

COUNCIL

Thursday, 26 November 2020

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

APOLOGIES – Councillors L Hughes and Lister

ABSENT – Councillors Baldwin and Haszeldine

30 MINUTES - TO APPROVE THE MINUTES OF THE MEETING OF THIS COUNCIL HELD ON 24 SEPTEMBER 2020

Submitted – The Minutes (previously circulated) of the meeting of this Council held on 24 September 2020.

RESOLVED – (a) That the attendance be amended to reflect that Councillor Paul Howell had been in attendance at the meeting.

(b) That, pursuant to the above amendment, the Minutes of the meeting of this Council held on 24 September 2020, be approved as a correct record.

31 DECLARATIONS OF INTEREST.

There were no declarations of interest reported at the meeting.

32 SEALING.

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

33 ANNOUNCEMENTS.

The Mayor informed Members that Penny Spring had taken over as the Director of Public Health, and welcomed Penny to her first meeting of the Council.

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

(1) THE PUBLIC;

There were five questions, with notice, from Members of the Public, who each received an answer thereon.

(Note: The questions, with notice, were asked by The Mayor on behalf of the Members of the Public, in accordance within Paragraph 27 of the Meetings (Coronavirus) Protocol).

(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.

35 REVIEW OF POLICIES AND CONDITIONS RELATING TO HACKNEY CARRIAGES, PRIVATE HIRE VEHICLES AND THEIR DRIVERS AND OPERATORS

The Director of Economic Growth and Neighbourhood Services submitted a report (previously circulated) to seek approval for the final draft of the Council's revised policy document in respect of Hackney Carriages and Private Hire vehicles, their drivers and operators, which was due to take effect from 1 January 2021.

The submitted report presented the Council's draft Taxi Licensing Policy, which reflected legislative changes relating to licensing, for approval, following public consultation. The submitted report also noted that the draft Policy included the latest government and professional body guidelines, along with new statutory standards, and that the draft Policy has been supported by the General Licensing Committee at its meeting held on the 10 November 2020.

RESOLVED – That the revised Taxi Licensing Policy be approved, and applied to all licences with effect from 1 January 2021.

REASONS – (a) The introduction and reinforcing of these measures ensures the protection of the general public, in particular children and vulnerable adults.

(b) To provide an enforcement framework that takes account of legislative changes and amendments, whilst providing encouragement and support to the taxi trade in the Borough.

36 CABINET REPORTS.

The Cabinet Members each gave a report (previously circulated) on the main areas of work undertaken under their relevant portfolio since the previous meeting of the Council. Cabinet Members answered questions on their portfolio thereon.

37 THE COUNCIL PLAN 2020-2023

The Chief Officers Executive submitted a report (previously circulated) to seek approval for the Council Plan 2020-2023.

The submitted report set out a proposed vision for the Council and key actions that the Council intended to take to achieve that vision. The submitted report stated that, following delays due to Coronavirus, the proposed Council Plan did not get presented as intended to Council for approval earlier in the year, and that an updated version of the plan had subsequently been agreed by Cabinet on 10 November 2020.

RESOLVED - That the Council Plan 2020-2023 be approved.

REASON – To seek approval of the Council Plan.

38 COUNCIL TAX SUPPORT - SCHEME APPROVAL 2021-2022

The Managing Director submitted a report (previously circulated) which requested that the Council Tax Support (CTS) Scheme be approved.

The submitted report stated that Councils are required to set a CTS scheme each year, and as part of that exercise they must consider whether any changes should be made to any existing scheme, and, where changes are made, consider what transitional protection, if any, should apply to anyone affected by those changes. The submitted report outlined the details of the proposed CTS scheme for 2021/22.

RESOLVED - That the CTS scheme for 2021-22, as appended to the submitted report, be approved, and in doing so:-

- (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 age people.

REASONS - (a) The Council is required to publish a local CTS scheme for 2021-22 by 11 March 2021.

(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.

39 TREASURY MANAGEMENT ANNUAL AND OUTTURN PRUDENTIAL INDICATORS 2019/20

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 2019/2020, in accordance with the Prudential Code.

