



**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](mailto:paul.dalton@darlington.gov.uk) or Telephone 01325 405805

## COUNCIL

Thursday, 28 September 2023

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

**APOLOGIES** – Councillors Ali, Bartch, Donoghue, Haszeldine, Renton and Mrs Scott.

### 22 **MINUTES - TO APPROVE THE MINUTES OF THE MEETING OF THIS COUNCIL HELD ON 20 JULY 2023**

**Submitted** – The Minutes (previously circulated) of the meeting of this Council held on 20 July 2023.

**RESOLVED** – That the Minutes of the meeting of this Council held on 20 July 2023, be approved as a correct record.

### 23 **DECLARATIONS OF INTEREST.**

There were no declarations of interest reported at the meeting.

### 24 **SEALING.**

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

### 25 **ANNOUNCEMENTS.**

There were no announcements made at the meeting.

### 26 **QUESTIONS - TO ANSWER QUESTIONS (WHERE APPROPRIATE NOTICE HAS BEEN GIVEN FROM):-**

### 27 **THE PUBLIC;**

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

### 28 **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.

### 29 **COUNCIL REPORTS.**

There were no reports to be decided by Council, which had not been considered by Cabinet.

### **30 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.

### **31 SKERNINGHAM GARDEN VILLAGE DESIGN CODE SUPPLEMENTARY PLANNING DOCUMENT (SPD)**

The Chief Executive submitted a report (previously circulated) seeking approval for the adoption of Skerningham Garden Village Design Code Draft SPD.

The submitted report stated that a requirement of the adopted Darlington Local Plan 2016 – 2036 (Darlington Local Plan) was that the Council progress with the creation and adoption of Supplementary Planning Policy Documents (SPD) based on a Design Code for Skerningham Garden Village. It was stated that, after a decision of Cabinet on 13 December 2022, the Skerningham Garden Village Design Code Draft SPD had been formally consulted upon between 16 December 2022 – 13 January 2023. The Council received 102 comments from 94 contributing consultees on the Skerningham Garden Village Design Code Draft SPD, and all comments received and suggested revisions were appended to the submitted report.

Further to a Cabinet Meeting on 3 July 2023, the Council received correspondence which suggested that the Design Code previously recommended was in conflict with the Local Plan. After considering this further, Officers suggested further amendments to remove any perceived conflict, and these amendments were appended to the submitted report.

It was highlighted that the two consultation processes had ensured that all stakeholders had received the opportunity to comment on the draft SPD. The submitted report stated that the Council had welcomed the various responses to the draft SPD and, given these extensive comments and observations, it had been requested that a refreshed document which demonstrated positively the differences that have been proposed in the Skerningham Garden Village Design Code, and the Design Code had been amended based on the received comments and was detailed in Appendix 3 of the submitted report. It was reported that the Skerningham Garden Village Supplementary Planning Document was endorsed by Cabinet on 5 September 2023.

**RESOLVED** - (a) That the comments received from the consultation and the subsequent revisions that have been made to the Skerningham Garden Village Design Code SPD be noted.

(b) That the adoption of the Skerningham Garden Village Design Code SPD (including the changes that were approved by Cabinet) be approved.

**REASON** – The document had gone through an extended consultation process with the wider public and statutory consultees and was fit and effective to be adopted as Council Policy complementing the Darlington Local Plan 2016-2036.

### **32 DOLPHIN CENTRE REPAIRS**



The Group Director of Services submitted a report (previously circulated) to request approval to vary the capital budget for 2023/24 by £400K and release the capital to enable repairs to the toddler pool and retaining wall at the Dolphin Centre.

The submitted report stated that a Special Meeting of the Cabinet had been convened on 11 August 2023 to give consideration to extending the Dolphin Centre Pool project, in order to undertake additional works, and that approval was provided to progress areas of work in the vicinity of the changing area.

A second report was considered by Cabinet on 5 September 2023, which outlined further works proposed to the toddler pool area and a retaining wall. It was reported that these areas had previously been highlighted to Members at the Special Meeting of the Cabinet on 11 August 2023 as needing work in a revised time frame of two years. The submitted report outlined the financial, operational and customer benefits of undertaking these works as part of the current project.

**RESOLVED** – That the Capital Budget for 2023/24 be varied by £400K, and that the capital be released to accelerate the repairs in the Dolphin Centre identified in the submitted report as an extension to the current project.

**REASONS** - (a) To enable all the essential works are carried, meaning the toddler pool will not have to be closed for repairs in 18 months and that the toddler pool can be reopened at the earliest opportunity.

(b) To address structural issues within the base of the retaining wall in the plant room.

(c) Undertaking all the works that have been identified as needing repair within two years as part of the current project could save cost increases arising from construction inflation and lost income of up to £200K when compared to re-starting a project in 18 months' time.

### **33 TREASURY MANAGEMENT ANNUAL REPORT AND OUTTURN PRUDENTIAL INDICATORS 2022/23**

The Group Director of Operations submitted a report (previously circulated) to inform Members of important information regarding the regulation and management of the Council's borrowing, investments and cash-flow. It is a requirement of the Council's reporting procedures and by regulations issued under the Local Government Act 2003 to produce an annual treasury management review that covers treasury activity for 2022/23. The report also sought to approve the Prudential Indicators results for 2022/23, in accordance with the Prudential Code.

The submitted report outlined the circumstances with regard to treasury management for 2022/2023, and stated that it was yet another unprecedented year with regard to treasury management. The invasion of Ukraine, the cost of living crisis and inflation rising to over 10% resulted in the cost of borrowing rising steadily throughout 2022/23, starting the year at 0.75% and finishing at 4.25%. It was reported that this had led to some significant financial challenges during the year, and that these challenges were expected to continue into 2023/24, and although it was acknowledged that returns for cash investments had also

increased due to higher interest rates, they still remained below the cost of borrowing.

The submitted report stated that the Council had complied with its legislative and regulatory requirements during 2022/2023, and that the need for borrowing was only increased for capital purposes.

The submitted report stated that at 31st March 2023, the Council's external debt was £138.014m, which was £11.635m less than the previous year. It was stated that this reduction related to not re-borrowing for matured debt due where possible. It was reported that the average interest rate for borrowing reduced from 2.47% in 2021/22 to 2.41% in 2022/23, and that investments totalled £40.044m at 31st March 2023, in comparison to £63.399m at 31st March 2022, earning interest of 2.88% on short term cash investments, and 1.99% on Property Fund units net of cost.

It was reported that financing costs had been reduced during the year and a saving of £0.194m had been achieved from the original MTFP due to reduced interest charges on debt, as well as increased investment income.

**RESOLVED** - (a) That the outturn 2022/23 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 2022/23 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.

## **34 CLIMATE CHANGE PROGRESS**

The Chief Executive submitted a report (previously circulated) to update Council on progress for the financial year 2022/23 towards the Council's net zero target.

The submitted report stated that, following the Council's Climate Emergency Declaration in July 2019, a Sustainability and Climate Change Lead Officer was appointed in late-January 2020, a Climate Change Strategy was adopted in July 2020 and, working with Lead Officers across the Council, an action plan was produced and adopted in October 2021. It was reported that milestones had been developed and these had been used by the Climate Change Officer to monitor progress.

The submitted report stated the at the end of the 2022/23 year, the Council was working to deliver 126 of the actions in the Climate Change Action Plan, and it was reported that 50 actions had been completed, and 72 remain on track.

It was reported that a trajectory of 30% reduction in the Council's emission every five years had been agreed at Cabinet in October 2021, and that Council emissions for 2022/23 were 6,461 tonnes / CO2. The submitted report stated that the emissions the Council report on are

made up of the energy use in Council buildings; business mileage; fleet emissions, and streetlighting and signs. It was noted that the Council do not currently measure emissions from our supply chain or from waste, however it was stated that a report had been commissioned from an external consultant into supply chain emissions and work will be undertaken to establish how the Council can reduce these going forward.

The submitted report highlighted that the Sustainable Darlington webpage and Sustainability and Climate Change intranet page had been updated and would be used to share information with residents and staff, together with plans to include a youth tab on the Sustainable Darlington page and working with young people to produce content.

Further to the amended declaration agreed by Council in July 2023, it was confirmed that the strategy and action plan were being revised in line with the new 2040 target, and that work was being undertaken with the Cross-Party Climate Change Working Group to understand the implications of the Council's more ambitious target and the development of a new trajectory.

**RESOLVED** – That the contents of the report be noted.

**REASON** - With increasing public pressure to act on climate change, we run the risk of significant damage to our reputation if we do not deliver on our stated commitment to dealing with the Council's contribution to climate change.

**35 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, and responded to any questions thereon.

**36 NOTICE OF MOTION**

**(1) TO CONSIDER A MOTION SUBMITTED BY COUNCILLOR MCGILL, AND SECONDED BY COUNCILLOR COE**

The following Motion was moved by Councillor McGill, and seconded by Councillor Coe:

**Council Decision Making Processes and the Scrutiny Function**

**Preamble**

(a) Both the Labour and the Liberal Democrat Groups are committed to the creation of a listening council, involving residents more in decision-making.

(b) Councils work best when they are democratically accountable, operating openly and transparently, and actively seeking to engage local people, businesses and community groups.

(c) In general, the decision-making processes of Councils can be difficult to understand for those not directly involved, and that an informed and involved

scrutiny function generally leads to much better outcomes.

(d) The Labour/Liberal Democrat Administration of Darlington Borough Council is committed to a review of how it listens to local residents and then takes decisions, promoting the best interests of the Council and the Borough.

This Council therefore believes :-

- (a) That work to fulfil the aims of this motion should engage with members of the public and partners from the private, public and voluntary sectors for their insights as to how the Council can achieve its objectives as set out above.
- (b) That the work should consider how the scrutiny function can be strengthened and involve the public in its deliberations. The Working Group should produce some recommendations for Scrutiny Committees. Such recommendations to be received by Council.
- (c) That there may need to be consideration of any potential savings and additional expenditure arising from the proposals of the Working Group.
- (d) That the findings of the Working Group would ordinarily be submitted back to Cabinet and then Council if there are any recommendations of formal changes to the Constitution.

## **Resolution**

This Council resolves:

- (a) To establish a time-limited, politically balanced Working Group of Councillors, to consider how Council decision-making and the scrutiny function can be strengthened, involving the public in deliberations, and making recommendations to Council thereon.
- (b) That the working group will be known as the Scrutiny Committee Working Group and be comprised of 10 members (5 Labour, 3 Conservative, 1 Green and 1 Liberal Democrat), with the members being nominated by the Group Leaders direct to the Democratic Manager.

**The Motion was carried.**

## **37 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 2023/24 that:

- (a) That Councillor Curry replace Councillor Allen on the General Licensing Committee;  
and
- (b) That Councillor Robinson replace Councillor Snedker on the Licensing Act 2003

Committee.

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**COUNCIL**  
**30 NOVEMBER 2023**

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**LEADER OF THE COUNCIL OVERVIEW**

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**Purpose of the Report**

1. To inform and update Members on the Leader's Portfolio since the last meeting of Council. The following are some of the areas of work under the Leader's Portfolio.

**Transport Committee**

2. Tees Valley Transport Committee met for the first time since the elections and new Members of the Committee were brought up to speed on the extensive programme of activity and investment. The committee members agreed to review schemes currently in the programme, receive more information on bus services including an overview from Arriva and more information on Tees Flex. Electric vehicle charging is also something the committee want to learn more about and understand the plans moving forward.
3. Cllr McCollom and I visited the new Urban Traffic Management Control (UTMC) centre in Middlesbrough. This a partnership across all Local Authorities and Tees Valley Combined Authority (TVCA). The partnership has historically been based around the management of traffic signals and other traffic control systems, but the system is being developed to improve traffic across the sub-region. Significant investment has taken place to get the backbone of a system in place and now improvements will start to be rolled out over the coming years using data-driven decision making to deliver traffic flow optimisation to reduce congestion, improve travel times and lessen environmental impact.
4. Working collaboratively with emergency services, National Highways & Network Rail, UTMC will improve road safety, enhancing emergency response and will deliver bus prioritisation to encourage public transport use.
5. All traffic signals will be connected to allow for faster maintenance and remote changes for event and incident management. Vehicle, cyclist and pedestrian counter information from existing Darlington counters and new UTMC counters will be interfaced into UTMC to make informed decisions.
6. This will see the Tees Valley leading some exciting developments to improve traffic management for residents' businesses across the Tees Valley.

**Darlington Station**

7. Work on the project continues to progress. On the Eastern Gateway part of the scheme the steel frame for the new station building and multi storey car park is being erected and this is scheduled to be completed by January 2024. Network Rail have begun mobilisation work to establish their site compound on the east side of the East Coast Main Line to start the works to the track. They will also begin to put up hoardings within the existing station building to enable initial works to commence in late November. This will mean temporary

ticket office arrangements. The Department for Transport (DfT) have announced ticket offices are going to remain following their consultation on closures.

8. On the Western Gateway preparatory work is underway for the demolition of the properties that have been acquired.

## **City Region Sustainable Transport Settlement Round 2**

9. An £8.8 billion second round of the City Region Sustainable Transport Settlements (CRSTS2) was announced at Spring Budget 2023 for the period 2027/28 to 2031/32. In early October the government announced an additional £8.55 billion of funding available for CRSTS 2 and published the indicative allocations for each of the eligible areas. The indicative allocation for TVCA is £978m, this includes monies announced in the Spring Budget, and additional monies from the cancelled HS2 project.

## **Bus Services**

10. Following an independent adjudication, the Arriva concessionary fares settlement for 2023/24 has now been agreed in favour of TVCA and the local authorities. As reported previously, some of the £1.5m Tees Valley Bus Service Improvement Plan (BSIP+) funding for 2023-24 has been used to mitigate the impact of the service withdrawals made by Arriva including the new Stagecoach service 6 / 6A (replacing the former Arriva service 12) which now provides additional connectivity to Teesside International Airport and now continues onwards to Eaglescliffe, Yarm, Ingleby Barwick and Stockton. In addition, TVCA has now been allocated a further £1.5m of BSIP+ funding for 2024/25.
11. Furthermore, TVCA has been given an indicative allocation of £3.851m of BSIP funding. Further details are currently awaited but this money is for TVCA to continue to work with government to deliver ambitious improvements set out in our bus service improvement plans. Actions in the Tees Valley BSIP are structured around a five-point delivery plan:-
  - (a) Sustainable network for the future
  - (b) Bus priority improvements
  - (c) Improved fares offer
  - (d) Enhanced customer experience
  - (e) Decarbonising the bus fleet
12. Nationally, the DfT funded £2 fare cap has been further extended and will now be in place until December 2024.

## **Climate Change**

13. The Climate Change Cross Party Working Group met again on 26 October. Much of the discussion centred around the recently published climate emergency scorecards. We are particularly concerned that the methodology used for this study, and in particular the change in methodology part way through, has resulted in incorrect marking for us, and likely for many other local authorities as well.
14. The Sustainability and Climate Change Officer has done her best to correct the major errors that we can see, but there is no guarantee that changes will be made to our final score. The Local Government Association has said that these league tables are not useful.



### **External meetings and engagement**

15. I have attended a number of visits and meetings: Cummins, ECMA Consortium, ANEC, Darlington College, CPI, Stronger Communities Awards, Citizenship Ceremonies, Theatre Hullabaloo conference, Remembrance Sunday, Rail North, Care Leavers Awards.
16. Darlington Library - I attended a meeting of the Crown Street Library Trustee Board Annual meeting which was held on 19 October 2023. This was held in the Crown Street Library (previous meetings having been via Teams because of the pandemic or the library refurbishment). The Library Manager gave a well-received presentation about the restoration and refurbishment of the building.

**Councillor Steve Harker**  
**Leader of the Council Portfolio**

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**COUNCIL**  
**30 NOVEMBER 2023**

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**OVERVIEW OF ECONOMY PORTFOLIO**

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

**Climate Change**

2. Work is continuing with teams across the Council to pull together our new climate change action plan.
3. The climate change strategy has been revised and will be coming to Cabinet on 5 December, where our new trajectory will also be discussed.
4. The Climate Change Officer post has been advertised and we look forward to welcoming a new member to the team in due course.

**Towns Fund**

5. The Town Fund interventions continue to progress across the town centre and at the Northgate and Victoria Road gateways to the town centre. The tender to procure a partner to design, refurbish and manage the former Northern Echo building has been published. The tender period is due to run until the 8 November with evaluation and appointment following on from this.
6. Work on Skinnergate and the Yards is continuing with improvements to several shop fronts on Skinnergate itself and the Yards. Work to improve the public realm in Mechanics yard is designed and scheduled for completion in November/December. The redesign of Coniscliffe Road is currently ongoing. The refurbishment and redevelopment of 156 North Road into quality office space is also in the statutory planning approval process. Options and feasibility for Edward Pease House in Northgate have commenced. Improvements to Victoria Road have commenced.

**Business Investment**

7. Business investment enquiries continue, with the main area of interest from new businesses looking to establish either leisure or retail offers in the town centre. There are several ongoing enquiries for town centre commercial office space.
8. The Business Growth Masterclasses have continued, delivered in collaboration with Business Doctors. Businesses from a range of sectors have taken part, and each business benefited from 1to1 mentoring support and individual business assessments.
9. The Business Investment Team have been working with CPI and National Horizons Centre to establish the bioscience sector as a key priority within the Tees Valley Innovation Plan.

There are three clusters in the Innovation Plan: Bioscience, Digital and Creative, and Net Zero. The plan highlights the many business innovation assets across the Tees Valley and presents the opportunities for bioscience growth in Darlington in a positive and collaborative way, highlighting Darlington Science Park as a major asset.

10. As part of National Apprenticeship Week, Darlington Jobs Fair will return in February 2024, with up to one hundred local employers and support organisations offering current vacancies, training, and support opportunities. A wide range of local employers will be promoting their opportunities, with a variety of roles on offer including finance, engineering, transport, IT, administration, health and social care, hospitality, production operatives, and logistics. The 'Support for Work Hub' will also return, offering help and support for people to get that job, including careers advice, childcare help, information for anyone on a health journey or with a disability, or struggling with transport to work and volunteering as a first step to employment.
11. As part of National Careers Week, Darlington will be hosting STEMfest Tees Valley. This two-day event (6 and 7 March 2024) aims to encourage and motivate young people in the STEM subjects. Working closely with local businesses, the event is designed to engage and inspire young people from Darlington and the wider Tees Valley in the STEM subjects. Around 35 to 40 businesses will deliver fun, interactive sessions relating to their industry, and it's anticipated that up to 1500 young people will attend. The event is free to attend for both exhibitors and attendees.

## Environmental Health

12. The Environmental Health Section has responded to 1379 requests for service in Quarter 2 2023/2024. The main categories of these requests are:

(a) Food	175
(b) Licensing	89
(c) Noise	252
(d) Planning Enquiries	62
(e) Refuse	100
(f) Pest	288
(g) Personal searches	231
13. Officers from Environmental Health are taking part in a Government consultation on Unregulated Cosmetic Procedures. The government's first-ever [consultation on treatments](#) - also known as aesthetic procedures - will be used to shape a [new licensing scheme](#) for practitioners and cosmetic businesses which operate in England. This could include age limits and restrictions for high-risk procedures, including those involving injecting fillers into intimate parts of the body.
14. The aim is to make non-surgical cosmetic procedures – including Botox, laser hair removal and dermal fillers which are currently unlicensed – safer as thousands complain of 'botched' procedures. Any new licensing scheme would protect patients from potential harm associated with poorly performed procedures. This will provide reassurance to people that wherever they go to get their treatments, they will receive the same high standards of practice.

15. Environmental Health successfully prosecuted the owner of A1 Rubbish Removals Ltd for an offence under the Environmental Protection Act 1990 of disposing of controlled waste in a manner likely to cause pollution to the environment or harm to human health. This followed an investigation into the burning of waste and complaints about smoke from a field behind Whessoe Villa, Burtree Lane, Darlington. The owner was fined £649 and ordered to pay costs totalling £150 and a £64 victim surcharge.
16. The Air Quality Annual Status Report 2023, reporting on the air quality monitoring carried out during 2022 and measures to improve air quality, has been approved by Defra. Air quality levels across all monitoring sites around the Borough remain below the annual air quality objective for nitrogen dioxide.
17. Following on from the 'Care for Clean Air' campaign funding has been applied for as part of Defra's Air Quality Grant 2023 to 2024 which will award at least £6 million to Local Authorities in England. If the bid is successful, it is proposed to design and broadcast a radio campaign on the subject of engine idling, to improve public awareness, encourage behavioural change and to reduce vehicle emissions.

