary Care Network (PCN), a partnership of GP practices that work together with other local health and care providers.
6. Scrutiny was advised that a five year framework for GP services had been agreed and that a major change in the GP contracts for 2019/20 was the introduction of the Network Contract as a Directed Enhanced Service (DES). The focus of the Network Contract DES for 2019/20 is to support the establishment of PCNs and the recruitment of new workforce. The DES will remain in place for the next five years, subject to annual review and development.
7. We noted that all eleven GP practices in Darlington have signed up to a Network Agreement as part of the Network Contract Directed Enhanced Services (DES) and the identified network area for Darlington PCN is the whole population of Darlington.
8. Scrutiny were advised of the DES for 2020/21 and 2021/22 and were pleased to note that funding for additional roles would be provided to support these service requirements.
9. Following concerns regarding the number and location of the GP practices in Darlington, Members were assured that the eleven practices in Darlington were sufficient for the population of Darlington and there was no requirement for an additional practice. Members requested further information as to how many

residents in rural areas of Darlington were registered with practices outside of Darlington.

Strengthening Families

10. We received an update from the Assistant Director, Commissioning, Performance and Transformation on Strengthening Families, a DfE funded programme aimed helping to reduce the number of children entering care.
11. We were advised that Darlington would be working in partnership with Leeds City Council to deliver the programme, which is based on an approach that involves working with families to encourage and build resilience, to ensure that children remain with their families wherever it is safe to do so.
12. Members welcomed the update and wished to record their thanks to Children's Services for their excellent work.

Alignment of Portfolio and Scrutiny

13. Scrutiny Committee received a report outlining the proposed changes to the Cabinet Portfolios and suggested changes to the terms of reference for this Scrutiny Committee to align more closely with the Cabinet Portfolios. Members agreed to the proposed changes to this Scrutiny Committee.

Councillor Ian Bell
Chair of the Health and Partnerships Scrutiny Committee

**COUNCIL
5 DECEMBER 2019**

OVERVIEW OF PLACE SCRUTINY COMMITTEE

1. Since the last meeting of the Council, the following are the main areas of work the Place Scrutiny Committee has undertaken.

Introduction to Environmental Health

2. We welcomed a presentation from the Environmental Health Manager (Environmental Protection) on the role of the Environmental Health section within Darlington Borough Council, outlining the key areas of environmental health work.

Tees Valley Waste Management Contract

3. Scrutiny Committee received a report seeking Members' views and feedback on the Tees Valley Joint Waste Management Contract, prior to its consideration by Cabinet at its meeting on 5 November 2019.
4. We discussed the potential implications of the Government climate change agenda and targets to reduce pollution from consumption on the waste management contract, and if targets were met, this could result in a reduction in municipal waste.
5. Members were in agreement, taking into consideration all information provided, that the adoption of the Outline Business Case, the proposal to enter into the Inter-Authority Agreement and the Terms of Reference for the Project Delivery Group be supported.

Scrutiny Committees – Proposed Terms of Reference

6. Scrutiny Committee received a report outlining the proposed changes to the Cabinet Portfolios and suggested changes to the terms of reference for this Scrutiny Committee to align more closely with the Cabinet Portfolios. Members agreed to the proposed changes to this Scrutiny Committee.

Work Programme 2019/20

7. We have given consideration to the Work Programme for this Committee for the Municipal Year 2019/20. In light of the proposed amendments to the Portfolios and Scrutiny Committees, Members agreed that the items on the Work Programme be reviewed for their relevance to this Scrutiny Committee.

**Councillor Brian Jones
Chair of Place Scrutiny Committee**

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