The submitted report outlined the circumstances with regard to treasury management for 2019/2020. It was reported that due to low returns on cash investments new ways to improve investment returns continued to be sought. The submitted report stated that the cost of borrowing remained low throughout 2019/20, 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 2020, the Council's external debt was £181.661m, which was £2.500m more than the previous year. It was reported that the

average interest rate for borrowing was down to 2.72%, from 3.22% in 2018/19, and that investments totalled £56.799m at 31st March 2020, in comparison to £55.849m at 31st March 2019, earning interest of 0.75% on short term cash investments, and 2.23% on Property Fund units net of cost.

It was reported that financing costs had been reduced during the year and a saving of £0.268m had been achieved from the original MTFP.

RESOLVED – (a) That the outturn 2019/20 Prudential Indicators within the submitted report, and those in Appendix 1 of the submitted report, be noted.

(b) That the Treasury Management Annual Report for 2019/20, 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.

40 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.

41 NOTICE OF MOTION

(3) TO CONSIDER A MOTION SUBMITTED BY COUNCILLOR HARKER, AND SECONDED BY COUNCILLOR MRS. H. SCOTT

The following Motion was moved by Councillor Harker, and seconded by Councillor Mrs. H. Scott:

‘The group More In Common Darlington (MCID) were inspired by Jo Cox, the MP for Batley and Spen, who became a victim of hate when she was murdered in 2016. Like Jo Cox, MCID believes that people have more in common than anything that might divide them. The group's aim is to find ways of reducing animosity towards people from different nations and faiths, towards women, the LGBTI community, those with disabilities, the homeless and others.

As part of Hate Crime Awareness Week MCID created a United Darlington Charter. It asks us to make a declaration to afford everyone who lives, or works, or visits Darlington to equal respect, status, trust, hospitality, friendship, and kindness.

This Council therefore resolves and agrees to:

a) Commend the work done by More In Common Darlington and The Jo Cox Foundation;

b) Adopt the United Darlington Charter.’

In accordance with Council Procedure Rules, a request was made by five Members for a named vote on the Motion. A named vote was taken of those Members present at the meeting and there appeared:-

For the Motion – The Mayor, Councillors Ali, Allen, Bartch, Bell, Boddy, Dr. Chou, Clarke, Cossins, Crudass, Crumby, Mrs. Culley, Curry, Donoghue, Dulston, Durham, Harker, Heslop, Holroyd, Howell, C. L. B. Hughes, Johnson, Jones, Mrs. D. Jones, Keir, Laing, Layton, Lee, Lucas, Marshall, McCollom, Mills, Newall, K. Nicholson, M. Nicholson, Paley, Preston, Renton, A. J. Scott, Mrs. H. Scott, Snedker, Tait, Tostevin, Wallis and Wright. (45)

Against the Motion – None.

The Motion was Carried.

(4) TO CONSIDER A MOTION SUBMITTED BY COUNCILLOR WALLIS, AND SECONDED BY COUNCILLOR SNEDKER

The following Motion was moved by Councillor Wallis, and seconded by Councillor Snedker:

‘Council resolves:

To ask Cabinet to consider a report at its meeting on 12th January 2021 which will prevent vehicular highway access between the proposed Skerningham development and the existing highway network between the A167 at its junction with the A1150 to the west, and the river Skerne to the east.

This report to specifically give consideration to preventing access from the Skerningham development onto Whitebridge Drive, Beaully Drive, Sparrowhall Drive, Whinbush Way (including any potential access between Caithness Way and Galloway) and Barmpton Lane, and to maintain the integrity of Green Lane from its junction with Whinfield Road to its junction with Glebe Road.”

In accordance with Council Procedure Rules, a request was made by five Members for a named vote on the Motion. A named vote was taken of those Members present at the meeting and there appeared:-

For the Motion – The Mayor, Councillors Ali, Allen, Bartch, Bell, Boddy, Dr. Chou, Clarke, Cossins, Crudass, Crumby, Mrs. Culley, Curry, Donoghue, Dulston, Durham, Harker, Heslop, Holroyd, Howell, C. L. B. Hughes, Johnson, Jones, Mrs. D. Jones, Keir, Laing, Layton, Lee, Lucas, Marshall, McCollom, Mills, Newall, K. Nicholson, M. Nicholson, Paley, Preston, Renton, A. J. Scott, Mrs. H. Scott, Snedker, Tait, Tostevin, Wallis and Wright. (45)

Against the Motion – None.