### **Planning Policy**

18. A successful Developer's Forum was held in October, which was attended by more than 60 people representing various interests, subjects included: Nutrient Neutrality, Net Biodiversity Gain and Local Nature Recovery Strategies. This event continues to be well received as a positive engagement with the development industry and a unique forum in the Tees Valley.
19. The Local Plan Annual Monitoring Report will be published before Christmas.
20. The Skerningham Garden Village Design Code Supplementary Planning Document has been adopted and is available on the Council's website. The promoters of the scheme have commenced consultation on the Skerningham Garden Village Masterplan.
21. Members may be aware that the Statutory introduction of Biodiversity Net Gain as required through the Environment Act has been delayed until January. However, this Council still requires Biodiversity Net Gain through its Local Plan policy in advance of the national introduction and planning applications are being carefully scrutinised.

### **Ecology**

22. Since starting her role at the end of July, the ecologist has been advising on many planning applications, from small scale developments to large scale projects such as at Blackwell Grange and the garden village at Burtree.
23. She has been out on-site with volunteer groups including members of DOVES, Friends of Snipe Pond, and Durham Wildlife Trust, to examine management practices on Local Wildlife Sites and nature reserves within the county. She has also met with myself at Skerningham for site walkovers.

24. She has also been working with members of the environment team, going on site to examine current management practices, and discussing future plans to work together to update the biodiversity management plans for our wildlife sites.
25. Work has commenced in conjunction with the other supporting authorities, Tees Valley Combined Authority, Natural England, and other stakeholders towards the Local Nature Recovery Strategy for the Tees Valley.
26. The ecologist has presented to a large audience at the Developers Forum in October 2023 on the subject of Biodiversity Net Gain; focusing on the basic of what it is and how it applies to developers, the legalities of implementation, and also the council's expectations when applying for planning. The feedback from the presentation has been very positive, with comments including that the presentation brought confidence back to developers regarding what is achievable with biodiversity net gain within their developments.

### **Estates and Property**

27. Planning permission for the remaining undeveloped part of the residential development at Neasham Road (Cell C) has now been granted and the sale to the Hurworth Gardens Ltd (the Council's JV with Esh homes) duly completed. Works to Cell C have now started and good progress with regards to site infrastructure is being made.
28. The sale of one of the remaining plots of land at Faverdale East Business Park to Jaymac Pallets recently completed and works to the site are well underway and expect to be finished at the end of March 2024 weather permitting.
29. Proposals to bring Plot 1 at Ingenium Parc forward for development remain in place and while discussions continue to be positive the timeline for delivery has slipped.
30. The sale of North Cemetery Lodge has now completed, and the new owner is keen to progress a planning application.
31. The proposed residential development and parkland restoration at Blackwell Grange is continuing through the planning application process with full stakeholder engagement.

**Councillor Chris McEwan  
Economy Portfolio**

**COUNCIL**  
**30 NOVEMBER 2023**

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**OVERVIEW OF ADULTS PORTFOLIO**

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**Purpose of the Report**

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

**Operational Services**

2. The Adult Contact Team continue to manage new referrals and are maintaining a small waiting list of people for a full assessment.
3. CQC have completed the 5 pilot inspections across the country, and we are awaiting the ratings for the Adult Social Teams in these areas. The service is currently completing the self-assessment document required by CQC as a baseline narrative. Once completed an executive summary will be shared.
4. The annual staff Health Check for 2022/2023 for the Adult Social Care Service has been completed. The Annual staff health check survey provided an opportunity for staff to feedback about how they felt the service valued them, their welfare and how could develop their professional practice and developments.
5. The survey produced many examples of positive and constructive feedback from staff with regards staff having a feeling of pride in working with, serving the Council and the community:
  - (a) 97% of staff felt they ***'Made a positive difference to people who use our services'***.
  - (b) 92.8% felt they ***felt confident talking to managers if working practices were feeling difficult or unsafe.***
6. There were 48% specific positive responses with a consensus that Darlington Borough Council is ***'a great place to work'*** and:
  - (a) Provides a caring culture.
  - (b) Both managers and colleagues are supportive
  - (c) Feeling valued as a staff member
  - (d) Good training opportunities
  - (e) Fantastic team spirit
  - (f) A sense of belonging
  - (g) Established and has a good reputation.

7. The outcomes from the Healthcheck will be shared via the DBC website and with Scrutiny Task and finish group in relation to understanding staff experiences through Covid.
8. On October 17 2023, Childrens and Adults Services held an award event at the Hippodrome for over 30 staff who had recently completed their first year of post qualifying experience, step up to social work, apprenticeships, experts in practice and practice educator courses. All received a certificate and as part of their continuing professional development they experienced two powerful drama performances from: Access27 and the cast and crew of Beyond Caring.

### **Commissioning and Contracts**

9. The outcome of the annual Quality Standards Assessment of Older People Care Homes has now been agreed and was presented to Scrutiny on 24/10/23. 16/19 Care Homes gained a maximum of 10 Standards, with 3/19 gaining 9 Standards and 0/19 Care Homes gained 8 standards or less. This represents a marked improvement on the assessment outcome of the 2022/23 assessment year. In 22/23, 13/19 had achieved the highest A Grade, whereas in 2023/24, 16/19 care homes have now achieved this level of grading.
10. The Commissioning and Contracts Team have worked with Finance colleagues to distribute funds from the Market Sustainability & Improvement Fund Grant in line with National grant conditions. The funds will support Darlington to make tangible improvements to adult social care services with a particular focus on improving market sustainability. A number of schemes have been identified to support the care provider market and Direct Payment recipients particularly during the forthcoming Winter period.
11. A programme of work has been established with the Integrated Care Board to review Intermediate Care Services commissioned by the NHS in line with the recently published National Guidance <https://www.england.nhs.uk/publication/intermediate-care-framework-for-rehabilitation-reablement-and-recovery-following-hospital-discharge/?s=03>. These services help people to avoid going into hospital or residential care unnecessarily and helps people to be as independent as possible after a stay in hospital. Intermediate Care Services play an essential role in the recovery and rehabilitation of people across the health and social care system and not only provide better outcomes for people but are also more cost effective.



## **Climate Change**

12. We have been working closely with the Climate Change Officer to develop key actions to support climate change. These include developing materials to share with people accessing social care services and using listening groups to consider how people can contribute to climate change.
13. Commissioners continue to review the contracts to support providers on the climate change agenda.

## **Darlington Safeguarding Partnership**

14. The Statutory Safeguarding Partners held an extraordinary meeting in September to consider a Safeguarding Adult Review (SAR) referral following a fatal house fire. Partners agreed it did not meet the criteria for SAR, however, should be taken forward as a Learning Lessons Review (LLR) and to commission an independent reviewer to lead the review.

**Councillor Anne-Marie Curry**  
**Cabinet Member with Portfolio for Adults**

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**COUNCIL**  
**30 NOVEMBER 2023**

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**OVERVIEW OF CHILDREN AND YOUNG PEOPLE PORTFOLIO**

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

**Early Intervention and Front Door**

2. During Q1 23/24 there has been a significant increase in contacts received into the Children's Initial Advice Team (CIAT). In total there were 2282, this being a 13.4% increase on contacts received during Q1 in 2022/23 and 30.3% increase on Q1 2021/22. This is to be expected from the implementation of the Prof Thorpe model that promotes a conversation being held between the social worker and the caller, rather than relying on a written referral, this model helps build relationships with partners and is effective in ensuring that conversations capture and explore concerns carefully so that the right service can be agreed upon.
3. Survey software (SurveyMonkey) is offered after every call and feedback is consistently very good with 100% of callers in Q1 23/24 reporting their expectations were met, the call handler was polite and respectful and important they believed their call would have a positive impact on the child and family. Of the contacts received into CIAT during Q1 23/24, 397 children were referred to social care and 365 Early Help Assessments (EHAs) commenced, during Q2 23/24 there is work ongoing to increase the number of external EHAs being carried out as during the pandemic many of the assessments that could have been led on by external partners were initiated by Building Stronger Families and the focus on working with partners to support them in initiated EHAs is a key focus for the rest of the year.
4. In terms of children who go missing and/or are at risk of exploitation, there was an increase in the number of missing episodes in May, this was in the main due to 3 young people who were missing more often than usual, the warmer weather during that month has an influence over children not returning to their family home or care arrangement as early as they usually would. All children and young people reported as missing are offered a Return Home Interview carried out by the Missing From Home Worker and this helps understand the reasons for the missing episode, identify risks and build on strengths to reduce episodes moving forward. The number of young people going missing and also deemed to be at risk of harm by way of exploitation has decreased and in part this is due to a reduction in missing episodes of 3 young people who in Q4 22/23 were missing more often.

**Building Stronger Families Service**

5. BSF Managers have met with the new regional lead for Daisy Chain and we now have a practitioner present at each monthly multi-agency event held at the Hippodrome.

6. This was well received at the last event, practitioners were able to give on the spot advice and resources around emotional regulation as well as sign posting to our universal and targeted group offers which includes Parenting workshops, sensory seekers etc.
7. Positive progress is being made in our relationship with health and some joint working is shaping nicely. We are looking to expand health clinics into other community venues that we utilise and health visitors attending our early years programmes on rotation providing advice and guidance to parents.
8. Staffing wise we are struggling but despite this we are maintaining our full offer of programmes and promoting attendance at these as much as possible.

### **Young People's Engagement and Justice Service**

9. The service are continuing to engage with **Turnaround**, which is a Government investment project to support Youth Offending services to provide earlier intervention to support young people to avoid the Criminal Justice System. The service remains on track and identification of families eligible remains constant via the referral route.
10. **Immediate Justice** – Immediate Justice pilot has begun, this is to be implemented with all cases referred from Civic Enforcement and Police (inc those eligible for Turnaround), contact to occur within 48 hours and a community reparation element to be part of the planned work. We are aiming to advertise for a reparation role and an intervention (Case Manager) role to meet the needs of this pilot, job adverts have been submitted but confirmation from PCC regarding funding meant there has been a delay in the adverts going live. The pilot itself has started, we are hoping to deliver despite the roles not being filled.
11. On the evening of Tuesday 19 September our Unaccompanied Asylum Seeker group and our young victim and vulnerable group were rewarded for their hard work in engaging with the Summer Activity Programme and received their awards. It was a wonderful evening to highlight success and the young people loved it!
12. Summer activities alongside the YMCA were very successful, with lots of young people engaged in activities over the course of the summer. We have recently invested in some fishing equipment and uptake for sessions has been high alongside our two workers who are competent in the activity. There have been numerous days spent fishing with some real big fish being caught! Whilst this programme is coming to an end due to the weather, due to its success, it will be an activity that will be offered in the new year given the interest from the young people.

### **Safeguarding Assessment and Care Planning including Children with Disabilities**

13. 226 referrals, involving 397 children were started in Q1 2023/24. This is an increase compared to the 192 referrals for 324 children in Q1 2022/23 and a further increase when compared to earlier Q1's – 99 referrals for 179 children in Q1 2021/22 and 114 referrals for 204 children in Q1 2020/21. Analysis has been conducted to understand the continued rise in referrals. The analysis suggested that a reason for the increase referrals is likely due to the increase in 'violent' concerns identified in the contact. These types of contacts are more likely to progress to a referral due to the increased risk to the child.

14. Analysis of the North East ADCS Benchmarking report 2022/23 informs that our referral rate per 10,000 saw a sharp increase in 2022/23. However, for the last 5 reporting years Darlington has been consistently below all benchmarking measures. The North East rate of referrals at the end of 2022/23 (664.8) is 3.2% higher than in 2021/22. The regional rate of referrals was 4.2% higher than in pre-Covid 2019/20 (638.2). Darlington sits at 4th highest out of the 12 authorities for 2022/23, although physically we have received the least number of referrals. 7 of the 12 authorities have seen an increase compared with 2019/20. Darlington has the 2nd highest percentage of referrals being received from the Police, with only Durham above us who share our Police force area. The primary presenting issue at referral was domestic violence.
15. We have continued to see an increase in re-referrals this quarter in comparison to previous years with 86 children from 53 families. In Q1 2022/23 we saw 52 children from 24 families re-referred, 18 children in Q1 2021/20 and 35 children in Q1 2020/21. Service managers review the re-referrals each month to identify any reoccurring theme or how we can improve our processes and decision-making to reduce the need for families to come back into our service.
16. 412 C&F Assessments completed in Q1, which continues to be an increase on past data trends. This figure continues to be impacted by delayed assessment completion within the Assessment & Safeguarding Service as work to write up and close off these assessments continues.
17. 67 children went on to have a Child In Need plan, 8 children proceeded to a strategy meeting, 85 stepped down to BSF/Other actions and 252 concluded C&F as No Further Action. A NFA C&F review meeting is being Instigated up so this can be further explored and understood on a regular basis.
18. Significant efforts to reduce out of date work has been completed locality teams and work remains ongoing with the localities. Service Managers oversight continues to be in place around caseloads, workflows and timeliness of work being completed to ensure delay does not continue to grow in this area.
19. 285 children were on an open CiN plan at the end of Q1. 108 children had their CiN plan started within Q1 and 89 children's CiN plan ended. There is good flow through CiN processes for children with timely interventions with 71.2% of children having their plan in place for less than 1 year.
20. 17.9% of CiN plans are Children with Disabilities who remain eligible for continued support from the team. Eligibility is reviewed a minimum of 2 x per year to ensure good oversight of these plans remain in place and plans are supporting development and independence.
21. 162 strategy discussions were started in Q1 2023/24 involving 274 children, and 4 children had a strategy whilst on an open CP plan. Over the past 3 years we have seen a continued rise in the number of strategies held with a further rise this quarter when compared to 92 strategy discussions (for 156 children) in Q1 2022/23, 79 (for 128 children) in Q1 2021/22, 64 (for 134 children) in Q1 2020/21.

22. An increase in the number of strategy discussions undertaken and an increase in those outcome as 'no further action' has prompted some further scrutiny of our process. Funding has been secured through the Sector Led Improvement program to commission and independent review.
23. 28 Initial Child Protection Conferences (ICPC) were held in Q1 2023/24 for 47 children, which is an increase when compared to Q1 2022/23 which had 12 ICPC's for 28 children, but comparable to Q1 2021/22 (29 ICPC's) and Q1 2020/21 (25 ICPC's). Although we have not seen a percentage rise in section 47 enquires outcoming to an ICPC, we have seen an increase in referrals and those requiring a strategy and section 47 enquiry which would result in this increase compared to last year.
24. 89.4% (42 / 47) of children who had an Initial Child Protection Conference (ICPC) in Q1 2023/24 became subject to a Child Protection plan (CP). This is comparable to previous quarters.
25. 109 children were subject to a Child Protection plan at the end of quarter one. This is broadly similar to the numbers in June 2022 but our rate per 10,000 population remains below that of our statistical neighbours at 49.
26. 45 children and young people came into our care in quarter one; 2 UASC, 7 Placed with Parent, 8 residing with Connected Carers, 8 residing in foster care, 1 Mother and Baby placement and 19 in unregulated family placements.
27. Our commitment to family placements is further evidenced by the 18 children who ceased to be in our care due to a Special Guardianship Order or returning to the care of their parents.
28. 2 children were placed for adoption in Quarter one.
29. Arrangements for transferring young people from our Children with Disabilities team to Adult Social care are increasing well embedded through the TASC panel process and young people are starting their preparation for adulthood at an earlier stage. Ongoing scoping exercise to broaden the scope to be a preparation for adult pathway for the wider SEND population.
30. The Locality model of working for the Assessment and safeguarding teams is now in place and functioning well. The team managers have begun to develop links with their local Secondary schools. The demands on the teams are constantly reviewed and boundaries adjusted accordingly
31. The Assessment and Safeguarding teams now have a dedicated office space within the town hall, and duty colleagues from Children with Disabilities and the Family Group Conferencing team are co-located with them. This has helped to support team morale through the continued increases in demand.

#### **Looked After and Care Leaver statistics**

32. All children in our care have an allocated social worker.

33. At the end of June 2023 we had 343 children in our care. 17 of which were Unaccompanied Asylum-Seeking Child. This is an increase of 21 children since April 2023
34. 25 children also ceased to be cared for with these belonging to 20 families during this period with the children returned home. Also 4 children were adopted, 3 children became subjects of a Special Guardianship Order SGO and 1 child became a care leaver by virtue of age (turning 18 years old)
35. There has been an increase in Increase in Stat visits recorded in timescales from previous quarter to 86.3% (n Last Q 83.5 %)
36. Numbers of moves ie 3+ in the last 12 months has increased slightly to 13.7% of the looked after children population when the target is less than 10% and also the amount of children we care for who live more than 20miles away from home has decreased slightly to 11.6% when we aim for no more than 10%.
37. We have 16 young people living in unregulated provision at this time the majority being older 17+ un accompanied asylum seekers. We have 2 young people who are aged 15-17 years placed with Moonrise and are court ordered to meet there needs. This is an increase by 1 from last Quarter
38. **Dental** for our UASC now resolved they are registered the smile clinic at Shildon. However some of our looked after children continue to be on a waiting list for NHS registration. To date only 38.5% of our Children have had a dental check up completed which is on target.
39. **Education** attendance remains good and on target for primary 95.5% down 0.5% and Secondary almost 81.6 % up by 0.01%. However, 15 children in our care were suspended for 122 sessions a total of 61 days over 36 incidents of these 86 were females and 36 were male pupils

### Care leavers

#### Accommodation

40. 98.4% (remains the same as previous Quarter) of our care leavers aged 19-21 and 95.2% of our care leavers aged 22-25 were in suitable accommodation at the end of June 2023. This was due to 4 young people ( 1 aged 19-21, and 3 aged 22-25 ) being in custody.
41. 13 young people, aged 19-21, were engaging in education at university and 33 young people were in training or employment.
42. We know all YP who are not in training and education and reasons around this. For example, poor mental health or parenting children NEET figs are 19% for 19–21-year-olds which is well below the target of a maximum of 30% for this age group. This is achieved by knowing our children and supporting them into training and employment when at all possible. Each young person has shared the reasons why if this cannot happen. This is reviewed monthly in supervision with the Team Manger. We are in touch with all our Care Leavers.

### Fostering and Supported Lodgings

43. Foster carers consultation have continued with carers advising of an increase in satisfaction in service and carers feeling their voice is heard and management following through on actions. Evidence makes clear that children and young people who are looked after by Darlington's foster carers and in our residential homes tend to experience longer

and more stable placements than those offered by external agencies – it is vital that we support our foster carers who deliver a caring and dedicated service.

44. Work has commenced in increasing the financial offer for Darlington's Foster carers recognising increase in cost of living. It is our ambition to use the increased financial incentive to increase numbers of our in house foster carers.
45. Since 11 January 2023 we have worked with support from Blue Cabin on a music project for toddlers titled "This is the Place". The project is aimed at supporting foster carers and pre-school children to engage in making music together to help develop skills and relationships. Blue Cabin is in a phase of evaluation which we are awaiting. Foster Carers have fed back the sessions have allowed them to build relationships with fellow carers which in turn has opened their support group. Carers also report the sessions have supported babies and toddlers to regulate and build attachment through music. Carers have continued to use the songs and music therapy outside of the sessions. Blue Cabin are preparing music bags for all cared for children in Darlington aged 0 -3, this will support the music making sessions with instructions on how to use sensory items and songs.
46. Mockingbird continues to offer stability of placement for our cared for children. The constellation meets monthly for social events and biweekly coffee sessions are offer to carers. Feedback from the constellation "without the Hub Carer and other carers in Mockingbird, I would not have a support network and I don't think I would have continued as a foster carer". Work is commencing to launch a second constellation in February 2024.
47. We await a decision on our expression of Interest to the Youth Music Catalyser fund for a joint partnership between Darlington, this is The Place and Redcar & Cleveland for a 3-year period 2024-2027. This bid is for a total budget of £295k to continue to offer weekly music session to toddlers and young people, offer each young person a bag including instruments and music to use outside of the sessions and offer music sessions to our wider care for children during school holidays.
48. We received 19 Fostering enquiries in Q.1, 7 through social media, 3 as a result of events the team attended, 2 words of mouth, 2 via website. 11 of these enquiries received inside LA Boundary.
49. We continue to contribute to the creation of Foster with Northeast; this is a collaborative partnership between 12 local authorities from across the Northeast of England. Fostering services all across the region are joining forces to recruit much-needed prospective foster carers. For the first time, anyone considering fostering in our region will benefit from a united, single support hub. The hub provides additional support for prospective foster carers and is supported by the Department for Education.

## **Residential Services**

50. All of our children's homes, Eldon Street, Dunrobin and Gilling Crescent, are at full capacity with three children placed in each home with no planned or emergency admissions.
51. Harewood Hill Lodge provides short break care for Children with additional needs and had 67% % of beds occupied with 19 nights utilised by children from other authorities which generates income. Eldon staff and young people moved to new home Lancaster Close on 29 June 2023. Eldon will repurpose into CEDARS which will offer short breaks and emergency provision for our young people from Friday to Monday am. From the most recent Ofsted grading, all our mainstream homes have been graded as Requires Improvement and HHL has been graded Good. Of note are the improvements Dunrobin has made rising from inadequate last year. Multi agency work hs seen a significant decline



in the number of children missing 5 children had 27 missing episodes from our 3 mainstream homes. In the same period as last year, 8 children had 271 missing episodes.

