



DARLINGTON
Borough Council

Council Agenda

6.00 pm, Thursday, 30 November 2023

Central Hall, Dolphin Centre, Horsemarket, Darlington. DL1 5RP

Members of the Public are welcome to attend this Meeting.

1. Introductions / Attendance at Meeting.
2. Minutes - To approve the Minutes of the Meeting of this Council held on 28 September 2023 (Pages 7 - 14)
3. Declarations of Interest.
4. Sealing.
5. Announcements.
6. Questions - To answer questions (where appropriate notice has been given):-
 - (a) The Public;
 - (b) Members to Cabinet/Chairs;
7. Council Reports.
8. Cabinet Reports.
 - (a) Overview Report of the Leader of the Council Portfolio; (Pages 15 - 18)
 - (b) Overview Report of the Economy Portfolio; (Pages 19 - 22)

- (c) Overview Report of the Adults Portfolio; (Pages 23 - 26)
 - (d) Overview Report of the Children and Young People Portfolio; (Pages 27 - 36)
 - (e) Overview Report of the Health and Housing Portfolio; (Pages 37 - 40)
 - (f) Overview Report of the Local Services Portfolio; (Pages 41 - 46)
 - (g) Overview Report of the Resources Portfolio; and (Pages 47 - 50)
 - (h) Overview Report of the Stronger Communities Portfolio; (Pages 51 - 56)
 - (i) Council Tax Changes to Empty Property Premiums 2024-25 –
Report of the Group Director of Operations
(Pages 57 - 68)
 - (j) Council Tax Support - Scheme Approval 2024-25 –
Report of the Group Director of Operations
(Pages 69 - 118)
9. Scrutiny Reports - To consider Scrutiny Overview Reports:-
- (a) Adults Scrutiny Committee; (Pages 119 - 122)
 - (b) Children and Young People Scrutiny Committee; (Pages 123 - 126)
 - (c) Communities and Local Services Scrutiny Committee; (Pages 127 - 130)
 - (d) Economy and Resources Scrutiny Committee; and (Pages 131 - 136)
 - (e) Health and Housing Scrutiny Committee. (Pages 137 - 140)

10. Notice of Motion

- (a) To consider a Motion submitted by Councillor Holroyd, and seconded by Councillor Lawley –

Sewage

Preamble

1. Local residents are deeply concerned about water quality and the impact of regular wastewater discharge - which includes untreated sewage - into our local rivers (and on into the sea), and its impact on wildlife and on human health.
2. In 2022, Northumbrian Water Limited (NWL) discharged sewage into the Tees catchment 5,334 times, for 19,512 hours. Within Darlington Borough, we saw

530 discharge events, totalling 2,179 hours of raw sewage release. It's clear that release of sewage into rivers is no longer an emergency-only situation, occurring as a result of severe storms, but an everyday occurrence even in 'normal' rainfall, and that we are in a situation of cumulative overload on the sewage and wastewater system.

3. Not one of the rivers in Darlington Borough is classed as 'Good' for Ecological and Chemical Status under the Water Framework Directive. The UK has the dirtiest rivers in Europe.
4. Rockwell Local Nature Reserve (LNR), home to otters and kingfishers, would be the local wildlife site most likely to be affected, as the River Skerne flows through its meanders and other habitat created before its designation in 2005. But pollution could also affect other borough wildlife sites and what goes into the Tees catchment affects the Teesmouth & Cleveland Coast Special Protection Area & Ramsar site, with its nationally and internationally important waterbird species.
5. Whilst there are long-term commitments, there are no published plans in place which will address the immediate unacceptable situation either locally by Northumbrian Water Ltd, or by national government.
6. As part of the Water Framework Directive and river basin management plans, local authority Development Plan Policies are expected to require that development does not lead to deterioration of water body status; protect sensitive locations, and protected areas identified in river basin management plans; and require upgrades to local water infrastructure, for example, for strategic development sites in strategic site allocation policies. Darlington's Local Plan policy DC2 states this requirement.
7. There is no clear local position statement by the Environment Agency, which has overall responsibility, to clarify cumulative impact of sewage overload on our wildlife and habitats. The River Tees catchment is affected by the related issue of water nutrient neutrality which has directly led to a pause in development, yet increase in sewage overload from planned new homes seems not to be accounted for. However, Natural England and/or the Environment Agency have commented on many major planning applications across Darlington requesting details of sewage infrastructure plans or other mitigation measures, to ensure they align with the development's build time, or confirmation there is sufficient capacity in the network to accept foul flows without increasing storm overflow spills. In some, they recommend use of Grampian conditions so development cannot proceed until after Northumbrian Water Ltd. has increased its sewage treatment and pipework hydraulic capacity so the overall impact of sewage overload into rivers is not increased by new development.
8. Both local and national planning policy requires a robust approach to both water quality and pollution, and a recent legal opinion from the Environmental

Law Firm confirms the need to consider cumulative impact. Yet when assessing new planning applications, this Council does not ask Northumbrian Water Ltd. to tell us about cumulative impact i.e. whether or not development may lead to any potential increase in 'emergency' discharge into rivers and seas.