The Motion was Carried.

(5) TO CONSIDER A MOTION SUBMITTED BY COUNCILLOR PALEY, AND

SECONDED BY COUNCILLOR HOLROYD

The following Motion was moved by Councillor Paley, and seconded by Councillor Holroyd:

‘Council resolves:

To ask Cabinet at its meeting on 12th January 2021 to consider a report which will protect Springfield Park on its current boundaries from any future development, including highways work. This report will include consideration of creating a Deed of Dedication for the park.’

In accordance with Council Procedure Rules, a request was made by five Members for a named vote on the Motion. A named vote was taken of those Members present at the meeting and there appeared:-

For the Motion – The Mayor, Councillors Ali, Allen, Bartch, Bell, Boddy, Dr. Chou, Clarke, Cossins, Crudass, Crumbie, Mrs. Culley, Curry, Donoghue, Dulston, Durham, Harker, Heslop, Holroyd, Howell, C. L. B. Hughes, Johnson, Jones, Mrs. D. Jones, Keir, Laing, Layton, Lee, Lucas, Marshall, McCollom, Mills, Newall, K. Nicholson, M. Nicholson, Paley, Preston, Renton, A. J. Scott, Mrs. H. Scott, Snedker, Tait, Tostevin, Wallis and Wright. (45)

Against the Motion – None.

The Motion was Carried.

(6) TO CONSIDER A MOTION SUBMITTED BY COUNCILLOR SNEDKER, AND SECONDED BY COUNCILLOR HOLROYD

The following Motion was moved by Councillor Snedker, and seconded by Councillor Holroyd:

‘This Council notes that:

On 18 July 2019 an amended Climate Emergency motion was passed.

One of the resolutions (h) contained in the motion, as amended, was to “Set up a cross-party working group to develop an action plan and milestones to achieve carbon neutral status.”

Our view is that the working group was systematically undermined and its terms of reference changed, without explanation, contrary to the motion, including that it should limit itself to monitoring progress only and should only meet quarterly or twice a year and recently stood down altogether.

At this time, the action plan referred to in the motion is still not ready for implementation and there are no milestones in place.

The motion that was passed required this council to undertake various actions (including but not limited to):

- Set up a cross party working group.
- To develop an action plan and milestones.
- To achieve carbon neutral status.

At this time, these actions remain undone.

This Council resolves to:

Ask Cabinet to bring forward a plan at its meeting on 12 January 2021 to reinstate the cross-party working group.

That this plan include terms of reference that provide confidence to any members serving on the working group that they will be allowed to work towards meeting the resolutions contained in the Climate Emergency motion.'

In accordance with Council Procedure Rules, a request was made by five Members for a named vote on the Motion. A named vote was taken of those Members present at the meeting and there appeared:-

For the Motion – The Mayor, Councillors Ali, Allen, Boddy, Dr. Chou, Cossins, Crudass, Crumbie, Curry, Harker, Heslop, Holroyd, C. L. B. Hughes, Layton, Lee, Lucas, McCollom, Newall, M. Nicholson, Paley, Preston, A. J. Scott, Snedker, Tostevin and Wallis. (25)

Against the Motion – Councillors Bartch, Bell, Clarke, Mrs. Culley, Donoghue, Dulston, Durham, Howell, Johnson, B. Jones, Mrs. D. Jones, Keir, Laing, Marshall, Mills, K. Nicholson, Renton, Mrs. H. Scott, Tait and Wright. (20)

The Motion was Carried.

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

Consideration was given to membership changes of the Committees, Subsidiary Bodies and Other Bodies for the remainder of the Municipal Year 2020/21.

RESOLVED – (a) That Councillor Kevin Nicholson be appointed to the vacancy on the Tees Valley Clinical Commissioning Group's Primary Care Commissioning Committee;

(b) That Councillor Linda Hughes be removed from the membership of the Children and Young People Scrutiny Committee; and

(c) That Councillor Cyndi Hughes be removed from the membership of the Planning Applications Committee.