52. Harewood Hill Lodge was inspected by Ofsted on 22 and 23 November 2022 and maintained their grading of Good. No assurance visits have taken place.
53. Gilling was inspected by Ofsted on 12 and 13 May 2023 and gained the grading of Requires improvement to be Good. An assurance inspection on 8 March 2023 identified no safeguarding concerns, we do not receive gradings on assurance inspection.
54. Dunrobin was inspected by Ofsted on 29 and 30 November and has gained the grading of Requires improvement to be Good which is an improvement on the grading of inadequate from their last inspection.
55. Eldon was inspected by Ofsted on 23 March 2022 and has gained the grading of Requires Improvement to be good. An assurance inspection on 7 March 2023 identified no safeguarding concerns.
56. Eldon Street, Dunrobin and Gilling staff continue to receive Dyadic Development Psychotherapy training delivered by Leon Crook and Alan Welsh. Dyadic Developmental Psychotherapy is a form of psychotherapy that can help form and repair connections and attachment between children, young people and their parent/carers. Monthly support sessions are diarised to support staff to reflect on interactions with our young people and implement the basics of PACE (Playfulness, Acceptance, Curiosity and Empathy). Alongside this work, training is being delivered to all homes focusing on relational practice, and supporting strength-based case notes which are recorded to the young person.

### **Family Group Conferencing**

57. 28 Family Group Conferences (FGC), seven reviews and two emergency network meetings were held in Q.1 2023.
58. At the end of Q.1, 81 children from 40 families were open to FGC and 60 families were closed. 28 of the 60 (46.7%) families who closed to FGC did so following the completion of all interventions, seven (11.7%) reported their concerns had been resolved prior to the conference, 12 (20%) withdrew consent and 10 (16.7%) conferences were stood down. Two families (3.3) closed due to non-engagement and one child (1.6) entered care 1 child came into care.

### **Keeping Families Together &**

59. 38 children from 21 families had a KFT episode started in Q.1. 31 children from 17 families were closed.
60. 24 requests were made in Q1, only 1 of which was declined at panel, this was due to not being deemed edge of care, with 66.7% (16 / 24) of requests discussed within timescale. The reason for the delays were due to KFT capacity and social worker availability.
61. 45 reviews were conducted, 82.2% (37 / 45) of which were within the 2-week timescale.
62. 153 children were seen through 67 home visits and direct work was completed with 234 children and 141 adults.
63. KFT duration of support in Q.1 was 718 days. This is a slight reduction on the same period last year, this is a result of the team being asked for short pieces of work which have not required 12 weeks of support.

## Education

64. Wyvern Academy was inspected by Ofsted in the summer term 2023 and was judged a "Good" school. Inspectors recognised that Leaders have achieved their ambitious vision of giving the community the school it deserves, and that Wyvern Academy is a place where pupils are happy, safe and learn well.
65. Corporation Road Academy was recently inspected by Ofsted and was judged to be a "Good" school with outstanding features. Inspectors recognised that pupils are very proud of their school and its community and that the school has high expectations for all. Staff and pupils embody the school's virtues of 'kindness, respect, resilience, honesty, independence and courage' and the school's exceptional personal development curriculum enables pupils to become well-rounded individuals.
66. Harrowgate Hill Primary school was recently inspected by Ofsted and judged to be "Requires Improvement." The leadership of the school has put plans in place to ensure that the curriculum development is fully realised. Officers will work closely with the school's leadership team to support the improvement plans they have in place.

## Youth Unemployment

67. The Darlington 18-24 year old claimant count has risen slightly from 7.3% (545 young people) in June 2023 to 7.4% (555 young people) in August 2023. This compares with the North-East average which has also risen by 0.1% to 6.0%, and the national average which also rose by 0.1% to 4.9%
68. The figures for the Tees Valley were as follows:

Hartlepool	10.1%
Middlesbrough	8.5%
Redcar and Cleveland	8.2%
Stockton -on-Tees	8.0%
Darlington	7.4%

## Youth Employment Initiative (YEI) and other employability programmes

69. Since that start of the YEI programme at the end of May 2016 up to the end of July 2023 the programme supported 1,363 16-29 year olds. Of the 1,363 participants 1,334 (97.9%) of those progressed into employment or training and 790 (58.0%) of those who started the programme were still in those destinations six months later.
70. The DWP/ESF external funding for the YEI programmes ended on 31 July 2023. However, funding was put in the MTFP to continue this programme until 31 March 2024. Beyond that there is currently no funding available to continue this programme.
71. Unemployed young people will still be able to access other Department for Work and Pensions (DWP) programme, such as Restart operated by People Plus in Darlington.
72. In conjunction with the other Tees Valley Authorities, Darlington has secured UKSPF funding from TVCA to deliver an employability programme for all ages. Funding for that programme is targeted at those who are economically inactive and are; early retirees aged over 50, those looking after the family or home, or those who are short-term sick (under

12 months). That funding will run until 31 March 2025. It is hoped that a couple of the YEI staff will be redeployed onto that programme. It should be noted that the Department for Work and Pensions (DWP) has also refocused their efforts more towards getting early retirees back into work to fill the current skills gap.

### **Children's Commissioning and Contracts**

73. The voice of Darlington Young Carers and their parents has directly shaped and developed an updated Service Specification for the Young Carers Support Service ahead of a service re-tender which commenced at the end of October. New contracting arrangements will take effect on 1 April 2024, service mobilisation arrangements are being overseen by Children's Commissioners. This will ensure there is continuity of support of Young Carers and the service continues to develop and progress in line with needs and requirements of Darlington Young Carers.
74. Work has been undertaken with the Council's Housing Services and local Registered Providers to maximise the number of units of Care Leavers accommodation to be used as preparation for adulthood taster accommodation. Through this work, an additional 3 units of accommodation have been secured which will be available for use by the Looked After Through Care Team by January 2024.

### **Darlington Safeguarding Partnership (DSP)**

75. The Statutory Safeguarding Partners met in October and were provided with a draft report on the findings of the Family H Local Child Safeguarding Practice Review (LCSPR) and proposed recommendations. Partners agreed to accept the report and recommendations. The findings and learning from this review will be published once the report is finalised.

**Councillor Nick Wallis**  
**Children and Young People Portfolio**

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**COUNCIL**  
**30 NOVEMBER 2023**

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**OVERVIEW OF HEALTH AND HOUSING PORTFOLIO**

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**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:-

**Public Health**

2. This summer was the third year of the outdoor activity programme which is commissioned by the Public Health team to provide opportunities for young people aged 7 – 12 years to experience a fun activity session in a 16 different local parks or other green space near where they lived.
3. The evaluation of the programme showed that 828 individual young people attended these sessions that got them moving, thinking, and interacting, with a total of 1,656 hours of physical activity across the summer.
4. Feedback from the young people, parents and carers showed that they had all enjoyed taking part in the different activities, making new friends, and being outdoors. Most of them said that they had enjoyed it so much they would want to do it again.
5. With winter fast approaching and the pressure on NHS and social care services increasing it is vital that we don't become complacent in the ongoing risk posed by common infections such as 'Flu and COVID-19. It is important for those who are eligible to top up their protection, even if they have had a vaccine or been ill with flu or covid before, as immunity wanes over time and these viruses change each year. People are able to check their eligibility and book their jabs, through the NHS website, the NHS App or by calling 119. Those who are housebound should have been contacted directly for arrangements to be made.
6. The impact of suicide is devastating for families, communities and people involved in someone's care. I opened Suicide Awareness and Prevention Conference in Darlington in October which aimed to get a commitment from partners to develop and implement a multi-agency suicide prevention plan for Darlington. This would focus on supporting those bereaved by suicide, tackling stigma and identifying and reducing the risks in Darlington.

**Health and Well Being Board**

7. With the Interim Director of Public Health, I have been planning the next meeting of the Health and Wellbeing Board, which will take place on 14 December 2023. The focus of the meeting will be on agreeing priorities for refreshing the Darlington Health and Wellbeing Plan. The meeting will provide a forum for leaders and representatives from across the

health and care system to contribute to the development of a strategic plan to improve the health and wellbeing of our local population and reduce health inequalities.

## **Housing Services**

### **HomeSearch**

8. Progress on our new HomeSearch allocations system continues, with 1,061 households now registered on the new system as at the end of September and able to bid for properties. This includes 235 people in the highest priority banding (band 1). The number of people applying to be registered on HomeSearch has started to decrease, with 387 new applications received in September, compared to 1,130 in the first month after we went live.
9. The highest areas of demand we are seeing are in Bank Top and Lascelles ward (110 registered applicants), Park East ward (102 applicants) and Eastbourne (79 applicants)..

### **Housing Income**

10. For the first two quarters of 2023-24, our Housing Income team had collected £14.8m in rent and represents 98.8% of the rent due (compared to 97.3% in 2022-23), which is a fantastic result. This is the most we have collected for this period and compares with £13.6m for the same period in 2022-23.
11. As previously reported, the Northumbrian Water tariff income was the most we have ever received, helping 1,474 of our tenants with a total award of £265k.
12. We have more working age tenants receiving Universal Credit than we do receiving Housing Benefit, and this will only continue as migration for customers from legacy benefits to Universal Credit continues. However, average rent arrears for tenants receiving Universal Credit stands at around £400, which is less than five week's average rent (remembering that people have to wait five weeks for their first payment of Universal Credit, which is paid in arrears).
13. Our rent arrears currently stand at £641k, which is at the lowest level for the past two years. Our Housing Income team continue to support our tenants through these financially challenging times, whilst taking firm action against those who deliberately avoid paying their rent.

### **Support for people leaving prison**

14. As part of the Rough Sleeper Initiative bid for the North East, we are now able to access the services of a prison support worker, who is employed by Stockton Borough Council. This worker will provide support to prison leavers who are intending to return to the Darlington area. Work will include undertaking a homelessness assessment and providing information to our Housing Options team.

15. The intended outcome is that we will be prepared for those people leaving the prison system and they will have a Housing Options officer working with them prior to leaving prison. Ideally, this will mean more planned discharges into accommodation, with less unplanned homeless presentations to the team.

### **Dolphin Centre and Hummersknott Academy - Sport England Swimming Pool Support Fund**

16. The government's Swimming Pool Support Fund (SPSF) provides a total of £60 million to local authorities in England as a support package for public leisure facilities with swimming pools.
17. SPSF was split into two phases.
  - (a) Phase one: revenue funding was available to support facilities with swimming pools with increased cost pressures, leaving them most vulnerable to closure or significant service reduction. Hummersknott Academy applied for phase one funding, however, this application was unsuccessful.
  - (b) Phase two, a capital investment fund is available to improve the energy efficiency of public facilities with pools in the medium to long term. The Dolphin Centre has applied for £1,006,041 towards new PV panels, pool covers, improved LED lighting, new windows, installing a new CHP system and upgrading the roof for the PV panels. This will support the current capital project investment if successful.
  - (c) Hummersknott Academy have applied for £160,000 for new lining, drainage channels, improved LED lighting, micro filtration, and new variable speed pumps for their pool. We anticipate the outcome of the bid early in 2024.

### **Eastbourne Sports Complex Capital Project**

18. Eastbourne Sports Complex Capital project is near completion. The UK track mark standard athletics track, and additional stadia artificial grass pitch, opened in September 2023. The new reception area, changing facilities and improved car parking facilities are due for completion in late November 2023 and an official opening will be arranged. This project will strengthen the current community delivery and will further develop the Eastbourne Sports Complex Facilities to be accessible for a wide range of new community groups and partners.

### **Firthmoor Community Centre Multi Use Games Area**

19. The new Multi Use Games Area has now opened at Firthmoor Community Centre. The new facilities were funded by The Football Foundation and s106 funding contributions in partnership with Firthmoor Community Centre and supported by the Darlington Move More Team. This investment will contribute to the facilities for the residents of Darlington, providing sport and physical activity opportunities for a wide range of community partners and new participants.

### **Haughton Matters Project**

20. The project has recently been successful in securing £6,690 from Sport England Small Grants funding with the support of the Darlington move More Team. The activities are being evaluated and from November onwards the provision will slightly change, giving each session the best chance to be sustainable and offer even more variety of activities for the residents.

**Councillor Matthew Roche**  
**Cabinet Member with Portfolio for Health and Housing**



**COUNCIL**  
**30 NOVEMBER 2023**

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**OVERVIEW OF LOCAL SERVICES PORTFOLIO**

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

**Climate Change**

2. Work is progressing to explore a town centre Car Club for residents, business and visitors. The availability of a town centre Car Club could deliver against a wide range of objectives, including achieving net zero targets through the use of electric vehicles and reducing parking pressures and congestion in the town centre.

**Local Transport Plan (LTP)**

3. In March this year, Cabinet approved the LTP programme of works for 2023/24, investing £3.5M in our transport network, including maintenance schemes. Below is an update on delivery of the LTP:
  - (a) Officers are reviewing responses to safe routes to school consultation at Hurworth School and St. Augustine's Primary School.
  - (b) Design work is progressing for safe routes to school schemes at Abbey School, Hurworth Primary School and Reid Street Primary School.
  - (c) Officers are reviewing the current town centre cycle parking provision, with a view to making improvements enabling parking to be safer and ensuring that supply is adequate and appropriate for use.
  - (d) Design work is nearing completion for a link forming part of the 26-mile Stockton and Darlington Railway walking and cycling route. The section runs in between the railway line and the A67 between both Mill Lane roundabouts on the A67 near Middleton St. George.
  - (e) Temporary bus stops are being installed on the route of service 6/6A in Hurworth and Middleton St George, to reflect two-way operation.
  - (f) Woodland Road Phase 1 (Local Cycling and Walking Improvement Plan (LCWIP)). Work commenced on the Duke Street section of this scheme on 26 February 2023 with the work split into seven phases of work to minimise disruption to businesses. The scheme opened in October 2023, with some minor works still to complete. Officers, including our Darlington Travel Advisors, are working with the Sustrans Active Travel Hub to ensure that relevant local groups are familiar with the new route from Woodland Road to Duke Street, through guided rides, linking in with Learning and Skills.

## Highway Maintenance Programme

4. Highway Maintenance Schemes on site:
  - (a) A67 Merrybent (Phase 3): Carriageway Reconstruction (0.426km)
  - (b) C39 Walworth Road, Heighington: Carriageway Recycling (0.668km)
  - (c) Unclassified Priestgate / Prebend Row: Carriageway Reconstruction (0.227km)
  - (d) B6279 Staindrop Road: Carriageway Patching (0.323km)
  - (e) Unclassified Coombe Drive: Carriageway Patching (0.534km)
  - (f) C34a Lime Lane: Carriageway Reconstruction (0.585km)
  - (g) Unclassified Bates Avenue: Footway Refurbishment (0.108km)
5. Highway Maintenance schemes due to start:
  - (a) C71 Houghton Bank, Heighington: Drainage Repairs/Carriageway Reconstruction (0.188km)
6. Highway Maintenance Schemes completed:
  - (a) Parapet Upgrades: Safety Kerb/Guardrail installation (seven sites)
  - (b) C38a Neasham Road (Phase 2): Carriageway Reconstruction (0.320km)
  - (c) Unclassified Burnside Road (Phase 2): Carriageway Construction (0.440km)
  - (d) Unclassified Barnes Road (Phase 2): Carriageway Reconstruction (0.406km)
  - (e) A167 Feethams Avenue: Carriageway Reconstruction (0.174km)
  - (f) Carriageway Micro Asphalt Contract: 31 sites (5.595km)

## Bus Services

### Bus Service Improvement Plan (BSIP+) New/Enhanced Services

7. TVCA is progressing with the procurement of BSIP+ funded service enhancements. Operators have been invited to submit tenders to operate these services with a deadline of 20 October. Officers from DBC will assess the tenders with colleagues from TVCA. TVCA's timeline estimates that if tenders are acceptable then new services could begin operating in January/February 2024. The Darlington services out for tender are below:
  - (a) Service enhancements in West Park  
This proposal seeks to restore the link to the hospital via an alternative route that also serves the rapidly growing residential and retail developments at West Park Village. TVCA has been instructed to ask for costs for extending the service Monday – Saturday daytimes with options for evenings and Sundays.
  - (b) Lingfield Point/Allington Way  
Arriva withdrew from Lingfield Point in April 2023. TVCA has asked for expressions of interest to restore this lost link and to better align services to shift patterns of key employers on the site.
  - (c) The Tees Valley Combined Authority have been given an indicative allocation of £3.851m from government to deliver against the priorities of the Bus Service Improvement Plan in 2024/25.

### **Electric Vehicle Charging Points (EVCP)**

8. TVCA are currently producing a region-wide Electric Vehicle Charging Delivery Plan. The final draft is expected imminently and will be shared with members. This Delivery Plan will enable officers to seek approval of a policy for Darlington for provision of electric vehicle charging infrastructure. A number of internal working groups have been set up within the Council in readiness for this and the subsequent infrastructure roll-out required.
9. DfT allocated TVCA tranche 1 of the Local Electric Vehicle Infrastructure fund (LEVI) which requires an application form and draft procurement documentation to be submitted by 30 November 2023. DBC officers are working with TVCA on the submission which will allow on-street charging facilities to be provided in areas of high demand for those residents who do not have off-street parking available.

### **Town Centre Transport**

10. In July 2023, parking charges were reintroduced in council-operated car parking facilities following the end of funding on 1 July 2023 that was agreed by the previous Council Administration. While there remains too little data to draw a conclusion about the full impact of parking charges on patterns of use in the town centre, below is an update on recent activity:
  - (a) The number of pay and display tickets issued has remained consistent through July to October 2023. The total number of parking tickets issued is lower than in the corresponding period in 2019 but usage of the Feethams Multi Storey Car Park has increased.
  - (b) The income from parking ticketing in all months since the reintroduction has exceeded pre-offer years.
  - (c) Current data suggests that the average length of stay in council-operated parking areas has increased.
  - (d) Since the reintroduction of parking charges, the number of people boarding buses in the town centre is up 10 percent compared to the same period in 2022.

### **Head of Steam**

11. Following funding received from Making a Mark, Head of Steam's 'Museum on the Move' engaged with 542 children and over 100 parents and visitors with the Traveller Living Wagon, which visited St Teresa's Catholic Primary from 26 to 28 September. This work was carried out in collaboration with the Council's Traveller Education and Achievement Team, schools, a storyteller and Salford City Council Ethnic Minority and Traveller Achievement Team, who built the wagon. Workshops were delivered to visiting schools to share Traveller heritage with children, to promote understanding between Travellers and non-Travellers in Darlington. Making a Mark is supported by the National Portrait Gallery, funded by Department for Education and is part of the Arts Council's Museums and Schools initiative.

## **Hopetown**

12. Hopetown has been launched as the new name for the Rail Heritage Quarter project. This is a massive investment in Darlington's visitor economy that celebrates our rail heritage. The project is set in a massive 7.5-acre site encompassing the refreshed Museum alongside new and restored heritage buildings.
13. The Hopetown name and brand identity, launched on 26 October and has been developed by the Railway Heritage project team with support from external brand specialist Hemingway Design, led by Wayne Hemingway. The name Hopetown will be accompanied by a flexible visual identity, featuring a range of straplines, a palette of nine colours and several rail-inspired fonts (which come together in the logo), and will help to drive 300,000+ visitors annually to the attraction.
14. Consultation on the brand included a series of 1:1 interviews, group workshop sessions and high street surveys across the region as part of the preparatory work for the Stockton and Darlington Railway 2025 Celebration. The development process also took on board consultation carried out to inform the overall 'grand narrative' for this project during October 2019, with participants including rail heritage organisations, businesses and higher education institutes, primary and secondary schools, people not in employment, education or training (NEETS), local authority representatives, arts and community organisations, and Darlington Association on Disability (DAD).
15. Hopetown is more than rail heritage facility. This family visitor attraction will encompass the former Head of Steam (renamed "North Road Station Museum"), and will include an exhibition hall for blockbuster exhibitions, a 4D virtual reality time travel ride, an adventure playpark, a café, shop, and events space for festivals as well as onsite partners including the A1 Steam Locomotive Trust, North Eastern Locomotive Preservation Group (NELPG) and Darlington Railway Preservation Society (DRPS).
16. We are at the start of our journey getting ready to welcome visitors to Hopetown next year and activity will build up under the new brand. A holding page has been launched at the URL [hopetowndarlington.co.uk](http://hopetowndarlington.co.uk) to help with search engine optimisation and data capture. Since the name and visual identity were launched, there have been over 300 new sign-ups to the email database and more than 1000 new followers on social media. Work is underway to further raise awareness of the new attraction through both digital and traditional channels, including the rail heritage press and destination marketing organisations. Marketing activity is being tailored to appeal to the different core audience segments such as facilities and rail heritage enthusiasts. Meetings have been organised to further brief Members and Rail Interest Groups as part of the development and promotion of the brand.