This Council therefore notes:

1. It has a legal duty to protect its rivers, the Tees Estuary and sea, including from the cumulative impacts of pollution, in line with its local planning policy, the National Planning Policy Framework and the Northumbria River Basin district river management plan;
2. That there is clear evidence of deterioration of water quality due to cumulative impact of multiple sewage discharge events or 'sewage overload'.

This Council resolves to:

1. Ensure an evidence base is compiled to fully assess and better understand the cumulative impact of sewerage discharge on our Borough's rivers, wildlife and the health of its residents so this is factored into decisions made in future updates/new iterations of the Local Plan, including the overall level of future development.
2. Write to the Environment Agency asking it to issue a position statement in relation to Darlington Borough, which sets out its understanding of the cumulative impact of 530 sewage discharge events on our rivers, or if it is not willing to do so, to provide the reasons why.
3. Ask the relevant Scrutiny Committee(s) to invite the Chief Executive/relevant representatives(s) from Northumbrian Water Limited, plus senior representatives from the Environment Agency and Natural England, to attend a meeting to answer questions on the current levels of sewage discharge and plans to address it.
4. Ask Northumbrian Water Limited, from this date onwards, in its planning consultation responses for major development, to state which treatment works will manage the sewage; whether it has the information available to assess the impact on sewage discharges (number, duration & volume) into local rivers or seas; and if it does have this information, to share it (noting that this can only be requested, not required).
5. Request that from now onwards, all planning reports relating to Major developments include a specific section on the impact on watercourses in line with Local Plan Policy DC2, the NPPF, the Water Framework Directive Regulations 2017 and the Northumbria River Basin Management Plan, including the potential for the development to affect sewage outflow into watercourses (i.e. cumulative impact), or to flag if this information is not fully available, so this information (or the lack of it) is clearly and transparently set

out.

- (b) To consider a Motion submitted by Councillor Snedker, and seconded by Councillor Mammolotti –

Stopping Conflict in Israel-Palestine

Preamble

- a) Palestine has been recognised as a sovereign state by 138 of 193 UN member states.
- b) East Jerusalem, the West Bank, the Golan Heights and Gaza are illegally occupied by Israel; and Gaza has been subject to 16 years of blockade;
- c) the UK, at the UN Security Council on 18 October 2023, refused to vote for “humanitarian pauses” to deliver lifesaving aid to millions in Gaza;
- d) Human Rights Watch, Amnesty International, B’tselem and the South African government recognise that the state of Israel is enacting a system of apartheid; and
- e) the capture and detention of civilians without legal process as a form of punishment is a breach of the Fourth 1949 Geneva Convention.

This Council therefore believes :-

- a) all atrocities committed against civilians must be condemned and investigated;
- b) all forms of racism, including anti-Palestinian racism, anti-Semitism and Islamophobia have no place in our Borough and condemns any attacks on Palestinian, Jewish or Muslim people;
- c) all political leaders have a responsibility to try to prevent genocide; and
- d) the only one way to secure peace between Israelis and Palestinians is for a just political settlement based on the end of the illegal occupation of Palestinian territories and an end to what one UN Special Rapporteur has described as “apartheid practices”, and another has described “settler-colonialism” and “ethnic cleansing”;

Resolution

This Council resolves :-

- a) to call upon the UK Government to :-
 - a. call for an immediate ceasefire and to vote for this at the UN;
 - b. call for an immediate release of all civilians captured and detained without legal process;
 - c. cease all arms sales to Israel and end military aid for Israel; and
 - d. call on Israel to resume negotiations with the Palestinians;
- b) requests the Chief Executive to submit this Motion to the UK Government.

11. Membership Changes - To consider any membership changes to Committees, Subsidiary Bodies and Other Bodies.



Luke Swinhoe
Assistant Director Law and Governance

Wednesday, 22 November 2023

Town Hall
Darlington.

Membership

The Mayor, Councillors Ali, Allen, Anderson, Baker, Bartch, Beckett, Coe, Crudass, Crumbie, Mrs Culley, Curry, Dillon, Donoghue, Dulston, Durham, Garner, Harker, Haszeldine, Henderson, Holroyd, Johnson, Kane, Keir, Laing, Lawley, Layton, Lee, Mahmud, Mammolotti, Marshall, McCollom, McEwan, McGill, K Nicholson, M Nicholson, Pease, Porter, Ray, Renton, Dr. Riley, Robinson, Roche, Mrs Scott, Snedker, Storr, Toms, Tostevin, Wallis and Walters

If you need this information in a different language or format or you have any other queries on this agenda please contact Paul Dalton, Democratic and Elections Officer, Operations 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