## **Darlington Hippodrome**

17. A busy autumn programme got underway at the Hippodrome, with the theatre presenting West End Musicals 'Heathers' and Gary Barlow & Tim Firth's 'Calendar Girls The Musical'; a re-imagined Frankenstein also received great reviews in October. In addition, two large theatre hires from Darlington Operatic Society ('Footloose') and Sandra Welsh School of Dance, offered audiences the opportunity to watch home grown talent.

18. During October half-term the Hippodrome hosted a 'Curious Takeover' event in partnership with Curious Arts. The free family event offered creative activities for all the family, with costs supported by the theatre's Place for Everyone Fund and Arts Council England.
19. The eclectic programming of the season supported the theatre to reach a younger age demographic, providing a pathway to the next generation of audiences.

### **Libraries**

20. Crown Street Library reopened on Saturday 9 September following a major capital investment to restore the beautiful 1885 building. The project focused on carefully restoring heritage features, while updating and modernising facilities to improve access. More than 5,000 people visited the updated Library in the first week, engaging in a range of activities, and visitor numbers have remained between 4000-4500/week.
21. The result of the project is a majestic space with light flooding in through the glass skylights in the roof throughout. The Children's Library has an enchanted forest theme to capture the imagination with performance space incorporated. The Hive offers a modern, vibrant area for people to meet and collaborate, with a full complement of technology to support learning. The Study provides a place to work in comfort, while the Centre for Local Studies offers access to the Town's archive and expert knowledge to support this. Crown Street Gallery offers the chance to view works from the Borough Collection as well as other artists.
22. The building will be the base for an 'engagement led' approach from the Library Service going forward, with a strong programme throughout the year for residents.

### **Creative Darlington**

23. Kay Greyson delivered a fully booked 'BIG Little Gig' in Darlington Library on Saturday 14 October. The event was promoted by Tracks Darlington, during Black History Month with Darlington Borough Council's Heritage & Culture Fund budget and with support from Darlington Library. BIG Little Gigs offer opportunities for families with young children to enjoy live music across a range of genres. A ticketed 'Hark! The Sound of Stories' event, featuring live bands alongside readings, addressing the themes of Halloween and spooky stories was held at Darlington Library on the evening of Friday 27 October.
24. Steve Bainbridge's Splendour of Steam exhibition, which ran from Saturday 9 September to Thursday 2 November included some works that were sold and saw the artist create new work while in the gallery. Exhibitions by other artists celebrating and exploring railway heritage are programmed for September 2024 and 2025.
25. A new exhibition by Leanne Jackson, bringing together three years of work exploring themes from femininity and relationships to loneliness and aging, opened for display at Darlington Library on Saturday 4 November and will run until Wednesday 13 December.

26. Tees Women Poets held three adult workshops at Darlington Library on Saturday 11 November, Saturday 25 November and Saturday 9 December, each led by a different writer. Workshops covered themes including writing other people's stories, writing characters from factual sources and writing playful poetry stories, as part of a three-year programme which has received Arts Council England Project Funding support, with Darlington Borough Council Heritage and Culture Fund budget support.

### **Town Centre Partnership and Events**

27. A new video showcasing Darlington to attract new businesses to the town has been received positively, with over 30,000 views across all social media channels.
28. A mobile app has been launched with support from Brightwater and Heritage Lottery Fund. The 'Historical Trail' app is accessible and will continue to adapt, with the flexibility to add new trails specific to a topic, accompanied by text, visuals and audio.
29. To attract footfall and encouragement movement around the town centre, a trail was programmed in conjunction with the Trolls movie launch on 21 October, and during half term Halloween-themed characters were positioned around Darlington for visitors to find. The animations were designed to encourage people to visit and explore areas and shops in the town centre.
30. To celebrate the Diwali Festival of Lights on Saturday 11 November, an artist was commissioned to work with five schools to make lanterns. This was the first year of a lantern parade in Darlington to showcase this celebration and the Events team will look to further develop this going forward. Darlington College also worked on the event and lanterns created by the students were on display in windows along the parade route. The lanterns for Diwali utilised LED battery powered lights and were not released into the air.
31. The Christmas Lights Switch On was programmed for Sunday 19 November, attracting thousands of visitors to the town centre. The popular annual event is supported by Darlington Round Table who bring Santa's Sleigh to the event.

### **Environmental Services**

32. Following success in Northumbria in Bloom, Darlington was invited to represent the region in the RHS Britain in Bloom Awards in the 'Business Improvement Districts/Town Centres and City Centres' category. Darlington was successful once again and awarded Category Winners and Gold in the national awards.
33. The Winter maintenance season commenced on Monday 2 October, with all teams prepared and ready to undertake duties as required.

**Councillor Libby McCollom**  
**Local Services Portfolio**

**COUNCIL**  
**30 NOVEMBER 2023**

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**OVERVIEW OF RESOURCES PORTFOLIO**

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

**Digital billboard**

2. The digital billboard adjacent to Feethams roundabout is owned by Darlington Borough Council. To date it has been used to display adverts for services associated with Darlington Borough Council.
3. The process for managing the billboard content is now established and embedded. The Council will continue to use the billboard to advertise its services, but there is an opportunity to sell some advertising slots to external organisations in order to recover the costs of operating the billboard. A 6 month trial of this arrangement will commence in the coming months, with the ambition to implement a permanent offer thereafter. Further details of the offer will be published on the Darlington Borough Council website.

**Capital Projects and Design Services Management**

4. The Council's capital programme has a wide range of exciting projects being developed and delivered:
  - (a) On the Bank Top Railway Station scheme the steel frame for the new car park is now substantially complete. The delivery of the Bank Top Scheme has now been transferred to TVCA.
  - (b) The Railway Heritage Quarter project continues on-site and the 1861 shed is now complete and occupied by NELPG. Refurbishment works continue in the Head of Steam, Goods Shed and Carriageworks buildings.
  - (c) Works are now complete on the Central Library scheme which has now re-opened.
  - (d) An application to Natural England for Nutrient Neutrality 'credits' for the Sherborne housing scheme has been successful and a similar application for the Skinnergate housing scheme is to be submitted shortly.
  - (e) Site work is ongoing at Eastbourne Sports Complex, Dolphin Centre and at Whinfield school. Feasibility is ongoing for a potential new office development on the former Sports Direct site on East Street. A procurement exercise for a developer/operator for the refurbishment of former Northern Echo Building is ongoing.

- (f) Business cases continue to be developed to secure additional projects from funding opportunities.
- (g) There remains a risk of further inflation related effects on construction related costs.

### **Revenues and Benefits**

5. Our Revenues and Benefits team has achieved a number of recent successes for some long-standing debts to the Council, including the following cases:
  - (a) A resident owed over £7,000 in unpaid Council Tax. He had never made any payments or contact with the Council. Following investigative work by our Recovery Officers, we located his employers and served them with an attachment of earnings order. The arrears and current year's Council Tax will be repaid within this financial year.
  - (b) A resident owed over £8,100 in unpaid Council Tax. We informed the debtor that we would obtain a charging order for the debt and force the sale of his property. He has now agreed to pay £1,500 each month to halt the charging order process.
  - (c) A resident owed over £8,200 in overpaid Housing Benefit. We applied for an injunction order against the property, which stated that she was not allowed to sell, re-mortgage, let or dispose of the property, unless she repaid the amount owing. Following this action, we received full payment from the debtor.
  - (d) A property developer owed over £18,000 in unpaid Council Tax on a property they owned. We instructed solicitors to commence winding up proceedings on the company. So far, they have repaid £10,000 of the debt to halt the proceedings.
  - (e) The owner of an empty property owed just under £10,000 in unpaid Council Tax. After securing a charging order on the property, we instructed solicitors to force the sale. Following this action, the debt has now been cleared in full, together with £695 costs.

### **Estates and Property**

6. Planning permission for the remaining undeveloped part of the residential development at Neasham Road ( Cell C ) has now been granted and the sale to the Hurworth Gardens Ltd ( the Council's JV with Esh homes ) duly completed. Works to Cell C have now started and good progress with site infrastructure is being made.
7. The sale of one of the remaining plots of land at Faverdale East Business Park to Jaymac Pallets recently completed and works to the site are well underway and expect to be finished at the end of March 2024 weather permitting.
8. The sale of North Cemetery Lodge has now completed, and the new owner is keen to progress a planning application.



9. The proposed residential development and parkland restoration at Blackwell Grange is continuing through the planning application process with full stakeholder engagement.

### **Register of Electors**

10. This year's Annual Canvass commenced on July 2023, the fourth Annual Canvass under the new reformed process. As reported at a previous meeting, an initial data match with national and local data sets was undertaken prior to the Canvass commencing, and this suggested that a significant number of properties had no changes in terms of the household composition. As such, the residents within those properties were only required to respond to the Annual Canvass Form where there was a change. Those households that did not respond to the initial communication received a personal visit between August and November, in order to encourage completion of the form. The revised 2024 Register of Electors will be published on 1 December 2023.

### **Elections Act 2022**

11. Work is on-going to implement further elements of the Elections Act 2022 in preparation for the Police and Crime Commissioner (PCC) and the Tees Valley Combined Authority Mayoral (TVCAM) Elections scheduled to be held on 2 May 2024 and the next Parliamentary (General) Election.
12. A number of changes to postal and proxy voting arrangements, were introduced on 31 October 2023 through the Representation of the People (Postal and Proxy Voting etc.) (Amendment) Regulations 2023. The main changes include the removal of indefinite postal votes and the requirement for all electors to re-apply for a postal vote every three years; the requirement to check and verify a person's identity when an application for an absent vote is made; the introduction of a new on-line application system for both postal and some proxy voting; and restricting the number of electors that one person can act as a proxy for to four.
13. Other secondary legislation has been laid / expected to be laid over the next few months in relation to undue influence and intimidation; digital imprints; overseas electors to remove the 15 year limit; candidate addresses and commonly used names for UK Parliamentary (General) Elections; EU Voting and candidacy rights; and postal vote handing and secrecy rules.

### **Review of Polling Districts, Polling Places and Polling Stations 2023**

14. The compulsory review of Polling Districts, Polling Places and Polling Stations commenced on 2 October 2023. This was the start of the formal six-week consultation period which ended on Sunday 12 November 2023. The comments of Members, the public and other bodies were welcome during this period and were used to produce the final proposals, which have been produced by the Returning Officer followed by a further six-week consultation period which will end on 7 January 2023.

**Councillor Mandy Porter**  
**Cabinet Member with Resources Portfolio**

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**COUNCIL**  
**30 NOVEMBER 2023**

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**OVERVIEW OF STRONGER COMMUNITIES PORTFOLIO**

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

**Crime and Anti-Social Behaviour (ASB)**

2. Across the Borough the figures are as follows:

Darlington	YTD SEPTEMBER 2022	YTD SEPTEMBER 2023	% increase/decrease
Crime	5630	6452	+15%
ASB	1749	1260	-28%
Total	7379	7,712	+4.5%

3. The crime increase equates to 822 offences, with shoplifting increasing. ASB has decreased by 489 reports. The reporting criteria has changed meaning some ASB is now classed as crime. Across the Borough ASB and Crime numbers have increased compared to the same time last year.
4. Within the town centre the figures are as follows:

Darlington Town Centre	YTD SEPTEMBER 2022	YTD SEPTEMBER 2023	% Increase/decrease
Crime	737	766	+4%
ASB	148	93	-37%
Total	885	859	-2.9%

5. The crime increase equates to 29 offences. ASB has decreased by 55 reports. In the town centre ASB and Crime numbers have decreased slightly compared to the same time last year.
6. The following actions in relation to ASB were recorded in the period of reporting (1 April 2023 – 19 October 2023):-
- (a) 31 First Warnings were issued to young people involved in ASB; of the 31 a total of ten young people were inside a derelict building namely Northgate House, four young people were on the Roof of Virgin Money Bank, High Row and one young person was on the roof of a local Store in Cockerton.
- (b) Four Final Warnings were issued to young people who refused to sign Acceptable Behaviour Agreements (ABA).

- (c) 18 ABA's have been signed.
- (d) 12 Breaches of ABAs recorded – a parent/guardian will now receive a letter advising the breach has occurred and this will be recorded on the Council's system.

### **Funding and Initiatives**

- 7. Within the statistics for crime Shoplifting is increasing and to support retailers Shopwatch was relaunched on 18 October 2023. Over eighty local businesses signed-up to the scheme and will benefit from a range of preventative measures including, posters, leaflets, banners, What's app, radios, relevant advice and support and Sentrysis, which is a reporting tool.
- 8. A number of areas within Darlington with high levels of ASB have been identified and these are being targeted as part of the Trailblazer's project, which:-
  - (a) Increases visibility in those areas in terms of an officer presence.
  - (b) Officers work closely with residents to establish what issues they are experiencing and 'problem solve' with partners.
  - (c) A youth referral pathway with the Youth Justice Service for young people engaging in ASB to provide 'immediate justice'. The aim being to ensure young people are identified at an early stage and receive the relevant intervention and support to help deter them coming into the criminal justice system at a later stage.
  - (d) Development of the adult element of 'immediate justice' to establish an agreed referral pathway, which Probation are the lead agency on. The aim of immediate justice is that the public see a quick turnaround in terms of 'repairing the harm' and those committing offences are deterred from repeat offending.
- 9. A number of funding bids have been developed and submitted into various funding streams and will focus on neighbourhood crime, ASB and Violence against women and girls, rural crime and the town centre. I will appraise member of the outcome of these bids when the outcome is known.

### **Operational Updates**

- 10. The sale and supply of illegal cigarettes and vapes, particularly to under-age children, continues to be a priority for enforcement by Trading Standards in 2023-24.
  - (a) Investigations continue under Operation Nightstar which targets wider criminality by conducting joint visits with Police to illegal cigarettes and vape sellers reported as selling these goods to children.
  - (b) Advice has been given to these traders on the law with regard to such sales and all illegal products removed.
  - (c) Visits with a tobacco dog under Operation Cece have been conducted which resulted in seizures of illegal cigarettes and vapes.

- (d) Premise Closure Orders have been obtained on a further two problem traders with the stores ordered to remain closed for periods of between two and three months.
  - (e) Joint visits with Police have been conducted in relation to young people selling illegal vapes to friends particularly within school settings to advise them of the criminal nature of such activities.
11. Un-licensed dog breeding continues to be a priority for licensing, especially in light of recent attacks by the American Bully breed:-
- (a) There are a number of on-going investigations.
  - (b) Licensing is continuing to develop intelligence on current ownership of American Bully's in preparation for them being a banned breed later this year. This is likely to result in a registration requirement administered by the licensing team.
  - (c) Two further prosecutions for unlicensed dog breeding resulted in them both receiving a fine and banned from keeping dogs for five years.
  - (d) A separate prosecution for fraud by misrepresentation and unlicensed selling of dogs that was due for trial in October has been adjourned until February.

### **Resilient Communities & Engagement**

12. Counter Terrorism Policing North East delivered Prevent awareness training to twenty designated safeguarding leads from Darlington schools/colleges on 19 September 2023. Another event is planned for early December 2023.

### **Community Engagement**

13. Two events for businesses and communities to launch the North Road and Northgate Crime Reduction Partnership were held on 1 November 2023. The Partnership is planned to go-live early 2024.

### **Climate Change**

14. The Home Upgrade Grant Phase 2 commenced on 1 October 2023. The project is being led by Darlington Borough Council and aims to improve 300 properties across the Tees Valley over the next two years under a partnership name of Home Energy Efficiency Tees Valley (HEET).
15. The scheme will improve the energy efficiency of residential properties mainly in rural areas however we have also received applications from residents in urban areas where their current heating relies on inefficient electric heating systems.

## **Equality and Inclusion**

16. The Council's refreshed Equality Policy 2023-27 was approved by Cabinet in March 2023. At a full Council meeting in July 2023 a motion was passed that recognises Care Experience as a protected characteristic within Darlington. This means that future decisions, policies and changes to services should consider carrying out equality impact assessments to understand the potential impacts on this group of people. The Equality Policy 2023-27 is in the final stages of being updated to recognise this new protected characteristic.

## **Public Sector Executives Group**

17. At its meeting in September the group considered the Joint Forward Plan of the Integrated Care Board and how the key drivers of health inequalities will be incorporated.

## **Darlington Cares**

18. An initiative by the town's business leaders to take a joined-up approach to tackling environmental challenges held its inaugural meeting earlier this year hosted by engine manufacturer Cummins.
19. A second meeting of the group was held at Teesside International Airport, and was hosted by Corstorphine and Wright, a national architectural company, with a base in Darlington.
20. It has been agreed that the management of the group will now come under Darlington Cares which will provide the group administrative support and structure, with a mechanism for measuring individual and collective progress. The group will share good practice, knowledge and connections, while celebrating achievements, and building momentum. It will be a key support for the Council's sustainability ambitions for Darlington in cutting carbon and enhancing the environment for future generations.
21. Demand for The Uniform Exchange Scheme continues to grow and thankfully so does the volume of donations. In August it served 474 Customers, with 2207 items of uniform given out. In September there were 784 customers, and 2353 items given out. Giving a total for the two months of 1258 customers, and 4560 items given out. The scheme serves parents of children across the breadth of schools in Darlington.

## **Voluntary and Community Sector**

22. I arranged a series of drop-in sessions at Darlington Connect to engage smaller voluntary sector organisations to hear their views on how they could be supported best. Fifteen organisations took part. I discussed the findings with the Voluntary and Community Sector engagement group where actions addressing their requests will be developed.
23. A range of voluntary sector organisations continue to deliver a significant element of the Household Support Fund (HSF) with the town centre 'Darlington Connect' resource playing a key role.

24. The Council, along with its voluntary sector partners supported the DWP in its Household Support Fund Awareness Week which commenced 16 October. Access points displayed posters, and the Council's HSF webpage displayed the DWP branding that had been supplied.

### **Stronger Communities Awards**

25. The Stronger Communities Awards this year has attracted 334 nominations and 14 sponsors which is the most that has ever been achieved. With over 430 guests confirmed the event to be held on 17 November will be a great celebration of what is best of Darlington.

**Councillor Dr Amanda Riley  
Stronger Communities Portfolio**

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**COUNCIL  
30 NOVEMBER 2023**

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## **COUNCIL TAX CHANGES TO EMPTY PROPERTY PREMIUMS 2024-25**

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**Responsible Cabinet Member -  
Councillor Mandy Porter, Resources Portfolio**

**Responsible Director -  
Elizabeth Davison, Group Director of Operations**

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### **SUMMARY REPORT**

#### **Purpose of the Report**

1. To approve the proposed changes to Council Tax Empty Property Premiums for 2024-25.

#### **Summary**

2. A 50% Council Tax premium (additional charge) was introduced in April 2013 for all unoccupied and unfurnished domestic properties which had been empty for 2 years or more, this being the maximum the Council was permitted to charge.
3. New legislation was introduced in 2018 and changes were made to the Council Tax Empty Property Premiums, as follows:
  - (a) The Council Tax premium for unfurnished properties which had been empty for 2 years or more was increased to 100% from April 2020,
  - (b) The Council Tax premium for unfurnished properties which had been empty for 5 years or more was increased to 200% from April 2020,
  - (c) The Council Tax premium for unfurnished properties which had been empty for 10 years or more was increased to 300% from April 2021, and
  - (d) Protection was provided for those owners who are making genuine efforts to bring their long-term empty properties back into use.
4. The Levelling Up and Regeneration Act 2023 contains a provision to amend the definition of long-term empty homes, so that from 2024-25 onwards, unfurnished properties that have been empty for one year or more are liable to the Empty Property Premium.
5. In addition, the Levelling Up and Regeneration Act 2023 also includes a provision to introduce a 100% Council Tax Premium for furnished properties periodically occupied (referred to as “second homes”) from 2025-26. This report sets out the proposals for the

new Council Tax Empty Property Premiums.

6. This report was considered by Cabinet on 7 November 2023, who agreed its onward submission for approval by Council.

### **Recommendation**

7. It is recommended that Council :-
  - (a) Consider the contents of this report.
  - (b) Approves the following changes to the Council Tax Empty Property Premiums:
    - (i) Amend the definition of long-term empty homes, so that from 2024-25 onwards, unfurnished properties that have been empty for one year or more are liable to the Council Tax Empty Property Premium from 1 April 2024.
    - (ii) Apply a 100% Council Tax Premium to second homes. As 12 months' notice to existing owners of second homes is required, the earliest that the new charges will apply is from 1 April 2025.
    - (iii) Implement exemptions for the second homes Council Tax Premium, as set out in paragraphs 14 and 15 of the main report.

### **Reasons**

8. The recommendations are supported 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.

**Elizabeth Davison**  
**Group Director of Operations**

### **Background Papers**

- (i) Levelling Up and Regeneration Act 2023

Anthony Sandys: Extension 6926

S17 Crime and Disorder	There are no issues
Health and Wellbeing	There are no issues
Carbon Impact and Climate Change	There is no impact in this report
Diversity	There are no issues
Wards Affected	All wards may be affected but particularly those with high numbers of long-term empty properties and second homes
Groups Affected	Owners of long-term empty properties and second homes will be impacted by this report
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
Council Plan	This report supports the Council Plan to maximise Council Tax income
Efficiency	Changes to the Council Tax empty property premiums will potentially generate extra income for the Council
Impact on Looked After Children and Care Leavers	There are no issues

## MAIN REPORT

### Information and Analysis

9. A 50% Council Tax premium (additional charge) was introduced in April 2013 for all unoccupied and unfurnished domestic properties which had been empty for 2 years or more, this being the maximum the Council was permitted to charge.
10. New legislation was introduced in 2018 and changes were made to the Council Tax Empty Property Premiums, as follows:
  - (a) The Council Tax premium for unfurnished properties which had been empty for 2 years or more was increased to 100% from April 2020,
  - (b) The Council Tax premium for unfurnished properties which had been empty for 5 years or more was increased to 200% from April 2020,
  - (c) The Council Tax premium for unfurnished properties which had been empty for 10 years or more was increased to 300% from April 2021, and
11. Protection was provided for those owners who are making genuine efforts to bring their long-term empty properties back into use.

### **Levelling Up and Regeneration Act 2023**

12. The Levelling Up and Regeneration Act 2023 contains a provision to amend the definition of long-term empty homes, so that from 2024-25 onwards, unfurnished properties that have been empty for one year or more are liable to the Empty Property Premium.
13. The Levelling Up and Regeneration Act 2023 also provides powers to Councils to charge a discretionary Council Tax premium of up to 100% for properties which are periodically occupied (referred to as “second homes”). This is defined as a property that is substantially furnished and has no resident (it is not someone’s sole or main residence). The change comes into effect from April 2024 although, because the owners of existing second homes require 12 months’ notice of the changes, the earliest the Council Tax Premium can be charged will be from April 2025.
14. The same exemptions to the existing Council Tax Empty Property Premiums will also apply to second homes. These are:
  - (a) Properties where a statutory empty property Council Tax exemption applies, such as properties undergoing probate.
  - (b) Properties being actively marketed for sale or rent.
  - (c) Properties undergoing substantial renovation or refurbishment to bring them back into use – time limited for 6 months.
  - (d) Properties where there is a legal or other reason preventing the property from being occupied, sold or rented.
15. There are some additional exemptions for second homes, as follows:
  - (a) Annexes forming part of, or being treated as part of, the main dwelling - certain annexes are exempt from Council Tax altogether and will therefore be exempt from the premium.
  - (b) Job-related dwellings - a property provided by reason of a person’s employment or for the person’s spouse or civil partner by reason of their employment. However, this exemption will not apply to cases where someone chooses to have an additional property to be closer to work while having a family home elsewhere or where an individual is posted to a new location but maintains their previous address.
  - (c) Occupied caravan pitches and boat moorings - a pitch occupied by a caravan, or a mooring occupied by a boat where they are not a person’s sole or main residence.
  - (d) Seasonal homes where year-round or permanent occupation is prohibited or has been specified for use as holiday accommodation or prevents occupancy as a person’s sole or main residence - properties that have restrictions or conditions preventing occupancy for a continuous period of at least 28 days in any 12-month period, or specifies its use as a holiday let, or prevents occupancy as a person’s sole or main residence. If a second home is available as a holiday rental for 140 days or more and actually let for 70 days in the calendar year, it will be rated for Business Rates and not

## Council Tax.

### Outcome of Consultation

16. Earlier this year, the Revenues and Benefits service undertook a public consultation exercise about the proposed changes to the existing Council Tax Empty Property Premiums for unfurnished properties. Only 3 responses were received; one response supported the proposals and 2 were opposed to the proposals. The comments received are given at **Appendix 1**.
17. In addition, a consultation was undertaken with the existing owners of second properties about the proposed changes. We wrote to 190 second homeowners and received 48 responses (or 25%). 6 respondents supported the proposals and 42 opposed them. The comments received are given at **Appendix 2**.

### Proposals

18. It is proposed to implement the following changes to the Council Tax Empty Property Premiums:
  - (a) Amend the definition of long-term empty homes, so that from 2024-25 onwards, unfurnished properties that have been empty for one year or more are liable to the Council Tax Empty Property Premium from 1 April 2024.
  - (b) Apply a 100% Council Tax Premium to second homes. As 12 months' notice to existing owners of second homes is required, the earliest that the new charges will apply is from 1 April 2025.
  - (c) Implement exemptions for the second homes Council Tax Premium, as set out in paragraphs 14 and 15.

### Financial Implications

19. The recommendation in paragraph 7 will not have any financial implications regarding the agreed MTFP, therefore it is not intended to amend the current budget.
20. Although the recommendations in this report are intended to encourage landlords and property owners to bring their empty homes back into use as soon as possible, there will be potential increases in Council Tax collected from property owners who deliberately leave properties empty
21. It is difficult to estimate the additional Council Tax income that these changes could generate, as we do not know how many properties will be subject to the exemptions. However, based on the existing Council Tax being charged, the potential numbers of properties affected, and potential additional income is:
  - (a) For unfurnished empty properties, the number affected is currently 265 generating an estimated additional Council Tax income of circa. £290,000 each year.

- (b) For second homes, the number affected is currently 190 generating an estimated additional Council Tax income of circa. £170,000 each year.
22. The revision to the empty property premiums if approved will be added to the annual calculations of estimated Council Tax to be included within the 2024-25 MTFP.

**Comments received in relation to the changes to the Council Tax Premiums for empty unfurnished properties**

“I am a landlord and feel it is wrong to charge 100% Council Tax as soon as a property becomes empty. There should be at least 3 months grace so a landlord can carry out refurbishments to prepare for a new tenant without getting penalised. As it stands some landlords do not do this properly due to the 100% council tax from day one yet local authorities want a good standard of accommodation for tenants.”

“I know of a property in my local area that has been empty since the owner’s parents died 30 years ago. This is a 3 bedroomed semi-detached house that has been left empty and not maintained by the owner. If the property was updated and refurbished, it would make a lovely family home. I feel sorry for the neighbouring property owners as this house blights the road and could become a target for vandalism or worse.”

“Classification of new build homes as 2nd homes is incorrect and unfair. We build houses to sell and need stock homes for our build programme and to retain long term employment. Our new homes are not furnished and incomplete until marketed and reserved.”

**Comments received in relation to the changes to the Council Tax Premiums for second homes**

“It will cost us even more money. We are in a situation where my late father left me this property, which we are having to refer to as a second home. We are currently living between two properties until we are in a position to sell one. The past few years have been very difficult. When we reach a decision, we will sell one of the properties and finally solve this problem.”

“It will increase my costs. My second home is where I grew up and is in my ownership since the death of my parents.”

“Living some distance away - I kept this property for visiting elderly relatives still living Darlington - the extra expense of Council Tax along with other expenses is not easy to absorb.”

“The substantial increase will make the payment unaffordable for our family farm business.”

“I already pay the Council Tax for the home in Darlington in addition to the other home. I would have to seriously look at ways of not paying.”

“The property is empty and due to letting rules and regs, would not meet tenants regs prefer to use as a holiday home for family scattered over the country. Property is within fifty yards, young children visit regularly so cannot have strangers letting out, the property is gated and locked within our grounds.”

“It will double the amount of Council Tax which we pay. We bought the flat in Darlington when my father-in-law died and we no longer had somewhere we could stay on our regular visits to see friends and family. We live in the south of England but still have many ties to Darlington and the surrounding area. We also have other family members who stay there when visiting the area.”

“I will most likely have to sell it, which will mean I will see less of my family, as I will no longer have somewhere to stay when I visit. This was my parents home and I bought it when they both passed away so I could keep in touch with family who remain in Darlington. I currently work elsewhere and had hoped to one day retire back to a home I have known and visited for around 25 years when my parents were alive. The increase in Council Tax will put a stop to this as it will no longer be affordable and my quality of life will suffer.”

“It will cost me extra money which I think is unfair as the property is used as a second home not held as an investment property and I think that is legitimate.”

“I will have to absorb another increase in costs which will diminish my spend on other local Darlington services etc. The house is actually my family home and is 'second' because I spend a larger proportion of each month away rather than in the town (originally required by work needs). Local authorities are always quick to raise revenue and slow to think about the effect.”

“This consultation will in no way alter the Council's intentions. I receive few services as it is, despite paying a full Council Tax. I do not accept that Darlington has a problem arising from a small number of second homes.”



“Individual circumstances have to be taken into consideration. Not all cases are the same. I don’t agree with second homes that are permanently unoccupied, or second homes that are only used for a few weeks a year and are then left unoccupied. This deprives people of potential properties to buy if they want to move to an area to live permanently.”

“Every case is specific and there isn’t really a one size fits all. In principle I support measures to discourage 2nd homes where there is no integration with the local community and where locals cannot afford homes and the 2nd home is mostly empty. However, I question whether Council Tax is the correct means of achieving this as it is nominally supposed to pay for local services which paradoxically will be used less by second homeowners. In my own case I have taken on the family home of 50+ years. I spend significant time in residence and maintain my connections with the community. I am now addressing long standing maintenance issues and an increase in Council Tax will affect my budget. I would be more in favour of a tax on a sliding scale to take account of 2nd home usage by the owners. This would mean paying normal Council Tax to cover local services but additionally being taxed for the proportion of time not in residence and therefore not being part of the local community. This should go hand in hand with closer control of new build properties which so often fail to address real local need for affordable homes in favour of the more profitable and often unsuitably sited luxury homes which are so often built on green spaces and which do not help those in real need locally.”

“The Council should have discretion over the amount by which the Tax is increased in respect of individual cases. In applying the extra levy, they should be able to take into account the reasons why a second home is needed within the Borough.”

“We don't think that this empty property has any impact on the community. Even if we could afford to renovate for letting any tenant would need more than a basic income. The bus service looks likely to disappear.”

“My view is that each case is potentially different. My situation is an inherited home which has needed a lot of renovation before it can be sold which, mainly due to work commitments has taken over a year.”

“My understanding is that the intention of this legislation is aimed at properties that are used infrequently and in rural areas where there is a housing shortage. The property is used by ourselves a significant amount of the year and we are active members of the local community despite.”

“I understand that in some areas second homes have a detrimental effect on the local community. However, I do not think that there is a very large number of second homes in Darlington - a figure of 200 is quoted in your letter. We have bought our flat so that we can maintain our close ties to the area and see family and friends on a regular basis. We contribute to the local economy when we are staying in the town, using local shops, cafes, restaurants and other services.”

“Darlington is not a tourist destination in the same way as Devon or Cornwall for example, where second home ownership can have a much more profound impact on local communities and people’s ability to get on the housing ladder. The percentage of second homes in Darlington would have a negligible effect in comparison. If the Council needs to generate extra revenue then perhaps this could be done via a general increase to Council Tax that everyone

pays and who directly benefit from the services it is designed to cover.”

“I own a home which was rented out part furnished, I have been trying to sell it to cover my costs, not make a profit, for over 16 months. I would therefore not want to be additionally penalised for not being able to sell my property.”

“I agree that individuals who hold properties as investments or who use them very occasionally should be charged extra but I do not think this should apply to those who use them regularly. The 70 day limit applicable to holiday lets should in my opinion apply also to properties that are owner-occupied for 70 days a year or more. This would cover homes that are used every weekend or homes that are used only for work purposes. We intend to use our second home for almost half of the time and paying double Council tax in that situation would seem unfair.”

“I must point out however that my property is not a second home. Whilst it is true that my present employment is in Cambridgeshire, I am a lodger with family. I return home 2 days a week and now one week in a month.”

“As a landlord for many years, providing excellent furnished accommodation for individuals like training doctors and other professionals who are only needing accommodation within the Darlington area for a maximum of six months. I think if our rental property is empty we should not be penalised for having an empty property. As soon as our properties become untenanted we are required to pay the full Council Tax. Our bins will not be getting emptied by the council etc. Our profits have already been squeezed massively because of section 24 which now means we are the only businesses who cannot claim our finance costs before calculating our tax liability. This means Landlords have to pay tax on the gross income and not the net income. This can mean some Landlords paying tax exceeding their rental income such a crazy idea. Now our mortgages have increased thirteen times in the last year there is no way these increases can be passed on to our tenants who are struggling with the current living crisis. No wonder Landlords are exiting the market but where will the displaced tenants now go. Local Councils and our government have not built anywhere near the required amount of social housing. Most private Landlords run their businesses as a full time job making sure all our tenants live in decent high standard homes. The government think that what we earn is unearned income I say come and try running my small portfolio and see how hard you have to work every day to keep within the health and safety rules and keeping tenants happy in their rented homes. Government just see us as cash cows and a way to raise funds to prop up a BADLY run country. They squander our hard-earned taxes on unnecessary projects in my opinion its ridiculous so NO I do not agree with doubling our Council Tax payments after 12months of a property becoming empty after all we will be paying the full 100% council tax like any other homeowner.”

“Obviously it's unfair. Currently we are paying to have the bin emptied about once a month and we take the recycling home with us to our first home because there are no recycling facilities at the property, which we bought in 2018.”

“I understand the effect of second homes in popular tourist areas. The premium is likely to cause many to be let as Air bnbs which will not alleviate such problems but might make them worse. My own second home is in a non-tourist area, is tiny and has little effect on availability of homes. When we visit, we contribute considerable amount to the local economy.”

“Not everyone has a second home as a holiday home. My reason for having a second home near Darlington is so I can look after my elderly parents. Others have second homes because of work reasons. I agree, second homeowners should perhaps pay some extra Council Tax, but it should be realistic. If I didn't have a second home in the area my parents would have to rely on local social services costing the system more money. It's wrong to penalise individuals who have second homes for a specific reason. I am often at my second home; I count it as a home not a holiday or nice to have home. It's a necessity.”

“We and other family group members use the flat frequently. It is also used as my base when working in the UK. Rather than being a burden it provides Council services to others. The value of the flat had dropped, due to bad national government, so it does not cause any local housing inflation. Lack of affordable housing is a bad national government choice.”

“My property in Darlington is my sole property but due to working abroad it is classed by you as a second home. I feel it is already unfair to have to say my property is a second home when it is my sole home and therefore don't think the council should be able to charge double Council Tax as proposed.”

“Second homes could be in the process of being updated to comply with Government specifications regarding insulation and if this is the case then they should not be subject to Council Tax Premiums. If you are working in paid employment and only have evening and weekends to complete your project, if it unfair that you should be penalised because it is taking longer to complete the project.”

“Council Tax should be an even field - one tax one home or business - currently small businesses do not pay any Council Tax so why should someone else pay double.”

“Someone who has another home could improve their second property and improve their neighbourhood.”

“We bought a property last year which we use every two / three weeks for 4/5 days at least, but are mainly based in London. I grew up in the village and would like to settle back there one day. At the moment my parents who are in their late 70s still live in the village, so the property gives me the opportunity to help support them as they get older rather than relying on other Council services. I'd also say that we get actively involved in local events, make use of the pubs, restaurants, building + maintenance services and other local amenities and I think contribute well to the local economy. I feel we have been welcomed back into the local community and get involved as much as we can. I realise I am in a fortunate position, but as I've said I respect that, have solid links to the area and get involved where and when I can.”

“We are a pub/restaurant and the flat above is unoccupied and is part of a leased building. This is solely used as a storeroom and access is via the restaurant. The toilet/kitchen facilities in the flat are used by the staff. So this is not a 2nd home it is part of a business.”

“In Darlington second homes have a minimal effect on the community i.e. this is not a holiday area like the South-West of England. The 200 homes are a very small proportion of the housing stock so logically have a small impact on overall availability; also Darlington is currently seeing large amounts of new building which is in excess of the population growth of the Borough and the prices of 'used' homes are lagging as a consequence.”

“I own a Residential lodge in a Park Home which is classed as a second home although it has been unoccupied since 6 Feb 2023 and only furnished with the furniture and fittings which are an integral part of the property. It has been on the market, unoccupied, since 6 Feb 2023, the date we moved into a conventional house and on which I had to pay higher rate stamp duty as it was "a second home" despite it being my main residence. The park home had been bought in Oct 2021 with the remains of our savings after we had been defrauded of over £500,000, the proceeds from the sale of our previous house and was planned to be used to fund new house purchase. The rules of the park home required us to use the lodge as a main residence as a condition of purchase and it was not allowed to be used as a second home. The subsequent house purchase was funded by the compensation we eventually received for some of our earlier loss. However, the difference between the ways in which the markets for conventional housing and park home residences operate are such that matched exchange dates are not possible. Whilst I believe that it is appropriate for second homes to be as taxed at a higher rate, I consider such a policy should be nuanced to prevent those in circumstances such as ours to be exempt any punitive measures which might be considered to be Wednesbury unreasonable. As it is we pay Council Tax at full rate, site fees at full rate for a property we are trying to sell and don't use as well as being unable to reclaim the proportion of higher rate property transfer tax we had to pay on our new home.”

“I have lived in Darlington since the age of eight and inherited the property from my mother. I live, together with my wife, in the property for extended stays usually about twice a year. As there are only some 200 properties classed as second homes in Darlington, their sale would only have a negligible effect on the market.”

“We think that a small increase may be justifiable. Our property is used by us (the owners) for a week on average a month when visiting our family who live and work in the area. Initially the property was purchased so that we were able to support our family with childcare.”

“I spend 4 days every month in my second home visiting my family. I paid tax on earnings I used to buy it. I pay Council Tax and use very little of council services. If I rent it, I feel it is profiteering. Likewise, if I use it for holiday let's. I feel it is extremely unfair and unreasonable to expect metro pay double rates.”

“I use my second home for my son and his family to live in rent free while they save for a deposit. He works in the local area.”

“The overall numbers of second homes is small. In most instances the reasoning behind these will be vast and complex. From your letter it appears you believe these properties being owned is stopping others from getting on the property ladder. 1. Firstly it is not unlawful to be successful and own multiple properties. Paying Council Tax for each property is fair but being down taxed is simply not. 2. Some properties are not for sale/available to be rented out. For example, my flat is connected to my business and on site of the business. I do not wish to rent this out to a random third party nor could it be sold. Due to the unfair mechanism of business rates, there is not a lot to be done here. 3. Darlington has many low value properties say in a state of disrepair or neglect. Ownership of some of these properties should be encouraged via discounted Council Tax not increased. 4. Many second homes are probably when rentals are empty. Again, a good landlord business should be encouraged not hindered.”

**COUNCIL**  
**30 NOVEMBER 2023**

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**COUNCIL TAX SUPPORT - SCHEME APPROVAL 2024-25**

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**Responsible Cabinet Member -  
Councillor Mandy Porter, Resources Portfolio**

**Responsible Director -  
Elizabeth Davison, Group Director of Operations**

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**SUMMARY REPORT**

**Purpose of the Report**

1. To approve the Council Tax Support (CTS) scheme for 2024-25.

**Summary**

2. On 22 November 2022, Council approved the local CTS scheme for 2023-24 and the scheme became operational on 1 April 2023.
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 2024-25. No significant changes are proposed to the existing scheme.
5. This report was considered by Cabinet on 7 November 2023, who agreed its onward submission for approval by Council.

**Recommendation**

6. It is recommended that Council :-
  - (a) Consider the contents of this report.
  - (b) Approve the CTS scheme for 2024-25 at **Appendix 1**

## Reasons

7. The recommendation is supported by the following reasons :-
- (a) The Council is required to publish a local CTS scheme for 2024-25 by 11 March 2024.
  - (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.

**Elizabeth Davison**  
**Group Director of Operations**

## Background Papers

- (i) Local Government Finance Bill 2012
- (ii) Council Tax Reduction Schemes (Prescribed Requirements) Regulations 2012

Anthony Sandys: Extension 6926

S17 Crime and Disorder	There are no issues
Health and Wellbeing	The CTS scheme may have an adverse impact on the health and well-being of low income groups
Carbon Impact and Climate Change	There is no 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
Council Plan	This report supports the Council Plan to maximise Council Tax income
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	Care leavers under the age of 25 are exempt from Council Tax and are therefore unaffected by the CTS scheme
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## MAIN REPORT

### Information and Analysis

8. 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.
9. 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.
10. 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.
11. Each year's scheme then has to be approved by full Council.
12. The key feature of Darlington's CTS scheme is that working aged people can only receive a maximum of 80% support towards their Council Tax. From April 2023, care leavers under the age of 25 were made exempt from Council Tax, under our discretionary powers. Therefore, they are unaffected by the CTS scheme. Pensioners are protected under a national set of regulations.
13. No other changes are recommended for the 2024-25 CTS scheme. However, Members should note the following:
  - (a) The applicable amounts in Table 1 and non-dependant deductions in Table 2 are those amounts currently applied to the 2023-24 CTS scheme and will be uprated for 2024-25. The uprated amounts will be calculated with reference to the amended Prescribed Requirement regulations and Social Security Benefits Up-rating Order. These regulations will be published in January 2024 and the CTS scheme for 2024-25 will therefore be amended before publication.
  - (b) Any other changes to the Prescribed Requirements regulations 2024 will also be incorporated into the CTS scheme for 2024-25 before publication. These changes are for reference only and do not represent a change to the local CTS scheme.

### Financial Implications

14. The recommendation in paragraph 6 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**

## **2024 - 2025**

## Introduction

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.
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.
3. On 24 November 2022, Darlington Borough Council approved the Council Tax Support scheme for 2023-2024, which became operational from 1 April 2023.
4. This document sets out Darlington Borough Council's scheme for 2024-2025 and should be read in conjunction with the following regulations.
  - (a) The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012.
  - (b) The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (England) (Amendment) Regulations 2012.
  - (c) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2013.
  - (d) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2014.
  - (e) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) (No. 2) Regulations 2014.
  - (f) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2015.
  - (g) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2016.
  - (h) The Council Tax Reduction Schemes (Amendment) (England) Regulations 2017.
  - (i) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2018.
  - (j) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2020.
  - (k) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2021.

- (l) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2022.
- (m) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2023.

## Executive Summary

### Prescribed requirements

5. 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 paragraphs 4(a) to 4(m), copies of which can be found at: [www.legislation.gov.uk](http://www.legislation.gov.uk)
6. 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:
  - (a) 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.
  - (b) There are restrictions excluding foreign nationals with limited immigration status and non-economically active European Union individuals.
  - (c) 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.
  - (d) 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.
  - (e) Formal rights of appeal are set out in the regulations and appeals are heard by Valuation Tribunals.
  - (f) 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.

### Key features of Darlington's Council Tax Support scheme

7. The requirements for Council Tax Support schemes are set out in an amendment to the Local Government Finance Act 1992, under Schedule 1A.
8. Council Tax Support for working aged people will be based on 80% of their Council Tax liability (as opposed to pensioners, where entitlement is based on 100%).
9. Entitlement to Council Tax Support will be means tested. The amount of Council Tax Support awarded will depend on:
  - (a) The circumstances of the claimant and their family, such as their income and savings.

- (b) The number of dependent children who live in the household and their circumstances.
- (c) The number of other adults who live in the household and their circumstances.
- (d) The amount of Council Tax, less any other discounts or reliefs.

#### Temporary absence from home

10. 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. The temporary absence rules for pensioners are set out in Schedule 1, Part 1, paragraph 5 of the regulations.

#### Students

11. 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.

#### Extended payments

12. 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.

#### Backdating

13. An automatic backdating rule exists for Council Tax Support claims. Claims can be paid for any period where entitlement to Council Tax Support exists. There is no requirement for a person to show 'good cause' as to why they didn't claim earlier.

14. The backdating rules for pensioners are set out in Schedule 8, Part 2, paragraph 6 of the regulations.

#### Discretionary discounts

15. 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.

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

## People who can claim Council Tax Support

### Who can claim

17. 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:

- (a) 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.
- (b) 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.

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

### People in receipt of a qualifying benefit

19. People in receipt of a qualifying benefit are classed as:

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

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

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

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

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

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

### People with income more than their applicable amount

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

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

24. 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.

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

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

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

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

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

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

- (a) Working aged
- (b) Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- (c) Capital is less than £16,000
- (d) In receipt of Universal Credit

- (e) Assessment of income provided by Universal Credit plus the award of Universal Credit is more than their Universal Credit maximum award.

28. 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.

29. The classes of pensioners who are entitled to a Council Tax reduction are set out in Schedule 1, Part 1 of the regulations, as follows:

Pensioners with income equal to or less than their applicable amount

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

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

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

Pensioners with income more than their applicable amount

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

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

33. 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.

#### Alternative maximum Council Tax Support

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

- (a) Pension aged
- (b) Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- (c) Not absent from the dwelling, as defined in schedule 1, part 1, paragraph 5 of the regulations
- (d) One or more people reside with the claimant who are not a member of their family
- (e) No other resident in the dwelling is liable to pay rent to the claimant in respect of that dwelling.

35. 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.

#### Pensioners with war pensions

36. Pensioners with war pensions are classed as:

- (a) Pension aged
- (b) Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- (c) Not absent from the dwelling, as defined in Schedule 1, Part 1, paragraph 5 of the regulations
- (d) In receipt of a war pension, as defined by The Housing Benefit and Council Tax Benefit (War Pension Disregards) (Amendment) Regulations 2009.

37. Having claimed Council Tax Support, this class of people will be assessed in accordance with the prescribed regulations for pensioners. Any war pension will be fully disregarded.

#### Pensioners

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

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

- (a) A person is a 'pensioner' if they have attained the qualifying age for state Pension Credit; and

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

#### Membership of a family

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

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

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

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

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

- (a) A couple
- (b) 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
- (c) 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

- (d) 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
  - (e) 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.
43. 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) A person is to be treated as responsible for a child or young person who is normally living with them
  - (b) 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;
    - i. the person who receives Child Benefit in respect of that child or young person, or
    - ii. if there is no such person, the person who has claimed Child Benefit, or the person who has the primary responsibility for them.
44. The rules for membership of a household are set out in paragraph 8 of the regulations. These state:
- (a) 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
  - (b) A child or young person is not treated as a member of the claimant's household where they are;
    - i. 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
    - ii. placed with the claimant or their partner prior to adoption, or
    - iii. placed with the claimant or their partner in accordance with the Adoption and Children Act 2002
  - (c) 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;
    - i. 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

- ii. placed with a person other than the claimant prior to adoption, or
- iii. placed for adoption in accordance with the Adoption and Children Act 2002.

#### Non-dependants

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

- (a) Any person who normally resides with the claimant or with whom the claimant normally resides
- (b) This excludes;
  - i. any member of the claimant's family,
  - ii. a child or young person who is living with the claimant but is not classed as a member of their household,
  - iii. any person who is jointly and severally liable to pay Council Tax in respect of the dwelling,
  - iv. 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,
  - v. 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.

#### Persons from Abroad

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

- (a) 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
- (b) Except where a person falls within paragraph (e) below, 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

- (c) 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
- (d) A right to reside does not include a right which exists by virtue of, or in accordance with;
  - i. regulation 13 of the EEA regulations 2016,
  - ii. regulation 14 of the EEA regulations 2016, 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,
  - iii. regulation 16 of the EEA regulations 2016, but only in a case where the right exists under that regulation because the claimant satisfies the criteria in paragraph (5) of that regulation,
  - iv. a person having been granted limited leave to enter, or remain in the United Kingdom under the Immigration Act 1971 by virtue of;
    - 1. Appendix EU to the immigration rules made under section 3(2) of that Act (except a person who has a right to reside granted by virtue of being a family member of a relevant person of Northern Ireland and would have a right to reside under EEA Regulations 2016 if the relevant person of Northern Ireland were an EEA national),
    - 2. being a person with a 'Zambrano' right to reside as defined in Annex 1 and Appendix EU to the immigration rules made under section 3(2) of that Act;
    - 3. having arrived in the United Kingdom with an entry clearance that was granted under Appendix EU (Family Permit) to the immigration rules made under section 3(2) of that Act.
- (e) 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;
  - i. a person granted leave in accordance with the immigration rules made under section 3(2) of the Immigration Act 1971, where such leave is granted by virtue of the Afghan Relocations and Assistance Policy, or the previous scheme for locally-employed staff in Afghanistan,

- ii. a person in Great Britain who left Afghanistan in connection with the collapse of the Afghan government that took place on 15 August 2021,
- iii. a person in Great Britain who was residing in Ukraine immediately before 1 January 2022, left Ukraine in connection with the Russian invasion, which took place on 24 February 2022 and has been granted leave in accordance with immigration rules under section 3(2) of the Immigration Act 1971, or has a right to abode in the United Kingdom within the meaning given in section 2 of that Act, or does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act,
- iv. a qualified person (or their family member), for the purposes of regulation 6 of the EEA regulations 2016 as a worker or self-employed person,
- v. 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 2016,
- vi. a family member of a relevant person of Northern Ireland, with a right to reside, provided that the relevant person of Northern Ireland is a qualified person, or would do so but for the fact they are not an EEA national,
- vii. a frontier worker within the meaning of regulation 3 of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020,
- viii. a family member of a frontier worker, who has been granted limited leave to enter, or remain in, the United Kingdom by virtue of Appendix EU to the immigration rules made under section 3(2) of the Immigration Act 1971,
- ix. 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,
- x. a person who has been granted leave outside of the rules under section 3(2) of the Immigration Act 1971,
- xi. a person who has humanitarian protection granted under those rules,
- xii. 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,
- xiii. a person in receipt of Income Support or income related Employment and Support Allowance,
- xiv. 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,

- xv. 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.
47. The rules for persons subject to immigration control are set out in paragraph 13 of the regulations. These state:
- (a) 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;
    - i. 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
  - (b) 'Persons subject to immigration control' has the same meaning as in section 115(9) of the Immigration and Asylum Act 1999.

#### Applicable amounts

48. The applicable amount will be made up of a number of elements. These may include, depending upon individual circumstances:
- (a) A personal allowance for the claimant and their partner
  - (b) An amount for every child or young person who is a member of the family
  - (c) A family premium where at least one child or young person is part of the household
  - (d) Premiums for people in receipt of Employment and Support Allowance
  - (e) Premiums which may apply in special circumstances.
49. 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.
50. The amounts detailed below in Table 1 are those stated within the 2023-2024 scheme and will be updated for 2024-2025. The updated amounts will be calculated with reference to the amended regulations and Social Security Benefits Up-rating Order.
51. People in receipt of Universal Credit will have their Council Tax Support calculated based on their Universal Credit maximum award.

52. The Family Premium does not apply from 1 May 2016, unless the conditions in paragraph 53 apply.
53. Claims for Council Tax Support where the Family Premium applied at 30 April 2016 will continue to be entitled to the Family Premium from 1 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**

<b>Personal allowances</b>	<b>Weekly amount 2023-2024</b>	<b>Weekly amount 2024-2025</b>
Single claimant aged 18 to 24	£67.20	
Working aged single claimant aged 25 or over	£84.80	
Single claimant entitled to main phase Employment and Support Allowance	£84.80	
Working aged lone parent	£84.80	
Working aged couple	£133.30	
Couple entitled to main phase Employment and Support Allowance	£133.30	
Single claimant or lone parent who has attained pensionable age before 1 April 2021	£217.00	
Couple where one or both members have attained pensionable age before 1 April 2021	£324.70	
Single claimant or lone parent who has attained pensionable age on or after 1 April 2021	£201.05	
Couple where one or both members have attained pensionable age on or after 1 April 2021	£306.85	
A child or young person until the day before their twentieth birthday	£77.78	
<b>Family premium</b>	<b>Weekly amount 2023-2024</b>	<b>Weekly amount 2024-2025</b>
A household which includes at least one child or young person (but see paragraphs 52 and 53)	£18.53	
<b>Employment and Support Allowance premiums</b>	<b>Weekly amount 2023-2024</b>	<b>Weekly amount 2024-2025</b>
The claimant or their partner are in receipt of the work related activity component of Employment and Support Allowance	£33.70	
The claimant or their partner are in receipt of the support component of Employment and Support Allowance	£44.70	
Special circumstances premiums (entitlement limited to only one of the premiums below)	<b>Weekly amount 2023-2024</b>	<b>Weekly amount 2024-2025</b>

<p>Disability premium (single) – the claimant is registered blind, or in receipt of one or more of the following:</p> <ul style="list-style-type: none"> <li>• Attendance Allowance</li> <li>• Disability Living Allowance</li> <li>• Mobility Supplement</li> <li>• Long term Incapacity Benefit</li> <li>• Severe Disablement Allowance</li> <li>• The disability or severe disability element of Working Tax Credit</li> <li>• Personal Independence Payment</li> <li>• Adult Disability Payment</li> <li>• Armed Forces Independence Payment</li> </ul>	£39.85	
<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"> <li>• Attendance Allowance</li> <li>• Disability Living Allowance</li> <li>• Mobility Supplement</li> <li>• Long term Incapacity Benefit</li> <li>• Severe Disablement Allowance</li> <li>• The disability or severe disability element of Working Tax Credit</li> <li>• Personal Independence Payment</li> <li>• Adult Disability Payment</li> <li>• Armed Forces Independence Payment</li> </ul>	£56.80	
<p>Carers premium – the claimant or partner is entitled to Carers Allowance, the carers element in Universal Credit, or the carers addition in Pension Credit</p>	£42.75	
<p>Special circumstances premiums (entitlement can be applied on top of any other premiums awarded)</p>	<b>Weekly amount 2023-2024</b>	<b>Weekly amount 2024-2025</b>
<p>Severe disability premium (single rate) - for a single claimant, lone parent or couple where:</p> <ul style="list-style-type: none"> <li>• 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 the daily living component of Adult Disability Payment at the standard or enhanced rate, or Armed Forces Independence Payment, and</li> </ul>	£76.40	

<ul style="list-style-type: none"> <li>• No non-dependants aged 18 or over reside with them, and</li> <li>• No one is in receipt of a Carers Allowance, carers element, or carers addition for looking after them.</li> </ul>		
<p>Severe disability premium (double rate) – for a couple where:</p> <ul style="list-style-type: none"> <li>• 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 component of Personal Independence Payment, or the daily living component of Adult Disability Payment at the standard or enhanced rate, or Armed Forces Independence Payment, and</li> <li>• No non-dependants aged 18 or over reside with them, and</li> <li>• No one is in receipt of a Carers Allowance, carers element, or carers addition for looking after both of them.</li> </ul>	<p>£152.80</p>	
<p>Enhanced disability premium (single) – where:</p> <ul style="list-style-type: none"> <li>• The claimant has limited capability for work related activity, or</li> <li>• The highest rate care component of Disability Living Allowance is payable for the claimant or any member of the claimant’s family, or</li> <li>• The daily living component of Personal Independence Payment is payable for the claimant or any member of the claimant’s family,</li> <li>• The daily living component of Adult Disability Payment is payable at the enhanced rate for the claimant or any member of the claimant’s family, or</li> <li>• Armed Forces Independence Payment is payable for the claimant or any member of the claimant’s family.</li> </ul>	<p>£19.55</p>	

<p>Enhanced disability premium (couple) – where:</p> <ul style="list-style-type: none"> <li>• The claimant or partner has limited capability for work related activity, or</li> <li>• The highest rate care component of Disability Living Allowance is payable for the claimant or any member of the claimant’s family, or</li> <li>• The daily living component of Personal Independence Payment is payable for the claimant or any member of the claimant’s family,</li> <li>• The daily living component of Adult Disability Payment is payable at the enhanced rate for the claimant or any member of the claimant’s family, or</li> <li>• Armed Forces Independence Payment is payable for the claimant or any member of the claimant’s family.</li> </ul>	<p>£27.90</p>	
<p>Enhanced disability premium (disabled child) – where:</p> <ul style="list-style-type: none"> <li>• The highest rate care component of Disability Living Allowance is payable for a child or young person, or</li> <li>• The daily living component of Personal Independence Payment is payable for a child or young person, or</li> <li>• The daily living component of Adult Disability Payment is payable at the enhanced rate for a young person, or</li> <li>• Armed Forces Independence Payment is payable for a young person.</li> </ul>	<p>£30.17</p>	
<p>Disabled child premium – where a child or young person:</p> <ul style="list-style-type: none"> <li>• Receives Disability Living Allowance, or</li> <li>• Receives Personal Independence Payment, or</li> <li>• Receives the daily living component of Adult Disability Payment, or</li> <li>• Receives Armed Forces Independence Payment, or</li> <li>• Is registered blind.</li> </ul>	<p>£74.69</p>	

## **Making a claim**

54. 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:
- (a) The claim may be made in writing, by electronic communication means or by telephone
  - (b) A claim made in writing must be made to the Council on a properly completed form
  - (c) 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
  - (d) 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
  - (e) 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
  - (f) 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.

### Time and manner of making a claim

55. 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.
56. 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.
57. 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.
58. 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.
59. The Council will offer assistance to the claimant to make their claim for Council Tax Support, where this is required.

### Information and evidence

60. 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:

- (a) 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
- (b) 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
- (c) 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
- (d) 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
- (e) The claimant is not required to provide evidence of any income or capital which are disregarded under the Council Tax Support scheme.

61. 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, Universal Credit, or Pension Credit, the Council will also accept this as verified for any Council Tax Support claim or a continuing award.

### Amendment and withdrawal of claim

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

## **Income and capital**

### Treatment of income

63. 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.
64. 'Income' includes any of the following:
- (a) Earnings
  - (b) Social Security Benefits
  - (c) Tax credits
  - (d) Pensions
  - (e) Maintenance
  - (f) Income from rent / board and lodgings
  - (g) Royalties
  - (h) Student grants
  - (i) Compensation payments.
65. 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.
66. 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.
67. 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.
68. 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.
69. The treatment of income for pensioners is set out in Schedule 1, Part 6 of the regulations.

### Earnings

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

- (a) 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
- (b) 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
- (c) 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
- (d) 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
- (e) Any periods of absence from work, such as holiday, will be disregarded for establishing the average hours for which the person is working
- (f) A person must not be treated as engaged in remunerative work if they are on maternity leave, paternity leave, adoption leave, shared parental leave, parental bereavement leave, or if they are absent from work because they are ill.

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

- (a) Bonuses or commission
- (b) Payments in lieu of remuneration
- (c) Payments in lieu of notice
- (d) Holiday pay
- (e) Payments by way of a retainer
- (f) Payments for expenses not wholly, exclusively and necessarily incurred in the performance of the employment
- (g) Statutory sick pay, maternity pay, paternity pay, shared parental pay, parental bereavement pay, or adoption pay.

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

- (a) Income Tax



(b) National Insurance contributions

(c) Half of any sum paid by the employee towards an occupational or personal pension scheme.

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

74. The calculation of earned income for pensioners is set out in Schedule 1, Part 6 of the regulations.

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

(a) Temporary care provision payments in the calculation of earnings

(b) Payments relating to former employment paid after retirement

(c) Compensation payments for loss of employment

(d) Guarantee payments on medical or maternity grounds

(e) Payments for expenses wholly, exclusively and necessarily incurred in the performance of the employment

(f) For a single person, the first £5.00 each week of any earnings

(g) For a couple, the first £10.00 each week of any earnings

(h) For a lone parent, the first £25.00 each week of any earnings

(i) 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 £167.00 each week of any earnings

(j) For people entitled to the disability premium, the severe disability premium or one of the Employment and Support Allowance premiums, the first £20.00 each week of any earnings, except where the permitted earnings disregard applies

(k) For people entitled to the carers premium, the first £20.00 each week of any earnings

(l) For people in certain special occupations, the first £20.00 each week of any earnings. These are:

i. Part-time fire-fighters

ii. Auxiliary coastguards

- iii. Part-time life-boat workers
  - iv. Members of the Territorial Army or similar reserve force
- (m) For people in receipt of the additional earnings disregard in Working Tax Credit, an additional disregard of £17.10 each 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
- (n) Disguised remuneration lump sum payments
- (o) Child care charges (see below).

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

#### Child care charges

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

- (a) A lone parent works 16 hours each week or more, or
- (b) Both members of a couple work 16 hours each week or more, or
- (c) One member of a couple works 16 hours each 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
- (d) One member of a couple works 16 hours each week or more and the other member of the couple is on maternity leave and receiving Statutory Maternity Pay or Maternity Allowance, or
- (e) One member of a couple works 16 hours each week or more and the other member of the couple is in hospital or prison.

78. 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) A registered child minder
- (b) A registered nursery or play scheme
- (c) An out of hours scheme run by an approved provider

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

79. The treatment of child care charges for pensioners is set out in Schedule 1, Part 6 of the regulations.

#### Self-employed earnings

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

- (a) The most recent year's trading accounts, if the claimant or partner have been self-employed for one year or more, or
- (b) 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.

81. 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:

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

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

83. 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.

84. 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.

85. The treatment and calculation of self-employed earnings for pensioners is set out in Schedule 1, Part 6 of the regulations.

#### Student grants

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

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

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

#### Student covenant income

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

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

90. 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:

- (a) 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 grants'.

- (b) 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 each week will be disregarded.

#### Student loans

91. 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 grants'. A student's loan will be apportioned over the period of study the loan relates to and an amount of £10.00 each week will be disregarded.

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

- (a) A student loan has been made to them for that year, or
- (b) 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.

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

#### Payments from access funds

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

- (a) Food
- (b) Ordinary clothing or footwear
- (c) Household fuel
- (d) Water charges
- (e) Rent
- (f) Council Tax.

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

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

#### Student income treated as capital

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

- (a) A refund of tax deducted from a student's covenant income

- (b) An amount paid from access funds as a single lump sum, whatever the purpose of the payment.

#### Notional income

- 98. 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.
- 99. The treatment of notional income for pensioners is set out in Schedule 1, Part 6 of the regulations.

#### Tariff income from capital

- 100. Where the claimant and their partner have capital in excess of £6,000 (but less than £16,000), a tariff income of £1.00 each week will be taken into account for every £250, or part of £250, over £6,000.
- 101. The calculation of tariff income from capital for pensioners is set out in Schedule 1, Part 6 of the regulations.

#### Other income

- 102. Any other income of the claimant or partner will be taken fully into account, with the exception of 'income disregarded' below.
- 103. 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.

#### Income disregarded

- 104. The following income paid to the claimant or partner will be disregarded in full, unless otherwise stated:
  - (a) Any payment of expenses for participation in 'work for your benefit' schemes
  - (b) Any payment of expenses for attending mandatory work activity, employment, skills or enterprise schemes
  - (c) Any payment of expenses for a person who is a volunteer for a charitable or voluntary organisation
  - (d) Any payment of expenses for a person who participates as a service user
  - (e) Certain state benefits and pensions:
    - i. Adult Disability Payments

- ii. Armed Forces Independence Payments
  - iii. Attendance Allowance
  - iv. Child Benefit
  - v. Disability Living Allowance
  - vi. Discretionary Housing Payments
  - vii. Education Maintenance Allowance
  - viii. Guardian's Allowance
  - ix. Housing Benefit
  - x. Income Support
  - xi. Income based Jobseekers Allowance
  - xii. Income related Employment and Support Allowance
  - xiii. Mobility supplements
  - xiv. Personal Independence Payments
  - xv. Any war pension, as defined by The Housing Benefit and Council Tax Benefit (War Pension Disregards) (Amendment) Regulations 2009
  - xvi. Widowed Mother's Allowance
  - xvii. Widowed Parent's Allowance
- (f) The income of a person in receipt of Income Support, income based Jobseekers Allowance or income related Employment and Support Allowance
- (g) Universal Credit payments (for pension-aged claims only)
- (h) Any payment made to a person as a holder of the Victoria Cross or George Cross
- (i) Charitable or voluntary payments
- (j) Any income from capital
- (k) Any payments received from dependants or non-dependants
- (l) The first £20.00 each week of any rental payments from a person, other than a non-dependant, who occupies the claimant's home

- (m) The first £20.00 each week, and then 50% of any income over £20.00 each week, of any rental payments from a boarder, other than a non-dependant, who occupies the claimant's home
- (n) Any payment in kind made by a charity
- (o) Any income payable outside the United Kingdom where there is a prohibition against the transfer to the United Kingdom of that income
- (p) Any payment made for adoption, fostering, guardianship support or supported lodgings
- (q) Any payment made for a person who is not normally a member of the claimant's household, but is temporarily in their care
- (r) Any payment made by a Local Authority under section 17 of the Children's Act 1989
- (s) Any payment ordered by a court for a personal injury, accident or disease in respect of the claimant or their family
- (t) Any payment made under an agreement to settle a claim for personal injury
- (u) Any payment received under an insurance policy taken out to insure against the risk of being unable to maintain repayments of a loan
- (v) Any income treated as capital
- (w) Any social fund payment, Local Welfare Assistance award or any equivalent scheme
- (x) Any payment for banking charges or commission, to convert a payment of income to sterling
- (y) Any payment made under the following:
  - i. The Macfarlane Trust
  - ii. The Eileen Trust
  - iii. The Independent Living Fund
  - iv. The Skipton Fund
  - v. The Caxton Foundation
  - vi. The London Bombing Relief Charitable Fund
  - vii. The London Emergencies Trust



- viii. The We Love Manchester Emergency Fund
  - ix. The Variant Creutzfeldt-Jacob Disease Trust
  - x. An approved infected blood support scheme
  - xi. The Thalidomide Health Grant or other Thalidomide Trust
  - xii. Any Windrush Compensation Scheme payment
  - xiii. Any historical child abuse payment
  - xiv. The National Emergencies Trust
  - xv. The Child Migrants Trust
  - xvi. The Homes for Ukraine scheme
- (z) Any payment of expenses for jurors, witnesses or prison visitors
- (aa) Any refund of Council Tax
- (bb) Any payment of child maintenance
- (cc) The first £15.00 each week of any maintenance, other than child maintenance
- (dd) Sports awards
- (ee) Any victims' payments under the Victims' Payments Regulations 2020.

105. The income disregarded for pensioners is set out in Schedule 5 of the regulations.

#### Capital

106. The capital of the claimant and their partner will be added together, for the purpose of calculating entitlement to Council Tax Support.
107. Where the person is receiving Universal Credit, the capital will be the assessment of capital provided by Universal Credit.
108. All capital of the claimant or partner will be taken fully into account, with the exception of 'capital disregarded' below.
109. 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.

110. 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:

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

111. The treatment and calculation of capital for pensioners is set out in Schedule 1, Part 6 of the regulations.

#### Income treated as capital

112. The following payments will be treated as capital:

- (a) Holiday pay, paid 4 weeks or more after termination of employment
- (b) Tax refunds
- (c) Lump sum charitable or subsistence payments
- (d) Arrears of Tax Credits.

#### Notional capital

113. 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.

114. The treatment of notional capital for pensioners is set out in Schedule 1, Part 6 of the regulations.

#### Capital disregarded

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

- (a) The dwelling normally occupied by the claimant as their home
- (b) Any property which is actively being sold
- (c) Any property acquired by the claimant which they intend to occupy as their home, whilst they are preparing for occupation
- (d) Any property acquired by the claimant, which they intend to occupy as their home, which is undergoing essential repairs or alterations

- (e) 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
- (f) 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
- (g) 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
- (h) The capital of a person in receipt of Income Support, income based Jobseekers Allowance or income related Employment and Support Allowance
- (i) Any future interest in property, other than land or premises where the claimant has granted a lease or tenancy
- (j) The assets of any business owned by the claimant for the purpose of their self-employment
- (k) Any arrears of state pensions, benefits or tax credits
- (l) 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
- (m) Any amount deposited with a Registered Provider, which is to be used for the purchase of another property intended for occupation
- (n) Any personal possessions
- (o) The value of the right to receive any income under an annuity or the surrender value of an annuity
- (p) 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
- (q) The value of the right to receive any income under a life interest or from a life rent
- (r) 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
- (s) The surrender value of any life insurance policy
- (t) Where payments of capital are made by instalments, the value of the right to receive any outstanding instalments
- (u) Any payment made by a local authority under section 17 of the Children Act 1989

- (v) Any payment made for adoption, fostering, guardianship support or supported lodgings
- (w) Any social fund payment, Local Welfare Assistance award or any equivalent scheme
- (x) 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
- (y) 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
- (z) Any payment made under the following:
  - i. The Macfarlane Trust
  - ii. The Eileen Trust
  - iii. The Independent Living Fund
  - iv. The Skipton Fund
  - v. The Caxton Foundation
  - vi. The London Bombing Relief Charitable Fund
  - vii. The London Emergencies Trust
  - viii. The We Love Manchester Emergency Fund
  - ix. The Variant Creutzfeldt-Jacob Disease Trust
  - x. An approved infected blood support scheme
  - xi. The Thalidomide Health Grant or other Thalidomide Trust
  - xii. Any Windrush Compensation Scheme payment
  - xiii. Any historical child abuse payment
  - xiv. The National Emergencies Trust
  - xv. The Child Migrants Trust
  - xvi. The Homes for Ukraine scheme
- (aa) The value of the right to receive any rent
- (bb) Any payment in kind made by a charity

- (cc) Any refund of Council Tax
- (dd) 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
- (ee) Any payments for:
  - i. travel expenses for hospital visits
  - ii. medical supplies and vouchers
  - iii. health in pregnancy grants
- (ff) Home Office payments for prison visits
- (gg) Any payment made to assist a disabled person to obtain or retain their employment
- (hh) Any payment made by a local authority under the Blind Homeworkers' Scheme
- (ii) Any capital administered on behalf of a person by the High Court, County Court, or the Court of Protection
- (jj) Any payment to the claimant as a holder of the Victoria Cross or George Cross
- (kk) Any payment made to assist a person under the self-employment route
- (ll) Any payment of a sports award
- (mm) Any payment of an education maintenance allowance
- (nn) Any payment made by a contractor for a person participating in an employment zone programme
- (oo) Any arrears of subsistence allowance
- (pp) 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
- (qq) Any victims' payments under the Victims' Payments Regulations 2020.

116. The capital disregarded for pensioners is set out in Schedule 6 of the regulations.

## Calculation of entitlement

### Maximum Council Tax Support

117. The amount of a person's maximum Council Tax Support for a day which they are liable to pay Council Tax will be 80%.
118. The amount of Council Tax Support will be calculated as A divided by B and multiplied by 80% where:
- (a) 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) B is the number of days in that financial year
  - (c) Less any non-dependant deductions.
119. 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.
120. The maximum Council Tax Support for pensioners is set out in Schedule 1, Part 5 of the regulations.

### Council Tax Support taper

121. 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%.

### Non-dependant deductions

122. 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 2023-2024 scheme (**Table 2**) and will be uprated for 2024-2025 (**Table 3**). The uprated amounts will be calculated with reference to the amended regulations.

**Table 2: Non-dependant deductions 2023-2024**

Non-dependant type	Weekly amount
A non-dependant aged 18 or over in remunerative work where their normal gross weekly income is:	
Less than £236.00	£4.60
Not less than £236.00 and less than £410.00	£9.40
Not less than £410.00 and less than £511.00	£11.80
Not less than £511.00	£14.15
A non-dependant aged 18 or over not in remunerative work	£4.60

**Table 3: Non-dependant deductions 2024-2025**

Non-dependant type	Weekly amount
A non-dependant aged 18 or over in remunerative work where their normal gross weekly income is:	
Less than £	
Not less than £                      and less than £	
Not less than £                      and less than £	
Not less than £	
A non-dependant aged 18 or over not in remunerative work	

123. 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.
124. 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.
125. 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.
126. Non-dependant deductions will not be made in the following circumstances:
- (a) Where the claimant or their partner is blind
  - (b) 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, or the daily living component of Adult Disability Payment
  - (c) Where the non-dependant normally resides elsewhere
  - (d) Where the non-dependant receives a training allowance
  - (e) Where the non-dependant is a full-time student
  - (f) 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)
  - (g) Where the non-dependant receives Income Support, income based Jobseekers Allowance, income related Employment and Support Allowance, or Pension Credit
  - (h) Where the non-dependant receives Universal Credit, where the award has been calculated on the basis that they do not have any earned income
  - (i) Where the non-dependant is aged under 18

- (j) 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.

127. 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.

128. The rules for non-dependant deductions for pensioners are set out in Schedule 1, Part 3 of the regulations.

Date on which a claim is made and entitlement begins

129. 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:

- (a) 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
- (b) 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
- (c) 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
- (d) 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
- (e) In all other cases, the date of claim for Council Tax Support will be the date the claim form is received by the Council.

130. Council Tax Support will begin on the date of claim unless:

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

131. 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.

132. The rules for the backdating of claims for pensioners are set out in Schedule 8, Part 2, paragraph 6 of the regulations.

#### Duration of award and reviews

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

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

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

#### Extended reductions

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

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

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

136. 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.

137. The amount of the extended reduction will be the higher of:

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

138. The rules for extended reductions for pensioners is set out in Schedule 1, Part 7 of the regulations.

#### Extended reductions – movers into Darlington

139. The rules covering people who move into Darlington who are in receipt of an extended reduction is set out in Schedule 8, Part 1, paragraph 2 of the regulations. These state:

- (a) 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.

## **Decision making and notifications**

### Decisions and notification

140. 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:
- (a) 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
  - (b) 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
  - (c) 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
  - (d) Where the decision is to award Council Tax Support, the notice must include a statement as to how it will be paid
  - (e) The decision notice must include the procedure by which an appeal may be made
  - (f) 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
  - (g) 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.

### Payment of Council Tax Support

141. The rules for the payment of Council Tax Support are set out in Schedule 8, Part 4 of the regulations. These state:
- (a) Payment of Council Tax Support will be made to the person entitled to the reduction of their Council Tax liability
  - (b) 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
142. Payment of Council Tax Support will be made by reducing the Council Tax liability of the person entitled to the reduction.

Electronic communications

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

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

## **Changes in decisions**

### Duty to notify changes of circumstances

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

- (a) 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
- (b) 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.

145. 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.

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

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

- (a) Where entitlement to Council Tax Support continues after the change, Council Tax Support will change on the Monday following the date the change occurred
- (b) 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
- (c) Where Council Tax liability changes or ends, Council Tax Support will be changed or ended on the same day.

### Ending Council Tax Support

147. Council Tax Support will end in the following circumstances:

- (a) Council Tax liability ends
- (b) A Council Tax exemption applies
- (c) A change of circumstances occurs, which ends entitlement to Council Tax Support
- (d) A change of circumstances occurs, but there is insufficient information or evidence to decide if entitlement to Council Tax Support will continue
- (e) 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.

### Revisions

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

- (a) The original decision was made in error, or
- (b) The original decision was made in ignorance of a material fact.

### Appeals

149. The rules by which a person may make an appeal against certain decisions of the authority are set out in Schedule 7, Part 2, paragraph 8 of the regulations. These state:

- (a) A person who disagrees with a decision in relation to their Council Tax Support claim may appeal in writing, stating their grounds for appeal
- (b) 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
- (c) 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.

### Downward adjustments of Council Tax Support

150. 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.

### Discretionary reductions

151. The rules for an application for a discretionary reduction are set out in Schedule 7, Part 3, paragraph 9 of the regulations. These state:

- (a) An application for a reduction under section 13A(1)(c) of the 1992 Act may be made in writing, by telephone, or by electronic means
- (b) 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.

**COUNCIL**  
**30 NOVEMBER 2023**

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**OVERVIEW OF ADULTS SCRUTINY COMMITTEE**

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

**Social Care Reforms - Update**

2. We received a report which provided Members with an update on the Social Care reforms introduced as part of the Health and Social Care Act 2022. The report outlined that the Act included a series of measures including the return of Care Quality Commission (CQC) assessment of Council Adults' services, default powers for the Secretary of State in relation to Adult Social Care, the implementation of Integrated Care Boards (ICBs) and Integrated Care Partnerships, a cap on care costs (paused until 2025), mandatory learning disability and autism training, and professional regulation. It summarised the key areas of impact, informed Members of the Council's current position in relation to the Health and Care Act 2022, detailed a number of service objectives to enable delivery, and outlined the Transformation Delivery Plan 2023-2026.
3. The Committee entered into discussion on how the cap on social care costs would impact on service delivery, how the baseline success of the Transformation Delivery Plan would be measured and we explored the current situation in relation to the rise in Covid-19 cases and service delivery.

**Adult Social Care – Budget Overview**

4. The Assistant Director, Adult Services, delivered a presentation which provided Members with an overview of the Adult Social Care Budget and Outturn for 2021/22 and 2022/23. The presentation gave a breakdown of total budget, outturn and variance for each service area across both financial years.
5. Discussion ensued on the use of Direct Payments and how funding was used to improve lives for adults, and the Assistant Director, Adults Services, advised that a strength-based approach was adopted, with a focus provided on what the individual could do for themselves, and support given to enable an individual to live as independently as possible, whilst acknowledging risks. A further discussion subsequently ensued on the need for more supported living flats.
6. Focus turned to the overlap that existed, and the transitional arrangements in place, between Adults Services and Children's Services with regard to the provision for younger adults.
7. Concerns were raised in relation to the approximate £3M debt that was being carried forward, and Members were keen to know whether the Covid pandemic had contributed to the accrual of this figure. It was acknowledged that the debt had increased and

that items such as the restriction on our ability to place a legal charge against a property, decisions regarding deputyship and court of protection had impacted. The debt figure does not take account of debt awaiting the sale of properties, payment plans or awaiting deferred agreement.

### **Performance Indicators End of Year Report 2022-23**

8. The Committee received a report which provided Members with performance data against Key Performance Indicators for 2022-23, in line with an indicator set and Scrutiny Committee distribution agreed by the Monitoring and Coordination Group on 4 June 2018, and subsequently agreed by Scrutiny Committee Chairs. Twelve indicators are reported to this Committee, ten on a six monthly basis and two annually.
9. It was reported that, of the ten indicators reported at six months, one of the indicators showed performance better than at this time last year; four indicators showed performance which had declined in comparison with the same period last year, yet was still continuing to be monitored and managed; two indicators showed performance that was the same as at this time last year, and that three indicators were not comparable, as were reviewed at a point in time.
10. The two indicators recorded annually (ASC054 - The proportion of people who use Adult Care services who find it easy to find information about services – and ASC055 - The proportion of people who are carers who find it easy to find information about services) were not included within the report as the 2021-22 results of the survey had appeared in the Mid-Year Scrutiny Report.
11. Members entered into discussion on the increase in the number of recorded safeguarding concerns, the reasons for this, and the number of strategy meetings undertaken. We were also keen to understand more about Direct Payments, and how this could be better promoted, with possible links to GP practices and Social Prescribers. Members scrutinised the Key Performance Indicators in relation to residential and nursing care and were keen to explore the projected cost increases in future years.
12. Discussion ensued on the decline in the proportion of adults with a learning disability who reside at home, and the proportion of adults with learning disabilities in paid employment, and we examined the reasons around these reductions, with the Committee keen to know whether lessons could be learnt from exemplars in this area, such as Hartlepool Borough Council.

### **Quality Standards Monitoring Outcomes 2023-2024 - Agreement for the Provision of Residential Care for Adults and Older People with Mental Health Problems 2013-2024**

13. A report was submitted to inform Members of the outcome of the quality standards assessment for 2023-2024, and it was stated that the level of compliance against the quality standards would determine the fee levels for the current year.
14. It was pleasing to note that the results of the quality standards for 2023-2024 demonstrated an increase in the number of homes which had achieved an A Grade, with



16/19 (84%) achieving an A Grade compared to 13/19 (68%) in 2022, and that no homes achieved eight standards or less.

15. Members noted that the environmental standards were quite dated and expressed the wish to see higher standards in future, however were pleased to learn that the quality standards were being reviewed. Members were keen to understand more about the training and actions plans implemented where shortfalls existed.

**Councillor Helen Crumbie**  
**Chair of Adults Scrutiny Committee**

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**COUNCIL  
30 NOVEMBER 2023**

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**OVERVIEW OF CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE**

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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.

**Performance Management**

**Performance Indicators Year End 2022/23 and Performance Indicators Quarter 1 2023/24**

2. The Committee received two reports one of which provided an update on performance against key performance indicators for the Year End 2022/23 (for the period April 2022 to March 2023), and one which provided Members with an update on performance against key performance indicators for the initial quarter of 2023/24 (April 2023 to June 2023).
3. Each report used an indicator set agreed by the Monitoring and Coordination Group on 2 July 2018, and subsequently agreed by Scrutiny Committee Chairs. The reports highlighted those areas where Children's Services were performing well, and identified those areas where improvement was required.
4. Members of the Committee were keen to know more about the changes to the 'front door' function and the increase in Early Help Assessments (EHAs). There was also interest in the measures in place to safeguard those who were victims of domestic abuse and coercive control, the definition of suitable accommodation for Care Leavers, the recording of 'missing' episodes, and whether there was a greater need for individualised assessments.
5. Discussion focused on recruitment and retention, and whether the service was adequately resourced, with Members also keen to understand more around the support available for Social Workers and the Council's Fostering Teams. Members were pleased to note the recent success in terms of recruitment, and analysed the reasons for this.

**Review of Performance Indicators used in Performance Management and Regulation**

6. At our meeting on 19 June 2023, Members expressed the wish to review the Performance Indicators used in our quarterly Performance Management reports and we received a report at our October meeting which encouraged the Committee to consider the appropriate next steps in relation to such a review.

7. The Committee decided to establish a Task and Finish Group to review the Performance Indicators used within the Scrutiny process.

### **Designated Officer Annual Report 2022/23**

8. Members of the Committee received a report which provided an update on the progress and performance of the Designated Officers' (DO) response to all contacts received relating to allegations/concerns of abuse by those who work with children for the period April 2022 to March 2023, and to highlight the required actions for the period April 2023 to March 2024.
9. The Committee were provided with an overview of the function of the Designated Officer role and stated that all organisations that worked with children in Darlington were required to have policies and procedures in place in relation to what their organisation would do when an allegation was made against an employee / volunteer who was in contact with children. We were informed that these policies and procedures should be in line with Darlington Safeguarding Partnership multi-agency procedures.
10. We were keen to understand the linkages between organisations following a substantiated allegation to ensure that a Social Worker's record reflected any action taken, and discussion took place on the propensity for SEND children to demonstrate challenging physical behaviour. We also heard as regard from which part of the sector referrals may be expected.

### **Learning and Skills Annual Report 2022/23**

11. The Committee received a report from the Assistant Director of Education and Inclusion which provided Members with an update on the performance of the Learning and Skills Service for the academic year 2022/23, and which allowed Members oversight of, and an opportunity to challenge, the performance of this externally funded service.
12. We were advised that the service was now seeing a recovery of learner numbers and that performance remained high, and that the service was growing provision whilst continuing to respond to employer and community need. It was reported that the service was inspected by Ofsted in June 2022, and retained its assessment of 'Good' overall.
13. Discussion ensued on the similarities and differences in the provision of the Learning and Skills Service and the Youth Employment Initiative (YEI), the robustness of the service provided, the involvement of refugees and English for Speakers of Other Languages (ESOL), and the mechanisms for growing funding and promoting the Learning and Skills Service.

### **Dedicated School Grant and the Safety Valve**

14. The Assistant Director of Education and Inclusion submitted a report to provide an update on progress made on the Council's Safety Valve agreement to address historic deficit in the High Needs Block which supported education provision for young people with Special Educational Needs.
15. We were advised that the Council has entered into the "Safety Valve" agreement with the Department for Education (DfE), enabling funding over a five year period to address the accumulated deficit on the Dedicated Schools Grant (DSG) High Needs Block (HNB). Members heard that the agreement would require commitment to areas of review and improvement identified by Department for Education to bring in year spend in line with the in-year budget by 2023/24.
16. Particular focus was given to who retained oversight of the agreement and how it was addressed, the disparity between the potential for infinite costs alongside a finite budget and whether this increased the chance of failure, and whether adjustments could be made if costs were to increase. The concerns of SEND parents were also raised.
17. Members were also interested to learn what safeguards were in place to ensure annual checks with parents had taken place in relation to early intervention work and Education Health Care Plan (EHCP) implementation, and of the wider dialogue with parents.
18. We also scrutinised how the deficit was recorded, how long the deficit had taken to accrue, and whether the Council overall retained a liability for the deficit.

**Councillor Hilary Allen**  
**Chair of Children and Young People Scrutiny Committee**

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**COUNCIL**  
**30 NOVEMBER 2023**

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**OVERVIEW OF COMMUNITIES AND LOCAL SERVICES SCRUTINY COMMITTEE**

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1. Since the last meeting of the Council, the following are the main areas of work the Communities and Local Services Scrutiny Committee has undertaken.

**Taxis in Darlington**

2. The Committee received a report to provide Members with an update on taxi provision (including wheelchair accessible vehicles) within Darlington. It was reported that Covid had impacted on many sectors of the economy, especially the hospitality sector, upon which Hackney Carriage and Private Hire Vehicles, drivers and operators are so heavily reliant. We heard that during the Covid pandemic taxi drivers had sought other opportunities, and that following the relaxation of Covid-19 regulations the country was faced with a shortage of professional drivers and that the taxi trade had been slow to recover.
3. We were informed that the high levels of inflation had also significantly increased operating costs and that the recruitment of new drivers remained extremely challenging. The submitted report outlined the background to the taxi trade in Darlington, and highlighted the current issues and measures being taken both locally and nationally to assist the taxi trade and address the problems.
4. Discussion ensued on the fares charged in Darlington, and we noted that fares in Darlington were the highest in the Tees Valley, and sixth highest in the North-East, for a two-mile journey, and we challenged why Darlington's fares appeared so expensive. The Committee entered into discussion on the differences in the fares charged by Private Hire Vehicles and Hackney Carriages and requested further information as regard the number of registered taxi buses within the Darlington fleet.
5. We were keen to establish whether there would be an increase in applications for Private Hire Licenses during the lead into Christmas and were informed that whilst existing drivers may do more hours, it was not anticipated that there would be an increase in applications.
6. We requested more information in relation to the incentives provided to assist with the costs of wheelchair accessible vehicles (WAV), and the scope for further incentivisation.
7. Focus shifted to the measures and controls in place to ensure that drivers sanctioned in one area were prohibited from obtaining a licence in another area, and the subsequent loss of local control. We also examined the blockages which were leading to delays in the licensing of drivers, such as DBS checks and Group 2 Medicals. Discussion also took place on Uber, it's operating model, and whether larger authorities could be doing more to protect worker's rights and raise standards.

8. The Committee were also interested to know whether the incidents of drink driving had risen as a consequence of there being a lack of drivers, though this information was not available at the meeting.

### **Rail Heritage**

9. The Head of Heritage and Culture provided the Committee with a presentation which gave an update on the development of the Rail Heritage Quarter and the plans of the bicentennial celebrations in 2025.
10. We received an update on the build, the operation and the brand identity for a new visitor attraction, to be known as 'Hopetown, Darlington'. The presentation included artistic impressions and photographs of the work in progress in relation to the Goods Shed 1833, a Site Overview, the North Road Platform, the Exhibition Hall, the Locomotive Works, the 1861 Shed and the Wagon Works Play Park. We were also provided details of the signature piece – a time travel simulator, a hydraulic ride, which would provide a nine-minute shared experience detailing how Darlington had changed the World. The presentation was well received by the Committee.
11. The Committee also received information as regard the brand identity. This included the key themes, details of the consultation which had taken place with stakeholders, including local rail heritage organisations. As well as the rationale and history behind the name of the attraction, the typography of logo and the colour palette. We were advised that the new visitor attraction would be opening in mid-Summer 2024, in good time for the 2025 celebrations.
12. Members raised concerns in relation to the arrangements for car parking and accessing the site, however we received assurances that the car parking and traffic management arrangements would be in place in time for the site opening.
13. We were keen to understand how the attraction would seek to satisfy a wide range of people, and maintain longevity, and the Committee were pleased to hear that there was an extensive forward plan, which included strands focused on education and a continued renewal of assets. Discussion ensued on other events taking place in Shildon and Stockton to mark the bicentennial, and Members sought assurances that events within the delivery programme would not clash.

### **Library Plan and Update**

14. We received a presentation which provided the Committee with an update on the Library Plan. It focused on the newly-restored and refurbished Crown Street Library, which had successfully re-opened on Saturday 9 September 2023.
15. We received information in relation to the visitor numbers for the initial week of re-opening, and the Key Performance Indicators by which performance would be measured. The objectives of the Library Plan were outlined for Members, together with the new School Packages for 2023 and actions being undertaken to reduce the equalities divide.
16. Members were keen to establish the length of the Library Plan and received further information on initiatives to promote reading, and we were interested as to how visitor



numbers were recorded, and we pleased to note that the visitor numbers exceeded the projections for re-opening.

**Councillor James McGill**  
**Chair of Communities and Local Services Scrutiny Committee**

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**COUNCIL**  
**30 NOVEMBER 2023**

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**OVERVIEW OF ECONOMY AND RESOURCES SCRUTINY COMMITTEE**

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

**Market Updates**

2. We welcomed a presentation delivered by the Assistant Director of Economic Growth and the Managing Director of Market Asset Management with the aim of updating members on current strategies and projects and to bring new members up-to-speed on Darlington traders' markets.
3. We were provided with details of current projects and points of note including details to refurbish the old town hall and goals to achieve "best market in Britain 2025".
4. It was highlighted that greater communication with Market Asset Management would be preferred with members noting that information was published in the Northern Echo before they were made aware. Members were assured that this was published without Market Asset Management input. Members highlighted some concern over progress which has been slow since the initial proposals from Market Asset Management, 6 years ago. We were informed that many delays were due to the impact of COVID and attempts to avoid incurring greater costs. However, the number of traders at the external market has increased and the Misfit Market now attracting around thirty independent traders, but difficulties remain in sourcing independent traders in general.
5. Members were assured that loan repayments would recommence after the completion of phase 3 as agreed in July 2022.

**Economic Growth Strategy and Impact Reports**

6. We welcomed a presentation delivered by the Business Growth and Investment Manager to update members on the Darlington Economic Growth Strategy, the impact of Darlington Economic Campus and an overview of the Office Demand Study.
7. We were provided with an overview of the Darlington Economic Growth Strategy with an emphasis on the focus on inclusive growth driving a strong and fair local economy. It was highlighted that property is at a premium in Darlington at present with funding streams currently in a transitional period between government funding schemes and officers are looking to accelerate the delivery of funding.
8. Members were informed of the local impact of the Darlington Economic Campus, points of note being that investment inquiries saw a notable increase of both the speculative and serious nature with several legal firms moving to Darlington.

We were updated on the numbers of jobs created from DEC. With DEC jobs being around 80% local hires with 20% relocations from the south with wages at 15% above the Darlington average and 800 additional jobs created locally as a knock-on from the Treasury's presence.

9. Members were pleased to hear that we received a positive response from the Treasury after submitting the Local Impact Study.
10. We were given details of the Office Demand Study which provided data to articulate the increase in office space demand and accommodation trends in Darlington. It was highlighted that in comparison to past trends, we are seeing a steep increase in demand for office space with around 15,000 square meters required over the next ten years to meet demand with recommendations to develop the Northern Echo Building and former Sports Direct site.
11. In relation to the Office Demand Study, members questioned as to whether the increase in DEC employees is having a negative impact currently and going forward – we were informed that DEC recruitment has recently slowed and that they are looking at reasonable locations in and around the town. The question was also raised around utilising Council office space freed up through hybrid working with assurance given that all possible useable space is being considered including DBC-owned facilities.
12. Discussion was held with regards to private developers looking to develop office space in town and querying whether such interested tenants all require brand new or high-level office facilities. We were informed that officers are working with several interested parties with the certainty of the Treasury giving a boost in this and with interest being shown in various forms of office space.
13. Members voiced their gratitude for the concise and informative insight provided by the presentation.

### **Towns Fund Update**

14. Members received an overview and progress update of the town investment plan, initially submitted 2020, delivered by the Assistant Director of Economic Growth.
15. We were informed that there are currently nine projects in total being undertaken with a focus on maintaining the town's heritage aspects and interesting spaces. Early focus being placed on the yards to create space for residents to relax and the implementation of free Wi-Fi in the town centre and a £4.5m investment into the Rail Heritage Quarter.
16. We were given an update on the purchase and development of local buildings. In relation to the Northern Echo Building, purchase is now completed and tenders from the procurement exercise to be returned by 8 November 2023 after which steps to develop the facility can progress, completion predicted for 2025/26  
Members were also given an update on the progress to date on the acquisition of Northgate House to develop a joint commercial / residential area. In addition, members were updated on proposals for the former Pease House and d156 Northgate.

17. A discussion was raised with regards to placing coverings over the fascia of purchased buildings to boost cosmetic appearance and to inform public of development projections of the buildings in question. Officers agreed to make enquiries regarding this. Members also held a discussion with regards to Northgate house development timescales with development plans to be issued in the new year 2024.
18. Questions were raised with regards to the developments of Skinnergate and the Yards and the current funding situation. Members were informed that if addition funding was required officers would look at underspends in other projects as a means of supporting future works.

### **Project Position Statement and Capital Programme Monitoring – Quarter 2 2023/24**

19. We welcomed the Head of Capital Projects who provided a summary of the latest Capital resource and commitment position and an update on affordability and funding of the Council's capital programme which was presented on 7 November 2023 Cabinet.
20. We noted the status of current projects and departmental overviews. It was also noted that the programme, including commitments remains affordable within the Medium Term Financial Plan 2023/24 – 2026/27. The Council currently has 43 live projects with an overall projected outturn value of £167.583m. The majority of projects are running to time, cost and quality expectations but are being monitored given the current pressures on resources in the construction sector nationally.
21. Members raised questions with regards to timeframes for completion of Eastbourne Sports Complex and were informed that only final electrical and draining work is left to be completed before sign-off. Further questions were raised as to whether penalties are present in contracts for contractors, for which there are.
22. We considered the content of the report to satisfaction prior to its presentation on 7 November 2023 Cabinet.

### **Council Tax Support – Scheme Approval 2024/25**

23. We received the report of the Assistant Director – Housing and Revenues prior to recommendation by Cabinet on 7 November 2023 and approval by Council on 30 November 2023.
24. Members were given an overview of Council Tax Support (CTS) and informed that the CTS scheme is required to be set each year including considering whether any changes should be made to the current scheme. No significant changes are being proposed to the existing scheme on this occasion. The scheme is required to be published by 11 March 2024.
25. We noted the report with a question being raised as to whether there have ever been any issues with the scheme in the past, we were informed that there have been no issues previously with the scheme being subject to full public consultation at the time of establishing.
26. Members had no objections to the report's progression to 7 November 2023 Cabinet.

### **Performance Indicators – Quarter 4 2022/23**

27. We welcomed the Assistant Director – Resources who presented the previously circulated report with the purpose of providing performance information aligned with key priorities. 22 indicators are reported to the committee, four of which are annual and eighteen on a six-monthly basis.
28. Members were provided with a summary including outcomes and comparisons with previous years' indicators. Some points of note included the reduction in average town centre footfall with areas for development being highlighted. A reduction in major planning applications decided within 13 weeks or within an agreed time (100% to 85%). An increase in percentage of non-major planning developments decided within 8 weeks or within agreed time (88.5% to 92.7%) and a reduction in monthly unemployment claimant count (4.57% to 4.33%).
29. Members noted the content of the report with a question being raised with regards to current average income in Darlington and if the impact of DEC is becoming visible, officers believe that the average wage has increased but this will be confirmed once new data is available.

### **Council Tax Changes to Empty Property Premiums 2024/25**

30. We received the report of the Assistant Director – Housing and Revenues prior to recommendation by Cabinet on 7 November 2023 and approval by Council on 30 November 2023 to consider proposed changes to Council Tax Empty Property Premiums for 2024-25.
31. Members were provided with proposals to change the Council Tax Empty Property Premiums from 2024-25 with points of note being that royal ascent has now been given. The definition of long-term empty homes has been amended to include unfurnished properties that have been empty for one year or more and that definition will also include empty furnished homes, referred to as “second homes”.
32. Discussions were held with points including that empty properties can potentially undermine regeneration efforts and actions to re-occupy properties should be supported. A further point being a belief that additional income will be hoarded and not used to bring empty properties back into use.
33. We raised questions regarding the definitions between furnished and unfurnished properties and the ways in which the Council finds out a property is empty for which officers provided satisfactory responses.
34. Members had no objections to the report's progression to 7 November 2023 Cabinet.

### **Revenue Budget Monitoring 2023/24 – Quarter 2**

35. We received the report of the Assistant Director – Resources prior to presentation at Cabinet on 7 November 2023. The purpose of the report being to provide a forecast of the 2023/24 revenue budget outturn as part of the Council’s continuous financial management process.
36. Members were provided with details of the report with points of note being an update on the Council’s current reserves (£16.003m) which has shown a decline of £1.119m on the planned balances in the 2023-27 MTFP. Summaries of individual departments were provided with a £3.8m overspend in People Group being noted from increased demand and complexity of need in Children’s Services. However it was noted that the overspend experienced in Childrens’ Social Care is an issue being experienced nationally.
37. We raised questions including as to whether there will be any changes to the MTFP timetable and were informed that this will continue to follow the established timetable. A further question was raised as to whether the Council will run out of reserves. We were informed that in the MTFP the reserves would be used up during 2026/27 and the process for setting the 2024-28 MTFP was underway, and the reserves position is reviewed as part of this process.
38. Members noted the report prior to submission on 7 November Cabinet.

### **Work Programme**

39. The following alterations were suggested and confirmed for the Work Programme:
  - (a) Economy and Resources MTFP item will be included in the Committee’s 4 January 2024 meeting
  - (b) A special meeting of the Economy and Resources Scrutiny Committee has been arranged for 11:00 Thursday 18 January 2024 at which all MTFP scrutiny responses will be considered and for which the chairs of the other committees will also be invited.

**Councillor Rebecca Baker**  
**Chair Economy and Resources Scrutiny Committee**

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**COUNCIL**  
**30 NOVEMBER 2023**

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**OVERVIEW OF HEALTH AND HOUSING SCRUTINY COMMITTEE**

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

**Update on the NHS Dentistry Provision and Primary Care Dental Access Recovery Plan**

2. We welcomed the Senior Primary Care Manager – Northeast and North Cumbria Integrated Care Board and colleagues who delivered a presentation updating members on NHS regulations and responsibilities of dental provision.
3. We were provided with an overview of the above and received an update on current issues and challenges faced by the service which included current workforce and retention issues, the impact of COVID resulting in a greater demand for care currently and the need to support and stabilise current offers and capacity.
4. Members were updated on current actions being taken to tackle challenges including a £3.8m spend to identify patients with greatest clinical need and to commission additional capacity with pilot schemes being undertaken at practices to refine identifying patients with greatest need. Flexible commissioning is also available for practices with offsets for recruiting overseas dentists and general work being undertaken in order to attract overseas dentists.
5. Oral health promotion initiatives were presented including supervised toothbrushing schemes in Darlington schools with around 1000 children currently taking part geared towards prevention from early years. A focus also being present for older adults in nursing and residential care with training provided for staff, residents and families as recognised by CQC and rated “best-practice”. Oral health training is also present for Public Health and Social Care staff.
6. Members raised discussions around the need to be registered at a practice before they are willing to see a patient and if given an urgent appointment slot whether this will be charged as private care or NHS, officers clarified that this would need to be established when contacting the practice in question.
7. Questions were asked regarding the opening of Eastbourne practice, clarified that timelines are set at time of tender with service commencement date yet to be established until current phases care complete.
8. It was discussed that Councillors could share information in ward newsletters with a request the NHS colleagues provide information to the portfolio holder in the first instance.

9. Members voiced their appreciation for the volume and quality of information provided in the presentation.

### **Housing Repairs and Maintenance Policy**

10. We welcomed the Assistant Director – Housing and Revenues to consider the draft Housing Services Repairs and Maintenance Policy before approval by Cabinet on 7 November 2023. The report sets out responsibilities to our tenants and leaseholders, how we will inspect and survey our properties to ensure they are maintained to a good standard and the arrangements in place for undertaking repairs, when issues arise.
11. We were provided with an overview of the repairs and maintenance policy outlining the how requests for work are handled including the categorising of jobs and the assessment process for work. The Tenants Panel were consulted on the draft policy which met with overwhelming support.
12. Questions were raised as to how many calls are as a result of mould, officers confirm that this would be treat as urgent however reports of mould comprise a very small percentage of overall calls. Further questions were raised as to whether surveys are conducted on the cause of certain issues, officers confirmed that this is the case where required.
13. Members noted the policy and added praise for staff due to positive feedback from residents around repairs and response times.

### **Healthwatch Darlington Annual Report**

14. We welcomed the Chief Executive Officer of Healthwatch Darlington who delivered a presentation on Healthwatch Darlington's Annual report providing an overview of the manpower, functions, and current projects of Healthwatch Darlington.
15. Points of note in the presentation included Healthwatch's continued statutory requirement to signpost individuals to required services and that the current staffing levels of Healthwatch Darlington stand at five staff including one full-time staff member and Youthwatch currently being refreshed.
16. Members were provided with a clarification of Healthwatch's involvement in patient experiences in which anonymous feedback is taken to form responses to NHS colleagues in order to provide a voice for all involved with volunteers visiting communities and collating experiences of individuals where necessary.
17. We were updated on current projects being undertaken by Healthwatch including carrying out extra work regarding Winter Pressures and the issuing of small grants to promote the risks of diabetes and reporting to the ICB at the end of November 2023 on the experiences of those ageing with learning disabilities.
18. We raised questions with regards to members sharing Healthwatch information on social media which will be provided.
19. Discussion was held with regards to social prescribing with Healthwatch colleagues highlighting their role being signposting rather than providing support. A future item or

session with a focus on social prescribing was proposed with NHS colleague, Martin Short willing to be point of contact on this.

### **Work Programme**

20. We have given consideration to the Work Programme for this Committee for the Municipal Year 2023/24 and possible review topics. The work programme is a rolling programme and items can be added as necessary.
21. We have agreed the following amendments:
  - (a) MTFP discussion will be held at the next meeting 3 January 2024 with feedback provided prior to a Special Economy and Resources Scrutiny Committee on 18 January 2024
  - (b) The scheduled presentation of a quad of aims regarding chronic inflammation is deferred to the next meeting 3 January 2024

**Councillor Mary Layton**  
**Chair of the Health and Housing Scrutiny Committee**

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